

Senator Warren, from the committee on Mines and Mining, submitted the following report:

MR. PRESIDENT—Your committee on Mines and Mining, to whom was referred House file No. 190, a bill for an act to amend sections nineteen hundred sixth-eight (1968), nineteen hundred sixty-nine (1969), nineteen hundred seventy-one (1971), nineteen hundred seventy-two (1972) of the code of Iowa, relative to the draining of lead and zinc mines, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the same do pass.

J. L. WARREN,

*Chairman.*

Adopted.

Senator Young of Calhoun, from the committee appointed to prepare suitable resolutions of respect to the memory of the late Hon. J. D. McVay, of Calhoun county, submitted the following report and moved its adoption:

MR. PRESIDENT—Your committee appointed to prepare suitable resolutions of respect to the memory of the Hon. J. D. McVay, late of Calhoun county, beg leave to report as follows:

WHEREAS, The Hon. J. D. McVay, an honored member of the Senate of the Twenty-second and Twenty-third General Assemblies of Iowa, representing Calhoun and Webster counties, and also an honored member of the House of the Twentieth General Assembly of Iowa, departed this life April 4, 1904.

J. D. McVay was born February 3, 1844, in Fulton county, Illinois. When a small boy his parents moved to Keokuk county, Iowa. At the outbreak of the Civil war, he early answered the call for volunteers, entering the 36th Infantry ex-Governor, Drake's regiment. He was taken prisoner at "Mark's Mills" and was taken from there to Camp Ford, Tyler, Texas. Here he displayed the qualities that made him beloved by all who knew him. His captain, who was captured at the same time, was seriously ill and in order to save his life it was necessary that he be paroled at once. Senator McVay's name coming before his captain's for parole, exchanged names and allowed him the opportunity of escaping from death, while he waited and took his chances. He was mustered out after a service of three years and one month. He moved to Calhoun county in 1872 and resided there until his death.

*Resolved*, That in the death of this generous-hearted, patriotic soldier, citizen and legislator that the State has lost a good, upright citizen, the community in which he lived one of its most conscientious and energetic members, and the highest type of a man, his family a kind and loving husband and father.

*Resolved*, That we extend to his family and those nearest him, our sincere sympathy in their sorrow and afflictions. That the Secretary of the Senate is hereby instructed to transmit an engrossed copy of these resolutions

to the bereaved family, and to enter the same upon the Journal of the Senate.

YOUNG of Calhoun,  
D. H. LYONS,  
S. H. HARPER,  
*Committee.*

Adopted unanimously by a rising vote.

Senator Young of Calhoun spoke as follows:

We would exhibit a want of appreciation of a good neighbor, a friend, a superior citizen of more than a quarter of a century of acquaintance if we did not make a few remarks on the life and character of Senator McVay, to whom the resolutions just read refer.

Senator McVay was born in Fulton county, Illinois, in 1844. When but a boy his father, with the family, moved to this state in Lee county, near Keokuk.

In common with other children of pioneer families, the Senator was obliged, as soon as age and strength would permit, to assist in the management of the household to supply the necessities of life. In those strenuous days, idleness was no part of the curriculum of childhood. As a result, self-reliance and independence became a part of the child's character.

The Senator's opportunities for an education were confined to the winter months, when his services were not required as a wage-earner on the farm. His home teachings were such that the foundations were laid broad and deep for a good citizen in every department of life, in civil, military and above all in the home life.

When but a youth, yet in his minority, he enlisted in the service of his country and became a member of the Thirty-sixth Regiment of Iowa Volunteers and was assigned to Company B as a private. Our fellow Senator from Wapello marched under the same regimental flag and in the same company. That flag now rests in one of the niches of the Capitol on the floor beneath us, and is invoiced among the most sacred and valuable property of the State. Senator McVay is dead, but the living for years will look upon that flag and be reminded of the great sacrifices that he and others made, that we might enjoy a united and prosperous country. Senator McVay was with the regiment in all the engagements in which it participated. In 1864 the regiment was sent to assist General Banks in the Red River campaign. Before reaching Banks they learned of his defeat.

The regiment was ordered to guard a retreating supply train. The pursuing rebel army overtook them and after a number of struggles against a brave and much superior force, they were obliged to surrender and were marched rapidly, without rest or food for fifty miles to Tyler, Texas, where they were confined in a rebel prison. While here the Senator showed the bigness of his manhood. An order came one day for the parole of a number of prisoners. The Senator's name was among the happy number, but at this time, his Captain was sick and under prison surroundings could live but a short time. The Senator permitted his Captain to take his name and return to his home, and was nursed back to health, and he remained in prison. When one considers twenty-five to thirty per cent of our boys died in those prisons. Insufficient shelter and food was furnished them.