

## JOINT RESOLUTIONS

PASSED BY THE TWENTY-FOURTH GENERAL ASSEMBLY.

## NUMBER 1.

**SENATE JOINT RESOLUTION AND MEMORIAL** of the General Assembly of the State of Iowa, to the Congress of the United States, in Reference to the Election of United States Senators by a Direct Vote of the People.

*Be it Resolved by the General Assembly of the State of Iowa:*

That our Representatives in Congress be requested and our Senators be instructed to vote for and use their active influence to secure an amendment to the Constitution of the United States, providing for the election of United States Senators by a direct vote of the people of the several states.

That the secretary of state be and is hereby instructed to forthwith transmit a copy hereof to each of our Senators and Representatives in Congress.

## NUMBER 11.

**JOINT RESOLUTION** Instructing our Senators and Requesting Our Representatives in Congress to Procure the Passage of an Act of Congress which shall Provide for Indemnifying the Bona Fide Settlers Upon What is Known as the Des Moines River Lands, Whose Titles Have Failed.

**WHEREAS**, On August 8th, 1846, an act was passed by Congress granting certain lands to the territory of Iowa, to aid in the improvement of the navigation of the Des Moines river, "From its mouth to the Raccoon Fork, one equal moiety \* \* \* \* \* in a strip five miles in width on each side of the river," and,

**WHEREAS**, The words, "On each side of the river," were construed by the commissioner of the general land office, by the secretary of the treasury, by the attorney-general and by other officers of the government, at one time to extend throughout the entire length of said river, and at another time as only extending to the Raccoon Fork, leaving the extent of said grant entirely unsettled; and,

**WHEREAS**, The supreme court of Iowa, at its December term, 1859, in the case of *Railroad Company vs. Litchfield* (28, How. 66), decided that the Raccoon Fork was the northern limit of the grant; and,

**WHEREAS**, The State of Iowa had patented a large portion of the grant above the Raccoon Fork, relying upon the decisions of the land department and officers of the government; and,

WHEREAS, On the 2nd of March 1861, a joint resolution of Congress was passed, confirming the title held by "*bona fide* purchasers under the State of Iowa," and on the 12th day of July 1862, Congress passed an act extending the grant from the Raccoon Fork to the northern line of the state; and,

WHEREAS, Prior to the passage of said last named act, a large number of persons had settled upon, pre-empted and made homesteads upon said lands in good faith, believing that the said lands were government lands, and subject to pre-emption, homestead and entry; and,

WHEREAS, The legislature of the state of Iowa passed an act authorizing the appointment of a commission to examine and report upon the losses of settlers and claims upon Des Moines river lands, on account of failure of title, and provide for applying to congress for relief, the same being House File No. 1, chapter 7, of the acts of the Fourteenth General Assembly, approved January 31st, 1872; and,

WHEREAS, Under said act the commission was appointed for the purposes recited in the title thereof, and under said act did examine and report upon the loss of settlers and claimants upon said lands, and the same was printed and all the expenses thereof paid by the state under said act; and

WHEREAS, The governor of the state of Iowa appointed commissioners to go to Washington to present said claims made by settlers to try and secure an adjustment of the same, and an act of congress provided therefor; and

WHEREAS, It was contended by a portion of the settlers upon said lands that they had a legal and lawful title to said lands, their entries having been approved by the land department and certificates of entry issued by the proper officers of said land department of the United States, and in many cases patents having been signed by Abraham Lincoln, president of the United States, and that they therefore were unwilling at the time to receive compensation for their losses, but insisted upon their right and title to the land in question; and

WHEREAS, After much litigation between private parties claiming under such entries made in the land office on the one hand, and on the other by parties claiming through the river land chain of title, so called, until during the year 1890 a suit was commenced by the attorney-general of the United States, in the name of the United States against the Des Moines Navigation and Railway Company *et al.*, holding through the said river land title, claiming that said lands still remained the property of the United States and of its grantees through patents, entries, etc., which said suit is No. 987, tried at the October term, 1891, argued November 19th, 1891, before a full bench, and decided January 11th, 1892, which was an appeal from the circuit court of the United States, Northern District, Central Division of Iowa, and in which case the supreme court has decided finally and thereby making an end of litigation as to this title, that the title of the Des Moines Navigation and Railway Company and its grantees was good as against the holders of the title by homestead, pre-emption, entry and patents; and

WHEREAS, Some of the settlers have resided on the lands referred to for a period of nearly forty years and made valuable improvements, believing that they had good and perfect title to said property; therefore

*Be it resolved by the General Assembly of the State of Iowa:*

That our senators be instructed and our representatives in congress be urgently requested to procure the passage of an act of congress which shall provide for indemnifying all *bona fide* settlers upon what is known as Des Moines river lands, whose titles have failed.

*Be it further resolved* that the secretary of state be directed to send a copy of these resolutions to each of our senators in congress and members of the house of representatives.

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NUMBER 13.

*Be it resolved by the General Assembly of the State of Iowa:*

That the sum appropriated to the state of Iowa by the act of Congress, approved March 2 1891, and entitled an act to credit and pay to the several states and territories and the District of Columbia, all moneys collected under the direct war tax levied by act of Congress, approved August 5, 1861, be and the same is hereby accepted upon the trusts, and conditions, imposed by section 3 of said act.

That the governor is hereby authorized and directed to receive said appropriation, and to place the same into the treasury of the state for the purposes specified in said act, taking duplicate receipts for the same one of which shall be filed with the auditor of state.

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NUMBER 14.

JOINT RESOLUTION AND MEMORIAL to Congress Relating to Compound Lard.

*Be it resolved by the General Assembly of the State of Iowa:*

That our senators and representatives in Congress be and are hereby requested to use their best efforts to secure the passage of a law to prevent the manufacture and sale of "compound lard" as it is called, unless the same be so labeled and branded as to expose its true composition and distinguish it from genuine lard.