

JOURNAL

OF THE

HOUSE OF REPRESENTATIVES

OF THE

SECOND REGULAR SESSION

OF THE

GENERAL ASSEMBLY OF THE STATE OF IOWA.

BEGUN AND HELD AT THE CAPITOL, IN IOWA CITY, ON MONDAY,

THE FOURTH DAY OF DECEMBER, A. D. 1848.

FORT MADISON:

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JOURNAL
OF THE
HOUSE OF REPRESENTATIVES,
OF THE
SECOND REGULAR SESSION OF THE
General Assembly of the State of Iowa,

Begun and held at the Capitol, in Iowa City, on Monday,
the fourth day of December, A. D. 1848.

At twelve o'clock M., the House was called to order by J. Scott Richman, Esq., Chief Clerk of the last Session.

The Districts were then called, and the following named persons appeared and presented their credentials as members elect, from their respective districts, to wit:

From the County of Lee—W. C. READ, C. J. MC FARLAND, MICHAEL H. WALKER, SAMUEL NORTON, and ISAAC W. GRIFFITH.

From the County of Van Buren—JOHN ALEXADER, WILLARD ELMER, JOSIAH W. MC MANAMAN, and ABNER H. MC CRARY.

From the Counties of Davis and Appanoose—REUBEN RIGGS.

From the County of Wappello—JOSEPH H. FLINT.

From the County of Monroe—WILLIAM M. ALLISON.

From the Counties of Marion, Polk, Dallas and Jasper—L. W. BABBIT and MANLY GIFFORD.

From the County of Des Moines—THOMAS L. SARGEANT, J. L. CORSE, JOHN PENNY and GEORGE DAVIDSON.

From the County of Henry—HUGH R. THOMPSON, MARK BURROUGHS and SAMUEL D. WOODWORTH.

From the County of Jefferson—GEORGE WEYAND, WILLIAM BAKER and ANDREW COLLINS.

From the Counties of Muscatine, Johnson and Iowa—JOSEPH F. HARRISON.

From the County of Louisa—WRIGHT WILLIAMS.

From the County of Washington—STEWART GOODRELL.

From the County of Keokuk—WILLIAM JACOBS.

From the Counties of Johnson and Iowa—SMILEY H. BONHAM.

From the County of Scott—JOHN D. EVANS.

From the County of Clinton—JAMES D. BOURSE.

From the County of Cedar—JEREMIAH C. BETTS.

From the Counties of Linn and Benton—ABRAHAM TIMMONS.

From the Counties of Jackson and Jones—DENNIS A. MAHONY and NATHAN G. SALES.

From the Counties of Dubuque, Delaware, Clayton, Fayette, Buchanan and Blackhawk—JAMES LANGTON.

The Chief Clerk reported a quorum present.

Whereupon,

On motion of Mr Williams,

Stewart Goodrell was appointed Speaker *pro tem.*

On motion of Mr McFarland,

William E. Leffingwell was appointed Chief Clerk, *pro tem.*

On motion of Mr Mahoney,

John J. Norman was appointed Assistant Clerk, *pro tem.*

On motion of Mr Sargeant,

Peter Kesler was appointed Sergeant-at-Arms *pro tem.*

On motion of Mr Collins,

James N. Bell was appointed Messenger *pro tem.*

On motion of Mr Bonham,

Peter Conboy was appointed Fireman *pro tem.*

On motion of Mr Sargeant,

The members present came forward and severally took and subscribed the oath required by the Constitution.

On motion of Mr Read,

A Committee consisting of five were appointed to examine the credentials of the members elect, with instructions to report to-morrow morning.

The Speaker, *pro tem.*, appointed Messrs Read, Burroughs, Bonham, McManaman and Sargeant, said committee.

On motion of Mr Williams.

The House adjourned until to-morrow morning at 10 o'clock.

Tuesday Morning, December 5th, 1848.

The House met pursuant to adjournment.

Mr Read, from the committee on credentials made the following report:

The committee appointed to examine the credentials of the members of this House, having discharged the duty assigned them, beg leave to report that they find the credentials of the following named gentlemen correct, and in accordance with law:

From the County of Lee—Messrs Wm. C. Read, C. J. McFarland, Michael H. Walker, Samuel Norton and Isaac W. Griffith.

From the County of Van Buren—Messrs John Alexander, Josiah W. McManaman, Abner H. Mc Crary and Willard Elmer.

From the Counties of Davis and Appanooce—Reuben Riggs.

From the County of Wappello—Joseph Flint.

From the County of Monroe—William M. Allison.

From the Counties of Marion, Polk and Jasper—L. W. Babbit, and Manly Gifford.

From the County of Des Moines—Thomas L. Sargeant, George Davidson, John Penny and John L. Corse.

From the County of Henry—S. D. Woodworth, Mark Burroughs and H. R. Thompson.

From the County of Jefferson—William Baker, George Weyand and Andrew Collins.

From the County of Louisa—Wright Williams.

From the County of Washington—Stewart Goodrell.

From the Counties of Muscatine, Johnson and Iowa—Joseph F. Harrison.

From the Counties of Johnson and Iowa—Smiley H. Bonham.

From the County of Muscatine—

From the County of Scott—John D. Evans.

From the County of Clinton—James D. Bourne.

From the County of Jones—

From the Counties of Jackson and Jones—Dennis A. Mahony and Nathan G. Sales.

From the Counties of Linn and Benton—Abraham Timmons.

From the County of Keokuk—William Jacobs.

From the County of Cedar—Jeremiah C. Betts.

From the Counties of Dubuque, Clayton, Delaware, Buchanan, Fayette and Blackhawk—Sydney Wood and James A. Langton.

On motion

The report was adopted.

On motion of Mr Corse,

The House proceeded to the election of Speaker.

Mr Harrison nominated Smiley H. Bonham, of Johnson county, for Speaker.

Mr Williams nominated Mr Goodrell, of Washington county.

On motion of Mr McFarland,

The House proceeded to elect by ballot.

Messrs Harrison and Bourne acting as tellers.

Mr Bonham's name being called, he asked leave to be excused from voting,

Which was granted.

The vote having been taken, resulted as follows :

For Smiley H. Bonham,	25	votes,
“ Stewart Goodrell,	8	“
“ Scattering,	1	“
“ Blank,	1	“

Mr Bonham having received a majority of all the votes cast, was declared duly elected Speaker of this House.

Messrs Read and Sales were appointed to conduct the Speaker to the chair ;

Who having taken his seat, arose and addressed the House as follows :

GENTLEMEN :—

Accept my sincere thanks for the kind partiality which you have evinced in selecting me to preside over your deliberations.

Feeling sensibly my inability to discharge satisfactorily the duties of the highly responsible station to which you have called me, I rely mainly upon your disposition to co-operate with me in preserving harmony and decorum, and advancing the weighty objects for which we are assembled. Should injustice ever be deemed the result of my official conduct, I trust that it will be imputed to an error of judgment rather than prejudice or partiality. I bespeak your kind indulgence, gentlemen, and again tender you my thanks, with the assurance that no effort shall be spared on my part to merit your confidence and approbation.

Mr Mahony offered the following resolution :

Resolved, That the permanent officers of this House shall consist of a Speaker, Chief Clerk, First and Second Assistant Clerks, Messenger, Sergeant-at-Arms and Fireman.

Mr Williams moved to amend the resolution by striking out "Second Assistant Clerk."

Which was disagreed to.

Mr Langton presented the credentials of Mr Wood, member elect from the Counties of Dubuque, Delaware, Clayton, Buchanan, Fayette and Blackhawk.

And thereupon,

Mr Wood came forward, took and subscribed the oath prescribed by the Constitution, and was admitted to his seat.

Mr McFarland moved that the House now proceed to the election of Chief Clerk.

And, upon a division of the House,

The question was decided in the affirmative.

Mr Read nominated J. W. Walker.

Mr Williams nominated Samuel L. Coleman.

Messrs McFarland and Williams were appointed as tellers.

A committee from the Senate, consisting of Messrs Harbour, Sprott and Bradly, were announced, informing the House that the Senate was permanently organized, and were ready to proceed to business.

The vote having been taken and counted,

Resulted as follows :

For J. W. Walker,	26 votes,
" Samuel L. Coleman,	10 "

J. W. Walker having received a majority of all the votes cast, was declared duly elected Chief Clerk of the House.

On motion of Mr Griffith,

The House now proceeded to the election of First Assistant Clerk.

Mr Mahony nominated John P. Foley, of Dubuque county.

Mr Timmons nominated Willard W. Harland, of Linn county.

Same gentlemen acting as tellers.

The vote having been taken and counted,

Resulted as follows :

For John P. Foley,	27 votes.
" Willard H. Harland,	10 "

John P. Foley having received a majority of all the votes cast, was declared duly elected First Assistant Clerk.

Mr Goodrell moved to dispense with the Second Assistant Clerk.

And upon this motion the yeas and nays were demanded, and;
Resulted as follows :

Yeas— 9,

Nays—26.

Those who voted in the affirmative were—

Messrs Bourne, Goodrell, Mc Crary, McManaman, Riggs, Timmons, Thompson, Williams and Woodworth.

Those who voted in the negative were—

Messrs Allison, Babbit, Baker, Betts, Burroughs, Collins, Davidson, Corse, Elmer, Evans, Flint, Gifford, Griffith, Harrison, Jacobs, Langton, Mahony, McFarland, Norton, Penny, Read, Sales, Sargeant, Walker, Weyand, Wood, and Mr Speaker.

So the motion was lost.

Mr Goodrell presented the credentials of George D. Stephenson, member elect from the county of Muscatine,

Who came forward and took and subscribed the oath required by the Constitution, and was admitted to his seat.

Mr Corse nominated William C. Saunders for Second Assistant Clerk.

The vote having been taken,

Resulted as follows :

For William C. Saunders	27 votes,
Blank	1 "

William C. Saunders having received a majority of all the votes cast, was declared duly elected Second Assistant Clerk.

On motion of Mr Harrison,

The House proceeded to the election of a Sergeant-at-arms.

Mr McFarland nominated Elbridge G. Lamson, of Lee county.

The vote being taken,

Resulted as follows :

For Elbridge G. Lamson	27 votes,
" Geo. Williams	1 "
Blank	2 "

Elbridge G. Lamson having received a majority of all the votes cast, was declared duly elected Sergeant-at-arms.

On motion of Mr McFarland,
 The House proceeded to the election of a Messenger.
 Mr Baker nominated James N. Bell, of Jefferson county.
 The vote having been taken,
 Resulted as follows :

For James N. Bell	27	votes,
“ — Tryon	1	“
“ Martin Van Buren	1	“
Blank	2	“

James N. Bell having received a majority of all the votes cast,
 was declared duly elected Messenger.

On motion of Mr Griffith,
 The House proceeded to the election of a Fireman.
 Mr Betts nominated George Williams, of Iowa county.
 Mr Mc Manaman nominated Peter Conboy, of Johnson county.
 The vote having been taken,
 Resulted as follows :

For George Williams	26	votes,
“ Peter Conboy	9	“

George Williams having received a majority of all the votes cast,
 was declared duly elected.

On motion of Mr Goodrell,
 The officers elect came forward and took the oath of office, and
 entered upon the discharge of their duties.

On motion of Mr Read,
 A committee of three were appointed to wait upon the Senate,
 and inform that body that this House is now organized, and ready
 to proceed to business.

Mr Read from the committee appointed to wait upon the Senate
 informing them of the organization of the House submitted the fol-
 lowing:

The committee appointed to inform the Senate of the organization
 of the House, have instructed me to report that they have performed
 that duty.

Mr Mahoney offered the following resolution :

Resolved, That Messrs Palmer & Paul, publishers of the Iowa
 Capital Reporter, be employed to execute the incidental printing of
 this House, at prices to be fixed by law.

On motion of Mr Goodrell,
 The House adjourned until 2 o'clock p. m.

2 o'clock, P. M.

House met pursuant to adjournment.

Mr McFarland offered the following resolution :

Resolved, That the Sergeant-at-arms be authorized to furnish a sufficient number of desks for the accommodation of members, editors and reporters of this State.

Mr Sargeant offered the following resolution :

Resolved, That the Chief Clerk be authorized to furnish each member of the House with twenty copies weekly, of such newspapers, published in this city, as they may direct.

Mr Mahony offered the following resolution :

Resolved, That the Secretary of State be requested to furnish each member of this House, with a copy of the Journals of the last session of the General Assembly ; and also, with a copy of the laws passed at the same session.

On motion,

The House adjourned until to-morrow morning at 10 o'clock.

Wednesday Morning, December 6th, 1848.

The house met pursuant to adjournment.

Mr Griffith moved to dispense with reading the Journal.

The yeas and nays were demanded.

Which resulted as follows :

Yeas—15,

Nays—20.

Those who voted in the affirmative, were

Messrs Babbitt, Baker, Betts, Collins, Evans, Flint, Griffith, Har-
rison, Jacobs, Langton, Norton, Penny, Read, Walker, and Mr
Speaker.

Those who voted in the negative, were

Messrs Allison, Bourne, Burroughs, Corse, Davidson, Elmer,
Gifford, Goodrell, Mahony, McCrary, McManaman, Riggs, Sales,
Sargeant, Stephenson, Timmons, Thompson, Weyand, Williams and
Woodworth.

A message by Mr Perry, Secretary of the Senate, was received from the Senate informing the House that the Senate had appointed a joint committee to wait upon his Excellency, the Governor, asking if he has any communication to make to this body.

Mr McCrary moved that a committee be appointed to wait on the Rev. Mr Smith, and request him to open the House with prayer.

Mr McCrary and Mr Sales were appointed said committee.

Mr Goodrell moved that a committee be appointed to wait upon the Governor, with the committee from the Senate, to receive any communication he may have to present to this Legislative Assembly.

Messrs Goodrell and Griffith were appointed said committee.

Mr Corse offered the following resolution :

Resolved, That the Clerk of the House be directed to inform the Senate, that the House will be ready to receive the members of that body, this day at two o'clock, to go into the election of United States Senators to represent the State of Iowa.

A message from the Senate, by Mr Perry, their Secretary.

MR SPEAKER:

I am directed to inform the House of Representatives that the Senate has passed,

Senate file, No. 1, An Act granting certain rooms in the Capitol, for the United States District Court, and

Senate file, No. 2, Joint Resolution requesting our Senators and Representatives, in Congress, to procure an appropriation to defray the expenses of running the boundary line, between Missouri and Iowa,

Also,

Senate file, No. 3, Joint Resolutions relative to the election of Senators and Judges.

In all of which the concurrence of the House is requested.

On motion of Mr Read,

Senate file, No. 1, A Bill for an act to grant certain rooms in the Capitol, for the use of the United States District Court,

Was taken from the table and read the first time.

On motion of Mr Read,

The 42nd rule was suspended, and the bill was read a second and third time, passed, and its title agreed to.

On motion of Mr Harrison,

Senate file, No. 2, Joint Resolution requesting our Senators and Representatives in Congress, to procure an appropriation to defray the expenses of running the north-western boundary of the State of Iowa,

Was taken from the table.

On motion of Mr Sargeant,
The 42nd rule was suspended, and the bill read a second time,
And,

On motion of Mr Griffith,

The 42nd rule was again suspended, and the bill was read a third time, passed, and its title agreed to.

On motion of Mr Read,

Senate file, No. 3, Joint Resolution relative to the election of the United States Senators and Judges,

Was taken from the table and read.

Mr Read moved to amend, by striking out the words "two o'clock" and "Supreme Judges," and insert "Wednesday, 6th inst., at 3 o'clock."

Which was agreed to.

On motion of Mr Mahoney,
The House adjourned until 2 o'clock, P. M.

2 o'clock, P. M.

House met pursuant to adjournment.

The Speaker presented the resignation of J. W. Walker, Chief Clerk of the House,

Which,

On motion of Mr Mahony,

Was accepted.

Mr Sales offered the following resolution :

Resolved, That this House now proceed to the election of a Chief Clerk in the place of J. W. Walker, resigned,

Which was adopted.

Mr Sargeant nominated William E. Leffingwell, of Clinton county.

Mr Corse moved to elect by acclamation,

Which was accordingly done.

On motion of Mr Read,

Mr Leffingwell came forward and took the oath of office.

Mr Goodrell from the committee appointed to wait upon his Excellency, the Governor, and inform him of the permanent organization of the House, presented the following communication from his Excellency:

GENTLEMEN OF THE SENATE,

AND HOUSE OF REPRESENTATIVES:

You have assembled as a co-ordinate branch of the Government, for the purpose of performing the duties imposed upon you by the Constitution of the State. It is a source of gratification and pride that we compose one of the States of this great confederacy, and that we live in a country, the Government of which, is superior to any that has ever been formed by the wit of man. Republics possessing some of the features of our own, have arisen and passed away. For nearly three-quarters of a century, our country has prospered in an unprecedented manner; she has stood unshaken amidst internal commotions, wars of invasion, and a foreign war; and our citizens are, at the present time, equal if not superior to any upon the face of the earth, in all that can ennoble and dignify mankind. But our own sagacity has not produced these great and happy results. The eye of Almighty God has watched over us; His arm has been stretched out to protect and assist us; and our deepest gratitude at all times is a poor, but it may possibly be an acceptable, offering to Him for the many and great favors which he has bestowed upon us. Being thus favored of Heaven, every citizen is under the most solemn obligations to preserve unimpaired our Union and our institutions. Every State exerts an influence. We have lately entered the confederacy, and it should be our great desire to labor earnestly and faithfully to promote the happiness of the people of our own State, while at the same time we should be equally solicitous touching the prosperity and honor of our common country.

You, fellow citizens, are the representatives of the people of this State. You are fresh from their midst, and understand their wishes and interests. It will undoubtedly be a prominent consideration that we are their servants; that they expect us to perform our duties with dignity and energy; and especially may they reasonably

expect that all legislative business will be despatched as speedily as possible, consistent with accuracy and propriety, in order that they may not be harassed with unnecessary burdens.

If the matters which I shall feebly and imperfectly present for your consideration, fall short of what the people expect at your hands, or if they in any way conflict with their best interests, it is the earnest hope of the executive that you will, by your superior wisdom and acquaintance with their wants, supply the proper remedy.

The following statement exhibits the amount of the receipts and disbursements of the treasury, since the annual report of the territorial treasurer, dated Nov. 16th, 1846 :

	<i>Receipts.</i>	<i>Payments.</i>
Receipts from 16th Nov. 1846 to 1st March, 1847,.....	\$1,379 97	
Payments from 16th Nov. 1846, to 1st March, 1847,.....		\$1,377 35
Receipts from 1st March 1847, to 11th June 1847,.....	3,316 28	
Payments from 1st March 1847, to 11th June 1847,.....		3,309 76
Receipts from 11th June 1847, to 6th Sept. 1847,.....	54,697 99	
Payments from 11th June 1847, to 6th Sept. 1847,.....		49,097 88
Receipts from 6th Sept. 1847, to 30th Nov. 1847,.....	1,210 29	
Payments from 6th Sept. 1847, to 30th Nov. 1847,.....		6,812 54
Receipts from 30th Nov. 1847, to 6th March, 1848,.....	13,278 95	
Payments from 30th Nov. 1847, to 6th March 1848,.....		8,028 58
Amount carried up,.....	73,883 48	68,626 11

	<i>Receipts.</i>	<i>Payments.</i>
Amount brought forward,	\$73,883 48	\$68,626 11
Receipts from 6th March 1848, to 6th June, 1848,	2,580 56	
Payments from 6th March 1848, to 6th June, 1848,		2,960 96
Receipts from 6th June, 1848, to 31st October, 1848,	180 63	
Payments from 6th June, 1848, to 31st October, 1848,		3,663 20
	\$76,644 67	\$75,250 27
	75,250 27	
Balance on 31st October, 1848,	1,394 40	

It will be perceived by the foregoing statement that on the 31st of October, 1848, there was a balance in the treasury of one thousand three hundred and ninety-four dollars and forty cents.

There is no object for the promotion of which an enlightened legislator will more readily apply his best energies, than that of education. It is generally conceded that our present school law is, in many respects, exceedingly defective. One of the prominent purposes for which the General Assembly was convened in extra session in January last, was the amendment of this law, or the substitution of a different one. Numerous petitions were presented to the Legislature, in which the solicitude of the people in reference to this subject, could not have been mistaken. The law, however, was not amended, and neither was a new one enacted. It is to be regretted that the earnest wishes of the people in this particular, should have been thus frustrated.

In inviting your attention to this subject, I would respectfully suggest that there are one or two points, connected with it, upon which your immediate action would be of essential service to the cause of education throughout the State.

The second section of the tenth article of the constitution makes appropriations for a perpetual State school fund, the *interest* of which alone shall be applied to the support of common schools. By the school law of 1847, all the moneys constituting this perpet-

ual fund flow into the hands of the School Fund Commissioners. The fourth section of the foregoing article of the constitution, provides that "The money which shall be paid by persons as an equivalent for exemption from military duty, and the clear proceeds of all fines collected in the several counties for any breach of the penal laws, shall be exclusively applied, in the several counties in which such money is paid or fine collected, among the several school districts of said counties, in the proportion to the number of inhabitants in such districts, to the support of common schools, or the establishment of libraries, as the General Assembly shall from time to time provide by law." It would seem clear that it is not the intention of the constitution that the *interest* of the funds accruing under this section, should be applied to the support of common schools in the several counties, but that the *principal* itself should be thus applied; and it would also seem clear that these funds should be kept separate and apart from the permanent school fund. By the twenty-third section of the school law of 1847, it is made the duty of the county Treasurer to pay over to the School Fund Commissioner of the proper county, on the fifteenth day of February, annually, for the use of common schools within the county, all the moneys specified in the fourth section of the foregoing article of the constitution, together with "All funds in the treasury arising from the sale of water crafts, lost goods and estrays." And the nineteenth section of the law provides for levying a tax by the county commissioners of the several counties throughout the State, for the support of common schools in their respective counties. These taxes when collected, are also paid into the hands of the School Fund Commissioners, on the fifteenth day of February, annually. These funds were likewise unquestionably intended to be kept separate from the permanent school fund, and to be wholly distributed in the several counties where the tax is levied and collected. There are no provisions in the law, however, for keeping these funds, and those arising from the sources heretofore specified, separate and apart from the permanent fund, nor for their separate distribution. On the fifteenth day of February, annually, they are paid over to the School Fund Commissioners, where they must either lie idle, or be loaned out in accordance with the thirty-seventh section of the school law; which section was evidently intended to apply exclusively to the management of the permanent fund. I

would, therefore, recommend that some measure be speedily adopted by which the Fund Commissioners will be enabled, when these funds come into their hands in February next, to manage and distribute them according to the intention of the constitution and the laws; and I would further recommend that all other defects in our common school system, receive your earliest and most earnest attention.

In my message delivered at the special session in January last, I called the attention of the General Assembly, to "An Act of the General Assembly, approved February 25th, 1847, entitled 'An Act to provide for the management and distribution of the school fund.'" The eighth section of this act provides "That the manner of selecting the five [hundred] thousand acres of land mentioned in the second section of the tenth article of the constitution; and the disposition thereof, for the support of schools, shall be as follows, to wit: any person capable of contracting, having settled upon the public lands, the quality whereof, and the improvements thereon, within the opinion of the Fund Commissioner of the county, render the selection a safe and profitable one, may in writing signify to said Commissioner his or her desire to have the same recognized as school lands, and thereupon the same, not exceeding three hundred and twenty acres, shall be returned by said Fund Commissioner, with the date of their selection, to the Superintendent of Public Instruction, to be by him registered as lands selected by the State under the grant from Congress referred to; after which the said Fund Commissioner shall proceed to contract with such settler for the sale thereof.

The seventeenth section of the act provides that "The Superintendent of Public Instruction shall report from time to time, all selections made under the eighth section of this act to the Secretary of the Treasury of the United States, and to the proper land office.

Selections made according to the provisions of the eighth section of this act, have been reported to the General Land Office, by the gentleman elected as Superintendent of Public Instruction. The report has been returned as incorrect and invalid, on the ground that the selections thus made, conflict with the General Land Office instructions of August 6th, 1847, with reference to State selections under the act of Congress of the 4th September, 1841, entitled "An Act to appropriate the proceeds of the sales of the public lands and to grant pre-emption rights." The fifth section of those

instructions makes it important and necessary that the selecting agent of the State "should make such careful and thorough preliminary examinations as will enable him to select lands to which there may exist no valid claim by pre-emption or otherwise;" and the sixth section provides that "if, notwithstanding such precaution, the State shall hereafter select lands which shall be found to be interfered with by any prior or better claim or claims, the selections to the whole extent of such claim or claims, will, of course, be null and void." It will readily be perceived from the foregoing instructions, that it is not contemplated by the act of Congress above referred to, to surrender to the State any land covered by any valid claim "by pre-emption or otherwise;" consequently, the law of this State, allowing persons having claims upon the public lands by virtue of improvements thereon, to register them as lands selected by the State, and then to purchase them from our own State officers, conflicts in a very material point, with the instructions from the General Land Office. It is of the utmost importance to the cause of education in this State, that these selections should be made as soon as practicable. In order to accomplish this object, our laws relative to the making of these selections, must harmonize with the requirements of the General Government.

The General Assembly addressed a memorial to Congress protesting against the instructions of the General Land Office, and praying that those instructions might be so modified as to give our State the benefit of the act of Congress of the 4th of September, 1841. Of the fate of that memorial the executive, up to the present time, has received no intelligence. Whether it will be more advantageous to the cause of education and the interests of the State, to await the result of that memorial, than immediately to cause our laws relative to these selections, to harmonize with the instructions of the General Land Office, I leave for you to determine, as the selections are at present suspended, and as they will so continue, until either Congress or the General Assembly shall act upon the matter. I trust the subject will receive that attention at your hands which its high importance demands.

Below is presented the number of all able-bodied white male citizens, between the ages of eighteen and forty-five years, subject to military duty in each of the counties which have been reported to me, in accordance with an act entitled "An Act requiring the as-

sessors to take lists of persons subject to military duty," approved January 25, 1848.

COUNTIES.	NUMBER.
Lee,.....	2688
Johnson,.....	666
Poweshiek,.....	61
Linn,.....	704
Cedar,.....	539
Iowa,.....	81
Clinton,.....	383
Jackson,.....	1025
Jasper,.....	108
Keokuk,.....	485
Louisa,.....	668
Washington,.....	566
Davis,.....	721
Dallas,.....	59
Polk,.....	678
Clayton,.....	419
Henry,.....	950
Jefferson,.....	1100
Muscatine,.....	697
Van Buren,.....	1640
Buchanan,.....	71

Whole number reported,.....14310

Several of the counties have failed to forward an abstract in obedience to the act above mentioned. However irksome the performance of this species of military duty may to some appear, it cannot be denied that a well organized militia is, in every point of view, essentially necessary in this State; and without further comment, I would suggest that at least such an organization be effected as will entitle us to receive our quota of arms from the General Government.

At the special session in January last, the General Assembly forwarded a memorial to Congress, praying for an appropriation of land for the construction of a railroad from Dubuque to Keokuk, through the interior of the State. It was there referred to a committee, the chairman of which, it is understood, reported adversely

to the prayer of the memorial, on the ground that the route had not been surveyed, nor its practicability and distance reported. A railroad through the centre of our State would most eminently contribute to the development of our agricultural, mineral and other resources. The efforts of the Legislature to obtain from Congress a donation of land for that purpose, must be a source of extreme gratification to the people of the State; and notwithstanding the failure of those efforts, for causes above stated, there are powerful reasons for a repetition of the attempt to obtain the desired donation. Before another memorial is presented, however, it seems it will be necessary to make a survey of the contemplated route, and to lay before Congress all the information relative thereto, that can be conveniently obtained. Whether you will deem it expedient to leave this preliminary labor to private enterprise and energy, or adopt such measures as will secure its performance on the part of the State, will be a question properly belonging to you to decide. Should you deem it your duty to renew the application on the part of the State, there would seem no impropriety in furnishing Congress, at the expense of the State, all necessary information connected with such application.

It may not be improper to state here, that I have received copies of resolutions adopted by the Legislatures of several of the States, approving of Mr. Asa Whitney's plan of a railroad to connect the Atlantic and Pacific oceans; and which resolutions contain instructions to the representatives in Congress from those States, requesting them to give the project their support. It is believed that this subject will be vigorously pressed upon the attention of Congress at its coming session. Should this project, or a similar one, be favorably viewed by Congress, it may not be unworthy of consideration whether a subsequent application by you to that body for a donation of land for a railroad through the centre of this State, might not be partly based upon the fact that such road could be made to form one of the links in the great chain of railroads connecting the Atlantic and Pacific. A road connecting with the Chicago and Galena road, and then running through the centre of this State to Council Bluffs, would, it is believed, effect that object, and at the same time be of great advantage to our citizens. But whatever may be thought of this suggestion, should you deem it your duty to present another memorial to Congress for a donation of land for a

railroad through the State, I trust at least that such a route will be selected as will advance the best interests of the people.

The Board of Public Works have received thirty thousand dollars from the sale of the lands granted by Congress to aid in the improvement of the navigation of the Des Moines river, and one-half of that sum has been expended on the improvement. I have certified these facts to the President of the United States as required by the act granting the lands. It is understood that the improvement is rapidly progressing under the management of the Board.

In the sale of the lands, the thirtieth section of the act entitled "an act creating a Board of Public Works, and providing for the improvement of the Des Moines river," provides that "at the time of the sale, the Treasurer and Secretary shall issue their certificates of the same to the respective purchasers, retaining duplicates thereof, patents shall thereupon issue, signed by the Governor, subject to such regulations as may be prescribed by law."

No regulations have yet been prescribed by law for the issuing of these patents, and I would suggest that the Board of Public Works be authorized to prepare and fill them up, and then forward them to the Executive for his signature.

One of the most important duties devolving upon the General Assembly, at its present session, is the apportionment of the State in accordance with the thirty-first section of the fourth article of the constitution. I rest assured that you will meet this duty with that deliberation which its proper performance demands.

The remarks in my message delivered at the special session, relative to the unfinished condition, and the necessity of completing the Penitentiary of this State, I respectfully reiterate at the present time.

The Commissioners appointed to revise the statutes of this State, have submitted a report to me, which is herewith transmitted.

The suit relative to the boundary line between this State and Missouri, has, I understand, been taken to the Supreme court of the United States, where it will probably be heard and decided during the present winter.

During the interval between the adjournment of the first General Assembly under the constitution, and the opening of the special session, all of the Judges of the Supreme court of this State, who held their offices by virtue of appointment under the General Government, tendered their resignations to me. The eighth section of the fifth article of the constitution provides that "when any office

shall from any cause, become vacant, and no mode is provided by the constitution and laws for filling such vacancy, the governor shall have power to fill such vacancy, by granting commissions, which shall expire at the end of the next session of the General Assembly, or at the next election by the people." I accordingly filled the vacancies in the Supreme Court by issuing commissions, which, in my judgment, expired at the close of the special session. As the General Assembly neglected to elect Judges during that session, at its close, I issued commissions to the gentlemen now filling the offices of Chief Justice and Associate Justices of the Supreme Court. Those commissions will expire at the close of the present session, and it will be your duty to elect judges of the Supreme Court in compliance with the constitution and laws.

It will also be your duty to elect two United States Senators. Two sessions of the General Assembly have been held since our State organization, during which the election of United States Senators, and judges of our Supreme Court, were duties enjoined upon it by the constitution. Unfortunately for the State, those duties have not yet been performed. If this result arose from difficulties which presented themselves, and which members felt unable to surmount without further consultation with their constituents, I feel confident that, as you are fresh from the people, you have received such instructions from them, as will enable you to discharge these duties with promptitude and harmony.

I cannot refrain from again impressing upon your minds the propriety of a speedy and energetic discharge of your various duties; that accuracy and dispatch should characterize all of your proceedings; that no matters foreign to the interests of the State should be introduced into your deliberations; and may we all so perform our duties as to receive the approbation of the people, of our own consciences, and the approving smile of Heaven.

ANSEL BRIGGS.

IOWA CITY, December 5, 1848.

REPORT OF THE COMMITTEE OF REVISION.

TO HIS EXCELLENCY

THE GOVERNOR OF IOWA:

The undersigned who were appointed by an act of January 25th, 1848, to draft, revise and prepare a code of laws for the State of Iowa, beg leave to report:

That they have not been able to complete the task assigned them, and that it will require from three to five months in order to mature their work.

The great mass of the work is in writing, but we have not been able to give it that consideration which it demands before it is presented. The work of revising and writing *alone* has required the greater portion of the time since it was commenced. To *digest* it is the more important part of our task, and which remains to be done.

The importance of the work, and the consequences which will flow from a good or bad performance of it, are so great, that the undersigned are not willing to pass it without the most mature care. The revised code is intended to be a *permanent* work. All future legislation will have relation to it. If it is made complete and harmonious, but little legislation will be hereafter required on subjects of a general nature. If it is left incomplete and incongruous, it will require repeated amendments and alterations, until we shall no longer have a *code*. Unless such a work receives the maturest care and consideration, it were as well if it were not undertaken.

Your excellency will permit us to suggest that in no case, we believe, has a *whole* code of Statute law been prepared in one year. In Massachusetts two years were allowed three commissioners to prepare the criminal portion alone of their code. The commissioners of the revision in New York, at the end of the first year reported upon only one department of the Statute law.

You will permit us to suggest further, that several radical changes in important branches were expected in a revision, and though the undersigned are prompt to adopt such, yet they should not be made without the most mature consideration.

In presenting these views, sir, we have (in the words of our oath) "an eye single to the good of the people of Iowa;" and in presenting them, we trust we shall receive the indulgence of the General Assembly.

If we were permitted a suggestion, it would be, that the present session be made a brief one, and that an adjournment take place to a future day some months hence.

We are your Excellency's

With sentiments of

High consideration,

W. G. WOODWARD,
CHARLES MASON,
S. HEMPSTEAD,

IOWA CITY, Dec. 4th, 1848.

On motion of Mr McFarland,

Ordered, that 1500 copies of the Governor's message be printed for the use of the House.

The following message was received from the Senate, by Mr Rockwell, their Assistant Secretary :

MR SPEAKER :

I am directed to inform the House of Representatives that the Senate have refused to concur in the amendments made by the House to

Senate file, No. 3, Joint Resolutions relative to the election of U. S. Senators and Judges of the Supreme Court.

On motion of Mr Harrison,

The House receded from its amendments to

Senate file, No. 3, Joint Resolution relative to the election of the United States Senators and Judges, .

And,

The question recurring upon the adoption of the resolution, It was decided in the affirmative.

On motion of Mr Harrison,

The House adjourned until to-morrow morning 10 o'clock.

Thursday Morning, December 7th, 1848.

The house met pursuant to adjournment.

After the reading of the Journal, the following Standing Committees were announced :

ON WAYS AND MEANS—Messrs Read, Harrison, Goodrell, Bourne and Betts.

ON JUDICIARY—Messrs McFarland, Mahony, Read, Allison and Elmer.

ON CLAIMS—Messrs Butts, Norton, Evans, Sargeant and Burroughs.

ON SCHOOLS—Messrs Mahony, Langton, Sales, Goodrell and Thompson.

ON MILITARY AFFAIRS—Messrs Griffith, Babbitt, Woodworth, Walker and Timmons.

ON ENROLLED BILLS—Messrs Sargeant and Thompson.

ON ENGROSSED BILLS—Messrs Sales and Langton.

ON EXPENDITURES—Messrs Corse, Gifford, Flint, Betts and Griffith.

ON ROADS AND HIGHWAYS—Messrs Goodrell, Riggs, Alexander, Stephenson and Jacobs.

ON TOWNSHIP AND COUNTY ORGANIZATION—Messrs Weyand, Wood, Penny, Williams and Babbitt.

ON PUBLIC BUILDINGS—Messrs Harrison, McFarland, Williams, McManaman and Baker.

ON NEW COUNTIES—Messrs Babbitt, Wood, Jacobs, Weyand and Gifford.

ON AGRICULTURE—Messrs Alexander, Walker, Flint, Collins and Williams.

ON ELECTIONS—Messrs Langton, Corse, Davidson, Woodworth and McCrary.

ON INCORPORATIONS—Messrs Flint, Betts, Timmons, Babbitt and Riggs.

Mr Corse gave notice that on to-morrow, or some future day, he would ask leave to introduce,

A Bill for an act to preserve the purity of elections.

Mr Mahony gave notice that on to-morrow, or some future day, he would ask leave to introduce

A Bill for an act to authorize Wm. S. Townsend to keep a ferry across the Missouri river at Trader's Point.

Mr Read gave notice that on to-morrow, or some future day, he would ask leave to introduce

A Bill for an act to incorporate the city of Keokuk.

Mr Allison gave notice that on to-morrow, or some future day, he would ask leave to introduce

A Bill for an act to reduce the price of the Des Moines River Lands.

Mr Babbitt gave notice that he would on to-morrow, or some future day, introduce

A Bill for an act to amend an act entitled "An act for laying out and establishing certain roads therein named. Approved, February 18th, 1847."

On motion of Mr Corse,

Ordered, That 40 copies of the Standing Committees be printed for the use of the House.

Mr Sales gave notice that on to-morrow, or some future day, he would ask leave to introduce

A Bill for an act entitled an act to re-locate a portion of military road therein named.

The Speaker presented the following communication:

HALL OF THE HOUSE OF REPRESENTATIVES,
Iowa City, December 7, 1848.

MR SPEAKER:

Sir—I have the pleasure to announce that, in obedience to the resolution of Tuesday last, I have perfected an arrangement with the Post-master of this city, for the transportation of all letters and papers, to and from the members of this House, during the present session of the Legislature.

I have the honor to be,

Very respectfully, yours,

W. E. LEFFINGWELL,

Chief Clerk, H. R.

Mr Harrison obtained leave to offer the following resolution:

Resolved, That the use of the Hall of the House of Representa-

tives be and is hereby granted, to the Rev. S. H. Hazard, pastor of the First Presbyterian Church, of Iowa City, for divine worship, on each Sabbath during the present session.

Which, upon a division of the House,

Was adopted.

Mr Thompson obtained leave to introduce

H. R. file No. 1, Joint Resolution concerning the election of United States Senators.

Mr Mahony moved to lay the same on the table.

Upon which question

The yeas and nays were demanded,

And resulted as follows :

Yeas—26,

Nays—11.

Those who voted in the affirmative, were

Messrs Alexander, Babbitt, Baker, Betts, Collins, Corse, Davidson, Elmer, Evans, Flint, Gifford, Griffith, Harrison, Jacobs, Langton, Mahony, McFarland, Norton, Penny, Read, Riggs, Sales, Sargeant, Walker, Weyand, Wood and Mr Speaker.

Those who voted in the negative, were

Messrs Allison, Bourne, Burroughs, Goodrell, McCrary, McManaman, Stephenson, Timmons, Thompson, Williams and Woodworth.

So the resolution was laid on the table.

Mr Mahony offered the following resolution :

Resolved, That the Board of Public Works be requested to report to this House, the progress made under their direction, on the improvement of the navigation of the Des Moines river ; and such other information relative thereto, as the Board may deem proper to communicate.

Which was adopted.

The Speaker appointed Mr Read teller, on the part of the House, to canvass the vote for United States Senators, and Judges of the Supreme Court, in joint convention, to meet at 2 o'clock this afternoon.

On motion of Mr Woodworth,

The House adjourned until 2 o'clock p. m.

2 o'clock, P. M.

House met pursuant to adjournment.

On motion of Mr Goodrell,

A committee of two were appointed to wait upon the Senate and inform them that the House was now prepared to receive the Senate, in joint convention, for the purpose of electing two United States Senators, and one Chief Justice and two Associate Justices of the Supreme Court of Iowa.

Messrs Harrison and Goodrell were appointed said committee.

Mr Harrison, from the committee appointed to notify the Senate that the House was ready to receive the Senate, in joint convention, reported that they had performed that duty, and asked to be discharged.

JOINT MEETING OF THE GENERAL ASSEMBLY IN
CONVENTION.

The hour fixed for the election of United States Senators, and Judges of the Supreme Court, having arrived, and the Senate having appeared, agreeably to previous notice given, the two Houses resolved themselves into Joint Convention, for the purpose of electing Senators to represent the State of Iowa in the Senate of the United States; and, also, to elect one Chief Justice and two Associate Justices of the Supreme Court.

The President of the Senate, Mr Selman, acting as President of the Convention, and the Chief Clerk of the House acting as Secretary thereof.

The Senate having taken the seats assigned them by the President of the Convention,

The roll of the General Assembly was then called, by the Secretary of the Convention;

When it appeared that all the members of both branches thereof, were present and answered to their names.

After which,

On motion of Mr Bradley,

The Convention proceeded to the election of one Senator to represent the State of Iowa.

Messrs Shields, of the Senate, and Read, of the House, first having been appointed tellers.

Mr Bradley nominated Augustus C. Dodge.

Mr Thompson nominated William H. Wallace.

And after the roll had been called by the Secretary, and the members had all voted,

It appeared that

Augustus C. Dodge had received.....	38	votes,
William H. Wallace " "	19	" "

Those who voted for Augustus C. Dodge, were

Messrs Alexander, Alger, Babbitt, Baker, Betts, Bonham, Bradley, Cassiday, Collins, Corse, Crawford, Davidson, Elmer, Espy, Evans, Fear, Flint, Gifford, Griffith, Harrison, Harbour, Howell, Jacobs, Langton, Mahony, McFarland, Norton, Penny, Read, Riggs, Royston, Sales, Sargeant, Shields, Walker, Weyand, Wood and Mr President.

Those who voted for William H. Wallace, were

Messrs Allison, Bourne, Browning, Burroughs, Cook, Goodrell, Jay, McCrary, McManaman, Sandford, Springer, Sprott, Stephenson, Timmons, Thompson, Wheeler, Williams, Woodworth and Wright.

And it appearing that Augustus C. Dodge had received a majority of all the votes cast,

The President declared that Augustus C. Dodge was duly elected a Senator to represent the State of Iowa in the Senate of the United States.

Mr McFarland nominated George W. Jones.

Mr Springer nominated Ralph P. Lowe.

The Convention proceeded to the election.

When it appeared that,

George W. Jones had received	38	votes.
Ralph P. Lowe " "	19	" "

Those who voted for George W. Jones were, Messrs Alexander, Alger, Babbitt, Baker, Betts, Bonham, Bradley, Cassiday, Collins, Corse, Crawford, Davidson, Elmer, Evans, Espy, Fear, Flint, Gifford, Griffith, Harrison, Harbour, Howell, Jacobs, Langton, Mahony, McFarland, Norton, Penny, Read, Riggs, Royston, Sales, Sargeant, Shields, Walker, Weyand, Wood, and Mr President.

Those who voted for Ralph P. Lowe were,
Messrs Allison, Bourne, Browning, Burroughs, Cook, Goodrell, Jay, McCrary, McManaman, Sanford, Springer, Sprott, Stephenson, Timmons, Thompson, Wheeler, Williams, Woodworth, and Wright.

And it appearing that George W. Jones had received a majority of all the votes cast,

The President declared that George W. Jones was duly elected a Senator to represent the State of Iowa in the Senate of the United States.

The Convention proceeded to the election of a Chief Justice of the Supreme Court of this State.

Mr Griffith nominated Joseph Williams.

Mr Stephenson nominated Stephen Whicher.

The vote having been taken,

Resulted as follows :

For Joseph Williams	39 votes,
“ Stephen Whicher	18 “

Those who voted for Joseph Williams were,

Messrs Alexander, Alger, Babbit, Baker, Betts, Bonham, Bradley, Cassiday, Collins, Corse, Crawford, Davidson, Elmer, Espy, Evans, Fear, Flint, Gifford, Griffith, Harrison, Harbour, Howell, Jacobs, Langton, Mahony, McFarland, Norton, Penny, Read, Riggs, Royston, Sales, Sargeant, Shields, Sprott, Walker, Weyand, Wood and Mr President.

Those who voted for Stephen Whicher were,

Messrs Allison, Bourne, Browning, Burroughs, Cook, Goodrell, Jay, McCrary, McManaman, Sanford, Springer, Stephenson, Timmons, Thompson, Wheeler, Williams, Woodworth, and Wright.

And it appearing that Joseph Williams had received a majority of all the votes cast,

The President declared that Joseph Williams was duly elected Chief Justice of the Supreme Court of this State.

Mr McFarland nominated John F. Kinney for an Associate Justice of the Supreme Court of the State of Iowa.

Mr McManaman nominated James B. Howell.

The vote having been taken,

Resulted as follows :

For John F. Kinney 39 votes,
 " James B. Howell 18 "

Those who voted for John F. Kinney were,
 Messrs Alexander, Alger, Babbit, Baker, Betts, Bonham, Bradley, Cassidy, Collins, Corse, Crawford Davidson, Elmer, Espy, Evans, Fear, Flint, Gifford, Griffith, Harrison, Harbour, Howell, Jacobs, Langton, Mahony, Mc Farland, Norton, Penny, Read, Riggs, Royston, Sales, Sargeant, Shields, Sprott, Walker, Weyand, Wood and Mr President.

Those who voted for James B. Howell were,
 Messrs Allison, Bourne, Browning, Burroughs, Cook, Goodrell, Jay, Mc Crary, Mc Manaman, Sanford, Springer, Stephenson, Timmons, Thompson, Wheeler, Williams, Woodworth and Wright.

And it appearing that John F. Kinney had received a majority of all the votes cast,

The President declared that John F. Kinney was duly elected an Associate Justice of the Supreme Court of the State of Iowa.

Mr Bradley nominated George Greene, for an Associate Justice of the Supreme Court of the State of Iowa.

Mr Timmons nominated Timothy Davis.

The vote having been taken,

Resulted as follows :

For George Greene 39 votes,
 " Timothy Davis 18 "

Those who voted for George Greene, were

Messrs Alexander, Alger, Babbitt, Baker, Betts, Bonham, Bradley, Cassidy, Crawford, Corse, Davidson, Elmer, Espy, Evans, Fear, Flint, Gifford, Griffith, Harrison, Harbour, Howell, Jacobs, Langton, Mahony, McFarland, Norton, Penny, Read, Riggs, Royston, Sales, Sargeant, Shields, Sprott, Walker, Weyand, Wood and Mr President.

Those who voted for Timothy Davis, were .

Messrs Allison, Bourne, Browning, Cook, Goodrell, Jay, McCrary, McManaman, Sanford, Springer, Stephenson, Timmons, Thompson, Wheeler, Williams, Woodworth and Wright.

And it appearing that George Greene had received a majority of all the votes cast,

The President declared that George Greene was duly elected an Associate Justice of the Supreme Court of the State of Iowa.

The business for which the Joint Convention had assembled being completed, the Senate then returned.

On motion of Mr Goodrell,

The House adjourned until to-morrow morning at 10 o'clock.

Friday Morning, December 8th, 1848.

House met pursuant to adjournment.

Mr Griffith presented the petition of sundry citizens of Lee county, praying for the passage of a law compelling parties litigant, to pay the fees of jurors, required by them.

Which,

On motion of Mr Griffith,

Was referred to a Select Committee of three.

Messrs Griffith, Betts and Goodrell, were appointed said committee.

Mr Flint presented a petition from sundry citizens of Wappello county, praying for the grant of a State road therein named.

Which,

On motion of Mr Flint,

Was referred to the Standing Committee on Roads and Highways.

Mr Collins presented a petition from sundry citizens of Jefferson county, praying for the erection of a court house therein named.

Which,

On motion of Mr Collins,

Was referred to a Select Committee of three.

Messrs Collins, Williams and Weyand were appointed said committee.

Mr McFarland offered the following resolution :

Resolved, That a Select Committee from the House of Representatives, be and are hereby appointed, to examine into the conditions of the Penitentiary of the State of Iowa.

That said committee investigate and report to this House.

1st. The condition of the present building and the state of preservation of the same.

2d. The probable expense that will be required to complete the building now in progress, also the enclosure or wall around the said building, with appropriate work-houses, &c.

3d. To examine into and report how it has been conducted, under the present law, and whether any further legislation is necessary in order to secure convicts and make them efficient.

4th. To ascertain and report the situation of all the property that belongs to the said prison, and whether the same has been properly preserved.

5th. To examine in and to the condition of the present incumbent, whether he has discharged his duties according to law, and whether, as required by law, he gave up all the property belonging to said prison, and whether he has destroyed or preserved the building and all the property around the same.

And that said committee have power to visit said prison, and examine witnesses and send for persons and papers, if by them deemed expedient; and that said committee be required to report by bill or otherwise, at as early a day as practicable.

Mr Mahony gave notice that he would, on some future day, introduce

A Bill for an act regulating interest on money.

Mr Babbitt gave notice that he would, on some future day, introduce

A Bill for an act to amend an act entitled "An Act creating a Board of Public Works, and providing for the improvement of the Des Moines river," approved, February 24th, 1847. And to repeal An Act supplemental thereto, approved, Jan. 24th, 1848.

And, also,

A Bill for an act to locate the seat of justice of the counties of Warren and Madison.

Mr Thompson obtained leave to introduce

H. R. file, No. 2, Joint Resolution for the restriction of slavery.

On motion of Mr Thompson,

The resolution was laid on the table.

Mr McCrary obtained leave to introduce

H. R. file No. 3, A Bill for an act amendatory and supplemental to an act to establish common schools, approved, Jan. 16, 1848.

Mr Mahony, in pursuance of previous notice, asked, obtained leave and introduced

H. R. file No. 4, A Bill for an act authorizing Wm. S. Townsend to keep a ferry across the Missouri river, at Trade's Point.

On motion of Mr Griffith,

The 42nd rule was suspended, and the Bill read a second time.

On motion of Mr Mahony,

The 42nd rule was suspended, the Bill read a third time, passed and its title agreed to.

Mr Allison in pursuance of previous notice given, asked, obtained leave and introduced

H. R. file No. 5, A Bill for an act to reduce the price of the Des Moines river lands.

Mr Read, in accordance with notice previously given, introduced

H. R. file No. 6, A Bill for an act to incorporate the city of Keokuk.

The following message was received from the Senate, by Mr Rockwell, their Secretary :

Mr SPEAKER :

I am directed to inform the House of Representatives that the Senate is ready to meet them in the Hall of the House of Representatives, in joint convention, to witness the signing and attesting of the certificates of the election of the United States Senators and Judges of the Supreme Court.

And then he withdrew.

On motion of Mr Corse,

A committee of two were appointed to inform the Senate that the House was now ready to receive the Senate, in the Hall of the House of Representatives, for the purpose of witnessing the signing and attesting of the certificate of election of United States Senators and Judges of the Supreme Court of the State of Iowa.

Messrs Corse and Griffith were appointed said committee.

Mr Corse, from the committee appointed to wait upon the Senate, reported,

That the committee had informed the Senate that the House was ready to receive them.

JOINT MEETING OF THE GENERAL ASSEMBLY IN
CONVENTION.

The President and gentlemen of the Senate were announced.

The Senate having taken the seats assigned them by the President of the Convention,

The roll of the General Assembly was called by the Secretary of the Convention.

Messrs Sanford and Springer were absent.

On motion of Mr Crawford,

The further call of the roll was dispensed with.

The President announced the purpose of the Convention.

Mr Sanford appeared and took his seat.

After which,

The following certificates were signed by the President, and attested by the Tellers of the Convention.

HALL OF THE HOUSE OF REPRESENTATIVES, }
Of the State of Iowa, Dec., 8th, 1848. }

This will certify that at an election by the General Assembly of the State of Iowa, in Joint Convention, on Thursday, the seventh day of December, A. D. 1848, Augustus C. Dodge was duly elected a Senator to represent this State in the Senate of the United States.

JOHN J. SELMAN,

President of the Joint Convention.

ATTEST:

J. G. SHIELDS,

W. C. READ,

Tellers,

HALL OF THE HOUSE OF REPRESENTATIVES, }
Of the State of Iowa, Dec. 8th, 1848. }

This will certify that at an election by the General Assembly of the State of Iowa, in Joint Convention, on Thursday, the seventh day of December, A. D. 1848, George W. Jones, was duly elected a Senator to represent this State in the Senate of the United States.

JOHN J. SELMAN,

President of the Joint Convention.

ATTEST:

J. G. SHIELDS,

W. C. READ,

Tellers.

JOURNAL OF THE

HALL OF THE HOUSE OF REPRESENTATIVES, }
Of the State of Iowa, Dec. 8th, 1848. }

This will certify that at an election by the General Assembly of the State of Iowa, in Joint Convention, on Thursday, the seventh day of December, A. D. 1848, Joseph Williams was duly elected Chief Justice of the Supreme Court of this State.

JOHN J. SELMAN,
President of the Joint Convention.

ATTEST :

J. G. SHIELDS,
W. C. READ,
Tellers,

HALL OF THE HOUSE OF REPRESENTATIVES, }
Of the State of Iowa, Dec. 8th, 1848. }

This will certify that at an election by the General Assembly of the State of Iowa, in Joint Convention, on Thursday, the seventh day of December, A. D. 1848, John F. Kinney was duly elected an Associate Justice of the Supreme Court of this State.

JOHN J. SELMAN,
President of the Joint Convention.

ATTEST :

J. G. SHIELDS,
W. C. READ,
Tellers.

HALL OF THE HOUSE OF REPRESENTATIVES, }
Of the State of Iowa, Dec. 8th, 1848. }

This will certify that at an election by the General Assembly of the State of Iowa, in Joint Convention, on Thursday, the seventh day of December, A. D. 1848, George Greene was duly elected an Associate Justice of the Supreme Court of this State.

JOHN J. SELMAN,
President of the Joint Convention.

ATTEST :

J. G. SHIELDS,
W. C. READ,
Tellers.

The business for which the two Houses had convened having been transacted, the Senate withdrew.

On motion of Mr Read,
H. R. file No. 6, was taken up, and the 42nd rule suspended, and the bill read a second time.

Mr Read moved to fill the blank in the 31st section with \$2000.
Which was agreed to.

And,

On motion of Mr Read,
The 42nd rule was suspended, the bill read a third time, passed and its title agreed to.

Mr McFarland in pursuance of previous notice given, obtained leave and introduced

H. R. file No. 7, A Bill for an act to authorize John A. McFarland to keep a ferry across the Mississippi river, at the town of Montrose, in Lee county.

Mr McFarland moved to suspend the 42nd rule.
Which was disagreed to.

Oh motion of Mr Allison,
H. R. file No. 5, A Bill for an act to reduce the price of the Des Moines river lands,

Was taken from the table.

Mr McManaman moved to suspend the 42nd rule.

Upon which question

The yeas and nays were demanded,

And resulted as follows :

Yeas—10,

Nays—28.

Those who voted in the affirmative, were
Messrs Allison, Babbitt, Flint, Gifford, Goodrell, Jacobs, McCrary, McManaman, Timmons and Woodworth.

Those who voted in the negative, were
Messrs Alexander, Baker, Betts, Bourne, Burroughs, Collins, Corse, Davidson, Elmer, Evans, Griffith, Harrison, Langton, Mahony, McFarland, Norton, Penny, Read, Riggs, Sales, Sargeant, Stephenson, Thompson, Walker, Weyand, Williams, Wood and Mr Speaker.

So the rule was not suspended.

The Speaker laid before the House the following communication, from Joseph T. Fales, Esq., Auditor of State.

AUDITOR'S REPORT.

STATE OF IOWA, AUDITOR'S OFFICE, }
 IOWA CITY, December 4th, 1848. }

GENTLEMEN OF THE SENATE, AND

HOUSE OF REPRESENTATIVES :

As required by law, I have the honor to submit the following statement of the condition of the finances of the State, and the receipts and disbursements, coming under the control of this office, for the fiscal year ending on the thirtieth day of November, 1848.

To exhibit the account of the finances, in a form to be easily understood, it is presented under the following heads :

I. A statement of the receipts into the Treasury from the several counties.

II. A statement showing the amount of warrants drawn on the Treasury, since the 30th day of November, 1847.

III. A statement, showing the amounts due from the several counties, on the years previous to 1847.

IV. A statement, showing the amount due from the several county treasurers, on the assessments of 1847, including the tax received from Pedlars.

V. An estimate of appropriations, necessary for the ensuing two years, including the amount to be raised already appropriated.

VI. An abstract of the number of polls, the number of acres of land, the value with the improvements, with the enumeration and value of all other property in the State, as appears upon the assessment roll of the several counties, showing the total valuation, and the amount levied for state purposes for the year 1848.

VII. A table showing the comparative increase or decrease in the valuation of property in the several counties, the increase of the state tax of 1848, over that of 1847, with the increase per cent. and the number of polls of those years compared.

VIII. A statement of the amount paid into the county treasuries, as a state tax for pedlars licenses in 1848.

IX. A statement of the appropriations made at the first and second sessions of the General Assembly; showing the amounts drawn, and the balances undrawn, with the account against M. Reno, Esq., State Treasurer.

It will be seen that the aggregate amount of property taxed within the State, amounts to \$14,449,920—which, at 2½ mills on the dollar, yields a revenue of \$36,129 05 for State purposes. This is an increase upon the revenue of 1847 of \$11,396 16, but under our very imperfect system of collection, a large proportion cannot be realized.

Of the \$24,732 89 levied in the year 1847, the sum of \$9,302 06 is not yet collected, and there is due on the assessment of Territorial tax, of the years prior to 1847, the sum of \$3,202 45; what amount of these sums will be collected the coming year I am unable to estimate.

The amount of warrants drawn, and outstanding at this time, is \$22,651 62, which shows the present liabilities of the State.

Several small accounts have been presented for allowance, for debts contracted about the penitentiary. There being no appropriation for such an object, I have deferred acting upon them, until some provision is made by law for that purpose.

The abstracts of land, sold at the land offices in 1847 and furnished for assessment to the several counties, have been the means of adding a large amount to the revenue the present year. In the Dubuque district I was only able to procure the list for Clayton county, though every exertion was used to obtain the lists for all the counties in that district.

The revenue in 1849 will probably amount to \$50,000. If that should be the case the condition of our Finances two years hence will be as follows:

Present liabilities,	\$22,651 62	
Estimate of appropriations for two years,	53,700 00	
Revenue due on years previous to 1848,	.....	\$12,504 00
“ of 1848, .....	.....	36,129 00
“ of 1849, .....	.....	50,000 00
		<hr/>
	\$76,351 62	\$98,633 00
		76,351 62
		<hr/>
Leaving for delinquencies and expenses of collection,		\$22,281 38

From the foregoing it will be seen, that if the appropriations of the present session do not exceed my estimates for the ensuing two years the State at that time will be released from all debts except the loan payable in 1857.

The counties of Jackson and Wappello have failed to furnish an abstract of the assessments in those counties in time to be included in this report. Those counties will probably add \$2,000 to the revenue of the present year.

Respectfully submitted,

JOSEPH T. FALES,

Auditor of State.

STATEMENT I.

A statement of the receipts from each county, for the fiscal year ending the 30th of November, 1848:

From the county of Appanoose,.....	\$21 42
“ “ “ Benton,.....	00 00
“ “ “ Buchanan,.....	20 18
“ “ “ Cedar,.....	515 26
“ “ “ Clayton,.....	387 79
“ “ “ Clinton,.....	347 20
“ “ “ Dallas,.....	13 00
“ “ “ Davis,.....	305 90
“ “ “ Delaware,.....	180 47
“ “ “ Des Moines,.....	1,160 86
“ “ “ Dubuque,.....	1,442 95
“ “ “ Henry,.....	900 00
“ “ “ Iowa,.....	14 50
“ “ “ Jackson,.....	477 50
“ “ “ Jasper,.....	26 40
“ “ “ Jefferson,.....	1,000 00
“ “ “ Johnson,.....	687 80
“ “ “ Jones,.....	197 18
“ “ “ Keokuk,.....	207 30
“ “ “ Lee,.....	2,507 40
“ “ “ Linn,.....	899 33

HOUSE OF REPRESENTATIVES.

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From the county of Louisa,.....	\$650 00
“ “ “ Mahaska,.....	200 00
“ “ “ Marion,.....	67 90
“ “ “ Monroe,.....	00 00
“ “ “ Muscatine,.....	1,459 62
“ “ “ Polk,.....	40 00
“ “ “ Scott,.....	300 00
“ “ “ Van Buren,.....	1,396 50
“ “ “ Wappello,.....	314 32
“ “ “ Washington,.....	676 35
From Pedlars for license,.....	65 00
	<hr/>
	\$16,482 13

STATEMENT II.

An exhibit of the warrants drawn on the Treasury since the 30th November, 1847.

For per diem and mileage of members and officers of General Assembly,.....	\$4,412 00
“ Silas Foster for printing,.....	612 61
“ Howell & Cowles, “	612 51
“ C. R. Fisk, for printing,.....	11 55
“ R. W. Albright, “	10 00
“ A. H. Palmer, “	2,277 42
“ A. P. Wood, “	6 00
“ J. D. Spalding, “	25 00
“ J. W. & R. B. Ogden, for printing,.....	35 00
“ A. R. Sparks, “	7 00
“ Shepherd & Ober, “	25 00
“ George Greene, “	17 00
“ James Tizzard & Co., “	5 00
“ E. Cutler, jr., for indexing and distributing the laws,	200 00
“ J. Scott Richman, for indexing and distributing Journals of the House,.....	250 00
“ John B. Russell, for indexing and distributing Journal of the Senate,.....	250 00

For S. Johnson, for wood, &c.,.....	\$103 50
“ S. C. Trowbridge, for postage,.....	440 84
“ J. F. Abrahams, for stationary,.....	320 37
“ Little & McGuire, for carpeting, candles, &c.,....	147 90
“ Sundry appropriations per act,.....	412 60
<hr/>	
Total expense of the last session,.....	\$10,181 00
“ Eastin Morris for reports of the Supreme Court,..	750 00
“ Charles Mason for fees in the boundary case be- tween Iowa and Missouri,.....	800 00
“ John Brophy, agent to select Salt Springs,.....	645 00
“ Dubuque county, for costs in criminal cases,.....	855 91
“ Samuel Riggs, Sheriff of Davis county, per act,..	60 00
“ Murray & Sanxay,.....	1,727 84
“ C. A. Robbins, for seals,.....	20 00
“ Registers of Land Offices for abstracts of land sold in 1847,.....	114 00
“ Governor’s salary,.....	1,000 00
“ Secretary’s “	500 00
“ Auditor’s “	600 00
“ Treasurer’s “	400 00
“ Supreme Court expenses,.....	276 50
“ Penitentiary,.....	37 24
“ Joseph Williams, salary as Chief Justice S. Court,	319 50
“ S. C. Hastings, “ “ “ “	680 50
“ John F. Kinney, “ Associate “ “	750 00
“ Thos. S. Wilson, “ “ “ “	41 66
“ George Greene, “ “ “ “	952 76
“ James P. Carleton “ as Judge District Court,....	1,000 00
“ Geo. H. Williams “ “ “ “	1,000 00
“ James Grant, “ “ “ “	1,000 00
“ Cyrus Olney, “ “ “ “	1,000 00
“ L. B. Patterson “ as Librarian,.....	150 00
“ Librarian’s contingent fund,.....	33 42
“ Public Buildings at Iowa City,.....	3,200 00
“ James Harlan as Sup. of Pub. Instruction,.....	1,200 00
“ Ansel Briggs for election returns, Dallas county,..	70 80
“ Interest on loan up to July 1, 1848,.....	2,552 37
“ Sheriffs, for election returns of President and V. P.	595 24
<hr/>	
Total,.....	\$32,513 74

STATEMENT III.

Amounts due from the several counties (excepting the delinquent lists credited) for the years previous to 1847:

From the county of Appanoose,.....	\$6 40
“ “ “ Cedar,.....	245 84
“ “ “ Clayton,.....	193 79
“ “ “ Clinton,.....	48 83
“ “ “ Delaware,.....	22 95
“ “ “ Des Moines,.....	803 39
“ “ “ Iowa,.....	8 59
“ “ “ Jackson,.....	155 06
“ “ “ Jefferson,.....	74 86
“ “ “ Johnson,.....	85 30
“ “ “ Keokuk,.....	9 45
“ “ “ Linn,.....	101 54
“ “ “ Louisa,.....	81 85
“ “ “ Muscatine,.....	444 48
“ “ “ Polk,.....	2 65
“ “ “ Scott,.....	111 68
“ “ “ Van Buren,.....	658 99
“ “ “ Wapello,.....	32 93
“ “ “ Washington,.....	114 15
Total,.....	<u>\$3,202 45</u>

STATEMENT IV.

Amount due from the several County Treasurers on the assessment of 1847, including the tax received from Pedlars:

Treasurer of Appanoose county,.....	\$35 64
“ “ Benton “ with damages,.....	45 34
“ “ Buchanan “ with damages,.....	25 73
“ “ Cedar “	304 81
“ “ Clayton “	64 08

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"	"	Clinton	"	\$16 31
"	"	Davis	"	with damages,.....	160 40
"	"	Délaware	"	6 22
"	"	Des Moines	"	with damages,.....	2,248 95
"	"	Dubuque	"	.....	477 78
"	"	Henry	"	.....	553 08
"	"	Iowa	"	.....	19 17
"	"	Jackson	"	with damages,.....	247 04
"	"	Jasper	"	.....	2 78
"	"	Jefferson	"	.....	177 09
"	"	Johnson	"	.....	524 24
"	"	Jones	"	.....	141 77
"	"	Keokuk	"	with damages,.....	106 64
"	"	Lee	"	.....	974 98
"	"	Linn	"	.....	60 59
"	"	Louisa	"	.....	416 08
"	"	Mahaska	"	.....	147 96
"	"	Marion	"	.....	49 94
"	"	Monroe	"	with damages,.....	84 51
"	"	Muscatine	"	.....	356 61
"	"	Polk,	"	.....	61 37
"	"	Scott,	"	.....	454 01
"	"	Van Buren	"	.....	1,303 46
"	"	Wapello	"	.....	142 51
"	"	Washington	"	.....	82 96
Total,.....					<u>\$9,302 06</u>

STATEMENT V.

An estimate of appropriations necessary for the ensuing two years.

For per diem and mileage of the members and officers, and all other expenses of the General Assembly, the present session,.....	\$15,000 00
" Compensation to the Governor,.....	2,000 00
" Contingent expenses of the Governor,.....	300 00
" Compensation of the Secretary of State,.....	1,000 00

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" Contingent expenses of the Secretary,.....	\$300 00
" Compensation to the Auditor of State,.....	1,200 00
" Contingent expenses of the Auditor,.....	300 00
" Compensation to the Treasurer of State,.....	800 00
" Contingent expenses of the Treasurer,.....	300 00
" Compensation to the Judges of the Supreme Court,	6,000 00
" Contingent expenses of the Supreme Court,.....	300 00
" Compensation to the Judges of the District Courts,	8,000 00
" Compensation to the Sup. of Public Instruction, in- cluding the present year,.....	3,600 00
" Contingent expenses of the Sup. of Public Instruc- tion,	300 00
" Compensation of the Commissioners to revise the laws,.....	3,000 00
" Contingent expenses of said Commissioners,.....	300 00
" Compensation of the Librarian,.....	300 00
" The general contingent fund,.....	500 00
<hr/>	
Total,.....	\$43,500 00
" Interest on loan already appropriated,.....	10,000 00
" Fees and mileage of Electors of President and Vice President, and expenses of notifying,.....	200 00
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Total to be raised for the next two years,.....	\$53,700 00

STATEMENT VI.

AN ABSTRACT of the number of Polls; number of Acres of Land, with the value of the same with the improvements thereon; the value of Town Lots and their improvements; with the value of all other property in the State, as copied from the assessment rolls for the year 1848.

No.	COUNTIES.	No. of Polls.	Acres of Land.	Value of Land with improvements.	Value of Town Lots and improvements.	Value of capital employed in merchandise.	Value of mills, manufactories, distilleries, carding machines, and tan-yards, with the stock employed.	Horses over two years old.	
								No.	Value.
1	Appanooce,	213	723	\$ 905	.....	\$1,800	\$1,790	223	\$7,050
2	Benton,	76	3,701	9,717	\$ 437	.....	.....	97	3,940
3	Buchanan,	73	3,298	6,761	.....	315	2,900	57	2,330
4	Cedar,	664	93,357	302,965	25,868	4,480	8,915	1,007	43,365
5	Clayton,	473	52,121	167,933	34,892	6,730	16,200	468	17,780
6	Clinton,	444	34,629	143,405	22,121	5,750	7,300	541	21,404
7	Dallas,	57	.....	.....	105	.....	20	87	2,960
8	Davis,	852	45,253	132,167	3,843	9,360	3,200	1,265	42,038
9	Delaware,	242	26,726	80,178	.....	.....	.....	347	16,805
10	Des Moines,	2,064	177,300	900,305	504,590	116,850	12,230	2,453	81,687
11	Dubuque,	1,758	118,744	524,677	418,020	117,152	24,800	1,225	43,842
12	Henry,	1,336	184,990	744,494	81,631	24,485	7,847	1,925	55,219
13	Iowa,	99	3,020	5,323	.....	500	.....	101	4,140

14	Jackson,.....								
15	Jasper,.....	140	7,467	21,650	485	200	1,000	166	5,305
16	Jefferson,.....	1,505	202,208	461,595	39,749	22,550	9,648	2,251	64,132
1	Johnson,.....	772	88,403	318,006	142,814	24,725	10,607	868	36,073
1	Jones,.....	427	44,721	150,092	3,227	1,540	8,400	516	22,902
1	Keokuk,.....	664	45,351	157,393	7,622	6,610	9,900	833	30,568
2	Lee,.....	3,112	310,411	1,193,509	45,861	123,720	18,100	3,480	113,219
2	Linn,.....	870	98,997	326,026	45,405	11,650	16,045	1,057	41,395
2	Louisa,.....	868	129,975	394,021	36,264	20,441	5,364	1,192	42,374
3	Mahaska,.....	829	44,253	125,413	17,653	12,975	7,650	1,044	33,893
4	Marion,.....	920	27,316	39,947	3,306	9,032	2,920	890	30,886
5	Monroe,.....	335	15,270	27,367	1,060	1,968	715	401	12,975
6	Muscatine,.....	808	131,932	357,932	198,031	30,800	6,300	.....	34,975
7	Polk,.....	530	.....	.....	.....	4,700	4,450	555	19,658
8	Poweshiek,.....	70	960	1,350	.....	.....	.....	62	2,125
9	Scott,.....	886	94,356	346,522	136,466	17,450	18,975	964	34,994
10	Van Buren,.....	2,079	241,310	723,931	164,711	51,495	29,134	2,807	84,227
11	Wappello,.....	.....	.....	.....	.....	.....	.....	.....	.....
12	Washington,.....	771	89,912	368,114	38,651	18,639	3,245	1,098	40,585
		23,937	2,316,704	8,031,698	2,008,812	645,917	237,655	27,980	992,946

STATEMENT VI.—Continued.

No.	COUNTIES.	Neat cattle over two years old.		Mules and asses over one year.		Sheep over six months old.		Hogs over six months old.		Pleasure carriages.	
		No.	Value.	No.	Value.	No.	Value.	No.	Value.	No.	Value.
1	Appanooce,...	883	9,787	.....	.....	962	1,223	1,573	2,639	1	40
2	Benton,.....	385	4,452	2	40	461	598	889	1,253	1	25
3	Buchanan,....	263	3,622	.....	.....	280	280	454	888	32	1,200
4	Cedar,.....	2,095	23,070	1	20	3,761	3,770	6,094	7,139	31	1,245
5	Clayton,.....	1,962	22,854	5	195	445	858	1,860	4,940	255	8,626
6	Clinton,.....	1,943	20,090	3	100	1,519	1,865	2,696	2,696	4	140
7	Dallas,.....	330	4,032	3	83	239	223	476	835	3	220
8	Davis,.....	2,559	25,677	7	240	5,236	6,291	7,267	9,269	11	395
9	Delaware.....	1,192	11,920	.....	.....	934	1,401	2,058	2,050	.....	.....
10	Des Moines,...	5,908	51,331	.....	.....	11,067	11,094	14,339	14,705	1,072	34,427
11	Dubuque,....	3,737	38,795	10	485	1,773	3,057	4,171	6,680	678	21,870
12	Henry,.....	2,206	42,243	5	200	9,544	9,544	13,162	13,162	839	24,422
13	Iowa,.....	535	5,157	4	150	209	436	1,356	1,944	1	40
14	Jackson,.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....
15	Jasper,.....	505	6,021	1	25	403	558	1,023	1,678	1	25
16	Jefferson,...	5,552	42,152	12	280	12,859	12,633	15,783	16,209	73	3,419
17	Johnson,....	2,460	27,009	7	400	3,005	4,511	7,243	8,642	371	14,214
18	Jones,.....	1,362	17,858	1	30	1,630	2,634	3,481	11,122	218	5,146
19	Keokuk,.....	2,177	22,202	4	300	3,681	4,702	7,168	9,821	376	12,177

20	Lee,.....	8,315	78,677	31	1,285	15,405	15,405	14,371	17,587	222	9,039
21	Linn,.....	2,514	26,743	.....	.....	4,628	5,667	7,971	9,773	40	1,920
22	Louisa,.....	5,186	30,270	2	45	3,995	3,995	9,997	12,553	26	935
23	Mahaska,...	4,282	16,725	8	335	4,384	5,593	6,900	8,721	26	1,315
24	Marion,.....	2,816	33,183	5	195	2,396	3,409	5,544	8,039	16	865
25	Monroe,.....	1,282	13,145	1	20	1,669	1,817	2,791	3,690	4	155
26	Muscatine,.....	.....	18,711	.....	760	.....	2,200	.....	6,023	.....	3,880
27	Polk,.....	1,800	20,188	3	120	1,750	2,570	3,228	3,826	330	10,723
28	Poweshiek, ..	172	1,968	.....	.....	212	299	476	724	33	1,166
29	Scott,.....	2,678	27,762	5	170	3,101	4,574	4,191	4,191	67	2,972
30	Van Buren, ..	6,377	51,021	25	1,065	14,548	14,548	14,790	14,790	103	4,636
31	Wappello, ..	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....
32	Washington, ..	2,364	26,661	.....	.....	4,527	5,583	9,093	9,772	464	16,351
		72,840	723,326	145	6,543	114,623	131,338	170,445	215,361	5,298	181,588

HOUSE OF REPRESENTATIVES.

STATEMENT VI.—Continued.

No.	COUNTIES.	Watches.		Piano Fortes.		Value of all other personal property over \$100.	Value of capital stock and profits in any company incorporated or unincorporated.	Value of right or interest in any boat or vessel.
		No.	Value.	No.	Value.			
1	Appanoose,.....	9	\$103	.....	.....	735	.....	20
2	Benton,.....	6	29	.....	.....	1,080	.....	.....
3	Buchanan,.....	4	38	.....	.....	.....	.....	.....
4	Cedar,.....	96	926	.....	.....	768	265	.....
5	Clayton,.....	198	1,060	1	30	480	.....	240
6	Clinton,.....	14	221	.....	.....	925	.....	200
7	Dallas,.....	4	70	.....	.....	550	.....	.....
8	Davis,.....	41	233	.....	.....	365	.....	.....
9	Delaware,.....	.....	.....	.....	.....	.....	.....	.....
10	Des Moines,.....	148	4,357	8	1,250	4,500	.....	.....
11	Dubuque,.....	673	6,975	6	790	15,560	.....	420
12	Henry,.....	141	2,246	1	250	1,328	.....	.....
13	Iowa,.....	12	94	.....	.....	2,564	.....	.....
14	Jackson,.....	.....	.....	.....	.....	.....	.....	.....
15	Jasper,.....	7	85	.....	.....	75	.....	.....

16	Jefferson,.....	132	919	2	200	3,290	650	.....
17	Johnson,.....	102	1,441	2	600	10,539	.....	.....
18	Jones,.....	39	233	.....	.....	9,300	.....	50
19	Keokuk,.....	145	909	.....	.....	1,584	.....	.....
20	Lee,.....	387	6,131	7	550	12,283	.....	12,865
21	Linn,.....	74	661	.....	.....	1,493	437	149
22	Louisa,.....	91	1,061	.....	.....	12,304	274	3,025
23	Mahaska,.....	67	647	1	25	2,940	200	7
24	Marion,.....	216	1,286	1	100	5,694	1,845	60
25	Monroe,.....	15	134	.....	.....	150	.....	.....
26	Muscatine,.....	.....	2,086	.....	250	1,550	.....	.....
27	Polk,.....	33	287	.....	.....	75	30	.....
28	Poweshiek,.....	1	3	.....	.....	.....	.....	.....
29	Scott,.....	107	1,559	3	350	2,869	.....	695
30	Van Buren,.....	252	2,019	1	200	17,416	47	395
31	Wapello,.....	.....	.....	.....	.....	.....	.....	.....
32	Washington,.....	98	909	.....	.....	.....	.....	.....
		3,112	36,722	33	4,595	110,417	3,748	18,126

HOUSE OF REPRESENTATIVES.

STATEMENT VI.—Continued.

No.	COUNTIES.	Value of gold and silver coin or bank notes in actual possession.	Value of claim or other demand for money or other consideration.	Value of annuities.	Value of money invested in property of any kind secured by deed, mortgage, or other evidence of claim.	Total Valuation.	Levy for State purposes.
1	Appanose,	700	2,150	.....	.....	28,942	72 35
2	Benton,	398	1,383	.....	.....	23,352	58 38
3	Buchanan, .....	.....	3,715	.....	.....	22,149	55 37
4	Cedar,	1,839	6,895	30	745	436,537	1,094 16
5	Clayton,	20	500	.....	1,757	285,095	712 73
6	Clinton,	100	4,208	.....	.....	230,425	576 06
7	Dallas,	1,998	3,278	.....	.....	14,354	35 88
8	Davis,	3,698	5,698	.....	.....	242,474	606 18
9	Delaware, .....	.....	.....	.....	.....	112,354	280 88
10	Des Moines,	43,955	.....	.....	9,800	1,827,081	4,567 70
11	Dubuque,	14,642	61,604	300	68,732	1,368,401	3,421 00
12	Henry,	11,239	.....	.....	8,101	1,026,411	2,566 03
13	Iowa,	1,348	1,829	.....	765	24,290	60 72
14	Jackson, .....	.....	.....	.....	.....	.....	.....

15	Jasper,	2,485	9,382	.....	.....	48,974	122 43
16	Jefferson,.....	5,411	15,274	.....	5,563	703,704	1,760 75
17	Johnson,.....	8,574	15,255	.....	.....	623,410	1,558 52½
18	Jones,.....	400	494	.....	.....	233,428	583 57
19	Keokuk,.....	7,019	17,264	.....	.....	291,440	728 60
20	Lee,	14,369	41,335	.....	209	2,115,144	5,287 86
21	Linn,.....	2,529	18,168	.....	795	508,856	1,272 14
22	Louisa,.....	4,119	18,222	6,500	1,209	592,976	1,482 44
23	Mahaska,.....	11,255	20,128	48	810	273,423	683 55
24	Marion,	17,315	34,246	.....	2,579	194,904	487 27
25	Monroe,.....	2,031	4,253	.....	440	70,120	175 30
26	Muscatine,.....	.....	965	250	630	665,923	1,663 31
27	Polk,.....	10,627	15,847	.....	.....	93,101	232 75
28	Poweshiek,.....	1,198	.....	.....	.....	8,833	22 08
29	Scott,	561	17,270	.....	.....	607,460	1,543 65
30	Van Buren,	9,502	28,307	.....	3,342	1,201,182	3,002 95
31	Wapello,.....	.....	.....	.....	.....	.....	.....
32	Washington,.....	6,134	30,253	.....	880	565,777	1,414 44
		183,426	378,323	7,128	106,357	14,449,920	36,129 05½

HOUSE OF REPRESENTATIVES.

RECAPITULATION OF THE TOTALS OF STATE-
MENT VI.

Number of polls.....	23,937
Acres of land.....	2,316,704
Value of land with improvements.....	8,031,698
Value of town lots and improvements.....	2,008,812
Value of capital employed in merchandise.....	645,917
Value of mills, manufactories, distilleries, carding machines, and tan-yards, with the stock em- ployed.....	237,655
Number of horses over two years old 27,980, value	992,946
Number of neat cattle over two years old 72,840, value.....	723,326
Number of mules and asses over one year old 145, value.....	6,543
Number of sheep over six months old 114,623 value.	131,338
Number of hogs over six months old 170,445, value	215,361
Number of pleasure carriages 5,298, value.....	181,588
Number of watches 3,112, value.....	36,722
Number of piano fortes 33, value.....	4,595
Value of all other personal property over \$100,....	110,417
Value of capital stock and profits in any company in- corporated or unincorporated.....	3,748
Value of right or interest in any boat or vessel,....	18,126
Value of gold and silver coin or bank notes in actual possession.....	183,426

HOUSE OF REPRESENTATIVES.

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Value of claim or demand for money or other consideration,	378,323
Value of annuities,	7,128
Value of money invested in property of any kind secured by deed, mortgage, or other evidence of claim,	106,357
Total valuation,	14,449,929
Levy for State purposes,	36,129

STATEMENT VII.

A TABLE showing the comparative increase or decrease in the valuation of property in the several counties, the increase of the State tax of 1848 over that of 1847, with the increase per cent., and the number of polls of those years compared.

No.	COUNTIES.	Value in 1847.	Value in 1848.	Increase.	Decrease.
1	Appanooce,	27,532	28,942	1,410	.....
2	Benton,	19,299	23,352	4,053	.....
3	Buchanan,	21,779	22,149	370	.....
4	Cedar,	415,105	436,537	21,432	.....
5	Clayton,	234,218	285,095	50,877	.....
6	Clinton,	172,637	230,425	57,788	.....
7	Dallas,	7,935	14,354	6,419	.....
8	Davis,	225,984	242,474	16,490	.....
9	Delaware,	76,921	112,354	35,433	.....
10	Des Moines,	1,459,170	1,827,081	367,911	.....
11	Dubuque,	972,010	1,368,401	396,391	.....
12	Henry,	707,634	1,026,411	318,777	.....
13	Iowa,	16,835	24,290	7,455	.....
14	Jackson,	352,127	Not returned.	.....	.....
15	Jasper,	15,115	48,974	33,859	.....
16	Jefferson,	603,424	703,704	100,280	.....
17	Johnson,	608,737	623,410	14,673	.....

18	Jones,.....	175,414	233,428	58,014	.....
19	Keokuk,.....	153,248	291,440	138,192	.....
20	Lee,.....	1,655,532	2,115,144	459,612	.....
21	Linn,.....	511,223	508,856	.....	2,367
22	Louisa,.....	538,496	592,976	54,480	.....
23	Mahaska,.....	171,232	273,423	102,191	.....
24	Marion,.....	65,478	194,904	129,426	.....
25	Monroe,.....	35,978	70,120	34,142	.....
26	Muscatine,.....	693,008	665,323	.....	27,685
27	Polk,.....	51,488	93,101	41,613	.....
28	Poweshiek,.....	Not organized.	8,833	8,833	.....
29	Scott,.....	383,121	617,460	234,339	.....
30	Van Buren,.....	1,276,000	1,201,182	.....	74,818
31	Wappello,.....	237,945	.....	.....	.....
32	Washington,.....	386,302	565,777	179,475	.....
		\$12,270,927	\$14,449,920	\$2,873,935	\$104,870

STATEMENT VII.—Continued.

No.	COUNTIES.	State tax in 1847 at 2 mills.	State tax in 1848 at 2½ mills.	Increase.	Increase per cent.	Polls in 1847.	Polls in 1848.
1	Appanooce,.....	\$55 06	\$72 35	\$17 29	31	183	213
2	Benton,.....	38 38	58 38	19 79	51	67	76
3	Buchanan,.....	43 55	55 47	11 92	27	74	73
4	Cedar,.....	830 21	1,094 16	263 95	32	624	664
5	Clayton,.....	468 43	712 73	244 30	52	524	473
6	Clinton,.....	345 27	576 06	230 49	65	No return.	444
7	Dallas,.....	15 87	35 88	20 01	126	41	57
8	Davis,.....	451 96	606 18	154 22	34	856	852
9	Delaware,.....	153 84	280 88	127 04	82	211	242
10	Des Moines,.....	2,918 34	4,567 70	1,649 36	56	1,986	2,064
11	Dubuque,.....	1,943 66	3,421 00	1,477 34	75	1,151	1,758
12	Henry,.....	1,415 20	2,566 03	1,150 83	81	1,326	1,336
13	Iowa,.....	33 67	60 72	27 05	80	89	99
14	Jackson,.....	704 25	No return.	.....	.....	1,046	.....
15	Jasper,.....	30 23	122 43	92 20	305	89	140
16	Jefferson,.....	1,206 84	1,760 75	553 91	45	1,347	1,505
17	Johnson,.....	1,218 95	1,558 52	339 57	27	721	772
18	Jones,.....	350 83	583 57	232 74	66	388	427
19	Keokuk,.....	306 50	728 60	422 10	137	616	664
20	Lee,.....	3,311 06	5,287 86	1,976 80	59	2,510	3,112

21	Linn,.....	1,022 44	1,272 14	249 70	24	775	870
22	Louisa,.....	1,080 83	1,482 44	401 61	37	757	868
23	Mahaska,.....	342 46	683 55	341 09	99	677	829
24	Marion,.....	130 95	487 27	356 32	252	510	920
25	Monroe,.....	71 95	175 30	103 35	143	238	335
26	Muscatine,.....	1,387 76	1,663 31	275 55	19	643	808
27	Polk,.....	102 97	232 75	129 78	126	412	530
28	Poweshiek,.....	.....	22 08	22 08	all	.....	70
29	Scott,.....	771 21	1,543 65	772 44	100	623	886
30	Van Buren,.....	2,731 52	3,002 95	271 43	9	2,066	2,079
31	Wapello,.....	475 89	.....	.....	.....	1,123	.....
32	Washington,.....	772 60	1,414 44	641 84	70	718	771
		\$24,732 89	\$36,129 15	\$12,576 40	av. 46	22,409	23,937

STATEMENT VIII.

A statement of the amount paid into the County Treasuries for Pedlars licenses, as a State tax in 1848:

To the Treasurer of Clayton county,.....	\$10 00
“ “ “ “ Des Moines “	100 00
“ “ “ “ Jefferson “	16 25
“ “ “ “ Johnson “	10 00
“ “ “ “ Lee “	54 00
“ “ “ “ Mahaska “	20 00
“ “ “ “ Van Buren “	11 80
	<u>\$222 05</u>

STATEMENT IX.

A statement of the appropriations made at the first and second sessions of the General Assembly, showing the amounts drawn and the balances undrawn, with the account against M. Reno, Esq., State Treasurer.

General appropriaiton bill, approved, Feb. 25, 1847,.....	\$20,241 07	
Amount drawn,.....	20,221 07	
Balance undrawn,.....		\$20 00
Sundry appropriations of session 1846 and 1847,.....	\$12,578 15	
Amount drawn,.....	12,573 15	
Balance undrawn,.....		\$5 00
General and Miscellaneous appropriations of 1848,.....	\$15,635 00	
Amount drawn,.....	15,635 00	

Convention account of 1844.		
Appropriation,	\$1,128 00	
Amount drawn,	1,128 00	
Convention account of 1846.		
Appropriation,	\$3,812 96	
Amount drawn,	3,812 96	
Salaries of Governor, Secretary, Auditor and Treasurer.		
Appropriation,	\$5,000 00	
Amount drawn,	5,000 00	
Contingent funds of Governor, Secretary, Auditor and Treasurer.		
Appropriation,	\$1,400 00	
Amount drawn,	1,400 00	
Appropriation for Warden and Lessee of Penitentiary,		\$353 16
Amount drawn,	233 00	
Balance undrawn,		\$120 16
Appropriations for the Penitentiary, . . .		\$327 00
Amount drawn,	327 00	
Supreme Court fund appropriation,		\$290 00
Amount drawn,	290 00	

Salaries of Judges of the Supreme Court.		
Appropriation,	\$6,000 00	
Amount drawn,	5,158 30	
Balance undrawn,		\$841 70
Salaries of Judges of the District Courts.		
Appropriation,	\$8,000 00	
Amount drawn,	6,000 00	
Balance undrawn,		\$2,000 00
Fund for arresting Fugitives.		
Appropriations,	\$1,000 00	
Amount drawn,	400 00	
Balance undrawn,		\$600 00
Salary of Superintendent of Public In- struction.		
Appropriation,	\$1,200 00	
Amount drawn,	1,200 00	
General Contingent Fund,		
Appropriation,	\$300 00	
Amount drawn,	204 80	
Balance undrawn,		\$95 20
Librarians Salary.		
Appropriation,	\$300 00	
Amount drawn,	262 50	
Balance undrawn,		\$37 50

Librarian Contingent Fund.		
Appropriation,	\$150 00	
Amount drawn,	108 42	
Balance undrawn, .....	.....	\$41 58
Public Buildings at Iowa City, and Superintendents compensation.		
Appropriation,	\$5,400 00	
Amount drawn,	5,400 00	
Interest account.		
Appropriation,	\$5,282 60	
Amount drawn,	5,282 60	
M. Reno, State Treasurer, in account.		
To cash and revenue received from various sources,	\$77,264 55	
By State Warrants redeemed and filed in this office,	75,325 68	
Balance on hand appropriated and reserved for interest on Loan of 1847, .....	.....	<u>\$1,938 87</u>

Which communication having been read,
 Mr McFarland moved that 1000 copies of said report be printed.
 Which motion was disagreed to.
 Mr Goodrell moved to print 500 copies.
 Which motion was lost.
 Mr Corse moved a reconsideration of the vote to print 1000 copies of the said report.
 Which was accordingly done.
 Mr Griffith moved to print 1500 copies of said report.
 Upon which question

The yeas and nays were demanded,
And resulted as follows :

Yeas— 8,

Nays—30.

Those who voted in the affirmative, were
Messrs Baker, Collins, Griffith, Mahony, Norton, Sales, Wey-
and and Wood.

Those who voted in the negative, were

Messrs Alexander, Allison, Babbitt, Betts, Bourne, Burroughs,
Corse, Davidson, Elmer, Evans, Flint, Gifford, Goodrell, Harrison,
Jacobs, Langton, McCrary, McFarland, McManaman, Penny, Read,
Riggs, Sargeant, Stephenson, Timmons, Thompson, Walker, Wil-
liams, Woodworth and Mr Speaker.

So the motion was lost.

Mr Corse moved to print 1000 copies of said report.

The yeas and nays being demanded,

Resulted as follows :

Yeas 21,

Nays 16.

Those who voted in the affirmative, were

Messrs Alexander, Baker, Betts, Collins, Corse, Davidson, El-
mer, Evans, Flint, Harrison, Langton, Mahony, McFarland, Penny,
Read, Riggs, Sargeant, Walker, Weyand, Wood, Woodworth and
Mr Speaker.

Those who voted in the negative, were

Messrs Allison, Babbitt, Bourne, Burroughs, Gifford, Goodrell,
Griffith, Jacobs, McCrary, McManaman, Sales, Stephenson, Tim-
mons, Williams and Woodworth.

The Speaker announced Messrs McFarland, Griffith and Corse, a
committee to examine into the state of the Penitentiary.

On motion of Mr Harrison,

The House adjourned until 2 o'clock, this afternoon.

2 o'clock, P. M.

The house met pursuant to adjournment.

Mr Sargeant obtained leave to introduce

H. R. file No. 8, A Bill for an act to amend the act to provide for

the management and disposition of the school fund, approved, Feb. 25th, 1847. .

And also,

H. R. file No. 9, A Bill for an act relative to common schools.

Mr Babbitt obtained leave to introduce

H. R. file No. 10, A Bill for an act to amend an act entitled "An act for laying out and establishing certain roads therein named," approved, Feb. 18th, 1848.

Mr Babbitt moved that the 42nd rule be suspended and the bill be read a second time.

Which was lost.

Mr Corse obtained leave to introduce

H. R. file No. 11, A Bill for an act to preserve the purity of elections.

The Speaker laid before the House the following communication :

GENTLEMEN OF THE SENATE

AND HOUSE OF REPRESENTATIVES:

The act entitled "An act creating a Board of Public Works and providing for the improvement of the Des Moines river," approved February 24th, 1847, requires the Board to make report to me, on or before the first day of every regular session of the Legislature. That report has this day been received, and I herewith transmit it to you, together with the report of the Engineer upon the Works.

ANSEL BRIGGS.

IOWA CITY, December 8, 1848..

REPORT OF THE BOARD OF PUBLIC WORKS.

OFFICE OF THE BOARD OF PUBLIC WORKS, }
 AGENCY CITY, December 1st, 1848. }

To HIS EXCELLENCY, ANSEL BRIGGS,

GOVERNOR OF IOWA :

SIR :—

It is provided by the 9th section of an act passed during the first session of the General Assembly, entitled "An Act creating a Board of Public Works, and providing for the improvement of the Des Moines river," approved February 24th, 1847, that "The Board shall make report to the Governor on or before the first day of every regular session of the Legislature, giving a full statement of all their doings, and recommending such legislative action as they may deem expedient." In compliance with this provision we beg leave respectfully to report:

That by certificate of the Secretary of State bearing date the 7th day of September, A. D. 1847, we were severally informed of having been elected President, Treasurer and Secretary of, and constituting a Board of Public Works for the State of Iowa, at a general election held on the second day of August next preceding, and that our bonds previously filed, had been approved by the Governor. We then proceeded to Fairfield, in Jefferson county, pursuant to a prior understanding, and held our first session as a Board on the 22d September, 1847, having been first qualified on "oath to the faithful and impartial performance of the duties required of us by law." Here the responsibility and difficulty of the path which lay before us became very apparent. Neither of us possessed the advantage of experience in a similar capacity. We were pioneers in works of internal improvement for a young and vigorous State, and without chart or compass, rule or precedent of predecessors to guide us in our track. We knew that the Des Moines river was, if possible, to be made accessible for steamboats to the Raccoon Forks, and we knew that lands had been appropriated for that pur-

pose by act of Congress; but we had no evidence by which to distinguish the lands donated from those of the General Government; nor any report, diagram, or data of those lands having been at all selected, as required by law. In fine, the act of Congress, and the act of the General Assembly, were the only documents then in our possession, or of which we had any knowledge, and it may be as well to say here that our difficulties were greatly ameliorated on this and on many other occasions, by the information and assistance of Bernhart Henn, Esq., Register of the Fairfield Land Office.

Our first official act was to inform his Excellency, the Governor, of our organization, and to obtain an introduction, through him, to the Commissioner of the General Land Office, who we addressed with a view to such aid and information as may be in his power to bestow, and with whom we anticipated frequent occasions of correspondence. The Secretary was directed to procure authenticated plats from the Surveyor General's office at Dubuque, of all townships supposed to contain lands embraced in the grant, and to communicate with officers of the late Territorial Government relative to their official transactions in regard to those lands; but we could only learn that commissioners had selected the odd sections, and reported the fact to the proper department at Washington.

Rules for the entry of land by pre-emption, under the 29th section of the act of the General Assembly, aforesaid, were adopted at an adjourned meeting, and our President was detailed to visit other States for information, and to profit by their experience in slack-water improvements; but more especially to employ an engineer of tried and undoubted qualifications in works of this character. Our corporate faculties were then in early and active motion. We were enabled to grant pre-emptions to lands in sixteen townships on the 11th of October, but with the expectation, founded on public opinion, that the amount to which we were prescribed by act of Congress would be received in a few weeks, and designing in any event to limit these pre-emption sales to three months in advance of a public sale; yet, although the office was continued open, with but little intermission, until the 31st of March following, and thirty-one additional townships were exposed for sale in a similar manner about the 1st of January; our receipts had not reached the sum of thirty thousand dollars until near the end of six months.

The 27th section of the act says, "Any person who, on the first day of January 1847, was, by the then existing laws of this State

entitled to a claim upon the lands in this act mentioned, or who shall at the time of entering the same, be the owner of such claim, shall have the right to enter the same in legal sub-divisions of not less than forty acres, unless it be a fractional quarter, at the price of one dollar and twenty-five cents per acre; and the provisions of the several pre-emption laws of Congress, passed since the first of June 1838, and all the privileges and benefits thereby granted, are extended to the settlers on said lands as far as the same are applicable, and the same rules and regulations shall be observed in the entry and sale of said lands by the Board."

The law in this case determines the *minimum* quantity at forty acres, but leaves the *maximum* to be inferred, or determined by the Board. The "several laws of Congress," admit of one hundred and sixty acres, but "the then existing laws of this State" have recognized a claim of three hundred and twenty acres. Many members of the Legislature gave it as their decided opinion that not more than one hundred and sixty acres were contemplated by the act. A mature consideration of the subject brought us to the conclusion that the interests of the settlers, and of the improvement, would be promoted by extending the pre-emption to a claim of three hundred and twenty acres, whether in regular or detached tracts; provided it were held on the first day of January 1847, "according to the then existing laws of this State." We therefore adopted the following form of proof to be filed in the office, with the addition of a quit-claim deed in cases of transfer since the first of January, 1847.

(FORM A.)

I, A. B. of _____ county, Iowa,
Do solemnly sWear (or affirm) that I am the head of a family, (or a single man over twenty-one years of age as the case may be,) and have never had the benefit of any right of pre-emption on the land appropriated by Act of Congress for the improvement of the Des Moines River, nor have I sold, transferred, or quit-claimed any part of these lands on which a right of pre-emption could be obtained through me. That I am now the owner of the

quarter section No.

in Township No.

N. of Range No.

W. of the 5th P. M., and that (I or C. D.) was entitled to a
cla. im thereon on the first of January, 1847, according to the then

existing laws of the State of Iowa. That (I, or he) had not neglected nor abandoned this claim for six months preceding the first day of January, 1847, and that during that time it was marked out so that the boundaries thereof could be readily traced, and its extent easily known, and that my or his claim did not exceed in number of acres the amount limited to one person according to the custom of the neighborhood in which it is situated. A. B.

I, E. F. do solemnly (swear or affirm) that I know the facts set forth in the foregoing (affidavit, or affirmation) to be true and correct, and that I am not interested in the claim. E. F.

Office of the Board of Public Works at ——— }
184 }

I, CHARLES CORKERY, Secretary of the Board of Public Works, do hereby certify that the above were taken and subscribed before me this day. That the tract described contains acres, and that the price agreed upon is \$1,25 per acre.

Secretary.

A sale or transfer of "any part of these lands" was not designed as a bar to invalidate a right of pre-emption, but to elicit a fact, in order to guard against a pre-emption to more than three hundred and twenty acres by proxy! We very soon discovered that quit-claim deeds were not as common as we had imagined, but that most of the assignees who applied for pre-emption had come into possession by verbal transfer. We then adopted the following form for cases of this character, without regard to deeds :

I, A. B. of _____ county, Iowa, do solemnly swear that I am (as the case may be, as in form A.) and have never had the benefit of any right of pre-emption on the lands appropriated by act of Congress for the improvement of the Des Moines river, nor have I sold, transferred, or quit-claimed any part of these lands on which a right of pre-emption could be obtained through me, and that I am now the undisputed owner of the _____ quarter of section number _____ in township number _____

N. of range number _____
meridian.

W. of the 5th principal
A. B.

I, C. D., do solemnly swear that E. F. was entitled to a claim on the land described in the foregoing affidavit, on the first day of January, 1847, and for six months next preceding, and during that time it was marked out so that the boundaries thereof could be readily traced, and easily known, and that his claim did not exceed in number of acres the amount limited to one person according to the custom of the neighborhood in which it is situated, and that the right which the said E. F. held to the said tract is now

the above named A. B. by regular transfer and sale,
and that I am not interested in the claim. C. D.

Office of the Board of Public Works at ——— }
184 }

I, CHARLES CORKERY, Secretary of the Board of Public Works, do hereby certify that the foregoing affidavits were taken and subscribed to before me this day. That the tract above described contains _____ acres, and that the price agreed upon is \$1 25 per acre.

Secretary.

These forms apply, or may be adapted, to any of the chameleon shades which claims have assumed in the Des Moines valley, and it will readily be perceived that he who cannot prove a right to a claim under one or the other of those forms, can have no right, for the most superficial claim will be recognized by some one, and this one is sufficient for his witness. Neither should any one who does not wish to be considered obnoxious to the title of "land speculator" desire more than a half section,—an amount unknown to any other pre-emption law in existence.

This proof is certified by the Secretary (as Register,) to the Treasurer, (as Receiver,) and on payment being made, that officer issues the following receipt in duplicate.

Office of the Board of Public Works at ——— }
184 }

No. _____ Received from A. B. of _____ county,
Iowa, the sum of _____ dollars, being in full for the
quarter of section number _____, township number
_____ N. range number _____ W. of the 5th
P. M., containing _____ acres, at \$1 25 per acre; and the land

above described having been appropriated by act of Congress, approved August 8, 1846, for the improvement of the navigation of the Des Moines river, the right of taking such stone as may be found necessary to said improvement is hereby reserved to the State of Iowa, without any let or hindrance.

§————

Treasurer.

One of these receipts is filed in the office of the Secretary, in proof of the completion of the entry, and the other is retained by the purchaser. The following is our joint certificate on which a patent shall issue "signed by the Governor, subject to such regulations as may be prescribed by law."

Office of the Board of Public Works at ————— }
184 }

No. ——— We certify that A. B. of _____ county,
ha this day purchased at this office the
quarter of section number _____, township number
North, range number _____ West, of
the 5th principal meridian, being part of the lands appropriated by
act of Congress, approved August 8, 1846, for the improvement of
the navigation of the Des Moines river, containing
acres, at \$1 25 per acre, amounting to _____ dollars,
and for which the said A. B. ha made payment in full as requi-
red by law, after reserving to the State of Iowa the right of taking
and using such stone as may be found necessary to said improve-
ment, without let or hindrance.

Therefore be it known that on presentation of this certificate to
the Governor of the State of Iowa the said A. B. shall be entitled
to receive a patent for the land above described, subject to such
regulations as may be prescribed by law.

Secretary.

Treasurer.

The difficulty of procuring a thoroughly competent Engineer—
one having experience in work of a character similar to that propos-
ed for the Des Moines river, detained the President until the first
week in December,; but we have the proud satisfaction of saying
that he has not only succeeded in obtaining the services of a gentle-
man of undoubted qualifications, but one who is morally, as well as

scientifically, worthy of entire confidence in the line of his profession. With the aid of three experienced assistants, Messrs. Wells, Jacobs and Hayden, and other subalterns necessary to a corps, the survey of the river was commenced on the 16th of December, 1847, and the persevering industry with which Col. Curtis and his efficient aids prosecuted the work as high up as Ottumwa, a distance of ninety-three miles, during the most inclement season of the year, is worthy of all praise.

We suspended the further prosecution of the survey above Ottumwa, in the early part of February, and made a requisition on the Chief Engineer for a report of his labors, with a view to determine the general plan of improvement, and the final locations of dams and locks. It was found, however, that a more minute examination of the river was necessary antecedent to the report, and this examination was required to be the more critical as many intelligent minds believed that a great portion of this distance was not susceptible of improvement in any way. Nor were they entirely mistaken, as low banks and other impediments precluded the possibility of dams, and we were forced to the expediency of a side cut, or canal, from St. Francisville, Missouri, to a point affording sufficient depth of water for steam boats, about a mile and three-quarters from the Mississippi river, a distance of ten miles. The removal of some snags and other drift, from the main channel, or Nassau slough, will afford free navigation in either or both, from the mouth of the canal to the Mississippi, and all the mouths of the Des Moines will have equal facilities of navigation.

The engineer's report was filed on the 20th March, and will be found herewith, and his suggestions were adopted in the main. The general scheme is designed to afford navigation for such boats of a medium size as ply most profitably on the Upper Mississippi, and although we fully appreciate the magnitude of the trade which will flow through this channel at no distant day, it is believed that the capacity of the locks and canal are sufficient to obviate the necessity of those changes and enlargements so vexatious to other States.

The privileges necessary to the improvement were a source of great annoyance at the lower end of the line, as the lands along the canal route were the property of individuals, many of whom were unfriendly, indifferent, or ignorant of the project. Conflicting titles existed to other portions where the relinquishment of all parties was indispensable, and the incubus of "the Half-Breed claim" overhung

the whole. On the south side of the river, between the mouth and the present boundary of Iowa, the lands belong to a sister State. The river is here a common highway for all, and the importance of the work justified the co-operation and undivided influence of both States. The proposed construction of a side cut on the Iowa side, at first created anxiety and disaffection among some of the citizens of Missouri, but after the work commenced, and the propriety of the location became obvious, we are happy to testify to the apparent satisfaction and courtesy which has been manifested by citizens of the south side. A controversy or conflict between two neighboring States never appears to advance the interests or character of either. We have avoided this by a cautious regard to the objects of the appropriation, without listening to the vague rumors of a few disaffected and designing persons on either side of the river. We shall continue to cultivate the good feeling which now exists, by a scrupulous regard to the best possible location, construction, and completion of the work.

All sales of land were suspended on the 31st March, 1848, for an indefinite period, and the office of the Board was removed from Fairfield to the Engineer's office at Keokuk, for the greater convenience of a letting then advertised to be held on the first of June. The engineers were engaged in establishing the location of the work, and preparing estimates and specifications for bidders, who became numerous as the day of letting approached. Indeed the notoriety which we gave to this work in the Eastern States, by circular and advertisement, has induced many worthy and wealthy persons to visit Iowa on an excursion of pleasure or business, who perhaps never would otherwise have come, and as some of them have already become our fellow citizens, and many others likely to follow, we trust that the accession to our population will not be few or indifferent by this means alone. The letting was held as advertised, and the bids are believed to have been more numerous than for any work in the United States of equal value. After several days examination of these numerous and conflicting proposals, and a careful consideration of the responsibility and experience of bidders, the work was awarded as follows :

Section No. 1. To Messrs. Barnett and Co. of Ohio.—This section embraces the first lock, of 22 feet lift, and the earth work within ten chains of the lock.

- Sec. No. 2. Messrs. Lyon and Co. of Ohio.—This is nearly a mile of canal embankment.
- Sec. No. 3. T. Curts of Iowa.—A mile of canal.
- Sec. No. 4. Stewart and Wallace, of Illinois and Michigan.—A mile of canal including the heavy embankment and protection which pass the “Big Yellow Banks.”
- Sec. No. 5, 6 and 7. Messrs. Blake and Co., of Pennsylvania.—Three miles of canal.
- Sec. No. 8. Messrs. Brigham and Mayger, of Missouri.—A mile of canal, including the embankment passing the “Little Yellow Banks,” also, including lock No. 2, of ten feet lift.
- Sec. No. 9. Messrs. Connable and Cunningham, of Iowa and Ohio.—A mile of canal.
- Sec. No. 10. Messrs. Cassiday and Bell, of Iowa.—A mile of canal. They have also contracted for constructing the pile engine.
- Sec. No. 11. Messrs. Merriman and Co., of Pennsylvania.—One mile at the head of canal, and Guard Lock.
- Sec. No. 12. Messrs. Barnett and Co., of Ohio.—Dam No. 1, at St. Francisville.
- Sec. No. 13. Messrs. Quinn, Carragher and Co., of New York.—Dam No. 2, and lock No. 3, of 10 93-100 feet lift, at “Cowpens old Mill.”
- Sec. No. 14. Walker, Patterson and Co., of Iowa.—Dam No. 3, and Lock No. 4, 10 32-100 feet lift, at “Thoms Mill.”

All these contractors are on the work, and prosecuting their contracts with vigor, and apparent success. They employ about 500 men; and have a great amount of materials on hand. We have every reason to believe, if our resources for prompt payment continue, that this part of the work will be completed before the expiration of the time provided in their contracts. In a subsequent part of this report we will advert more particularly to the importance of accelerating the progress of all the work, by securing prompt payment to all the contractors. The receipts from sales of land will not warrant a too speedy completion of the work on cash payments, and the first day of March 1851, has therefore, been set as the day of final estimates, when all these contracts are to be delivered up in a manner acceptable to the principal Engineer in charge of the improvement. Prudent management on the part of the State may en-

able the Board to make full and prompt payments on all these contracts at that time, while a rash interference, or a desire to pander to local prejudices may frustrate the whole design.

In addition to information derived from reports and documents collected by the President in the fall of 1847, with regard to the construction of works in other States, the members of the Board were much benefitted by their intercourse with contractors of varied experience during the letting. A variety of circumstances combined on this occasion, to induce the belief in our minds that additional portions of the work could be put under contract on favorable terms, without at all conflicting with this first letting, and a notice was accordingly posted up in our office with a view to elicit suggestions to that end. The extent of our resources were so fully appreciated as to induce indirect propositions, and to justify us in advertising for a second letting on the 21st of August; the result of which exceeded our most sanguine expectations. The proposals received were very similar in their prices, and nearly, if not quite as low as those accepted in our first work. As payment for this work was to be postponed till the first series of contracts was paid for, we considered it desirable that no one should have more than his means would enable him to accomplish. The work was awarded to the lowest responsible bidders, and may be stated as follows:

- Section No. 15. To Messrs. McCune and Co., of Ohio.—Dam and lock at Farmington, $11\frac{1}{2}$ feet lift.
- Sec. No. 16. Wm. Meek and Son of Iowa. Dam and lock at Bonaparte, $7\frac{1}{2}$ feet lift.
- Sec. No. 17. Brown and Sanford, of Iowa.—Dam and lock at Bentonsport, $12\frac{1}{2}$ feet lift.
- Sec. No. 18, 19 and 20. Brigham and Mayger, of Missouri.—Dam and lock at Keosauqua, 14 feet lift.
 Dam and lock at Powells, 11 feet lift.
 “ “ Portland, $12\frac{1}{2}$ feet lift.
- Sec. No. 21. Messrs. McCune and Co., of Ohio.—Dam and lock at Jordan's, $12\frac{1}{2}$ feet lift.
- Sec. No. 22 and 23. Messrs. Connable and Cunningham, of Ohio and Iowa.—Dam and lock at Railsback's, $7\frac{1}{2}$ feet lift.
 “ “ Rowland's 7 feet lift.
- Sec. No. 24. Wm. Lamb.—Dam and lock, mouth of Sugar creek, $7\frac{1}{2}$ feet lift.

The contractors at Bonaparte and Bentonsport have made a good commencement, and others have made arrangements for prosecuting their work in the spring. Their success will, no doubt, depend on the ability to raise means. It was understood at the letting that estimates would be made as the work progressed, and certificates of indebtedness issued, bearing six per cent. per annum, payable out of the proceeds of sales of lands appropriated to the improvement of the Des Moines river. With these certificates, and the resources of the contractors, it was expected that the means would be readily obtained. Nothing has been done by the Board to change this understanding, but we have reason to believe that a different and more direct mode would be more economical and advantageous to the State, and more acceptable to contractors. This subject will be more fully discussed hereafter, when we speak of the disposition of the lands.

The Commissioner of the General Land Office made no reply to a letter addressed to him by the Secretary, through the Governor, at the first organization of the Board, nor to one of similar import under date of 29th November, following, in which it was urged that the interests of the State required his immediate action, antecedent to that of the Secretary of the Treasury, as required by the act of Congress. Nor was it until our prompt and attentive Representative in Congress, the Hon. Wm. Thompson, made a personal application, at the urgent solicitation of the Secretary, that a reply was elicited as follows :

General Land Office, }
February 23, 1848. }

SIR :—

Your communication of the 29th of November last, enclosing a copy of yours of the 22d September last, has been received, and would have received an earlier response but for the erroneous and defective surveys along the Des Moines river, which prevented this office from submitting to the Secretary of the Treasury, the selections made by the State of Iowa for the improvement of the navigation of that river, under the act of 8th August, 1846. As these surveys have been corrected, action will be had on those selections as soon as possible, and when approved they will be certified to you.

It is not usual to furnish more than a diagram of the grant, in ca-

ses of this kind, with a certified list of the tracts granted, as above mentioned, and these will, of course, be transmitted as soon as they can be prepared.

All the aid that this office can give the Board of Public Works, in the discharge of its duties, will be cheerfully rendered, and if it is possible to procure copies of the Reports of the Topographical Bureau, of the examinations heretofore made of the Des Moines river, it will afford me pleasure to do so, and forward them to you.

A question has arisen as to the extent of the grant, made to Iowa, by the act of 8th August, 1846, and the opinion of this office has been requested on that point.

By the terms of the law, the grant is, of one equal moiety, in alternate sections, of the public lands remaining unsold and not otherwise disposed of, encumbered or appropriated, in a strip five miles in width on each side of said river, to be selected within said Territory, &c., &c., and the proceeds are to be applied in the improvement of the navigation of that river, from its mouth to the Raccoon Forks. Hence the State is entitled to the alternate sections within five miles of the Des Moines river, throughout the whole extent of that river, within the limits of Iowa.

Very respectfully,
your obedient servant,

RICHARD M. YOUNG,
Commissioner.

CHARLES CORKERY, Esq.,

Secretary of the Board of Public Works,
Fairfield, Iowa.

It will be perceived that in this reply the commissioner adds his sanction to the already plain letter of the act, and removes all ground of cavil as to the extent of the grant. The same plain literal construction will extend it far beyond the present "limits of Iowa," for the language of the act "is within said Territory," which then extended far north of the State line subsequently designated by Congress. The same commissioner of the General Land Office, who on the 23d of February, 1848, said that we were entitled to those lands "throughout the whole extent of that river," did on the 19th of June following, advertise a part of those lands for sale by proclamation, as belonging to the United States! Our

attention was not called to this singular inconsistency until September, when we immediately addressed the commissioner, in the belief that these lands were proclaimed in error, and that the order for their sale would be rescinded on having his attention directed to it, but our letter appears to have been met with silent disregard

The sale went on as if nothing had occurred, and portions of the State lands were sold for cash and military land warrants. It may be proper to state also, that in anticipation of such action as the Legislature in its wisdom may think proper to take in this matter, we have filed a copy of our letter to the Commissioner, accompanied by a protest against the sale, in the district land office at Iowa City. It is our opinion that no time should be lost in bringing this subject before Congress, or some other proper tribunal, as the success of the improvement depends on the extent of the appropriation. No restriction, or narrow construction, should be made of a law so equitable and just.

The appropriation by Congress, and the early commencement of the work by the State, have so attracted the attention of emigrants to this region as to cause a sale and settlement of a large portion of United States lands that would otherwise have remained for years unsold and uncultivated. The general government is compensated by the enhanced value of lands adjacent to the work, as it holds out a prospect of an early means of conveying the products of the country to market, and extends the settlements far beyond the improvement.

Estimates made on the expense of transportation (and more fully referred to in the report of the Engineer,) show that the advantages of this improvement are not confined to the valley of the Des Moines, but connect with the valley of the Upper Missouri, Nebraska or Platte, offering the safest and cheapest channel for the transportation of the products of a vast country in the far West. No policy of the general government appears to us so equitable and wise as that of appropriating lands to improving the means of travel and transportation through those lands.

Appropriations of this description to internal improvements, create a common interest which is calculated to increase the attachment which ought to exist between the infant settlements and the national government. With a view, therefore, of securing success and to realize the entire benefit of the appropriation, application should be made to Congress for a law authorizing the appointment

of commissioners who shall be empowered to select other lands instead of those odd sections which by accident or otherwise, have been sold by the United States land officers within five miles of the Des Moines river. Such a law would include other lands which were sold prior and subsequent to the grant, and previous to the selection, and would add a considerable amount to the means applicable to the improvement.

It will be seen that the Commissioner of the General Land Office, promised to furnish this office with the approval of the Secretary of the Treasury, a diagram of the grant, and a list of the tracts granted. We waited until after the adjournment of Congress, in order that full time might be had to prepare them, and it was not until the 25th of August that we called for them again. We then represented the embarrassments under which we labored for want of the list and diagram particularly, as we were about to revive the sales of land; but no attention appears to have been paid to our pressing and respectful request. A public sale is now advertised to commence at Agency City on the 25th inst., of all "river lands" below Ottumwa, after having given two months time for pre-emptions, in addition to the previous six months of last winter, and the verbal designation of Mr. Henn, is the only evidence by which we can distinguish the lands under our control from those of the General Government.

Having no data whatever by which to designate the State lands north of the Fairfield Land District, it is a source of regret that we cannot report the amount included in the appropriation. This would have been accurately determined, so far as the surveys extend, were we furnished with the list and diagram, and they may yet arrive before the adjournment of the General Assembly, as we have recently written to the Hon. Wm. Thompson on the subject. The country is well settled in the vicinity of the river for some twenty miles above the Raccoon Forks, and sparsely settled as high up as the Boone Forks, township No. 87, N., range No. 27, W., where it is said to be well timbered, and capable of sustaining a dense population. Indeed, the Boone Forks country is thought by many to be superior to that of the Raccoon; although the river between these points does not contain as large a body of water as below, we are assured that it is no less susceptible of improvement, as the banks are generally good, and the water deeper, because confined to narrower channels. The opportunities for hydraulic power are said

to be equally good, and it will not be many years before that country will be inhabited by an enterprising people, who will demand that the improvement shall be continued into this region, which is situated due west of the city of Dubuque.

It may be proper here to allude to a projected work, which ought to connect with the Des Moines, and which involves not only the interests of our present work, but also that of the whole State. We allude to the proposed railroad to the Pacific.

As early as 1837 the people of Iowa had the importance of this matter brought to their consideration, by the exertions of John Plumb, Esq., a citizen of this State, who has since distinguished himself in the discovery of important improvements in Daguerotype. In 1848 the citizens of Dubuque, Iowa, memorialized Congress, and with the aid of General George W. Jones, then delegate to Congress, an appropriation was obtained of ten thousand dollars, which was expended in a survey from Lake Michigan through Wisconsin.

In 1839, a memorial from Ohio drawn up and circulated by Col. S. R. Curtis, our Chief Engineer, was presented by the Hon. John Quincy Adams, urging Congress to aid the construction of such a work by the appropriation of the alternate sections of land within ten miles of the route.

Subsequently, in 1843 or 1844, this matter was presented to Congress by Asa Whitney, Esq., an enterprising citizen of New York, who asked for the appropriation of the lands within thirty miles of the route for the purpose of its construction. In 1846 he examined in person the route through the northern counties of this State to the Missouri river, crossing the Mississippi at Prairie du Chien. He speaks in flattering terms of the country and of the facility with which such a road can be constructed; and such has been the untiring exertions of this gentleman that the project has acquired the name of "Whitney's Railroad."

As this enterprise becomes every day more feasible, the subject which was first advocated in Iowa, should not be forgotten in the first report of the Board of Public Works. If constructed, its connection with the Des Moines would have an incidental influence in the commerce of our improvement which would fully justify our timely notice and exertions. The people of Missouri are awake to the importance of this railroad enterprise, and are likely to influence its location by uniting the interests of Cincinnati and St. Louis, by

a railroad connection which they now have in progress of survey. Such a union of wealth and influence is a formidable array against the infant exertions of Iowa; but by uniting our energies with those States which are similarly interested we can retain the advantages which our location and early efforts have given us a right to expect and assume.

The arrival of a United States Geologist at Keokuk, in June last, on a reconnoitering tour to the head quarters of the Des Moines, afforded the Board an opportunity of gratifying a desire which we had entertained for more accurate information regarding that country. Indeed so great was our desire for this information, because of its important connection with the improvement under our care, that a majority of us were inclined to entrust a partial exploration to some intelligent person, on whose observations we could implicitly rely, when A. Randall, Esq., was delegated by Dr. D. D. Owen for a purpose almost corresponding with our view. We thought at first to find a competent person to accompany Mr. R. but subsequently addressed him a letter, respectfully requesting that he would direct his attention to specific objects of interest to us. This he kindly consented to do, but as the information sought for has not yet come to hand its absence will be partially supplied by the following interesting newspaper extract:

“**PERILOUS EXPEDITION IN MINNESOTA.**—The *Prairie du Chien Patriot* of the 26th July furnishes the following narrative:

Mr. A. Randall, of the U. S. Geological Corps, accompanied by his assistant, Maj. M. Dagger, of Iowa, reached this place on Wednesday, July 19, from the sources of the Des Moines river, which he has explored from its mouth. He has also made a critical examination of the Coteau des Prairies, west of the river, and the western portion of the Undine Region of Nicollet, on the east. When near the Chanjushkah river, a tributary of the St. Peters and in the midst of a Buffalo country he encountered a large party of the Sissiton Sioux Indians, who robbed him of his horses, clothing, provisions, and every thing except his papers and collections—breaking his instruments, &c. He was then permitted to depart. His sufferings would have been insupportable had he not met on the evening of the second day, with a camp of Fox Indians, which belong to the Osage river, west of Missouri, from whom he obtained a miserable pony, capable of packing the little left by the In-

dians. Mr. R., after being robbed, changed his course to nearly south, abandoning his zoological and botanical, but continuing his geological and, topographical collections and observations, and arrived at this village after nine day's march, much crippled and nearly exhausted from the hardships he had undergone. After reaching the head waters of the Iowa river, he shaped his course directly for this place, passing over the beautiful tract of country denominated on Nicollet's map as the Mini Akipan Kaduza. Although he was much nearer Fort Snelling than Fort Crawford, and within 40 or 50 miles of the St. Peters river, he considered it the safest route to turn south, as he would be less apt to meet with hostile Indians, and, in case of attack, he had no weapons of defence. The Indians had ordered him to go south, and signified, by springing their bows and drawing their knives across their throats, what would be the result of disobedience.

“Mr. Randall speaks in the highest terms of the country which he traversed, for beauty, agricultural capacity, and mineral resources. Coal was found for 200 miles on the Des Moines, and from indications, heavy deposits of iron ore are believed to exist. Gypsum, in abundance, forming cliffs for miles, was encountered; an article that is very important in the arts, and is extensively used in the East for agricultural purposes. This must prove of immense value to the West, as this is the great valley of the Mississippi. Limestone—that makes a superior hydraulic lime—exists in abundance. Limestone suitable for lime, clay suitable for bricks, rocks suitable for polishing, for grindstones, whetstones, and for building purposes, some of superior quality—are found in abundance along the Des Moines river. There is a great abundance of water power in the whole region over which he passed, and timber plenty throughout most of the country.”

From all these sources of speculation, which in due time will be substituted with accurate information, and from the length of the river, as projected on all the maps of the country, we are justified in the belief that the grant will fall very little, if any, short of a million of acres: and when we bear in mind that this land borders on the stream, where timber is invariably found in sufficient quantities for agricultural purposes, we do not feel at liberty to make an allowance for any which is not susceptible of cultivation. Suppose however, we give credit to a vague opinion that timber is scarce, and the land unsaleable, in the Territory of Minnesota, on the ex-

treme head waters of the Des Moines and that we confine ourselves within the boundary of the State; we cannot, even then, fall short of eight hundred thousand acres, and we take it to be the part of wisdom to make the most of this, in anticipations of contingencies which may, and *will* arise. Our legislature has generously recognized the right of all persons who were settled on these lands, when they were accepted by the State, and has granted a pre-emption, or preference of purchase, not to the usual quantity of one hundred and sixty acres, but to three hundred and twenty acres, at the Government minimum of one dollar and twenty-five cents per acre; and we, the Board, construing most favorably the intentions of the legislature, to the circumstances of the case, rather than to the words of the law, apply that pre-emption to a mere "*claim*," without residence or cultivation. No pre-emption act ever passed by Congress was half as liberal, for a man may acquire a right of pre-emption under our rules by the mere fact of having said, on or about the 1st of January, 1847, to a third person who he now brings forward as witness, "this is my claim." His claim may actually have been but a shadow, and may exist only in his own imagination, and that of a brother or friend, and yet, if it is recognized as his, and so proven by that brother or friend, he can acquire a fee simple to three hundred and twenty acres, at the lowest rate known to the law. The Board have therefore afforded to settlers the full benefit of existing laws enacted for the accommodation of pre-emptors, but as many persons settled on these lands after the 1st of January 1847, and before the publication of the act approved January 24th, 1848, raising the price of these lands, many who expected to pay the same prices paid by those who had previously settled, regard the change as burthensome and oppressive on them. Any expectation founded on a presumption so natural, should, in the opinion of the Board, be respected, and, if possible sustained. To satisfy every just claim to pre-empt the lands included in this appropriation, the Board would respectfully suggest the passage of a law extending the right of pre-emption to all persons residing on the lands on the 1st of January, 1848. It may also be proper to give those who have made small entries by pre-emption, the right to increase their entry to a certain limit, where they desire the increase for their own use. These modifications would extend to poor and worthy claimants who most deserve the pre-emption right, the same number of acres acquired by more opulent neighbors who

had the means to avail themselves of our first notice. After doing strict and liberal justice to all who have honestly entered on the State lands for the purpose of making themselves comfortable homes, the interest of the settlers and of the State, require that these lands should be guarded against the grasp of speculators, and the wanton waste of the heedless and vicious. Next to acquiring a homestead, is the importance to the settler of a market for his produce, and he will be more profitably employed on forty acres, with the improvement, than on eighty acres without it. Every man in the Valley should, therefore protect the odd sections, as he regards his prospects of a home market. Every dollar that is raised from the odd sections, goes to enhance the value of his farm, by bringing a market so much nearer to his door. This applies not only to those on the main trunk of the Des Moines, but to those also who may settle far up its branches for though the avails of the sale of lands may be hardly sufficient to carry the improvement to the Forks, yet, the avails of the improvement itself will certainly and speedily carry it beyond. Judging of the tolls and water-rents which may be raised from this improvement by the tolls and rents derived from similar works in less productive countries, we consider it a low estimate to calculate on the receipt of fifty thousand dollars the first year, on that part of the work which will be completed from the proceeds of the sale of all the lands. The second year the receipt would be sixty thousand, and so they will go on increasing till rival works cause their reduction. Apply thirty thousand dollars for superintendence and repairs, the remainder—20 thousand the first year, 30 thousand the second year, 40 thousand the third year, and so on increasing, will be applicable to the further extension of the work. Hence we express full confidence that with a prudent management of the appropriation, the improvement can be carried within a reasonable time, beyond the Forks. But all this success depends on the amount to be raised from the lands. In order to establish this progressive system we must have a sufficient base to acquire a surplus of receipts upon. A short improvement would bring only nominal tolls, because it would not draw in the trade of the country; but a base of one hundred and fifty, or two hundred miles, will command the entire commerce of the region, create a large annual income, and secure the success of our calculations. We know with sufficient certainty, from the contracts themselves, that the work can be made to Ottumwa for a lit-

tle more than half the value of the lands appropriated; but we have no knowledge of the cost of the work above that town, as the surveys have not been completed. Enough is known however, to forewarn us that we have every reason to husband our means, while we are confident at the same time that we should do all in our power to hasten forward the progress of the work.

Lands appropriated to other States for similar purposes, have, in all instances, been regarded as property which should have the benefit of the rise of market prices. With this view they have been reserved from the grasp of speculators who understand the important change which must grow out of the contemplated work, and who have the means to secure to themselves profits which should be applied to the work itself. Anticipating the great disadvantage which arises from pressing sales before the work is laid out and constructed, other States have usually found means to bring these lands into market at the best advantage, without any delay in the progress of the improvement. We believe that Iowa affords the first instance of a State recognizing prior rights of any kind to settlements on lands of this character at \$1.25 per acre. We have taken some pains to inform ourselves with regard to the practice of other States, and we invariably find them vying with each other in trying to make the largest possible amount of money out of such grants, without regard to settlements previously made; as if conscious that they were merely guardians of a donation made for a specific object, and that the settlers would derive an equivalent from the enhanced value of their lands. By making the best possible disposition of these lands, a protection is afforded to districts and counties remote from the grant, as they must bear their proportion of any tax which may be imposed by the State to supply a deficit in the appropriation, and an influence is thereby created which generally preserves the trust from improvident abuse. Such lands in other States, have been appraised at graded rates, some as high as ten dollars per acre, but in no instance that we have heard of lower than two dollars and fifty cents. We are informed that the Ohio canal lands were first appraised at from two and a half to five dollars per acre, and subsequently from five to ten, and most of these lands are now disposed of. The lowest grade of the Wabash and Erie canal lands in Indiana, and of the Illinois canal lands was three and a half dollars per acre, and those of the latter State

were sold at auction in August last at prices ranging from \$7 to \$20 per acre, which was considered a very low rate.

All these States, as also Michigan have borrowed money for the prosecution of their works, and have hypothecated their lands with a view to their enhanced value after the completion of their respective improvements. The State of Iowa has prevented, by her organic law, the creation of a State debt, and has thus wisely guarded her citizens against the burthen of taxation so oppressive in some of our sister States. By this restriction in our constitution the legislature is prohibited from appropriating State funds to internal improvements, and yet no State is more sensible of the importance of public works. The only way of promoting an object so desirable to Iowa, is by securing, and prudently applying appropriations of lands from the General Government, and by affording liberal advantages to capitalists who may desire to apply their means in objects of this character. A wise application of the Des Moines appropriation will prove to Congress the advantage of further liberality while a different disposition may induce the General Government to reserve to herself the management of the proceeds of our domain in future. Is this then a proper time to press the sale of these lands with a view to producing the greatest good to the greatest number? The General Government is now issuing a large number of military warrants which are depreciated in consequence of their abundance, so as to enable purchasers to obtain Congress lands at very low rates. At the same time an unusual quantity of lands have recently been offered for sale by the United States, in the immediate vicinity of our improvement, and an additional quantity is now in progress of survey, to be offered next spring.

While these acts of the General Government really enhance the pecuniary value of the state lands, by bringing the even sections into early settlement and improvement, they have a direct tendency to reduce the present market price of lands, and thus require the State lands to be sold at a like depreciation. The question then arises whether we had better enter this depreciated market, and sacrifice our lands to raise means to progress with the work, or had we better seek means as other States have done, and derive the advantage which will arise from the settlement of Congress land and the erection of the improvement. The desire of the community for the early completion of the work is founded on an increasing demand for a means of disposing of their agricultural products.

A country so easily brought into cultivation soon furnishes a large surplus. Already the neighborhood of the Forks and all the country east of it, is anxiously desiring the completion of the improvement in order to send off accumulating stores of corn, wheat, pork and other commodities. These demands have induced the board to anticipate the proceeds of sales, and the contracts already let are so constituted as to progress, though the payments must await the sale of the lands, but with abundant means which, with the aid of the State, can be obtained in advance of a sale of lands these contracts can be sooner accomplished, and others put in progress.

We are committed to 85 per cent., cash payments, on contracts embraced in the first letting, conditioned, however, on the unimpeded progress of land sales, so that the first letting requires all the avails until that part of the work is completed and paid for. The second letting is entirely on a credit, based on the appropriation. No money is to be paid out on this second letting beyond the actual cost of work or materials assumed by the State, until all the work embraced in, and incidental to, the first letting, is fully paid for; but payments on monthly estimates are to be made in bonds, or certificates of indebtedness, bearing an interest of six per cent. per annum, until redeemed in payments for lands, or from the proceeds of sales of lands specifically donated for the improvement. As the interest to be paid on these bonds is small, compared with the immense advantages which the people and the State will derive from an early completion of the work, the greatest, if not the only objection which will present itself to the minds of many, at first sight, is the danger of a depreciation in the value of these bonds, as in other States, by making them a circulating medium in the community. We confess that the expedient afforded a subject of serious thought to ourselves for some time; but to guard against a result so much to be deplored by every one having the interests of the State at heart (as a distinction is, too frequently, not drawn abroad between bonds of this description and those of the State proper) no bond is to be issued of a less denomination than five hundred dollars, and as they will not be redeemable at the Treasury for any other purpose whatever until after the first series of contracts are completed, there remains little doubt but their circulation will be limited to the hands of capitalists.

It will be seen therefore, that a species of certificates, or bonds,

are contemplated as the means of paying the second series of contracts. Certificates of this character are often resorted to, as we are informed, by Boards of other States, when means of immediate payment is not convenient. Such certificates can only have a local credit, as the acts of the Board are not published, and do not carry with them the same guarantee of fidelity as those of the Legislature of the State. However good and secure our certificates may be, they are more likely to become depreciated than bonds on the same security authorized by Legislative enactment. No certificates have as yet been issued under the arrangements with the last contractors, as no estimate has yet been called for. In the mean time it has occurred to the Board that bonds bearing the sanction of the supreme power of the State, issued by the Board, and pledging the proceeds of the sale of lands as well as the tolls of the improvement for their redemption, would be less likely to depreciate, and would secure means in advance of land sales, to prosecute the work with greater speed and economy.

We submit therefore, to the wisdom of the General Assembly whether the active progress and ultimate interest of the Des Moines river improvement would not be promoted by a direct resort to this expedient. The lands appropriated will become very valuable as the improvement progresses, and the alternate sections of Government land become settled upon and improved. It is believed that a loan of this character could be negotiated without much difficulty, as the security would be ample, and the money would only be required by instalments at stated periods. The necessity of issuing certificates on the contracts of August will be obviated. Confidence will be secured to our own citizens, with regard to the completion of the work, and an impetus will be given to emigration into the interior of the State. Whether our suggestion shall meet with the approbation of wiser counsel or not, we take it to be the part of wisdom to superintend the management and care of these lands with fidelity, so that they may yield the largest possible amount at the maturity of our ward. We present our views in no ambiguous language, but with due deference to the opinions of others with whom we are not fortunate enough to agree. We are aware that local interest, the most dangerous of all passions, is strongly arrayed against any proposition which contemplates any benefit to the State from an enhanced value of the lands; but we would be unworthy of the responsible trusts delegated to us, as agents of the whole State, did we suf-

fer a local atmosphere to influence our unbiased sense of right. Why, we ask, should the people of Iowa give these lands at a nominal value to persons who, perhaps, have not yet set foot on our soil. They are not ours by absolute, but by special and conditional right,—a gift the object of which is defined by the donor, under the imposition of a moral obligation faithfully to execute the interest of the trust. In matters of our own we may be generous, but in matters fiduciary we must be just. To press the untimely sale of these lands, or to offer them a sacrifice to local and temporary excitement, is a breach of confidence which we cannot approve, and are not prepared to recommend.

Considering therefore, the fidelity due to the State and General Government, the importance of the economical and early completion of the work, the interests and necessities of those settlements which have been formed, and those which must hereafter depend on the extension of the Des Moines improvement, we earnestly and respectfully urge your favorable consideration of this subject. Our views should not be confined to the operations of a day or a year, but we should calmly consider the consequences of our conduct with reference to the future. Though in works of this character we are pioneers on the western side of the Mississippi, we are so connected with the past and the future, the east and the west, that every step we take must involve the affairs of thousands who at some future period will be interested in the landmarks we are now erecting.

The county (Wappello) from which we now have the honor to address you, contains a population of nearly ten thousand souls,—five and a half years ago it was a wilderness, in the undisputed possession of the Sac and Fox Indians; and organized counties exist in full possession of municipal rights over a hundred miles westward. The extraordinary discoveries which, within a few years, have so much improved the facilities of intercourse between widely separated portions of our country, have so enhanced the value and importance of the West as to attract the rich and the poor, the old and the young, to the fertile regions of the Upper Mississippi. Our rivers will be improved—railroads will be extended, and the telegraph will give us hourly tidings from all parts of the world. These influences, connected with the wonderful ease of preparing our soil for annual productions, must increase the wave of emigration, and in a few years it will overflow all this country. Our humble labors in

connection with the future destiny of the Upper Mississippi like the motion of a particle of matter, involves the interests of a great system, and we sincerely desire that every means tending to a speedy and successful completion of our first enterprise may be regarded by you, as it is by us, as worthy of our united and unwavering energies.

We have already said that it was found necessary to locate a side cut between the mouth of the river and St. Francisville, for the purpose of avoiding low banks and sandy foundations which occur in that portion of the river. It is probable that similar means may be needed in the progress of the work above Ottumwa. The law creating a Board of Public Works, approved, February 24th, 1847, authorizes the Board "to make arrangements with proprietors of the land adjacent to the dams" for mill purposes, and in case of disagreement, a jury may be summoned to determine the amount of compensation. The law does not clearly give the right to take lands for the public highway, created by raising pools and constructing side cuts. When persons reside on the premises, and are competent to grant privileges, no difficulty is to be apprehended, but to satisfy doubts and prevent difficulties. The Board would respectfully suggest the enactment of a law authorizing them to take property for public uses, by compensating the owner, and when the owner cannot be found, or cannot convey, and when the damage cannot be amicably adjusted, a commission of more simple application is needed to determine the compensation.

The Board, as at present organized, cannot watch the timber or punish offenders who commit waste on the lands included in the appropriation, and the penalty of "double the value" of the trespass, affords little or no protection. A law bringing these lands under the care of the county commissioners, by covering them with the same laws that now shield the school lands; would, in our opinion, prove an adequate security.

We also recommend the passage of a law to prevent trespass on public works; as a trifling act of trespass to a dam or embankment may tend to several thousand dollars expense, besides a hazard of life and delay of commerce. A public law of this description will impress the necessity of caution on the community.

As all the works of internal improvement in a State must have a connection or influence on each other, and trusting that, with the aid of Congress, other works may be projected, having a more gen-

eral and different locality, we submit the propriety of an enlargement of the duties of this Board so as to connect them and their records with other and future operations of this character. The duties of the Board should not be local in character, nor should each scheme of improvement have its separate Board, but the whole State should be represented in one. It was also a great oversight to have the terms of office of all the members expire at the same time, for, as it is impossible to have all the transactions minutely detailed on record, a Board may, without design, conduct its business in such a manner as to leave complicated difficulties or ambiguities in the way of its successors. An entire new Board will have to learn all that their predecessors have done, before they can satisfy themselves, or afford full satisfaction to those who are connected with them; and when they have acquired a knowledge of their duties, or it may be, restored order out of chaos, and every thing is going on harmoniously; they again give way to a new set of novices who stumble against the same impediment, and have to school themselves in the same routine.

Experience has also taught us that the land office is a very cumbersome and inexpedient appendage to the Board of Public Works. The act approved 24th February, 1847, provides that "the Treasurer (of the Board) shall be Receiver, and the Secretary shall be Register, and the Treasurer and Secretary in the discharge of their duties as Receiver and Register, shall be governed by the laws and rules prescribed by Congress for the sale of lands in this State." These laws and rules of Congress are obsolete, and not at all adapted to our circumstances. They confine two members of the Board within doors, where they can have no personal knowledge of the progress of the improvement. Other States have tried, and have discarded the system under which we act, and we therefore suggest the propriety of making each department separate from, and independent of, the other, as in Pennsylvania, Ohio, &c. The States referred to have each a State land office, and we submit to the wisdom of the General Assembly whether it would not be expedient to establish a similar department for all lands which now are, or hereafter may be donated to the State of Iowa. A well regulated land office, organized with system and economy by competent officers, would be one of the most interesting and useful departments of our State government. With this land office may also be connected a

bureau of statistics, and other useful sources of information now much needed at the Capital.

A condensed statement of receipts and disbursements is herewith submitted, showing the balance in the Treasury.

The report of the Chief Engineer will also be found herewith, together with plans, estimates, specifications, and form of bids used at the lettings, to which we refer for more particular detail. The survey of the work above Ottumwa, is now in progress, and will be reported to us by the Chief Engineer at as early a period as practicable. If received in time it will be submitted to your Excellency during the present session of the General Assembly.

In concluding our report we must express our regret that time and circumstances have not placed it within our power to define more accurately the extent of the appropriation, or the entire magnitude of the proposed work. Though our duties have involved painful responsibilities, and diligent and arduous labors, we have been stimulated in our exertions by the daily success of our energies, and the growing prosperity of the State. Iowa cannot fail to become one of the richest States of the confederacy. With the Mississippi on the east, the Missouri on the west, an unimpeded steam boat navigation through her centre extending from north-west to south-east; with resources of lead, coal, iron, zinc, gypsum, and other minerals to an indefinite extent; industry with prudence, and wisdom with caution, will make her great and prosperous.

Respectfully submitted,

HUGH W. SAMPLE,
CHAS. CORKERY,
PAUL BRATTAIN.

TREASURER'S ACCOUNT.

Dr. *Des Moines River Improvement.*

1848.			Dols.	Cts.
November 30.	To amount paid on contracts of first letting, to date,.....		21,393	56
" "	" " for lands adjacent to dams and locks, right of way for canal, damages and materials furnished by State, as provided by contract,.....		3,322	51
" "	" " paid salary and expenses of Engineer corps, embracing total cost of survey to Ottumwa, laying out work for contractors, &c., to date,.....		5,846	68
" "	" " paid rent and furniture of offices, and all miscellaneous expenses, to date,.....		1,183	32
" "	" " paid five quarters salary of Board,.....		3,250	
" "	To balance in Treasury,.....		15,155	58
			<u>50,151</u>	<u>65</u>

<i>Contra.</i>		<i>Cr.</i>	Dols.	Cts.
1847.	By am't rec'd from sale of lands this month		5,678	90
October 31.	" " " " " "		1,558	44
November 30	" " " " " "		1,472	62
December 31	" " " " " "			
1848.				
January 31	" " " " " "		9,337	07
February 29	" " " " " "		3,058	04
March 31	" " " " " "		17,113	05
October 31	" " " " " "		3,530	93
November 30	" " " " " "		8,402	60
			<u>50,151</u>	<u>65</u>

PAUL BRATTAIN, Treasurer.

December 1st, 1848.

ENGINEER'S REPORT, NO. 1.

ENGINEER'S OFFICE; KEOKUK, IOWA, }
 MARCH 20th, 1848. }

TO THE HONORABLE THE BOARD OF PUBLIC WORKS:

In compliance with your directions, I have surveyed the Des Moines river, with a view to its improvement, from the mouth as far up as Ottumwa, a distance by measurement of ninety miles.

Previous to making final locations, and minute estimates, it becomes necessary for the Board to determine on the plan of improvement; and I therefore report the general result of my labors this far with a view to elicit your views on this matter.

The Des Moines river at high water, has near its mouth, several branches; all debouching into the Mississippi river, between the city of Keokuk, in Iowa, and the town of Alexandria in Missouri.

These various channels may be designated as the "Dead Slough," which empties into the Mississippi one and one-half miles below Keokuk. The "Nassau Slough" which empties into the Mississippi about one mile below; the "middle channel;" the "second channel," and the "*old channel*" which empties in at Alexandria.

Before proceeding up the main channel, I surveyed all these branches by meandering, and taking such points as enable me to plat the entire topography of the ground adjacent to the mouth; so that by reference to drawings, the matter can be more fully understood by you.

When I commenced the survey in December, 1847, the water was very low in the Mississippi, and Des Moines, and only two of the channels above mentioned, discharged water from the Des Moines. These were the two called "Nassau Slough" and "Middle channel."

The "Nassau Slough" was from three to five feet deep, and averaged about one hundred and sixty feet wide. It discharged a large portion, say three-fourths of the water of the Des Moines. This Slough is evidently a new channel or "cut off," and is much narrower than the main channel, being indeed only about one-fourth

of the usual width of the river above. It is the shortest water line to the Mississippi; and at a low stage, offers at present the best navigation.

I commenced, therefore, the measure of the river at the mouth of this Slough, and meandered, leveled and sketched the topography of the line from this point, upwards to Ottumwa, when I suspended operations, for the purpose of reporting to you and preparing a part of the work for contract.

At "Mott's Ferry," one mile and sixty-eight chains, from the Mississippi, we find ourselves above the dividing point of all these various branches of the Des Moines. Below this point, via Nassau Slough, the water in the channel is from three to five feet deep, and would by a little clearing of drift, make navigation for such boats as usually run at low water on the Upper Mississippi. We also find rock in the bed of the river at this point, ("Mott's Ferry.") It is inclined from the Iowa towards the Missouri shore, being at the water's edge on the Iowa side, and sixteen feet below the surface; two hundred feet from the shore.

From "Mott's Ferry" up to St. Francisville, the channel is crooked, the bottom is sandy, and the banks low.

At St. Francisville (14½ miles from the starting point) there is rock in the bed of the river, extending and inclining from the Missouri side towards the Iowa side. By sounding we find it at the middle of the river, where it is covered with ten feet of sand, and on the Iowa side we could not reach it with a twelve foot iron rod. From its inclination, however, I suppose it can be reached with piles from fifteen to twenty feet long.

Above St. Francisville, the river has generally a smooth rock bottom, with a strait clean channel of uniform width, and with banks ranging from twenty to twenty-five feet high.

Dividing the parts of the line into sections so as to show the fall between different points in connection with the fall of the whole line from Ottumwa to the mouth; it may be stated as follows:

Fall from Ottumwa to St. Francisville,	133.46 feet.
" " St. Francisville to "Mott's Ferry,"	19.81 "
" " "Mott's Ferry" to the Mississippi,	3.37 "

Total fall from Ottumwa to the mouth, 156.64 "

It will be seen by the Board, that the character of the river be-

low St. Francisville, is very different from the section above. The meandering stream, low banks, and sandy bottom of the lower section, contrast with the straight channel, high banks, and solid limestone bed of the upper section. The lower section is shifting and full of drift, while the upper section is unchangeable and quite clear of deposit.

Many expedients have been tried to secure in shallow rivers a sufficient depth of water for the transit of boats. Contracting and clearing a channel is one mode. Such a plan has been tried on the Ohio and Muskingum rivers, and so far as I have observed it has resulted in almost, if not quite a failure.

As you narrow a stream you increase the velocity of the current, and this increase of velocity will remove the earth in the banks, so as to assume its former width and depth.

A system of dams and locks, connecting pools in a river, first led to the idea of a canal; but canals were preferred because of the convenient application of horse power, to propel boats on their even and well constructed banks. Since the discovery of steam power, and its application to boats, pools by dams have been revived for navigable uses, and in many rivers this mode of improvement must be preferred. The only objection that has been raised to it is the difficulty of securing the work against the influence of floods.

Experience has proved that dams on gravel foundations are very expensive, and liable to breaches; while those erected on rock are generally safe.

A system of dams and locks, above St. Francisville, where the banks are high and the bed of the river solid rock, is in my opinion the most reasonable and natural mode of securing a valuable improvement of the Des Moines.

At St. Francisville, I would recommend the erection of a dam, and from the pool, I would carry a side cut on the north side of the river, keeping near the bluff, and cutting off the bends of the river.

At "Mott's Ferry" you have rock foundation to erect locks upon, so as to lock down into the river, where you can accommodate all the lower branches.

This side cut will be about ten miles long, which is nearly three miles shorter than the river lines between the same points.

A temporary terminus of the side cut can be made at "Mott's Ferry," and the lower branches being cleared of drift, will give nav-

igation to the Mississippi. Should the branches all become shallow, as I apprehend the Nassau slough will when it washes to its natural width, you can continue the side cut around the bluff, and terminate on rock in the Mississippi, at the head of the dead slough. This plan of improvement can, in my opinion, be regarded as sure and permanent. There may be some difficulty at St. Francisville in getting a good foundation for the north end of the dam; but most of this dam can certainly be placed on rock.

All the locks will be on rock except one about the middle of the side cut, where it will not be exposed to the wash of the river, and therefore equally secure. Sugar creek will have to be carried over the canal bank on a weir. There may be a weak point at this weir; but should this point give way, (which should be guarded with all reasonable precautions,) there will only be a breach sufficient to pass Sugar creek through the canal bank, an injury that can be soon repaired at a trifling expense.

I would recommend the north, in preference to the south side of the river for locating a side cut, because you can, most of the way, run along the side of a bluff, where an embankment on one side is all that is needed to make a wide canal; and because the same bluff affords abundance of stone for the construction of locks, weirs and protection. These advantages are not obtained on the south side, where the bottom extends from eight to ten miles, and stone could only be obtained by transporting it from St. Francisville, or from the bluff before mentioned, on the north side of the river.

On the south side our terminus would be loose sand foundation, where excavations for large pits would have to be made several feet below low water, in order to build a wooden foundation; while on the north side we can place locks, mills, and all our constructions, on the most permanent foundation without this expense and hazard.

The uniform width of the Des Moines above St. Francisville is about seven hundred feet. It is sufficiently wide to accommodate the steam boats running on the Upper Mississippi.

The valley drained by the Des Moines river is exceedingly fertile and very extensive. Every acre seems capable of cultivation. All the surplus products of this vast country, extending from the mouth in the south-east to its source near the north-west of Iowa, will naturally follow the channel of this river to find a market. Abundance of coal, and some indications of other valuable minerals, are found in the course of our survey. It is hard to over estimate

the future products of a country so rich and so easily brought into a state of cultivation.

The improvement of the river should be commenced in view of all these circumstances. The work should have a capacity sufficient to satisfy future demands; it should be a trunk upon which the State may hereafter engraft many branches. Capacity, durability and economy, should characterize the plans which are adopted; so that whatever is done it may prove permanently useful. With this view of the matter, I would respectfully recommend locks with chambers 44 feet wide and 175 feet long.

As the stone on the river is hard and very expensive to cut into ashlers, I recommend the use of strong rubble masonry, rendered tight by the use of hydraulic cement. The entire chamber should be covered with three coats. Such locks will be much cheaper than stone locks, and I see no reason to doubt their entire fitness. The use of hydraulic cement has been tested in the construction of cisterns all over the country, and it seems to me therefore hardly necessary to doubt its adequacy. But for abundant caution, I recommend that iron bars be laid in the walls so that there may be a plank revetment on the inside to serve as a protection and prevent leakage. If, then, the cement fail, the inside of the locks can be planked and thus rendered certainly tight. Planking the inside of locks is no experiment; it has also been tested, and the interest of the money required to cut the stone will renew the plank as often as required. The plan of a lock here submitted will show the size of walls and other particulars.

Dams should be made of stone secured in cribs of timber. When the foundation is good, a base of three times the height is, in my opinion, sufficient. When the foundation is not good it must be made so by piling, and the plan will be otherwise modified.

I submit a plan with these slopes and crib abutments. As gravel is very scarce in many places on the river, I have projected planking on the centre row of string pieces, which, being carefully spiked on, will render but little gravel necessary to make the dam tight.

Drawings, specifications and estimates, on these plans are herewith submitted to the Board and made part of this report. They will require changes after locations, but they furnish a general view of the character of the work.

I cannot close this report to the Board without acknowledging the

efficient and diligent services of my assistants, Guy Wells, Samuel Jacobs, and M. M. Hayden, who have faithfully shared with me the toil and exposure of the winter campaign.

Respectfully submitted,

SAMUEL R. CURTIS,
Chief Engineer.

A.

SPECIFICATIONS

FOR CONSTRUCTING THE WORKS ON THE DES MOINES RIVER IMPROVEMENT.

All excavation, piling and bailing, below low water, required to secure a good foundation for locks, dams and abutments, shall be done by the contractor, at actual cost, which cost shall be estimated by the Principal Engineer; or this work may, at the discretion of the Board of Public Works, be executed by hands employed and superintended by the agents of the State.

The contractors will be expected to commence their work immediately after the letting, and progress with due diligence, and if the contractor fails or neglects to prosecute the work with due diligence, and according to the plans and directions of the Engineers, the matter shall be so reported to the Board of Public Works, who will, at their discretion, declare the contract forfeited, and the work will thereafter be under the control of the Board.

The gates for the locks, the iron, bolts, spikes, anchor bars, the machinery for opening the gates, the steps for heel-posts, and the hydraulic lime, will be furnished by the Board of Public Works to the contractor, who will be made responsible for their care and use according to direction.

Changes of location will sometimes be made to lessen the expense of the work; but increasing quantities of work of a particular kind, or diminishing the quantities, will not change the rate of price paid

the contractor, unless the matter be agreed upon before the change of location; but a change of location, requiring a different quality of work, shall require a change of price, either more or less, as the case may be. In such cases the matter shall be referred to the Principal Engineer, who shall decide the question of change of price, and his decision shall be final and binding on the contractor and the State.

Changes of plans to suit new developments of localities, may be made by the Board of Public Works, at their discretion, and the change of quantity shall not change the rate of price; but a change involving a different kind of work shall leave the assessment of advantage or disadvantage to the Principal Engineer, who shall deduct from, or add to the price due the contractor, as he may deem just and right, and his estimate, duly made and reported to the contractor and to the President of the Board of Public Works, shall conclude both the contractor and the State in relation to the matter.

All the work must be made and stand at the risk of the contractor, until the entire contract is completed to the satisfaction of the Principal Engineer; and all the locks and canals must be cleaned out, and other work must be in a complete state of finish, before the responsibility of the contractor will expire. Due allowance must also be made for the settling of banks, when banks are finished and before they are fully settled, and this allowance will be thrown out of the calculation of embankment in paying the contractor.

FOR MAKING CANAL.

When the ground in the canal is below bottom, it will have to be cleared by cutting the trees down even with the earth, and removing all the logs and brush.

When there is excavation which is also to be used as embankment, it will not be paid for as embankment and excavation, but shall be denominated according to the name of the greater quantity in the station. If, however, embankment is conveyed over 200 feet beyond the end of excavation, measuring along the line of the canal, then the contractor shall have pay for both excavation and embankment.

The ground where the inner slope of embankment and centre ten feet are to be laid, must be grubbed and cleared of all vegetable matter, and where the soil requires it, a puddle ditch shall be exca-

vated at the discretion of the Engineer, and estimated as excavation. After the ground is sufficiently cleared for the outer slope, by moving the logs and brush and removing such trees as lean towards the canal, the embankment must be raised by successive strata, which strata shall not exceed four feet in thickness, and no vegetable matter must constitute a part of the embankment.

The banks and bottom of canal, and all the work connected with it must conform to the grade and lines of the Engineer, and must do so to his satisfaction.

Bids should contain a price per section for grubbing and clearing.

A price per yard for earth excavation.

A price per yard for rock excavation.

A price per yard for embankment, and

A price per perch (of 25 cubic feet) for protection stone.

FOR CULVERT ON SECTION NO. III.

This culvert is to have a span of 12 feet, and be about 140 feet long, with a semi-circular arch of two feet. It will have to be inserted low in the ground, and have a timber foundation, covered with two inch white or burr oak plank, well spiked on the timbers, and secured at the upper one with sheet piling. The timber is to be of the best white or burr oak, large enough to square one foot, flattened or hewed straight on the upper and lower surface, and laid one foot apart in the clear, across the pit.

The stone are to be of the best quality, to have good flat beds, and to be of such length as to reach through the wall, and at least half as wide as long—their thickness not to be less than four inches. Every stone when laid, is to point towards the centre of the arch.

The wall is to be built in the most substantial manner, and whenever and as often as it is raised two feet, it is to be thoroughly grouted with hydraulic cement; but this is not to be done without having first been examined by the Engineer, to see whether it is well laid. The wall, while constructing, is to be kept level, and of one uniform height, and great care is to be taken to keep the stone clean, so that the grout may adhere firmly to them. Before grouting, the wall is to be thoroughly wet. The stone must all be accurately scabbled or hammer dressed to suit a pattern of the arch,

such as the Engineer may approve; and they must all be laid with close joints.

Bids must be made for masonry by the perch, which will include pit excavation, foundation and entire finish.

FOR LOCK AND FOUNDATION.

The foundation of locks on rock, will be prepared by clearing off the earth and gravel, and should any part of the rock require excavating, it will be regarded as rock excavation, and paid for as such.

All excavation below low water will be done by the State as before mentioned. And excavation will usually be made for the lower mitre sills and the swing of the lower gates.

Where there is earth foundation, the canal excavation will be estimated, and lock-pit excavation only estimated for that part of earth which requires to be moved after the canal is excavated.

The pit must be excavated to suitable depth and width according to the Engineer's plans, and a timber foundation laid in the usual form of such works. The timber must be hewed on the upper and lower surface, and laid perfectly level. It will then be covered with good sound three inch white or burr oak plank, jointed and laid close, with bevel edge, according to the plan of the Engineer. These plank will be well spiked down, with at least five spikes for every ten superficial feet.

The lock foundation having been prepared according to the grade and plan of the Engineer, the masonry for the walls shall be commenced and carried up in successive courses. The face and exterior stone must contain not less than five cubic feet, and be at least four inches thick; none of them must have less than eighteen inches bed, nor less bed than face. They must be scabbled or hammer dressed, so as to present a plain surface for a bed, joint, and face, and must bind the wall with headers, at least one in every nine feet, and not less than five feet long, and stretchers not less than three feet long. The interior stone must be carefully and skillfully laid, so as to bind and secure the entire mass. The greatest care must be taken to make the wall tight where it is exposed to the pressure of water. This will be the case on all the face stone in the chamber and the face stone above the upper gates.

The exterior stone above the dam and adjacent to a way for water, which, in some instances, will be passed around the outer wall,

for mill purposes, will sustain a pressure of the head of water, and must also be tight. To secure tight work, the joints and beds of the exterior course must be dressed down, so there shall be no crevice or joint over one-fourth of an inch wide. The entire wall is to be laid in good lime mortar. The exterior courses within two feet the outside, all round the wall, must be laid in mortar made of hydraulic lime. Range work is not required, but a strong and superior quality of rubble masonry is designed, and will be insisted on. The hydraulic lime will be furnished by the State, but the contractor must erect and keep a suitable shelter for it, and preserve it from waste. It must be mixed with sand, and used by the contractor according to the directions of the Engineer. The coping of the walls will be cut stone, not less than ten inches thick, and at least half of the width of the wall in length.

Iron bars, furnished by the State, will be incorporated in the walls at such interval as the Engineer may direct, and according to the plan of the Engineer. Lime, sand and mortar will have to be of the best quality, and none but good masons should be employed in laying the walls. The species of masonry here required, is difficult to define, but will be readily understood by good workmen. The strength and tightness of the work will depend on the skill of workmen, and where a sufficient knowledge of the art of masonry is not displayed by the workmen engaged in selecting and laying material, the matter may be laid before the Principal Engineer as a sufficient cause to remove the contractor; and should the Principal Engineer decide that the work is not carried on by workmen skilled in the trade, the contract may, at the discretion of the Board be declared forfeited, and taken out of the hands of the contractor.

In bids for a Lock, there should be proposed as follows:

- A price per yard for pit excavation in earth.
- A price per yard for rock excavation.
- A price per yard for embankment.
- A price per square foot for foundation timber.
- A price per hundred feet board measure for three inch plank in foundation.
- A price per hundred feet board measure for two inch plank laid as floor in chamber of lock.

- A price per perch (of 25 cubic feet) for masonry in lock walls.
- A price per yard for protecting stone, and
- A price per cubic foot for mitre sills.

FOR A DAM AND ABUTMENT.

Where it is possible the dams will be placed on rock foundation. In such locations but little work is needed before commencing the dam. There must be a surface prepared across the river, upon which the lower sills must be bolted with iron bolts. The ties will be carefully framed across these sills, and pinned to them with seasoned white oak pins, two inches in diameter. Upon these ties a second course of string pieces will be framed and pinned, and so the work will progress. A course of string pieces must be carried up in the centre, and two inch plank carefully fitted to the upper side and spiked on, covering the face and making the dam water tight from the bottom to the top.

The cribs are to be filled with stone as the work progresses. The dam is to be drawn in as it rises in the style of a pent-roof, and when erected to its proper height, it is to be covered with three inch white or burr oak plank on the lower, and two inch white or burr oak plank on the upper slope. These plank are to be pinned on with seasoned white oak pins in the most careful and substantial manner.

The outer and centre string pieces (those timbers which cross the river) must be one foot square, hewed square and straight. The remainder of the string pieces and ties may be made of round, straight timber, not less than ten inches diameter at the small end. The splices, notches and connections of timber, everywhere, must be carefully made in the best style of carpentry. For this purpose, all the strings and ties must be hewed square at the points of connection, and notches must be laid off and cut with a saw so as to secure a complete joint.

Wooden pins, which are to be used in the work, must be made of even size and round, so as to fit the two inch augur holes. They must be made before the timber is laid, and subjected to the inspection of the Engineer. The abutments will, also, be of crib work. The timber to be white or burr oak, hewed one foot square, and straight. The upper end of the abutments will be covered, (as

shown by the plan,) with two inch white or burr oak plank, jointed, and spiked on to the abutment timbers. Where a crib is required to conduct water around the abutment, it will be made similar to the abutment, and constitute a part of it. The dam, abutments, and cribs for conducting water around the abutments will be understood as part of the dam, and included in the same contract.

Bids for building a dam must contain proposals as follows :

A price for round timber for ties and string pieces, per lineal foot.

A price for square timber used in dam and abutment, per lineal foot.

A price per hundred feet, board measure, for three inch plank.

A price per hundred feet, board measure, for two inch plank.

A price per perch (of 25 cubic feet) for stone in cribs.

A price per cubic yard for excavation of earth in abutment pits.

A price per cubic yard for excavation of rock in abutment pits.

A price per cubic yard for embankment, and

A price per cubic yard for gravel above dam.

B.

Form of proposals prescribed for bidders at the first letting of the Des Moines river improvement.

TO THE BOARD OF PUBLIC WORKS OF THE STATE OF IOWA :

GENTLEMEN : _____ propose to construct the following work on the Des Moines River Improvement, on the following terms :

FOR LOCK No. _____	DOLLS. CTS.
● Excavation of earth for Lock-pit, per cubic yard, .	
Excavation of rock for Lock-pit, per cubic yard, . .	
Puddling in lock foundation, per cubic yard,	
Embankment, per cubic yard,	
Foundation timber, laid in work, per square foot, . .	
3 inch white or burr oak plank, laid in foundation, per hundred feet, board measure,	
2 inch white or burr oak plank, laid as floor in chamber of lock, per 100 feet board measure,	
Masonry laid in Lock walls, per perch of 25 cubic feet,	
Stone protection for embankment, per perch of 25 cubic feet,	
Mitre sills, per cubic foot, laid in work,	

FOR DAM No. _____ AND ABUTMENT.	DOLLS. CTS.
Round timber, used as ties and string pieces, laid in work, per lineal foot,	
Square timber, used in dam and abutment, laid in work, per lineal foot,	
3 inch white or burr oak plank, laid in work, per	

DAM No.—AND ABUTMENT— <i>Continued.</i>	DOLLS.	CTS.
hundred feet, board measure,.....		
2 inch white or burr oak plank, laid in work, per hundred feet, board measure,.....		
Stone in cribs of dam and abutment, per perch of 25 cubic feet,.....		
Excavation of earth, for abutment pits, per cubic yard,.....		
Excavation of rock, for abutment pits, per cubic yard,.....		
Embankment of earth, per cubic yard,.....		
Stone protection of bank above and below abutment where it is required, per perch,.....		
Gravel above dam, laid as directed by the engineer, per cubic yard,.....		

All the above work to be done according to the plans and specifications, unless otherwise directed by the Engineer.

C.

Form of proposals for Canal work prescribed at the first letting of the Des Moines river improvement.

TO THE BOARD OF PUBLIC WORKS OF THE STATE OF IOWA :

GENTLEMEN: _____ propose to construct the following work on the Des Moines River Improvement, on the following terms :

FOR CANAL, SECTION No.—	DOLLS.	CTS.
Grubbing and clearing, per section,.....		
Excavation of earth, per cubic yard,.....		
Excavation of rock, per cubic yard,.....		
Embankment, per cubic yard,.....		

FOR CANAL, SECTION No.— <i>Continued.</i>		DOLLS.	CTS.
Stone protection of embankment, per perch of 25 cubic feet,.....			
Masonry of culvert, per perch of 25 cubic feet, which will include pit, excavation; foundation, and entire finish,.....			

All the above work to be done according to the plans and specifications, unless otherwise directed by the Engineer.

Estimated cost of the dam at St. Francisville, with part gravel bottom.

126	Cross-ties 45 feet, round, 5,670,		
63	“ 38 “ “ 2,394,		
63	“ 32 “ “ 2,016,		
63	“ 26 “ “ 1,638,		
63	“ 20 “ “ 1,260,		
63	“ 15 “ “ 945,		
63	“ 8½ “ “ 535, = 14,458, at 4 cents,	\$578	32
2,700	Piles, various lengths, at \$2 each,.....	5,400	00
32	String pieces 750 feet each, = 24,000, at 8 cts.	1,920	00
90	M feet, board measure, 3 inch plank on lower slope and apron, at \$15,.....	1,350	00
28,500	Feet, board measure, 2 inch plank on upper slope, at \$14,.....	399	00
20,000	Feet board measure, sheet piling, at \$15,....	300	00
12,000	Feet, board measure, vertical plank to tighten dam, at \$15,	180	00
11,460	Perch of stone—1,538 perch timber—9,922 perch stone, at \$1,	9,922	00

HOUSE OF REPRESENTATIVES.

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2	Abutments, as per estimates, at \$437 84 each,	875 68
	Excavation of two abutment pits—1,000, at 15 cents,	150 00
		<u>\$21,075 00</u>

SAMUEL R. CURTIS, Principal Engineer.

Engineer's Office, March 15, 1848.

Estimated cost of Guard Lock at head of canal at St. Francisville.

244	Perches of masonry in wall, at \$3,	\$732 00
10	Barrels hydraulic cement, at \$3 50,	35 00
21,000	Feet foundation timbers 2 sides hewn, \$6, . . .	126 00
6,300	" board measures, 3 inch plank, at \$15, . . .	94 50
1,400	" " " (2 rows) sheet piling, at 15,	21 00
880	" " " flooring plank, 2 inch, at 14,	12 32
16	Iron rods laid in wall, at \$1 each,	16 00
400	Yards excavation after canal is excavated, at 12 cents,	48 00
500	Yards embankment after walls are erected, at 15 cents,	75 00
	Gates, as per estimate, lock gates,	426 75
		<u>\$1,586 57</u>

SAMUEL R. CURTIS, Principal Engineer.

Engineer's Department, March 20, 1848.

Estimate of Lock on side cut near Little Yellow Bank, Des Moines river.

2,000	Cubic yards excavation of lock pit, after canal is excavated, the banks being left $\frac{1}{4}$ to 1-6 feet cutting, 8 feet to lock bottom, to repeat; 2,000 yards, at 12 cents,.....	\$240 00
1,134	Yards lock embankment to be put in at lower end of lock after walls are erected, at 15 cts	170 10
15,000	Feet foundation timber, two sides hewn, at 6 cts	900 00
47,000	" board measure, 3 inch plank covering foundation timber, at $1\frac{1}{2}$ cents,.....	705 00
15,200	" board measure, 2 inch plank, floor of lock pit, at $1\frac{1}{2}$ cents,.....	228 00
3,920	" board measure, sheet piling, five courses four feet deep, at 1.5 cents,.....	58 80
1,900	Perches of masonry in lock walls, at \$3,.....	5,700 00
50	Barrels hydraulic cement, at \$3 50,.....	175 00
160	Iron bars with links at the end, laid in the wall, at \$1 each,.....	160 00
11,430	Spikes for flooring, at 6 cents,.....	685 80
	Gates, as per estimate,.....	853 50
		\$9,876 20

SAMUEL R. CURTIS, Principal Engineer.
 Engineer's Office, Fairfield, March 20, 1848.

Estimate of the cost of a Lock at Mott's Ferry.

	Estimated lift twenty-two feet. Lower mitre sill to be placed three feet below low water. Walls estimated at thirty feet high. The whole on rock bottom.
1,000	Yards pit excavation, after canal is excavated,

	at 10 cents,	\$100 00
5,400	Perches of masonry in wall (30 × 10 × 225) 2, at \$3.....	16,200 00
100	Barrels hydraulic cement, at \$3 50,.....	350 00
200	Iron bars laid in lock, at \$1,.....	200 00
	Gates,.....	1,200 00
		<u>\$18,050 00</u>

Estimated cost of a Lock at "Cowpen's Old Mill," rock foundation.

	Excavation of lock pits, clearing off rock, &c.,	\$100 00
2,000	Perch masonry, at \$3,.....	6,000 00
75	Barrels hydraulic cement, at \$3 50,.....	362 50
160	Iron bars with links, at \$1,.....	160 00
	Gates, as per estimate,.....	853 00
		<u>\$7,376 00</u>

Estimated cost of a Dam at the same place.

14,458	Feet round timber for ties, at 4 cents,.....	\$578 32
24,000	" string pieces, (750 each,) at 8 cents,....	1,920 00
90,000	" board measure, 3 inch plank on lower slope, at \$15,.....	1,350 00
28,500	" board measure, 2 inch plank on upper slope, at \$14,.....	399 00
12,000	Feet, board measure, vertical plank in centre of dam, at \$15,.....	180 00

9,922	Perch stone crib filling, at \$1,.....	9,922 00
	One abutment,.....	437 84
	Excavation of abutment pit,.....	75 00
		<hr/>
		\$14,862 16
	Cost of lock, brought down.....	7,376 00
	Total cost of Dam and Lock,.....	<hr/>
		\$22,238 16

SAMUEL R. CURTIS, Principal Engineer.
 Engineer's Office, Fairfield, March 20th, 1848.

Estimates for all the lock gates of a lock with walls 18½ feet high.

TIMBER.

Mitre sill 214 feet, 12 square timber, oak, at 6 cents,.....	\$12 84
Quoin post 76 feet, oak, at 10 cents,.....	7 60
Arms, pine timber, 4 sticks 23.79 × 16 × 14 at the ends and 16 × 20 in the middle,	
do. do. 8 sticks 22.62 × 12 × 14 at the ends and 12 × 20 in the middle,	
do. do. 16 sticks 22.62 × 8 × 14 at the ends and 8 × 20 in the middle ;	
Amounting in the order in which they stand to	
95.16 feet, at 10 cents,...	9 00
180.96 " " "	18 09
361.92 " " "	36 10
Heel posts, oak, 20.2 × 17 × 16, 4 sticks = 80.8 feet, at 10 cents,.....	8 06
Toe posts, oak, 19 × 14 × 16 4 sticks, = 76.0 feet, at 10 cents,.....	7 60
Timber between the paddle gates, pine, 12 sticks, 2.6 × 12 × 16 = 30., at 10 cents,.	3 00

HOUSE OF REPRESENTATIVES.

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	Plank for gates, pine, 2,758 feet board measure, at \$15 per M,	41 37
IRON.		
689	Wrought spikes, 5 inches long, at 6 cents each,	41 34
	2 X 15 bolts for mitre sills 18 X 1½ square, 222 pounds, at 5 cents,	11 10
	4 Capstans and chains,	100 00
56	Heel and toe straps 6 X 2½ X ½, 1,416 lbs.,	
232	Feet lineal, iron braces 3 X ½, 1,160 "	
12	Valve rods 20 X 1½ square, 1,200 "	
86	Feet hog braces, 1½ square, 480 " amounting to 4,256 lbs., at 5 cents,	212 80
4	Steps for heel posts, at \$3,	12 00
4	Steps for hog braces, at \$3,	12 00
12	Paddle gates, at \$10,	120 00
	Carpenter work on four gates,	100 00
	Blacksmith work on gates,	100 00
		\$853 50

SAMUEL R. CURTIS, Principal Engineer.
Engineer's Office, Fairfield, March 20, 1848.

DESCRIPTION AND ESTIMATE

OF WORK ON THE DES MOINES RIVER IMPROVEMENT.

SECTION No. 1.—LOCK No. 1.

At Mott's Ferry on the Des Moines River.

		<i>Amount.</i>	<i>Total Amt</i>
1,000	Cubic yards pit excavation after canal is excavated, 10 cents,.....	\$ 100 00	
5,400	Perches masonry in wall \$3,.....	16,200 00	
100	Barrels hydraulic cement, \$3 50,....	350 00	
200	Iron bars laid in wall, \$1,.....	200 00	
	Lock gates,.....	1,200 00	18,050 00
SECTION No. 2.			
<i>From Boatman's Mill to 3 Mile Tree.</i>			
3,400	Feet grubbing and clearing,.....	400 00	
400	Perch protection stone on 400 ft of embankment adjoining Lock 12 × 2 × 400 ft, at 50 cts,.....	200 00	
79,888	Cubic yards of embankment, at 8 cts.,	6,391 04	6,991 04
	On this section the central part of canal is entirely below bottom. It will be necessary to cut the timber in canal down even with the ground and remove all rubbish, such as brush, logs, &c. The canal is laid off at various widths where there is embankment, to give easier passage to boats. This may increase the clearing a little but it is not expected to increase the grubbing which is only		

	required under the inner slope and centre ten feet of the banks.	Amount.	Total Amt
<p>SECTION No. 3. <i>From the 3rd to the 4th Mile.</i></p>			
3,000	Feet at west end, of grubbing and clearing,.....	400 00	
104868	Cubic yards of embankment, at 7 cts.,	7,340 76	
180	Perches of masonry in culvert, at \$3½,	630 00	
	Wier 100 ft long to be hereafter contracted for, say,.....	250 00	8,620 76
<p>Culvert at station 26, span 12 feet. Semi-circular arch of stone two feet. This culvert will have to be inserted low in the ground and have timber foundation covered with 2 inch oak plank spiked on the timbers. The timbers must be hewed straight on the upper and lower surface. The stone must all be scabbled or hammer dressed to suit a pattern of the arch, and laid with close joints. Bids must be made for masonry by the perch, which will include pit excavation, foundation and entire finish.</p>			
<p>SECTION No. 4. <i>From the 4th to the 5th Mile.</i></p>			
3,846	Feet grubbing and clearing,.....	500 00	
130744	Cubic yards of embankment, at 11 cts.,	14,381 84	
2,753	Perches protection stone on 1,434 feet of embankment, 3 feet thick and 16 feet high, at 60 cts.,.....	1,651 80	16,533 64
<p>This section includes the heavy embankment opposite the big yellow banks, which is 1,434 feet long.</p>			

SECTION No. 5.		<i>Amount.</i>	<i>Total Amt</i>
<i>From the 5th to sta. No. 5 on same Mile.</i>			
5,280	Feet grubbing and clearing,.....	600 00	
17,714	Cubic yards excavation, at 8 cts.....	1,417 12	
37,184	Cubic yards embankment, at 8 cts,....	2,994 72	
	Weir to be erected by the State or here- after contracted for, say,.....	3,000 00	7,991 84
<p>This section includes the narrows below the mouth of Sugar Creek where the embankment will be partly in the river and therefore require protecting. Three hundred feet of canal west of the present mouth of Sugar Creek will be required to have the earth placed on the north side, or otherwise to suit, a wier that will be erected at that point.</p>			
SECTION No. 6.			
<i>From Station 5, on the 5th to 7th Mile.</i>			
5,280	Feet grubbing and clearing,.....	800 00	
52,409	Cubic yards of excavation, at 8 cents,.	4,192 72	
5,493	Cubic yards of embankment, at 7 cents	384 51	5,377 23
SECTION No. 7.			
<i>From the 7th Mile to the 5th Station on the same Mile.</i>			
5,280	Feet grubbing and clearing,.....	800 00	
61,916	Cubic yards excavation, at 8 cents,...	4,953 28	5,753 28
SECTION No. 8.			
<i>From 5th station on 7th Mile to 9th Mile.</i>			
5,280	Feet grubbing and clearing,-.....	700 00	

		<i>Amount.</i>	<i>Total Amt</i>
13,528	Cubic yards excavation, at 7 cents, . . .	946 96	
82,767	Cubic yards embankment, at 12½ cents,	9,932 04	
4,477	Perch protection stone, at 80 cents, . . .	3,581 60	15,159 00
—			
LOCK No. 2.			
2,000	Cubic yards, excavation in lock pit after canal is excavated the banks being left 1¼ of one; to 6 feet cut and 8 feet to canal bottom, at 12 cts.	240 00	
1,134	Cubic yards, lock embankment to be put in at lower end of lock after the walls are erected, at 15 cents,	170 10	
15,000	Square feet foundation timber, hewed on two sides, at 6 cents,	900 00	
47,000	Feet board measure, 3 inch plank, covering to foundation, at 1½ cents,	705 00	
15,200	Feet board measure, 2 inch plank, for floor of lock pit, at \$1 50 cts,	228 00	
3,920	Feet board measure, 2 inch plank, five courses 4 feet deep, sheet piling, at \$1 50 cents,	58 80	
1,900	Perches of masonry in lock walls, at \$3,	5,700 00	
50	Barrels hydraulic cement, at \$3 50, . . .	175 00	
160	Iron bars with links at the end laid in walls, at \$1,	160 00	
	Spikes, &c.	685 50	
	Gates as per estimate,	853 50	9,876 20
	This section includes lock number 2, with timber and plank foundation and the heavy embankment at the little yellow banks, which is 2,332 feet in length.		

SECTION No. 9. <i>From the 9th to the 10th Mile.</i>		<i>Amount.</i>	<i>Total Amt</i>
3,700	Feet grubbing and clearing,.....	600 00	
49,100	Cubic yards evcavation, at 7 cents,...	3,437 00	4,037 00
SECTION No. 10. <i>From the 10th to the 11th Mile.</i>			
5,280	Feet grubbing and clearing,.....	700 00	
62,623	Cubic yards excavation,.....	5,009 84	5,709 84
SECTION No. 11. <i>From the 11th to the 12th Mile.</i>			
5,280	Feet grubbing and clearing,.....	800 00	
43,763	Cubic yards excavation; at 8 cents,...	3,501 04	4,301 04
GUARD LOCK.			
244	Perches masonry in wall, at \$3,.....	732 00	
10	Barrels hydraulic cement, at \$3 50,..	35 00	
400	Sqare feet foundation timbers, hewed on 2 sides, at 6 cents,.....	126 00	
8,580	Feet board measure, 2 and 3 inch oak plank, at \$1 50,.....	128 70	
16	Iron rods laid in wall,.....	16 00	
400	Cubic yards excavation of pit after ca- nal is excavated, at 12 cents,.....	48 00	
500	Yards embankment after walls are erec- ted, at 15 cents,.....	75 00	
	Lock gates as per estimate,.....	426 75	1,587 45
This section includes the Guard Lock near the head of canal.			

DAM No. 1. <i>Located at St. Francisville.</i>		<i>Amount.</i>	<i>Total Amt</i>
14,458	Lineal feet round timber for ties, at 6c,	578 32	
2,700	Piles various lengths,.....	5,400 00	
24,000	Lineal feet timber for string pieces, at 8 cents,.....	1,920 00	
122000	Feet board measure, 3 inch plank per hundred, \$1 50,.....	1,830 00	
28,500	Feet board measure, 2 inch plank, per thousand, \$14,.....	399 00	
9,922	Perch stone in cribs, at \$1,.....	9,922 00	
	Two abutments as per estimate,.....	875 68	
1,000	Cubic yards excavation in abutment pits, at 15 cents,.....	150 00	21,075 00
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DAM No. 2. <i>Located at Cowpens' Old Mill.</i>			
	Excavation of lock pit,.....	100 00	
2,000	Perches masonay in lock walls, at \$3,.	6,000 00	
75	Barrels hydraulic cement, at \$3 50,...	262 00	
160	Iron bars with links laid in wall, \$1,.	160 00	
	Gates as per estimate,.....	853 50	7,376 00
<hr/>			
DAM.			
14,458	Lineal feet round timber for ties, at 4c,	578 32	
24,000	Lineal feet hewed timber for string pieces, at 8 cents,.....	1,920 00	
90,000	Feet board measure, 3 inch plank, on lower slope, at \$15,.....	1,350 00	

	<i>Amount.</i>	<i>Total Amt.</i>
28,500 Feet board measure, 2 inch plank on upper slope, at \$14,.....	\$ 399 00	
12,000 Feet board measure, 2 inch plank for centre dam, at \$15,.....	180 00	
9,922 Perches stone crib filling, at \$1,...	9,922 00	
One abutment,.....	437 84	
Excavation of abutment pit,.....	75 00	\$14,862 16
DAM No. 3.—LOCK No. 4.		
<i>At Thoms' Mill.</i>		
The items and the cost of this dam and lock will be about the same as Dam number 2, and Lock number 3,.....	22,238 16	22,238 16
Walls and races for Mills at various points,.....	5,000 00	5,000 00
Add ten per cent for contingencies,		183,303 08 18,330 30
Total,.....		201,633 38

SAMUEL R. CURTIS, Chief Engineer.
Engineer's Department, March 20, 1848.

ENGINEER'S REPORT, NO. 2.

ENGINEER'S OFFICE; KEOKUK, IOWA, }
Nov. 20th, 1848. }

TO THE HONORABLE THE BOARD OF PUBLIC WORKS:

After receiving your directions to prepare a portion of the work on the Des Moines river for contract, I proceeded with my assistants and located that portion below Farmington, a distance by our first measurement of 32 miles. Following the course of description pursued in my report of 20th March last, beginning at the mouth of Nassau Slough, and running up the stream, I will proceed to describe the character of the work as located, contracted, and now in rapid progress.

The drift must be removed from the Nassau Slough, and preparations have been made to this effect. After this is done we have navigation to Mott's Ferry, a distance from the Mississippi of near two miles.

Here commences the side cut suggested in my former report which extends from Mott's Ferry up to St. Francisville, a distance by the canal of ten miles. The corresponding distance on the river line, we made twelve, so that we save by the canal, two miles. The object of this side cut as I suggested before, is to avoid the sandy, crooked channel of the river, and low banks, which on this section preclude the idea of a system of dams and locks.

At Mott's Ferry we have a rock foundation to build our first lock on. It will have a lift of 22 feet. The capacity is that adopted by the Board for all the work being 44 feet by 175 in the chamber. The rock at this point, also affords a safe and convenient location for the application of the water power, accumulated by the canal. There will be 22 feet fall—enough for overshot water wheels. By an increase of 10 feet in the height of the bank for five miles, ten feet more head can be added to this—this can be made if found expedient, at any time hereafter, and by this means the fall at this

point will be 32 feet. The fall is such as to admit wheels that cannot be checked by high back water, as the Mississippi, and Des Moines, seldom rise over nine feet and never over fifteen at this point. An immense water power will thus be accumulated, at a point convenient, for all kinds of manufactories, and it can be so applied as to continue a constant power. The value of this power to the State will be much enhanced by the safe rock foundation to build upon, and the convenience of market afforded by its immediate connection with the Mississippi river. No rock could be found on any branch of the Des Moines, below this point—on the contrary the Des Moines below, divides into several branches, which run through sandy bottoms, occasionally overflowed. At low stages of the river, these branches prove very shallow, except the Nassau Slough, which is narrow and deep. The first lock is also located so as to accommodate all these lower branches. At low water the Nassau Slough is the only one which affords sufficient depth, and it is therefore the only channel upon which much effort should be made to improve. This lock is also located so as to admit a continuation of the canal down to the Mississippi, if the channel of the slough should hereafter fill up; and by this continuation a terminus can be made at the Mississippi. The objection to such a continuation, is the expense of getting a good foundation for a lock at the Mississippi, and the additional expense of two more miles of canal. If therefore the slough should become useless for navigation, it will be after the resources from the tolls arising from the improvement, will furnish means to construct an adequate remedy.

Rising by a lift of 22 feet at this lower lock, the canal leaves the river and meanders around the side of the bluff only requiring for the first mile one embankment on the lower side. Thence it crosses a wide level prairie with two embankments coming to the river again at the "Big Yellow Banks"—(a bluff or head land that has been washed bare, and precipitous, and rising over 100 feet above the level of the canal.) We pass this bluff by an embankment in the river, with slopes of two to one, and protected with "Rip-rap" stone wall on the outer slope. Again, leaving the river, the canal meanders around the foot of the bluff requiring but one embankment on the lower side. The second lock of ten feet lift was at first located on section eight, but as the work progressed, many reasons induced me to adopt a point on section five near the mouth of Sugar Creek. The heavy rains this season caused such sudden and ex-

tensive floods of water in Sugar Creek, as to increase my former doubts as to the safety of a wier to pass this stream over the canal. By carrying the head of water down to its present location, I am enabled to change the channel of Sugar Creek so as to carry it under an aqueduct, which will be located above the lock. This will be much safer than the weir first proposed. The only danger is the effect of drift, which will be guarded as much as possible.

The deep cutting on section six, and some appearance of quick sand in the bottom of the canal on this section, had some influence in producing this change. As the change was made subsequent to the contract it involves the adjustment of the rights of contractors, which adjustment is provided for in the terms of the contract, and will be carefully and equitably determined in view of the rights of the contractors and the State.

The canal passes the "Little Yellow Banks" by a heavy embankment similar to that on section 4,—the "Big Yellow Banks" before alluded to.

A guard lock is to be erected on section eleven near the upper end of the canal to shut out all extraordinary high freshets from the canal, and by this means guard against breaches. Such freshets will only occur in periods of several years, and will on such occasions delay navigation, but two or three days.

The minimum width of the canal is 50 feet on the bottom, with slopes of two to one. In many places the canal is 100 feet wide. It is designed to have five feet depth of water, and will therefore be at the narrowest place 70 feet wide on the water line.

The canal connects with the pool of the dam at St. Francisville. This dam is located on rock which extends from the Missouri shore, about half way across the river, when it gradually sinks below our soundings. The greatest possible care will be taken to secure the north end of this dam, which is necessarily located on sandy foundation. A pile engine is calculated to be in readiness for driving piles by the first of January; and I design to protect the abutment and shore with clusters of piles, filled in with masses of stone and brush. The dam after all our precautions, will be likely to settle at the first or second freshet, especially near the connecting point of the rock and sandy foundation. It will thus get a deeper foundation, and by building up, it will become much more secure after it has so settled to a lower level. The like security could be obtained by excavating a bed for the dam, and filling it in the first place with

brush and stone; but this would be much more expensive than to build up the dam after it has underwashed and settled, and probably cost more than the expense of repairing a breach.

In my survey of the river, mile trees were marked, according to the meanders then taken along the river. The construction of the side cut reduces the distance very near two miles; so that by changing the marked trees, deducting two miles from the figures, will give distances by the line of improvement sufficiently accurate. With this correction the second dam is located at Cowpen's old mill, nineteen miles and thirty-one chains from the Mississippi. The lift of the lock at this dam will be 10.93 feet, and the dam fourteen feet high. The third dam will be at "Thom's Mill," twenty-five miles and seventy-three chains from the Mississippi. This dam will be fourteen feet high, and the lift of the lock will be 10.32 feet.

This dam carries us through the work contracted on the first of June. All the contractors are now on the work, and progressing with great vigor.

In my former report I spoke of the stone as being hard, and expensive to cut. On opening the quarries, I am happy to find occasion to correct this statement. Several quarries of excellent sand stone have been found, which furnish superior building stone, very easy to work. This is especially the character of the quarries at "Thom's Mill," and at "Cowpen's old Mill," and from the success in these quarries, I am satisfied that the best of stone will be obtained, at least as far up as Ottumwa, which is all the line I have yet examined. Such is the beauty and ease of working some of these sand stone, that I apprehend they may yet become an important item in the commerce of the river. The stone is so easily prepared for range work that contractors will generally adopt that character of masonry for their own convenience.

Should the quarries furnish stone equal to present appearances, with your approval, I shall dispense with the iron bars, which I recommended in my former report, and also the plastering of the face with hydraulic cement, laying the face stone in hydraulic cement as contemplated by the specifications, and pointed with the best of mortar, will, as I believe, answer every purpose, and secure work of superior quality. In connection with this development of stone, it is proper to state also, that a large quantity of limestone suitable for manufacturing hydraulic cement has been discovered in

the neighborhood of Soap creek, seventy miles from the Mississippi, and in the immediate vicinity of the Des Moines. Mr. Richard Cave, an enterprising citizen of Iowa, has commenced the manufacture, and furnished me with various specimens, which are exposed to the influence of frosts for the purpose of testing the quality of the cement. Should it prove to be of a good quality (and we have reason to anticipate success,) it will no doubt be of great value to the State, and reduce very much my estimate of the cost of this item.

By a comparison of the contract prices, with my former estimates submitted with my report No. 1, I find some variance in items, but a close agreement in the aggregate. The lock gates, iron, and work below low water is not contracted, and can only be matters of estimate. From the proposals which have been made on these items, I am inclined to believe they will fall short of the estimate, and thus reduce the probable cost of the work below my former estimate.

The substitution of an aqueduct, instead of a weir at Sugar creek may add a little to the cost of the lower line.

From the contracts, and from my former estimates, of iron and other work not contracted, including the aqueduct on Sugar creek, I consider it safe to calculate the whole cost of the first letting, and all other work applicable to the improvement below Farmington, at \$213,357 37.

With a view to the second letting I furnished the Board with a list of dams and locks necessary to carry the navigation up to Otumwa. The locations may be designated as follows:

Dam number 4, near Farmington, 31.24 miles from lower end of the improvement, 15 feet high, 11.5 feet lift.

Dam number 5—Bonaparte, 36 miles, 11 feet high, 7.47 feet lift.

Dam number 6—Bentonsport, 39.55 miles, 15 feet high, 12.29 feet lift.

Dam number 7—Keosauqua, 48 miles, 15 feet high, 11.76 feet lift.

Dam number 8—Powell's, 56.25 miles, 14 feet high, 11.02 feet lift.

Dam number 9—Portland, 63.40 miles, 15.5 feet high, 12.55 feet lift.

Dam number 10—Jordan, 71.40 miles, 15.5 feet high, 12.43 feet lift.

Dam number 11—Ralesback, 79 miles, 10.5 feet high, 7.47 feet lift.

Dam number 12—Rowland's, 83 miles, 10 feet high, 6.86 feet lift.

Dam number 13—Sugar Creek, 87.20 miles, 10.5 feet high, 7.48 feet lift.

The pool of the last dam, raises the water three feet at the head of the ripple at Ottumwa, 91 miles from the Mississippi river.

Without going minutely into the detail of each item of each dam, I have compared the contract prices with my estimated quantities of material; and by this means I estimate the cost embraced in the second letting, at \$264,000. Adding my estimate of cost under contracts from the Mississippi to Farmington (\$213,337 37) and we have the total cost from the Mississippi to Ottumwa \$477,357 38.

These dams vary in height to suit the banks and other peculiarities of the river. No considerable amount of lands will be overflowed at any point. The beds of small streams will have standing water in them, but this will only be a convenience to adjacent farms, by furnishing water at all times, in different fields, for various purposes.

Much anxiety has been expressed that locations should be adjusted to suit towns, mills and other artificial constructions. As far as possible I have considered these with other motives; but they must be secondary. The Des Moines improvement, if constructed according to present designs, must stand the test of ages. The masses of material are imperishable rock. Repairs will no doubt be required. Human reason is not capable of contriving anything that will resist all the ravages of time. But durability, economy and strength, have been the first and leading considerations in making plans and locations. Rock foundations have been secured for every lock, and in all instances, either all or a part of each dam is founded on rock. The least possible number of locks, bridges, side cuts, and other obstacles, calculated to cause delays, have been projected. There are great advantages which will result from speedy, certain and cheap transportation on this improvement. No local interest should be the cause of any prejudice to such considerations. No country can produce more agricultural wealth than that within

sixty miles, on either side of this river. This is no exaggeration. Every acre, both of the bottom and upland, is similar in appearance and fertility to the rich bottoms so much admired in Ohio, New York and Pennsylvania. Timber, coal, stone, plaster paris, earthenware and other articles at present unthought of, but incident to the valley, will be transmitted through this channel. The water power accumulated at each dam can be, and should be afforded low, for the purpose of attracting to the country all kinds of manufactories. No country can afford greater, and I doubt whether any can afford like advantages to manufactories. The cheap productions, the soil, the climate, the connection with the Mississippi, and through it to the wool, cotton, and in fact to all other countries, combined with the permanent, cheap and immense power for moving machinery, create an accumulation of advantages which must soon be observed, and occupied by those engaged in various kinds of manufacture. The product of every species of mechanical skill will be added to the articles of the commerce of the Des Moines improvement.

In addition to these resources, which must grow out of the immediate vicinity of this work, there is a more extended view of the matter, which I alluded to in my former report, and will now, more definitely refer to. This is the first improvement designed to draw in the resources of the country west of the Mississippi, and though we ought not in advance to boast an example, we certainly ought to avoid a discouragement to similar enterprise. There are several rivers west of the Mississippi, longer than the Des Moines, which at first sight would appear to command the undivided commerce of all their branches. Such is the appearance on the map of the Missouri and its upper tributaries. But the sandy bed, and varying channel of the Missouri, is a great obstacle to navigation, and of any fixed or permanent improvement. Such is the hazard and uncertainty of its navigation, that in some instances, goods are brought up the Mississippi as far as Hannibal, and hauled across the country in wagons, to the vicinity of St. Joseph on the Missouri, a point more than one hundred and fifty miles west of Hannibal. If then trade can take this course, from Hannibal to the Missouri at St. Joseph, how much more likely to go from the head of this improvement, a much less distance to Council Bluffs; a point much further up the Missouri. When the Des Moines improvement is completed, and paid for, the only object of tolls will be to improve and repair the work. Supposing however we adopt the same rate of tolls

that are now charged on the Ohio canals, the toll and transportation from the Mississippi to the Forks of the Des Moines, would not exceed twenty cents per hundred. To encourage "through" freight tolls should be reduced on freight going west of the upper extremity of the work, and by this reduction the transportation per hundred from the Mississippi to the Forks, will be as low as fifteen cents.

Let us then compare the probable cost of transportation from St. Louis to Council Bluffs on the two routes—the Missouri and the Des Moines:

Freight of 100 pounds from St. Louis to St. Joseph on the Missouri river, as quoted in the newspapers of St. Louis,.....	\$1 50
From St. Joseph up the Missouri to Council Bluffs, say,.....	50
	<hr/>
	\$2 00

Freight of 100 pounds from St. Louis to Keokuk on the Mississippi river, as quoted in the newspapers of St. Louis,.....	12½
Add freight on the Des Moines improvement from Keokuk to the Forks of the Des Moines,.....	15
Add freight by wagons overland from the Forks to Council Bluff, 120 miles, at the same rate now paid from Keokuk to Eddyville, 7½ cents per mile,.....	80
	<hr/>
	\$1 07½

Saving on the freight of 100 pounds by taking the Des Moines route,.....	\$0 92½
Or 46½ per cent. better than the Missouri route.	

Make a similar estimate of the downward freight from Council Bluff to St. Louis, and the result will be similar and in favor of this route. There is also time and insurance, decidedly in favor of the Des Moines river route; so that taking all things into consideration the matter is mathematically certain (except in times of high water in the Missouri,) the trade of Council Bluffs will incline to follow down this improvement. By extending this improvement up the Baccoom river, as far as possible, and adopting a rail plank road, or

other means to cheapen the transit across from the Forks to Council Bluffs, the difference will be more in favor of this route, and must secure the trade of that point.

But it is not this point alone that is reached. We enter the great valley of the Nebraska, and all the upper branches of the Missouri; and offer to the commerce of these valleys, the cheapest and most expeditious route for their products. A country of a thousand miles extent capable of furnishing vast and unknown agricultural and mineral products, may by wise and discreet energy, in the prosecution of this work, become tributary to the improvement now in progress on the Des Moines.

High water in the Missouri, will carry off the trade in that channel and reverse this calculation. But the Missouri is generally low, and prices of freight are therefore generally stated high. Take general rules, and apply the data as you please and you will arrive at this result. The Des Moines improvement has every reason to contend for the travel and trade of the far west.

No other river can compete with the Des Moines in susceptibility of permanent improvement in this region, and in competition with this design. Neither can a railroad injure our prospects. Transportation on water, where large crafts, such as flatboats, keelboats and steamboats, can easily float, will always be much cheaper than on railroads. The heavy products of a country, such as the agricultural and mineral, will always pursue the channels of rivers when large boats can navigate them; and such is the character of the Des Moines improvement that flatboats, and even rafts, may pass down.

This improvement will cost much less than a railroad.

Ninety-one miles of the work is contracted, and we cannot be much mistaken in the amount this will cost. I have before stated that under these contracts to Ottumwa, I estimate the cost at \$477,357 37 for the whole distance ninety-one miles.

This is equal to \$5,245 per mile. No competent engineer would estimate the cost of a permanent railroad and fixtures at less than \$12,000 per mile. So we have constructed for steamboat navigation for less than half the cost per mile of a good railroad.

I would not discourage the progress of railroads. On the contrary, I regard them of equal if not greater importance than canals. They will carry travel and light transportation, even in competition with the best of steamboat navigation. They are especially appli-

cable to a populous country on great lines of thoroughfare. But most of the heavy agricultural and mineral products, will float down the channel of our rivers when railroads have intersected them with a thousand lines. Without the least doubt, and with increased confidence, I therefore, again respectfully recommend to the Board, that they continue their undivided energies in the prosecution of this work on the plan adopted and now in full progress.

If means can be provided, the first contracts can be completed in two years. The low price and abundance of produce and labor, render this period of time the most favorable for pushing forward the work. Notwithstanding the second letting was made on time, the work is contracted low, and the assistance of the Board to procure prompt payment would secure an earlier and better execution of the contracts. Economy, and the prosperity of the country, recommend the early completion of the work to the extent of the means. The survey of the work above Ottumwa, is already commenced. I shall report progress during the winter, if the river freezes over, so as to admit of working on the ice. I hope to reach the forks of the Des Moines, by the middle of January.

Respectfully submitted,

SAML. R. CURTIS, Principal Engineer.

Mr Goodrell moved to dispense with the reading of the Report of the Board of Public Works.

And,

On motion of Mr Griffith,

Ordered, That 1000 copies of the Report of the Board of Public Works be printed for the use of the General Assembly.

Mr Read gave notice that on some future day he would ask leave to introduce

A Bill for an act to amend an act defining the time of holding elections, for district and county officers, approved January 25th, 1848.

Mr Griffith gave notice that on some future day he would ask leave to introduce

A Bill for an act to regulate grocery license.

On motion of Mr Goodrell,

The House resolved itself into Committee of the Whole on the Governor's Message.

Mr Goodrell in the chair.

And after some time spent therein, the Committee rose and by their chairman reported

That the Committee of the Whole House had had under their consideration the Governor's Message, and had referred the same to appropriate committees.

And the question being put,

Will the House concur therein?

It was decided in the affirmative.

On motion of Mr Goodrell,

That portion of the Governor's Message relating to the apportionment of members of the General Assembly, was referred to a Select Committee, consisting of one from each Senatorial District.

Mr McFarland gave notice that on some future day he would ask leave to introduce

A Bill for an act to straighten the State road from the city of Keokuk to the city of Burlington, passing through what is termed the centre road through the township of Green Bay, in the county of Lee.

Mr Timmons gave notice that on some future day he would ask leave to introduce

A Bill to attach the county of Blackhawk to the county of Benton, for judicial and election purposes.

Also,

A Bill for an act to authorize David W. King to establish and keep a ferry at Cedar Rapids, on the Cedar river.

Mr Allison offered the following resolution:

Resolved, That a Standing Committee of five members be appointed to be called the Committee on the Improvement of the Des Moines river.

Which resolution was adopted.

Mr Goodrell moved to take from the table,

H. R. file, No. 2, Joint Resolution for the restriction of slavery.

This motion being put,

It was decided in the negative.

On motion of Mr Griffith,

Mr Read was excused from serving on the Committee on the Judiciary.

Mr Goodrell asked leave to be excused from serving as chairman of the Committee on Roads and Highways.

And the question being put,

It was decided in the affirmative.

Mr Thompson moved to reconsider the vote, on laying Joint Resolution for the restriction of slavery, on the table.

And upon this question,

The yeas and nays were demanded;

And were as follows :

Yeas 13,

Nays 24.

Those who voted in the affirmative, were

Messrs. Allison, Betts, Bourne, Burroughs, Goodrell, McCrary, McManaman, Stephenson, Timmons, Thompson, Walker, Williams, and Woodworth.

Those who voted in the negative, were

Messrs. Alexander, Babbitt, Baker, Collins, Corse, Davidson, Elmer, Evans, Flint, Gifford, Griffith, Jacobs, Langton, Mahony, McFarland, Norton, Penny, Read, Riggs, Sales, Sargeant, Weyand, Wood and Mr Speaker.

So the resolution was not taken from the table.

On motion of Mr McFarland,

The House adjourned until to-morrow morning at 10 o'clock.

Saturday Morning, December 9th, 1848.

The House met pursuant to adjournment.

Mr Read presented the petition of William P. Wilson and others, praying for a charter for a Ferry across the Des Moines River at Monterey.

Which,

On his motion,

Was referred to a Select Committee of three.

Messrs Read, Corse and Mc Farland, were appointed said committee.

Mr Allison presented the petition of John Mark and sundry cit-

izens of Monroe county, praying for the location of a State Road, therein named.

Which,

On motion of Mr Goodrell,

Was referred to the committee on Roads and Highways.

Mr Sales offered the following resolution:

Resolved, That the Standing Committee on Schools, be and are hereby instructed to inquire into the expediency of making an appropriation, out of the School Funds, for the benefit of mutes in this States; and that said Committee be required to report by bill or otherwise.

Which was adopted.

Mr Mahony offered the following resolution:

Resolved, That the Governor be requested to inform this House whether the Commissioners, appointed to revise the laws of this State, are now, or ever have been, in session for the purpose for which they have been appointed; and if so, whether they have prepared, examined or considered any one Bill, or Bills; or whether they have in any manner performed any portion of the duties devolving upon them, as Commissioners to revise and report a Code of Laws.

Which, the Chair decided must, under the rule of the House, lay upon the table for one day.

Mr Bourne obtained leave to introduce

H. R. file, No. 12, Joint Resolution, authorising the Auditor of State to audit and allow certain certificates.

Mr Griffith gave notice,

That on to-morrow, or some future day, he would ask leave to introduce

A Bill for an act to repeal an act, entitled "an act to re-organize the Supreme Court," approved January 22nd, 1840.

Mr Riggs, from the committee on Roads and Highways, to whom was referred the petition of Theophilus Blake, and sundry citizens of Wappello county, reported,

H. R. file, No. 13, A Bill for an act to establish a State Road, from Eddyville, in Wappello county, to Bloomfield, in Davis county.

Mr Allison gave notice that on some future day he would ask leave to introduce

A Bill for an act making an appropriation for a State Road,

leading from Agency City to Traders Point, on the Missouri River.

Mr Mahony, in pursuance of previous notice given, introduced,

H. R. file, No. 14, A Bill for an act to repeal an act entitled "an act regulating interest on money."

H. R. file, No. 3, A Bill for an act to amend an act amendatory and supplemental to an act to establish Common Schools, approved January 16th, 1840.

Was read a second time.

And,

On motion of Mr McCrary,

Was referred to the Standing Committee on Common Schools.

H. R. file, No. 5, A Bill for an act to reduce the price of the Des Moines River lands,

Was read a second time.

And,

On motion of Mr Thompson,

Was referred to the Standing Committee on the Improvement of the Des Moines River.

H. R. file, No. 7, A Bill for an act to authorize John A. McFarland to keep a Ferry across the Mississippi River at the town of Montrose,

Was read a second time.

And,

On motion of Mr Griffith,

Was referred to the committee on Incorporations.

H. R. file, No. 8, A Bill for an act to amend the "act to provide for the management and distribution of the School Fund,

Was read a second time,

And,

On motion of Mr Babbitt,

Was referred to the committee on Schools.

The following message was received from the Senate, by Mr Rockwell their Secretary :

MR SPEAKER:

I am directed to inform the House of Representatives that the Senate have passed,

Senate file, No. 9, Joint Resolution asking an appropriation to

build a bridge, crossing the Des Moines River, on the Military Road.

Also,

Resolved, by the Senate, the House concurring, that the two Standing Committees on Schools confer together and submit a joint report and Bill for the organization of a Common School System.

In all of which the concurrence of the House is requested.

I herewith return

H. R. file, No. 4, A Bill for an act authorizing William S. Townsend to keep a Ferry across the Missouri River at Traders Point.

Which has passed the Senate, with the following amendment:

Sec. 3. This act may be altered or repealed at any time by the General Assembly of the State.

I herewith present for your signature:

Senate file, No. 2, Joint Resolution requesting our Senators and Representatives in Congress to procure an appropriation to defray the expense of running the North-Western Boundary of this State.

And then he withdrew.

H. R. file, No. 9, A Bill for an act relative to Common Schools ;
Was read a second time ;

And,

On motion of Mr Timmons,

Was referred to the Committee on Common Schools.

H. R. file. No. 10, A Bill for an act to amend an act, entitled "An Act for laying out and establishing certain Roads therein named," approved February 18th, 1847.

Was read a second time ;

And,

On motion of Mr Babbitt,

Was

Ordered, To be engrossed and read a third time on Monday.

H. R. file, No. 11, A Bill for an act to preserve the purity of Elections ;

Was read a second time.

And,

On motion of Mr Corse,

The usual number of copies were ordered to be printed.

The Speaker announced the following Standing Committee, on the "Improvement of the Des Moines River :"

Messrs Read, Elmer, Harrison, Allison and Corse.

And also,

The following Select Committee, to take into consideration that portion of the Governor's Message relative to the apportionment of the members of the General Assembly :

Messrs Goodrell, Read, Mc Crary, Riggs, Flint, Babbitt, Sargeant, Woodworth, Weyand, Jacobs, Harrison, Bourne, Betts, Mahony and Langton.

On motion of Mr Harrison,

The House adjourned until Monday morning, 10 o'clock.

Monday Morning, December 11th, 1848.

House met pursuant to adjournment.

A message from the Senate by Mr Rockwell, their Secretary.

MR SPEAKER :

I am directed to inform the House of Representatives, that the Senate have passed

Senate file, No. 12, Joint Resolution to accept a reconnoissance and preliminary survey of the Dubuque and Keokuk railroad.

In which the concurrence of the House is requested.

I herewith return,

H. R. file, No. 6, An Act to incorporate the city of Keokuk.

The same having passed the Senate without amendment.

And then he withdrew.

On motion of Mr Baker,

Mr Collins was appointed chairman of the Committee on Roads and Highways.

Mr Baker presented the memorial of sundry citizens of Jefferson county, praying for an alteration of the proposed route of the Dubuque and Keokuk railroad.

Which,

On motion of Mr Weyand,

Was referred to the Committee on Roads and Highways.

Mr Williams obtained leave to introduce

H. R. file, No. 15, Joint Resolution asking a donation of land for the improvement of the Muscatine Island.

Which was read the first time.

Mr Griffith gave notice that he would, on to-morrow or some future day, ask leave to introduce

A Bill for an act regulating the practice of Physicians, &c.

Mr Collins submitted the following resolution:

Resolved, That the Committee on Judiciary are hereby instructed to report a bill to reduce the number of grand jurors to thirteen, and petit jurors to the number of twelve, in each county, per session; also, to reduce the compensation to one dollar per day.

Mr Griffith offered the following amendment:

Strike out "one dollar per day," and insert, "their fees to be paid by the parties to the suit."

Pending which,

On motion of Mr Babbitt,

The resolution was referred to the Committee on the Judiciary.

Mr Sales, from the Committee on Engrossed Bills, submitted the following report:

The Committee on Engrossed Bills, to whom was referred H. R. file, No. 10, have instructed me to report that they have examined the same and find it correctly engrossed.

Mr Collins, from the Select Committee, to whom was referred the petition of sundry citizens of Jefferson county, praying for the erection of a Court House on the Public Square, in the town of Fairfield, in said county, submitted the following:

The Select Committee to whom was referred the petition of sundry citizens of Jefferson county, have had the same under their consideration, and have instructed me to report

H. R. file, No. 16, A Bill for an act authorizing the Board of Commissioners of Jefferson county, to erect a Court House upon the Public Square.

Which was read a first time.

Mr Weyand moved to suspend the 42nd rule and read the bill a second time now.

Which motion, upon being put,

Was decided in the negative.

Mr McFarland obtained leave to introduce

H. R. file, No. 17, A Bill for an act to authorize George Kiel to keep a wharf-boat at Fort Madison.

Which was read a first time.

Mr Griffith moved to suspend the 42nd rule and read the bill a second time now.

Which motion being put,

Was decided in the negative.

Mr Babbitt obtained leave to introduce

H. R. file; No. 18, Joint Resolution requesting our Senators and Representatives in Congress to procure an appropriation to pay the citizens of Iowa, for services rendered in the Missouri war.

Which was read a first time.

Mr Griffith obtained leave to introduce

H. R. file, No. 19, Joint Resolution for the adjournment of the General Assembly.

Which was read a first time.

H. R. file, No. 12, Joint Resolution authorizing the Auditor of State to audit and allow certain certificates;

Was read a second time.

Mr Bourne moved to suspend the 42nd rule and read the Joint Resolution a third time now;

Which motion was disagreed to.

And,

On motion of Mr Babbitt,

The Resolution was referred to the Committee on Claims.

H. R. file, No. 13, A Bill for an act to establish a State road from Eddyville to Bloomfield;

Was read a second time.

And,

On motion of Mr Allison;

Was referred to the Standing Committee on Roads and Highways.

H. R. file, No. 14, A Bill for an act to repeal an act entitled "an act regulating interest on money;"

Was read a second time.

And,

On motion of Mr Timmons,

Was referred to the Standing Committee on the Judiciary.

Mr Mahony's resolution asking information from the Governor, concerning the Committee of Revision,

Was read a second time.

And the question being put,
"Shall the Resolution be adopted?"

It was decided in the affirmative.

H. R. file, No. 10, An Act to amend an act entitled "an act for laying out certain roads therein named," approved, Feb. 18, 1848;
Was read a third time, passed and its title agreed to.

The following message was received from the Senate, by Mr Rockwell, their Secretary.

MR SPEAKER:

I am directed to inform the House of Representatives that the Senate have this morning reconsidered the vote taken on Saturday, on the passage of

H. R. file, No. 6, An Act to incorporate the city of Keokuk.
And then he withdrew.

Senate file, No. 9, Joint Resolution asking an appropriation to build a bridge across the Des Moines river, at the crossing of the military road;

Was taken from the table and read a first time.

And,

On motion of Mr McFarland,

The 42nd rule was suspended and the Joint Resolution was read a second and third time, passed and its title agreed to.

Mr Griffith obtained leave to introduce

H. R. file, No. 20, Joint Resolution requiring the Secretary of State to certify to the bill of Spalding & Phelps;

Was read a first time.

Senate Resolution requesting a conference of the Standing Committees on Common Schools, of both Houses, for the purpose of reporting a bill for a Common School system;

Was taken from the table and read a first time.

And,

On motion of Mr Mahony,

The 42nd rule was suspended, the resolution was read a second and third time, and adopted.

H. R. file, No. 4, A Bill for an act authorizing William S. Townsend to keep a ferry across the Missouri river at Traders Point;

Was taken from the table.

And the question being put,

“Will the House concur in the amendment made by the Senate?”
It was decided in the affirmative.

The Speaker laid before the House the following communication from Thomas H. Benton, Jr., Superintendent of Public Instruction:

REPORT OF THE SUPERINTENDENT OF PUBLIC INSTRUCTION.

OFFICE OF SUP'T OF PUBLIC INSTRUCTION, }
IOWA CITY, IOWA, DEC. 4th, 1848. }

GENTLEMEN OF THE SENATE

AND HOUSE OF REPRESENTATIVES:

In accordance with the provisions of the 33d section of the act of the General Assembly of Iowa, of February 25th, 1847, entitled “An act supplemental and amendatory to ‘an act to establish Common Schools,’ approved January 18th, 1840, I beg leave to submit the following report:

I gave bond to the Governor, and took and subscribed the oath of office required by law, and entered upon the discharge of my official duties, on the 23d day of May last, and immediately forwarded to the Registers of the Land Offices in this State, as required by the Circular of the Commissioner of the General Land Office, of August 6th, 1847, and also to the Department at Washington, the evidence of my authority to act as Agent of the State, in selecting the 500,000 acres of land, granted under the 8th section of the act of Congress, of September 4th, 1841. Being unadvised of the situation of lands reported during the year 1847, as part of the above grant, I addressed a letter to the Registers on the subject, and was informed by them that none of the selections thus made had been

withheld from sale. (See copy of their letters pages 7 and 8 of my circular of Sept. 18th, 1848.)

Upon due examination of the act of the General Assembly, entitled, "an act to legalize the sale of School lands," approved January 25th, 1848, it was found inapplicable to the grant in question, as the State had acquired no title to any part of the land. Under these circumstances, and conceiving a uniform system in the selection and disposition of these lands essential, I prepared a series of blank forms for the purpose, with a circular of instructions, in which I required the Fund Commissioners to rescind the contracts, and to refund the money for that portion of the land which had been sold by the General Government, and to renew them for the remainder, and to re-report it to this office, if desired to do so by the purchasers. I forwarded a package of these documents, together with a circular to Inspectors, to each of the Fund Commissioners in the latter part of June last. The officers proceeded without delay to engage in the respective duties assigned them, but as many provisions of the School law were found ambiguous and indefinite, they were soon involved in doubt and uncertainty. Finding that many of the school districts, in consequence of these embarrassments, were not organized in time for the Directors to make their report as required by law, and being desirous of remedying, if possible, the evils arising from the diversity of sentiment relative to its practical operations, I issued another circular on the 18th of September, 1848, reviewing the different provisions to which my attention had been directed, and giving such advice as I deemed best calculated to promote the interests of education. But notwithstanding these repeated efforts the organization is yet incomplete. As a general thing the officers have endeavored to perform their duty, but their efforts have been partially paralyzed by manifest indifference on the part of the people. Under these circumstances I did not consider it prudent to commence a tour through the State, for the purpose of lecturing in the townships, as my efforts must necessarily have been limited to a very small portion of it, while the remainder would have been totally neglected. Under the conviction that more general good could be accomplished by correspondence, and from the fact that communications from different parts of the State, asking for information relative to some particular provision of the law, were almost daily received, I have confined my labors thus far

chiefly to this class of the duties assigned me, and have endeavored as far as possible, to answer the numerous and complicated interrogations which have been propounded.

The reports of the Fund Commissioners are by no means as full and satisfactory, as I had reason to expect they would have been, when I prepared the forms for them. Taking into consideration, however, the incipient stage of our School system, my expectations were probably too sanguine. They have manifested a desire to comply strictly with the requirements of the law, and of the Superintendent of Public Instruction. In the absence of correct data, from which to gather information for their reports, they have been enabled to furnish but few items of interest, aside from those more directly connected with the duties of their office. (See abstracts of reports marked A, B, C and D.)

The obstacles, presented by the township, and district officers, are briefly as follows:

THE FORMATION OF DISTRICTS.

Much difficulty has arisen during the last summer, relative to the formation and alteration of School Districts. This duty under the present law is performed by the Inspector, but as no rule is prescribed by which he shall be governed, being left entirely to his own discretion, he is frequently at a loss to know how to proceed. Some have been governed by the present, and others by the future prospects of the district, and either rule has occasionally failed to give entire satisfaction. Indeed, in some portions of the State, the feeling thus created has proven almost fatal to the establishment of schools. Several instances have been reported, (one very recently from Linn and Benton counties) where an isolated settlement has been made by a few families, on either side the boundary line between two adjoining counties, so as to render it impossible to embrace them in a school district, without including the whole settlement. Some provision should be made to meet their wants. From the fact that our population will, for many years to come, be scattered over an extensive district of country, the settlements confined mostly to the groves, separated by uninhabited prairies, it will be exceedingly difficult to adopt any plan for the formation of districts that will be likely to give entire satisfaction. I would suggest the propriety, however, of assigning this duty to at least three officers,

instead of one, with some general rules by which they are to be governed, whose action should be binding and final for a fixed period.

THE EXAMINATION OF TEACHERS.

The law requires that the "Inspector shall examine all persons presenting themselves touching their abilities to teach, both in regard to their education, and their moral character, and if he find said persons qualified, he shall give a certificate to this purport." The difficulty here presented is, that the extent of qualification necessary is not stated. This arises from the fact that the branches of education necessary to be taught in our schools are not prescribed. I consider it a matter of interest, involving, to some extent, the future success of our school system, that they should be designated in the law. This omission creates embarrassment, both with the inspector and the directors. The former is unable to determine the extent of his duty, and the latter may deem it proper to require duties of the teacher, after he has received a certificate, which the Inspector does not consider him obligated to perform. A misunderstanding is thus produced, which proves very detrimental to the cause of education.

Under the present system, "all white persons in the district between the ages of five and twenty-one years," are thrown indiscriminately together, embracing pupils of every grade, from children in the alphabet, to young men far advanced in the classics, which must result in confusion, and serious inconvenience to the teacher and directors in the establishment of correct discipline. This may be obviated by the creation of different departments in the schools, separating the pupils in the primary branches, from those more advanced, requiring of the latter an amount in addition to which they are entitled to receive from the school fund, in proportion to the additional instruction which they may require. While it is very desirable to introduce the higher branches of education into our common schools, our first and chief object should be to impart the blessings of primary instruction to every child in the State. It is certainly wise to determine, in the very organization of our school system, what we propose to accomplish, lest in extending our efforts too much, with our present means, they may prove abortive.

With a view of remedying these evils, I would recommend that authority be conferred on the people of the larger towns and villages,

to create, within their corporate limits, a system of public instruction, under the direction of the regularly constituted town authorities, connected with the general system of the State, and subject in like manner to the General Assembly, with power to levy a tax, in addition to the apportionment of the school money to which they would be entitled, which would enable them to found a higher order of schools than we can hope, under existing circumstances, to establish in the more thinly settled portions of the State. The present system is certainly not adequate to their wants. This will afford also some criterion for the examination of teachers. This class of schools might include a thorough course of academic instruction, while, as a general thing through the State, the primary branches only would be necessary. Thus individuals proposing to become teachers, might obtain a certificate as to their actual qualifications, which would enable them to obtain employment in whichever class of these schools it would show them competent for.

I would further recommend that the duty of examining teachers should be assigned to a county instead of a township officer. It is desirable to elevate the standard in reference to the qualification of teachers. An individual of unexceptionable moral character, and of extensive literary and intellectual attainments, may still be in a very small degree qualified for the business of teaching. He must have a thorough knowledge of the peculiar art of imparting instruction, the relative influences which operate on the moral, intellectual and physical man, and be well versed in the laws to be applied for his government—in a word his whole soul must be engrossed with the arduous, yet pleasing task of governing, training and cultivating the youthful mind. To enable him to do this successfully, he must be compensated for his toil, that his own mind may not be harrassed and perplexed with pecuniary embarrassment. The compensation of good teachers in the west is by no means commensurate with their services. It is to be regretted that the greater portion of our population do not appear to be alive to their own interests on this subject. Indeed, with many, teachers seem to be considered a sort of article of merchandize. Hence we often hear the inquiry made for "cheap teachers," when in reality the services of some of them would be dear at any price. In this way worthy and competent men are frequently forced to abandon their profession, and to seek some other means of subsistence. It may not be inappropriate here to insert the following extract from the last annual report of the Su-

perintendent of Common Schools of New York, showing the compensation of teachers for three successive years :

“The average for the whole year in 1845, for the male teachers was \$13,81; in 1846, \$15,42, and in 1847, \$15,99; and for females in 1845, \$6,50; in 1846, \$6,69, and in 1847, \$6,99 exhibiting a small but annual increase of wages paid to teachers. The number of teachers under eighteen years of age found employed at both visitations was 2,322, of whom 1,969 were females ; and there were 1,943 over thirty years old, of whom 1,434 were males. The residue of the number were between eighteen and thirty years of age.”

By the last report of the Secretary of the Board of Education of the State of Massachusetts, for 1846—47, the average wages paid teachers per month, including board, was \$32,46 for males, and \$13,60 for females.

In the ordinary business of life, when we design constructing some permanent work of art, in order to insure success, we are lavish in the expenditure of means for the purpose of procuring the services of the best architects to prosecute the work, but when our object is to mould and fashion the imperishable intellect, and to adorn and beautify the human mind, we reverse the rule, and select the cheapest, and often the most inefficient men of the profession for the task. It is certainly proper to use all laudable exertions so to curtail the expenses of education as to place it within the reach of every class of community, but it is equally true that this is not to be accomplished by the erection of cheap school houses, and the employment of cheap teachers. The first step to be taken in the establishment of a permanent school, is the construction of a comfortable school house, well supplied with such conveniences as will offer every inducement to pupils to prosecute their studies with zeal and interest. It is next important to secure the services of a faithful, competent teacher. It is true that such an individual will require a more liberal remuneration, than those who teach as a mere matter of convenience, but I think I may say with safety, that he will compensate his employers ten fold by the additional services which he is qualified to render. The following forcible remarks are from the pen of a gentlemen of New York, of extensive practicable information on the subject, in a work on the “theory and practice of teaching.”

“The profession of teaching is advancing. The present standard

of acquirements demanded of the teacher, excludes many who were considered quite respectable ten years ago. This may well be so, for within that time quite an advance has been made in the compensation offered to teachers. It is but reasonable that acquirement should keep pace with the reward of it. Indeed the talent and attainment brought into the field, must always be in advance of the rate of compensation. The people must be first convinced that teachers are better than they were years ago, and they will be ready to reward them. In Massachusetts, according to statistics in the possession of the Hon. Horace Mann, Secretary of the Board of Education, the compensation of teachers within ten years has advanced thirty-three per cent.; nor is it reasonable to suppose that this advance has been made independent of any improvement among the teachers. Their system of supervision has increased in strictness, in the same time, in an equal ratio; and many teachers who were entirely incompetent for their places, have thus been driven to other employments."

THE ORGANIZATION OF SCHOOL DISTRICTS.

The second section of the law provides, "that there shall be annually, an election on the first Tuesday of April, in each school district, for the purpose of choosing three Directors," but does not designate the manner in which the election shall be conducted. No one is empowered to act as judge of the election or to issue certificates to the officers elect. In the absence of this information the primary proceedings in the organization of different districts have been so materially different, that doubts have arisen in the minds of many with regard to their legality, which has had a tendency to retard the erection of school houses, and the establishment of schools. There are in every community a few persons who are not likely to be satisfied with anything of a public nature, where the voice of the majority is to govern, who avail themselves of these discrepancies to increase and perpetuate existing difficulty, which results in discouraging those who feel more deeply interested. Hence it is a matter of importance that the various duties to be performed either by the officers or electors of the district should be clearly and minutely defined.

The same section of the law further provides that "any person who is a permanent resident in said district, shall be eligible to vote at said elections," which is incompatible with the 1st section

of the 3rd article of the constitution. The 3rd section of the act to authorize a district school tax provides that "the vote shall be taken in favor of or against a tax, which shall be viva voce," which is at variance with the 6th section of the above article of the constitution. These contradictory requirements have led to a corresponding difference of opinion as to the manner of voting in district elections, which has tended to confirm, rather than remove existing doubts. In some instances the electors have voted by ballot, in others viva voce, and in others by raising the hand. When consulted, I have advised the method designated by the constitution. Doubts exist in the minds of some as to whether the directors can establish more than one school in the district. The law appears to contemplate but one, but a departure from this rule will occasionally be almost unavoidable. It would probably be well to leave it to the people of the district to determine.

As I observed, in another part of this report, many of the districts were not organized in time for the directors to make their reports as required by law. Being convinced that this resulted mainly from the imperfections of the law, and desirous to afford each district ample opportunity to be fully prepared to receive its apportionment of the school money in March next, I urged upon the inspectors and directors, in my circular of September 18th, (see pages 14 and 15) the necessity of immediately organizing those districts which had been neglected, and requested them to forward special reports of the number of persons between the ages of five and twenty-one years, in time for them to be submitted to the General Assembly. Though sufficient time has since elapsed to complete the organization throughout the State, comparatively a small number of these reports have as yet been received. (See statement E.)

PROVIDING SCHOOL HOUSES.

The 5th section of the law requires "that the directors shall employ a teacher, provide a suitable house and see that it is well supplied with books, fuel and stationery," and the latter part of the 4th section says, that "all moneys necessary for the erection and furnishing school houses shall be raised by voluntary subscription." This latter clause, however, is repealed by "an act to authorize a district school tax," approved January 25th, 1848. By this act authority is conferred for raising means for the "purpose of build-

ing school houses and furnishing the same," but no mode of procuring them in case the district determine not to build, is prescribed. Most of the districts the present year have been under the necessity of renting instead of building, and the directors have been at a loss to determine how the rent shall be paid, whether by voluntary subscription, a district school tax, or from the school fund. The latter conclusion has been most generally adopted, and while I am induced to believe it correct as the law now stands, yet it is certainly unwise that any portion of the school money should be used for this purpose. Ample provision should be made for building, renting, purchasing and furnishing school houses.

It may here be proper to remark that the act of January 25th, 1848, is to some extent deficient in this respect. While it may suit the less densely populated portions of the State, very well, it is not at all adequate to the wants of the larger towns. In each of them we should have at least from one to three good school houses. By this I do not mean a school house in the ordinary acceptance of the term, but a permanent edifice constructed on the most improved plan, with different apartments, so that the pupils in the primary and academic departments may be separated and classified. The academic department should be sub-divided into male and female.

In this way we would soon succeed in establishing a number of the first order of female seminaries, which is certainly of vital importance. Thus many of our most worthy citizens, who are not able to incur the expense of sending their daughters to other States to be instructed, would have it in their power to bestow upon them a liberal education. The erection of school houses of this kind will cost from \$1,500 to \$3,000 each. This is considered at first sight an enormous expense to incur for such an object, and the conclusion is that a much cheaper class of buildings will do for the present. But it should be borne in mind that it is a permanent work, when once completed, the expense is not to be incurred again. The influence exerted upon the minds of pupils provided with such an edifice would be almost incalculable. Men are prone to conform themselves to the objects which surround them, and this rule is no less applicable to youth, than to persons of maturer years. If, for example, a man, whose moral and intellectual culture has been properly attended to, becomes the daily patron of a brothel, he will soon retrograde, and become assimilated in feelings and habits to the appearance of things around him. On the same principle,

youth, when thrown together promiscuously in an uncomfortable, badly arranged school house, will become familiar with the daily scene of confusion, and will gradually conform to it, and the old school house becomes an apology with both teacher and pupils for the absence of discipline. On the other hand when the very halls in which they study, present, hourly to their view the great law of neatness and order, they will feel themselves morally obligated to make their conduct correspond. Each school of this class should be under the direction of a competent teacher as principal, with assistants whose qualifications and compensation should correspond with the duties of the respective departments assigned them.

THE EMPLOYMENT OF TEACHERS.

It is made the duty of the directors to employ teachers. In addition to the difficulty presented in another paragraph of this report, they have been embarrassed in discharging this duty from the fact that no express provision is made by which the teacher shall hold the district amenable and recover his compensation by suit. In some instances the directors, being apprehensive that they might lay themselves individually liable, have been disinclined to take any steps for procuring teachers. Many of the districts have as yet no property in their corporate capacity, and consequently in case of failure to meet the deficiency due the teacher, he is left without legal remedy, and is compelled to rely entirely on voluntary contributions. Thus both the teacher and the directors have become indifferent in reference to the establishment of schools. This defect may be remedied by authorizing the directors to collect the deficiency by a tax within the district.

In some portions of the State complaints have arisen in regard to the number of days which constitute a school term of one quarter. From the information I have been able to gather on the subject, according to the custom of different States, the time varies from sixty to seventy-eight days. It is certainly requisite that some fixed period should be established by law.

THE LOCATION OF SCHOOL HOUSES.

The location of a school house will generally form a source of dissatisfaction to some of the inhabitants of the district. This is more than likely to be the case in the newly settled portions of the State.

By the present law the electors of the district determine the site by a majority vote, and consequently a large minority are frequently dissatisfied, and if disposed to do anything in establishing a school, give it merely a negative support. It is probably the most difficult thing in adopting a system of public instruction, to devise a plan for the location of school houses which will give satisfaction. I beg leave to call your attention to the following provision of the school law of New York on the subject :

“ Whenever a school house shall have been built or purchased for a district, the site of such school house shall not be changed, nor the building thereon be removed, as long as the district shall remain unaltered, unless by the consent, in writing, of the town Superintendents of common schools, of the town or towns within which such district shall be situated, stating that in their opinion such removal is necessary ; nor then unless a majority of all the taxable inhabitants of said district, to be ascertained by taking and recording the ayes and noes, at a special meeting called for that purpose, shall be in favor of such new site.”

THE APPORTIONMENT OF SCHOOL FUNDS TO DISTRICTS.

The 10th section of the law requires that the Inspector “shall, within ten days after receiving any school money, proceed, in the presence of one or more trustees of the township, to apportion the same to the several districts the amount which each district may be entitled to—taking the number of persons reported as the basis of said dividend.” By this it is apparent, in case the district has been regularly organized, and has reported according to law, that the portion of the school money to which it is entitled upon the faith of said report, is retained in the hands of the Inspector subject to their order.

By the 11th section it is made his duty to “ pay over to each district the amount due said district whenever called for by the Directors: *Provided*, that no moneys shall be paid to any district which has not had a school taught three months in the year preceding such application.” The month of March being made the termination of the fiscal year, the question arises, in the event a school has not been taught three months in the year, thus computed, prior to the application for funds, can the district still apply for and receive said apportionment at some subsequent time, when the provis-

ions of the 11th section have been complied with? or will it be retained by the Inspector, to be apportioned with other funds the following spring?

THE COUNTY SCHOOL TAX.

The School Fund Commissioners have also met with impediments similar to those to which the township and district officers have been subject. Prior to the publication of my circular of June last, I ascertained that different constructions were given by them to that portion of the law which provides for a county school tax. Some were of opinion that a permanent fund was contemplated, to be loaned out, and the interest only, to be distributed annually for the support of schools, while others were of opinion that the entire amount was to be apportioned annually to the townships. The former view is certainly most consistent with the language of the law, while the latter was doubtless intended by the General Assembly.

To remove the difficulty I recommended to the Fund Commissioners in the circular last referred to, (see pages 8 and 9) to retain the tax in their possession till the meeting of the General Assembly, that the law might be amended in time for the distribution on the first of March next.

THE ALLOTMENT, VALUATION AND SALE OF SCHOOL LANDS.

By the 1st section of "an act to provide for the management and disposition of the school fund," approved February 25th, 1847, the township trustees are required to allot and appraise the 16th section, but the manner in which this duty shall be performed is not clearly specified. Some of them have allotted by imaginary lines, others have employed surveyors to make an actual survey, and in a few instances they have neglected to do anything. Various reasons are assigned for this neglect. Some have refused because they considered the 16th section the property of the township, others because no compensation was allowed for making the survey, and in some of the new counties they have deemed it improper to bring the land into market till the settlement of the country around it would create a demand for it. The latter conclusion, though at variance with the law, is certainly prudent. The refusal of the Fund Commissioners to defray the expenses of surveying, not feeling authorized to do so, gave rise to much dissatisfaction.

With the view of having the matter amicably and fairly adjusted, I requested them in my circular of September 18, 1848, to forward the bills, for expenses incurred in the allotment, with their annual reports, that they might be submitted to the General Assembly. A few only have been received, which I transmit herewith, (see statement F.)

By the 2d section the right of pre-emption is granted to settlers, but the amount of land they shall be permitted to pre-empt is not designated. In view of this I have advised the adoption, in reference to quantity, of the rule prescribed by the act of Congress on the subject, if the extent of the improvement would justify it. There should be some limit specified in the law, proportionate to the extent of the improvements, fixing also the compensation of the appraisers, who should be required to act under oath. The question has also been propounded, whether that portion of the 16th section which remain unsold when offered at public sale can be disposed of at private sale? I gave it as my opinion that it could, but in such cases I think there should be some restrictions.

THE COLLECTION OF FINES, FORFEITURES, ETC.

By the twenty-second section of the law, funds of this class are appropriated for the support of schools within the county where they accrue. I was informed by the Fund Commissioner of Wapello county, in October last, that an order had been drawn on him by the County Commissioners for fees and costs, in a suit for the collection of fines, on the ground that they were appropriated by law for the use of schools, that the expenses of collecting them should consequently be paid out of the school fund. Not feeling authorized to pay it he declined doing so, and requested my opinion in the case. I coincided with him fully in his views, and advised him to resist payment and test the question by suit, if necessary. He subsequently informed me that an agreed case between one of the claimants and himself, in behalf of the school fund, was submitted to the District Court, and decided in his favor. The language of the law I think is sufficiently clear on the subject. In some counties the question has been raised whether these fines shall be received by the Fund Commissioners in county orders? I am informed by a gentleman from Clinton county that it was decided, at a recent term of the court in that county, that they should be paid in cash. In most cases, however, they have been paid in coun-

ty orders. The Fund Commissioner of Dubuque county reports the sum of \$1,070 65 of this class of funds on hand, and suggests that it would be injudicious to apportion it next spring, from the consideration that it is fifty per cent. below par. The following is an extract from his letter, accompanying his report:

My report shows \$2,037 39 "money appropriated and not paid over"—to wit: arising from taxes \$693, from interest on permanent fund \$256 07, and from all other sources \$1,888 32—of this latter sum \$1,070 65 is in Dubuque county orders, and is not available, unless at a sacrifice of one-half. I am of opinion that the interest of the school fund will be advanced by holding these orders till the full amount can be realized, which will probably be in the course of three years."

It is of worthy remark that the Auditor's report shows a very heavy increase in the revenue of this county during the past year.

A case has been presented by the Fund Commissioner of Davis county, as follows: an individual was indicted for a breach of the laws, and gave security for his appearance. The recognizance was forfeited, and judgment obtained for the recovery of two forfeitures of \$200 each. Execution was issued to the sheriff, and returned by him, with the property levied upon endorsed upon it, without making the money, which appears to have been done in conformity with the instructions of the prosecuting attorney. The matter was subsequently compromised by the County Commissioners, by receiving the sum of \$100 in full for costs in the case. As this money would have accrued to the school fund, the Fund Commissioner considered it his duty to lay it before you. I presume all necessary information concerning it can be obtained from the representation from that county.

By the 29th section of the law I am required, "annually on the first day of January, to transmit to each School Fund Commissioner the amount of the proceeds of the permanent fund which were apportioned for distribution to his county, under the provisions of the twenty-eighth section of this act." It will be remembered that the first of January of each year is the day on which the interest on the permanent fund is to be paid to the Fund Commissioners, and consequently, being unadvised of the amount paid in, I could not transmit to them the amount apportioned to each one that day. In anticipation of your action in the matter, I have requested them to make

a special report of the interest paid in on the first of January next, as early thereafter as possible.

On the 10th of August last I addressed a letter to the Commissioner of the General Land Office relative to the five per cent. fund, and was advised by him, under date of August 25th, 1848, that the account had been adjusted up to December 31st, 1847, showing a balance to the credit of the State fo \$16,422 05, and that I would be informed by the First Comptroller of the Treasury of the necessary means to be adopted to obtain it. Having received no intelligence from the Comptroller, I addressed him a letter under date of November 25th, 1848. (See copy of correspondence marked G.)

The Trustees of the University met on the 20th ultimo. In determining their respective terms of service the result was as follows :

Messrs. Briggs, Gower, Lyon, Foster and Bates, two years ; Starr, Matson, Parvin, Vincent and McCrary, four years ; and Achison, Woodward, Snyder, Downey and Carleton, six years. Mr. Vincent I am informed has removed from the State.

They have decided that the organization of the literary department is inexpedient till they are enabled to realize revenue sufficient for the purpose from the sale of the University lands, but have resolved to organize the law and medical departments as soon as the necessary arrangements can be made, upon condition that the attendant expenses shall be met without drawing upon the permanent fund. A number of gentlemen of both professions have volunteered their services to carry such an arrangement into effect at an early day. This is certainly both a noble and a practicable enterprise, for it will be borne in mind that these departments are self supporting in their character. We have some of the first order of talent in the country among the legal and medical men of our State, and there is no good reason why a thorough course of lectures may not be delivered in each of these departments the ensuing winter, the present season being too far advanced. Indeed I feel fully assured that it will be done. Were it not for the fear of protracting this report to too great a length, I would like to present some facts to show the necessity of such a project. I will simply add that, from an estimate made by a committee, appointed to confer with the Board, out of 272 practicing physicians in the State, 182 are without the evidence of qualification. The result in reference to the legal profession would doubtless be similar. Only a small

portion of the University lands have been selected by the agent. I am advised by a letter from him, that he is now actively engaged in prosecuting the work, and will be at the Capital some time in January. The selections thus far made, are said to be of the best quality. It will be important in filling the vacancies of the Board of Trustees, to select a quorum adjacent to the seat of the institution.

I would suggest the propriety of providing for the collection of a State Cabinet, for the use of the University, under the direction of the Superintendent of Public Instruction. The geology and mineralogy of our own State would afford some of the most beautiful and valuable specimens. I feel assured that our citizens would take pride in promoting such an enterprise. A small appropriation would be necessary to construct temporary cases in one of the public rooms.

I conceive it but an act of justice that something should be done for the colored population of Iowa. We have but few of them among us, yet some of them own valuable property, upon which they are compelled to pay a school tax, without participating in the distribution. They should certainly be remunerated, and where it is not possible to establish schools for their benefit, they should be paid their apportionment of the school money, upon condition that it should be applied to purposes for which it was designed, with the privilege of employing teachers themselves.

In order to remove the continued source of perplexity, which has attended our operations during the past year, I would respectfully recommend the passage of a special act by the General Assembly, at an early day, recognizing all regularly organized districts, which have reported the number of persons between the ages of five and twenty-one years, either by regular or special reports, prior to this date, as entitled to their apportionment of the school money, upon the faith of said reports, giving them power to apply for, and receive the same at any time previous to the first of July, 1849, when the provisions of the 11th section have been complied with. Also, providing for the distribution, among said districts, of the county school tax in March next, and all funds then in the hands of the Fund Commissioners, County Treasurers, or any of the school officers, designed to be disbursed annually for the support of schools, giving to each district the privilege of dividing the same between the two past years, and of appropriating to each school, where they

have had more than one in a district, such proportion thereof as a majority of the electors may determine.

Through the politeness of the Hon. Christopher Morgan, Superintendent of Common Schools, of the State of New York, and the Hon. Horace Mann, former Secretary of the Board of Education of the State of Massachusetts, I have been furnished with the last annual report of their respective States, together with a volume of the New York school law, forms and instructions for the present year. Mr. W. W. Garner, of our own State, has also favored me with a volume of the revised school law of Ohio. These documents I find replete with interesting information, and regret that time will not allow me to present many valuable statistics which might be gathered from them.

It is desirable that there should be some uniformity in the selection of books to be used in our schools. By our present law no particular text books are designated, nor is it made the duty of any officer to recommend them. I think it would be judicious for the General Assembly to make a selection themselves, or to authorize the Superintendent to do so. It would certainly tend to increase the interest in the schools, and to diminish the labor of teachers. In view of the present irregularity in this particular, no inducement is offered for the introduction of the latest and most improved works. Able and experienced literary men have labored for years in arranging a series of text books, well adapted for the instruction of youth, and if we wish to avail ourselves of the result of their investigations, we must adopt as far as practicable some one of the excellent systems which have been presented. Some very popular works have recently emanated from the pen of George R. Perkins, A. M., Professor of Mathematics in the New York State Normal School. I observe that Webster's Quarto Dictionary (unabridged,) revised by Prof. Chauncey A. Goodrich, of Yale College, is attracting the attention of the friends of common schools in the eastern States. In some of them it is extensively introduced. The work is spoken of in terms of the highest commendation by the press and literary men, both in this country and in Europe. Nothing would afford me more pleasure than to see at least one copy of it procured by each of the schools in this State, as the foundation of a library. This would enable us to establish a uniform standard of orthography, which is certainly an important consideration. The work is very much reduced in price, with the view of bringing it into gen-

eral use. The following extract from the London Literary Gazette of April 1st, 1848, is worthy of special notice:

“The original edition of the American Dictionary is too well known and appreciated in England to require us to dwell at length on its plan and execution. In the present edition Prof. Goodrich has been ably assisted by several eminent men, each distinguished in his own sphere of inquiry; and the result is in the highest degree satisfactory. The work is a noble monument of erudition, and indefatigable research; and the style and accuracy of its typography would do honor to the press of any country in Europe. This volume must find its way into all our public and good private libraries, for it provides the English student with a mass of the most valuable information, which he would in vain seek for elsewhere.”

By the kindness of Mr. R. Spaulding, bookseller and stationer, Dubuque, Iowa, I have been supplied with a set of Astronomical Maps, prepared by Prof. H. Mattison, of New York, with an accompanying volume of explanations, of some two hundred pages, to which I would invite the special attention of the General Assembly and the friends of education. It may be thought by some that the science of Astronomy is too intricate for children, but no conclusion can be more erroneous. The mind is formed for research and investigation, and nothing is better calculated to excite the admiration and fix the attention of children, and lead them to contemplate their present and future destiny, than an examination of the wonderful and harmonious mechanism of the universe which is daily unfolded to their view. The design of the author of this work has been so to simplify and illustrate the subject, as to bring it within the comprehension of the smallest children embraced within our schools. Too much cannot be said in favor of this valuable production, and I hope I am not too sanguine in flattering myself that it will soon be introduced in the schools of Iowa. The maps will serve as an ornament to our school rooms, and occasional exercises upon them will tend to break the monotony consequent upon the prosecution of less interesting studies.

The American Manual, designed for the use of schools and academies, by Joseph Bartlett Burleigh, A. M., a member of the Baltimore bar, and President of Newton College, with marginal exercises, and an invaluable series of statistical and biographical tables, is a work of paramount interest to American youth. It presents in a condensed and explicit form a fund of information, which could only

be acquired by unwearied application and laborious research without it. The author is a practical teacher of twenty years experience, and is a zealous and devoted friend to the cause of universal education.

THE SCHOOL LAW.

I have referred to many of the defects of the above law to which my attention has been called by written and verbal information. It is not to be expected under existing circumstances that any system can be adopted which will be entirely free from objection. I would recommend, however, the repeal of the present law, and the passage of a new one, retaining as far as practicable the names by which the respective officers are now designated and the general outlines of the present law. The idea that the more concise the law is made the better it will subserve our purposes is certainly erroneous. The various duties required of the respective officers acting under it should be definitely and minutely set forth. In this position, I think I am sustained by the experience and practice of older States. The school law of Pennsylvania comprises a volume of some twenty pages, that of New York, (acknowledged to be one of the best in existence) about forty, and that of Ohio about seventy. Much inconvenience has been experienced during the past summer for the want of a sufficient number of copies of the school law. When I entered upon my duties in the spring, I received 500 copies from the Secretary of State. I had a corresponding number of the amendments printed, and attached the two together, and distributed them through the several counties. Being printed, however, merely in pamphlet form, they are liable soon to be destroyed. I would recommend that the new laws should be published in a substantially bound volume, embracing the constitution of the State, the several acts of Congress for our admission into the Union, and for grants of land, which have been appropriated for the use of schools, with the accompanying instructions of the Commissioner of the General Land Office, under which the same are to be selected. I would suggest also the propriety of making it the duty of the Superintendent of Public Instruction to prepare blank forms for all reports required of the respective school officers, and to give from time to time such instructions as may be best calculated to settle and harmonize the variety of constructions it may receive. A volume of this kind would be much more likely to be preserved, and

transmitted by each officer to his successor. Each officer connected with the school system should receive a just and equitable compensation—proportionate to the services he is compelled to perform, which should not be left to the discretion of other officers, but fixed by law. They should also be required to act under bond and oath, subject to penalty for neglect of duty. It cannot be expected in the present unsettled state of the country, that they should manifest that zeal and energy, which is positively necessary in the infancy of our school system, without remuneration.

THE SCHOOL FUND LAW.

Experience has shown that the above law is impracticable. We have at present thirty-two organized counties in the State, and consequently a corresponding number of Fund Commissioners, who have the management and disposition of the school fund. But few of them have furnished a statement of their contingent expenses and the amount allowed for salary by the County Commissioners. By the account current of the Fund Commissioner of Dubuque county, they amount, including the year 1847, up to November 1st, 1848, to \$554 30. This is probably too high for an average, though some of them are doubtless more. But suppose them to average \$200 00 per annum, (which will scarcely justify an individual in attending to the business properly) they will amount to \$6,400 00. By reference to statement F of this report, it will be seen that the average expense of allotting and appraising the 16th sections, as far as reported, in four counties, is \$82 12. This multiplied by the number of counties makes \$2,627 84, which added to the pay of Fund Commissioners gives a total of \$9,027 84 to be paid annually for the sale of school lands and the disposition of school funds. The number of organized counties will be doubled at no very distant day, and consequently this expense instead of being diminished, will be annually increased. Beside this, the business is now scattered and is much more liable to derangement than it would be if concentrated in the hands of one competent officer, and if once deranged, it will be a difficult matter to unravel it, where so many are concerned.

The selection of school lands is attended with great delay and some uncertainty. The object designed to be accomplished in the manner of disposing of the 500,000 acre grant (the creation of an immediate revenue) has been thwarted by the introduction of land

warrants, and it does not appear wise longer to perpetuate the system. Our school fund is of the most liberal character. It will probably amount to \$2,000,000 when the school lands are all disposed of. It is almost needless to say that the prudent and economical administration of this department of our school system is a matter of vital concern, involving the success of all our future operations. It is in view of these facts and responsibilities that I have determined to recommend the repeal of the present school fund law, and the creation of the office of State School Fund Commissioner, to be kept at the seat of government. This officer should select the remainder of the 500,000 acre grant, attend to the sale of all school lands in the State, and invest the permanent fund as the General Assembly may direct. A compensation of about \$2000 00 per annum would enable him to employ a competent clerk, and to visit the different counties, examine, allot, appraise and sell the school lands in person; and also to loan the school money, giving to each county in the State, such proportion as it should be entitled to by some convenient rule established by law for making the dividend. We certainly should profit by the sad experience of some of the other States in the management of their school fund, and I believe a majority of them have settled upon a plan similar to the one recommended, as the most judicious. The project of creating a State Land Office has been spoken of. In the event this is done, it would doubtless curtail expenses still further to embrace the school lands in it. The friends of education, in view of your present session, have been induced to withhold their exertions, and have looked forward with the most intense anxiety, to this, as the auspicious period, when they should receive relief, and I cannot suffer myself to indulge the belief that you will return to your constituency, till they have fully realized their expectations. The expenses of legislation constitute with some a sufficient reason for hurrying, and even for neglecting the most important business; but this is nothing when compared with the vital interests to be protected and fostered by it, and it is unreasonable to conclude that anything of utility can be accomplished without mature deliberation.

By the abstract of the Fund Commissioners' reports it will be seen that our organization is yet imperfect. They all assign as a reason for this, in their accompanying letters, the absence of interest on the part of the subordinate officers and the people. This apathy was to be anticipated under the circumstances. We may rea-

onably expect, however, that a few years experience will bring about a more favorable state of things. By the adoption of the above plan for the management of the school fund, the financial and educational interest of the system will be separated, and the Superintendent can devote his time more exclusively to the organization of school districts, and the establishment of schools. I purpose devoting the greater portion of the coming year to this portion of the labor assigned me, and shall endeavor to visit every portion of the State. As a people we are not alive to our own interests in treating a subject of such magnitude with neglect and indifference. Nothing will have a stronger tendency to induce the industrious and enterprising portion of community, who are emigrating from the older States, to seek a home among us than the assurance that a lively interest is manifested, and that ample provisions have been made for the promotion of this desirable object. We have no reason to be discouraged thus far, and our future prospects are of the most cheering character. We are naturally biased by local prejudices, but aside from this, I feel warranted in saying that the fairest portion of creation has been assigned us. It is indeed pleasant to contemplate our future glory and prosperity as a State. Our eastern and western boundary, each some two hundred miles in extent, is formed by the most important navigable streams in the world, thus affording as an outlet for our products north to the manufacturing regions of Minnesota, north-west to the fertile plains of Nebraska, and south to the thronged commercial marts of the lower Mississippi and the Gulf of Mexico. Our communication with the Atlantic coast also, through the medium of railroads and the great lakes of the north, will soon be almost direct. Sixteen years ago the scene of rural enchantment which surrounded the home of the savage, within our present limits, was first disturbed by the approach of civilization, and now we have a hardy and enterprising population of 140,000 souls, prosecuting with vigor and energy the various arts of agriculture, and daily extending their trade and commerce with the adjacent States. And still the eye of the western emigrant is fixed on Iowa, and scarcely a day passes but we welcome the adventurous pioneer to a home within her borders. Nature seems to have clothed herself in her fairest robes to receive us, and may we not confidently expect that the day is not far distant when seminaries of learning, dotted here and there, over the entire area of our State, will add to the loveliness of the scene.

The craggy steeps, the sunny vales, the chrystal fountains, the murmuring brooks, the roaring cataracts, the leafy groves and the fertile prairies appear to have conspired together to render us happy, and await the hand of art to bring them into requisition, that we may reap a rich reward for our toil. But all this will avail us nothing, lest we as a people act well our part.

I transmit, herewith, a copy of each of the circulars and blank forms, numbered from one to twelve inclusive, issued from this office, prior to this date, together with the bills for printing the same.

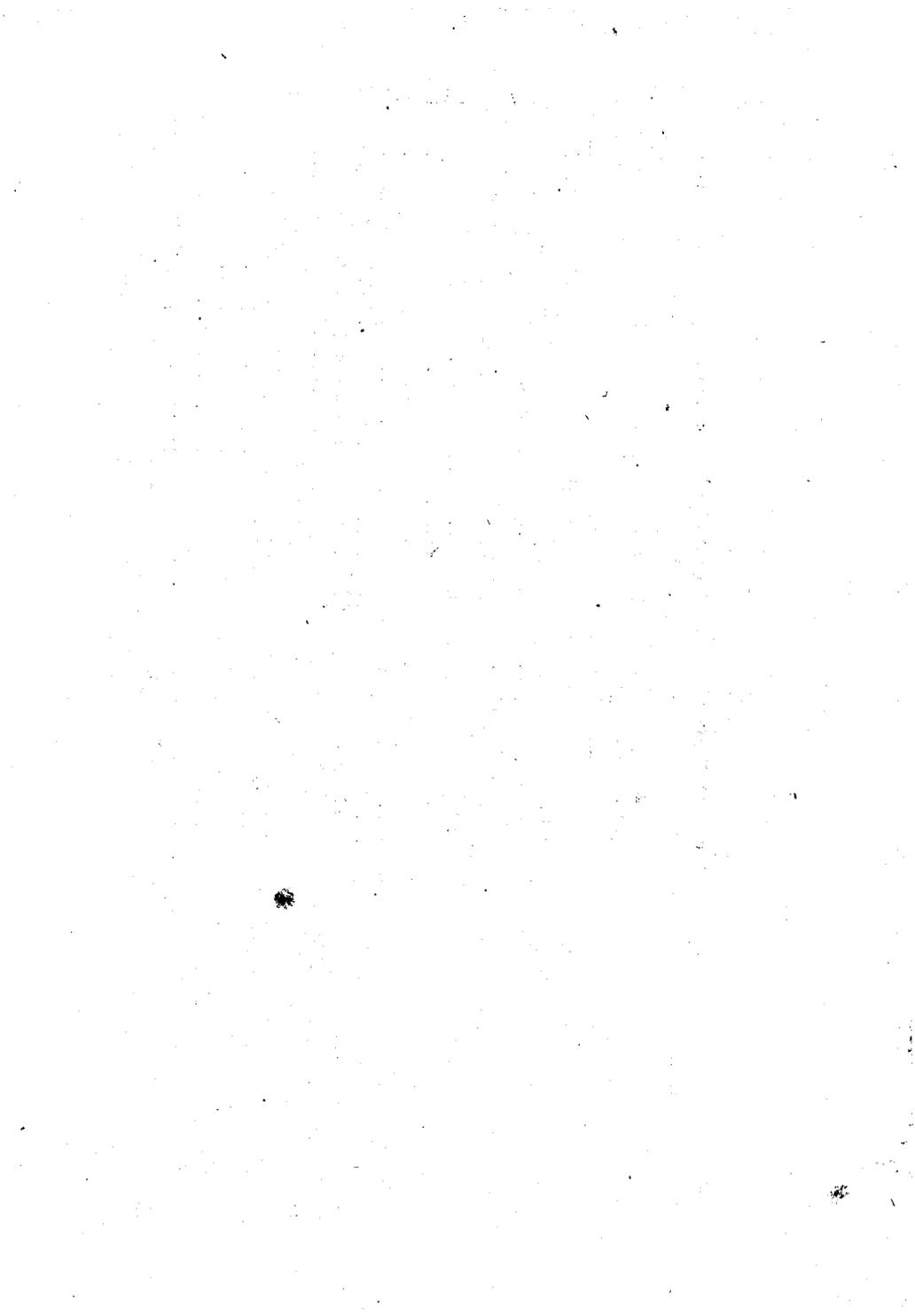
With the sincere wish that prudence and vigilance may characterize all your deliberations, and that you may be conducted to the wisest and best conclusions in the consideration of this momentous subject,

I am, very respectfully,

Your obedient servant,

THOMAS H. BENTON JR.,

Superintendent of Public Instruction.



A.

A STATEMENT exhibiting the amount of the permanent School Fund, and the manner in which the same is invested, and the number of acres of School Land which have been sold, and the proceeds thereof, as shown by the reports of the School Fund Commissioners, November 1st, 1848.

COUNTIES.	Perm'nt fund and how inv'ted.			Sales of 16th Sections.			Sales of 500,000 acre grant.			
	Loaned on real estate	Land sold on credit.	On hand.	Number of acres.	Amount in cash.	Amount on credit.	Number of acres.	Amount in cash.	Credit of 3 months	Credit of 10 years.
Appanoose,...	No sales.	.....	.....	.....	.....	.....	.....	.....	.....	.....
Benton,.....	*134 68	397 71	200 00	99.18	49 04	147 72	360	200 00	50 00	200 00
Buchanan,...	No sales.	.....	.....	.....	.....	.....	.....	.....	.....	.....
Cedar,.....	640 00	2,049 50	256 50	1,000	896 50	2,049 50	.....	.....	.....	.....
Clayton,.....	†2,551 15	.....	13 65	1,440	1,882 20	.....	640	801 00	.....	.....
Clinton,.....	103 20	309 30	.....	160	103 20	309.30	.....	.....	.....	.....
Dallas,.....	No report	.....	.....	.....	.....	.....	.....	.....	.....	.....
Des Moines,...	8,167 48	6,712 74	166 52	3,907	8,253 00	6,712 74	320	81 90	.....	320 00
Davis,.....	1,282 58	1,740 04	.....	1,800	3,022 62	1,740 04	.....	.....	.....	.....
Delaware,...	255 00	1,150 00	6 00	640	250 00	750 00	320	.....	80 00	320 00
Dubuque,...	4,093 56	5,973 27	.....	6,154 85	3,344 65	4,851 89	1,040	178 62	81 38	1,040 00
Henry,.....	3,435 91	5,484 85	.....	3,640	4,435 91	5,484 85	.....	.....	.....	.....
Iowa,.....	No sales.	.....	.....	.....	.....	.....	.....	.....	.....	.....
Jasper,.....	No report	.....	.....	.....	.....	.....	.....	.....	.....	.....
Jackson,.....	No sales	.....	.....	.....	.....	.....	.....	.....	.....	.....
Jefferson,...	1,536 75	4,785 52	393 17	2,990	1,929 92	4,785 52	.....	.....	.....	.....
Johnson,.....	1,038 33	2,952 91	28 84	1,347.75	998 02	2,994 06	.....	.....	.....	.....

Jones,.....	772 81	5,038 43	12 50	1,187	554 81	1,358 43	3,200	320 00	480 00	3,200 00
Keokuk,.....	600 00	1,959 00	53 00	1,440	653 00	1,959 00	.....	.....	.....	.....
Lee,.....	5,093 30	7,841 36	120 00	6,680	5,093 30	7,841 36	.....	.....	.....	.....
Linn,.....	.....	950 00	8 00	.....	.....	.....	760	.....	190 00	760 00
Louisa,.....	2,305 00	4,777 22	.....	2,830	2,325 71	4,502 42	640	.....	260 00	640 00
Mahaska,†	815 00	4,389 22	.....	680.90	292 70	629.22	3,366.75	160 00	560 00	2,200 00
Marion,.....	2,718 66	2,358 50	.....	3,600	2,829 50	1,718 50	640	160 00	.....	640 00
Monroe,.....	807 00	890 00	25 00	960	337 50	982 50	320	.....	80 00	320 00
Muscatine,...	748 75	803 62	79 67	733.75	679 87	864 62	.....	.....	.....	.....
Polk,.....	744 00	4,005 72	413 50	652.50	197 65	502 00	3,291.38	250 00	540 73	3,162 99
Poweshiek, ..	No sale.	.....	.....	.....	.....	.....	.....	.....	.....	.....
Scott,.....	1,263 25	2,667 51	131 66	1,280	1,332 49	2,697 51	.....	.....	.....	.....
Van Buren, ..	2,876 93	3,755 02	§194 43	.....	.....	.....	.....	.....	.....	.....
Washington, ..	1,916 00	3,728 02	568 75	2,797	2,684 75	3,728 02	.....	.....	.....	.....
Wapello,.....	5,119 31	6,379 65	121 56	2,208.61	1,563 93	2,696 88	7,041.67	612 88	777 57	5,561 71
	49,018.65	81,099.12	2,790.75	58,228.54	43,608.27	59,276.08	21,939.80	2,763.50	2,999.68	19,364.70

* Sixty-three dollars and sixty-two cents in hands of predecessors.

† Including \$105 County School Tax for 1847, and deducting compensation for services, \$223 50, invested "as the school law directs."

‡ \$281 12 "amount on former contracts paid former School Fund Commissioner," not included.

§ Including interest received on permanent fund.

B.

A STATEMENT of money appropriated annually by law and paid over for the support of schools, and the source from which the same accrued, as shown by the reports of the School Fund Commissioners, November 1st, 1848.

COUNTIES.	County school tax.	Interest of permanent fund.	Military fines	Fines for breach of the laws.	Sale of water crafts.	Sale of lost goods.	Sale of es trays.	Voluntary subscrip- tion.	Grocery license.
Apanooce, . . . . .	.....	.....	.....	.....	.....	.....	.....	.....	.....
Benton, . . . . .	.....	.....	.....	.....	.....	.....	.....	.....	.....
Buchanan, . . . . .	.....	.....	.....	.....	.....	.....	.....	.....	.....
Cedar, . . . . .	.....	.....	.....	.....	.....	.....	.....	\$50 00	.....
Clayton, . . . . .	.....	.....	.....	.....	.....	.....	.....	114 50	.....
Clinton, . . . . .	.....	.....	.....	.....	.....	.....	.....	102 95	.....
Dallas, . . . . .	.....	.....	.....	.....	.....	.....	.....	.....	.....
Des Moines,	\$1,575 25	\$1,313 00	.....	\$97 00	.....	.....	.....	.....	\$548 75
Davis, . . . . .	.....	.....	.....	.....	.....	.....	.....	.....	.....
Delaware, . . . . .	.....	.....	.....	.....	.....	.....	.....	.....	.....
Dubuque, . . . . .	.....	.....	.....	.....	.....	.....	.....	.....	.....
Henry,	606 43	73 05	.....	30 00	.....	.....	\$16 67	575 99	.....
Iowa, . . . . .	.....	.....	.....	.....	.....	.....	.....	.....	.....
Jasper,	No report.	.....	.....	.....	.....	.....	.....	.....	.....
Jackson, . . . . .	.....	.....	.....	.....	.....	.....	.....	.....	.....
Jefferson,	40 62	.....	.....	.....	.....	.....	.....	297 73	.....
Johnson, . . . . .	.....	.....	.....	.....	.....	.....	.....	.....	.....
Jones,	154 31	30 00	.....	.....	.....	.....	.....	.....	.....

Keokuk,.....	.....	.....	.....	.....	.....	.....	.....	.....	.....
Lee,.....	1,000 00	.....	.....	.....	.....	.....	.....	.....	.....
Linn,.....	76 90*	.....	.....	.....	.....	.....	129 10	.....	.....
Louisa,.....	192 52	.....	.....	20 00	.....	18 00	661 93	.....	.....
Mahaska,.....	.....	.....	.....	.....	.....	.....	154 13	.....	.....
Marion,.....	89 65	17 40	.....	.....	.....	.....	.....	.....	.....
Monroe,.....	26 67	16 26	.....	5 00	.....	.....	.....	.....	.....
Muscatine,.....	.....	.....	.....	.....	.....	.....	.....	.....	.....
Polk,.....	93 11	17 37	.....	.....	.....	.....	.....	.....	.....
Poweshiek,.....	.....	.....	.....	.....	.....	.....	.....	.....	.....
Scott,.....	258 08	.....	.....	.....	.....	.....	270 00	.....	.....
Van Buren,.....	53 76†	.....	.....	.....	.....	.....	421 40	.....	.....
Washington,.....	233 00	.....	.....	42 50	.....	24 99	851 33	.....	.....
Wappello,.....	221 96	9 21	.....	.....	.....	.....	206 57	.....	.....
	\$4,623 26	\$1,476 29	.....	\$194 50	.....	.....	\$59 66	\$3,835 63	\$548 75

* Tax for 1846 reported from three townships.

† "Public fund," source not stated.

C.

A STATEMENT of money appropriated annually by law, and still on hand, for the support of schools, and the source from which the same accrued, as shown by the reports of the School Fund Commissioners, November 1st, 1848.

COUNTIES.	County school tax.	Interest of permanent fund.	Military fines	Fines for breach of the laws.	Sale of water crafts.	Sale of lost goods.	Sale of es trays.	Voluntary subscription.	Grocery license.
Appanooce,	\$ 5 35	.....	.....	.....	.....	.....	.....	.....	.....
Benton,	9 59	.....	.....	.....	.....	.....	.....	.....	.....
Buchanan, . . . . .	.....	.....	.....	.....	.....	.....	.....	.....	.....
Cedar, . . . . .	.....	.....	.....	.....	.....	.....	.....	.....	.....
Clayton,	*149 89	\$165 41	.....	.....	.....	.....	.....	.....	.....
Clinton . . . . .	.....	.....	.....	.....	.....	.....	.....	.....	.....
Dallas,	No report.	.....	.....	.....	.....	.....	.....	.....	.....
Des Moines, . . . . .	.....	.....	.....	.....	.....	.....	.....	.....	.....
Davis,	163 00	105 50	.....	\$52 00	.....	.....	\$36 30	.....	\$65 00
Delaware,	149 96	37 50	.....	.....	.....	.....	.....	.....	.....
Dubuque,	993 00	256 07	.....	+1,088 32	.....	.....	.....	.....	.....
Henry, . . . . .	.....	.....	.....	.....	.....	.....	.....	.....	.....
Iowa,	7 46	.....	.....	.....	.....	.....	.....	.....	.....
Jasper,	No report.	.....	.....	.....	.....	.....	.....	.....	.....
Jackson, . . . . .	.....	.....	.....	.....	.....	.....	.....	.....	.....
Jefferson, . . . . .	.....	.....	.....	.....	.....	.....	.....	.....	.....

Johnson, .....	.....	.....	.....	.....	.....	.....	.....	.....
Jones,	56 00	†24 00	.....	5 00	.....	.....	.....	.....
Keokuk, .....	.....	.....	.....	.....	.....	.....	.....	.....
Lee,	217 00	.....	.....	10 00	.....	.....	.....	.....
Linn,	237 68	.....	.....	.....	.....	.....	.....	.....
Louisa,	38 47	.....	.....	.....	.....	.....	.....	.....
NS Mahaska, .....	.....	.....	.....	.....	60 21	.....	.....	.....
Marion, .....	.....	.....	.....	.....	.....	.....	.....	.....
Monroe,	10 05	.....	.....	.....	.....	.....	.....	.....
Muscatine, .....	.....	.....	.....	.....	.....	.....	.....	.....
Polk, .....	.....	.....	.....	.....	.....	.....	.....	.....
Poweshiek, .....	.....	.....	.....	.....	.....	.....	.....	.....
Scott,	41 93	20 50	.....	.....	.....	.....	.....	.....
Van Buren, .....	.....	.....	.....	.....	.....	.....	.....	.....
Washington, .....	.....	.....	.....	.....	.....	.....	.....	.....
Wappello, .....	.....	.....	.....	.....	.....	.....	.....	.....
	<u>1,779 37</u>	<u>\$708 98</u>	.....	<u>\$1155.32</u>	.....	<u>60 21</u>	<u>36 30</u>	<u>\$65 00</u>

* School tax for 1848—not collected.

† From different sources, not designated.

‡ In hands of predecessor.

D.

A STATEMENT exhibiting the number of organized districts, persons between the ages of 5 and 21 years, schools taught, pupils taught, teachers employed, days pupils have been taught, and the average pay of teachers per month, as shown by the reports of the School Fund Commissioners, November 1st, 1848.

COUNTIES.	Fund Commissioners	No. of organized districts.	No. of persons between 5 and 21 years.	No. of schools	Number of pupils taught.	No. of teachers employed.		Average pay of teachers.		Numb. of days pupils have been taught.
						Male.	Female	Male.	Female.	
Appanoce, .	D. P. Sparks, . . .	6	224	..	..	..	..	..	..	..
Benton, . . .	E. H. Keys,	3	73	..	..	..	..	..	..	..
Buchanan, . .	S. B. Stoughton, . .	1	130	..	..	..	..	\$12 05	\$6 00	130
Cedar,	Wm. Mason, . . . .	..	788	..	123	..	..	..	..	7111
Clayton, . . .	E. Price,	14	403	5	127	1	5	..	..	2390
Clinton, . . .	A. R. Bissell,	21	526	6	526	..	..	14 00	6 00	7043
Des Moines, .	Wm. Walker,	59	4645	..	..	..	..	..	..	..
Davis,	H. Dunlavey, . . . .	..	1812	..	..	..	..	..	..	300
Delaware, . .	John Benson,	14	436	12	266	..	..	..	..	..
Dubuque, . . .	M. Mobley,	20	1280	6	82	..	..	12 00	..	540
Henry,	A. McKinney,	16	2628	..	606	14	2	15 00	10 00	..
Iowa,	J. Wyckoff,	1	42	..	..	..	..	..	..	..
Jasper,	W. W. Ferguson, . . .	..	..	..	..	..	..	..	..	..
Jackson, . . .	W. Hubbell,	21	800	11	325	..	..	..	..	9642
Jefferson, . .	F. M. Allen,	52	2988	..	300	..	..	..	..	9519

Johnson, . . .	Eli Myers,	19	1022	8	527	8	3	.....	.....	11582
Jones,	J. A. Secrest, . . .	20	694	4	122	..	..	.....	.....	5398
Keokuk,	J. B. Whisler, . . .	24	1286	..	....	..	..	.....	.....	.....
Lee,	William Stewart, . .	95	5573	..	1434	35	2	.....	.....	54695
Linn,	A. Brown, . . . . .	..	1221	..	195	..	..	.....	.....	9517
Louisa,	Oliver Benton, . . .	33	1588	9	403	9	..	.....	.....	19869
Mahaska,	P. L. Crossman, . . .	37	1516	..	....	..	..	.....	.....	.....
Marion,	J. B. Hamilton, . . .	27	1125	8	274	8	1	.....	.....	520
Monroe,	J. M. Richardson, . .	11	367	..	....	..	..	.....	.....	2242
Muscatine, . . . . .	.....	..	1360	..	473	..	..	.....	.....	14910
Polk,	Thos. McMullen, . . .	..	752	..	....	..	..	.....	.....	.....
Poweshiek,	W. H. Barnes,	4	72	..	....	..	..	.....	.....	.....
Scott,	H. Price,	23	1085	..	421	..	..	.....	.....	15900
Van Buren,	S. Clayton,	73	3256	..	....	..	..	.....	.....	13606
Washington,	N. P. Cooper,	30	1372	29	620	21	8	25 00	12 00	20692
Wappello,	Joseph Myers,	5	2382	7	253	5	2	14 61	7 00	5868
		673	41446	105	7077	101	23	\$92 61	\$41 00	211474

E.

A STATEMENT showing the number of persons in the following counties between the ages of five and twenty-one years, returned by special reports :

Counties.	No. of persons.
Benton,.....	89
Henry,.....	177
Johnson,.....	277
Linn,.....	113
Van Buren,.....	333
Total,.....	958

F.

A STATEMENT showing the amount of expenses incurred for allotting and appraising the 16th sections, in the following counties :

Counties.	Amount.
Clinton,.....	76 00
Jefferson,* (one township),.....	26 75
Johnson, (six townships),.....	48 50
Louisa,†.....	196 25
Muscatine,.....	64 00
	\$411 50

* Seventy-seven days reported in addition to the above, without stating the price.

† The sum of \$140 00 of the above paid in 1847; balance not paid.

G.

OFFICE OF SUPERINTENDENT OF PUBLIC INSTRUCTION, }
Iowa City, Iowa, August 10th, 1848. }

SIR: The fourteenth section of an act of the General Assembly of Iowa, entitled "an act to provide for the management and disposition of the school fund," approved February 25th, 1847, provides that "the five per centum upon the net proceeds of the sales of the public lands, granted by the United States to this State, shall be paid into the hands of the Superintendent of Public Instruction, to be disposed of according to law." Please advise me at your earliest convenience when this account with the State will be settled, and what steps are necessary to be taken relative to it.

Very respectfully,

Your obedient servant,

THOMAS H. BENTON, JR.,

Superintendent of Public Instruction.

HON. R. M. YOUNG,

Commissisner General Land Office, Washington City, D. C.

GENERAL LAND OFFICE, }
August 25, 1848. }

SIR: In reply to your enquiry of the 10th inst., you are advised that the five per centum fund account between the United States and the State of Iowa, has been audited at this office, for the period commencing the 28th December, 1846, and ending the 31st December, 1847, and a balance of \$16,422 05 reported to the First Comptroller of the Treasury as due the State. Your letter has also been referred to that officer, who will advise you what measures are necessary to be adopted to bring that amount into the State Treasury.

I am, sir, very respectfully,

Your obedient servant,

RICHARD M. YOUNG,

Commissioner.

THOMAS H. BENTON, JR., Esq.,

Superintendent of Public Instruction, Iowa City, Iowa.

OFFICE OF SUPERINTENDENT OF PUBLIC INSTRUCTION, }
 Iowa City, Iowa, November 25, 1848. }

SIR: I was advised by the Commissioner of the General Land Office, under date of August 25th, 1848, that the amount due the State of Iowa, arising from the five per centum fund account between the United States and this State, up to December 31st, 1847, was \$16,422 05, and that you would inform me what steps were necessary to be taken in order to obtain it. As I have received no intelligence from your department as yet, have the kindness to advise me at your earliest convenience on the subject. Please refer to my correspondence with the Commissioner.

Very respectfully,

Your obedient servant,

THOMAS H. BENTON, JR.,
 Superintendent of Public Instruction.

FIRST COMPTROLLER,

Treasury Department, Washington City, D. C.

On motion of Mr Sargeant,

The reading of the Report was dispensed with, and two thousand copies ordered to be printed for the use of the General Assembly.

On motion of Mr Timmons,

The House adjourned.

2 o'clock, P. M.

House met pursuant to adjournment.

On motion of Mr Timmons,

Senate file, No. 12, Joint Resolution to accept the reconnoissance and preliminary survey, of the proposed railroad route, from Dubuque to Keokuk,

Was taken from the table and read a first time.

Mr Burroughs moved the suspension of the 42nd rule;

And upon this question,

The yeas and nays were demanded;

And were as follows :

Yeas 9,

Nays 24.

Those who voted in the affirmative, were

Messrs Bourne, Burroughs, McCrary, McManaman, Stephenson, Timmons, Thompson, Williams, Wood and Woodworth.

Those who voted in the negative, were

Messrs Alexander, Allison, Babbitt, Baker, Betts, Collins, Corse, Davidson, Elmer, Evans, Flint, Gifford, Harrison, Jacobs, Langton, Mahony, McFarland, Norton, Penny, Read, Sargeant, Walker, Weyand and Mr Speaker.

Messrs Goodrell, Griffith, Riggs and Sales being absent did not vote.

So the 42nd rule was not suspended.

On motion of Mr Corse,

The House resolved itself into Committee of the Whole for the consideration of

H. R. file, No. 11, A Bill for an act to preserve the purity of elections.

Mr Harrison in the chair.

And after some time spent therein, the committee rose and by their chairman reported,

That the Committee of the whole House have had under their consideration, H. R. file, No. 11, and instructed him to report progress and ask leave to sit again.

And the question being put,

“Will the House concur in the report of the committee?”

It was decided in the affirmative.

The following message was received from the Senate, by Mr Rockwell, their Secretary :

MR SPEAKER :

I am directed to inform the House of Representatives, that the Senate have passed

H. R. file, No. 6, An Act to incorporate the city of Keokuk, with the following amendment :

Strike out the words “publication in the weekly newspapers printed at the city of Keokuk” and insert the word “passage.”

I herewith return,

H. R. file, No. 4, An Act authorizing W. S. Townsend to keep a ferry across the Missouri river at Traders Point.

The same having received the signature of the President of the Senate.

And then he withdrew.

On motion of Mr Read,

H. R. file, No. 11, A Bill for an act to incorporate the city of Keokuk,

Was taken from the table, together with the amendment made by the Senate.

And the question being put,

“Will the House concur in the amendment made by the Senate?”

It was decided in the affirmative.

On motion of Mr McFarland,

The House adjourned.

Tuesday Morning, December 12th, 1848.

The House met pursuant to adjournment.

Mr Bourne presented the claim of Hiram Brown, sheriff of Clinton county.

Which, on his motion, was referred to the standing Committee on Claims.

Mr Harrison presented the petition of William Hamilton and sundry other citizens, praying that a portion of Louisa county be attached to Johnson county;

Which, upon his motion, was referred to a Select Committee of three.

Messrs Harrison, Williams and Betts were appointed said Committee.

Mr Betts presented the petition of sundry citizens, praying for a change in the memorial of last session, concerning the Dubuque and Keokuk railroad;

Which was,

On motion of Mr Timmons,

Referred to a Select Committee of three.

Messrs Timmons, Betts and Harrison were appointed said committee.

Mr Gifford obtained leave to introduce

H. R. file, No. 21, Joint Resolution for a grant of land from Congress;

Which was read a first time.

Mr Mahony gave notice that he would on to-morrow, or some future day, ask leave to introduce,

A Bill for an act amendatory to an act entitled "an act to provide for levying and collecting revenue for State and county purposes."

Mr McFarland obtained leave to introduce,

H. R. file, No. 22, Joint Resolution authorizing the Secretary of State to certify to certain accounts;

Which was read a first time.

Mr Collins gave notice that on to-morrow, or some future day, he would ask leave to introduce,

A Bill for an act amendatory to an act entitled "an act regulating the duty of Supervisors on roads.

Mr Wood gave notice that on to-morrow, or some future day, he would ask leave to introduce,

A Bill for an act to locate a State road from Monona, in the county of Clayton, to Fort Atkinson.

Also,

A Bill for an act authorizing F. Andros, Clerk of the District Court for the county of Clayton, to transcribe the records of said Court.

Also,

A Bill for an act authorizing Robert D. Read, Clerk of the County Commissioners Court, and Recorder of the county of Clayton, to transcribe from the records of the county of Dubuque all records properly belonging to the county of Clayton, and all records of said county now remaining on leaves.

Mr Babbitt gave notice that he would on to-morrow, or some future day, ask leave to introduce,

A Bill for an act to authorize the Judge of Probate in Marion county to transcribe the records of the Probate Court.

Also,

A Bill for an act to amend an act entitled "an act defining the

duties of Supervisors of Roads and Highways," approved January 17th, 1840.

Mr Corse obtained leave to introduce,

H. R. file No. 23, A Bill for an act to amend the charter of the city of Burlington;

Which was read a first time,

And then,

On motion of Mr Corse,

The 42nd rule was suspended, the bill read a second and third time, passed and its title agreed to.

Mr Flint from the Committee on Incorporations submitted the following report:

The Committee on Incorporations have had under their consideration H. R. file No. 7, A Bill for an act to authorize John A. McFarland, his heirs and assigns, to establish and keep a ferry across the Mississippi river at the town of Montrose, in the county of Lee, and State of Iowa; and have instructed me to report the same with the following amendment:

Strike out of the first section the words "with an exclusive privilege," and insert after section third the following, "this act may be altered, amended or repealed by any future legislature."

And the question being upon the concurrence of the House in the report,

It was decided in the affirmative.

Mr Allison obtained leave to introduce

H. R. file, No. 24, A Bill for an act to be entitled An Act making an appropriation for a State road running from Agency City, in Wappello county, to Council Point on the Missouri river;

Which was read a first time.

Mr Babbitt obtained leave to introduce

H. R. file, No. 25, A Bill for an act to amend an act entitled "An act creating a Board of Public Works and providing for the improvement of the Des Moines river," approved February 26th, 1847, and to repeal an act supplemental thereto, approved January 24th, 1848;

Which was read a first time,

And then,

On motion of Mr Gifford,

The usual number of copies were ordered to be printed.

The Speaker presented the following communication from his Excellency, the Governor:

GENTLEMEN OF THE HOUSE OF REPRESENTATIVES:

In compliance with a resolution which passed the House of Representatives, the 11th inst., requesting me to inform the House "whether the Commissioners appointed to revise the laws of this State, are now, or ever have been, in session, for the purpose for which they have been appointed; and if so, whether they have prepared, examined or considered any one bill or bills, or whether they have, in any manner, performed any portion of the duties devolving upon them as Commissioners to revise and report a code of laws." I would respectfully state that all the information in my possession relative to the proceedings of the Commissioners, I have obtained from their report to me; which report I have transmitted to the Legislature. It is, therefore, impossible for me to give any further answer to the interrogatories contained in the resolution.

ANSEL BRIGGS.

IOWA CITY, December 12, 1848.

Which was,

On motion of Mr Weyand,
Laid upon the table.

H. R. file, No. 15, Joint Resolution asking a donation of land for the improvement of the Muscatine Island;

Was read a second time, and

On motion of Mr Williams,

The 42nd rule was suspended, the bill read a third time, passed and its title agreed to.

H. R. file, No. 16, A Bill for an act authorizing the Board of Commissioners, of Jefferson county, to erect a Court House on the public square, in the town of Fairfield, in said county;

Was read a second time, and

On motion of Mr Weyand,

Ordered, To be engrossed and read a third time to-morrow.

H. R. file, No. 17, A Bill for an act authorizing George Kiel to keep a wharf-boat at the town of Fort Madison;

Was read a second time, and

On motion of Mr McFarland,

Ordered, To be engrossed and read a third time to-morrow.

H. R. file, No. 18, Joint Resolution requesting our Senators and

Representatives in Congress to procure an appropriation to pay the expenses of the Missouri war ;

Was read a second time, and

On motion of Mr Babbitt,

The 42nd rule was suspended, the Joint Resolution read a third time, passed and its title agreed to.

H. R. file, No. 19, Joint Resolution providing for the adjournment of the General Assembly ;

Was read a second time.

Mr Harrison moved to lay the resolution on the table ;

And upon this question,

The yeas and nays were demanded,

And were as follows :

Yeas 30,

Nays 6.

Those who voted in the affirmative were,

Messrs Alexander, Babbitt, Baker, Betts, Bourne, Collins, Corse, Davidson, Evans, Flint, Gifford, Harrison, Jacobs, Langton, Mahony, McFarland, McManaman, Norton, Penny, Read, Riggs, Sales, Sargeant, Stephenson, Timmons, Walker, Weyand, Williams, Wood and Mr Speaker.

Those who voted in the negative, were

Messrs Allison, Burroughs, Elmer, McCrary, Thompson and Woodworth.

So the resolution was laid upon the table.

H. R. file, No. 20, Joint Resolution authorizing the Secretary of State to certify to the bill of Spalding & Phelps ;

Was read a second time, and

On motion of Mr Babbitt,

Was referred to the Committee on Claims.

Senate file, No. 12, Joint Resolution, accepting of the reconnaissance and preliminary survey of the proposed railroad route from Dubuque to Keokuk ;

Was read a second time, and

On motion of Mr Weyand,

Was referred to the Committee on Roads and Highways.

The following message was received from the Senate, by Mr Rockwell, their Secretary :

MR SPEAKER :

I am directed to inform the House of Representatives, that the Senate have passed,

Senate file, No. 16, Joint Resolution accompanying the report of the Committee on the Judiciary, relative to the revision of the code of laws.

Also,

Senate file, No. 18, Memorial to Congress for their construction of the act appropriating lands for the improvement of the Des Moines river.

In all of which the concurrence of the House is requested.

And then he withdrew.

The House then resolved itself into a Committee of the Whole for the further consideration of,

H. R. file, No. 11, A Bill for an act to preserve the purity of elections;

And after some time spent therein rose, and by their chairman, Mr. Harrison, reported progress and asked leave to sit again.

On motion of Mr Corse,

The House adjourned until 2 o'clock P. M.

2 o'clock, P. M.

House met pursuant to adjournment.

Mr Sargeant from the Committee on Enrolled Bills reported that they had examined,

H. R. file, No. 6, An Act to incorporate the city of Keokuk, and found the same correctly enrolled;

Which act was then presented to the Speaker for his signature.

On motion of Mr Corse,

The House resolved itself into a Committee of the Whole, for the further consideration of,

H. R. file, No. 11, A Bill for an act to preserve the purity of elections.

Mr Harrison in the chair.

And after some time spent therein, the Committee rose and re-

ported the bill back with sundry amendments, and recommended its passage.

On motion of Mr Mahony,

The amendments made by the Committee were taken up separately and adopted.

On motion of Mr Weyand,

The bill was

Ordered, To be engrossed and read a third time to-morrow.

Mr Mahony offered the following resolution :

Resolved, That the Educational Convention shall have the use of this Hall on Thursday afternoon next, to hold a meeting of said Convention ;

Which was adopted.

Mr Read offered the following resolution :

Resolved, That Russell & Doyle, publishers of the Keokuk Telegraphic Dispatch, be employed to print five hundred copies of the Journals of the House of Representatives, of the present session, and that they be paid therefor the price allowed by law ; their bill to be audited and warrants drawn upon the Treasurer for the amount when the work shall be completed and delivered.

Mr Harrison moved to lay the resolution upon the table ;

Which was agreed to.

Mr McFarland obtained leave to introduce,

H. R. file, No. 26, A Bill for an act to amend an act entitled "an act to establish new counties and define their boundaries ;"

Which was read a first time.

The following message was received from the Senate, by Mr Rockwell, their Secretary :

MR SPEAKER :

I am directed to return,

H. R. file, No. 6, An Act to incorporate the city of Keokuk ;

The same having received the signature of the President of the Senate.

I am also directed to inform you that the Senate have reconsidered the vote had upon the passage of,

Senate file, No. 16, Joint Resolution, accompanying report of the committee to whom was referred the report of the Revising Committee.

And then he withdrew.

Mr Mahony obtained leave to introduce,
H. R. file, No. 27, A Bill for an act to provide for the assessment
and collection of the county revenue;

Which was read a first time.

On motion of Mr Harrison,

The House adjourned until 10 o'clock A. M. to-morrow.

Wednesday Morning, December 13th, 1848.

The House met pursuant to adjournment.

Mr Betts presented the petition of sundry citizens of Iowa, praying for a change in the memorial of last session, in relation to a donation of land for the construction of a railroad from Dubuque to Keokuk, so as not to mention, as a point, any other places than Dubuque, Iowa City and Keokuk; which was,

On motion of Mr Burroughs,

Referred to the Committee on Roads and Highways.

Mr Timmons gave notice that he would, on to-morrow or some future day, ask leave to introduce,

A Joint Resolution in relation to the printing of the Journals and Laws of the present session of the General Assembly.

Mr Gifford gave notice that on to-morrow, or some future day, he would ask leave to introduce,

A Bill for an act to provide for the navigation of the Des Moines river, between the mouth of the Raccoon Fork thereof and the northern boundary of this State.

Mr Weyand offered the following resolution:

Resolved, That the Governor be requested to inform this House whether he has received any report from the Commissioners appointed to locate a seat of government for the State of Iowa; and if so, to send a copy of such report to this House.

Which was adopted.

Mr Read, from the Committee on the Des Moines river Improvements, submitted the following report:

MR SPEAKER:

The Committee on the Des Moines river Improvements, to whom

was referred, A Bill for an act reducing the price of the Des Moines river lands, have had the same under consideration, and recommend to this House a postponement of the further consideration of said bill; and all further action by this House upon the subject of said improvement until the report of the Board of Public Works is printed and laid before the members.

The Committee deem this Improvement an important one to the whole State, and look upon much special legislation upon this subject as having an injurious tendency. The Committee, as at present advised, are of opinion that some general law can be enacted upon the subject, which will avoid the necessity of much special legislation, and at the same time meet the views and desires of all, and not prejudice the future advancement of the work.

And the question being upon the concurrence of the House in the report,

It was decided in the affirmative.

Mr Sales, from the Committee on Engrossed Bills, submitted the following report:

The Committee on Engrossed Bills, to whom was referred
H. R. file, No. 16, and H. R. file, No. 17,

Have instructed me to report that they have examined the same and found them to be correctly engrossed.

Mr Betts, from the Committee on Claims, submitted the following report:

The Committee on Claims to whom was referred certain claims and accounts, have examined the same and have instructed me to report, that they allowed as correct the following sums, and recommend that the Committee on Expenditures include them in the general appropriation bill:

To L. J. Hodges, on certificate No. 48, issued by Amos

Ladd,..... \$69 00

“ H. Brown,..... 100 00

And also that the bill of Spalding & Phelps be certified by the Secretary of State.

And the question being put,

“ Will the House concur in the report made by the Committee on Claims ?”

It was decided in the affirmative.

Mr Collins from the Committee on Roads and Highways, to whom was referred

H. R. file, No. 13, A Bill for an act to establish a State road from Eddyville to Bloomfield,

Reported the same back without amendment and recommended its passage.

Mr Babbitt obtained leave to introduce

H. R. file, No. 28, A Bill for an act to authorize the Judge of Probate, of Marion county, to transcribe the records of the Probate Court of said county;

Which was read a first time.

Mr Read obtained leave to introduce

H. R. file, No. 29, A Bill for an act to repeal an act entitled "An act to amend an act defining the time of holding elections for State, district and county officers," approved, February 25, 1847;

Which was read a first time.

Mr Babbitt obtained leave to introduce

H. R. file, No. 30, A Bill for an act to amend an act, entitled "An Act defining the duties of Supervisors of Roads and Highways," approved, January 17th, 1840;

Which was read a first time.

Senate file, No. 18, Memorial to Congress for the construction of the act appropriating lands for the improvement of the Des Moines river;

Was read a first time, and

On motion of Mr Babbitt,

The 42nd rule was suspended, the memorial read a second and third time, passed and its title agreed to.

H. R. file, No. 21, Joint Resolution for a grant of land from Congress;

Was read a second time.

Mr Gifford moved to amend by inserting after the word Davenport, the word "Bloomington;"

Pending which,

On motion of Mr Goodrell,

The resolution was referred to the Standing Committee on Roads and Highways.

H. R. file, No. 24, A Bill for an act making an appropriation for a State road from Agency city to Council Point, on the Missouri river;

Was read a second time, and

On motion of Mr Allison,

Referred to the Committee on Roads and Highways.

The following message was received from the Senate by Mr Rockwell, their Secretary:

MR SPEAKER:

I am directed to inform the House of Representatives that the Senate has passed,

Senate file, No. 7, An Act to establish an additional election precinct in Van Buren township, Van Buren county;

Also,

Senate file, No. 13, Memorial to Congress for an appropriation for the improvement of the navigation of the Iowa river.

In all of which the concurrence of the House is requested.

And then he withdrew.

H. R. file, No. 26, A Bill for an act to amend an act entitled "an act to establish new counties and define their boundaries;"

Was read a second time, and

On motion of Mr Corse,

Was referred to the Committee on New Counties.

H. R. file, No. 27, A Bill for an act to provide for the assessment and collecting revenue for State and county purposes;

Was read a second time, and

On motion of Mr Griffith,

Was referred to the Committee on Ways and Means.

Mr Weyand moved to print the usual number of copies;

And upon this question,

The yeas and nays were demanded,

And were as follows:

Yeas 15,

Nays 23.

Those who voted in the affirmative, were

Messrs Alexander, Baker, Betts, Collins, Evans, Langton, Mahony, McCrary, McFarland, McManaman, Read, Sales, Weyand, Wood and Mr Speaker.

Those who voted in the negative, were

Messrs Allison, Babbitt, Bourne, Burroughs, Corse, Davidson, Elmer, Flint, Gifford, Goodrell, Griffith, Harrison, Jacobs, Norton, Penny, Riggs, Sargeant, Stephenson, Timmons, Thompson, Walker, Williams and Woodworth.

So the motion was lost.

H. R. file, No. 22, Joint Resolution authorizing the Secretary of State to certify to certain accounts ;

Was read a second time, and

On motion of Mr Harrison,

Was referred to the Committee on Claims.

H. R. file, No. 7, A Bill for an act to authorize John A. McFarland to keep a ferry across the Mississippi river, at the town of Montrose, in Lee county ;

Was read a third time, passed and its title agreed to.

H. R. file, No. 16, A Bill for an act authorizing the Board of Commissioners, of Jefferson county, to build a Court House on the public square, in the town of Fairfield ;

Was read a second time.

And the question being upon the passage of the bill,

The yeas and nays were demanded,

And were as follows :

Yeas 21,

Nays 14.

Those who voted in the affirmative, were

Messrs Alexander, Babbitt, Baker, Betts, Collins, Evans, Flint, Griffith, Harrison, Jacobs, Langton, McCrary, McFarland, Norton, Read, Riggs, Sales, Walker, Weyand, Wood and Mr Speaker.

Those who voted in the negative, were

Messrs Allison, Bourne, Burroughs, Corse, Davidson, Elmer, Gifford, McManaman, Penny, Sargeant, Stephenson, Timmons, Williams and Woodworth.

So the bill passed and its title was agreed to.

H. R. file, No. 17, A Bill for an act authorizing George Kiel to keep a wharf-boat at Fort Madison ;

Was read a third time, passed and its title agreed to.

On motion of Mr McManaman,

The House adjourned until two o'clock P. M.

2 o'clock, P. M.

The House met pursuant to adjournment.

Senate file, No. 7, A Bill for an act to establish an additional election precinct in Van Buren township, Van Buren county;

Was read a first time, and

On motion of Mr McCrary,

The 42nd rule was suspended, the bill read a second and third time, passed and its title agreed to.

Mr Sales, from the Committee on Engrossed Bills, reported

H. R. file, No. 11, as correctly engrossed.

H. R. file, No. 11, A Bill for an act to preserve the purity of elections;

Was read a third time, passed and its title agreed to.

Senate file, No. 13, Memorial to Congress for an appropriation for the improvement of the Iowa river;

Was read a first time, and

On motion of Mr Harrison,

The 42nd rule was suspended, the bill read a second and third time, passed and its title agreed to.

Mr Collins, from the Committee on Roads and Highways, submitted the following report:

The committee to whom was referred Senate file, No. 12, Joint Resolution, to accept the reconnoissance and preliminary survey of the Dubuque and Keokuk railroad, have had the same under consideration, and have directed me to report the same with the following amendment:

Insert at the end of figures 1848, "provided, however, that Jefferson county, if found practicable, be substituted instead of Henry, and also, Cedar and Jackson counties shall, if found practicable, be substituted instead of Linn."

Mr Corse offered the following amendment:

"Strike out all intermediate points between Dubuque and Keokuk."

Mr Goodrell offered the following amendment to the amendment:

"Strike out all that part of the amendment relating to Cedar and Jackson counties."

Pending which,

Mr Bourne moved to lay the resolution and amendments on the table;

Which was lost.

The question then recurring upon the amendment offered by Mr Goodrell.

And upon this question,

The yeas and nays were demanded,

And were as follows :

Yeas 13,

Nays 25.

Those who voted in the affirmative, were

Messrs Alexander, Allison, Baker, Gifford, Goodrell, Griffith, Langton, Sales, Sargeant, Timmons, Weyand, Williams and Wood.

Those who voted in the negative, were

Messrs Babbitt, Betts, Bourne, Burroughs, Collins, Corse, Davidson, Elmer, Evans, Flint, Harrison, Jacobs, Mahony, McCrary, McFarland, McManaman, Norton, Penny, Read, Riggs, Stephenson, Thompson, Walker, Woodworth and Mr Speaker.

So the motion was lost.

Mr Goodrell moved to refer the resolution, together with the amendments, to a Select Committee of three;

Which was agreed to.

The Speaker appointed Messrs. Goodrell, Betts and Collins said committee.

Mr Mahony obtained leave to introduce,

H. R. file, No. 31, A Bill for an act requiring all notices of sales by order of courts of record, to be advertised in some newspaper;

Which was read a first time.

Mr Read obtained leave to introduce

H. R. file, No. 32, A Bill for an act to authorize William P. Wilson to keep a ferry across the Des Moines river, at Monterey;

Which was read a first time, and

On motion of Mr. McFarland,

The 42nd rule was suspended, and the bill read a second time.

Mr Mahony moved to amend the first section of the bill by striking out the words, "with exclusive privilege to the same;"

Which was agreed to; and

On motion,

The 42nd rule was suspended, the bill read a third time, passed and its title agreed to.

On motion of Mr Babbitt,
The House adjourned until to-morrow morning, at 10 o'clock.

Thursday Morning, December 14th, 1848.

House met pursuant to adjournment.

Mr Goodrell presented the petition of sundry citizens of Louisa county, praying for the location of a road therein described ;
Which was,

On motion of Mr Goodrell,

Referred to the Committee on Roads and Highways.

Mr Stephenson presented the petition of sundry citizens of Muscatine county, praying for the passage of a law for the protection of purchasers of real estate where the title is defective ;

Which was,

On motion of Mr Williams,

Referred to the Committee on Judiciary.

Mr Elmer presented the petition of James Burns and forty-two others, citizens of Van Buren county, praying for the passage of a free school law ;

Which was,

On motion of Mr Thompson,

Referred to the Committee on Schools.

Mr Evans introduced,

H. R. file, No. 33, Joint Resolution for the relief of Harvey Leonard ;

Which was,

On motion of Mr Evans,

Referred to the Committee on Claims.

Mr Goodrell, from the Select Committee, to whom was referred, Senate file, No. 12, Joint Resolution to accept of a reconnoissance and preliminary survey of a railroad route from Dubuque to Keokuk, submitted the following report :

The committee to whom was referred Senate file, No. 12, have instructed me to report that they have had the same under consid-

eration, and report Senate file, No. 12, with the following amendment:

After the figures 1848, insert "provided, however, that in the permanent location of said road, Jefferson county may, if found practicable, be substituted for Henry county."

The question being put,

Will the House concur in the report?

And upon this question,

The yeas and nays were demanded,

And were as follows:

Yeas 27,

Nays 10.

Those who voted in the affirmative, were

Messrs Alexander, Babbitt, Baker, Bourne, Collins, Davidson, Elmer, Flint, Gifford, Goodrell, Jacobs, Langton, McCrary, McFarland, McManaman, Norton, Penny, Read, Riggs, Sales, Sargeant, Stephenson, Timmons, Walker, Weyand, Wood and Mr Speaker.

Those who voted in the negative, were

Messrs Allison, Betts, Burroughs, Corse, Evans, Griffith, Harrison, Mahony, Thompson, Williams and Woodworth.

So the report was concurred in.

Mr Mahony moved to amend the amendment, by adding after the words Henry county, the following:

"And Jackson county, if found practicable, may be substituted for Linn county."

And upon this question,

The yeas and nays were demanded,

And were as follows:

Yeas 13,

Nays 23.

Those voting in the affirmative, were

Messrs Babbitt, Betts, Bourne, Evans, Gifford, Griffith, Harrison, Jacobs, Mahony, McFarland, Norton, Riggs and Mr Speaker.

Those voting in the negative, were

Messrs Alexander, Allison, Baker, Burroughs, Collins, Corse, Davidson, Elmer, Flint, Goodrell, Langton, McCrary, McManaman, Penny, Read, Sales, Sargeant, Stephenson, Timmons, Walker, Weyand, Williams, Wood and Woodworth.

So the amendment was not adopted.

Mr Thompson moved to amend the resolution, as amended, by inserting the word "equally" before the word "practicable."

Which motion, the Speaker decided could not be entertained.

And then,

• On motion of Mr Goodrell,

The 42nd rule was suspended, the Joint Resolution read a third time, passed and its title agreed to.

The following message was received from the Senate, by Mr Rockwell their Secretary:

MR SPEAKER;

I am directed to inform the House of Representatives that the Senate have passed,

Senate file, No. 16, Joint Resolution accompanying the report of the Judiciary committee, to whom was referred the report of the Committee of Revision;

In which the concurrence of the House is requested.

I herewith return,

H. R. file, No. 18, Joint Resolution requesting our Senators and Representatives in Congress, to procure an appropriation to pay the citizens of Iowa for services rendered in the Missouri war.

Also,

H. R. file, No. 15, Joint Resolution for a donation of land to improve the Muscatine Island.

The same having passed the Senate without amendment.

And then he withdrew.

Mr Timmons obtained leave to introduce

H. R. file, No. 34, A Bill for an act to authorize David W. King to keep a ferry at Cedar Rapids;

Which was read a first time.

Mr Timmons moved to suspend the 42nd rule and read the bill a second and third time now.

Which was disagreed to.

Mr Alexander obtained leave to introduce

H. R. file, No. 35, A Bill for an act to amend an act providing for general elections;

Which was read a first time.

Mr Norton offered the following resolution:

Resolved, That the Committee on Schools be requested to report a free school law at their earliest convenience.

Which was adopted.

Mr Wood obtained leave to introduce,

H. R. file, No. 36, A Bill for an act to locate a State road from Monona to Fort Atkinson;

Which was read a first time.

Mr Babbitt obtained leave to introduce,

H. R. file, No. 37, A Bill for an act to locate the seat of justice of the counties of Madison and Warren;

Which was read a first time.

Mr Harrison obtained leave to introduce,

H. R. file, No. 38, A Bill for an act requiring the Secretary of State to record State roads;

Which was read a first time.

Mr Gifford obtained leave to introduce

H. R. file, No. 39, A Bill for an act to provide for the navigation of the Des Moines river, from the Raccoon fork to the northern boundary of the State;

Which was read a first time.

H. R. file, No. 28, A Bill for an act to authorize the Judge of Probate of Marion county to transcribe the records of the Probate Court;

Was read a second time, and

On motion of Mr Babbitt,

Ordered, That the bill be engrossed and read a third time tomorrow.

H. R. file, No. 29, A Bill for an act to repeal an act entitled "an act defining the time of holding elections for State, district and county officers," approved, February 25th, 1847;

Was read a second time, and

On motion of Mr McFarland,

Ordered, That the bill be engrossed and read a third time tomorrow.

H. R. file, No. 30, A Bill for an act to amend an act entitled "an act defining the duties of Supervisors of Roads and Highways," approved January 17th, 1840;

Was read a second time, and

On motion of Mr Harrison,

Referred to the Committee on Roads and Highways.

H. R. file, No. 31, A Bill for an act requiring all notices of sales, by order of courts of record, to be advertised in some newspaper;

Was read a second time.

Mr Bourne moved to lay the bill on the table;

Which was lost; and

On motion of Mr Goodrell,

The bill was referred to the Committee on the Judiciary.

H. R. file, No. 25, A Bill for an act to amend an act entitled "an act creating a Board of Public Works, and providing for the improvement of the Des Moines river," approved February 24, 1847; and to repeal an act supplemental thereto, approved, January 24th, 1848;

Was read a second time.

Mr Read moved to refer the bill to the Standing Committee on the Improvement of the Des Moines river.

Pending which,

Mr Babbitt moved that the bill be referred to the committee of the whole House, and be made the order of the day for to-morrow;

Which motion was lost.

And the question recurring upon the motion of Mr Read,

It was decided in the affirmative.

So the bill was referred to the Committee on the Improvement of the Des Moines river, with instructions to report at as early a day as practicable.

On motion of Mr Mahony,

The House adjourned until to-morrow morning, at 10 o'clock

Friday Morning, December 15th, 1848.

House met pursuant to adjournment.

Mr Evans presented the petition of sundry citizens of Scott county, praying for the vacation of a road therein mentioned;

Which was read, and,

On motion of Mr McFarland,

Was referred to the Committee on Roads and Highways.

Also,

The petition of sundry citizens of Scott county, praying for an act granting the right of way for a canal from the Wapsipinnicon river to the Mississippi river;

Which was read, and

On motion of Mr Evans,

Referred to a Select Committee of three.

Messrs Evans, Babbitt and Williams were appointed said committee.

Mr Jacobs presented the petition of sundry citizens of Keokuk county, praying for the passage of an act authorizing George Hays to erect a dam across Skunk river;

Which was read, and,

On motion of Mr Flint,

Referred to the Committee on Incorporations.

Mr Harrison presented the petition of sundry citizens of Iowa county, praying for the location of a State road from the Cedar Rapids to Marengo;

Which was read, and,

On motion of Mr Harrison,

Referred to a Select Committee of three.

Messrs Harrison, Betts and Timmons were appointed said committee.

Mr Gifford obtained leave to introduce,

H. R. file, No. 41, Joint Resolution for the establishment of a Land Office at Fort Des Moines, in Polk county;

Was read a first time, and

On motion of Mr McFarland,

The 42nd rule was suspended, the Joint Resolution read a second and third time, passed and its title agreed to.

Mr Harrison gave notice that he would, on to-morrow or some future day, ask leave to introduce,

A Bill for an act to amend an act to regulate practice in the District Court.

Mr Timmons obtained leave to introduce,

H. R. file, No. 42, Joint Resolution in relation to the printing and binding of the laws and journals of the General Assembly;

Which was read a first time.

Mr Mahony obtained leave to introduce,

H. R. file, No. 43, Joint Resolution asking an appropriation from

Congress for the improvement of the navigation of the Maquoketa;
Which was read a first time.

Mr Read obtained leave to introduce,

H. R. file, No. 44, Joint Resolution for a conference of the committees of the two Houses, &c.;

Which was read a first time, and,

On motion of Mr Read,

The 42nd rule was suspended, the resolution read a second and third time and adopted.

Mr McFarland gave notice that, on to-morrow or some future day, he would ask leave to introduce,

A Bill for an act for the benefit and relief of the settlers on the Half-breed Tract.

Mr McFarland, from the Committee on the Judiciary, submitted the following report:

The Committee on the Judiciary to whom was referred, H. R. file, No. 14, beg leave to report the same back without amendment;

H. R. file, No. 31, the said committee beg leave to report said bill to the House with the following amendment:

Strike out the word "personal" in the second line of the first section.

The said committee to whom was referred a resolution requesting said committee to report a bill to reduce the number of grand and petit jurors, beg leave to report a bill for the same.

Mr Betts, from the Committee on Claims, submitted the following:

The Committee on Claims to whom was referred H. R. file, No. 33, Joint Resolution for the relief of Harvey Leonard, have examined the same and instructed me to report in favor of the resolution, and recommend the passage of the same without amendment.

Mr Collins, from the Committee on Roads and Highways, to whom was referred H. R. file, No. 24, reported the same back with the following amendment:

Strike out section third and insert the following:

SECTION 3. That the said commissioners, surveyors, chain carriers and markers shall be compensated in the manner now prescribed by law, for their services on that part of said road which shall be in counties now organized; and for that part of the said road which will run through counties not organized they shall receive the sum of one dollar per day each, except the surveyor, who

shall receive two dollars, out of any money in the State treasury not otherwise appropriated.

That the words "Council Point" be struck out wherever it occurs and "Traders Point" be inserted in its place."

That the names of "John G. Baker" and "John Clark" be struck out as viewers.

That the name of "G. D. Stratton" be inserted as "viewer and surveyor;"

Which amendments were concurred in.

H. R. file, No. 46, A Bill for an act to establish a State road from Mrs. Teslers to Columbus City ;

Was read a first time, and,

On motion of Mr Goodrell,

The 42nd rule was suspended, the bill read a second and third time, passed and its title agreed to.

Mr Babbitt, from the Committee on New Counties, submitted the following report:

The Committee on New Counties to whom was referred H. R. file, No. 26, A Bill for an act to amend an act entitled "An Act to establish new counties and define their boundaries," have had the same under consideration, and after examination, have instructed me to report the same to the House with the following amendments:

After the word "of" in the sixth line of the first section, insert "Monroe county, thence west to the north-west corner of."

Strike out the second section and insert the following:

SECTION 2. That the following shall be the boundaries of Clarke county, to wit: beginning at the north-west corner of Lucas county, thence west to the north-west corner of township seventy-three, north of range twenty-seven west, thence south to the south-west corner of township seventy-one, north of range twenty-seven west, thence east to the south-east corner of Lucas county, and thence north to the place of beginning.

SECTION 3. That all acts and parts of acts conflicting with this act, be and the same are hereby repealed.

Mr Collins, from the Committee on Roads and Highways, to whom was referred, H. R. file, No. 30, reported the same back with the following amendment:

Strike out "to do one day's work" and insert "to work out their respective road tax on the public roads."

Mr Goodrell moved to indefinitely postpone the bill ;
Which was agreed to.

Mr Collins, from the same committee, reported back H. R. file,
No. 21, with the following amendment :

Insert after the word "Davenport" the following: "provided that
if thought practicable Bloomington may be substituted as a point in
said route.

And the question being upon concurring in the report,
It was disagreed to.

The following communication was presented from the Speaker's
table :

GENTLEMEN OF THE HOUSE OF REPRESENTATIVES :

In compliance with a resolution which passed the House of Rep-
resentatives, on the 13th inst., requesting me to inform the House
whether I have received any report "from the Commissioners ap-
pointed to locate a seat of government for the State of Iowa, and if
so, to send a copy of such report to the House," I cheerfully trans-
mit the record taken from the office of the Secretary of State, con-
taining the report of said Commissioners to me, the number of lots
sold by said Commissioners, the names of the purchasers, the amount
for which the lots sold, together with a plat of the survey of the
contemplated seat of government.

ANSEL BRIGGS.

IOWA CITY, December 15, 1848.

REPORT OF THE COMMISSIONERS

APPOINTED TO LOCATE THE SEAT OF GOVERNMENT.

TO HIS EXCELLENCY

THE GOVERNOR OF THE STATE OF IOWA :

The undersigned, Commissioners, having been appointed by an
act of the General Assembly of said State of Iowa, entitled "An
Act to provide for the location of the seat of government of the

State of Iowa, and for the selection of land granted by Congress to aid in erecting public buildings," approved February 22nd, 1847, have discharged the duties enjoined by said act, and now respectfully submit to your Excellency this our report of our proceedings, to wit:

After being sworn, as the law directs, we met in Henry county, in said State, and proceeded to an examination of such parts of said State as we deemed expedient; and after an examination of a considerable portion of the unsettled, as well as some of the settled parts of the State, we have selected, located and reported to the Commissioner of the General Land Office, and to the Register and Receiver of the Land Office at Iowa City, the following described sections and parts of sections of land, for the permanent seat of government of the State of Iowa, to wit: sections numbered four, (4), five, (5), eight, (8), nine, (9), and the west half of section three, (3), and the west half of section ten, (10), in township number seventy-eight, (78), of range number twenty, (20), west of the Fifth Principal Meridian, in said State. We have also employed a surveyor, Mr. Madison Dagger, and caused said land to be surveyed and a plat thereof to be made out, which is herewith submitted, and filed in the office of the Secretary of State. And we have caused a town to be laid off and surveyed on said land, and named it Monroe City, a plat of which town is also herewith reported and filed. We also fixed upon the twenty-eighth day of October, eighteen hundred and forty-seven, for the time of a sale of lots in said town; and to continue said sale from day to day until all the lots intended to be sold were offered; and the terms of said sale to be, one-fourth of the purchase money to be paid in hand, and the balance in three equal instalments of two, four and six years with interest thereon at the rate of six per centum, per annum, from the date until paid. We gave notice of said sale by advertising in several newspapers and by printed handbills, widely circulated through the State and elsewhere. And in pursuance of said notice we commenced said sale and continued from day to day, to the second day of November, inclusive, at which sales we sold the following described lots in said town, to the following named persons, to wit:

JOURNAL OF THE
SALE OF LOTS.

<i>Date of Certificates.</i>	<i>Number of Certificates.</i>	<i>Purchasers' Names.</i>	<i>No. of Lot.</i>	<i>No. of Blocks</i>	<i>Amount sold for.</i>
Oct. 28.	1	W. M. Andrews,.....	1	1	\$7 75
"	6	A. J. Hain,.....	2	1	5 50
"	7	John White,	8	2	5 25
"	8	James Moore,.....	7	2	5 50
"	10	Jacob Fudge,.....	8	3	5 00
"	12	do do	7	3	6 00
"	15	William Neal,.....	8	4	6 00
"	16	do do	7	4	5 00
"	21	W. M. Sea,.....	5	6	8 25
"	2	W. M. Andrews,.....	4	7	10 25
"	5	A. J. Cain,.....	3	7	6 75
"	25	T. D. Porter,.....	2	24	7 75
"	27	J. M. Sea,.....	1	24	9 00
"	31	Elias Prontz,.....	5	26	6 00
"	31	do do	6	26	5 00
"	33	M. L. Smith,.....	5	27	4 25
"	37	T. D. Porter,.....	5	28	5 00
"	39	James D. Hart,.....	6	28	4 00
"	40	John Collins,.....	5	29	2 50
"	42	William Welch,.....	6	29	2 25
"	44	do do	6	30	1 75
"	9	O. & T. C. Cutler,.....	4	37	7 25
"	11	do do	3	37	5 25
"	13	Adam Toole,.....	4	67	14 00
"	14	M. L. Smith.....	3	67	12 00
"	4	A. Miller,.....	1	84	216 00
"	17	O. & T. C. Cutler,.....	2	84	240 00
"	19	Samuel Elliott,.....	1	96	212 00
"	22	William Smith,.....	2	96	227 00
"	3	G. M. Scott,.....	6	85	76 00
"	26	Samuel Elliott,.....	5	66	23 00
"	28	H. H. Williams,.....	4	66	16 50
"	30	James Gray,.....	5	55	25 00
"	32	Robert Putnam,.....	4	55	36 00
"	34	do do	5	36	15 00
"	36	James Gray,.....	8	36	5 00
"	38	T. D. Porter,.....	1	95	61 00
"	41	do do	2	95	35 50
"	59	William Welch,.....	6	64	4 25
"	61	William Neal,.....	5	57	3 50

SALE OF LOTS—Continued.

<i>Date of Certificates.</i>	<i>Number of Certificates.</i>	<i>Purchasers' Names.</i>	<i>No. of Lot.</i>	<i>No. of Block</i>	<i>Amount sold for.</i>
Oct 28.	58	William Welch,	6	57	2 00
"	66	Daniel Mosia,	5	34	3 00
"	48	Charles Van,	6	34	3 00
"	67	O. Kinsman,	5	33	2 00
"	53	T. D. Porter,	6	33	2 50
"	70	O. Kinsman,	5	58	2 75
"	70	do do	6	58	2 00
"	74	John White,	6	63	2 25
"	51	John Jones,	5	88	11 00
"	51	do do	6	88	7 00
"	76	Admiral B. Miller,	5	89	6 00
"	76	do do	6	89	3 00
"	80	T. D. Porter,	5	62	2 25
"	83	Josiah Thrift,	5	59	2 00
"	81	John Montgomery,	6	62	1 75
"	83	Josiah Thrift,	6	59	1 75
"	86	Christian Houtz,	6	86	9 00
"	86	do do	5	86	9 00
"	88	John Montgomery,	4	65	5 00
"	88	do do	3	65	4 00
"	91	John White,	5	56	3 50
"	57	O. & T. C. Cutler,	6	56	3 00
"	92	Joseph D. Hoag,	5	35	3 50
"	92	do do	6	35	3 25
"	97	Christian Houtz,	4	94	16 00
"	97	do do	3	94	9 00
"	98	Eleaza Andrews,	1	92	7 50
"	98	do do	2	92	5 25
"	100	John Montgomery,	5	87	14 50
"	101	T. D. Porter,	6	87	6 25
"	103	John Montgomery,	5	64	5 50
"	239	William Welch,	5	32	1 75
"	241	do do	6	60	1 75
"	239	do do	6	32	1 50
"	240	do do	5	31	1 50
"	240	do do	6	31	1 25
"	242	do do	5	90	3 25
"	107	William Neal,	6	90	3 00
"	108	John Hennicutt,	1	91	4 25
"	109	J. H. Lambert,	2	91	4 50

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SALE OF LOTS—Continued.

Date of Certificates.	Number of Certificates.	Purchasers' Names.	No. of Lot.	No. of Blocks	Amount sold for.
Oct. 28	46	Samuel Elliott,	1	110	301 00
"	45	William McIlvain,	2	110	200 00
"	115	George Hobson,	1	109	44 00
"	50	James Q. Hammond,	2	109	23 00
"	47	William McIlvaine,	1	107	21 25
"	111	John Montgomery,	2	107	13 75
"	114	Josiah Thrift,	1	106	17 00
"	114	do do	2	106	6 75
"	119	Alva White,	4	105	5 50
"	120	do do	1	131	2 25
"	120	do do	2	131	3 75
"	123	William B. Fulton,	1	130	4 50
"	124	Alva White,	2	130	2 50
"	126	John Q. Deakin,	1	129	7 50
"	127	Martin Tucker,	2	129	4 00
"	128	do do	1	128	17 12
"	128	do do	2	128	14 50
"	60	S. K. Parker,	4	119	33 00
"	60	do do	1	119	20 00
"	68	do do	4	118	18 00
"	68	do do	3	118	13 50
"	77	George Crew,	4	117	5 75
"	56	O. & T. C. Cutler,	3	117	4 00
"	84	Washington Fleener,	4	116	2 75
"	84	do do	3	116	3 50
"	93	J. J. Hoag,	1	115	25 00
"	93	do do	2	115	21 00
"	241	William Welch,	6	60	1 25
"	96	James Gray,	4	113	33 00
"	96	do do	1	113	30 00
"	49	James M. Montgomery,	1	127	25 25
"	104	Thomas Pleenor,	2	127	22 25
"	110	John Groom,	1	126	60 00
"	52	John Kirkpatrick,	2	126	27 00
"	106	Admiral Miller,	1	125	166 00
"	112	N. Simpson,	2	125	56 00
"	116	Madison Dagger,	1	124	170 00
"	56	John Koontz,	2	124	175 00
"	118	John Groom,	1	123	165 00
"	55	O. & T. C. Cutler,	2	123	176 00

SALE OF LOTS—Continued.

<i>Date of Certificates.</i>	<i>Number of Certificates.</i>	<i>Purchasers' Names.</i>	<i>No. of Lot.</i>	<i>No. of Block</i>	<i>Amount sold for.</i>
Oct. 28	102	Admiral Miller,.....	4	122	120 00
"	121	N. Simpson,.....	1	122	57 00
"	238	Adam Tool,.....	4	121	50 00
"	132	Thomas B. Fleenor,.....	3	121	34 25
"	113	S. K. Parker,.....	4	120	31 00
"	125	George Crew,.....	3	120	30 00
"	62	William Welch,.....	4	112	50 25
"	63	W. M. Gordon,.....	1	111	153 00
"	64	C. M. Gilkey,.....	1	140	60 00
"	65	John Q. Deakin,.....	4	140	56 00
"	69	Thomas Fleanor,.....	4	141	45 50
"	71	J. H. Lambut,.....	5	141	40 00
"	72	Samuel Caldwell,.....	4	142	30 00
"	75	William Johnson,.....	1	142	20 00
"	78	Madison Dagger,.....	4	143	16 00
"	79	Thomas Fleanor,.....	5	143	15 25
"	82	Robert Putnam,.....	4	144	7 50
"	82	do do	3	144	7 50
"	85	do do	4	145	7 50
"	90	Madison Dagger,.....	4	152	22 00
"	95	William Welch,.....	4	151	11-00
"	157	Daniel J. Swearingen,.....	4	181	4 50
"	135	J. H. Lambut,.....	5	181	4 50
"	243	William Welch,.....	5	180	4 25
"	152	Mordica Yeams,.....	4	180	6 00
"	244	William Welch,.....	4	179	5 25
"	244	do do	5	179	4 25
"	245	do do	5	179	3 75
"	245	do do	4	178	4 25
"	137	William C. Harp,.....	4	177	3 50
"	140	George Allinson,.....	5	177	3 00
"	246	William Welch,.....	4	206	3 00
"	246	do do	5	206	3 25
"	147	William Flood,.....	4	207	2 75
"	147	do do	3	207	2 25
"	153	James Crabb,.....	1	208	2 50
"	143	Willis Clark,.....	2	208	2 50
"	267	William Welch,.....	5	205	3 50
"	139	Allen Hayworth,.....	4	205	3 25
"	158	Francisco H. Hughs,.....	4	209	3 00

JOURNAL OF THE
SALE OF LOTS—Continued.

<i>Date of Certificates.</i>	<i>Number of Certificates.</i>	<i>Purchasers' Names.</i>	<i>No. of Lot.</i>	<i>No. of Blocks</i>	<i>Amount sold for.</i>
Oct. 28	248	William Welch,.....	3	209	2 75
"	160	Washington Fleenor,.....	5	204	3 00
"	141	George Allison,.....	4	204	2 75
"	144	Joshua Linsley,.....	5	203	2 00
"	165	O. Kinsman,.....	6	203	2 25
"	138	J. L. Hughes,.....	4	211	3 00
"	166	M. Kinsman,.....	3	211	2 00
"	168	Asa Hughs,.....	5	202	2 00
"	169	Hiram Mosia,.....	5	150	15 13
"	131	David Worth,.....	4	150	18 50
"	171	Hiram Mosia,.....	4	149	9 50
"	129	James M. Thornton,.....	5	149	7 25
"	130	William Talbot,.....	5	148	6 00
"	134	Willington Nossman,.....	4	148	7 00
"	249	William Welch,.....	4	147	4 75
"	249	do do	5	147	5 75
"	250	do do	4	176	5 75
"	250	do do	5	176	4 75
"	142	Willis, Clark,.....	5	175	6 00
"	142	do do	4	175	5 00
"	173	Hiram Mosia,.....	4	174	5 75
"	133	James Crabb,.....	5	174	5 50
"	174	T. D. Porter,.....	5	173	6 25
"	251	William Welch,.....	4	173	6 00
"	176	Manly Gifford,.....	4	172	8 00
"	177	Hiram Mosia,.....	5	172	8 00
"	178	Adam Tool,.....	5	171	10 50
"	154	James D. Morris,.....	4	171	17 25
"	151	do do	1	170	29 25
"	136	Ash Prunts,.....	4	170	13 25
"	179	James Tool,.....	1	183	12 75
"	180	Jacob Booher,.....	4	183	9 00
"	252	William Welch,.....	5	182	5 50
"	132	Mordica Yeams,.....	4	182	8 00
"	145	M. S. Morris,.....	4	202	3 00
"	146	W. M. Seay,.....	4	212	3 25
"	159	S. J. Hughes,.....	5	201	2 25
"	164	John Montgomery,.....	4	201	2 50
"	155	Robert Putnam,.....	4	200	4 50
"	156	do do	3	200	3 00

SALE OF LOTS—Continued.

<i>Date of Certificates.</i>	<i>Number of Certificates.</i>	<i>Purchasers' Names.</i>	<i>No. of Lot.</i>	<i>No. of Block</i>	<i>Amount sold for.</i>
Oct. 28	161	J. R. Davis,	1	68	50 00
"	181	William T. Rains,	4	68	40 00
"	167	J. T. Rains,	1	38	31 50
"	167	do do	2	38	33 50
"	170	John Montgomery,	1	23	12 25
"	172	Daniel J. Swearingin,	2	23	7 50
"	148	Willis Clark,	4	8	3 00
"	175	William Welch,	3	8	2 75
"	150	J. B. Shelady,	8	9	2 25
"	175	William A. Flood,	7	9	2 00
"	216	William Neal,	3	15	1 00
"	216	do do	4	15	1 00
"	184	George Crasher,	1	139	26 00
"	185	John Shadle,	4	139	30 00
"	186	do do	8	138	22 00
"	208	N. P. Swan,	1	138	23 00
"	210	do do	1	137	16 50
"	183	Daniel Mosier,	8	137	12 50
"	200	Robert Allison,	8	136	7 00
"	204	John Q. Deakin,	1	136	6 25
"	213	William Neal,	1	135	5 00
"	205	Abel H. Morris,	8	135	2 75
"	207	do do	1	134	2 00
"	207	do do	8	134	2 00
"	214	N. P. Swan,	1	133	1 25
"	214	do do	8	133	1 25
"	217	do do	1	132	1 25
"	217	do do	2	132	1 50
"	220	do do	1	161	1 25
"	220	do do	2	161	1 25
"	182	M. C. Clark,	1	160	1 25
"	182	do do	8	160	1 25
"	222	N. P. Swan,	1	159	1 25
"	222	do do	2	159	1 25
"	198	George Gross,	1	158	2 00
"	198	do do	2	158	2 00
"	224	N. P. Swan,	1	157	2 75
"	224	do do	2	157	2 25
"	226	Madison Dagger,	1	156	10 00
"	226	do do	2	156	5 50

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SALE OF LOTS—Continued.

<i>Date of Certificate.</i>	<i>Number of Certificates.</i>	<i>Purchasers' Names.</i>	<i>No. of Lot.</i>	<i>No. of Block</i>	<i>Amount sold for.</i>
Oct. 28	227	James Tool,.....	1	169	33 00
"	230	William Neal,.....	1	168	20 00
"	230	do do	8	168	15 00
"	232	do do	4	169	26 00
"	233	do do	1	167	12 00
"	233	do do	2	167	7 00
"	192	Adam Michael,.....	1	166	8 50
"	234	J. T. Rains,.....	5	85	129 00
"	236	William Welch,.....	2	111	156 00
"	235	N. P. Swan,.....	2	166	6 25
"	191	Joel North,.....	1	165	6 25
"	191	do do	2	165	3 00
"	237	N. P. Swan,.....	1	164	2 50
"	237	do do	2	164	1 25
"	238	do do	1	163	1 75
"	238	do do	2	163	1 25
"	211	do do	1	162	1 25
"	211	do do	2	162	1 75
"	215	do do	2	191	1 25
"	219	do do	1	190	2 25
"	219	do do	2	190	1 25
"	193	John Q. Deakin,.....	1	189	2 50
"	193	do do	2	189	2 00
"	199	do do	1	188	2 50
"	199	do do	2	188	2 00
"	196	Asa Hughes,.....	1	186	3 75
"	201	A. L. Hughes,.....	2	186	2 00
"	218	Adam Tool,.....	1	185	7 00
"	218	do do	2	185	5 00
"	194	Josiah Crossman,.....	1	184	15 00
"	188	Robert Allison,.....	4	184	11 00
"	190	George Crasher,.....	1	198	4 50
"	190	do do	2	198	3 00
"	189	Robert Allison,.....	1	197	3 25
"	189	do do	2	197	1 25
"	203	John Q. Deakin,.....	1	196	2 50
"	203	do do	2	196	1 50
"	206	do do	1	195	2 00
"	206	do do	2	195	1 25
"	202	J. L. Hughes,.....	1	194	1 25

SALE OF LOTS—Continued.

<i>Date of Certificates.</i>	<i>Number of Certificates.</i>	<i>Purchasers' Names.</i>	<i>No. of Lot.</i>	<i>No. of Block</i>	<i>Amount sold for.</i>
Oct. 28	200	J. B. Higgins,	2	194	1 25
"	221	James Tool,	1	193	1 25
"	221	do do	2	193	1 25
"	197	Asa Hughes,	1	221	1 25
"	223	William Neal,	2	221	1 25
"	225	Eleazer Andrews,	1	220	1 00
"	229	James Tool,	2	220	1 00
"	228	Eleazer Andrews,	1	218	1 25
"	209	John Q. Deakin,	1	217	1 25
"	209	do do	2	217	1 00
"	231	James Tool,	1	216	1 00
"	231	do do	2	216	1 00
"	313	John Brown,	1	155	21 00
"	315	do do	2	155	12 00
"	348	do do	1	187	4 25
"	349	do do	2	187	2 75
"	318	do do	1	199	8 50
"	321	do do	2	199	5 25
"	324	do do	1	192	1 25
"	326	do do	2	192	1 25
"	329	do do	1	219	1 00
"	331	do do	2	219	1 00
"	267	Daniel J. Swearingin,	1	97	154 00
"	299	Peter Collins,	1	98	48 00
"	293	Madison Dagger,	4	98	32 50
"	298	Adam Tool,	4	400	17 00
"	265	John Q. Deakin,	4	101	10 25
"	292	William Neal,	1	102	9 00
"	268	Daniel J. Swearingin,	4	102	5 00
"	287	Eleaza Andrews,	3	76	1 00
"	271	S. K. Parker,	4	76	1 00
"	272	do do	5	77	1 50
"	272	do do	6	77	1 50
"	261	Ash Pruntz,	7	79	5 75
"	354	Samuel Ratcliff,	5	80	21 25
"	354	do do	8	80	26 00
"	264	John Montgomery,	5	82	39 25
"	257	J. R. Davis & J. T. Rains,	8	82	130 00
"	258	J. R. Davis,	8	69	25 00
"	269	Abel H. Morris,	1	69	25 00

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SALE OF LOTS—*Continued.*

<i>Date of Certificates.</i>	<i>Number of Certificates.</i>	<i>Purchasers' Names.</i>	<i>No. of Lots.</i>	<i>No. of Blocks</i>	<i>Amount sold for.</i>
Oct. 28	259	J. T. Rains,.....	8	70	18 00
"	260	Elias Prouty,.....	5	70	17 50
"	357	James Tool,.....	8	71	15 00
"	273	S. K. Parker,.....	5	71	11 00
"	295	H. W. Perkins,.....	8	72	12 25
"	295	do do	7	72	5 00
"	270	William B. Fulton,.....	8	74	4 25
"	301	Susan A. Hill,.....	7	74	2 50
"	300	William Welch,.....	4	75	1 50
"	300	do do	3	75	1 25
"	310	do McKay,.....	3	46	1 25
"	311	do do	4	46	1 50
"	274	S. K. Parker,.....	8	47	1 50
"	274	do do	7	47	2 00
"	275	do do	8	48	2 50
"	275	do do	7	48	1 50
"	280	John H. Andrews,.....	8	10	2 25
"	153	N. P. Swan,.....	1	215	2 25
"	153	do do	2	215	1 75
"	281	Hiram Miles,.....	1	22	1 75
"	283	Philip Strahn,.....	8	22	1 50
"	255	Andrew Carr,.....	8	21	2 25
"	255	do do	7	21	1 50
"	235	Eleazer Andrews,.....	8	20	1 25
"	288	Philip Strahn,.....	7	20	1 00
"	156	Andrew Carr,.....	8	19	1 50
"	156	do do	7	19	1 00
"	294	Hiram Miles,.....	8	18	1 75
"	296	Hilery Perkins,.....	7	18	1 25
"	297	do do	8	17	1 50
"	297	do do	7	17	1 00
"	304	William McKay,.....	4	16	1 25
"	305	do do	3	16	1 25
"	302	Nancy Williams,.....	3	45	1 25
"	303	Martha C. Tool,.....	4	45	1 25
"	263	John Montgomery,.....	8	44	1 25
"	263	do do	7	44	1 00
"	306	William McKay,.....	8	43	1 25
"	307	do do	7	43	1 25
"	308	do do	8	42	1 25

SALE OF LOTS—Continued.

<i>Date of Certificates.</i>	<i>Number of Certificates.</i>	<i>Purchasers' Names.</i>	<i>No. of Lots.</i>	<i>No. of Blocks.</i>	<i>Amount sold for.</i>
Oct. 28	309	William McKay,.....	7	42	1 25
"	341	Samuel Ratcliff,.....	8	39	10 50
"	278	S. K. Parker,.....	7	40	2 25
"	344	Samuel Ratcliff,.....	8	39	10 50
"	279	S. K. Parker,.....	1	39	5 00
"	286	John H. Andrews,.....	8	52	25 00
"	254	N. P. Swan,.....	8	51	11 00
"	254	do do	7	51	5 00
"	282	Eleazer Andrews,.....	8	5	1 50
"	284	Robert H. Howard,.....	7	5	1 50
"	312	William McKay,.....	6	25	1 25
"	276	S. K. Parker,.....	5	30	1 00
"	277	do do	5	30	1 50
"	262	Ash Pruntz,.....	6	6	2 00
"	266	John Q. Deakin,.....	1	105	5 50
"	289	William Neal,.....	5	151	20 00
"	290	do do	2	218	2 00
"	334	John Brown,.....	2	97	174 50
"	340	do do	1	100	40 50
"	330	Joseph D. Hoag,.....	1	101	18 00
"	351	do do	8	78	7 00
"	352	do do	7	78	5 25
"	353	do do	8	79	11 00
"	355	do do	5	81	30 00
"	343	John Brown,.....	8	81	40 50
"	356	Joseph D. Hoag,.....	1	83	120 00
"	347	John Brown,.....	2	83	130 00
"	358	Joseph D. Hoag,.....	8	73	6 75
"	359	do do	7	73	3 50
"	320	do do	8	49	5 50
"	320	do do	7	49	3 50
"	323	do do	8	50	8 50
"	323	do do	7	50	6 75
"	327	do do	5	25	5 00
"	330	do do	3	210	1 00
"	330	do do	4	210	1 50
"	333	do do	5	61	1 75
"	333	do do	6	61	1 25
"	337	do do	5	63	4 25
"	339	do do	3	145	3 00

JOURNAL OF THE
SALE OF LOTS—Continued.

<i>Date of Certificates.</i>	<i>Number of Certificates.</i>	<i>Purchasers' Names.</i>	<i>No. of Lot.</i>	<i>No. of Block</i>	<i>Amount sold for.</i>
Oct. 28	342	Joseph D. Hoag,	4	146	2 75
"	342	do do	3	146	3 25
"	345	do do	5	152	28 00
"	314	do do	8	14	2 00
"	316	do do	7	14	2 00
"	317	do do	8	13	2 00
"	319	do do	7	13	2 00
"	322	do do	8	12	1 50
"	325	do do	7	12	1 50
"	328	do do	8	11	1 50
"	332	do do	7	11	2 00
"	335	do do	7	10	2 00
"	336	do do	8	41	2 00
"	338	do do	7	41	1 50
"	346	do do	1	52	16 00

We have been employed in the discharge of the duties enjoined by law, as such Commissioners, as follows, to wit: John Brown, one hundred and forty days; Joseph D. Hoag, one hundred and thirty-seven days; John Taylor, one hundred and forty days, each. The amount received as the first payment on said lots is one thousand seven hundred and ninety-seven dollars and forty three cents. And the necessary expenses attending the discharge of said duties is nine hundred fifty-five dollars and fifty-seven cents, which leaves the sum of eight hundred and forty-one dollars and eighty-six cents divided among us as part of our per diem pay; which leaves a balance due us for our services of the sum of four hundred and nine dollars and fourteen cents, to wit: to John Brown, ninety-three dollars and sixty-three cents; Joseph D. Hoag, one hundred and eleven dollars; John Taylor, two hundred and four dollars and forty cents. All of which is respectfully reported this sixth day of November, eighteen hundred and forty-seven.

JOHN BROWN,
JOSEPH D. HOAG,
JOHN TAYLOR.

Filed in the Secretary's Office, January 3d, 1848.
ATTEST: ELISHA CUTLER, JR., Secretary of State.

Which report being read by the Chief Clerk;

Mr Mahony moved to dispense with the reading of the names of the purchasers;

Which motion was disagreed to.

Mr Corse moved to dispense with the further reading of the names of purchasers, number of lots, and amounts paid;

Which motion was lost.

Mr Goodrell moved to refer the report to the Committee of the Whole House, to be made the order of the day for to-morrow at 4 o'clock, P. M.;

Which motion being put was disagreed to.

Mr Corse moved to adjourn;

Which motion was lost.

Mr McManaman moved to reconsider the vote for reading the report;

Which motion was lost.

Mr McFarland moved to refer the report to a Select Committee of five, with instructions to report how much of said city of Monroe was under water and how much was burned up.

Mr Allison called for a division of the question;

And the question being put separate, the report was referred to a Select Committee, consisting of Messrs McFarland, Williams, Harrison, Timmons and Babbitt;

And the Committee were not instructed to report how much of said city was under water and how much was burned up.

Senate file, No. 16, Joint Resolution accompanying the report of the Committee on the Judiciary, to whom was referred the report of the Committee of Revision;

Was read a first time.

H. R. file, No. 40, A Bill for an act for the relief of purchasers of real estate;

Was read a first time.

H. R. file, No. 34, A Bill for an act to authorize David W. King, to keep a ferry across the Cedar river, at Cedar rapids;

Was read a second time, and

On motion of Mr Timmons,

Ordered, To be engrossed and read a third time to-morrow.

H. R. file, No. 35, A Bill for an act to amend an act providing for and regulating general elections;

Was read a first time, and

On motion of Mr Thompson,
Ordered, To be engrossed and read a third time.

The following message was received from the Senate by Mr Rockwell, their Secretary :

MR SPEAKER :

I am directed to inform the House of Representatives that the Senate has passed,

Senate file, No. 20, An Act to establish a State road from Delhi in Delaware county, to Independence in Buchanan county ;

Also,

The Senate has concurred in the amendments made by the House to,

Senate file, No. 19, Joint Resolution accepting a reconnoissance and preliminary survey of the Dubuque and Keokuk railroad ;

Also,

Resolved, By the Senate, the House concurring, that the two Houses will adjourn sine die, on the 21st inst.

I herewith return,

H. R. file, No. 23, An Act to amend the charter of the city of Burlington ;

The same having passed the Senate with the following amendments :

Add to the 1st section, "and in other respects discharge the duties of a justice of the peace ;"

SECTION 2. Be it further enacted, That said suit, or suits may be instituted against said justice and his sureties by any person aggrieved by a breach of said bond or other violation of his duty as a justice of the peace ; which said suits may be instituted before any court having jurisdiction of the amount of damage claimed or sum demanded ; and judgment shall be rendered for so much as the party shall prove himself entitled to recover.

The Senate has also passed,

Senate file, No. 21, Joint Resolution relative to the improvement of the harbor at Dubuque ;

Senate file, No. 23, A Bill to establish a State road from Cedar Rapids in Linn county, to Marengo in Iowa county ;

Senate file, No. 24, An Act for a State road therein named ;

Senate file, No. 27, Joint Resolution for a mail route.

In all of which the concurrence of the House is requested.

I herewith present for your signature,
Senate file, No. 1, An Act granting certain rooms in the capitol
for the use of the United States Courts.

Senate file, No. 7, An Act to establish an additional Election Pre-
cinct in Van Buren township, in Van Buren county, Iowa.

Senate file, No. 9, Joint Resolution asking an appropriation, to
build a bridge across the Des Moines river, at the point where the
military road crosses the same;

Senate file, No. 13, Memorial to Congress for an appropriation by
Congress to improve the Iowa river;

Senate file, No. 18, Memorial to Congress for their construction
of the act of appropriation for the improvement of the Des Moines
river.

The same having passed both Houses of the General Assembly.
.And then he withdrew.

H. R. file, No. 36, A Bill for an act to locate a State road from
Monona to Fort Atkinson;

Was read a second time, and

On motion of Mr Wood,

Ordered, To be engrossed and read a third time to-morrow.

H. R. file, No. 37, A Bill for an act to establish the seats of jus-
tice of Madison and Warren counties;

Was read a second time, and

On motion of Mr Gifford,

Was referred to the Committee on New Counties.

H. R. file, No. 38, A Bill for an act requiring the Secretary of
State to record all State roads;

Was read a second time, and,

On motion of Mr Harrison,

Was referred to the Committee on Roads and Highways.

H. R. file, No. 39, A Bill for an act to provide for the improve-
ment of the Des Moines river between the mouth of the Raccoon
fork, and the northern boundary of this State;

Was read a second time, and,

On motion of Mr Gifford,

Ordered, To be engrossed and read a third time to-morrow.

H. R. file, No. 13, A Bill for an act to establish a State road from
Eddyville to Bloomfield;

Was read a third time, passed and its title agreed to.

On motion,

The House adjourned until 2 o'clock P. M.

2 o'clock, P. M.

House met pursuant to adjournment.

Mr Babbitt obtained leave to introduce,

H. R. file, No. 47, A Bill for an act to amend an act entitled "an act for the organization of Potawattamie and other counties," approved February 24th, 1848;

Which was read a first time.

Mr Bourne obtained leave to introduce,

H. R. file, No. 48, A Bill for an act to restrain swine from running at large;

Which was read a first time.

Mr Sales, from the Committee on Engrossed Bills, reported,

H. R. file, Nos. 28 and 29 as correctly engrossed.

Mr McManaman gave notice that on some future day, he would ask leave to introduce a bill to regulate grocery license.

Senate file, No. 20, A Bill for an act to establish a State road from Delhi, in Delaware county, to Independence, in Buchanan county;

Was read a first time.

The Senate Resolution providing for the adjournment of the General Assembly, on the 21st inst.;

Was read a first time; and,

On motion of Mr Goodrell,

The 42nd rule was suspended and the resolution read a second time.

Mr Harrison moved to indefinitely postpone the resolution.

And upon this question,

The yeas and nays were demanded,

And were as follows:

Yeas 27,

Nays 10.

Those who voted in the affirmative were,

Messrs Alexander, Allison, Babbitt, Betts, Baker, Collins, Corse, Davidson, Evans, Flint, Gifford, Griffith, Harrison, Jacobs, Langton, Mahony, McFarland, Norton, Penny, Read, Riggs, Sales, Sargeant, Stephenson, Walker, Weyand and Mr Speaker.

Those who voted in the negative, were

Messrs Bourne, Burroughs, Elmer, Goodrell, McCrary, McManaman, Timmons, Thompson, Williams and Wood.

So the resolution was indefinitely postponed.

Mr Mahony obtained leave to introduce,

H. R. file, No. 49, Joint Resolution;

Which was read a first time, and,

On motion of Mr Goodrell,

The 42nd rule was suspended and the resolution read a second time.

Mr Goodrell moved to indefinitely postpone the resolution.

And upon this question,

The yeas and nays were demanded,

And were as follows :

Yeas 21,

Nays 17.

Those who voted in the affirmative, were

Messrs Alexander, Allison, Baker, Burroughs, Corse, Davidson, Elmer, Evans, Gifford, Harrison, Jacobs, McCrary, McFarland, Riggs, Sales, Sargeant, Stephenson, Timmons, Weyand, Wood and Mr Speaker.

Those who voted in the negative, were

Messrs Baker, Betts, Bourne, Collins, Flint, Goodrell, Griffith, Langton, Mahony, McManaman, Norton, Penny, Read, Thompson, Walker, Williams and Woodworth.

So the resolution was indefinitely postponed.

Mr Harrison moved to adjourn;

Which motion was lost.

Senate file, No. 27, Joint Resolution for a mail route from Fort Des Moines, to Boon river;

Was read a second time, and,

On motion of Mr Corse,

The 42nd rule was suspended, the Joint Resolution read a second and third time, passed and its title agreed to.

H. R. file, No. 28, A Bill for an act to authorize the Judge of

Probate of Marion county, to transcribe the records of the Probate Court of said county;

Was read a third time, passed and its title agreed to.

H. R. file, No. 29, A Bill for an act to repeal an act, approved January 25, 1848, entitled "an act to amend an act defining the time of holding elections for State, district and county purposes;"

Was read a third time, passed and its title agreed to.

On motion of Mr McFarland,
The House adjourned until 10 o'clock A. M. to-morrow.

Saturday Morning, December 16th, 1848.

The House met pursuant to adjournment.

Mr Goodrell offered the following resolution:

Resolved, That the Committee on Expenditures be instructed to report to this House, at as early a day as practicable, a bill for the reduction of the price of public printing;

Which was adopted.

Mr Babbitt offered the following resolution:

Resolved, That the standing Committee on Roads and Highways be instructed to report a bill providing for opening and working the public roads, and providing penalties to be assessed against all persons liable to work the public roads who shall neglect or refuse to work when ordered out;

Which was adopted.

Mr Corse obtained leave to introduce,

H. R. file, No. 50, Joint Resolution for the improvement of Flint Creek, in Des Moines county;

Which was read a first time, and,

On motion of Mr Goodrell,

The 42nd rule was suspended, the Joint Resolution read a second time, and,

On motion of Mr Babbitt,

It was indefinitely postponed.

Mr Wood obtained leave to introduce,

H. R. file, No. 51, Joint Resolution praying for the establishment of a mail route from Prairie du Chien to Fort Atkinson;
Which was read a first time; and,

On motion of Mr Wood,

The 42nd rule was suspended, the Joint Resolution read a second and third time, passed and its title agreed to.

Mr Harrison obtained leave to introduce,

H. R. file, No. 52, A Bill for an act entitled "an act to amend an act to regulate practice in the district court;

Which was read a first time.

Mr Griffith, according to previous notice given, introduced,

H. R. file, No. 53, A Bill for an act to organize the Supreme Court of the State of Iowa;

Which was read a first time.

The following message was received from the Senate, by Mr Rockwell, their Secretary :

MR SPEAKER :

I am directed to inform the House of Representatives that the Senate have passed,

Senate file, No. 24, An Act for a State road therein named; and
Senate file, No. 21, Joint Resolution relative to the improvement of the harbor at Dubuque;

In all of which the concurrence of the House is requested.

I herewith return,

H. R. file, No. 44, Joint Resolution, for the conference of the Committee on the Des Moines river improvement in the House and the Committee on Internal Improvement in the Senate; and,

H. R. file, No. 41, Joint Resolution for the establishment of a Land Office at Fort Des Moines;

The same having passed the Senate without amendment.

And then he withdrew.

Mr McFarland, according to previous notice given, introduced,
H. R. file, No. 54, A Bill for an act concerning claims on the Half-breed Tract;

Which was read a first time.

Mr Wood introduced,

H. R. file, No. 55, A Bill for an act to authorize Frederick An-

dros to transcribe the records of the District Court of Clayton county;

Which was read a first time.

Mr Harrison obtained leave to introduce,

H. R. file, No. 56, A Bill for an act to repeal an act entitled "an act to provide for the location of the Seat of Government of the State of Iowa, and for the selection of land granted by Congress to aid in erecting public buildings.

Mr Collins, from the Committee on Roads and Highways, to whom was referred the petition of sundry citizens of Scott county, praying for the vacation of a road therein named, reported

H. R. file, No. 57, A Bill for an act to vacate a certain road therein named;

Which was read a first time.

The standing Committee on New Counties, to whom was referred H. R. file, No. 37, A Bill for an act to locate the seat of justice of the counties of Warren and Madison, have had the same under consideration and, after examination, have instructed me to report the same back to the House without amendment and recommend its passage.

Senate file, No. 16, Joint Resolution accompanying the report of the Judiciary Committee, to whom was referred the report of the Committee of Revision;

Was read a second time.

Mr Goodrell moved to strike out all after the words "sine die;"

Which amendment was agreed to.

Senate file, No. 20, A Bill for an act to establish a State road from Delhi, in Delaware county, to Independence, in Buchanan county;

Was read a second time; and

On motion of Mr Langton,

The 42nd rule was suspended, the bill read a third time, passed and its title agreed to.

H. R. file, No. 40, A Bill for an act for the relief of occupying claimants of real estate;

Was read a second time, and,

On motion of Mr Read,

Was referred to a Select Committee of five.

Messrs Read, Babbitt, Goodrell, Thompson and Weyand were appointed said committee.

H. R. file, No. 42, Joint Resolution in relation to printing and publishing of the journals and laws of the General Assembly;

Was read a second time.

Mr Griffith moved to indefinitely postpone the resolution.

And upon this question,

The yeas and nays were demanded,

And were as follows:

Yeas 27,

Nays 11.

Those voting in the affirmative, were

Messrs Alexander, Babbitt, Baker, Betts, Collins, Corse, Davidson, Elmer, Evans, Flint, Gifford, Griffith, Harrison, Jacobs, Langton, Mahony, McFarland, Norton, Penny, Read, Riggs, Sales, Sergeant, Walker, Weyand, Wood and Mr Speaker.

Those voting in the negative, were

Messrs Allison, Bourne, Burroughs, Goodrell, McCrary, McManaman, Stephenson, Timmons, Thompson, Williams and Woodworth.

So the resolution was indefinitely postponed.

On motion of Mr McFarland,

The House adjourned until two o'clock P. M.

2 o'clock, P. M.

The House met pursuant to adjournment.

Mr Read moved the House adjourn until 10 o'clock Monday morning;

Which was disagreed to.

The Speaker presented the following resolution, found as a communication upon the Speaker's table:

“Whereas we met to legislate
For all the people of this State;
And before we came we full well knew,
That there was work for us to do.
And whereas we have fooled away
Our precious time from day to day,

This House resolves to fool no longer,
 And to make this resolution stronger,
 We ask the Senate to concur ;
 To this we hope they won't demur."

Which was adopted by the House upon a suspension of the 42nd rule.

H. R. file, No. 43, Joint Resolution for the improvement of the navigation of the Maquoketa river ;

Was read a second time, and,

On motion of Mr Griffith,

Was referred to the Committee on Public Buildings.

H. R. file, No. 47, A Bill for an act to amend an act entitled "an act for the organization of Potowattamie and other counties," approved February 24th, 1847 ;

Was read a second time.

Mr Babbitt moved that the bill be engrossed and read a third time on Monday ;

And upon this question,

The yeas and nays were demanded,

And were as follows :

Yeas 23,

Nays 11.

Those who voted in the affirmative, were

Messrs Alexander, Babbitt, Baker, Betts, Collins, Corse, Davidson, Elmer, Evans, Flint, Gifford, Griffith, Jacobs, Langton, McFarland, Norton, Penny, Read, Sales, Sargeant, Walker, Weyand, Wood and Mr Speaker.

Those who voted in the negative, were

Messrs Allison, Bourne, Burroughs, Goodrell, McCrary, McManaman, Stephenson, Timmons, Thompson, Williams and Woodworth.

So the motion was decided in the affirmative.

Mr Sales, from the Committee on Enrolled Bills, reported, H. R. file, No. 21, as correctly engrossed.

On motion of Mr Sales,

The House adjourned.

Monday Morning, December 18th, 1848.

House met pursuant to adjournment.

Mr Corse presented the petition of sundry citizens of Des Moines and Lee counties, praying for the location of a State road from Burlington in Des Moines county, to Fort Madison, in Lee county.

Which was read, and,

On motion of Mr Corse,

Was referred to the Standing Committee on Roads and Highways.

Mr Evans presented the petition of sundry citizens of Scott county, praying for the passage of an act authorizing Israel Ather-ton to keep a ferry across the Mississippi river, at a point in Scott county, opposite Cordova in the State of Illinois ;

Which was read, and,

On motion of Mr Evans,

Was referred to the Standing Committee on Incorporations.

Mr Harrison gave notice that on to-morrow or some future day, he would introduce,

A Bill for an act to establish the office of Public Printer, to provide for his Election, to define his duties, and to establish the price of Public Printing.

Mr Allison introduced the following resolution :

Whereas, The formation of a School Law, which shall meet the wants of the people of Iowa, is of the utmost importance to the well being and future prosperity of the State ; and

Whereas, The School Lands will in time, if properly managed, produce a Fund sufficient to educate all the children in the State ; therefore,

Resolved, That the Standing Committee on Schools be and are hereby instructed :

1st. To inquire into the expediency of suspending for the present, the sale of all lands belonging to the State, which are to be applied to the support of Common Schools.

2nd. To inquire into the expediency of abolishing the Office of School Fund Commissioner, or of making an important change in his duties.

3rd. To inquire into the expediency of changing the mode of examining Teachers, so as to make the examiner a County officer.

4th. To inquire into the expediency of changing the whole school system.

5th. To report to-morrow morning.

Which was,

On motion of Mr Harrison,

Laid upon the table.

Mr Read gave notice that on to-morrow or some future day, he would introduce,

A Bill for an act relative to the record of the decree of partition of the Half-Breed tract of Land, situated in Lee county.

Mr Riggs gave notice that on some future day he would ask leave to introduce,

A Bill for an act regulating costs of criminal prosecutions in Davis and Appanoose counties.

Mr Griffith obtained leave to introduce,

H. R. file, No. 58, A Bill for an act to regulate Grocery License;

Which was read a first time.

Mr Ladgton obtained leave to introduce,

H. R. file, No. 59, Joint Resolution in support of Mr Whitney's Railroad project;

Which was read a first time.

Mr Sales from the committee on Engrossed Bills submitted the following:

The committee on Engrossed Bills to whom was referred,

H. R. files, No. 26, 34, 35, 36 and 39, have instructed me to report that they have examined the same and find them correctly engrossed.

Mr Collins from the Committee on Roads and Highways reported,

H. R. file, No. 38, A Bill for an act requiring the Secretary of State to record State roads, with the following amendments:

To Section first, in the fifth line, after the words, "shall record," insert, "and keep an index of."

And add, as Section 4th, "This act to take effect from and after its passage;"

Which amendments were agreed to.

Mr Flint, from the Committee on Incorporations, to whom was

referred the petition of sundry citizens of Keokuk county, reported,

H. R. file, No. 60, A Bill for an act to authorize George W. Hays to construct a dam across the south fork of Skunk river;

Which was read a first time.

Mr Griffith offered the following resolution:

Resolved, That the committee appointed upon the part of this House to examine into the affairs of the Iowa Penitentiary, be required to report to this House on or before the 10th day of January next;

Which was not adopted.

Mr Sargeant, from the Committee on Enrolled Bills, reported, H. R. file, Nos. 15 and 18, as correctly enrolled.

The same were then presented to the Speaker and received his signature.

Mr McManaman obtained leave to introduce,

H. R. file, No. 61, A Bill for an act to regulate grocery license; Which was read a first time.

H. R. file, No. 48, A Bill for an act to restrain swine from running at large, in Clinton county;

Was read a second time; and,

On motion of Mr Griffith,

Was referred to the Committee on Agriculture.

H. R. file, No. 52, A Bill for an act to amend an act regulating practice in the District Court;

Was read a second time; and,

On motion of Mr Read,

Was referred to the Committee on the Judiciary.

H. R. file, No. 53, A Bill for an act to organize the Supreme Court of the State of Iowa;

Was read a second time; and

On motion of Mr Griffith,

Was referred to a Select Committee of five.

Messrs Read, Mahony, Timmons, Harrison and Sales, were appointed said committee.

H. R. file, No. 54, A Bill for an act concerning claimants on the Half-breed tract;

Was read a second time; and,

On motion of Mr McFarland,

Ordered, To be engrossed and read a third time to-morrow.

H. R. file, No. 56, A Bill for an act to repeal an act entitled "an act to locate the seat of government;"

Was read a second time; and,

On motion of Mr Harrison,

Ordered, To be engrossed and read a third time to-morrow.

H. R. file, No. 57, A Bill for an act to vacate a certain road therein named;

Was read a second time; and,

On motion of Mr Evans,

Ordered, To be engrossed and read a third time to-morrow.

H. R. file, No. 14, A Bill for an act to repeal an act regulating interest on money;

Was read a third time; and,

On motion of Mr Goodrell,

Was re-committed to the Committee on Ways and Means.

H. R. file, No. 21, Joint Resolution for a grant of land from Congress;

Was read a third time.

Mr Jacobs offered the following amendment, by way of a rider:

That Sigourney be made a point;

Which was lost.

And the question recurring upon the passage of the Joint Resolution,

It was decided in the affirmative.

So the Resolution passed and its title agreed to.

H. R. file, No. 24, A Bill for an act to locate a State road from Agency City to Trader's Point;

Was read a third time, and

On motion of Mr Flint,

The bill was referred to a select committee.

Messrs Flint, Goodrell and Babbitt were appointed said committee.

On motion of Mr Goodrell,

The House adjourned until 2 o'clock P. M.

2 o'clock P. M.

The House met pursuant to adjournment.

H. R. file, No. 31, A bill for an act requiring all notices of sales, by order of courts of record, to be printed in some newspaper;

Was read a third time, passed and its title agreed to.

H. R. file, No. 33, Joint Resolution for the relief of Harvey Leonard, Sheriff of Scott county;

Was read a third time, passed and its title agreed to.

H. R. file, No. 35, A Bill for an act to amend an act entitled "an act providing for and regulating general elections;"

Was read a third time, passed and its title agreed to.

H. R. file, No. 37, A Bill for an act to locate the seat of justice of Madison and Warren counties;

Was read a third time, passed and its title agreed to.

H. R. file, No. 47, A Bill for an act to amend an act for the organization of Potawattomie county;

Was read a third time.

Mr Babbitt offered the following amendments, by way of ryder:

Add to Section 1st, "So far as the same relates to the organization of Pottowattomie county.

Add to Section 2nd, "And that the temporary organization of Potowattomie county, and the terms of office of all officers elected or holding office under or by authority of such temporary organization, shall cease and expire upon the taking effect of this act.

Which were agreed to.

And the question recurring upon the passage of the bill;

The yeas and nays were demanded,

And were as follows:

Yeas 25,

Nays 12.

Those who voted in the affirmative, were

Messrs Alexander, Babbitt, Betts, Baker, Collins, Corse, Davidson, Evans, Flint, Gifford, Griffith, Harrison, Langton, McFarland, Norton, Read, Riggs, Sales, Sargeant, Walker, Weyand, Wood and Mr Speaker.

Those who voted in the negative, were

Messrs Allison, Burroughs, Elmer, Goodrell, McCrary, McMan-

aman, Stephenson, Timmons, Thompson, Williams, Woodworth and Jacobs.

So the bill passed and its title agreed to.

H. R. file, No. 45, A Bill for an act to reduce the number of grand and petit jurors ;

Was read a third time.

And the question being put,

“Shall the bill pass ?”

It was decided in the negative.

The following message was received from the Senate, by Mr Rockwell, their Secretary:

MR SPEAKER:

I am directed to inform the House of Representatives, that the Senate have passed,

Senate file, No. 38, Joint Resolution for the carrying of the mail;

Senate file, No. 35, Joint Resolution providing compensation for the Commissioners appointed to select Des Moines river lands ;

Senate file, No. 22, Joint Resolution to allow John Brophy additional compensation for the selection of Salt Springs ;

Senate file, No. 15, A Bill to establish a ferry across the Des Moines river at Boatman's Mill, in Lee county ;

Senate file, No. 30, An Act to locate a State road therein named;

Senate file, No. 31, An Act to allow the Auditor of State to audit and allow expenses of the Supreme Court ;

Senate file, No. 29, An Act and Ordinance accepting of the propositions made by Congress on the admission of Iowa as a State into the Union.

I am also directed to inform the House that the Senate have refused to concur in the amendment made by the House to

Senate file, No. 16, Joint Resolution accompanying the report of the Judiciary Committee, to whom was referred the report of the Committee of Revision. Also,

On motion of Mr Wright,

Resolved, By the Senate, the House concurring, That the General Assembly adjourn sine die, on the 30th inst.

In all of which the concurrence of the House is requested.

I herewith return,

H. R. file, No. 13, An Act to establish a State road from Eddyville, in Wappello county, to Bloomfield in Davis county ; Also,

H. R. file, No. 28, An Act to authorize the Judge of Probate of Marion county to transcribe the records of the Probate Court. The same having passed the Senate with some slight amendments. And then he withdrew.

Mr McFarland moved to adjourn,

Which motion was lost.

Mr Sales moved to take up the Senate message ;

Which was agreed to.

Senate file, No 38, Joint Resolution for carrying the mail ;

Was was read a first time ; and,

On motion of Mr Sales,

The 42nd rule was suspended, the resolution read a second and third time, passed and its title agreed to.

On motion of Mr Sales,

The House adjourned until to-morrow morning, at 10 o'clock.

Tuesday Morning, December 19th, 1848.

House met pursuant to adjournment.

Mr Evans presented the petition of sundry citizens of Scott county, praying for a law abolishing the township organization of Scott county ;

Which was read, and,

On motion of Mr Evans,

Was referred to the Standing Committee on township and county organization.

Also,

The petition of sundry citizens of Muscatine and Scott counties, praying for an act for a State road from Davenport to the centre of section thirty-six, in township seventy-eight, range one west, thence west to Overman's ferry ;

Which was read, and,

On motion of Mr Evans,

Was referred to the Standing Committee on Roads and Highways.

Mr Babbitt introduced H. R. file, No. 63, Joint Resolution re-

quiring the Secretary of State to furnish the counties of Warren and Madison with copies of the Revised Statutes and other laws of this State;

Which was read a first time.

Mr Read from the Select Committee to whom was referred H. R. file, No. 40, A Bill for an act for the relief of occupying claimants of real estate, reported that the committee had had the same under consideration and recommended its passage with the following amendment:

In the first section, thirty-second line, after the word "claim," strike out the words "by such eviction";

Which amendment was agreed to.

Mr Alexander, from the Standing Committee on Agriculture, to whom was referred, H. R. file, No. 48, A Bill for an act to restrain swine from running at large, submitted the following report:

The committee to whom was referred H. R. file, No. 48, have had the same under consideration and ask leave to report the same back without amendment, and recommend its passage.

Mr Evans obtained leave to introduce,

H. R. file, No. 64, A Bill for an act to amend an act entitled "an act to incorporate the town of Davenport."

H. R. file, No. 63, was read a first time.

H. R. file, No. 58, was read a second time, and,

On motion of Mr Langton,

Ordered, To be engrossed and read a third time to-morrow.

H. R. file, No. 59, Joint Resolution in support of Mr. Whitney's railroad project;

Was read a second time, and

On motion of Mr Sales,

Ordered, To be engrossed and read a third time to-morrow.

H. R. file, No. 60, A Bill for an act to authorize George W. Hays to build a dam across the South fork of Skunk river;

Was read a second time, and,

On motion of Mr Babbitt,

Was indefinitely postponed.

H. R. file, No. 61, A Bill for an act to license and regulate groceries;

Was read a second time.

Mr McFarland moved to refer it to the Standing Committee on Incorporations.

Mr Harrison moved to amend by laying it upon the table.

Which was agreed to.

H. R. file, No. 34, A Bill for an act to establish a State road herein named;

Was read a third time, passed and its title agreed to.

H. R. file, No. 36, A Bill for an act to establish a State road from Monona, in Clayton county, to Fort Atkinson;

Was read a third time, passed and its title agreed to.

H. R. file, No. 38, A Bill for an act requiring the Secretary of State to record State roads;

Was read a third time, passed and its title agreed to.

H. R. file, No. 39, A Bill for an act to provide for the navigation of the Des Moines river, between the Raccoon fork thereof and the northern boundary of this State;

Was read a third time, passed and its title agreed to.

H. R. file, No. 36, A Bill for an act to amend an act entitled "an act to establish new counties and define their boundaries;"

Was read a third time, passed and its title agreed to.

H. R. file, No. 55, A Bill for an act authorizing Frederick Andros, of Clayton county, to transcribe the records of said county;

Was read a third time, passed and its title agreed to.

The Senate message was taken up, and H. R. file, No. 23, A Bill for an act to amend the charter of the city of Burlington, having been returned with amendments,

The question was upon the concurrence of the House in the amendments made by the Senate;

Which was decided in the affirmative.

Senate file, No. 35, Joint Resolution providing compensation for the Commissioners appointed to select Des Moines river lands;

Was read a first time.

Senate file, No. 22, Joint Resolution to allow John Brophy an additional compensation for the location of Salt Springs;

Was read a first time.

Mr McFarland moved to suspend the 42nd rule and read the Joint Resolution a second and third time now.

Mr Goodrell moved to amend the motion by reading a second time;

Which was agreed to.

The Joint Resolution was read a second time, and,

On motion of Mr Goodrell,

It was referred to the Standing Committee on Claims.

Senate file, No. 15, A Bill for an act to establish a ferry at Boatman's mill, on the Des Moines river, in Lee county;

Was read a first time.

Mr Read moved to suspend the 42nd rule and read the bill a second and third time now.

Mr McFarland moved to amend by reading a second time.

Which was agreed to.

The bill having been read a second time,

Mr Harrison moved the further suspension of the 42nd rule.

Mr Corse moved to amend the bill by striking out the word "exclusive."

Mr Harrison moved the previous question;

And the question being,

"Shall the main question be put?"

It was decided in the affirmative,

And the question recurring upon the suspension of the 42nd rule,

It was decided in the negative.

Senate file, No. 21, Joint Resolution for the improvement of the harbor at Dubuque;

Was read a first time.

On motion of Mr Langton,

The 42nd rule was suspended, the resolution read a second and third time, passed and its title agreed to.

Senate file, No. 16, Joint Resolution accompanying the report of the Committee on the Judiciary, to whom was referred the report of the Committee of Revision, the same having been returned from the Senate, the Senate refusing to concur in the amendment made by the House.

Mr Goodrell moved that the House adhere to its amendment.

And the question being put,

It was decided in the affirmative.

Senate file, No. 31, A Bill for an act to authorize the Auditor of State to audit and allow the expenses of the Supreme Court;

Was read a first time.

Senate file, No. 30, A Bill for an act to locate a State road therein named;

Was read a first time.

Senate file, No. 24, A Bill for an act for a State road therein named;

Was read a first time, and,

On motion of Mr Timmons,

The 42nd rule was suspended, the bill read a second and third time, passed and its title agreed to.

H. R. file, No. 13, A Bill for an act to locate a State road from Eddyville to Bloomfield;

Was read and the amendments made by the Senate agreed to.

Senate file, No. 29, An Act and Ordinance accepting the propositions made by Congress upon the admission of Iowa into the Union;

Was read a first time.

Senate Resolution for the adjournment of the General Assembly on the 30th inst.;

Was read.

Mr Babbitt moved that the further consideration of the resolution be postponed until Monday next.

Mr Griffith moved a call of the House.

Absent—Mr Mahony.

Mr Goodrell moved that the further call of the House be dispensed with;

Which was decided in the negative.

Mr Bourne moved to adjourn;

Which motion was lost.

The absentee appeared and took his seat.

The question then recurring upon postponing the resolution,

The yeas and nays were demanded,

And were as follows :

Yeas 23,

Nays 15.

Those who voted in the affirmative, were

Messrs Alexander, Babbitt, Betts, Baker, Collins, Corse, Evans, Flint, Gifford, Griffith, Harrison, Jacobs, Langton, Mahony, McFarland, Norton, Read, Riggs, Sales, Walker, Weyand, Wood and Mr Speaker.

Those who voted in the negative, were

Messrs Allison, Bourne, Burroughs, Davidson, Elmer, Goodrell, McCrary, McManaman, Penny, Sargeant, Stephenson, Timmons, Thompson, Williams and Woodworth.

So the further consideration of the resolution was postponed until Monday next.

On motion of Mr Collins,
The House adjourned until 2 o'clock P. M.

2 o'clock, P. M.

House met pursuant to adjournment.

Mr Read obtained leave to introduce,

H. R. file, No. 65, A Bill for an act relative to the record of the decree in the Half-breed case;

Which was read a first time.

Mr Thompson obtained leave to introduce,

H. R. file, No. 66, A Bill for an act for a road therein named.

Which was read a first time.

Mr Babbitt moved that the bill be rejected;

Which motion was decided in the negative.

The Speaker presented the following communication:

LIBRARIAN'S REPORT.

LIBRARIAN'S OFFICE,

IOWA CITY, December 19, 1848. }

GENTLEMEN OF THE SENATE, AND

HOUSE OF REPRESENTATIVES:

In compliance with the 13th and 14th sections of an act, entitled "An act to provide for the management of the State Library, and the election of a Librarian," I submit to your consideration the following statement of facts required to be brought to your notice, together with a statement of the contingent expenses of the same, for the years of 1847 and 1848.

The number of volumes contained in the State Library, is about one thousand six hundred and sixty, besides a number of books, in pamphlet form, being Journals, Reports, &c. About one-third of the books are law books; the remaining two-thirds consists of the statutes of the different States, miscellaneous works, American State papers, Journals of Congress, &c.

There has never been an appropriation for the increase of the of the library; consequently, the only increase, which is very small, arises from an exchange of books among the different states and

some books sent by Congress, being laws of the United States, journals and documents of Congress &c.

The Library is entirely destitute of late works which have been issued from the press on the subject of education and other subjects of a general nature, which daily demand your attention as legislators. The books composing the Library are mostly broken sets that want filling up, especially is it the case with the law reports, the sets of which need completing in order to derive much advantage from those we have. In fact, our State Library is but a mere outline or skeleton of a Library, which needs the finish to make it valuable. There are a great many pamphlets in the Library that need binding, in order more effectually to preserve them for future reference. I would suggest that there be a small appropriation made for this purpose, or that the contingent fund be increased sufficiently to allow this to be done.

I would, also, recommend to your consideration, the propriety of subscribing for some of the best periodicals and reviews that are now published, to be bound and preserved in the Library. There are quite a number of "Bradford's Iowa Reports," in pamphlet form, which are now superceded by "Morris' Iowa Reports." I would suggest the propriety of distributing them over the State, or disposing of them in some manner, as they are utterly useless as they now are and only encumber the shelves of the Library.

If I correctly understand the object of a State Library, it is more for a reference than for general reading, and the object is not for the purpose of circulating generally throughout the State, (a thing impracticable if such had been the intention,) but it is a mere depository of rare and valuable books, for the purpose of being referred to as occasions may require. I would, therefore, submit to your consideration the propriety of repealing "Joint Resolution relative to books in the Library," approved, January 26th, 1848, as it is impossible that it should continue without greatly injuring the books, if it does not occasion the loss of them.

All of which is respectfully submitted,

LEMUEL B. PATTERSON,
State Librarian.

The following is a list of the missing books:

Story's Commentaries on Equity,..... 2 volumes.
And the " " Federalist,..... 1 volume.

The following is a correct statement of the contingent expenses of the State Library, for the years 1847 and 1848:

CONTINGENT EXPENSES OF 1847.	
Paid two years subscription for Niles' Register,.....	\$10 00
“ for paper, postage, printing, binding, quills, &c.,...	18 00
“ “ candles, wood, brooms, &c.,.....	9 43½
“ “ carpet and expense of laying,.....	34 70
	<hr/>
Making in all,.....	\$72 13½
CONTINGENT EXPENSES OF 1848.	
Paid for binding, paper, postage, quills, &c.,.....	\$10 30
“ “ candles, wood, &c.,.....	21 88½
“ “ one year's subscription for Niles' Register,.....	5 00
	<hr/>
Making in all,.....	37 18½
Expenses of 1847,.....	72 13½
	<hr/>
Total of both years,.....	109 31½
Amount drawn,.....	108 42
	<hr/>
Balance due Librarian,.....	89½

Which report was read, and,

On motion of Mr Harrison,

It was referred to the Committee on Schools.

Mr Flint, from the Select Committee, to whom was referred,

H. R. file, No. 24, A Bill for an act making appropriation for a State road from Agency City to Traders Point,

Reported the same back without amendment, and,

On motion of Mr Flint,

The said bill was laid on the table, subject to the order of the House.

Mr McFarland obtained leave to introduce,

H. R. file, No. 67, A Bill for an act to authorize Wm. S. Townsend to establish and keep a ferry across the Missouri river at Traders Point;

Which was read a first time.

Mr McFarland moved to suspend the 42nd rule and read the bill a second and third time now.

Mr Corse moved to amend by reading a second time now.

Which was agreed to.

Mr Corse moved to amend the bill by striking out the words "exclusive privilege."

Mr Thompson moved a call of the House.

Absent—Mr Mahony.

Mr McFarland moved to dispense with the further call of the House.

Which was agreed to.

The question recurring upon the amendment offered by Mr Corse, It was decided in the negative.

Mr McFarland moved to suspend the 42nd rule and read the bill a third time now.

Which was decided in the affirmative.

And the bill passed and its title agreed to.

Mr Corse presented the petition of sundry citizens of Des Moines and Louisa counties, praying for the review of a State road therein named; and,

On motion of Mr Corse,

The petition was referred to a Select Committee.

Messrs Corse, Goodrell and Sargeant were appointed said committee.

The following message was received from the Senate, by Mr Rockwell, their Secretary:

MR SPEAKER:

I am directed to inform the House of Representatives that the Senate have passed,

Senate file, No. 32, An Act to establish a State road therein named;

Senate file, No. 34, An Act to establish a State road therein named;

Senate file, No. 25, Memorial to Congress for an appropriation of land for the improvement of Skunk river;

Senate file, No. 42, An Act to locate a State road from Pella to Fort Des Moines.

I herewith return,

H. R. file, No. 51, Joint Resolution asking a mail route from Prairie du Chien to Fort Atkinson;

Also,

H. R. file, No. 46, A Bill for an act to establish a State road from Mrs. Tesler's to Columbus City.

The same having passed the Senate without amendment.

I herewith return,

H. R. file, No. 18, Joint Resolution requesting our Senators and Representatives in Congress, to procure an appropriation to pay the citizens of Iowa for services rendered in the Missouri war;

Also,

H. R. file, No. 15, Joint Resolution asking a donation of land for the improvement of Muscatine Island ;

The same having received the signature of the President of the Senate.

And then he withdrew. .

Mr Goodrell obtained leave to introduce,

H. R. file, No. 68, Memorial and Joint Resolution for the increase of mail facilities ;

Which was read a first time, and,

On motion of Mr Goodrell,

The 42nd rule was suspended, the memorial read a third time, passed and its title agreed to.

Mr McFarland moved to adjourn ;

Which was lost.

The Senate message was taken from the table :

Senate file, No. 25, Memorial to Congress for a grant of land to improve the navigation of Skunk river ;

Was read a first time, and,

On motion of Mr Griffith,

The 42nd rule was suspended, the resolution read a third time, passed and its title agreed to.

Senate file, No. 42, An Act to locate a State road therein named ;

Was read a first time.

Senate file, No. 34, An Act for a State road therein named ;

Was read a first time, and,

On motion of Mr Evans,

The 42nd rule was suspended, the bill read a second and third time, passed and its title agreed to.

Senate file, No. 32, A Bill to locate a State road therein named ;

Was read a first time.

Mr Griffith obtained leave to introduce,

H. R. file, No. 69, Joint Resolution for a mail route from West Point to Salem;

Which was read a first time.

On motion of Mr Langton,

The House adjourned until 10 o'clock A. M. to-morrow.

Wednesday Morning, December 20th, 1848.

The House met pursuant to adjournment.

Mr Griffith gave notice that on to-morrow, or some future day, he would introduce,

A Bill for an act to organize, discipline and govern the militia of the State of Iowa.

Mr Harrison obtained leave to introduce,

H. R. file, No. 70, Joint Resolution appointing an agent to pay the interest on the Iowa State stock;

Which was read a first time.

Mr Corse, from the Select Committee, to whom was referred the petition of sundry citizens of Des Moines and Louisa counties, praying for the re-location of a portion of the State road, therein named, reported,

H. R. file, No. 71, A Bill for an act to re-locate a part of the State road from Burlington, in Des Moines county, to Wappello, in Louisa county;

Which was read a first time.

Mr Read, from the Committee on the Des Moines river improvement, submitted the following report:

The Committee on the Des Moines river improvement, to whom was referred,

H. R. file, No. 5, A Bill for an act for reducing the price of the Des Moines river lands;

Also,

H. R. file, No. 25, A Bill for an act to amend an act creating a Board of Public Works and providing for the improvement of the Des Moines river, approved February 24th, 1847, and to repeal an act supplemental thereto, approved January 24th, 1848.

Have, in connection with the Senate Committee on Internal Improvements, had the same under consideration, and have agreed upon the principles of a bill incorporating the general principles of said bills, and have instructed said Senate committee to introduce into the Senate a bill accordingly. Therefore, the committee have instructed me to report said bills back to the House and recommend their indefinite postponement and ask to be excused from the further consideration of the same.

Which report was concurred in.

Mr Betts, from the Committee on Claims, to whom was referred, Senate file, No. 22, Joint Resolution to allow John Brophy additional compensation for locating Salt Springs,

Have examined the claim and instruct me to report in favor of the resolution, and recommend the passage of the same without amendment.

Which report was concurred in.

Mr Sales, from the Committee on Engrossed Bills, submitted the following report:

The Committee on Engrossed Bills, to whom was referred,

H. R. file, No. 54, An Act concerning claims on the Half-breed tract; also,

H. R. file, No. 56, An Act to repeal an act to provide for the location of the seat of government of the State of Iowa, and for the selection of land granted by Congress to aid in erecting public buildings; also,

H. R. file, No. 58, An Act regulating grocery license; also,

H. R. file, No. 59, Joint Resolution in support of Mr. Whitney's railroad project;

Have instructed me to report that they have examined the same and find them correctly engrossed.

Mr Harrison obtained leave to introduce,

H. R. file, No. 72, A Bill for an act to establish a State road from Cedar Rapids, in Linn county, to Marengo, in Iowa county;

Which was read a first time.

Mr Collins, agreeable to notice previously given, introduced,

H. R. file, No. 73, A Bill for an act to locate a State road from Burlington, in Des Moines county, to Fort Madison, in Lee county;

Which was read a first time.

Mr Harrison, in accordance with notice previously given, introduced,

H. R. file, No. 74, A Bill for an act establishing the office of Public Printer, defining the duties thereof and establishing the prices of public printing;

Which was read a first time; and,

On motion of Mr Goodrell,

Ordered, That the usual number of copies be printed for the use of the General Assembly.

Mr McFarland obtained leave to introduce,

H. R. file, No. 75, A Bill for an act amendatory to an act entitled "An act regulating attachments before Justices of the Peace;"

Which was read a first time.

Mr Harrison obtained leave and introduced,

H. R. file, No. 76, A Bill for an act to fund the debt of the State;

Which was read a first time.

H. R. file, No. 62, A Bill for an act regulating costs of criminal prosecutions in Davis and Appanoose counties;

Was read a second time, and,

On motion of Mr McFarland,

Ordered, To be engrossed and read a third time to-morrow.

The following message was received from the Senate, by Mr Rockwell their Secretary:

MR SPEAKER;

I am directed to present for your signature,

Senate file, No. 27, Joint Resolution for a mail route from Fort Des Moines to the East or Boone fork of the Des Moines river;

Senate file, No. 18, Joint Resolution for the carrying of the mail;

Senate file, No. 23, An Act to establish a State road from Cedar Rapids to Marengo;

Senate file, No. 20, An Act to establish a State road from Delhi to Independence;

All of which have passed both Houses of the General Assembly.

I am also directed to inform the House that the Senate have had under consideration in Committee of the Whole,

H. R. file, No. 57, Poetical Resolution, &c., and have proposed a substitute as responsive;

In which they very respectfully request the concurrence of the House.

And then he withdrew.

H. R. file, No. 63, Joint Resolution requiring the Secretary of State to furnish the counties of Warren and Madison, with copies of the revised statutes and other laws of this State;

Was read a second time, and,

On motion of Mr Babbitt,

Ordered, To be engrossed and read a third time to-morrow.

H. R. file, No. 64, A Bill for an act to amend an act entitled "an act to incorporate the town of Davenport;"

Was read a second time, and,

On motion of Mr Evans,

Ordered, To be engrossed and read a third time to-morrow.

H. R. file, No. 65, A Bill for an act relative to the decree of the Half-breed tract, in Lee county;

Was read a second time, and,

On motion of Mr Read,

Ordered, To be engrossed and read a third time to-morrow.

H. R. file, No. 66, A Bill for a State road therein named;

Was read a second time.

Mr Babbitt moved to indefinitely postpone the further consideration of the same;

Which was decided in the negative, and,

On motion of Mr Thompson,

Ordered, To be engrossed and read a third time to-morrow.

H. R. file, No. 69, Joint Resolution for a mail route from West Point to Salem, in Henry county;

Was read a second time, and,

On motion of Mr Griffith,

The 42nd rule was suspended, the resolution read a third time, passed and its title agreed to.

Senate file, No. 15, An Act to establish a ferry across the Des Moines river, at Boatman's mill;

Was read a third time, passed and its title agreed to.

Senate file, No. 22, Joint Resolution allowing John Brophy additional compensation for locating salt springs;

Was read a third time, and,

On motion of Mr Harrison,

Was re-committed to a Select Committee of three, with instructions to report the number of days actually employed and the amount of additional service rendered.

Messrs Harrison, Goodrell and McFarland were appointed said committee.

Senate file, No. 29, An Act and Ordinance accepting of the proposition made by Congress on the admission of Iowa as a State into the Union;

Was read a second time, and,

On motion of Mr Corse,

Was referred to the Committee on the Judiciary.

Senate file, No. 30, An Act to locate a State road therein named;

Was read a second time, and,

On motion of Mr Wood,

Ordered, To be read a third time to-morrow.

Senate file, No. 31, An Act to authorize the Auditor of State to audit and allow the expenses of the Supreme Court;

Was read a second time, and,

On motion of Mr McFarland,

Ordered, To be read a third time to-morrow.

Senate file, No. 32, An Act to establish a State road therein named;

Was read a second time, and,

On motion of Mr Collins,

Ordered, To be read a third time to-morrow.

Senate file, No. 35, Joint Resolution providing compensation for the Commissioners appointed to select the Des Moines river lands;

Was read a second time, and,

On motion of Mr Allison,

Was referred to the Standing Committee on the Des Moines river Improvement.

Senate file, No. 42, An Act to locate a State road from Pella, in Marion county, to Fort Des Moines;

Was read a second time, and,

On motion of Mr Collins,

Ordered, To be read a third time to-morrow.

H. R. file, No. 40, An Act for the relief of occupying claimants of real estate;

Was read a third time, passed and its title agreed to.

H. R. file, No. 48, An Act to restrain swine from running at large in Clinton county;

Was read a third time, passed and its title agreed to.

H. R. file, No. 54, An Act concerning claimants on the Half-breed tract;

Was read a third time;

And the question being upon the passage of the bill,

The yeas and nays were demanded,

And were as follows :

Yeas 34,

Nays 3.

Those who voted in the affirmative, were

Messrs Alexander, Babbitt, Baker, Betts, Burroughs, Collins, Corse, Davidson, Elmer, Evans, Flint, Gifford, Goodrell, Griffith, Harrison, Jacobs, Langton, McFarland, McManaman, Norton, Penny, Read, Riggs, Sales, Sargeant, Stephenson, Timmons, Thompson, Walker, Weyand, Wood, Woodworth and Mr Speaker.

Those who voted in the negative, were

Messrs Allison, Bourne and McCrary.

So the bill passed and its title was agreed to.

H. R. file, No. 56, An Act to repeal an act providing for the location of the seat of government of Iowa, and for the selection of lands granted by Congress;

Was read a third time.

Mr Babbitt offered the following amendment, by way of ryder :

Add to the end of the 1st Section—

“And that the seat of government of this State be, and the same is hereby located and established at the town of Fort Des Moines in Polk county; Provided, The citizens of Polk county shall refund to purchasers of lots in Monroe City, all money paid thereon.”

And upon this question,

The yeas and nays were demanded,

And were as follows :

Yeas 11,

Nays 25.

Those voting in the affirmative, were

Messrs Babbitt, Corse, Elmer, Flint, Gifford, McCrary, McFarland, McManaman, Riggs, Thompson and Woodworth.

Those who voted in the negative, were

Messrs Alexander, Allison, Baker, Betts, Bourne, Burroughs, Collins, Davidson, Evans, Goodrell, Griffith, Harrison, Jacobs, Langton, Norton, Penny, Read, Sales, Sargeant, Stephenson, Timmons, Walker, Weyand, Williams, Wood and Mr Speaker.

Mr Allison moved to indefinitely postpone the bill;
Which motion was lost.

Mr Babbitt offered the following amendment by way of ryder:
Add to the 1st Section,

“Provided the citizens of Iowa City shall refund to the owners
of lots in Monroe City, all monies paid thereon.”

Mr Bourne offered the following amendment to the amendment:
Strike out “Iowa City” and insert “Marion county.”

Which was decided in the affirmative.

And the question recurring upon the amendment as amended,
It was decided in the negative.

Mr Babbitt moved to lay the bill on the table.

And upon this question,

The yeas and nays were demanded,

And were as follows:

Yeas 17,

Nays 20.

Those who voted in the affirmative were,

Messrs Alexander, Allison, Babbitt, Burroughs, Corse, Davidson,
Elmer, Flint, Gifford, Griffith, McCrary, McManaman, Norton,
Penny, Riggs, Sargeant and Thompson.

Those who voted in the negative, were

Messrs Baker, Betts, Bourne, Collins, Evans, Goodrell, Harrison,
Jacobs, Langton, McFarland, Read, Sales, Stephenson, Timmons,
Walker, Weyand, Williams, Wood, Woodworth and Mr Speaker.

So the motion was lost.

And the question recurring upon the passage of the bill;

The yeas and nays were demanded,

And were as follows:

Yeas 26,

Nays 11.

Those who voted in the affirmative, were

Messrs Baker, Betts, Bourne, Collins, Corse, Davidson, Evans,
Goodrell, Griffith, Harrison, Jacobs, Langton, McCrary, McFarland,
McManaman, Penny, Read, Sales, Stephenson, Timmons,
Walker, Weyand, Williams, Wood, Woodworth and Mr Speaker.

Those who voted in the negative, were

Messrs Alexander, Allison, Babbitt, Burroughs, Elmer, Flint,
Gifford, Norton, Riggs, Sargeant and Thompson.

So the bill passed and its title was agreed to.

On motion of Mr Harrison,

The House adjourned until two o'clock P. M.

2 o'clock, P. M.

The House met pursuant to adjournment.

H. R. file, No. 57, An Act to vacate a certain road therein named;

Was read a third time, passed and its title agreed to.

H. R. file, No. 58, An Act to regulate grocery license;

Was read a third time, passed and its title agreed to.

Mr Harrison asked leave to introduce the petition of Ezekiel Clark and others, praying for the extension of time to build a dam across the Iowa river;

Which was read, and,

On motion of Mr Harrison,

Was referred to a Select Committee.

Messrs Harrison, Babbitt and Williams were appointed said committee.

Mr Collins offered the following resolution:

Resolved, that the two Houses of the General Assembly adjourn on Friday, the 22nd inst, until Wednesday the 3rd day of January, 1849;

Which was rejected.

On motion of Mr Read,

The House adjourned until to-morrow morning, at 10 o'clock.

Thursday Morning, December 21st, 1848.

House met pursuant to adjournment.

Mr Stephenson presented the petition of A. B. Dilley and five others, citizens of Muscatine county, praying for the repeal of a portion of the existing school law;

Which was read, and,

On motion of Mr Stephenson,

Was referred to the Committee on Schools.

Mr Timmons presented the petition of sundry citizens of Linn county, praying for the passage of an act authorizing male citizens to have a rifle or musket free from execution or tax ;

Which was read, and,

On motion of Mr Goodrell,

Was referred to the Committee on Military Affairs.

Mr Evans presented the petition of sundry citizens of Muscatine and Scott counties, praying for the vacation of a certain road therein named ;

Which was read, and,

On motion of Mr Evans,

Was referred to the standing Committee on Roads and Highways.

Mr Babbitt presented the petition of sundry citizens of Marion county, praying for the location and establishment of a State road therein named ;

Which was read, and,

On motion of Mr Babbitt,

Was referred to the standing Committee on Roads and Highways.

Mr Babbitt presented the petition of Henry P. Scholte, a citizen of Pella, Marion county, praying for the revision of an act supplemental to an act creating a Board of Public Works and providing for the improvement of the Des Moines river, approved January 24th, 1848 ;

Which was read, and,

On motion of Mr Babbitt,

Was referred to the Committee on Des Moines river Improvements.

Mr Flint presented the petition of sundry citizens of Davis county, praying for the repeal of an act relative to the sale of public land appropriated by Congress for the improvement of the Des Moines river, and for the extension of the right of pre-emption to actual settlers at one dollar and twenty-five cents per acre ;

Which was read, and,

On motion of Mr Flint,

Was referred to the standing Committee on Des Moines river Improvements.

Mr Babbitt presented the petition of Henry P. Scholte, a citizen

of Pella, Marion county, praying the General Assembly to pass a resolution approving of, and recommending the adoption of Mr Whitney's railroad project;

Which was read, and,

On motion of Mr Babbitt,

Was laid upon the table.

Mr McCrary gave notice that on to-morrow, or some future day, he would introduce,

A Bill for an act to amend an act defining crimes and punishments.

Mr Read, from the Committee on Ways and Means, submitted the following report:

The standing Committee on Ways and Means, to whom was referred,

H. R. file, No. 14, A Bill for an act to repeal an act entitled "an act regulating the interest on money;" also,

H. R. file, No. 27, A Bill for an act providing for the assessing and collecting of the revenue,

Have had the same under consideration and have instructed me to report the same back to the House, and recommend their indefinite postponement; and ask to be discharged from the further consideration of the same.

The question being upon the concurrence of the House in the report of the committee;

And the question recurring upon the indefinite postponement of H. R. file, No. 14;

And upon this question,

The yeas and nays were demanded,

And were as follows:

Yeas 29,

Nays 7.

Those who voted in the affirmative, were

Messrs Alexander, Allison, Betts, Bourne, Burroughs, Collins, Elmer, Evans, Flint, Gifford, Goodrell, Harrison, Jacobs, McCrary, McManaman, Norton, Penny, Read, Riggs, Sargeant, Stephenson, Timmons, Thompson, Walker, Weyand, Williams, Wood, Woodworth and Mr Speaker.

Those who voted in the negative, were

Messrs Babbitt, Corse, Davidson, Griffith, Langton, Mahony and Sales.

So the bill was indefinitely postponed.

And the question recurring upon the indefinite postponement of H. R. file, No. 27, A Bill for an act to provide for the assessment and collection of revenue for State, county and township purposes, It was decided in the affirmative.

Mr Flint, from the Committee on Incorporations, reported, H. R. file, No. 77, A Bill for an act to authorize Israel Atherton to establish and keep a ferry across the Mississippi river at a point in Scott county, opposite Cordova, in the State of Illinois ;

Which was read a first time.

Mr Harrison, from the Select Committee to whom was referred the petition of Ezekiel Clark and others, praying for an extension of time for putting a lock in the Iowa City manufacturing Company mill dam, reported,

H. R. file, No. 78, A Bill for an act to extend the time for putting a lock in the Iowa City manufacturing Company mill dam ;

Which was read a first time.

Mr Mahony obtained leave to introduce,

H. R. file, No. 79, A Bill for an act supplemental to an act of February 25th, 1847, entitled "an act supplemental and amendatory to an act to establish common schools, approved January 16th, 1840."

On motion of Mr McFarland,

The reading of the bill was dispensed with, and the usual number of copies were ordered to be printed.

Mr Flint obtained leave to introduce,

H. R. file, No. 80, A Bill for an act to create a fifth Judicial District ;

Which was read a first time.

Mr Flint moved to suspend the 42nd rule and read the bill a second and third time now ;

Which motion was decided in the negative.

Mr Babbitt obtained leave to introduce,

H. R. file, No. 81, A Bill for an act to locate a State road from Knoxville, in Marion county, via of the seats of justice of the counties of Madison and Warren, to the western line of the county of Madison ;

Which was read a first time ; and,

On motion of Mr Babbitt,

The 42nd rule was suspended, the bill read a second time by its title ; and,

On motion of Mr Babbitt,
Was referred to the standing Committee on Roads and Highways.
On motion of Mr Babbitt,
The House adjourned until 2 o'clock P. M.

2 o'clock, P. M.

House met pursuant to adjournment.
Mr Evans obtained leave to introduce,
H. R. file, No. 82, Memorial to Congress for a Marine Hospital,
on Rock Island;

Which was read a first time; and,

On motion of Mr Betts,

The 42nd rule was suspended, the memorial read a second and third time, passed and its title agreed to.

The Speaker laid before the House certain claims for expenses incurred by the Superintendent of Public Instruction.

On motion of Mr Goodrell,

The reading of the accounts was dispensed with and they were referred to the standing Committee on Claims; and the blank forms were referred to the Committee on Schools.

Mr Corse presented the claims of James W. Woods and others, which,

On motion of Mr Corse,

Were referred to the standing Committee on Claims.

Mr Sales, from the Committee on Engrossed Bills, reported, that The Committee on Engrossed Bills, to whom was referred, H. R. file, Nos. 64, 65 and 66, have instructed me to report that they have examined the same and find them correctly engrossed.

Mr Read obtained leave to introduce,

H. R. file, No. 83, Memorial and Joint Resolution for the increase of the pension of Isaac W. Griffith;

Which was read a first time; and,

On motion of Mr McFarland,

The 42nd rule was suspended, the memorial and joint resolution read a second and third time, passed, and its title agreed to.

Mr McFarland introduced the following resolution :

Resolved, That a Committee of three be appointed by the chair to draft and re-model the Probate Code, and that said Committee be requested to report at as early a day as practicable.

Messrs McFarland, Allison and Babbitt were appointed said committee.

H. R. file, No. 76, A Bill for an act to fund the State debt;

Was read a second time; and,

On motion of Mr Griffith,

Was referred to the standing Committee on Ways and Means.

H. R. file, No. 75, A Bill for an act to amend an act regulating attachments;

Was read a second time; and,

On motion of Mr McFarland,

Ordered, To be engrossed and read a third time to-morrow.

H. R. file, No. 74, A Bill for an act to establish the office of Public Printer, to define the duties thereof, and to establish the prices of public printing;

Was read a second time; and,

On motion of Mr Goodrell,

The House resolved itself into Committee of the Whole for its consideration.

Mr Read in the Chair.

And after some time spent therein, the committee rose and by their Chairman reported, the bill back to the House, with the following amendments:

Strike out the word "Public" and insert "State" wherever it occurs, and fill the blank in the third line of the fourth Section by inserting the word "five;"

Which amendments were concurred in.

On motion of Mr Harrison,

The 42nd rule was suspended, and the bill read a third time;

And the question being, "Shall the bill pass?"

And upon this question,

The yeas and nays were demanded,

And were as follows:

Yeas 25,

Nays 9.

Those who voted in the affirmative, were

Messrs Alexander, Babbitt, Baker, Betts, Collins, Corse, Davidson, Elmer, Evans, Flint, Griffith, Harrison, Jacobs, Langton,

McFarland, Norton, Penny, Read, Riggs, Sales, Sargeant, Walker, Weyand, Wood and Mr Speaker.

Those who voted in the negative, were

Messrs Bourne, Burroughs, McCrary, McManaman, Stephenson, Thompson, Williams, Woodworth and Goodrell.

So the bill passed and its title was agreed to.

The following message was received from the Senate by Mr Rockwell, their Secretary :

MR SPEAKER :

I am directed to inform the House of Representatives that the Senate has passed,

Senate file, No. 28, An Act to authorize Wm. Green his heirs and assigns to improve the Cedar river by a dam and lock ;

Senate file, No. 36, An Act to establish a State road and branch thereof ;

In which the concurrence of the House is requested.

I herewith return,

H. R. file, No. 36, An Act to locate a State road therein named ;

H. R. file, No. 55, An Act to authorize F. Andros to transcribe the records of Clayton county ;

The same having passed the Senate without amendment ; also,

Resolved by the Senate, the House concurring, that the General Assembly will adjourn on Friday, December 22nd, to meet again on Wednesday, January 3rd, 1849.

I herewith present for your signature,

Senate file, No. 12, Joint Resolution to accept of a reconnoissance and preliminary survey ;

Senate file, No. 33, An Act amendatory to an act entitled an act to provide for the better settling and adjudicating titles set up to the Half-breed lands in Lee county.

I herewith return,

H. R. file, No. 34, An Act to authorize David W. King to establish and keep a ferry at Cedar Rapids ;

H. R. file, No. 39, An Act to provide for the navigation of the Des Moines river between the Raccoon forks and the northern boundary of the State ;

H. R. file, No. 37, A Bill for an act to locate the seat of justice of the counties of Madison and Warren ;]

The same having passed the Senate without amendments.
And then he withdrew.

On motion of Mr Betts,

The message from the Senate was taken up.

The resolution for the adjournment of the General Assembly, from Friday the 22nd inst., until Wednesday the 3rd day of January, 1849, was read.

Mr Babbitt moved a call of the House.

Absent—Messrs Allison, Gifford, Griffith, Mahony and Timmons.

After some time spent, the absentees appeared and took their seats.

Mr McManaman moved to amend by striking out “Wednesday, January 3rd, 1849,” and inserting “Tuesday, December 26;”

Which was disagreed to.

The question then recurring upon concurring in the resolution of the Senate;

And upon this question,

The yeas and nays were demanded,

And were as follows:

Yeas 6,

Nays 32.

Those who voted in the affirmative, were

Messrs Betts, Bourne, Collins, Harrison, Langton and Evans.

Those who voted in the negative, were

Messrs Alexander, Allison, Babbitt, Baker, Burroughs, Corse, Davidson, Elmer, Gifford, Goodrell, Griffith, Jacobs, Mahony, McCrary, McManaman, Norton, Penny, Read, Riggs, Sales, Sargeant, Stephenson, Timmons, Thompson, Walker, Weyand, Williams, Wood, Woodworth and Mr Speaker.

So the resolution was not concurred in.

H. R. file, No. 73, A Bill for an act for a State road therein named;

Was read a second time; and,

On motion of Mr Griffith,

Ordered, To be engrossed and read a third time to-morrow.

H. R. file, No. 70, Joint Resolution appointing an agent to pay the interest on the Iowa State Stock;

Was read a second time; and,

On motion of Mr Griffith,

The 42nd rule was suspended, the resolution read a third time, passed and its title agreed to.

H. R. file, No. 72, A Bill for an act to establish a State road from Cedar Rapids to Marengo, in Iowa county;

Was read a second time; and,

On motion of Mr Timmons,

Ordered, To be engrossed and read a third time to-morrow.

Mr Sales obtained leave to introduce,

The petition of Hugh W. Sample and others, praying for a grant of one township of the lands known as the "Salt Spring" lands, to the medical department of the State University;

Which was read; and,

On motion of Mr Sales,

Was referred to a Select Committee of three.

Messrs Harrison, Sales and Sargeant, were appointed said committee.

Mr McFarland, from the Committee on the Judiciary, to whom was referred,

H. R. file, No. 52, A Bill for an act to amend an act to regulate practice in the District Court,

Reported that the committee had had the same under consideration and were unable to agree, and asked leave to be discharged from the further consideration of the same.

Mr Babbitt moved to refer the same to a Select Committee.

Which was agreed to.

Messrs Babbitt, Harrison and Corse, were appointed said committee.

Mr McFarland offered the following resolution:

Resolved, That this House will now adjourn until Wednesday, the 27th inst., at 2 o'clock P. M.

Which was not adopted.

Mr McFarland moved to adjourn until 10 o'clock, to-morrow morning.

Which motion was lost.

H. R. file, No. 62, An Act regulating costs in criminal prosecutions in Davis and Appanoose counties;

Was read a third time, passed and its title agreed to.

H. R. file, No. 63, Joint Resolution requiring the Secretary of State to furnish the counties of Warren and Madison with copies of the laws of this State;

Was read a third time, passed and its title agreed to.

H. R. file, No. 63, Joint Resolution in support of Mr Whitney's Railroad project,

Was read a third time, passed, and its title agreed to.

Mr Williams moved the House adjourn.

Which motion was lost.

Senate file, No. 42, An Act to locate a State road from Pella, in Marion county, to Fort Des Moines, Polk county;

Was read a third time, passed and its title agreed to.

Mr Harrison moved to adjourn.

Which was decided in the negative.

Senate file, No. 30, An Act to locate a State road therein named;

Was read a third time, passed and its title agreed to.

Mr Harrison asked leave of absence for Mr Mahony from tomorrow until Tuesday, January 3rd, 1849;

Which was granted.

Mr Read asked leave of absence for Mr Betts until next Wednesday;

Which was granted.

Senate file, No. 31, An Act to authorize the Auditor of State to audit and allow the expenses of the Supreme Court;

Was read a third time, passed and its title agreed to.

Mr Baker moved to adjourn;

Which motion was lost.

Senate file, No. 32, An Act to establish a State road therein named;

Was read a third time, passed and its title agreed to.

Mr Sales moved to adjourn;

Which motion was lost.

H. R. file, No. 64, An Act to amend an act to incorporate the town of Davenport;

Was read a third time, passed and its title agreed to.

H. R. file, No. 65, An Act relative to the record of the decree of partition in the Half-breed tract of land, in Lee county;

Was read a third time, passed and its title agreed to.

H. R. file, No. 66, A Bill for an act to establish a State road therein named;

Was read a third time, and,

On motion of Mr Griffith,

Was re-committed to the Committee on Roads and Highways.

Mr Jacobs moved to adjourn;

Which motion was lost.

Senate file, No. 36, An Act to establish a State road and branch thereof;

Was read a first time.

Senate file, No. 28, A Bill for an act to authorize William Green to improve Cedar river by the erection of a dam and lock;

Was read a first time.

Senate file, No. 33, An Act amendatory to an act entitled "an act to provide for the better settling and adjustment of the several titles set up to the Half-breed lands, in Lee county," passed June 11th, 1845;

Was read a first time.

Mr Betts moved to adjourn;

Which motion was decided in the negative.

Mr Mahony moved to adjourn until 10 o'clock to-morrow morning;

Which motion was decided in the affirmative.

The House adjourned until 10 o'clock A. M. to-morrow.

Friday Morning, December 22nd, 1848.

The House met pursuant to adjournment.

Mr Goodrell asked leave to have his vote on the question of the passage of the bill providing for the election of State Printer, &c., recorded in the negative;

Which was granted.

Mr Mahony waived his leave of absence.

Mr Stephenson presented the petition of the Trustees of the town of Bloomington, Muscatine county, praying for the amendment of their charter;

Which was read, and,

On motion of Mr Stephenson,

Referred to the Committee on Incorporations.

Mr Davidson presented the account of Henry Ward;

Which was read, and,

On motion of Mr Corse,

Referred to the standing Committee on Claims.

Mr Griffith, from the standing Committee on Military Affairs, submitted the following report:

The Committee to whom was referred the petition of sundry citizens, of Linn county, have had the same under consideration, and have instructed me to report,

H. R. file, No. 84, A Bill for an act to exempt from execution certain property therein named;

Which was read a first time.

Mr Read submitted the following report:

The Select Committee to whom was referred,

H. R. file, No. 53, A Bill for an act to organize the Supreme Court of the State of Iowa,

Have had the same under consideration and instruct me to report the same back to the House, and recommend its passage with the following amendments:

In section first, eighth line, after the word "the," strike out the words "decrees or;" also,

In section fourth, insert in the 1st blank, "first;" in the 2nd blank, insert "May;" in the 3rd blank, insert "December;"

Which report and amendments were concurred in.

Mr Collins submitted the following report:

The Committee to whom was referred, H. R. file, No. 81, A Bill for an act to locate a State road from Knoxville, in Madison county, via of the seats of justice of Warren and Madison counties to the western line of Madison county, have had the same under consideration, and ask leave to report the same back to the House without amendment and recommend its passage; also,

H. R. file, No. 66, A Bill for an act to establish a State road therein named, with the following amendment:

1st section, strike out "Senate and House of Representatives," and insert "General Assembly;"

Which report and amendment were concurred in.

Mr Babbitt, from the Select Committee to whom was referred H. R. file, No. 52, made the following report:

The Select Committee to whom was referred, H. R. file, No. 52, A Bill for an act to amend an act to regulate practice in the District Court, have had the same under consideration, and have instructed

me to report the same back to the House, and recommend that the farther consideration of the bill be indefinitely postponed.

And the question being upon indefinitely postponing the bill, it was decided in the negative.

Mr Harrison, from the Select Committee to whom was referred, H. R. file, No. 43, Joint Resolution asking a donation of money or land, reported the same back without amendment and recommended its passage.

Mr Sargeant, from the Committee on Enrolled Bills, reported that they had examined,

H. R. file, No. 13, An Act to establish a State road from Eddyville to Bloomfield;

H. R. file, No. 23, An Act to amend the charter of the city of Burlington;

H. R. file, No. 28, An Act to authorize the Judge of Probate, of Marion county, to transcribe the records of the Probate Court;

H. R. file, No. 41, Joint Resolution for the establishment of a land office at Fort Des Moines;

H. R. file, No. 46, An Act to establish a State road from Mrs. Tesler's to Columbus City; and,

H. R. file, No. 51, Joint Resolution asking a mail route from Prairie du Chien to Fort Atkinson,

As correctly enrolled.

The same were then presented to the Speaker of the House of Representatives, and received his signature.

Mr Sales, from the Committee on Engrossed Bills, reported that they had examined,

H. R. file, No. 72, A Bill for an act to establish a State road from Cedar Rapids to Marengo, in Iowa county; and,

H. R. file, No. 75, A Bill for an act to amend an act regulating attachments,

As correctly engrossed.

Mr Baker obtained leave to introduce,

H. R. file, No. 85, A Bill for an act to re-locate the "Iowa State University;"

Which was read a first time.

Mr Babbitt offered the following resolution:

Resolved, That the Secretary of the Board of Public Works be requested to inform this House whether any moneys have been borrowed by the President of the Board for the purpose of constructing:

the improvement of the Des Moines river? If so, whether the President has or has not agreed that State bonds bearing interest should be issued for the amount of said loan? And whether the President by any verbal or written agreement has contracted to borrow any amount of money, as aforesaid, provided, the General Assembly should authorize the issuing of State Bonds?

And what amount of incidental expenses have been allowed and paid the President of the Board of Public Works? And what amount remains unpaid at this time? And what has been the entire amount of incidental expenses incurred by the Board since its organization; together with the entire amount paid contractors on said improvement?

And whether the present contractors on said improvement were the lowest bidders for said work?

Also, that the Secretary furnish this House with a copy of all bids put in for said work;

Which was adopted.

Senate file, No. 28, An Act to authorize William Green, his heirs and assigns, to improve the Cedar river by the erection of a dam and lock;

Was read a second time, and,

On motion of Mr Betts,

Was referred to a Select Committee of three.

Messrs Betts, Timmons and Evans were appointed said committee.

Senate file, No. 33, An Act amendatory to an act entitled "an act to provide for a better settling and adjusting of the several titles set up to the Half-breed lands in Lee county," passed June 11, 1845;

Was read a second time.

Mr Babbitt moved to amend the 3rd section by striking out the words "Keokuk Register" and inserting "Iowa Statesman;"

Which was lost.

Mr Read moved to strike out the word "hereby" from the enacting clause;

Which was agreed to, and,

On motion of Mr Read,

Ordered, to be read a third time to-morrow.

Senate file, No. 36, An Act to establish a State road and branch thereof;

Was read a second time; and,

On motion of Mr Allison,

Ordered, To be read a third time to-morrow.

Mr Sales offered the following resolution :

Resolved, That the standing Committee on the Judiciary be, and they are hereby requested to present a bill to this House exempting certain property, held by a married woman, from the liabilities of her husband, and also exempting a small homestead from execution;

Which was adopted.

H. R. file, No. 78, A Bill for an act to extend the time for putting a lock in the Iowa City manufacturing company mill dam ;

Was read a second time, and,

On motion of Mr Harrison,

Ordered, To be engrossed and read a third time to-morrow.

H. R. file, No. 79, A Bill for an act supplemental to the act of February 25th, 1847, entitled "an act supplemental and amendatory to an act to establish common schools," approved, Jan. 16, 1840;

Was read a second time, and,

On motion of Mr Griffith,

The House resolved itself into a Committee of the Whole for the consideration of the same now.

Mr Corse in the chair.

And after some time spent therein, the committee rose and by their chairman reported the same back with the following amendments :

In the 4th line of the 5th section, strike out the words "by ballot."

Fill the first blank in the 7th section, with "ten dollars," and fill the next blank in same section with "75 cents."

And the question being upon agreeing to the amendments made by the Committee of the Whole House,

It was decided in the affirmative.

Mr Bourne moved to amend the 7th section, in the fourth line, by striking out the words, "by the County Commissioners out of the County Treasury," and insert "out of the monies arising from the proceeds of the sixteenth sections."

And upon this question,

The yeas and nays were demanded,

And were as follows :

Yeas 10,

Nays 26.

Those who voted in the affirmative, were

Messrs Alexander, Bourne, Baker, Flint, Gifford, Goodrell, McManaman, Timmons, Wood and Mr Speaker.

Those who voted in the negative, were

Messrs Allison, Babbitt, Burroughs, Collins, Corse, Davidson, Elmer, Evans, Griffith, Harrison, Jacobs, Langton, Mahony, McCrary, McFarland, Norton, Penny, Read, Riggs, Sales, Sargeant, Stephenson, Thompson, Walker, Weyand, Williams and Woodworth.

Mr Weyand offered the following substitute for section seventh :

“All persons employed in allotting or appraising school lands shall be allowed, and paid out of the county treasury, such compensation as may be allowed by the County Commissioners of their respective counties;”

Which was disagreed to.

Mr Bourne moved to amend the seventh section, in the fourth line, by striking out the words “County Commissioners out of the county treasury,” and insert “State of Iowa.”

And upon this question,

The yeas and nays were demanded,

And were as follows :

Yeas 10,

Nays 27.

Those voting in the affirmative, were

Messrs Allison, Babbitt, Bourne, Gifford, Goodrell, McManaman, Sales, Timmons, Thompson and Weyand.

Those who voted in the negative, were

Messrs Alexander, Baker, Burroughs, Collins, Corse, Davidson, Elmer, Evans, Flint, Griffith, Harrison, Jacobs, Langton, Mahony, McCrary, McFarland, Norton, Penny, Read, Riggs, Sargeant, Stephenson, Walker, Williams, Wood, Woodworth and Mr Speaker.

So the amendment was not agreed to.

Mr Babbitt moved to amend the seventh section, by striking out all after the word “by” and insert “the person purchasing.”

Pending which question,

On motion of Mr Timmons,

The House adjourned until 2 o'clock p. m.

2 o'clock P. M.

The House met pursuant to adjournment.

The question being upon agreeing to the amendment offered by Mr Babbitt,

And upon this question,

The yeas and nays were demanded,

And were as follows :

Yeas 5,

Nays 28.

Those who voted in the affirmative, were

Messrs Babbitt, Elmer, Gifford, Jacobs and Riggs.

Those who voted in the negative, were

Messrs Alexander, Betts, Bourne, Burroughs, Collins, Corse, Davidson, Evans, Flint, Goodrell, Griffith, Harrison, Mahony, McCrary, McFarland, McManaman, Norton, Penny, Read, Sales, Sargeant, Stephenson, Timmons, Thompson, Walker, Weyand, Williams, Wood and Mr Speaker.

So the amendment was not agreed to.

Mr Bourne moved to amend the seventh section by striking out the fourth line;

And upon this question,

The yeas and nays were demanded,

And were as follows :

Yeas 11,

Nays 24.

Those who voted in the affirmative, were

Messrs Alexander, Babbitt, Bourne, Flint, Gifford, Goodrell, Riggs, Stephenson, Timmons, Weyand and Mr Speaker.

Those who voted in the negative, were

Messrs Allison, Baker, Betts, Burroughs, Collins, Corse, Davidson, Elmer, Evans, Griffith, Harrison, Jacobs, Mahony, McCrary, McFarland, McManaman, Norton, Penny, Read, Sales, Sargeant, Walker, Williams, Wood and Woodworth.

So the amendment was not agreed to.

The following message was received from the Senate, by Mr Rockwell their Secretary:

MR SPEAKER;

I am directed to inform the House of Representatives, that the Senate have passed,

Senate file, No. 39, An Act to authorize the Supreme Court to hold special terms;

In which the concurrence of the House is requested.

I herewith return,

H. R. file, No. 83, Memorial and Joint Resolution, asking an increase of the pension of Isaac W. Griffith;

H. R. file, No. 26, A Bill for an act to amend an act to establish new counties and define their boundaries;

H. R. file, No. 82, Memorial to Congress for a Marine Hospital, at Rock Island;

The same having passed the Senate without amendment.

I herewith present for your signature,

Senate file, No. 21, Joint Resolution for the improvement of the harbor at Dubuque; also,

Senate file, No. 24, An Act for a State road therein named;

The same having passed both branches of the General Assembly. And then he withdrew.

Mr Babbitt moved to refer the bill to a Select Committee;

Which motion was lost; and,

On motion of Mr McManaman,

The 42nd rule was suspended, the bill read a third time, passed and its title agreed to.

H. R. file, No. 80, A Bill for an act to create a fifth Judicial District;

Was read a second time.

Mr Allison moved that the usual number of copies be printed for the use of the House;

Which motion was decided in the negative; and,

On motion of Mr Allison,

The bill was referred to the standing Committee on the Judiciary.

H. R. file, No. 81, A Bill for an act to locate a State road from Knoxville, in Madison county, via the seat of justice of Warren and Madison counties, to the west line of Madison county;

Was read a third time, passed and its title agreed to.

Mr Sales obtained leave to introduce,

H. R. file, No. 86, Joint Resolution requesting a revision of the

Constitution of the United States, in relation to the election of President;

Which was read a first time.

H. R. file, No. 76, A Bill for an act to fund the debt of the State;
Was read a third time, passed and its title agreed to.

H. R. file, No. 77, A Bill for an act to authorize Israel Atherton to keep a ferry across the Mississippi river at a point opposite Cordova, in Illinois;

Was read a third time, passed and its title agreed to.

H. R. file, No. 53, A Bill for an act to organize the Supreme Court of the State of Iowa;

Was read a third time.

Mr Corse moved to indefinitely postpone the same;

Which motion was decided in the negative.

And the question being upon the passage of the bill,

The yeas and nays were demanded,

And were as follows :

Yeas 20,

Nays 17.

Those who voted in the affirmative, were

Messrs Allison, Betts, Bourne, Burroughs, Evans, Goodrell, Griffith, Harrison, McCrary, McFarland, Norton, Read, Sales, Stephenson, Timmons, Walker, Williams, Wood, Woodworth and Mr Speaker.

Those who voted in the negative, were

Messrs Alexander, Babbitt, Baker, Collins, Corse, Davidson, Elmer, Flint, Gifford, Jacobs, Mahony, McManaman, Penny, Riggs, Sargeant, Thompson and Weyand.

So the bill passed and its title was agreed to.

H. R. file, No. 52, A Bill for an act to amend an act to regulate practice in the District Court;

Was read a third time.

And the question recurring upon the passage of the bill;

The yeas and nays were demanded,

And were as follows :

Yeas 7,

Nays 29.

Those who voted in the affirmative, were

Messrs Alexander, Baker, Betts, Bourne, Collins, Goodrell and Sales.

Those who voted in the negative, were

Messrs Allison, Babbitt, Burroughs, Corse, Davidson, Elmer, Evans, Flint, Gifford, Griffith, Harrison, Jacobs, Mahony, McCrary, McManaman, Norton, Penny, Read, Riggs, Sargeant, Stephenson, Timmons, Thompson, Walker, Weyand, Williams, Wood, Woodworth and Mr Speaker.

So the bill was rejected.

Mr Mahony obtained leave to introduce,

H. R. file, No. 87, A Bill for an act to prevent the circulation of county orders;

Which was read a first time.

Mr Sargeant obtained leave to introduce,

H. R. file, No. 88, A Bill for an act to legalize the acts of the County Commissioners, of Des Moines county;

Which was read a first time.

Mr Harrison obtained leave to introduce,

H. R. file, No. 89, A Bill for a State road therein named;

Which was read a first time.

H. R. file, No. 72, A Bill for an act to establish a State road from Marengo, in Iowa county, to Cedar Rapids, in Linn county;

Was read a third time, passed and its title agreed to.

H. R. file, No. 75, A Bill for an act amendatory to an act regulating attachments;

Was read a third time, passed and its title agreed to.

Senate file, No. 39, An Act to authorize the Supreme Court to hold special terms;

Was read a first time.

Mr McFarland offered the following resolution:

Resolved, That this House now adjourn until Tuesday next, the 26th inst., at 3 o'clock, P. M.

And upon the adoption of this resolution,

The yeas and nays were demanded,

And were as follows:

Yeas 12,

Nays 25.

Those who voted in the affirmative were,

Messrs Baker, Bourne, Burroughs, Evans, Harrison, McFarland, Norton, Read, Sales, Stephenson, Timmons and Mr Speaker.

Those who voted in the negative, were

Messrs Alexander, Allison, Babbitt, Betts, Collins, Corse, Da-

vidson, Elmer, Flint, Gifford, Griffith, Jacobs, Mahony, McCrary, McManaman, Penny, Riggs, Sargeant, Thompson, Walker, Weyand, Williams, Wood and Woodworth.

So the resolution was not adopted.

Mr McFarland moved a call of the House.

Absent—Mr Langton.

On motion of Mr Mahony,

The further call of the House was dispensed with.

Mr McFarland asked leave of absence for all the gentlemen who voted against the resolution, from to-morrow until next Wednesday; Which leave was granted.

Mr Corse moved to adjourn;

Which motion was lost.

Mr McFarland moved to adjourn until Wednesday morning, 10 o'clock;

And upon this question,

The yeas and nays were demanded;

Pending which,

Mr Harrison moved to amend by adjourning until Tuesday morning, 10 o'clock;

Which was disagreed to.

And the question recurring on Mr McFarland's motion,

The vote was as follows:

Yeas 11,

Nays 26.

Those who voted in the affirmative were,

Messrs Baker, Betts, Burroughs, Griffith, Harrison, McFarland, Norton, Read, Sales, Stephenson and Timmons.

Those who voted in the negative were,

Messrs Alexander, Allison, Bourne, Collins, Davidson, Elmer, Evans, Flint, Gifford, Goodrell, Jacobs, Mahony, McCrary, McManaman, Penny, Riggs, Sargeant, Thompson, Walker, Weyand, Williams, Wood, Woodworth and Mr Speaker.

So the motion was lost.

Mr Mahony asked leave of absence for Mr Harrison, until Tuesday, the 26th inst.;

Which was granted.

Mr Corse moved to adjourn;

Which motion was lost.

Mr McFarland moved to adjourn until half past 3 o'clock, P. M., on next Tuesday.

And upon this question,

The yeas and nays were demanded,

And were as follows :

Yeas 3,

Nays 34.

Those who voted in the affirmative were,

Messrs Baker, Burroughs and Harrison.

Those who voted in the negative were,

Messrs Alexander, Allison, Babbitt, Betts, Bourne, Collins, Corse, Davidson, Elmer, Evans, Flint, Gifford, Goodrell, Griffith, Jacobs, Mahony, McCrary, McFarland, McManaman, Norton, Penny, Read, Riggs, Sales, Stephenson, Timmons, Thompson, Walker, Weyand, Williams, Wood, Woodworth and Mr Speaker.

So the motion was lost.

On motion of Mr Harrison,

The House adjourned until to-morrow morning, at 10 o'clock.

Saturday Morning, December 23rd, 1848.

House met pursuant to adjournment.

Mr Sales asked leave for Mr Betts to retain his seat, from which he was excused yesterday ;

Which was granted.

Mr Corse gave notice that on to-morrow or some future day he would introduce,

A Bill for an act to authorize the county commissioners of Des Moines county to have a vote taken in relation to building a Court House, in said county.

Mr Sales from the standing Committee on Engrossed Bills, reported that the committee have had

H. R. file, No. 73, and H. R. file, No. 68, under examination, and find the same correctly engrossed.

Mr Betts from the select Committee to whom was referred,

Senate file, No. 28, A Bill to authorize William Green, his heirs

or assigns, to improve Cedar River by erecting a dam and lock, reported, that the committee have had the same under consideration, and beg leave to report the bill back to the House without amendment, and recommend the passage of the same.

Mr Flint from the select Committee to whom was referred the petition of the President and Trustees of the Town of Bloomington, praying for an amendment of the charter of Bloomington, reported

H. R. file, No. 90, A Bill for an act to amend an act entitled "an act for the Incorporation of the Town of Bloomington," approved January 23rd, 1839;

Which was read a first time.

Mr Collins from the Committee on Roads and Highways, to whom was referred the petition of sundry citizens of Scott county, praying for the vacation of a certain road therein named, reported

H. R. file, No. 91, A Bill for an act vacating a part of a certain Road therein named;

Which was read a first time.

Mr Sargeant from the standing Committee on Enrolled Bills, reported that the committee had examined

H. R. file, No. 34, An Act to authorize David W. King to keep a ferry across Cedar river, at a point opposite Cedar Rapids;

H. R. file, No. 36, An Act to locate a State Road from Monona to Fort Atkinson;

H. R. file, No. 37, An Act to locate the seat of justice of the counties of Madison and Warren;

H. R. file, No. 35, An Act to authorize Frederick Andros to transcribe the records of the District Court of Clayton county;

H. R. file, No. 39, An Act to provide for the navigation of the Des Moines river, between the mouth of the Raccoon Fork thereof and the northern boundary of the State;

H. R. file, No. 26, An Act to amend an act entitled "an act to establish new counties, and define their boundaries;

H. R. file, No. 82, Memorial to Congress for a Marine Hospital at Rock Island; and

H. R. file, No. 83, Memorial and Joint Resolution to increase the pension of Isaac W. Griffith;

As correctly enrolled.

The same were then presented to the Speaker and received his signature.

The following message was received from the Senate by Mr Rockwell, their Secretary:

MR SPEAKER:

I am directed to inform the House of Representatives that the Senate has passed,

Senate file, No. 41, An Act to amend an act entitled "an act to provide for the management of a State Library, and the election of a Librarian;

Senate file, No. 40, An Act to authorize the Secretary of State to collect and arrange certain papers in his office;

In which the concurrence of the House is requested.

I herewith return,

H. R. file, No 67, An Act to authorize William S. Townsend to keep a ferry across the Missouri River, at Traders' Point;

The same having passed the Senate with sundry amendments.

Also,

H. R. file, No. 21, Joint Resolution for a grant of land;

The same having passed with one amendment: insert "Bloomington," after the word "via;"

In which the concurrence of the House is requested.

I am directed to present for your signature,

Senate file, No. 34, An Act to locate and establish a State Road therein named;

Senate file, No. 25, Memorial to Congress for an appropriation of land for the improvement of Skunk river;

Senate file, No. 22, Joint Resolution to allow John Brophy an additional compensation for the location of Salt Springs;

The same having passed both branches of the General Assembly.

And then he withdrew.

The Speaker presented to the House the following communication from Charles Corkery, Secretary of the Board of Public Works:

IOWA CITY, December 22, 1848.

TO THE HON. S. H. BONHAM,

SPEAKER OF THE HOUSE OF REPRESENTATIVES:

SIR:—I am in possession of a communication from William E. Leffingwell, Esq., Chief Clerk of the House of Representatives, enclosing "a copy of certain resolutions, asking information," &c.,

"which have this day passed the House of Representatives." These resolutions are a series of interrogatories to me, and I have the honor to reply to each in order.

First: There has been no "money borrowed by the President of the Board, for the purpose of constructing the improvement of the Des Moines River," nor for any purpose connected with the improvement, except about \$240, at the organization of the Board, for the purchase of record books, stationary, office furniture, &c. This "loan" was obtained by the President from a friend, and subsequently refunded, without interest. There has been no other "loan," or contract for a loan, either written or verbal, direct or indirect, connected with the issuing of bonds, nor has the subject ever been entertained in any other way than as suggested in our report.

Second: The Board has sometimes directed the President to visit persons and places on business connected with the improvement, to purchase materials, to procure the right of way through lands, &c., and the necessary expenses incurred by him have been allowed and paid. I cannot now state the amount of these expenses, but they are included under the head of "miscellaneous expenses," in the Treasurer's account. The amount paid to contractors will also be found correctly stated in the Treasurer's account, and I believe that account to be strictly true, as it was rendered under the responsibility of an oath and bond.

Third: In all cases where the Board had evidence of the responsibility of a bidder, the lowest bid was accepted; but when we believed a person incompetent to accomplish what he proposed, we rejected his bid. There were low bids proposed and rejected; but they were from persons of whom we either knew nothing, or knew too much.

Fourth: The bids number nearly seven hundred, and as I am now several days journey from the office, where they are on file, I fear that the General Assembly would have adjourned before they could be copied and furnished to the House of Representatives. If any member of the General Assembly desires information with regard to any particular bid, or on any other matter connected with the improvement, it will be cheerfully given by the President, or by,

Very respectfully sir,

Your obedient servant,

CHARLES CORKERY,

Sec. B. P. Works.

Senate file, No. 39, A Bill for an act to authorize the Supreme Court to hold special terms ;

Was read a second time.

Mr McFarland moved to indefinitely postpone the same,

Which motion was decided in the negative ; and,

On motion of Mr Corse,

The bill was referred to the standing Committee on the Judiciary.

H. R. file, No. 84, A Bill for an act to exempt certain property therein named, from execution ;

Was read a second time.

Mr Thompson moved the following amendment :

Insert after the word "musket," the following : "and also a butcher-knife, to be worn at the belt, a tomahawk and a coon dog ;"

Which amendment was agreed to.

Mr Corse moved to refer the bill to a select Committee of three ;

Which was agreed to.

Messrs Corse, Thompson and McFarland, were appointed said committee

Mr McEerland asked leave to be excused from serving on the committee ;

Which was disagreed to.

H. R. file, No. 85, A Bill for an act providing for the re-location of the State University ;

Was read a second time.

Mr Flint moved that the bill be engrossed and read a third time on Monday ;

Which motion was lost.

On motion of Mr Harrison,

It was referred to the standing Committee on Public Buildings.

H. R. file, No. 87, A Bill for an act to prevent the circulation of county certificates commonly known as County Orders ;

Was taken up for a second reading.

Mr Sales moved to dispense with reading, and that the usual number of copies be printed for the use of the General Assembly ;

Which was disagreed to.

The bill was read a second time ; and,

On motion of Mr Corse,

It was referred to the standing Committee on the Judiciary.

H. R. file, No. 88, A Bill for an act to legalize the acts of the County Commissioners of Des Moines county;

Was read a second time; and,

On motion of Mr Corse,

The 42nd rule was suspended, the bill read a third time, passed, and its title agreed to.

H. R. file, No. 89, A Bill for an act to locate a State road therein named;

Was read a second time; and,

On motion of Mr Harrison,

Ordered, To be engrossed and read a third time, on Monday next.

Senate file, No. 33, A Bill for an act amendatory to an act entitled "an act to provide for the better settling and adjusting the several titles set up to the Half-breed lands, in Lee county;

Was read a third time, passed and its title agreed to.

H. R. file, No. 36, A Bill for an act to establish a State road and branch thereof;

Was read a third time, passed and its title agreed to.

H. R. file, No. 43, A Bill for an act asking for an appropriation for the improvement of the Maquoketa river;

Was read a third time, passed and its title agreed to.

H. R. file, No. 73, A Bill for an act to locate a State road from Burlington, in Des Moines county, to Fort Madison, in Lee county;

Was read a third time, passed and its title agreed to.

H. R. file, No. 78, A Bill for an act to extend the time for putting a lock in the Iowa City manufacturing company mill dam;

Was read a third time, passed and its title agreed to.

Mr Wood moved to reconsider the vote of yesterday upon,

H. R. file, No. 53, A Bill for an act to organize the Supreme Court of Iowa.

Pending which,

Mr Griffith moved a call of the House.

Absent—Mr Harrison.

The absentee appeared and took his seat.

The question being "Will the House reconsider the vote of yesterday?"

And upon this question,

The yeas and nays were demanded,
And were as follows :

Yeas 17,

Nays 21.

Those who voted in the affirmative were,

Messrs Alexander, Babbitt, Betts, Corse, Davidson, Elmer, Evans, Flint, Gifford, Jacobs, Langton, Mahony, McManaman, Riggs, Sargeant, Thompson and Wood.

Those who voted in the negative were,

Messrs Allison, Bourne, Burroughs, Collins, Goodrell, Griffith, Harrison, McCrary, McFarland, Norton, Penny, Read, Sales, Walker, Weyand, Williams, Woodworth and Mr Speaker.

So the motion to consider the vote was lost.

Mr Riggs obtained leave to introduce,

H. R. file, No. 92, A Bill for an act to locate the Seat of Government, to locate the State University, and to donate the public buildings at Iowa City to the Latter-day Saints.

Mr Goodrell moved to suspend the 42nd rule, and read the bill a second and third time now.

Mr Babbitt moved an amendment by reading a second time now.

Mr Davidson moved to indefinitely postpone the bill.

Pending which,

Mr Riggs obtained leave to withdraw the bill.

Mr Babbitt obtained leave to introduce,

H. R. file, No. 93, A Bill for an act to compel persons entering the improvements of settlers upon the public lands, to pay for the same;

Which was read a first time.

The message from the Senate was taken from the table :

H. R. file, No. 21, Joint Resolution for a grant of land, together with the amendment made by the Senate, was read ;

The question being upon the concurrence of the House in the amendment made by the Senate ;

And upon this question,

The yeas and nays were demanded,

And were as follows :

Yeas 24,

Nays 14.

Those who voted in the affirmative were,

Messrs Allison, Babbitt, Burroughs, Corse, Davidson, Gifford,

Goodrell, Griffith, Harrison, Mahony, McCrary, McFarland, McManaman, Norton, Penny, Read, Riggs, Sargeant, Stephenson, Thompson, Walker, Williams, Woodworth and Mr Speaker.

Those who voted in the negative were,

Messrs Alexander, Baker, Betts, Bourne, Collins, Elmer, Evans, Flint, Jacobs, Langton, Sales, Timmons, Weyand and Wood.

So the amendment of the Senate was concurred in.

H. R. file, No. 67, A Bill for an act to authorize William S. Townsend to keep a ferry across the Missouri river at Trader's Point, as amended by the Senate;

Was read, and the bill as amended was concurred in by the House.

Senate file, No. 41, A Bill for an act to amend an act entitled "an act to provide for the management of the State Library, and the selection of a State Librarian," approved February 15, 1847;

Was read a first time.

On motion of Mr Griffith,

The House adjourned until 2 o'clock P. M., Tuesday, December 26, 1848.

Tuesday, December 26th, 1848.

The House met pursuant to adjournment.

Mr Allison introduced,

H. R. file, No. 94, Joint Resolution for a mail route from Albion, in Monroe county, to Trader's Point, on the Missouri river;

Which was read a first time.

Mr Mahony offered the following resolution:

Resolved, That the Auditor and Treasurer of State be, and they are hereby, requested to inform this House, whether any delinquent taxes have been paid into the Treasury since the 4th of December, 1848?

Also, the names of all delinquent county treasurers and collectors, and the amount of each one's liability; and whether any legal steps have been taken against such delinquents?

Mr McCrary introduced,

H. R. file, No. 95, A Bill for an act supplemental and amendatory to an act entitled "an act for the appointment and duties of sheriffs;"

Which was read a first time.

Mr Babbitt introduced the following resolution:

Resolved, That the Secretary of State be authorized and requested to procure, at the expense of the State, one copy of "Morris' Iowa Reports" for each member of this House;

Which was adopted.

Mr Gifford obtained leave to introduce,

H. R. file, No. 96, Joint Resolution accepting a grant of land therein named;

Which was read a first time.

H. R. file, No. 86, Joint Resolution asking for a revision of the Constitution of the United States, in relation to Presidential elections;

Was read a second time.

Mr Griffith moved to lay the resolution on the table until the 4th of March next;

Which motion was lost.

Mr Riggs moved to indefinitely postpone the Joint Resolution.

Mr Allison moved to amend this motion by referring the Joint Resolution to a Select Committee.

Mr Griffith moved to amend the amendment by referring the Joint Resolution to the standing Committee on Elections;

Which was agreed to.

H. R. file, No. 90, A Bill for an act to amend an act entitled "an act for the incorporation of the town of Bloomington," approved January 23rd, 1839;

Was read a second time; and,

On motion of Mr Stephenson,

The 42nd rule was suspended, the bill read a third time, passed and its title agreed to.

H. R. file, No. 91, A Bill for an act to vacate a part of a certain road therein named;

Was read a second time; and,

On motion of Mr Griffith,

Ordered, To be engrossed and read a third time to-morrow.

H. R. file, No. 93, A Bill for an act to compel persons entering

the improvements of settlers upon the public lands, to pay for the same;

Was read a second time; and,

On motion of Mr Babbitt,

Ordered, to be engrossed and read a third time to-morrow.

Senate file, No. 40, A Bill for an act to authorize the Secretary of State to collect and arrange certain papers in his office;

Was read a second time; and,

On motion of Mr McManaman,

Ordered, To be read a third time to-morrow.

Mr Mahony obtained leave to introduce,

H. R. file, No. 97, Joint Resolution asking for a certified plat of all the military roads in this State;

Which was read a first time; and,

On motion of Mr Mahony,

The 42nd rule was suspended, the resolution read a second and third time, passed and its title agreed to.

Senate file, No. 41, A Bill for an act to amend an act entitled "an act to provide for the management of the State Library and the election of a Librarian," approved February 15th, 1847;

Was read a second time; and,

On motion of Mr Griffith,

It was indefinitely postponed.

On motion of Mr Goodrell,

The House adjourned until to-morrow morning, at 10 o'clock.

Wednesday Morning, December 27th, 1848.

House met pursuant to adjournment.

Mr Allison moved to reconsider the vote of yesterday, upon the indefinite postponement of,

Senate file, No. 41, An Act to amend an act to provide for the appointment of a Librarian;

Which was agreed to.

Mr Allison moved to suspend the 42nd rule and read the bill a third time now.

Mr Griffith offered the following amendment:

After the word "State" in the second line of the first section, insert "and all naturalized citizens of the United States of the age of 21 years or upwards, who shall have resided in this State for six months;

Which was disagreed to.

Mr Babbitt offered the following amendment:

Strike out "fifteen days," and insert "three days;"

Which was disagreed to.

The question recurring upon the suspension of the 42nd rule, It was decided in the negative.

Mr Allison moved that the bill be read a third time to-morrow.

Mr Griffith moved to amend by laying the bill upon the table, and making it the order of the day for Monday next;

Which was disagreed to.

The question recurring upon reading the bill a third time to-morrow,

It was decided in the affirmative.

Mr Walker presented the petition of sundry citizens of Lee county, praying for the passage of a law requiring the fees of jurors, in civil cases, to be paid by the parties to the suits;

On motion of Mr Griffith,

The petition was referred to the Select Committee of three, to whom was referred a similar petition.

Mr Harrison presented the petition of F. M. Irish and thirteen others, citizens of Johnson county, praying for the passage of an act to authorize Joseph Stover to keep a ferry across the Iowa river, on the north-west fractional quarter of section twenty-two, in township seventy-nine, north of range number six, west of the fifth principal meridian;

Which was read; and,

On motion of Mr Harrison,

Was referred to the standing Committee on Incorporations.

Mr Griffith gave notice that on to-morrow, or some future day, he would introduce,

A Bill for an act to regulate the practice of medicine in the State of Iowa.

The following message was received from the Senate, by Mr Rockwell, their Secretary:

MR SPEAKER:

I am directed to inform the House of Representatives that the Senate have indefinitely postponed,

H. R. file, No. 53, A Bill for an act to organize the Supreme Court of the State of Iowa;

H. R. file, No. 7, A Bill to authorize John A. McFarland, his heirs and assigns, to establish and keep a ferry across the Mississippi river, at the town of Montrose, in Lee county;

H. R. file, No. 16, An Act to authorize the County Commissioners of Jefferson county to build a court house on the public square, in Fairfield, Jefferson county.

I herewith return,

H. R. file, No. 81, A Bill for an act to locate a State road from Knoxville, in Marion county, via the seats of justice of Warren and Madison counties, to the west line of Madison county;

H. R. file, No. 57, An Act to vacate a certain road therein named;

H. R. file, No. 63, Joint Resolution requiring the Secretary of State to furnish the counties of Warren and Madison with copies of the Revised Statutes and other laws of this State;

H. R. file, No. 70, Joint Resolution appointing an agent to pay the interest on the Iowa State Stock;

H. R. file, No. 71, A Bill for an act re-locating a State road therein named;

H. R. file, No. 43, Joint Resolution for an appropriation of money, or land, for the improvement of the navigation of the Maquoketa river;

All of which have passed the Senate without amendments.

I also return,

H. R. file, No. 69, Joint Resolution for a mail route from West Point, in Lee county, to Salem, in Henry county,

With its substitute which has passed the Senate; also,

H. R. file, No. 68, Memorial for an increase of mail facilities;

Which has passed the Senate with the following amendments:

1st. Strike out "fifty-four" in the sixth line of the preamble and insert "seventy."

2nd. Strike out "Fairfield," and insert "Keosauqua" in the preamble.

3rd. Strike out the word "to" before the word "Fairfield" in

the first resolution, and add, after the word "Fairfield," the words "to Keosauqua;" also,

H. R. file, No. 29, An Act to repeal an act, approved January 25th, 1848, entitled "an act to amend an act defining the times of holding elections for State, district and county officers;"

Which has passed the Senate amended by two additional sections.

In all of which the concurrence of the House is requested.

I herewith return,

H. R. file, No. 34, An Act to authorize David W. King to establish and keep a ferry across Cedar river, at a point opposite Cedar Rapids;

H. R. file, No. 39, An Act to provide for the navigation of the Des Moines river, between the Raccoon fork thereof and the northern boundary of this State;

H. R. file, No. 26, An Act to amend an act to establish new counties and define their boundaries;

H. R. file, No. 41, Joint Resolution for the establishment of a Land Office at Fort Des Moines;

H. R. file, No. 35, An Act to authorize Frederick Andros to transcribe the records of Clayton county;

H. R. file, No. 51, Joint Resolution for a mail route from Prairie du Chien to Fort Atkinson;

H. R. file, No. 46, An Act to establish a State road from Mrs. Tesler's to intersect the road running to Columbus City;

H. R. file, No. 13, An Act to establish a State road from Eddyville, in Wappello county, to Bloomfield, in Davis county;

H. R. file, No. 39, An Act to locate the seat of justice of the counties of Madison and Warren;

H. R. file, No. 28, An Act to authorize the Judge of Probate of Marion county to transcribe the records of the Probate Court;

H. R. file, No. 23, An Act to amend the city charter of the city of Burlington;

H. R. file, No. 36, An Act to locate a State road from Monona to Fort Atkinson, and

H. R. file, No. 82, Memorial to Congress for a Marine Hospital on Rock Island;

All of which have received the signature of the President of the Senate.

And then he withdrew.

Mr Read, from the standing Committee on Des Moines river improvements, to whom was referred,

Senate file, No. 35, Joint Resolution providing compensation for the Commissioners appointed to select Des Moines river lands,

Reported, the same back to the House and recommended its passage.

Mr Griffith obtained leave to introduce,

H. R. file, No. 98, Joint Resolution relative to books in the State Library;

Mr Corse, pursuant to notice previously given, introduced,

H. R. file, No. 104, A Bill for an act to authorize the County Commissioners court of Des Moines county to have a vote taken in relation to building a Court House in said county;

Which was read a first time.

H. R. file, No. 94, Joint Resolution for a mail route from Albion, in Monroe county, to Trader's Point, on the Missouri river;

Was read a second time; and,

On motion of Mr Allison,

The 42nd rule was suspended, the Joint Resolution read a third time, passed and its title agreed to.

H. R. file, No. 95, A Bill for an act supplemental and amendatory to an act entitled "an act for the appointment and duties of sheriffs;"

Was read a second time; and,

On motion of Mr Griffith,

Referred to the standing Committee on the Judiciary.

H. R. file, No. 96, Joint Resolution accepting a grant of land, therein named;

Was read a second time; and,

On motion of Mr Thompson,

Referred to the standing Committee on Public Buildings.

Senate file, No. 40, A Bill for an act to authorize the Secretary of State to collect and arrange certain papers in his office;

Was read a third time, passed and its title agreed to.

Mr Mahony's resolution, of yesterday, enquiring for information from the Auditor and Treasurer of State,

Was read and adopted.

The message from the Senate was taken from the table.

H. R. file, No. 29, A Bill for an act to repeal an act, approved January 25th, 1848, entitled "an act to amend an act defining the

time of holding elections for State, district and county offices," approved February 25th, 1847;

Together with the amendments made by the Senate,

Was read; and,

The question being upon the concurrence of the House in the amendment,

It was decided in the affirmative.

H. R. file, No. 68, Memorial for an increase of mail facilities;

Together with the amendments made by the Senate,

Was read; and,

The question being upon the concurrence of the House in the amendments,

It was decided in the affirmative.

Substitute for H. R. file, No. 69, Joint Resolution for a mail route;

Was read a first time.

On motion of Mr Griffith,

The House adjourned until two o'clock p. m.

2 o'clock, P. M.

The House met pursuant to adjournment.

The Chair announced Mr Harrison on the Judiciary Committee, vice, Mr Read, resigned.

Mr Riggs obtained leave to introduce,

H. R. file, No. 99, A Bill for an act for the relief of Appanoose county;

Which was read a first time.

Mr Betts, from the standing Committee on Claims, submitted the following report:

The Committee on Claims, to whom was referred the following accounts, have examined the same, and have instructed me to report that they allowed as correct the following bills, and recommend the Committee on Expenditures to include them in the general appropriation bill:

To Palmer & Paul bill for printing circulars, &c., by order of Sup't of Public Instruction,.....	\$327 28
“ Curtis & Wait bill for paper, per order of Superintendent of Public Instruction,.....	8 47
“ Rufus Spalding bill for paper, per order of Superintendent of Public Instruction,.....	34 50
“ J. C. Fletcher for room and light for Supreme Court, May term, 1848, per certificate of Chief Justice Hastings,	8 00
“ D. S. Ebersol, per order Clerk Supreme Court, for one seal press, per certificate of Chief Justice Hastings,.....	12 00
“ Henry Ward for mending and plastering round 4 stove pipes in State House,.....	1 50

Mr Elmer obtained leave to introduce,
H. R. file, No. 100, A Bill for an act to amend an act to provide for collecting revenue for state and county purposes ;

Which was read a first time.

Mr Flint offered the following resolution :

Resolved, That a committee of three be appointed to examine into the present condition of the State Library, and make a report thereof to this House on Monday next ;

Which was adopted.

Messrs Flint, Allison and Harrison were appointed said committee.

Mr McManaman obtained leave to introduce,

H. R. file, No. 101, Joint Resolution instructing our Senators and Representatives in Congress to vote for the Wilmot Proviso ;

Which was read a first time.

Mr Gifford obtained leave and introduced,

H. R. file, No. 102, A Bill for an act to locate and extend a certain road therein named ;

Which was read a first time.

The Speaker presented the following communication from the Secretary of State :

SECRETARY'S OFFICE, IOWA, }
IOWA CITY, December 27, 1848. }

GENTLEMEN OF THE HOUSE OF REPRESENTATIVES :

In accordance with your resolution, of yesterday, I have the hon-

or to report that I purchased of Gen. Morris thirty-nine copies of "Morris' Iowa Reports," and forward the same to you.

Accompanying this communication you will find Gen. Morris' bill for the same.

Very Respectfully,

Your obedient servant,

JOSIAH H. BONNEY,

Secretary of State.

Hon. SMILEY H. BONHAM,

Speaker of the House of Representatives.

The account contained in the Secretary's communication was,

On motion of Mr Babbitt,

Referred to the standing Committee on Claims.

Mr Timmons obtained leave to introduce,

H. R. file, No. 103; A Bill for an act to attach the county of Black Hawk to the county of Benton.

On motion of Mr Sales,

The House adjourned until to-morrow at 10 o'clock A. M.

Thursday Morning, December 28th, 1848.

The House met pursuant to adjournment.

Mr Babbitt presented the petition of J. R. Kamp, and fifty others, citizens of the State of Iowa, praying for a revision of an act entitled "an act supplemental to an act creating a Board of Public Works and providing for the improvement of the Des Moines river," approved January 26th, 1848;

Which was read; and,

On motion of Mr Babbitt,

Referred to the standing Committee on Des Moines river improvements.

Mr Elmer presented the petition of sundry citizens of Van Buren county, praying for the passage of an act to prevent swine from running at large;

Which was read; and,

On motion of Mr Elmer,

Referred to the standing Committee on Agriculture.

Mr McCrary offered the following resolution:

Resolved, That the Committee on Roads and Highways be, and they are hereby instructed to draft a general law upon the subject of Roads and Highways, and report the same to this House as soon as practicable;

Which was adopted.

Mr Harrison obtained leave to introduce,

H. R. file, No. 105, A Bill for an act to establish certain State roads therein named;

Which was read a first time.

Mr Mahony offered the following resolution:

Resolved, That the Committee on Ways and Means be, and they are hereby instructed to enquire into the expediency of revising or amending the revenue law, and to report by bill or otherwise at their earliest convenience;

Which was adopted.

Mr Harrison asked leave of absence for Mr Betts until Tuesday next;

Which was granted.

Mr Mahony, from the standing Committee on the Judiciary, to whom was referred,

H. R. file, No. 80, A Bill for an act to create the fifth Judicial District; also,

H. R. file, No. 95, A Bill for an act supplemental and amendatory to an act entitled "an act for the appointment and duties of sheriffs;"

Submitted the following report:

The Committee on the Judiciary, to whom was referred H. R. file, No. 80, have instructed me to report the same back to the House with the following amendments, to wit:

After the word "Boon," in the fifth line of the first section, insert "and all the territory west of the same now attached thereto, or which is now, or may hereafter be organized therein."

After the word "Washington," in the first line of the third section, insert "and Muscatine are;"

The Committee recommends the passage of the bill as amended.

D. A. MAHONY,

Chairman, *pro tem*, Judiciary Committee.

The same Committee have had under consideration H. R. file, No. 95, and have instructed me to report the same back to the House without the second section thereof. The Committee cannot perceive that there is any necessity for the services of a sheriff at Probate Courts or Boards of County Commissioners; they, therefore, recommend the passage of the bill in such a form as to dispense with the services of a sheriff at such Courts and Boards.

Respectfully submitted,

D. A. MAHONY,

Chairman, *pro tem*, Judiciary Committee.

The question being upon the concurrence of the House in the amendment made by the committee to the first section of H. R. file, No. 80,

And upon this question,

The yeas and nays were demanded,

And were as follows:

Yeas 15,

Nays 16.

Those voting in the affirmative, were

Messrs Alexander, Bourne, Burroughs, Elmer, Mahony, McCrary, McManaman, Penny, Riggs, Timmons, Thompson, Williams, Wood and Woodworth.

Those who voted in the negative, were

Messrs Babbitt, Baker, Corse, Evans, Flint, Gifford, Harrison, Jacobs, Langton, McFarland, Norton, Read, Sales, Walker, Weyand and Mr Speaker.

So the amendment was not adopted.

The question being upon adopting the amendment made to the third section,

It was decided in the affirmative.

The question then being upon agreeing to the amendment offered by the committee to H. R. file, No. 95,

It was decided in the affirmative.

Mr McCrary introduced,

H. R. file, No. 106, A Bill for an act to amend an act entitled "an act to define crimes and punishments;"

Which was read a first time.

Substitute for H. R. file, No. 69, Joint Resolution for a mail route;

Was read a second time ; and,

On motion of Mr Read,

Ordered, To be read a third time to-morrow.

H. R. file, No. 98, Joint Resolution relative to Books in the Library ;

Was read a second time.

Mr Read moved to engross the Joint Resolution and read it a third time to-morrow.

Mr Allison moved the following amendment to the Joint Resolution :

Strike out all of the first clause, after the word "Library," and insert "only as provided in the second section of an act regulating the State Library ;"

Which was adopted.

The question recurring upon engrossing and reading the Joint Resolution a third time to-morrow,

It was decided in the affirmative.

H. R. file, No. 99, A Bill for an act for the relief of Appanoose county ;

Was read a second time ; and,

On motion of Mr Riggs,

It was referred to a Select Committee of three.

Messrs Riggs, Read and Corse were appointed said committee.

H. R. file, No. 100, A Bill for an act to amend an act to provide for collecting revenue for State and county purposes ;

Was read a second time ; and,

On motion of Mr Allison,

It was referred to the standing Committee on the Judiciary.

H. R. file, No. 101, Joint Resolution to prevent the farther extension of human slavery ;

Was read a second time ; and,

On motion of Mr Sales,

It was laid on the table, and made the order of the day for Monday next ;

On motion of Mr McCrary,

The House adjourned until 2 o'clock p. m.

2 o'clock, P. M.

House met pursuant to adjournment.

H. R. file, No. 102, A Bill for an act to re-locate and extend a certain road therein named ;

Was read a second time ; and,

On motion of Mr Gifford,

Ordered, To be engrossed and read a third time to-morrow.

H. R. file, No. 103, A Bill for an act to attach the county of Black Hawk to the county of Benton ;

Was read a second time ; and,

On motion of Mr Timmons,

Ordered, To be engrossed and read a third time to-morrow.

H. R. file, No. 104, A Bill for an act to authorize the County Commissioners Court of Des Moines county, to have a vote taken in relation to having a Court House built in said county ;

Was read a second time ; and,

On motion of Mr Corse,

Ordered, To be engrossed and read a third time to-morrow.

Senate file, No. 28, A Bill for an act to authorize William Green to improve the Cedar river, by erecting a dam and lock across the Cedar river at Rochester, in Cedar county ;

Was read a third time, passed and its title agreed to.

Senate file, No. 35, A Bill for an act to provide for the compensation of the Commissioners appointed to select the Des Moines river lands ;

Was read a third time, passed and its title agreed to.

Senate file, No. 41, A Bill for an act to amend an act entitled "an act to provide for a State Library and the election of a Librarian ;"

Was read a third time, passed and its title agreed to.

Mr Sargeant, from the Committee on Enrolled Bills, submitted the following report :

The Committee on Enrolled Bills have examined the following and find them correctly enrolled :

H. R. file, No. 21, Joint Resolution for a grant of land from Congress ;

H. R. file, No. 67, An Act to authorize Wm. S. Townsend to keep a ferry across the Missouri river, at Trader's Point;

H. R. file, No. 29, An Act to repeal an act approved January 25th, 1848, entitled "an act to amend an act defining the time of holding elections for State, district and county officers," approved February 25th, 1847;

H. R. file, No. 43, Joint Resolution for an appropriation for the improvement of the navigation of the Maquoketa river;

H. R. file, No. 57, An Act to vacate a certain road therein named.

H. R. file, No. 68, Memorial for an increase of mail facilities.

H. R. file, No. 70, Joint Resolution appointing an agent to pay the interest on the Iowa State Stock;

H. R. file, No. 71, An Act re-locating a State road therein named.

H. R. file, No. 81, An Act to locate a State road from Knoxville, in Marion county, via the seats of justice of Warren and Madison counties, to the west line of Madison county;

H. R. file, No. 63, Joint Resolution requesting the Secretary of State to furnish the counties of Warren and Madison with copies of the Revised Statutes and other laws of the State;

The same were then presented to the Speaker and received his signature.

Mr Sales, from the standing Committee on Engrossed Bills, to whom was referred,

H. R. file, No. 89, A Bill for an act to locate a certain road therein named;

Reported that the committee had examined the bill and found the same correctly engrossed.

Mr. Williams moved to adjourn;

Which motion was disagreed to.

On motion of Mr Harrison,

H. R. file, No. 89, A Bill for an act to locate a certain road therein named;

Was taken from the table, read a third time, passed and its title agreed to.

H. R. file, No. 80, A Bill for an act to create the Fifth Judicial District;

Was read a third time, passed and its title agreed to.

Mr Harrison offered the following resolution:

Resolved, By this House (the Senate concurring) that when we

adjourn to-day we adjourn to meet again on Tuesday, the 2nd day of January, 1849.

And upon this question,
The yeas and nays were demanded,
And were as follows :

Yeas 9,

Nays 21.

Those who voted in the affirmative, were,
Messrs Bourne, Evans, Harrison, Langton, McFarland, Read,
Timmons, Woodworth and Mr Speaker.

Those who voted in the negative were,
Messrs Alexander, Babbitt, Baker, Burroughs, Corse, Davidson,
Elmer, Flint, Gifford, Jacobs, McCrary, McManaman, Norton,
Penny, Riggs, Sargeant, Sales, Thompson, Walker, Weyand and
Williams.

Mr Sales moved to reconsider the vote of this morning upon laying H. R. file, No. 101, Joint Resolution to prevent the extension of human slavery on the table;

Which was agreed to.

The Joint Resolution being taken up,

Mr Bonham moved the following amendment to the Joint Resolution:

After the figures "1787," insert "and after the 4th of March next."

And upon the adoption of the amendment,

The yeas and nays were demanded,

And were as follows :

Yeas 22,

Nays 10.

Those who voted in the affirmative were,
Messrs Alexander, Babbitt, Baker, Corse, Davidson, Elmer,
Evans, Flint, Gifford, Harrison, Jacobs, Langton, McFarland, Norton,
Penny, Read, Sales, Sargeant, Walker, Weyand, Wood and
Mr Speaker.

Those who voted in the negative were,
Messrs Bourne, Burroughs, Griffith, McCrary, McManaman,
Riggs, Timmons, Thompson, Williams and Woodworth.

So the amendment was adopted.

Mr Thompson moved to amend by inserting the word "one" before the figures "1787;"

And upon this amendment,
The yeas and nays were demanded,
And were as follows :

Yeas 6,
Nays 27.

Those who voted in the affirmative were,
Messrs Burroughs, McCrary, McManaman, Timmons, Thompson and Williams.

Those who voted in the negative were,
Messrs Alexander, Babbitt, Baker, Bourne, Corse, Davidson, Elmer, Evans, Flint, Gifford, Griffith, Harrison, Jacobs, Langton, Mahony, McFarland, Norton, Penny, Read, Riggs, Sales, Sargeant, Walker, Weyand, Wood, Woodworth and Mr Speaker.

So the amendment was not adopted.

Mr Read offered the following amendment :

Resolved, That the principles contained in the above resolutions be considered the **WHOLE WHIG PLATFORM.**

Which was adopted.

Mr Babbitt offered the following amendment to the preamble :

And whereas, the Whig party of the State of Iowa are in principle opposed to the principles of the "Wilmot Proviso." And whereas, it is absolutely necessary for the success of the Whig party that the Abolition or Free-soil party should vote for the Whig candidates in August next.

And upon the adoption of the amendment,
The yeas and nays were demanded,
And were as follows :

Yeas 24,
Nays 7.

Those who voted in the affirmative were,
Messrs Alexander, Babbitt, Baker, Corse, Davidson, Elmer, Evans, Flint, Gifford, Harrison, Langton, Mahony, McFarland, Norton, Penny, Read, Riggs, Sales, Sargeant, Walker, Weyand, Wood, Woodworth and Mr Speaker.

Those who voted in the negative were,

Messrs Bourne, Griffith, McCrary, McManaman, Timmons, Thompson and Williams.

So the amendment was adopted.

Mr Griffith offered the following resolution as an amendment to the Joint Resolution :

Whereas, a large portion of our Whig friends have become identified with Abolitionists and Free Soil men, and now find themselves laboring under insuperable difficulties ; therefore be it

Resolved, That our Senators and Representatives in Congress be instructed to have a law passed, that all slaveholders shall be required to keep their male and female slaves apart and separate for all purposes, to the effect that the unfortunate race, which are doomed to slavery may run out by the course of nature, and thereby save the said party from a similar dilemma in future.

And upon the adoption of the amendment,

The yeas and nays were demanded,

And were as follows :

Yeas 5,

Nays 28.

Those who voted in the affirmative were,

Messrs Alexander, Babbitt, Baker, Gifford and Weyand.

Those who voted in the negative were,

Messrs Bourne, Burroughs, Corse, Davidson, Elmer, Evans, Flint, Griffith, Harrison, Jacobs, Langton, McCrary, Mahony, McFarland, McManaman, Norton, Penny, Read, Riggs, Sales, Sargeant, Timmons, Thompson, Walker, Williams, Wood, Woodworth and Mr Speaker.

So the amendment was not adopted.

Mr McManaman moved to adjourn ;

Which was lost.

Mr Harrison moved to lay the whole proceedings upon the table, to be made the order of the day for the 6th of January next ;

And upon this question,

The yeas and nays were demanded,

And were as follows :

Yeas 8,

Nays 23.

Those who voted in the affirmative, were,

Messrs Alexander, Elmer, Evans, Harrison, Langton, Norton, Walker, Weyand and Wood.

Those who voted in the negative were,

Messrs Babbitt, Baker, Bourne, Burroughs, Corse, Davidson, Flint, Gifford, Griffith, Jacobs, Mahony, McCrary, McManaman, Penny, Read, Riggs, Sales, Sargeant, Timmons, Thompson, Williams, Woodworth and Mr Speaker.

So the motion to lay on the table was disagreed to.

On motion of Mr Corse,
The 42nd rule was suspended, and the resolution read a third time.

Mr Griffith moved to adjourn;

Which was decided in the negative.

And the question recurring upon the passage of the Joint Resolution;

And upon this question,

The yeas and nays were demanded,

And were as follows:

Yeas 20,

Nays 13.

Those who voted in the affirmative, were

Messrs Babbitt, Baker, Corse, Davidson, Elmer, Flint, Gifford, Griffith, Harrison, Jacobs, Langton, Mahony, McFarland, Read, Sales, Sargeant, Walker, Wood, Penny and Mr Speaker.

Those who voted in the negative were,

Messrs Alexander, Bourne, Burroughs, Evans, McCrary, McManaman, Norton, Riggs, Thompson, Timmons, Weyand, Williams and Woodworth.

So the Joint Resolution passed and its title was agreed to.

Mr Read offered the following resolution:

Resolved, That the proceedings of this House, after the adoption of the amendments to the preamble, up to this time, be expunged from the journals.

The following message was received from the Senatë, by Mr Rockwell, their Secretary:

MR SPEAKER:

I am directed to inform the House of Representatives that the Senatë have indefinitely postponed,

H. R. file, No. 17, An Act to authorize George Kiel, his heirs and assigns to keep a wharf-boat at Fort Madison;

I herewith return,

H. R. file, No. 64, A Bill for an act to amend an act entitled "an act to incorporate the town of Davenport;"

The same having passed the Senate without amendment.

I herewith present for your signature,

Senate file, No. 33, An Act amendatory to an act for the better settling and adjudicating of the several titles set up to the half-breed land, in Lee county;

Senate file, No. 36, An Act to establish a State road and branch thereof;

Senate file, No. 15, An Act to establish a ferry at Boatman's mill, across the Des Moines river, in Lee county;

Senate file, No. 30, An Act to locate a State road therein named;

Senate file, No. 31, An Act to authorize the Auditor of State to audit and allow the expenses of the Supreme Courts of this State;

Senate file, No. 42, An Act to locate a State road from Pella in Marion county, to Fort Des Moines in Polk county;

The same having passed both branches of the Legislative Assembly.

And then he withdrew.

The above acts were then presented to the Speaker and received his signature.

On motion of Mr Griffith,

The House adjourned until to-morrow morning, at 10 o'clock.

Friday Morning, December 29th, 1848.

House met pursuant to adjournment.

Mr Evans offered the following resolution:

Resolved, That the Committee on Ways and Means inquire into the policy, as well as the expediency, of the State borrowing the five per cent. fund accruing to it from the United States, upon the sales of public lands, for the purpose of paying the present liabilities of the State, as well as for the purpose of reducing and lifting the State Stock issued under "An Act to provide for a loan, for the purpose of defraying the expenses and paying the creditors of the State," approved February 9th, 1847, and report to this House by bill or otherwise;

Which was adopted.

Mr Gifford offered the following resolution:

Resolved, That the Committee on Public Buildings be requested to report to this House on Tuesday next, on all bills and resolutions which have been referred to them ;

Which was adopted.

Mr Sales, from the Committee on Engrossed Bills, submitted the following report :

The Committee on Engrossed Bills, to whom were referred H. R. file, Nos. 91 and 93, have instructed me to report that they have examined the same and find them correctly engrossed.

Mr Griffith obtained leave to introduce,

H. R. file, No. 107, A Bill for an act to provide for the payment of jurors in the District Courts of Lee county ;

Which was read a first time.

Mr Evans, from the Select Committee to whom was referred the petition of sundry citizens of Scott and Clinton counties, praying for the passage of an act to grant the right of way for a canal from the Wabsipinnicon river to the Mississippi river, to W. F. Brackenridge, reported,

H. R. file, No. 108, A Bill for an act authorizing W. F. Brackenridge to make a canal ;

Which was read a first time.

H. R. file, No. 105, A Bill for an act to establish certain State roads therein named ;

Was read a second time.

Mr Harrison moved to amend the bill by inserting in the blanks the names of H. H. Hall, Cornelius Lancaster and Robert Stuart.

Which was agreed to.

On motion of Mr Harrison,

Ordered, That the bill be engrossed and read a third time to-morrow.

The following message was received from the Senate by Mr Rockwell, their Secretary :

MR SPEAKER :

I am directed to inform the House of Representatives that the Senate has passed,

Senate file, No. 19, Joint Resolution for an appropriation to improve the Des Moines and Rock River Rapids in the Mississippi river ;

In which the concurrence of the House is requested.

Also,

The Senate has indefinitely postponed,

H. R. file, No. 40, An Act for the relief of occupying claimants of real estate.

I herewith return,

H. R. file, No. 74, A Bill for an act to establish the office of State Printer, define his duties and establish the prices of public printing;

Amended as follows:

Strike out "four," wherever it occurs and insert "two;" also, Section 17. That the prices herein established shall be paid for printing the Laws of the present session;

In which the concurrence of the House is requested.

Also,

H. R. file, No. 32, An Act to authorize Wm. P. Wilson to keep a ferry across the Des Moines river at Monterey;

Which has passed the Senate with one amendment: Insert after the word "years," in the 1st section, the words "with the exclusive privilege;" also,

H. R. file, No. 77, An Act to authorize Israel Atherton to establish and keep a ferry across the Mississippi river, at a point in Scott county opposite Cordovia, Illinois;

Which has passed the Senate without amendment.

And then he withdrew.

H. R. file, No. 106, A Bill for an act to amend an act entitled "an act to define crimes and punishments;"

Was read a second time;

Mr McCrary moved to refer the bill to a Select Committee of three;

Which was decided in the negative.

Mr Corse moved to indefinitely postpone the bill;

And upon this question,

The yeas and nays were demanded,

And were as follows:

Yeas 21,

Nays 11.

Those who voted in the affirmative were,

Messrs Babbitt, Corse, Davidson, Evans, Flint, Gifford, Griffith,

Harrison, Jacobs, Langton, McFarland, Norton, Penny, Read, Riggs, Sargeant, Thompson, Walker, Weyand and Wood.

Those who voted in the negative were,

Messrs Alexander, Bourne, Burroughs, Elmer, McCrary, McManaman, Sales, Timmons, Williams, Woodworth and Mr Speaker.

So the bill was indefinitely postponed.

Substitute H. R. file, No. 69, Joint Resolution for a mail route;

Was read a third time, passed and its title agreed to.

H. R. file, No. 91, A Bill for an act vacating a part of a State road therein named;

Was read a third time; and,

On motion of Mr Corse,

It was re-committed to the standing Committee on Roads and Highways.

H. R. file, No. 93, A Bill for an act to compel persons entering the improvements of settlers on public lands to pay for the improvements;

Was read a third time; and,

On motion of Mr Babbitt,

Was re-committed to a Select Committee of three.

Messrs Babbitt, Corse and Timmons were appointed said committee.

Mr Read's expunging resolution was read.

Mr Read asked leave to withdraw the same;

Which was disagreed to.

And the question recurring upon the adoption of the resolution:

And upon this question,

The yeas and nays were demanded,

And were as follows:

Yeas 5,

Nays 25.

Those who voted in the affirmative, were

Messrs Alexander, Baker, Elmer, Evans and Sales.

Those who voted in the negative, were

Messrs Babbitt, Bourne, Burroughs, Corse, Davidson, Flint, Gifford, Griffith, Langton, McCrary, McFarland, McManaman, Norton, Penny, Read, Riggs, Sargeant, Timmons, Thompson, Walker, Weyand, Williams, Wood, Woodworth and Mr Speaker.

So the resolution was not adopted.

H. R. file, No. 32, An Act to authorize William T. Wilson to

keep a ferry across the Des Moines river at Monterey, in Lee county ;

Together with the amendments made by the Senate, was read ;

And the question being upon agreeing to the amendments ;

And upon this question,

The yeas and nays were demanded,

And were as follows :

Yeas 27,

Nays 4.

Those voting in the affirmative, were

Messrs Alexander, Babbitt, Baker, Bourne, Burroughs, Davidson, Evans, Flint, Gifford, Griffith, Harrison, Jacobs, Langton, McCrary, McFarland, McManaman, Norton, Penny, Read, Riggs, Sales, Timmons, Walker, Williams, Wood, Woodworth and Mr Speaker.

Those who voted in the negative were,

Messrs Corse, Elmer, Thompson and Weyand.

So the amendments made by the Senate were concurred in.

H. R. file, No. 74, A Bill for an act to establish the office of State Printer, define his duties and establish the prices of public printing ;

Together with the amendments made by the Senate, was read ; and,

On motion of Mr McFarland,

The amendments were concurred in.

Senate file, No. 19, Joint Resolution for an appropriation for the improvement of the Rock River and Des Moines Rapids, in the Mississippi river ;

Was read a first time ; and,

On motion of Mr Griffith,

The 42nd rule was suspended, the resolution read a second and third time, passed and its title agreed to.

On motion of Mr Thompson,

The House adjourned until two o'clock P. M.

2 o'clock, P. M.

The House met pursuant to adjournment.

Mr Babbitt, from the Select Committee, to whom was referred, H. R. file, No. 93, submitted the following report:

The Select Committee to whom was referred H. R. file, No. 93, "A Bill for an act to compel persons entering the improvements of settlers upon the public lands to pay for the same," have had the same under consideration and have instructed me to report the same back to the House and recommend that all after the word "publication" in the 5th section, be stricken out, and that the second section be amended by inserting after the word "trustees," the words "of the township;"

Which report was concurred in.

The bill as amended was passed and its title agreed to.

Mr Timmons obtained leave to introduce,

H. R. file, No. 109, A Bill for an act to change the name of the county of Alamakee;

Which was read a first time.

Mr Sales obtained leave to introduce,

H. R. file, No. 110, Joint Resolution for a mail route, from Bellview in Jackson county, to Independence in Buchanan county;

Which was read a first time.

Mr Riggs, from the Select Committee to whom was referred, H. R. file, No. 99, A Bill for an act for the relief of Appanoose county, reported the same back without amendment, and recommended its passage; and,

On motion of Mr Riggs,

The 42nd rule was suspended, the bill read a third time, passed and its title agreed to.

Mr McFarland obtained leave to introduce the following resolution:

Resolved, That the thanks of this House be voted to General Zachary Taylor, President of these United States and Commander-in-chief of the American army, for the gallant conduct of this hero in the late glorious war with Mexico, and the talented discovery of this hero, in recommending to Martin Van Buren, the present Free

Soil champion, the indispensable necessity of BLOOD-HOUNDS to worry the Seminoles in the Florida war; and,

On motion of Mr McFarland,

The House resolved itself into a Committee of the Whole for its consideration now.

Mr Harrison in the chair.

And after some time spent therein, the Committee rose and by their Chairman reported the same back with the following amendments:

First. Insert after the words "United States," the words "Major General in;"

Second. Add the following resolution:

Resolved, That this resolution shall not be considered "an ultra" resolution;

Third. Strike out all after the word "Mexico."

And the question being upon concurring in the amendments made by the Committee of the Whole House;

Pending which,

Mr Corse moved to lay the whole proceedings upon the table;

Which was lost.

Mr McFarland asked leave to withdraw the resolution;

Which was refused.

The first and third amendments made by the Committee were concurred in, and the second amendment was rejected.

And the question being upon the adoption of the resolution as amended;

And upon this question,

The yeas and nays were demanded,

And were as follows:

Yeas 22,

Nays 3.

Those who voted in the affirmative, were

Messrs Alexander, Babbitt, Baker, Corse, Davidson, Elmer, Evans, Flint, Gifford, Harrison, Langton, McFarland, Norton, Penny, Read, Riggs, Sales, Sargeant, Walker, Weyand, Wood and Mr Speaker.

Those who voted in the negative were,

Messrs Bourne, Burroughs and Jacobs.

So the resolution was adopted.

Mr Corse obtained leave to introduce,

H. R. file, No. 111, A Bill for an act to change the name of Van Buren county;

Which was read a first time.

Mr Babbitt, obtained leave to introduce,

H. R. file, No. 112, A Bill for an act for the taking an enumeration of the white inhabitants of the State of Iowa;

Which was read a first time; and,

On motion of Mr Babbitt,

The 42nd rule was suspended, the bill read a second time; and,

Ordered, To be engrossed and read a third time to-morrow.

Mr Sargeant obtained leave to introduce,

H. R. file, No. 113, A Bill for an act authorizing an additional State tax;

Which was read a first time.

On motion of Mr Riggs,

The House adjourned until to-morrow at 10 o'clock A. M.

Saturday Morning, December 30th, 1848.

The House met pursuant to adjournment.

Mr Harrison presented the petition of sundry citizens of Keokuk, Iowa and Washington counties, praying for the passage of an act establishing a new county;

Which was read, and

On motion of Mr Harrison,

Was referred to the standing Committee on New Counties.

The Speaker laid before the House the following communication, found upon the Speaker's desk:

TREASURER'S SPECIAL REPORT.

TREASURER'S OFFICE, IOWA, }
IOWA CITY, December 30, 1848. }

TO THE HON. SPEAKER OF THE HOUSE OF REPRESENTATIVES:

SIR—In obedience to the following resolution of the Honorable body over which you preside, adopted on the 27th inst., viz:

“Resolved, That the Auditor and Treasurer of State be, and they are hereby requested to inform this House whether any delinquent taxes have been paid into the Treasury since the 4th of December, 1848. Also the names of delinquent County Treasurers or Collectors, and the amount of each one's liability, and whether any legal steps have been taken against such delinquents.”

I have, so far as the first sentence of this resolution extends, the honor to submit the following statement, exhibiting the full amount of revenue received since the report of the Auditor of State, dated 4th December, 1848, showing the respective counties from which said taxes were received; also the different years upon which said taxes were paid into the Treasury.

I am not in possession of the necessary facts to throw any light upon the latter clause or clauses of said resolution. The information therein desired will be given by the Auditor of State.

Some four of the County Treasurers forwarded the taxes, without specifying upon what year or years they desired the same to be applied, hence my books do not show upon what year the same ought to have been credited.

With considerations of respect,

Your obedient servant,

M. RENO, Treasurer.

STATEMENT,

Exhibiting the full amount of Revenue received since the Report of the Auditor of State, dated 4th of December, 1848, showing the respective Counties from which said taxes were received; also, the different years upon which said taxes were paid into the Treasury.

COUNTIES.	Pedlars license.	1845.	1845 & '46.	1846.	1847.	1848.	Year not specified.	Total.
Cedar,			26 49		\$268 31			\$294 90
Clayton,					61 02	\$208 35		269 37
Davis,					36 41	65 22		101 63
Delaware,				5 00		100 00		105 00
Des Moines,		13 67		30 73	1,086 20	50 76		1,181 36
Dubuque,					53 00	497 00		550 00
Henry,							\$333 64	333 64
Iowa,					14 67	10 00		24 67
Jackson,							320 97	320 97
Jefferson,							151 00	151 00
Jones,					55 00			55 00
Johnson,		30 00		15 00	235 00	20 00		300 00
Linn,						97 38		97 38
Louisa,				12 98	268 02	110 00		391 00
Mahaska,	20 00			6 65	28 80	147 90		203 35
Muscatine,						519 32		519 32
Marion,					30 00	168 00		198 00
Monroe,					60 00	15 00		75 00
Scott,						299 92		299 92

Van Buren,.....					129 00	90 00		129 00
Washington,.....					60 00			150 00
Wapello,.....							215 07	215 07
Total,.....	\$20 00	\$43 67	\$26 59	\$70 36	\$2,385 43	\$2,398 85	\$1,020 68	\$5,965 58

On motion of Mr. Read,

The communication was referred to a Select Committee of three. Messrs Read, Babbitt and Bourne were appointed said committee. Mr Sargeant, from the standing Committee on Enrolled Bills, to whom was referred,

H. R. file No. 74, An Act to create the Office of State Printer, to provide for his election, to define his duties, and to establish the prices of public printing; and,

H. R. file No. 64, An Act to amend an act entitled "an act to incorporate the town of Davenport," approved Feb. 11th, 1842;

Reported that they had examined the same, and found them correctly enrolled.

H. R. file no 95, A Bill for an act supplemental and amendatory to an act entitled "an act for the appointment and duties of Sheriffs;"

Was read a second time.

H. R. file No. 107, A Bill for an act to provide for the payment of the jurors of the District Courts of Lee county;

Was read a second time; and,

On motion of Mr Griffith,

It was referred to the delegation from Lee county.

H. R. file No. 108, A Bill for an act to authorize W. F. Brackenridge to make a canal;

Was read a second time; and,

On motion of Mr Evans,

Ordered, To be engrossed, and read a third time on Tuesday next.

H. R. file No. 109, A Bill for an act to change the name of Alamaakee county;

Was read a second time.

Mr. Langton moved to indefinitely postpone the same.

Mr Timmons moved to refer it to a Select Committee of three; Which was disagreed to.

The question then recurring upon the indefinite postponement of the bill;

It was decided in the affirmative.

H. R. file No. 111, A Bill for an act to change the name of Van Buren county;

Was read a second time.

Mr Elmer moved to indefinitely postpone the same;

And upon this question,
The yeas and nays were demanded,
And were as follows :

Yeas 27,
Nays 7.

Those who voted in the affirmative were,
Messrs Alexander, Allison, Baker, Bourne, Burroughs, Davidson, Elmer, Evans, Flint, Harrison, Jacobs, Langton, McCrary, McFarland, McManaman, Norton, Penny, Read, Riggs, Timmons, Thompson, Walker, Weyand, Williams, Wood, Woodworth and Mr Speaker.

Those who voted in the negative were,
Messrs Babbitt, Corse, Gifford, Griffith, Mahony, Sales and Sargeant.

So the bill was indefinitely postponed.

H. R. file No. 110, Joint Resolution for a mail route from Bellevue, in Jackson county, to Independence, in Buchanan county;

Was read a second time; and,

On motion of Mr. Sales,

Ordered, To be engrossed and read a third time on Tuesday next.

The following message was received from the Senate, by Mr Rockwell their Secretary:

MR SPEAKER;

I am directed to inform the House of Representatives, that the Senate have indefinitely postponed,

H. R. file No. 101, Joint Resolution for the restriction of human slavery.

I herewith return,

H. R. file No. 88, An Act legalizing the acts of the County Commissioners of Des Moines county.

H. R. file No. 89, An Act to locate a State road therein named; and,

H. R. file No. 73, A Bill to locate a State road, leading from Burlington, in Des Moines county, to Fort Madison, in Lee county.

All of which have passed without amendment.

H. R. file No. 65, A Bill for an act relative to the decree of partition of the half breed tract of land, situated in Lee county;

Which has passed the Senate with the following amendment :

Strike out "sec. 2nd," in said bill.

In which the concurrence of the House is requested.

I herewith return,

H. R. file No. 67, An Act to authorize Wm. S. Townsend to keep a ferry across the Missouri river at Trader's Point.

H. R. file No. 71, An Act relocating a State road therein named.

H. R. file No. 39, An Act to repeal an act approved January 25th, 1848, entitled "an act to amend an act defining the time of holding elections for State, District and County Officers;" approved Feb. 25th, 1847.

H. R. file No. 70, Joint Resolution appointing an agent to pay the interest on the Iowa State Stock.

H. R. file No. 21, Joint resolution for a grant of land from Congress.

H. R. file No. 68, Memorial for an increase of mail facilities.

H. R. file No. 81, An Act to locate a State Road from Knoxville, in Monroe county, *via* the seats of Justice of Warren and Madison counties, to the west line of Madison county.

H. R. file No. 63, Joint Resolution requiring the Secretary of State to furnish the counties of Warren and Madison with copies of the Revised Statutes and other Laws of this State.

H. R. file No. 57, An Act to locate a State road therein named.

H. R. file No. 43, Joint Resolution for an appropriation of money or land for the improvement of the navigation of the Maquoketa river;

The same having received the signature of the President of the Senate.

The Secretary of the Senate would also report,

H. R. file No. and title not known, taken from the desk of Mr Griffith, of the House of Representatives;

The same having received the signature of the President of the Senate.

Also,

H. R. file No. 64, An act to incorporate the town of Davenport; and,

H. R. file No. 74, An Act to establish the office of State printer, define his duties, and establishing the price of public printing;

The same having received the signature of the President of the Senate.

I herewith return,

H. R. file, No. 80, A Bill for an act to create the Fifth Judicial District ;

The same having passed the Senate with one amendment.

And then he withdrew.

H. R. file, No. 112, A Bill for an act for the taking an enumeration of the white inhabitants of Iowa ;

Was read a third time ; and,

On motion of Mr Babbitt,

It was referred to a Select Committee of three.

Messrs Babbitt, McFarland and Thompson, were appointed said committee.

H. R. file, No. 113, A Bill for an act authorizing an additional State tax ;

Was read a second time ; and,

On motion of Mr Corse,

Ordered, To be engrossed and read a third time on Tuesday next.

H. R. file, No. 87, A Bill for an act to prevent the circulation of county certificates, commonly known as county orders ;

Was read a third time.

Mr McManaman moved to indefinitely postpone the bill.

And upon this question,

The yeas and nays were demanded,

And were as follows :

Yeas 25,

Nays 9.

Those who voted in the affirmative were,

Messrs Alexander, Allison, Babbitt, Baker, Bourne, Burroughs, Corse, Davidson, Elmer, Evans, Flint, Gifford, Jacobs, McCrary, McManaman, Penny, Read, Riggs, Sargeant, Timmons, Thompson, Weyand, Williams, Woodworth and Mr Speaker.

Those who voted in the negative were,

Messrs Griffith, Harrison, Langton, Mahony, McFarland, Norton, Sales, Walker and Wood.

So the bill was indefinitely postponed.

H. R. file, No. 100, A Bill for an act to amend an act entitled "an act to provide for levying and collecting revenue for State and county purposes ;

Was read a third time ; and,

On motion of Mr Babbitt,

It was referred to a Select Committee of three.

Senate file, No. 29, A Bill for an act and ordinance accepting of the propositions made by Congress on the admission of Iowa, as a State, into the Union;

Was read a third time; and,

On motion of Mr Read,

It was referred to a Select Committee of three.

Messrs Read, Timmons and Harrison, were appointed said committee.

Senate file, No. 39, A Bill for an act to authorize the Supreme Court to hold special terms;

Was read a third time, passed and its title agreed to.

H. R. file, No. 105, A Bill for an act to establish certain State roads therein named;

Was read a third time, passed and its title agreed to.

The message from the Senate was taken from the table.

H. R. file, No. 80, A Bill for an act to create the Fifth Judicial District;

Together with the amendments made by the Senate, were read; and,

On motion of Mr Harrison,

The House concurred in the amendments made by the Senate.

H. R. file, No. 65, A Bill for an act relative to the decree of partition of the half-breed tract of land, situated in Lee county;

Together with the amendments made by the Senate, were read; and,

On motion of Mr Read,

The House concurred in the amendments made by the Senate.

Mr Allison obtained leave to introduce,

H. R. file, No. 114, Memorial to Congress for a donation of land for the benefit of the colored race, and to aid in the removal of slavery;

Which was read a first time; and,

On motion of Mr McFarland,

The 42nd rule was suspended, the memorial read a second time by its title.

Mr McFarland moved to make it the order of the day, and that the House now resolve itself into Committee of the Whole for the consideration of the same;

Which motion was decided in the negative.

Mr Weyand moved to lay the memorial on the table and make it the order of the day for Tuesday next, at 2 o'clock P. M.

Mr Flint moved to amend by striking out "Tuesday," and inserting "Monday;"

Which motion was disagreed to.

Mr Mahony moved to indefinitely postpone the memorial.

And upon this question,

The yeas and nays were demanded,

And were as follows :

Yeas 26,

Nays 8.

Those who voted in the affirmative, were,

Messrs Alexander, Babbitt, Baker, Bourne, Corse, Davidson, Elmer, Evans, Flint, Gifford, Harrison, Jacobs, Langton, Mahony, McFarland, Norton, Penny, Read, Riggs, Sales, Sargeant, Timmons, Walker, Weyand, Wood and Mr Speaker.

Those who voted in the negative were,

Messrs Allison, Burroughs, Griffith, McCrary, McManaman, Thompson, Williams and Woodworth.

So the memorial was indefinitely postponed.

Mr Mahony, in accordance with notice previously given, introduced,

H. R. file, No. 115, A Bill for an act to create the office of Attorney General, and defining his duties ;

Which was read a first time ; and,

On motion of Mr Sales,

The 42nd rule was suspended, and the bill read a second time by its title.

On motion of Mr Mahony,

The usual number of copies were ordered to be printed for the use of the General Assembly, and it was made the order of the day for Tuesday next, at 2 o'clock P. M.

On motion of Mr Thompson,

The House adjourned until Tuesday, January 2nd, 1849, at 10 o'clock A. M.

Tuesday Morning, January 2nd, 1849.

House met pursuant to adjournment.

Mr Collins presented the petition of sundry citizens of Jefferson and Wappello counties, praying for the passage of an act to prevent the County Commissioners from making any alteration in the State road from Fairfield in Jefferson county, to the Indian Agency;

Which was read; and,

On motion of Mr Collins,

It was referred to the standing Committee on Roads and Highways.

Mr Wood presented the petition of sundry citizens of Clayton county, praying for the passage of an act to incorporate the town of Guttenberg;

Which was read; and,

On motion of Mr Wood,

It was referred to the standing Committee on Incorporations.

Mr Williams introduced the following resolutions:

Resolved, That the copies of Morris' reports, distributed to members of this House, shall be by such members respectively deposited in the office of the County Commissioners' Clerk of their respective counties, for the use of the members of the Bar, and officers of such county.

Mr Mahony offered the following substitute:

Resolved, That the copies of Morris' reports, voted by the resolution of the House to the members thereof, be deposited by the members in the State Library, the same to be exchanged for copies of the reports of the Supreme Courts of other States.

Mr Harrison offered the following amendment to the substitute:

Provided, That the Librarian shall have the power and authority to exchange the same for such other books as he may deem beneficial to the State.

And the question being upon the adoption of the substitute as amended,

Mr Langton moved to indefinitely postpone the resolution, together with the substitute and amendment.

And upon this question,

The yeas and nays were demanded,
And were as follows :

Yeas 21,
Nays 12.

Those who voted in the affirmative, were

Messrs Babbitt, Baker, Bourne, Collins, Elmer, Evans, Flint, Gifford, Griffith, Jacobs, Langton, McCrary, McFarland, Norton, Penny, Read, Riggs, Timmons, Walker, Weyand and Wood.

Those who voted in the negative were,

Messrs Alexander, Allison, Corse, Davidson, Goodrell, Harrison, Mahony, McManaman, Sales, Sargeant, Thompson and Williams.

So the resolution, substitute and amendments were indefinitely postponed.

Mr Mahony obtained leave to introduce,

H. R. file, No. 116, A Bill for an act to establish a system of common schools.

On motion of Mr McFarland,

The reading of the bill was dispensed with, and the usual number of copies were ordered to be printed.

Mr Griffith gave notice that on to-morrow, or some future day, he would introduce,

A Bill for an act supplemental and amendatory to an act entitled "an act to vacate the Public Square in the town of West Point, in Lee county," approved February 17th, 1847.

Mr Allison obtained leave to introduce,

H. R. file, No. 117, Joint Resolution concerning the slave trade in the District of Columbia.

On motion of Mr Sales,

The 42nd rule was suspended and the Joint Resolution read a second time.

Mr Sales moved to indefinitely postpone the Joint Resolution.

And upon this question,

The yeas and nays were demanded,

And were as follows :

Yeas 27,
Nays 8.

Those who voted in the affirmative, were

Messrs Alexander, Babbitt, Baker, Bourne, Collins, Corse, Davidson, Elmer, Evans, Flint, Gifford, Goodrell, Harrison, Jacobs,

Langton, McCrary, McFarland, Norton, Penny, Read, Riggs, Sales, Sargeant, Walker, Weyand, Woodworth and Mr Speaker.

Those who voted in the negative were,

Messrs Allison, Burroughs, Griffith, McManaman, Timmons, Thompson, Williams and Wood.

So the Joint Resolution was indefinitely postponed.

Mr Sales, from the standing Committee on Engrossed Bills, submitted the following report:

The Committee on Engrossed Bills, to whom was referred,

H. R. file, No. 102, A Bill for an act to relocate and extend a certain road therein named;

H. R. file, No. 103, A Bill for an act to attach the county of Black Hawk to the county of Benton; and,

H. R. file, No. 104, A Bill for an act to authorize the County Commissioners' Court of Des Moines county to have a vote taken in relation to having a Court House built in said county;

Have instructed me to report that they have examined the same and find them correctly engrossed.

Mr Collins, from the Select Committee to whom was referred,

H. R. file, No. 91, A Bill for an act to vacate part of a certain road therein named,

Reported the same back without amendment, and recommended its passage.

Mr. Sales obtained leave to introduce,

H. R. file, No, 118, A Bill for an act to authorize the Recorder of Jones county to transcribe the Records of said county;

Which was read a first time.

Mr. Langton presented the certificates of sundry Postmasters, certifying that the mail on route No. 4556, from Bloomington to Dubuque, is too large to be carried on horseback, and praying for an increase of mail facilities;

Which was read; and,

On motion of Mr Langton,

Was referred to a Select Committee of three.

Messrs Langton, Babbitt and Corse were appointed said committee.

H. R. file, No. 95, A Bill for an act supplemental to an act for the appointment and duties of Sheriffs;

Was read a third time, passed and its title agreed to.

H. R. file, No. 108, A Bill for an act to authorize Wm. F. Brack-
enridge to construct a canal,

Was read a third time, passed and its title agreed to.

Mr McFarland obtained leave to introduce,

H. R. file, No. 119, A Bill for an act to regulate judgments and
executions in certain cases ;

Which was read a first time.

H. R. file, No. 91, A Bill for an act to vacate a certain road there-
in named ;

Was read a third time, passed and its title agreed to.

The following message was received from the Senate by Mr
Rockwell, their Secretary :

MR SPEAKER :

I am directed to inform the House of Representatives that the
Senate has passed,

Senate file No. 47, An Act to amend an act entitled, "an act
regulating practice in the District Courts in the Territory of Iowa,"
approved Feb. 10th, 1843 ;

In which the concurrence of the House is requested.

I herewith return,

H. R. file, No. 78. An Act to extend the time of putting in a lock
in the Iowa City Manufacturing Co. mill dam ;

The same having passed the Senate without smendment.

Also,

H. R. file, No. 48, An Act to restrain swine from running at large
in Clinton county ;

With one amendment.

H. R. file, No. 76, An Act to fund the debt of the State ; and

H. R. file, No. 54, A Bill concerning claims on the half breed
tract.

All of which have passed the Senate with sundry amendments.

In which the concurrence of the House is requested.

Also,

That the Senate have passed the following resolution :

Resolved, By the Senate, (the House concurring,) that the Gen-
eral Assembly adjourn sine. die, on the 15th inst.

And then he withdrew.

The Senate message was then taken from the table, and the Senate resolution being read,

Mr. Babbitt moved to lay the same upon the table;
And upon this question,
The yeas and nays were demanded,
And were as follows:

Yeas 12,

Nays 22.

Those who voted in the affirmative were,
Messrs Babbitt, Baker, Collins, Flint, Gifford, Harrison, Langton, McFarland, Norton, Read, Weyand and Wood.

Those who voted in the negative were,
Messrs Alexander, Allison, Bourne, Burroughs, Corse, Davidson, Elmer, Evans, Goodrell, Griffith, Jacobs, McCrary, McManaman, Penny, Riggs, Sales, Sargeant, Timmons, Thompson, Walker, Williams and Woodworth.

So the motion was lost.

The question then recurring upon the adoption of the resolution, Mr Harrison moved to lay the same upon the table, and make it the order of the day for Saturday next.

Which was lost.

And the question being put, the said resolution was concurred in.

On motion of Mr Sales,

The House adjourned until 2 o'clock P. M.

2 o'clock P. M.

The House met pursuant to adjournment.

Senate file No. 47, A Bill for an act to amend an act entitled "an act to regulate practice in the District Courts of the Territory of Iowa;" approved February 10, 1843;

Was read a first time.

H. R. file, No. 48, A Bill for an act to prevent swine from running at large in Clinton county, as amended by the Senate,

Was read, when

Mr Bourne moved to concur in the amendments of the Senate;
And upon these amendments,

The yeas and nays were demanded,
And were as follows :

Yeas 19,
Nays 14.

Those who voted in the affirmative were,
Messrs Babbitt, Bourne Burroughs, Corse, Evans, Goodrell,
Langton, Harrison, McCrary, McManaman, Norton, Penny, Read,
Timmons, Thompson, Williams, Wood, Woodworth and Mr Speak-
er.

Those who voted in the negative were,
Messrs Alexander, Collins, Davidson, Elmer, Flint, Gifford,
Griffith, Jacobs, McFarland, Riggs, Sales, Sargeant, Walker and
Weyand.

So the amendments were concurred in.

The Speaker then presented the following communication from
the Auditor of State :

AUDITOR'S SPECIAL REPORT.

AUDITOR'S OFFICE, IOWA, }
IOWA CITY, December 29, 1848. }

TO THE SPEAKER OF THE HOUSE OF REPRESENTATIVES :

SIR—I have the honor to acknowledge the receipt of the follow-
ing resolution, adopted by the House of Representatives on the 27th
inst :

“ Resolved, That the Auditor and Treasurer of State be, and
they are hereby requested to inform the House whether any delin-
quent taxes have been paid into the Treasury since the 4th day of
December, 1848; also, the names of delinquent County Treasurers
or Collectors, and the amount of each one's liability; and whether
any legal steps have been taken against such delinquents.”

In answer I would reply, that it will be impossible for me to com-
ply strictly with the requirements of the resolution, but as far as I
am in possession of the desired information, I will cheerfully give
it.

M. Reno, Esq., the State Treasurer, will furnish you with the information desired under the first branch of the resolution. Under the second head, relative to the name of the delinquent County Treasurers, it will be out of my power to reply, as my predecessors kept no accounts against the Collectors and Treasurers by name, but only in their capacity as county officers.

Since I entered upon the duties of this office I have required the County Commissioners' Clerk of each county to furnish me with the name of the County Treasurer of their respective county, and the amount of revenue assessed in each county has been charged against the Treasurer by name, and the account for each year is kept separately.

Therefore, for the years 1847 and 1848 I can furnish the names of the several County Treasurers, and their present liabilities; previous to that time I can only specify the amount due from the several counties in the aggregate from 1839 to 1846, inclusive.

Under the act for the collection of revenue passed in 1844, the County Treasurer was allowed to file a delinquent list for the current year in this office, and the Auditor was required to give him credit for the amount of the list; it was still the duty of the County Treasurer to go on and make collections of the delinquents. In some counties this has been done, and the money paid into the State Treasury. In others it is not known whether any thing has been collected or not, as no exertion was made previous to 1847, to ascertain that fact. I have used every exertion to have these delinquencies paid up, and have been successful in collecting a considerable amount.

Accounts have been sent to the Prosecuting Attornies of several counties, accompanied by a circular letter, of which the following is a copy:

AUDITOR'S OFFICE, IOWA, }
IOWA CITY, August 1st, 1847. }

SIR—I send you the foregoing account for collection. You will ascertain at the County Commissioners' Clerk's Office who is the person or persons liable for the several years' taxes. You will please collect the same without suit, if possible; but unless they have a good defence, you will bring suit against them. By a reference to the several laws for the collection of Territorial and State Revenue, and particularly chapter 57 of the acts of the last General Assembly, you will ascertain what course to pursue.

You will find in the bill a "a credit by delinquent list;" this is only a temporary credit given to the Collector until he can take the legal course to collect the amounts from the several individual tax payers; and although the final settlement was never urged by my predecessors, I conceive it to be my duty to do it. It certainly was never the intention of the Legislature that the officer should collect the said list, and put the proceeds in his own pocket, without ever accounting to this office for the same, which has been the case heretofore in some counties where the delinquent list amounted to one-fourth or one-third of the amount of the tax. You will endeavor to collect said items though credited in the bill. For any further information you will please write to me.

I have the honor to be,

Very respectfully, yours, &c.,

JOS. T. FALES,

Auditor of State.

TO THE PROSECUTING ATTORNEY OF ——— COUNTY.

Very little attention has been paid to these instructions. For what reason I am unable to determine.

If authority was given to the Auditor to visit the counties and examine the books and bonds of the defaulting Collectors, and gather such information as might be deemed necessary, on which to base a suit, with authority to employ counsel for the prosecution of the claim, I think it would result greatly to the interest of the State, and not be attended with so much expense as the present system.

By the provisions of "an act prescribing the general duties of the Auditor of State," the Auditor is required on the failure of any officer or person, to account and make settlement with the Auditor, for any moneys received belonging to the State, within the time prescribed by law, to charge such officer or person ten per cent. damages, and interest at the rate of ten per cent. per annum, from the time of failing to account and settle. The difficulty is to ascertain the amount the officers have collected, on which to calculate the damages and interest. The amount of revenue assessed and charged is known, but what amount the Treasurer has collected is only known to himself, and unless he informs the Auditor of that fact, he cannot charge him with the damages. The better plan would be to fix a specific amount as a fine, or authorize the Auditor to

charge damages on the whole amount assessed, if the amount collected is not paid at the date required by law.

STATEMENT I.

The following accounts are copied from the books in this office, and show the liabilities of the counties up to this date, on the assessments previous to the year 1847. I find some errors in the printed copy of my report of the 4th inst., relative to these items. The following I believe to be correct:

Appanoose county,	.....	\$6 40
Cedar	“	227 92
Clayton	“	193 79
Clinton	“ before 1844,.....	65 18
Delaware	“	13 50
Des Moines	“ before 1844,.....	803 39
Iowa	“	8 59
Jackson	“	255 06
Jefferson	“ before 1844,.....	74 86
Johnson	“	99 46
Keokuk	“	9 45
Linn	“	101 53
Louisa	“	81 85
Muscatine	“	444 48
Polk	“	2 65
Scott,	“	111 68
Van Buren	“	658 99
Wapello	“	32 92
Washington	“ before 1844,.....	114 15
Total,	.....	<u>\$3,305 85</u>

STATEMENT II.

The following will show the names of the Treasurers of the several counties, and the amounts due on the assessments of the year 1847 :

Treasurers.	Counties.	Amount Due.
Jesse Wood,	Appanoose,	\$35 46
D. S. Pratt,	Benton,	46 29
Edward Brewer,	Buchanan,	25 73
W. K. Whittlesey,	Cedar,	34 41
Robert Bedford,	Clinton,	16 31
Not known,	Dallas,	2 33
Wm. L. Stevens,	Davis,	122 48
Wm. Phillips,	Delaware,	4 82
George Blickhan,	Des Moines,	1,151 68
I. P. Van Hagen,	Dubuque,	422 58
H. M. Snyder,	Henry,	205 57
Robert McKee,	Iowa,	3 29
S. S. Fenn,	Jackson,	247 04
Seth Hammer,	Jasper,	2 78
Anson Ford,	Jefferson,	177 09
Hiram Watts,	Johnson,	279 47
Wm. Sterling,	Jones,	84 56
Joel Long,	Keokuk,	106 64
H. C. McMurphy,	Lee,	998 98
Wm. M. Harris,	Linn,	60 59
Samuel Townsend,	Louisa,	136 92
G. W. Baer,	Mahaska,	117 16
Isaac H. Walters,	Marion,	18 74
Daniel Judson,	Monre,	21 05
Fred'k H. Stone,	Muscatine,	356 61
James Campbell,	Polk,	61 37
A. H. Miller,	Scott,	454 01
G. B. Alexander,	Van Buren,	1,157 78
Joseph Leighton,	Wapello,	142 51
C. S. Cleaves,	Washington,	17 56
Total, . . . . .	.....	\$6,611 99

STATEMENT. III.

The following will show the names of the Treasurers of the several counties, and the amounts due on the assessments of the year 1848:

Treasurers.	Counties.	Amount Due.
Thomas G. Manson,	Appanoose,	\$72 35
D. S. Pratt,	Benton,	58 38
Edward Brewer,...	Buchanan,	55 37
W. K. Whittlesey, ..	Cedar,	1,094 16
Robert R. Reed,...	Clayton,	496 05
Lyman Buck,	Clinton,	576 06
Joseph C. Corbell, ..	Dallas,	35 88
Wm. L. Stevens,...	Davis,	538 25
Wm. Phillips,	Delaware,	176 72
George Blickhan, ..	Des Moines,	4,514 83
I. P. Van Hagen, ..	Dubuque,	1,829 12
H. M. Snyder,	Henry,	2,566 03
Robert McKee,	Iowa,	50 22
S. S. Fenn,	Jackson, paid \$320 97...	not known,
Job Bennett,	Jasper,	122 33
Anson Ford,	Jefferson,	1,551 39
Hiram Watts,	Johnson,	1,548 00
Wm. Sterling,	Jones,	583 57
C. E. Woodward, ..	Keokuk,	728 60
H. C. McMurphy, ..	Lee,	5,287 86
Wm. M. Harris,	Linn,	1,170 71
Samuel Townsend, ..	Louisa,	1,367 83
G. W. Baer,	Mahaska,	521 63
I. H. Walters,	Marion,	300 55
Daniel Judson,	Monroe,	160 00
F. H. Stone,	Muscatine,	1,122 39
James Campbell, ..	Polk,	232 75
Richard Cheeseman,	Poweshiek,	22 08
A. H. Miller,	Scott,	1,231 73
G. B. Alexander, ..	Van Buren,	3,002 95
Joseph Leighton, ..	Wapello, pd. \$215 07....	not known,
C. S. Cleaves,	Washington,	1,320 84
Total, .....	.....	\$32,338 83

RECAPITULATION.

Amounts due previous to 1847,.....	\$3,305 85
“ “ for the year 1847,.....	6,611 99
“ “ “ “ “ 1848,.....	32,338 83
Estimated amount due from Jackson and Wapello,	1,500 00
Total,.....	<u>\$43,756 67</u>

From the foregoing it will be discovered that a large amount of the revenue is unavailable, for a long period after it is due.

Some other system, should be adopted to realize the amount of the assessments at the earliest day possible.

Any measure that you may adopt to bring about such a desirable result I shall take pleasure in carrying into effect.

I have the honor to be.

Very respectfully, your

Obedient servant,

JOSEPH T. FALES.

Auditor of State.

Which communication having been read,

On motion of Mr Corse,

Was referred to the Committee on Ways and Means.

H. R. file, No. 54, A Bill for an act concerning the decree of partition in the half breed case,

Was read, together with the amendments made by the Senate;

On motion of Mr. Griffith,

Was referred to the Lee county delegation.

Mr. McFarland obtained leave to introduce the following resolution:

“Resolved, By the House, (the Senate concurring,) that the Secretary be required to furnish the officers of this House, and the Senate, with the same stationery that has been furnished to the members of this House and the Senate.”

Which resolution was adopted.

H. R. file, No. 76, A Bill for an act to fund the debt of the State, together with the amendments made by the Senate,

Was read, and

On motion of Mr Sales,
The amendments were concurred in.
Mr Harrison presented the account of A. Hart,
Which was read, and,
On motion of Mr Harrison,
Was referred to the standing Committee on Claims.
Mr Allison obtained leave to introduce
H. R. file, No. 120, Joint Resolution for the relief of Daniel
Judson, Treasurer of Monroe county;
Which was read a first time, and,
On motion of Mr Corse,
The 42nd rule was suspended, the joint resolution read a second
time, and,
On motion of Mr Griffith,
Was referred to the standing Committee on Claims, with instruc-
tions to report to-morrow morning.
On motion of Mr McFarland,
The House adjourned until to-morrow at 10 o'clock A. M.

Wednesday Morning, January 3rd, 1849.

The House met pursuant to adjournment.
Mr Timmons presented the petition of sundry citizens of Linn
and Benton counties, praying for the passage of an act to form a
school district from a part of township eighty-six north, in said
counties.
Which was read, and
On motion of Mr Timmons,
Was referred to a Select Committee of three.
Messrs Timmons, Flint and Goodrell were appointed said Com-
mittee.
Mr Harrison moved to order 500 copies of the Report of the
Auditor of State to be printed, for the use of the General Assembly.
Mr Flint moved to amend this motion by ordering 1000 copies
to be printed;
Which amendment was agreed to.

Mr Williams introduced the following resolution:

Resolved, That the standing Committee on the Judiciary be instructed to enquire into the expediency of reporting a bill to this House reducing the rates of costs and fees.

Mr Sales obtained leave to introduce,

H. R. file, No. 121, Joint Resolution for a mail route;

Which was read a first time.

Mr Harrison offered the following resolution:

Resolved, The Senate concurring, That the two Houses meet in the Hall of the House of Representatives, on Thursday, the 4th instant, at 2 o'clock P. M., for the purpose of electing a State Printer;

Which was adopted.

Mr Betts, from the Committee on Claims, asked until to-morrow morning to report,

H. R. file, No. 120, Joint Resolution for the relief of Daniel Judson, Treasurer of Monroe county;

Which leave was granted.

Mr Read, from the Select Committee, to whom was referred,

Senate file, No. 29, An Act and Ordinance accepting the proposition made by Congress on the admission of Iowa as a State into the Union,

Reported the same back with the following amendment: Insert after the word "war," "and war with Great Britain," and recommend its passage as amended;

Which amendment was agreed to.

Mr Sales submitted the following report:

The Committee on Engrossed Bills, to whom was referred H. R. file, Nos. 110 and 113, have instructed me to report that they have examined the same and find them correctly engrossed.

Mr Sargeant, from the Committee on Enrolled Bills, submitted the following report:

The Committee on Enrolled Bills have examined the following bills and find them correctly enrolled:

H. R. file, No. 32, An Act to authorize William P. Wilson to keep a ferry across the Des Moines river at Monterey;

H. R. file, No. 69, Joint Resolution for a mail route;

H. R. file, No. 77, An Act to authorize Israel Atherton to establish and keep a ferry across the Mississippi river, at a point in Scott county, opposite Cordova, in the State of Illinois;

H. R. file, No. 80, An Act to create the Fifth Judicial District ;
 H. R. file, No. 65, An Act relative to the record of the decree of
 partition of the half-breed tract of land, situated in Lee county ;

H. R. file, No. 89, An Act to locate a State road therein named ;

H. R. file, No. 73, An Act to locate a State road leading from
 Burlington in Des Moines county, to Fort Madison in Lee county ;

H. R. file, No. 88, An Act legalizing the act of the County Com-
 missioners of Des Moines county ;

All of which were then signed by the Speaker.

Mr Harrison, from the Committee on Public Buildings, to whom
 was referred,

H. R. file, No. 96, Joint Resolution accepting a grant of land
 therein named,

Reported the same back without amendment and recommended
 its passage.

Mr Read obtained leave to introduce,

H. R. file, No. 122, A Bill for an act to repeal an act entitled "an
 act for the relief of the poor ;"

Which was read a first time.

H. R. file, No. 118, A Bill for an act to authorize the Recorder
 of Jones county, to transcribe the records of said county ;

Was read a second time ; and,

On motion of Mr Sales,

The 42nd rule was suspended, the bill read a third time, passed
 and its title agreed to.

H. R. file, No. 119, An Act regulating judgments and execu-
 tions in certain cases ;

Was read a second time ; and,

On motion of Mr Harrison,

Was referred to the standing Committee on the Judiciary.

Senate file, No. 47, A Bill for an act to amend an act entitled "an
 act regulating practice in the District Courts of the Territory of
 Iowa ;"

Was read a second time ; and,

On motion of Mr Flint,

Referred to a Select Committee.

Messrs Corse, Read and Goodrell were appointed said committee.

H. R. file, No. 102, An Act to relocate and extend a certain road
 therein named ;

Was read a third time, passed and its title agreed to.

H. R. file, No. 103, A Bill for an act to attach the county of Black Hawk to the county of Benton, for election and judicial purposes;

Was read a third time; and,

On motion of Mr Langton,

Was re-committed to the Committee on Apportionment.

The following message was received from the Senate by Mr Rockwell, their Secretary:

MR SPEAKER:

I am directed to inform the House of Representatives that the Senate has passed,

Senate file, No. 51, Joint Resolution in relation to a mail route.

Also,

Senate file, No. 50, An Act to vacate a part of the town of Pittsburgh, in Van Buren county;

In which the concurrence of the House is requested.

I herewith return,

H. R. file, No. 91, An Act vacating part of a certain road therein named;

The same having passed the Senate without smendment.

Also,

The Senate have indefinitely postponed,

H. R. file, No. 93, An Act to compel persons entering the improvements of settlers to pay for the same; and,

H. R. file, No. 33, Joint Resolution for the relief of Harvey Leonard.

Also,

The Senate have refused to concur in the Stationery Resolution of the House.

I herewith present for your signature,

Senate file, No. 35, Joint Resolution providing compensation for the Commissioners appointed to select Des Moines River Lands;

Senate file, No. 19, Joint Resolution for an appropriation to improve the Des Moines and Rock River Rapids in the Mississippi river;

Senate file, No. 28, An Act to authorize William Green, his heirs and assigns, to improve Cedar river by a dam and lock; and,

Senate file, No. 41, An Act to amend an act entitled "an act to

to provide for the management of a State Library, and the election of a Librarian," approved, February 15th, 1847;

The same having passed both branches of the General Assembly, and reported as correctly enrolled.

The Senate have concurred in the resolution of the House, providing for a Joint Convention of the two Houses of the General Assembly, on Thursday, the 4th instant, for the purpose of electing a State Printer.

And then he withdrew.

H. R. file, No. 104, A Bill for an act to authorize the County Commissioners of Des Moines county to have a vote taken in relation to having a Court House built in said county;

Was read a third time, passed and its title agreed to.

Senate file, No. 29, An Act and Ordinance accepting the propositions made by Congress upon the admission of Iowa as a State into the Union;

Was read a third time, passed and its title agreed to.

H. R. file, No. 110, Joint Resolution for a mail route from Bellevue in Jackson county, to Independence in Buchanan county;

Was read a third time, passed and its title agreed to.

H. R. file, No. 113, A Bill for an act to authorize an additional tax for State purposes;

Was read a third time, passed and its title agreed to.

H. R. file, No. 96, Joint Resolution accepting a grant of land therein named;

Was read a third time, passed and its title agreed to.

The message from the Senate was taken from the table.

Senate file, No. 50, An Act to vacate a part of the town of Pittsburgh, in Van Buren county;

Was read a first time.

Senate file, No. 51, Joint Resolution in relation to a mail route;

Was read a first time.

Mr Riggs obtained leave to introduce,

H. R. file, No. 123, A Bill for an act to amend an act entitled "an act to authorize John Brophy to keep a ferry across the Missouri river at Trader's Point;

Which was read a first time.

Mr Mahony obtained leave to introduce,

H. R. file, No. 124, Joint Resolution for a mail route from Sa-

bula in Jackson county, to Cascade in Dubuque county ;

Which was read a first time.

On motion of Mr Collins,

The House adjourned until 2 o'clock p. m.

2 o'clock P. M.

The House met pursuant to adjournment.

Mr Babbitt, from the Select Committee, to whom was referred, H. R. file, No. 100, submitted the following report :

The Select Committee to whom was referred,

H. R. file, No. 100, A Bill for an act to amend an act to provide for collecting revenue for State and County purposes, approved February 25th, 1847,

Have had the same under consideration and have instructed me to report the same back to the House, without amendment, and recommend its passage.

Mr Reed, from the standing Committee on Ways and Means, to whom was referred the Resolution of this House, instructing said Committee "to enquire into the expediency of the State borrowing the five per cent. fund accruing to it from the United States upon the sale of the public lands," reported that the Committee had had the same under consideration, and begged leave to report,

H. R. file, No. 125, A Bill for an act to provide for a loan of the school fund, arising from the sale of the public lands ;

Which was read a first time.

On motion of Mr McFarland,

The House then resolved itself into a Committee of the Whole for the consideration of,

H. R. file, No. 115, A Bill for an act to create the office of Attorney General and define his duties.

Mr McFarland in the Chair.

And after some time spent therein, the Committee arose and by their Chairman reported the bill back to the House, with sundry amendments, and recommended its passage.

And the question being upon concurring in the amendments made by the Committee of the Whole,

It was decided in the affirmative.

Mr Goodrell offered the following amendment: Strike out all after the enacting clause.

Upon this question,

The yeas and nays being demanded,

Mr Goodrell moved a call of the House.

The roll being call it appeared that Mr Griffith was absent.

On motion of Mr McFarland,

The further call of the House was dispensed with.

The question being upon Mr Goodrell's motion;

Pending which,

Mr Babbitt moved to refer the bill to the standing Committee on the Judiciary;

Which motion was lost.

The question recurring upon Mr Goodrell's motion, to strike out all after the enacting clause,

The vote was as follows:

Yeas 17,

Nays 20.

Those who voted in the affirmative were,

Messrs Alexander, Allison, Betts, Bourne, Burroughs, Elmer, Flint, Goodrell, Jacobs, McCrary, McManaman, Stephenson, Timmons, Thompson, Williams, Woodworth and Mr Speaker.

Those who voted in the negative were,

Messrs Babbitt, Baker, Collins, Corse, Davidson, Evans, Gifford, Harrison, Langton, Mahony, McFarland, Norton, Penny, Read, Riggs, Sales, Sargeant, Walker, Weyand and Wood.

So the amendment was not agreed to.

Mr Mahony offered the following as a substitute for the seventh section:

That until the election and qualification of the Attorney General, as herein provided, the Auditor of State is hereby authorized to employ, at the expense of the State, counsel for the prosecution of claims due the State, as he may think advisable.

The question being upon the adoption of the substitute,

It was decided in the negative.

Mr Thompson offered the following amendment to the first section:

After the word "that," in the first line of the first section, insert

“in order to provide bread and meat for some Loco-foco office-seeker, who has had his nose knocked out of joint by the election of old Zack.”

And the question being upon the adoption of the amendment;

And upon this question,

The yeas and nays were demanded,

And were as follows:

Yeas 9,

Nays 28.

Those who voted in the affirmative, were

Messrs Allison, Burroughs, Goodrell, McCrary, McManaman, Stephenson, Thompson, Williams and Woodworth.

Those who voted in the negative were,

Messrs Alexander, Babbitt, Baker, Betts, Bourne, Collins, Corse, Davidson, Elmer, Evans, Flint, Gifford, Harrison, Jacobs, Langton, Mahony, McFarland, Norton, Penny, Read, Riggs, Sales, Sargeant, Timmons, Walker, Weyand, Wood and Mr Speaker.

So the amendment was not agreed to.

Mr Goodrell moved to strike out the seventh section,

Which motion was lost.

On motion of Mr Harrison,

The bill was referred to the standing Committee on Ways and Means.

On motion of Mr McFarland,

The House adjourned until to-morrow at 10 o'clock A. M.

Thursday Morning, January 4th, 1849.

House met pursuant to adjournment.

Mr Collins, from the standing Committee on Roads and Highways, to whom was referred the petition of sundry citizens of Jefferson county, praying for the passage of an act to prevent the County Commissioners' Court of Jefferson county from making any alteration in the road from Fairfield to the Indian boundary, reported,

H. R. file, No. 126, A Bill for an act to amend an act entitled

“an act to relocate a Territorial road from Fairfield to the Indian boundary;”

Which was read a first time.

Mr Corse, from the Select Committee, to whom was referred, Senate file, No. 47, A Bill for an act to amend an act entitled “an act regulating practice in the District Courts in the Territory of Iowa,” approved Feb. 10, 1843;

Reported that the committee had had the same under consideration, and begged leave to report the bill back to the House, without amendment, and recommended its passage.

Mr Langton, from the Select Committee, to whom was referred the certificates of sundry Postmasters on route No. 4,556, reported that the committee had had the same under consideration, and instructed him to report,

H. R. file, No. 127, Joint Resolution for a change in the manner of carrying the mail on route No. 4556;

Which was read a first time; and,

On motion of Mr Mahony,

The 42nd rule was suspended, the resolution read a second and third times, passed and its title agreed to.

Mr Sargeant obtained leave to introduce,

H. R. file, No. 128, A Bill for an act making appropriations for the support of the State Government for the fiscal years of 1849 and 1850;

Which was read a first time.

Mr Babbitt obtained leave to introduce,

H. R. file, No. 129, A Bill for an act to amend an act entitled “an act to create a Board of Public Works, and to provide for the improvement of the Des Moines river;”

Which was read a first time; and,

On motion of Mr Babbitt,

The 42nd rule was suspended, the bill read a second and third times, passed and its title agreed to.

Mr Griffith, from the Select Committee, to whom was referred,

H. R. file, No. 107, A Bill for an act to regulate the payment of jurors in Lee county;

Reported that the committee had had the same under consideration, and directed him to report the bill back to the House with the following amendment, in the fifth section strike out all after the figures “1849,” and recommend its passage;

Which report was concurred in.

H. R. file, 121, Joint Resolution for a mail route ;

Was read a second time.

Mr. Sales offered the following amendment, after the word "Delhi" instert "Eads' Grove ;"

Which was agreed to.

On motion of Mr Sales,

The 42nd rule was suspended, the Joint Resolution read a third time, passed and its title agreed to.

H. R. file, No. 122, A Bill for an act to repeal an act entitled "an act for the relief of the poor ;"

Was read a second time ; and,

On motion of Mr Goodrell,

Referred to the standing Committee on the Judiciary.

H. R. file, No. 123, A Bill for an act to amend an act entitled "an act to authorize John Brophy to beep a ferry across the Missouri river ;"

Was read a second time.

Mr Riggs moved to suspend the 42nd rule, and read the bill a third time now ;

Mr Corse moved to amend the bill by striking out the words "exclusive privilege ;"

Which was disagreed to.

On motion of Mr Wood,

The bill was referred to the standing Committee on Incorporations.

Mr Sales, from the standing Committee on Engrossed Bills, to whom was referred,

H. R. file, No. 98, Joint Resolution relative to books in the Library ;

Reported that the committee had examined the same, and found it correctly engrossed.

H. R. file, No. 124, Joint Resolution for a mail route from Sabula, in Jackson county, to Independence, in Buchanan county ;

Was read a second time ; and,

On motion of Mr. Sales,

The 42nd rule was suspended, the resolution read a third time, passed and its title agreed to.

H. R. file, No. 125, A Bill for an act to provide for a loan of the school fund accruing to this State from the sale of public lands,

Was read a second time.

Mr Read moved to suspend the 42nd rule, and read the bill a third time now.

Mr Bourne moved to refer the bill to the standing Committee on Schools ;

Which was disagreed to.

The question then recurring upon the suspension of the 42nd rule, it was decided in the affirmative, and the bill was read a third time.

Mr. Goodrell offered the following amendment, by way of rider :

“ This act shall take effect from and after its publication in the Iowa Capital Reporter and Republican, newspapers published in this city ;”

Which was agreed to.

And the question then being upon the passage of the bill,

And upon this question,

The yeas and nays were demanded,

And were as follows :

Yeas 36,

Nays 2.

Those who voted in the affirmative were,

Messrs Alexander, Allision, Babbitt, Betts, Bourne, Collins, Corse, Davidson, Elmer, Evans, Flint, Gifford, Goodrell, Griffith, Harrison, Jacobs, Langton, Mahony, McCrary, McFarland, McManaman, Norton, Penny, Read, Riggs, Sales, Sargeant, Timmons, Walker, Weyand, Williams, Wood, Woodworth and Mr Speaker.

Those who voted in the negative were,

Messrs Burroughs and Thompson.

So the bill passed, and its title was agreed to.

The following message was received from the Senate, by Mr Rockwell, their Secretary :

MR SPEAKER :

I am directed to inform the House of Representatives that the Senate have passed,

Senate file, No. 49, Memorial and Joint Resolution to Congress for the establishment of certain Military Posts ;

In which the concurrence of the House is requested.

I herewith return,

H. R. file, No. 65, An Act relative to the record of the decree of partition of the half breed tract of land, situated in Lee county ;
 H. R. file, No. 80, An Act to create the fifth Judicial District ;
 Substitute for H. R. file, No. 69.

H. R. file, No. 93, An Act to locate a State road leading from Burlington, in Des Moines county, to Fort Madison, in Lee county ;

N. R. file, No. 89, An Act to locate a State road therein named ;

H. R. file, No. 32, An Act to authorize William P. Wilson to keep a ferry across the Des Moines river, at Monterey ;

H. R. file, No. 88, An Act legalizing the acts of the County Commissioners' of Des Moines county ;

H. R. file, No. 77, An Act to authorize Israel Atherton to establish and keep a ferry across the Mississippi river, at a point in Scott county, opposite Cordova, in the State of Illinois ;

The same having received the signature of the President of the Senate.

And then he withdrew.

Senate file, No. 50, An Act to vacate a part of the town of Pittsburgh, in Van Buren county ;

Was read a second time ; and,

On motion of Mr McManaman,

Ordered, To be read a third time to-morrow ;

Senate file, No. 51, Joint Resolution relative to a mail route ;

Was read a second time ; and,

On motion,

Ordered, To be read a third time on to-morrow.

H. R. file, No. 100, A Bill for an act to amend an act to provide for the collection of revenue for State and county purposes ;

Was read a third time, passed and its title agreed to.

Senate file, No. 47, An Act to amend an act regulating practice in the District Courts of the Territory of Iowa ;

Was read a third time, passed and its title agreed to.

Mr Bourne presented the claim of Wm. E. Leffingwell ;

Which was read ; and,

On motion of Mr Bourne,

Was referred to the Committee on Claims.

H. R. file, No. 107, A Bill for an act to provide for the payment of jurors' fees in the District Court of Lee county ;

Was read a third time, passed and its title agreed to.

The Senate message was then taken from the table; and,
Senate file, No. 49, Memorial and Joint Resolution for the establishment of certain Military Posts;

Was read a first time; and,

On motion of Mr Griffith,

The 42nd rule was suspended, and the resolution read a second and third times, passed and its title agreed to.

H. R. file, No. 116, A Bill for an act to establish a system of Common Schools;

Was read a second time; and,

On motion of Mr Mahony,

Was made the order of the day for every afternoon after to-day, until the same shall pass.

On motion of Mr Langton,

The House adjourned until two o'clock P. M.

2 o'clock, P. M.

The House met pursuant to adjournment.

On motion of Mr Harrison,

Ordered, That the Chief Clerk now inform the Senate that the House of Representatives is now ready to receive them in the Hall of the House, for the purpose of electing a State Printer.

The following message was received from the Senate, by Mr Rockwell their Secretary:

MR SPEAKER;

I am directed to inform the House of Representatives, that the President and members of the Senate will meet the House of Representative, forthwith, in the Hall of the House, in compliance with the resolution of yesterday.

And then he withdrew.

JOINT MEETING OF THE GENERAL ASSEMBLY IN CONVENTION.

The President and members of the Senate were then announced. The members of the Senate having taken the seats assigned them,

the President announced that the object of the Joint Convention was to elect a State Printer, for the State of Iowa.

Mr Harrison nominated Messrs. Palmer & Paul, publishers of the Iowa Capitol Reporter.

Mr Cook nominated James Pippinginny, of Cedar county.

Messrs Springer and Corse acting as tellers.

After a call of the roll by the Secretary of the Convention it appeared that

Messrs. Palmer & Paul had received.....	37	votes.
Mr Greely, " "	1	"
Martin Van Buren, " "	1	"
Ballard & Moriarty, " "	4	"
James Pippinginny, " "	4	"
R. B. Ogden, " "	1	"
Old Hawk, " "	1	"
Howell & Cowles, " "	1	"
Blank, " "	4	"

Those who voted for Messrs. Palmer & Paul were,

Messrs Alexander, Alger, Babbitt, Baker, Betts, Bonham, Bradley, Cassiday, Collins, Corse, Crawford, Davidson, Elmer, Espy, Evans, Flint, Gifford, Griffith, Harrison, Harbour, Howell, Jacobs, Langton, Mahony, McFarland, Norton, Penny, Read, Riggs, Sales, Sargeant, Royston, Shields, Walker, Weyand, Wood and Mr President Selman.

Mr Allison voted for Mr Greely.

Mr Bourne voted for Martin Van Buren.

Messrs Cook, Jay, McManaman and Timmons voted for James Pippinginny.

Messrs Burroughs, McCrary, Sanford and Wheeler voted for Messrs. Ballard & Moriarty.

Mr Thompson voted for Old Hawk.

Mr Sprott voted for R. B. Ogden.

Mr Wright voted for Messrs. Howell & Cowles.

Messrs Springer, Stephenson, Williams and Woodworth voted blank.

And it appearing that Messrs. Palmer & Paul had received a majority of all the votes cast, the President of the Convention declared that Messrs. Palmer & Paul, publishers of the Iowa Capitol Reporter-

ter, having received a majority of all the votes cast, were duly elected State Printer for the State of Iowa.

The business for which the two Houses had convened for, having been transacted, the Senate retired.

Mr Read obtained leave to introduce,

H. R. file, No. 130, A Bill for an act to amend an act entitled "an act regulating attachments;"

Which was read a first time.

Mr Betts, from the Committee on Claims, to whom was referred sundry accounts and claims, submitted the following report:

The Committee on Claims, to whom was referred the following claims and accounts, have examined the same and have instructed me to report, that the claim of James W. Woods, for recording the opinions of the Supreme Court, May term, 1848, amounting to \$65,744 is in their opinion illegal, and ought not to be paid by the State.

The claim of Daniel Judson, treasurer of Monroe county, asking to be exonerated from the payment of certain penalties, &c. The committee having no evidence in their possession relative to the same, report the resolution back, without amendment, and recommend the same to the consideration of the House.

The committee, likewise, have had certain claims and accounts referred to them, and have examined the same, and instructed me to report that they have allowed as correct, the following sums, and recommend that the Committee on Expenditures include them in the general appropriation bill:

Anson Hart, for sundry repairs and fitting up stoves, &c., in State House,.....	\$57 77
Easton Morris, for 39 copies of Morris' Iowa Reports,	195 00
Isaac R. Atlee, for services rendered in taking inventory of the goods belonging to the penitentiary of the State of Iowa,.....	18 00
Charles McDonald, for services rendered in taking in- ventory of the goods belonging to the penitentiary of the State of Iowa,.....	18 00
John Moyce, for services (one day) rendered in taking inventory of the goods belonging to the penitentiary of the State of Iowa,.....	3 00

Wm. Nichol, for services (one day) rendered in taking inventory of the goods belonging to the penitentiary of the State of Iowa,..... 3 00

Which said reports were concurred in.

Mr Timmons obtained leave to introduce,

H. R. file, No. 131, Joint Resolution for an appropriation of \$2,000 to build a bridge across Cedar river, at a point where the military road crosses the same;

Which was read a first time; and,

After sundry unimportant amendments were made to the same,

The resolution together with the amendments were,

On motion of Mr Read,

Indefinitely postponed.

Mr Elmer obtained leave to introduce,

H. R. file, No. 132, Joint Resolution for superintending the printing of the Laws;

Which was read a first time.

Mr Read, from the Committee on Ways and Means, to whom was referred,

H. R. file, No. 115, A Bill for an act to create the office of Attorney General and define his duties,

Reported that the committee had had the same under consideration, and begged leave to report the bill back to the House with the following amendment:

Strike out "\$800," and insert "\$400;"

Which was concurred in.

On motion of Mr McFarland,

Ordered, That the bill be engrossed and read a third time on tomorrow.

Mr Flint, from the standing Committee on Incorporations, to whom was referred the petition of sundry citizens of Clayton county, praying for the passage of an act to incorporate the town of Guttenburg, reported,

H. R. file, No. 133, A Bill for an act to incorporate the town of Guttenburg;

Which was read a first time; and,

On motion of Mr Flint,

The 42nd rule was suspended, the bill read a second and third time, passed and its title agreed to.

On motion of Mr McFarland,
The House adjourned until to-morrow at 10 o'clock A. M.

Friday Morning, January 5th, 1849.

The House met pursuant to adjournment.

Mr Sales presented the petition of sundry citizens of Dubuque and Jones counties, praying for the passage of an act to authorize, and require, the proper authorities to have the frame bridges over the Maquoketa, Wabsapinnicon and English rivers, roofed and sided, or covered in, at the expense of the State; also, for the passage of an act, making the repairs of said bridges, and the approaches thereto, a county instead of a township charge;

Which was read; and,

On motion of Mr Sales,

Referred to a Select Committee of three.

Messrs Sales, Langton and Goodrell, were appointed said committee.

Mr Collins presented the petition of sundry citizens of Jefferson county, praying for the passage of an act to locate and establish a road, from Fairfield, in said county, to the line between Henry and Jefferson counties;

Which was read; and,

On motion of Collins,

Referred to the standing Committee on Roads and Highways.

Mr Harrison presented the account of William Doty;

Which was read; and,

On motion of Mr Harrison,

Referred to the standing Committee on Claims.

Mr Wood presented the petition of sundry citizens of Alamakee county, praying for the passage of an act to organize said county;

Which was read; and,

On motion of Mr Wood,

Referred to the standing Committee on New Counties.

Mr Griffith offered the following resolution:

Resolved, That the printing of the Journals of the House of Rep-

representatives, for the present session, be given to Spalding & Phelps, editors and proprietors of the Iowa Statesman, published in Fort Madison, Lee county, at prices now fixed by law.

Mr Goodrell offered the following amendment:

After the word "by," insert the following, "the law providing for the election of a State Printer, and fixing the prices of public printing.

And the question being upon adopting the amendment;

And upon this question,

The yeas and nays were demanded,

And were as follows:

Yeas 22,

Nays 13.

Those who voted in the affirmative were,

Messrs Alexander, Babbitt, Baker, Betts, Burroughs, Collins, Corse, Davidson, Elmer, Evans, Flint, Goodrell, Mahony, McCrary, McManaman, Penny, Stephenson, Timmons, Thompson, Williams, Wood and Woodworth.

Those who voted in the negative were,

Messrs Gifford, Griffith, Harrison, Jacobs, Langton, McFarland, Norton, Read, Sales, Sargeant, Walker, Weyand and Mr Speaker.

So the amendment was agreed to.

On motion of Mr McFarland,

The resolution was laid upon the table subject to the order of the House.

Mr McFarland, from the standing Committee on the Judiciary, to whom was referred,

H. R. file, No. 119, A Bill for an act regulating judgments and executions in certain cases,

Reported that the committee had had the same under consideration, and begged leave to report the same back to the House, and recommend its indefinite postponement.

And the question being upon concurring in the report of the committee,

It was decided in the affirmative.

Mr McCrary obtained leave to introduce,

H. R. file, No. 134, A Bill for an act amendatory to an act providing for levying a tax on real and personal property, for road purposes;

Which was read a first time; and,

On motion of Mr McCrary,

The 42nd rule was suspended, the bill read a second time; and,

On motion of Mr McCrary,

It was referred to the standing Committee on Roads and Highways.

Mr Sargeant, from the standing Committee on Enrolled Bills, submitted the following report:

The Committee on Enrolled Bills have instructed me to report that they have presented to his Excellency, the Governor, for his approval, the following acts:

H. R. file, No. 6, An Act incorporating the city of Keokuk;
Presented December 16th, 1848.

H. R. file, No. 15, Joint Resolution asking a donation of land for the improvement of the Muscatine Island;

H. R. file, No. 18, Joint Resolution requesting our Senators and Representatives in Congress to procure an appropriation to pay the citizens of Iowa for services rendered in Missouri war;

H. R. file, No. 13, An Act to establish a State road from Eddyville, in Wappello county, to Bloomfield, in Davis county;

H. R. file, No. 28, An Act to authorize the Judge of Probate, of Marion county, to transcribe the records of the Probate Court;

H. R. file, No. 23, An Act to amend the city charter of the city of Burlington;

H. R. file, No. 26, An Act to amend an act entitled "an act to establish new counties and define their boundaries";

H. R. file, No. 34, An Act to authorize David W. King to establish and keep a ferry across Cedar river, at a point opposite Cedar Rapids;

H. R. file, No. 35, An Act to authorize Frederick Andros to transcribe the records of Clayton county;

H. R. file, No. 36, An Act to locate a State road from Monona to Fort Atkinson;

H. R. file, No. 37, An Act to locate the seat of justice of the counties of Madison and Warren;

H. R. file, No. 39, An Act to provide for the navigation of the Des Moines river between the mouth of the Raccoon fork thereof, and the northern boundary of this State;

H. R. file, No. 41, Joint Resolution for the establishment of a Land Office at Fort Des Moines;

H. R. file, No. 46, An Act to establish a State road from Mrs. Tesler's to intersect the road running to Columbus City;

H. R. file, No. 51, Joint Resolution asking a mail route from Prairie du Chien to Fort Atkinson;

H. R. file, No. 82, Memorial to Congress for a Marine Hospital on Rock Island;

Presented December 27th, 1848.

H. R. file, No. 21, Joint Resolution for a grant of land from Congress;

H. R. file, No. 29, An Act to repeal an act, approved January 25th, 1848, entitled "an act to amend an act defining the time of holding elections for State, District and County officers," approved February 25th, 1847;

H. R. file, No. 43, Joint Resolution for an appropriation of money or land for the improvement of the navigation of the Maquoketa river;

H. R. file, No. 57, An Act to vacate a certain road therein named;

H. R. file, No. 63, Joint Resolution requesting the Secretary of State to furnish the counties of Warren and Madison with copies of the Revised Statutes and other laws of this State;

H. R. file, No. 64, An Act to incorporate the town of Davenport;

H. R. No. 67, An Act to authorize Wm. S. Townsend to keep a ferry across the Missouri river, at Trader's Point;

H. R. file, No. 68, Memorial for an increase of mail facilities;

H. R. file, No. 70, Joint Resolution appointing an agent to pay the interest on the Iowa State Stock;

H. R. file, No. 71, An Act re-locating a State road therein named;

H. R. file, No. 81, An Act to locate a State road from Knoxville, in Marion county, via the seats of justice of Warren and Madison counties, to the west line of Madison county;

H. R. file, No. 74, An Act to establish the office of State Printer, define his duties and establish the price of public printing;

Presented December 30th 1848.

Also,

The Committee on Enrolled Bills have instructed me to report that they have examined the following bills and find them correctly enrolled:

H. R. file, No. 48, An Act to restrain swine from running at large in Clinton county;

H. R. file, No. 76, An Act to fund the debt of the State;

H. R. file, No. 78, An Act to extend the time for putting in a lock in the Iowa City Manufacturing Company's mill dam;

H. R. file, No. 91, An Act vacating a part of a certain road therein named;

All of which were then signed by the Speaker.

Mr Sales presented the petition of sundry citizens of Jones county, praying for the passage of an act to make an appropriation for the education of the deaf and dumb of the State of Iowa, at the Institution for the education of the deaf and dumb, at Jacksonville, in the State of Illinois;

Which was read; and,

On motion of Mr Sales,

Referred to a Select Committee of five.

Messrs Sales, Baker, Babbitt, Goodrell and Timmons were appointed said committee.

Mr Wood obtained leave to introduce,

H. R. file, No. 135, A Bill for an act to locate a State road from the Mississippi river, in Clayton county, to Quasketon, in Buchanan county;

Which was read a first time; and,

On motion of Mr Mahony,

The 42nd rule was suspended, the bill read a second and third times, passed and its title agreed to.

Mr Timmons obtained leave to introduce the following resolution:

Resolved, That the Special Committee, to whom was referred the petition of sundry citizens of Linn county, in relation to the exemption of certain property from execution, be instructed to report upon said petition at their earliest opportunity;

Which was adopted.

Mr Babbitt, from the Select Committee, to whom was referred, H. R. file, No. 112, submitted the following report:

The Select Committee to whom was referred,

H. R. file, No. 112, A Bill for an act to provide for the taking an enumeration of the white inhabitants of the State of Iowa,

Have had the same under consideration, and instructed me to report the same back to the House, with the following amendment, to

wit: Strike out the fifth and sixth sections and add the following as the 5th section:

“This act shall take effect, and be in force from and after its publication according to law.”

And the question being upon concurring in the report,
It was decided in the affirmative.

The following message was received from the Senate, by Mr Rockwell, their Secretary:

MR SPEAKER:

I am directed to inform the House of Representatives that the Senate have passed,

Senate file, No. 58, A Bill for an act to fix the places of holding the District Court in Van Buren county;

Senate file, No. 71, Joint Resolution for the appointment of a Librarian;

Senate file, No. 55, An Act to authorize Robert Bunker to establish and keep a ferry across the Mississippi river at Bunker's Landing, in Clayton county;

Senate file, No. 52, An Act to establish a State road therein named;

Senate file, No. 56, An Act to lay out and establish a State road from Dubuque to Bunker's Landing, in Clayton county;

In which the concurrence of the House is requested.

I herewith return,

H. R. file, No. 108, A Bill authorizing Wm. F Brackenridge to make a canal;

H. R. file, No. 96, An Act supplemental and amendatory to an act entitled “an act for the appointment and duties of Sheriffs;” and,

H. R. file, No. 90, An Act to amend an act entitled “an act for the incorporation of the town of Bloomington,” approved January 23rd, 1839;

The same having passed the Senate without amendment.

I am directed to present for your signature,

Senate file, No. 40, An act to authorize the Secretary of State to collect and arrange certain papers in his office;

Senate file, No. 39, An Act to authorize the Supreme Court to hold special terms;

Senate file, No. 32, An Act to establish a State road therein named;

Senate file, No. 31, An Act to authorize the Auditor of State to audit and allow the expenses of the Supreme Court;

The same having passed both branches of the General Assembly, and reported as correctly enrolled.

And then he withdrew.

Mr Harrison obtained leave to introduce the following resolution:

Resolved, That the standing Committee on Claims be instructed to enquire into the expediency of allowing J. Scott Richman, Chief Clerk of the House of Representatives, at the last session of the General Assembly, and clerk pro tem. at this session, for his services as such pro tem. clerk, and that they report by bill or otherwise;

Which was adopted.

H. R. file, No. 126, A Bill for an act to amend an act entitled "an act to re-locate a territorial road from Fairfield to the Indian boundary;

Was read a second time; and,

On motion of Mr Collins,

Ordered, To be engrossed and read a third time to-morrow.

H. R. file, No. 128, A Bill for an act making an appropriation for the support of the State government for the fiscal years of 1849 and 1850;

Was read a second time; and,

On motion of Mr Read,

Ordered, To be engrossed and read a third time to-morrow.

H. R. file, No. 130, A Bill for an act to amend an act allowing and regulating writs of attachments;

Was read a second time; and,

On motion of Mr Read,

Referred to the standing Committee on the Judiciary.

H. R. file, No. 22, Joint Resolution authorizing the Secretary of State to certify to certain accounts;

Was read a third time and passed.

On motion of Mr Corse,

The vote upon the passage of H. R. file, No. 22, was reconsidered;

And the question being upon the passage of the Joint Resolution,

It was decided in the negative.

H. R. file, No. 98, Joint Resolution relative to books in the library;
Was read a third time, passed and its title agreed to.

H. R. file, No. 122, A Bill for an act to amend an act for the relief of the poor;

Was read a third time, passed and its title agreed to.

H. R. file, No. 120, Joint Resolution for the relief of Daniel Judson, treasurer of Monroe county;

Was read a third time; and,

On motion of Mr Mahony,

It was re-committed to a Select Committee of three.

Messrs Mahony, Allison and Betts were appointed said committee
Senate file, No. 50, A Bill for an act to vacate a part of the town of Pittsburgh, in Van Buren county;

Was read a third time, passed and its title agreed to.

Senate file, No. 51, Joint Resolution in relation to a mail route;

Was read a third time, passed and its title agreed to.

The message from the Senate was then taken from the table.

Senate file, No. 52, A Bill for an act to establish a State road therein named;

Was read a first time.

Senate file, No. 56, A Bill for an act to lay out and establish a State road from Dubuque to Bunker's Landing in Clayton county;

Was read a first time.

Senate file, No. 55, A Bill for an act to authorize Robert Bunker his heirs and assigns to establish and keep a ferry across the Mississippi river, at Bunker's Landing, in Clayton county;

Was read a first time.

Senate file, No. 58, A Bill for an act to fix the time for holding the District Courts in Van Buren county;

Was read a first time.

Senate file, No. 71, Joint Resolution for the appointment of a Librarian;

Was read a first time; and,

On motion of Mr Corse,

The 42nd rule was suspended, the Joint Resolution read a second and third time, passed and its title agreed to.

Mr Flint, from the standing Committee on Incorporations, submitted the following report:

'The Committee on Incorporations, to whom was referred,

H. R. file, No. 123, A Bill for an act to amend an act entitled "an act to authorize John Brophy to keep a ferry across the Missouri river,

Have had the same under consideration and instructed me to report the bill back with the following amendments, and recommend its passage. Add to the first section the following:

"Provided said Brophy, his heirs and assigns, be subject to all laws that are now, or may hereafter be, in force, during the term of said ferry: and provided farther, that said John Brophy, his heirs or assigns, shall within eighteen months from the passage of this act, procure and keep a good sufficient boat or boats for the safe conveyance of persons and property, at all reasonable hours across said river, without delay: and be it farther provided, that said Brophy, his heirs and assigns, shall as soon as a county shall be organized, including said ferry, be subject to such regulations in his rates of ferriage as the commissioners of said county may direct."

Also, change the second section so as to read,

"This act may be altered or repealed at any time by the General Assembly of Iowa, and shall take effect and be in force from and after its publication."

And the question being upon concurring in the report of the committee,

It was decided in the affirmative; and,

On motion of Mr Flint,

The 42nd rule was suspended, the bill read a third time, passed and its title agreed to.

On motion of Mr Timmons,

The House adjourned until two o'clock P. M.

2 o'clock, P. M.

The House met pursuant to adjournment.

Mr Griffith presented the claim of "The Iowa Statesman" for publishing the charter of the town of Fort Madison;

Which was read; and,

On motion of Mr Griffith,

Referred to the Committee on Claims.

H. R. file, No. 116, A Bill for an act to create a system of common schools;

Being the special order of the day,

The House resolved itself into a Committee of the Whole for the consideration of the same.

Mr Babbitt in the chair.

After some time spent therein, the committee rose and by their chairman reported the same back, with sundry amendments.

Mr Goodrell moved that the bill, with its amendments, be referred to the Committee on Schools, with instructions to amend the bill so as to provide for the sub-division of townships into school districts.

Upon this question,

The yeas and nays being demanded,

The vote was as follows :

Yeas 15,

Nays 21.

Those who voted in the affirmative were,

Messrs Bourne, Burroughs, Collins, Elmer, Goodrell, Griffith, McCrary, McManaman, Penny, Sargeant, Stephensen, Timmons, Thompson, Williams and Woodworth.

Those who voted in the negative were,

Messrs Alexander, Allison, Babbitt, Baker, Betts, Corse, Davidson, Evans, Flint, Harrison, Jacobs, Langton, Mahony, McFarland, Norton, Read, Riggs, Sales, Walker, Weyand, Wood and Mr Speaker.

So the bill was not referred.

On motion of Mr Sales,

The House adjourned until to-morrow at 10 o'clock A. M.

Saturday Morning, January 6th, 1849.

House met pursuant to adjournment.

Mr. Corse introduced the following resolution:

Resolved, The Senate concurring, That the two Houses of the General Assembly of the State of Iowa will meet in the Hall of the

House of Representatives on Wednesday, the 10th instant, at 2 o'clock P. M., and proceed to elect a Senator to represent the State of Iowa, in the Senate of the United States, from and after the 4th of March, 1849;

Which was adopted.

Mr. Wood obtained leave to introduce,

H. R. file, No. 136, Joint Resolution asking a change of mail conveyance, and extension of mail route.

Which was read a first time; and,

On motion of Mr Wood,

The 42nd rule was suspended, the Joint Resolution read a second and third times, passed and its title agreed to.

Mr Mahony gave notice that on to-morrow, or some future day, he would introduce,

A Bill for an act to provide for the speedy collection of State revenue.

Mr Sales, from the Select Committee, to whom was referred the petition of H. W. Sample and others, praying for a grant of a township of land for the use and benefit of the Medical Department of the University of Iowa, reported that the committee had had the same under consideration, and instructed him to report,

H. R. file, No. 137, A Bill for an act donating certain lands to the Medical Department of the State University;

And recommended its passage;

Which report was concurred in, and the bill was read a first time.

Mr Betts, from the Standing Committee, submitted the following report:

The Committee on Claims, to whom was referred certain claims and acts, have examined the same, and have instructed me to report as correct the following sums as allowed correct, and recommend the Committee on Expenditures to include them in the General Appropriation Bill:

To Iowa Statesman, (Spalding & Phelps,) for publishing bill incorporating the town of Fort Madison, according to act of Legislature, 61 squares,.....	\$61 00
To J. Scott Richmond, Chief Clerk of the last session of the House of Representatives, for his services as Clerk pro tem. of the present session,.....	8 00

To Wm. P. Doty, for putting stove pipe and stone in wall in Sup. Int. rooms,	\$2 75
Cutting four stove pipe holes in Senate and Rep- resentative Chambers,	2 25—5 00
To W. E. Leffingwell, for services in collecting delinquent taxes in Clinton county, for 1847, under direction of Auditor of State,	25 00

And the question being upon concurring in the report of the committee, it was decided in the affirmative.

Mr Mahony, from the Select Committee, to whom was referred, H. R. file, No. 120, submitted the following report :

The Select Committee, to whom was referred,

H. R. file, No. 120, Joint Resolution for the relief of Daniel Judson, Treasurer of Monroe county,

Beg leave to report, that from an an examination of the Auditor's books, we find Daniel Judson charged with \$71,95, the amount of State revenue for 1847. On the 8th of February, 1848, Mr. Judson, made a report to the Auditor of State, certifying that he had collected fifty dollars; now this amount ought to have been paid on the 15th of February, 1848, but was not so paid until the 4th of December last. The Auditor of State, as required by the 58th section of the revenue law, charged the interest with damages against Mr. Judson, on the assessment list of his county, and from this obligation the joint resolution proposes to exonerate him. In support of his claim it is contended that he was not able to come to the seat of government on account of some natural infirmity. In reply to this argument, the committee would suggest that he was not obliged to come in person—he could have sent the amount of State revenue by mail until it exceeded one hundred dollars, which was not the case. The committee are therefore of opinion that the claim of Daniel Judson should not be allowed, and recommend that the joint resolution be indefinitely postponed, and ask that the committee be discharged from the further consideration of the subject.

And the question being upon concurring in the report of the committee, it was decided in the negative.

Mr Harrison, from the standing Committee on Public Buildings, to whom was referred,

H. R. file, No. 85, A Bill for an act for the relocation of the State University;

Reported that the committee had had the same under consideration, and instructed him to report,

H. R. file, No. 139, A Bill for an act to establish at Fairfield a Branch of the State University,

As a substitute for the same;

Which was read a first time; and,

On motion of Mr Flint,

The 42nd rule was suspended, and the bill read a second time

Mr Burroughs offered the following amendment:

Strike out "Fairfield, in Jefferson county," and insert "Mount Pleasant, in Henry county;" Provided, That the Trustees of the Mount Pleasant Collegiate Institute shall convey all lands and other property belonging to the said Institute, to the State University.

And the question then being upon the adoption of the amendment, And upon this question,

The yeas and nays were demanded,

And were as follows :

Yeas 15,

Nays 21.

Those who voted in the affirmative were,

Messrs Allison, Babbitts, Betts, Bourne, Burroughs, Gifford, Goodrell, McCrary, Penny, Sargeant, Stephenson, Thompson, Timmons, Williams and Woodworth.

Those who voted in the negative were,

Messes Alexander, Baker, Collins, Corse, Davison, Evans, Elmer, Flint, Griffith, Harrison, Jacobs, Langton, McFarland, McManaman, Norton, Read, Riggs, Sales, Walker, Weyand, Wood and Mr Speaker.

So the amendment was not agreed to.

Mr Goodrell moved to strike out the name of "Bayard," and insert that of "Burnham;"

Which motion was lost.

Mr Goodrell moved to strike out "Iowa Capital Reporter," and insert "Iowa Freeman;"

Which motion was disagreed to.

Mr Goodrell moved to strike out "Iowa Capital Reporter;"

Which was not agreed to.

Mr Mahony offered the following amendment :

"This act shall take effect, and be in force, from and after its publication according to law ;"

Mr Timmons moved that the bill be indefinitely postponed,
And upon this question,
The yeas and nays were demanded,
And were as follows :

Yeas 13,

Nays 24.

Those who voted in the affirmative, were
Messrs Allison, Babbitt, Betts, Bourne, Burroughs, Gifford,
Goodrell, Mahony, McCrary, Stephenson, Timmons, Williams and
Woodworth.

Those who voted in the negative were,
Messrs Alexander, Baker, Collins, Corse, Davidson, Elmer, Ev-
ans, Flint, Griffith, Harrison, Jacobs, Langton, McFarland, Mc-
Manaman, Norton, Penny, Read, Riggs, Sales, Sargeant, Thomp-
son, Walker, Weyand, Wood and Mr Speaker.

So the motion to indefinitely postpone the bill was lost.

On motion of Mr Collins,
The 42nd rule was suspended, the bill read a third time, passed
and its title agreed to.

Mr Sales, from the standing Committee on Engrossed Bills, to
whom was referred,

H. R. file. No. 115, A Bill for an act to create the office of At-
torney General, and define his duties ;

Reported that the committee had examined the same, and found
it correctly engrossed.

Mr Griffith obtained leave to introduce,

H. R. file, No. 140, A Bill for an act to amend an act entitled
"an act to vacate the Public Square, in the town of West Point, in
Lee county ;

Which was read a first time ; and,

On motion of Mr McFarland,

The 42nd rule was suspended, the bill read a second and third
times, passed and its title agreed to.

Mr Babbitt, from the standing Committee on New Counties, sub-
mitted the following report :

The standing Committee on New Counties, to whom was refer-
red the petition of James Fuller and other citizens of Allemakee
county, praying for the organization of said county, have had the
same under consideration, and have instructed me to report,

Which was adopted.

H. R. file, No. 138, A Bill for an act for the organization of Al-
amakee county ;

Which was read a first time ; and,

On motion of Mr Wood,

The 42nd rule was suspended, the bill read a second and third
times, passed, and its title agreed to.

The following message was received from the Senate by Mr
Rockwell, their Secretary :

MR SPEAKER :

I am directed to inform the House of Representatives that the
Senate has passed,

Senate file, No. 53, An Act for the organization of Lucas coun-
ty ;

Senate file, No. 66, An Act to provide for the relocation of the
county seat of Clayton county ;

Senate file, No. 77, An Act to authorize Chancy G. Dibble to
keep a ferry across the Des Moines River, at Farmington, in Van
Buren county ;

Senate file, No. 73, An Act fixing the terms of the District
Courts ;

Senate file, No. 57, An Act relative to the Penitentiary ;

Senate file, No. 65, Resolution of thanks to Capt. B. S. Roberts ;
and,

Senate file, No. 72, An Act to authorize R. W. Jenks to erect a
toll bridge across the Wapisipinicon river.

Also,

The Senate have amended the amendment made by the House, to
Senate file, No 47, An Act to amend an act regulating practice in
the District Courts in the Territory of Iowa ; approved Feb. 10th,
1843 ;

By striking out the words " according to law," in the 5th sec-
tion, and inserting, " in the Iowa Capital Reporter and Iowa Repub-
lican."

Also,

The amendmend of the House to Senate file, No. 29, by striking
out the words, " and the war ;"

In all of Which the concurrence of the House is requested.

I herewith return,

H. R. file, No. 58, An Act regulating grocery license ;

Which has passed the Senate with the following amendments :

Strike out "40," in the first section, and insert "50;" add "proviso" to said section; strike out "75" and insert "50," in the 4th section; also, strike out "an action" and insert "indictment," in the same section, and an additional clause;

In which the concurrence of the House is requested.

Also,

H. R. file, No. 104, An Act to authorize the County Commissioners' Court of Des Moines county to have a vote taken relative to having a Court House built in said county;

H. R. file, No. 110, Joint Resolution for a mail route from Bellview, in Jackson county, to Independence, in Buchanan county;

H. R. file, No. 102, An Act to relocate and extend a certain road therein named;

H. R. file, No. 127, Joint Resolution for a change of mail conveyances;

H. R. file, No. 121, Joint Resolution for a mail route.

H. R. file, No. 124, Joint Resolution for a mail route from Sabula, in Jackson county, to Cascade, in Dubuque county; and,

H. R. file, No. 113, An Act authorizing additional tax for State purposes;

All of which have passed the Senate without amendment.

I herewith return,

H. R. file, No. 91, An Act vacating a certain road therein named;

H. R. file, No. 78, An Act to extend the time of putting in a lock in the Iowa City Manufacturing Co. Mill Dam;

H. R. file, No. 76, An Act to fund the debt of the State; and,

H. R. file, No. 48, An Act to restrain swine from running at large in Clinton county.

The same having received the signature of the President of the Senate.

And then he withdrew.

Mr Collins, from the standing Committee on Roads and Highways, submitted the following:

The Committee on Roads and Highways, to whom was referred the petition of sundry citizens, praying for the establishment of a State road, have had the same under consideration and have instructed me to report,

H. R. file, No. 141, A Bill for an act to establish a State road therein named;

Which was read a first time;

And, also,

H. R. file, No. 132, An Act amendatory to an act to provide for levying a tax on real and personal property, for road purposes;

To which they have made one amendment, as section third, and recommend its passage.

Senate file, No. 52, An Act to establish a State road therein named;

Was read a second time; and,

On motion of Mr McFarland,

Ordered, To be read a third time, on Monday next.

Senate file, No. 56, An Act to establish a State road from Dubuque, to Bunker's Landing, in Clayton county;

Was read a second time; and,

On motion of Mr Langton,

Ordered, To be read a third time on Monday next.

Senate file, No. 55, A Bill for an act to authorize Robert Bunker to keep a ferry across the Mississippi river;

Was read a second time; and,

On motion of Mr Langton,

Ordered, To be read a third time on Monday next.

Senate file, No. 58, An Act to fix the times of holding the District Courts in Van Buren county;

Was read a second time; and,

On motion of Mr Elmer,

Referred to the Van Buren delegation.

Mr Sales, from the Select Committee, to whom was referred the petition of sundry citizens of Dubuque and Jones counties, praying for an appropriation to cover the bridges on the military road, reported,

H. R. file, No. 142, A Bill for an act making appropriations for covering the bridges on the military road, between Dubuque and Iowa City;

Which was read a first time; and,

On motion of Mr Corse,

The bill was read a second time, and indefinitely postponed.

On motion of Mr Harrison,
The House adjourned until 2 o'clock P. M.

2 o'clock P. M.

The House met pursuant to adjournment.

Mr Griffith presented the petition of Wm. S. Marsh, and five others, a committee on the part of the citizens of West Point, in relation to the Dubuque and Keokuk railroad;

Which was read; and,

On motion of Mr Thompson,

Referred to the delegation from Lee county.

Mr Allison obtained leave to introduce,

H. R. file, No. 143, A Bill for an act to establish a State road from Eddyville to Haymaker's mill;

Which was read a first time; and,

On motion of Mr McFarland,

The 42nd rule was suspended, the bill read a second and third time, passed and its title agreed to.

H. R. file, No. 115, A Bill for an act to create the office of Attorney General, and define his duties;

Was read a third time;

And upon its passage,

The yeas and nays were demanded,

And were as follows:

Yeas 24,

Nays 13.

Those who voted in the affirmative, were

Messrs Alexander, Babbitt, Baker, Betts, Collins, Corse, Davidson, Elmer, Evans, Flint, Gifford, Griffith, Jacobs, Langton, Mahony, McFarland, Norton, Read, Riggs, Sales, Walker, Weyand, Wood and Mr Speaker.

Those who voted in the negative were,

Messrs Allison, Bourne, Burroughs, Goodrell, McCrary, Me-Manaman, Penny, Sargeant, Stephenson, Timmons, Thompson, Williams and Woodworth.

So the bill passed and its title was agreed to.

On motion of Mr Read,

Senate file, No. 73, An Act to fix the terms of the District Courts;
Was taken from the table and read a first time; and,

On motion of Mr McFarland,

The 42nd rule was suspended, the bill read a second time; and,

On motion of Mr Goodrell,

The House resolved itself into a Committee of the Whole, for the consideration of the same now.

Mr Goodrell in the chair.

And after some time spent therein, the committee rose, and reported the same back to the House, without amendment, and recommended its passage.

On motion of Mr McFarland,

The 42nd rule was suspended, the bill read a third time, passed and its title agreed to.

H. R. file, No. 112, A Bill for an act to provide for taking an enumeration of the white inhabitants of the State of Iowa;

Was read a third time, passed and its title agreed to.

H. R. file, No. 126, A Bill for an act to amend an act to relocate a territorial road from Fairfield to the Indian boundary;

Was read a third time, passed and its title agreed to.

H. R. file, No. 132, Joint Resolution for superintending the printing and distributing the laws of the present session;

Was read a third time, passed and its title agreed to.

The Senate message was then taken from the table.

Senate file, No. 72, An Act to authorize R. R. Jenks to build a toll bridge across the Wabsipinnicon river;

Was read a first time; and,

On motion of Mr Bourne,

The 42nd rule was suspended and the bill read a second time.

Mr Bourne offered the following proviso to the second section:

“Provided, That nothing in this act shall authorize the said Jenks, his heirs or assigns, to exact toll from any person who has subscribed and paid, or shall hereafter pay on any such subscription, any sum of money, or any valuable thing, toward the erection of said bridge. And all such persons are hereby permitted to cross such bridge with their families, teams, horses, cattle, hogs, sheep, or with anything that they may be necessarily compelled to cross in the transaction of their daily vocation, or other business, forever free of charge or toll;”

Which was agreed to.

On motion of Mr Bourne,

The 42nd rule was again suspended, and the bill read a third time, passed and its title agreed to.

Senate file, No. 53, An Act to organize the county of Lucas;

Was read a first time; and,

On motion of Mr Flint,

The 42nd rule was suspended, the bill read a second and third time, passed and its title agreed to.

Senate file, No. 66, An Act to provide for the re-location of the county seat of Clayton county;

Was read a first time; and,

On motion of Mr Wood,

The 42nd rule was suspended, the bill read a second and third time, passed and its title agreed to.

Senate file, No. 57, An Act relative to the Penitentiary;

Was read a first time; and,

On motion of Mr Jacobs,

The 42nd rule was suspended, the bill read a second time and,

On motion of Mr McFarland,

Was made the special order of the day for Monday next, at two o'clock P. M.

On motion of Mr Collins,

The House adjourned until Monday at 10 o'clock A. M.

Monday Morning, January 8th, 1849.

The House met pursuant to adjournment.

Mr Sargeant presented the petition of Milton Copeland, and fifty others; citizens of the State of Iowa, praying for the passage of a law to punish, by fine or otherwise, persons selling spirituous liquors in quantities less than one gallon; which,

On motion of Mr Sargeant,

Was laid on the table.

Mr Read presented the petition of sundry citizens of Lee and Van Buren counties, praying for the relocation of that portion of

the State road running from Fairfield, in Jefferson county, to Keokuk, in Lee county; which,

On motion of Mr Griffith,

Was referred to the standing Committee on Roads and Highways.

Mr Betts obtained leave to introduce,

H. R. file, No. 144, A Bill for an act to authorize Robert Gower to keep a ferry across Cedar river;

Which was read a first time; and,

On motion of Mr McFarland,

The 42nd rule was suspended, the bill read a second time; and,

On motion of Mr Betts,

Was referred to a Select Committee of three;

Messrs Betts, Langton and Bourne were appointed said committee.

Mr Mahony, in pursuance of notice previously given, introduced, H. R. file, No. 145, A Bill for an act to provide for the speedy collection of the State revenue;

Which was read a first time; and,

On motion of Mr Riggs,

The 42nd rule was suspended, the bill read a second time; and,

On motion of Mr Goodrell,

Was referred to the standing Committee on Ways and Means.

Mr McFarland obtained leave to introduce,

H. R. file, No. 146, A Bill for an act to amend an act concerning the incorporation of the town of Fort Madison; approved January 25th, 1848;

Which was read a first time; and,

On motion of Mr McFarland,

The 42nd rule was suspended, the bill read a second and third times, passed, and, the question being upon the title of the bill,

Mr Mahony offered the following as a substitute for the title:

A Bill for an act to empower the mayor of the town of Fort Madison to act as a justice of the peace in certain cases;

Which was adopted.

The question then being put,

“Shall this be the title of the bill?”

It was decided in the negative.

Mr McManaman obtained leave to introduce,

H. R. file, No. 147, A Bill for an act allowing additional compen-

sation to the agent employed to select the University lands for this State;

Which was read a first time; and,

On motion of Mr McManaman,

The 42nd rule was suspended, the bill read a second time; and,

On motion of Mr McFarland,

Referred to the standing Committee on Claims.

Mr Sargeant, from the standing Committee on Enrolled Bills, submitted the following report: /

The Committee on Enrolled Bills have instructed me to report that they have examined the following bills and find them correctly enrolled:

H. R. file, No. 54, An Act concerning claims on the half-breed tract;

H. R. file, No. 90, An Act to amend an act entitled "an act for the incorporation of the town of Bloomington," approved January 23rd, 1839;

H. R. file, No. 95, An Act supplemental and amendatory of an act entitled "an act for the appointment and duties of sheriffs;

H. R. file, No. 108, An Act authorizing Wm. F. Brackenridge to make a canal.

H. R. file, No. 141, A Bill for an act to establish a State road therein named;

Was read a second time; and,

On motion of Mr Collins,

The 42nd rule was suspended, the bill read a third time, passed and its title agreed to.

H. R. file, No. 137, A Bill for an act donating certain lands to the medical department of the State University;

Was read a second time; and,

On motion of Mr Langton,

Referred to a Select Committee of three.

Messrs Langton, Thompson and Sales were appointed said committee.

Senate file, No. 52, An Act to establish a State road therein named;

Was read a third time, passed and its title agreed to.

Senate file, No. 55, An Act to authorize Robert Bunker, his heirs and assigns, to establish and keep a ferry across the Mississippi river at Bunker's landing, Clayton county;

Was read a third time; and,

On motion of Mr Langton,

Referred to the standing Committee on Incorporations.

H. R. file, No. 120, Joint Resolution for the relief of Daniel Judson, treasurer of Monroe county;

Was read a third time.

And the question being upon the passage of the Joint Resolution;

And upon this question,

The yeas and nays were demanded,

And were as follows:

Yeas 20,

Nays 16.

Those who voted in the affirmative were,

Messrs Allison, Burroughs, Corse, Elmer, Flint, Gifford, Goodrell, McCrary, McManaman, Norton, Penny, Read, Sargeant, Stephenson, Timmons, Thompson, Weyand, Williams, Woodworth and Mr Speaker.

Those who voted in the negative were,

Messrs Alexander, Aabbitt, Baker, Betts, Bourne, Collins, Davidson, Evans, Griffith, Jacobs, Langton, Mahony, Riggs, Sales, Walker and Wood.

Mr McFarland not voting.

So the Joint Resolution passed and its title was agreed to.

H. R. file, No. 134, A Bill for an act amendatory to an act providing for levying a tax on real and personal property, for road purposes;

Was read a third time, passed and its title agreed to.

Senate file, No. 65, Resolution of Thanks, to Capt. B. S. Roberts;

Was read a first time; and,

On motion of Mr McFarland,

The 42nd rule was suspended, the resolution read a second and third time, passed and its title agreed to.

Senate file, No. 47, An Act to amend an act entitled "an act regulating practice in the District Courts in the Territory of Iowa," approved February 10, 1843;

Together with the amendments made by the Senate to the amendment made by the House, was read.

And the question being upon concurring in the amendments,

It was decided in the affirmative.

Senate file, No. 77, An Act to authorize Chauncey G. Dibble to

keep a ferry across the Des Moines river at Farmington, Van Buren county;

Was read a first time; and,

On motion of Mr McCrary,

The 42nd rule was suspended and the act read a second time.

Mr McCrary offered the following amendment to the third section:

“All acts or parts of acts in conflict with this act are hereby repealed;”

Which was adopted.

Mr Corse moved to strike out the words “exclusive privilege.”

And upon this question,

The yeas and nays were demanded,

And were as follows:

Yeas 15,

Nays 22.

Those who voted in the affirmative, were,

Messrs Alexander, Babbitt, Bakèr, Corse, Davidson, Elmer, Flint, Jacobs, Mahony, Penny, Sargeant, Thompson, Weyand, Wood and Mr Speaker.

Those who voted in the negative were,

Messrs Allison, Betts, Bourne, Burroughs, Collins, Evans, Gifford, Goodrell, Griffith, Langton, McCrary, McFarland, McManaman, Norton, Read, Riggs, Sales, Stephenson, Timmons, Williams, Walker and Woodworth.

So the amendment was not adopted.

On motion of Mr McCrary,

The 42nd rule was suspended, the act read a third time, passed and its title agreed to.

H. R. file, No. 58, A Bill for an act regulating grocery license;

Together with the amendments made by the Senate, was read.

And the question being upon concurring in the amendments made by the Senate,

It was decided in the affirmative.

The following message was received from the Senate, by Mr Rockwell, their Secretary:

MR SPEAKER:

I am directed to inform the House of Representatives that the Senate has passed,

Senate file, No. 62, An Act providing for the re-organization of the Board of Public Works, and repealing so much of several acts relating thereto as conflicts with the provisions of this act ;

Senate file, No. 61, Preamble and Joint Resolution relative to territories belonging to the United States ;

Senate file, No. 83, A Bill providing for the election of an additional justice of the peace in Montrose township, Lee county ;

Senate file, No. 84, A Bill for an act to legalize certain officers therein named ;

Senate file, No. 82, Joint Resolution for a mail route ; and,

Senate file, No. 85, A Bill to provide for the location of the county seat of Benton county ;

Senate file, No. 86, An Act to grant the right of way for a graded road, from Bloomington, via of Tipton, to the county seat of Benton county, to James Weed and his associates ;

In all of which the concurrence of the House is requested.

And then he withdrew.

Senate file, No. 62, An Act for the re-organization of a Board of Public Works, and repealing so much of several acts relating thereto, as conflicts with the provisions of this act ;

Was read a first time ; and,

On motion of Mr Corse,

Was made the order of the day for to-morrow afternoon.

Mr McFarland obtained leave to introduce,

H. R. file, No. 148, A Bill for an act to amend an act allowing and regulating writs of attachments ;

Which was read a first time ; and,

On motion of Mr McFarland,

The 42nd rule was suspended, the bill read a second and third time, passed and its title agreed to.

Senate file, No. 82, Joint Resolution for a mail route ;

Was read a first time ; and,

On motion of Mr Sales,

The 42nd rule was suspended, the Joint Resolution read a second and third time, passed and its title agreed to.

Senate file, No. 84, An Act to legalize certain officers therein named ;

Was read a first time.

On motion of Mr Goodrell,

The 42nd rule was suspended during the remainder of the present session, unless objection be made.

The bill was then read a second and third time, passed and its title agreed to.

Senate file, No. 61, Joint Resolution relative to new territories;
Was read a first and second time.

Mr McFarland moved to refer it to the Committee of the Whole House, on to-morrow night at 6 o'clock;

Which motion was lost.

On motion of Mr Babbitt,

It was laid on the table.

Senate file, No. 85, A Bill for an act to provide for the location of the county seat of Benton county;

Was read a first and second time; and,

On motion of Mr Griffith,

“Iowa Reporter” and “Republican” were struck out, and “according to law” was inserted.

On motion of Mr Timmons,

The bill was referred to a Select Committee of three.

Messrs Timmons, Goodrell and Betts were appointed said committee.

Senate file, No. 86, An Act to grant the right of way for a graded road, from Bloomington, via of Tipton, to the county seat of Benton county, to James Weed and his associates;

Was read a first and second time.

Mr Sales moved to insert, after the word “newspapers,” “at the expense of the said James Weed and his associates;”

Which amendment was adopted, and the bill passed and its title agreed to.

On motion of Mr Collins,

The House adjourned until two o'clock P. M.

2 o'clock, P. M.

The House met pursuant to adjournment.

Senate file, No. 83, An Act providing for the election of an additional justice of the peace in Montrose township, Lee county;

Was read a first, second, and third time, passed and its title agreed to.

Mr Sargeant obtained leave to introduce,

H. R. file, No. 149, A Bill for an act to extend the power of county commissioners;

Which was read a first, second and third time, passed, and its title agreed to.

Senate file, No. 59, An Act in relation to the Penitentiary,
Being the special order of the day,

The House resolved itself into a Committee of the Whole, for the consideration of the same.

Mr Flint in the chair.

After some time spent therein, the committee rose and by their chairman, reported the bill back, with one amendment:

Strike out the word "passage," and insert the words "Iowa Statesman and Keokuk Dispatch;"

Which was agreed to.

Mr Alexander moved to amend the bill by striking out "\$10,000" and inserting "\$6,000;"

And upon this question,

The yeas and nays were demanded,

And were as follows:

Yeas 24,

Nays 13.

Those who voted in the affirmative, were

Messrs Alexander, Allison, Betts, Bourne, Burroughs, Davidson, Elmer, Flint, Goodrell, Langton, Mahony, McCrary, McManaman, Norton, Penny, Stephenson, Timmons, Thompson, Walker, Weyand, Williams, Wood, Woodworth and Mr Speaker.

Those who voted in the negative were,

Messrs Babbitt, Baker, Collins, Corse, Evans, Gifford, Griffith, Jacobs, McFarland, Read, Riggs, Sales and Sargeant.

So the amendment was agreed to.

Mr McFarland moved to refer the bill to the Committee on Public Buildings;

Which motion was lost.

Mr McFarland moved to lay the bill on the table.

Which motion was lost.

Mr McFarland moved to adjourn.

Which motion was lost.

The bill was then read a third time passed and its title agreed to.
H. R. file, No. 116, A Bill for an act to establish a system of common schools;

Was taken from the table, and,

On motion of Mr Mahony,

Referred to a Select Committee of five.

Messrs Read, Stephenson, Betts, Williams and Flint were appointed said committee.

Mr Betts, from the Select Committee, to whom was referred,

H. R. file, No. 144, A Bill for an act to authorize Robert Gower to keep a ferry across Cedar river,

Submitted the following report:

The committee to whom was referred, H. R. file, No. 144, A Bill for an act to authorize Robert Gower to keep a ferry across Cedar river, have examined the same and instructed me to report the bill back, without amendment, and recommend the passage of the same.

Mr Corse moved to strike out the word "exclusive;"

Which motion was lost.

The bill was then read a third time, passed and its title agreed to.

Mr Mahony presented the petition of Eli Myers, School Fund Commissioner of Johnson county, praying for a change of a certain road;

Which was read; and,

On motion of Mr Stephenson,

Referred to a Select Committee of three.

Messrs Harrison, Stephenson and Sales were appointed said committee.

Mr Read obtained leave to introduce,

H. R. file, No. 150, A Bill for an act to incorporate the conference of the United Brethren in Christ;

Which was read a first and second time; and,

On motion of Mr Riggs,

Referred to the standing Committee on Incorporations.

Mr Elmer, from the Select Committee, to whom was referred,

Senate file, No. 58, A Bill for an act to fix the place of holding District Courts in Van Buren county,

Submitted the following report:

The members of the delegation from Van Buren county, to whom was referred Senate file, No. 58, A Bill for an act to fix the places

of holding the District Courts, in Van Buren county, beg leave to submit the following report.

As the representation from Van Buren county, we have given the subject that consideration which its importance demands, and have felt a desire to be governed in our action by the best interests of the whole county which we represent. We are fully aware that the position of a large and very respectable portion of our county is such, in relation to the seat of justice, that a great burden is imposed upon them in the transaction of business; and justice to them would incline us to favor the passage of the bill.

On the contrary, at first view, we were fearful that an additional expense would be inflicted upon the county, an evil which we were anxious to avert, as our taxes are already too heavy. But upon reflection, and from information obtained from intelligent individuals, acquainted with the judicial business of the county, we are led to believe this will not be the case. Our conclusion rests upon the following facts. The bill proposes to add to the present expense nothing, except nine additional grand jury-men, and the stationery necessary to keep a record of the proceedings at Farmington, in addition to the current expenses of the county; which may be more than compensated for by the saving of mileage, and traveling fees of officers and witnesses. We find that the bill does not propose to divide the courts, or derange any of their proceedings. It does not propose to create any new offices or officers, or to move any of those which are now located at Keosauqua to Farmington. Nor can it, as we are informed, work any injustice to Keosauqua. As we are assured that the business of all the county, except the two townships which will be accommodated, is amply sufficient to occupy the time at present allotted to our county. But as we have not been able to obtain an expression of the people generally, we feel somewhat averse to taking a prominent position for or against it.

The bill was then read a third time.

And the question being upon the passage of the bill;

Upon this question,

The yeas and nays being demanded,

The vote was as follows:

Yeas 14,

Nays 20.

Those who voted in the affirmative were,

Messrs Allison, Babbitt, Baker, Bourne, Burroughs, Corse, Davidson, Evans, Penny, Stephenson, Timmons, Thompson, Williams and Woodworth.

Those who voted in the negative were,

Messrs Alexander, Betts, Elmer, Flint, Gifford, Griffith, Jacobs, Langton, Mahony, McCrary, McFarland, McManaman, Norton, Read, Riggs, Sales, Walker, Weyand, Wood and Mr Speaker.

So the bill was not passed.

Mr Flint submitted the following report :

The standing Committee on Incorporations, to whom was referred, H. R. file, No. 150, A Bill for an act to incorporate the society of United Brethren in Christ, have had the same under consideration and have instructed me to report the same back to the House without amendment, and recommend its passage.

The bill was then read a third time ;

And the question being upon the passage of the bill ;

And upon this question,

The yeas and nays were demanded,

And were as follows :

Yeas 27,

Nays 6.

Those who voted in the affirmative, were

Messrs Alexander, Babbitt, Baker, Betts, Burroughs, Davidson, Elmer, Evans, Flint, Gifford, Griffith, McCrary, McFarland, McManaman, Norton, Penny, Read, Riggs, Sales, Stephenson, Timmons, Thompson, Weyand, Williams, Woodworth and Mr Speaker.

Those who voted in the negative were,

Messrs Corse, Jacobs, Langton, Mahony, Walker and Wood.

So the bill passed and its title was agreed to.

On motion of Mr Flint,

The House adjourned until to-morrow at 10 o'clock A. M.

Tuesday Morning, January 9th, 1849.

House met pursuant to adjournment.

Mr Betts obtained leave to introduce,

H. R. file, No. 151, A Bill for an act to amend an act entitled

“an act to provide for levying and collecting revenue for State and county purposes ;

Which was read a first and second time ; and,

On motion of Mr Goodrell,

Referred to the standing Committee on Ways and Means.

Mr Collins, from the Committee to whom was referred the petition of numerous citizens of Lee and Van Buren counties, praying for the relocation of a road therein named, reported,

H. R. file, No. 152, A Bill for an act to locate a State road from Fairfield in Jefferson county, to Keokuk in Lee county ;

Which was read a first, second and third time, passed and its title agreed to.

Mr Mahony offered the following resolution :

Resolved, That the Committee on the Apportionment of the representation to the next General Assembly, be and they are hereby instructed to report by bill to-morrow morning.

And the question being upon the adoption of the resolution,

It was decided in the negative.

Mr McFarland obtained leave to introduce,

H. R. file, No. 153, A Bill for an act to allow fees to justices of the peace, constables, witnesses and jurors in criminal cases before justices of the peace ;

Which was read a first and second time ; and,

On motion of Mr. Mahony,

Referred to a Select Committee of five.

Messrs Mahony, Williams, Read, Stephenson and Harrison were appointed said committee.

Mr Griffith moved to take

Senate file, No. 61, Joint Resolution in relation to New Territories, from the table ;

Which motion was lost.

Mr Flint, from the standing Committee on Incorporations, to whom was referred,

Senate file, No. 55, An Act to authorize Robert Bunker to keep a ferry across the Mississippi river at Bunker's Landing, in Clayton county,

Reported that the committee had had the same under consideration, and instructed him to report the same back to the House without amendment, and recommend its passage.

The bill was then read a third time, passed and its title agreed to.
Mr McFarland moved to take from the table,
Senate file, No. 61, Joint Resolution in relation to New Territories,

And make it the special order of the day now, in Committee of the Whole House.

Mr Goodrell called for a division of the question.

And the question being upon taking the resolution from the table, after debate,

Mr Corse moved the previous question.

Mr Corse withdrew his motion.

Mr Harrison moved the previous question;

And upon this question,

The yeas and nays were demanded,

And were as follows :

Yeas 27,

Nays 10.

Those who voted in the affirmative were,
Messrs Alexander, Babbitt, Baker, Betts, Bourne, Collins, Corse, Davidson, Elmer, Evans, Flint, Gifford, Griffith, Harrison, Jacobs, Mahony, McFarland, Norton, Penny, Read, Riggs, Sales, Sargeant, Walker, Weyand, Wood and Mr Speaker.

Those who voted in the negative were,

Messrs Allison, Burroughs, Goodrell, McCrary, McManaman, Stephenson, Timmons, Thompson, Williams and Woodworth.

So the main question was then put.

And the question being upon taking the Joint Resolution from the table ;

And upon this question,

The yeas and nays were demanded,

And were as follows :

Yeas 16,

Nays 21.

Those voting in the affirmative, were
Messrs Allison, Betts, Burroughs, Goodrell, Griffith, Mahony, McCrary, McFarland, McManaman, Norton, Stephenson, Timmons, Thompson, Williams, Wood and Woodworth.

Those who voted in the negative were,

Messrs Alexander, Babbitt, Baker, Bourne, Collins, Corse, Davidson, Elmer, Evans, Flint, Gifford, Harrison, Jacobs, Penny,

Read, Riggs, Sales, Sargeant, Walker, Weyand and Mr Speaker.

So the motion to take the Joint Resolution from the table was decided in the negative.

Mr Sales, from the standing Committee on Engrossed Bills, to whom was referred,

H. R. file, No. 128, A Bill for an act making appropriations for the support of State Government, for the fiscal years of 1849 and 1850,

Reported that the committee had examined the same and found it correctly engrossed.

The bill was then read a third time, passed and its title agreed to.

On motion of Mr Mahony,

The House adjourned until 2 o'clock P. M.

2 o'clock, P. M.

Mr Betts, from the standing Committee on Claims, to whom was referred,

H. R. file, No. 147, An Act allowing additional compensation to the agent employed to select the University lands for the State of Iowa,

Reported that the Committee had had the same under consideration, and had instructed him to report the same back to the House, without amendment, and recommend its passage.

The bill was then read a third time, passed and its title agreed to.

Senate file, No. 62, An Act to provide for the re-organization of the Board of Public Works, and repealing so much of the several acts relating thereto, as come in conflict with the provisions of this act;

Being the special order of the day,

The House resolved itself into Committee of the Whole for the consideration of the same.

Mr Mahony in the chair.

After some time spent therein, rose and by their chairman reported the bill back to the House with sundry amendments.

The first amendment, being to strike out all of the fourth section after the word "pre-emptors," having been read ;

And the question being upon concurring in the amendment.

And upon this question,

The yeas and nays were demanded,

And were as follows :

Yeas 27,

Nays 11.

Those who voted in the affirmative were,

Messrs Babbitt, Baker, Betts, Evans, Flint, Gifford, Goodrell, Griffith, Harrison, Jacobs, Langton, Mahony, McFarland, Norton, Penny, Read, Riggs, Sales, Sargeant, Stephenson, Timmons, Thompson, Weyand, Wood, Woodworth and Mr Speaker.

Those who voted in the negative were,

Messrs Alexander, Allison, Bourne, Burroughs, Collins, Corse, Davidson, Elmer, McCrary, McManaman and Walker.

So the first amendment was concurred in.

The second amendment being to strike out the fifth, sixth and seventh section ;

And the question being upon concurring in the amendment,

It was decided in the affirmative.

The third amendment being as follows :

Section 5. That it shall be the duty of the Secretary of the Board of Public Works to make out deeds in fee simple, to all lands entered under the provisions of this act, and forward the same to the Governor, who shall sign the same and affix the State seal thereto, and return said deeds to the Secretary, who shall record the same in a book to be kept for that purpose and shall attach a certificate to such deed stating therein the day on which such deed was received from the Governor, the day on which the same was recorded, and the book and page on which such deed is recorded ; and the Secretary shall deliver such deed to the person entitled thereto on demand at his office, for which service he shall receive a fee of one dollar to be paid by the person receiving the deed ;

Was adopted.

And the question being upon agreeing to the fourth amendment, to strike out all, in the tenth section, between the figures "1849," in the third line, to the word "had," in the fourth line,

It was decided in the affirmative.

The fifth amendment, being a substitute for section twelve :

That all after the word "improvements," in the eighth line, in the fourth section, of an act entitled "an act supplemental to an act creating a Board of Public Works and providing for the improvement of the Des Moines river," approved January 24th, 1848; and also, other acts and parts of acts, now in force in this State, conflicting with the provisions of this act, be and the same are hereby repealed;

Was agreed to.

Mr Bourne moved to amend the tenth section by striking out "320," and inserting "160;"

Which was lost.

The bill was then read a third time, passed and its title agreed to.

Mr Sales, from the Select Committee, to whom was referred the petition of sundry citizens in relation to deaf and dumb persons, reported,

H. R. file, No. 154, A Bill for an act to provide for the instruction of the deaf, dumb and blind;

Which was read a first and second time; and,

On motion of Mr Corse,

Referred to the Committee on Schools.

Mr Timmons, from the Select Committee, to whom was referred, Senate file, No. 85, A Bill for an act relative to the seat of justice of Benton county,

Reported the same back with the following amendment:

Insert after the word "publication," the words "Iowa Capital Reporter and Iowa Republican."

And the question being upon concurring in the report of the committee,

It was decided in the affirmative.

The bill was then read a third time, passed and its title agreed to.

Mr McFarland offered the following resolution:

Resolved, That the standing Committee on Claims be requested to report as to the claim of H. M. Salmon, for services rendered in taking an inventory of the goods and chattels of the penitentiary;

Which was adopted.

The following message was received from the Senate by Mr Rockwell, their Secretary:

MR SPEAKER :

I am directed to inform the House of Representatives that the Senate have passed,

Senate file, No. 87, An Act to amend an act to re-organize the Supreme Court;

Senate file, No. 74, A Special Act for the benefit of Dubuque county;

Senate file, No. 64, An Act to authorize Augustus Phelps to keep a ferry at the town of Lyons, in Clinton county;

Senate file, No. 54, An Act to establish Normal Schools;

Senate file, No. 79, An Act to authorize James H. Gower, Charles Gower and Robert Gower, or their heirs or assigns, to improve Cedar river by a dam and lock;

In which the concurrence of the House is requested.

I herewith return,

H. R. file, No. 135, An Act to locate a State road from the Mississippi river, in Clayton county, to Quasqueton, in Buchanan county;

H. R. file, No. 107, A Bill for an act to provide for the payment of jurors in Lee county;

H. R. file, No. 125, An Act to provide for a loan of the school fund arising from the sale of the public lands;

H. R. file, No. 122, An Act to repeal an act entitled "an act for the relief of the poor;"

H. R. file, No. 133, A Bill to provide for the incorporation of the town of Guttenburg, in Clayton county;

All of which have passed the Senate without amendment. Also, Substitute to H. R. file, No. 118, An Act to preserve the record of Jones county.

H. R. file, No. 11, An act to preserve the purity of elections;

With sundry amendments; and,

H. R. file, No. 79, An act supplemental to an act of February 25th, 1847, entitled "an act supplemental and amendatory to an act to establish common schools," approved January 16th, 1840;

With sundry amendments; also,

H. R. file, No. 35, An act to amend an act entitled "an act providing for and regulating general elections;"

With one slight amendment.

In all of which the concurrence of the House is requested.

The Senate have also passed,

Senate file, No. 68, An Act relative to the construction of a plank road from Montrose to Keokuk, in Lee county;

I herewith present for your signature,

Senate file, No. 77, An Act to authorize Chauncey G. Dibble to keep a ferry across the Des Moines river at Farmington, in Van Buren county; also,

The Senate have concurred in the resolution of the House, providing for a Joint Convention, on Wednesday, January 10th.

And then he withdrew.

The Senate message was taken from the table; and,

H. R. file, No. 35, A Bill for an act to amend an act, entitled "an act providing for and regulating general elections;"

Together with the Senate amendments, were read.

And the amendments were concurred in.

H. R. file, No. 79, A Bill for an act supplemental to the act of February 25th, 1847, entitled "an act supplemental and amendatory to an act to establish common schools," approved January 16th, 1840;

Together with the amendments made by the Senate were read.

And the amendments were concurred in.

H. R. file, No. 11, A Bill for an act to preserve the purity of elections;

Together with the amendments made by the Senate, were read.

And the question being put separately upon the amendments,

The second amendment was concurred in, and,

The first, third, fourth and fifth amendments were not concurred in.

Substitute for H. R. file, No. 118, An Act to preserve the records of Jones county;

Was read a first, second and third time, passed and its title agreed to.

Senate file, No. 87, A Bill for an act to amend an act to re-organize the Supreme Court;

Was read a first, second and third time, passed and its title agreed to.

Senate file, No. 64, A Bill for an act to authorize Augustus Phelps to keep a ferry across the Mississippi river, at Lyons, in Clinton county;

Was read a first and second time.

Mr Corse moved to amend by striking out the word "exclusive."
And upon this question,
The yeas and nays were demanded,
And were as follows :

Yeas 12,
Nays 26.

Those who voted in the affirmative were,
Messrs Babbitt, Baker, Collins, Corse, Davidson, Elmer, Harrison, Jacobs, Mahony, Penny, Sargeant and Weyand.

Those who voted in the negative were,
Messrs Alexander, Allison, Betts, Bourne, Burroughs, Evans, Flint, Gifford, Goodrell, Griffith, Langton, McCrary, McFarland, McManaman, Norton, Read, Riggs, Sales, Stephenson, Timmons, Thompson, Walker, Williams, Wood, Woodworth and Mr Speaker.
So the motion was lost.

The bill was then read a third time, passed and its title agreed to.

On motion of Mr Weyand,
The House adjourned until to-morrow morning, at 10 o'clock.

Wednesday Morning, January 10th, 1849.

The House met pursuant to adjournment.

Mr Harrison presented the accounts of sundry persons;
Which were read; and,

On motion of Mr Harrison,

Referred to the standing Committee on Claims.

Mr Goodrell offered the following resolution:

Resolved, That the Committee on Agriculture be instructed to enquire into the expediency of passing a law prohibiting stock from running at large, and report by bill or otherwise;

Which was adopted.

Mr Sargeant, from the standing Committee on Enrolled Bills, submitted the following report:

The Committee on Enrolled Bills have instructed me to report that they have examined the following bills and find them correctly enrolled;

H. R. file, No. 102, An Act to relocate and extend a certain road therein named;

H. R. file, No. 104, An Act authorizing the County Commissioners' Court of Des Moines county to have a vote taken in relation to having a Court House built in said county;

H. R. file, No. 110, Joint Resolution for a mail route from Belleview, in Jackson county, to Independence in Buchanan county;

H. R. file, No. 113, An Act authorizing an additional tax for State purposes;

H. R. file, No. 121, Joint Resolution for a mail route;

H. R. file, No. 124, Joint Resolution for a mail route from Sabula, in Jackson county, to Cascade, in Dubuque county;

H. R. file, No. 127, Joint Resolution in relation to a change of mail conveyances;

H. R. file, No. 122, An Act to repeal an act entitled "an act for the relief of the poor;"

Mr Babbitt, from the standing Committee on New Counties, submitted the following report:

The standing Committee on New Counties to whom was referred the petition of John P. Fenner, and others praying for the organization of a new county, to be formed by detaching a portion of the counties of Iowa, Keokuk and Washington, have had the same under consideration, and have instructed me to report that in the opinion of the committee it is not expedient to grant the prayer of the petitioners at this time;

Which was concurred in.

Mr Langton, from the Select Committee to whom was referred, Senate file, No. 56, A Bill for an act to lay out and establish a State road from Dubuque city, to Bunker's landing, in Clayton county;

Reported that the committee had had the same under consideration, and instructed him to report the same back to the House, without amendment, and recommend its passage.

The bill was then read a third time, passed and its title agreed to.

Mr Mahony, from the standing Committee on Schools, to whom was referred,

H. R. file, No. 154, A Bill for an act to provide for the instruction of the deaf, dumb and blind;

Reported that the committee had had the same under considera-

tion, and instructed him to report the same back to the House, without recommendation.

On motion of Mr Harrison,

The bill was re-committed to a Select Committee of three.

Messrs Harrison, Sales and Allison were appointed said committee.

Mr Sargeant obtained leave and introduced,

H. R. file, No. 155, A Bill for an act granting the right of way and the privilege of constructing a road from Burlington, in Des Moines county, to Mount Pleasant, in Henry county, to William F. Coolbaugh, and his associates ;

Which was read a first, second and third time, passed and its title agreed to.

Senate file, No. 68, A Bill for an act relative to the construction of a plank road from Montrose to Keokuk, in Lee county ;

Was read a first, second and third time.

And the question being upon the passage of the bill :

And upon this question,

The yeas and nays were demanded,

And were as follows :

Yeas 26,

Nays 9.

Those who voted in the affirmative were,

Messrs Allison, Baker, Betts, Bourne, Burroughs, Corse, Davidson, Flint, Goodrell, Griffith, Harrison, McCrary, McManaman, McFarland, Norton, Penny, Read, Sargeant, Stephenson, Timmons, Thompson, Walker, Williams, Wood, Woodworth and Mr Speaker.

Those who voted in the negative were,

Messrs Babbitt, Collins, Elmer, Jacobs, Langton, Mahony, Riggs, Sales and Weyand.

So the bill passed and its title agreed to.

Mr McFarland obtained leave to introduce,

H. R. file, No. 156, Joint Resolution for a mail route ;

Which was read a first and second time.

Mr McFarland offered the following amendment :

Strike out "Clarke county in Missouri," and insert "Croton in Lee county ;"

Which was adopted.

The bill was then read a third time, passed and its title agreed to.

Mr Bourne obtained leave to introduce,

H. R. file, No. 157, A Bill for an act to provide for a revision of the constitution;

Which was read a first and second time.

Mr Corse moved to indefinitely postpone the same.

And upon this question,

The yeas and nays were demanded,

And were as follows :

Yeas 23,

Nays 14.

Those who voted in the affirmative, were

Messrs Alexander, Babbitt, Baker, Collins, Corse, Davidson, Elmer, Flint, Gifford, Harrison, Jacobs, Langton, McFarland, Norton, Penny, Read, Riggs, Sales, Sergeant, Walker, Weyand, Wood and Mr Speaker.

Those who voted in the negative were,

Messrs Allison, Betts, Bourne, Burroughs, Goodrell, Griffith, Mahony, McCrary, McManamnn, Stephenson, Timmons, Thompson, Williams and Woodworth.

So the bill was indefinitely postponed.

Mr Stephenson presented the account of Mr Irving;

Which was read; and,

On motion of Mr Stephenson,

Referred to the Committee on Claims.

Mr Sales obtained leave to introduce,

H. R. file, No. 158, Joint Resolution asking a donation of land for the improvement of the Wabsipinnicon river;

Which was read a first and second time.

On motion of Mr McManaman,

The House adjourned until 2 o'clock P. M.

2 o'clock P. M.

The House met pursuant to adjournment.

The following message was received from the Senate, by Mr Rockwell, their Secretary:

MR SPEAKER:

I am directed to inform the House of Representatives that the

Senate will meet the House in Joint Convention of the General Assembly of the State of Iowa, in the Hall of the House of Representatives, forthwith.

And then he withdrew.

JOINT MEETING OF THE GENERAL ASSEMBLY IN
CONVENTION.

Mr President and gentlemen of the Senate were announced, and having entered and taken the seats assigned them,

The roll being called,

Messrs Betts, Browning, Crawford, Sanford and Wheeler were absent.

On motion of Mr McFarland,

The further call of the Joint Convention was suspended.

Mr President announced that the two Houses of the General Assembly had met in Joint Convention for the purpose of electing a United States Senator, to represent the State of Iowa in the Senate of the United States, for six years from and after the fourth of March next.

Mr Griffith nominated Augustus C. Dodge.

Mr Goodrell nominated Francis Springer.

Messrs Fear and Babbitt acted as tellers.

After a call of the roll by the Secretary of the Convention,

It appeared that

Augustus C. Dodge had received..... 36 votes.

Francis Springer " " 15 "

Evan Jay " " 1 vote.

Those who voted for Augustus C. Dodge were,

Messrs Alexander, Alger, Babbitt, Baker, Bonham, Bradley, Cassiday, Collins, Corse, Davidson, Elmer, Espy, Evans, Fear, Flint, Gifford, Griffith, Harbour, Harrison, Howell, Jacobs, Langton, Mahony, McFarland, Norton, Penny, Read, Riggs, Royston, Sales, Sergeant, Shields, Walker, Weyand, Wood and Mr President.

Those who voted for Francis Springer were,

Messrs Allison, Bourne, Burroughs, Cook, Goodrell, Jay, McCrary, McManaman, Sprott, Stephenson, Timmons, Thompson, Williams, Woodworth and Wright.

Mr Springer voted for Evan Jay.

It appearing that Augustus C. Dodge had received a majority of all the votes cast, the President of the Convention declared that Augustus C. Dodge, having received a majority of all the votes cast, was duly elected a Senator, to represent the State of Iowa in the Senate of the United States, for the term of six years from the 4th of March, 1849.

The following certificate was then signed, in duplicate, in presence of the Joint Convention:

THIS will certify that at an election by the General Assembly of the State of Iowa, in the Hall of the House of Representatives, on Wednesday, the 10th day of January, A. D. 1849, Augustus Cæsar Dodge was duly elected a Senator to represent the State of Iowa, in the Senate of the United States, for the term of six years from the 4th of March, A. D. 1849.

In testimony whereof, I have hereunto set my hand, this 10th day of January, 1849.

JOHN J. SELMAN,

President of the Joint Convention.

ATTEST:

L. W. BABBITT,

A. S. FEAR,

Tellers.

The business for which the two Houses had convened having been transacted the Senate retired.

Mr Harrison presented the petition of sundry citizens of Johnson county, praying for the passage of an act restoring Joseph Wallace and William Secor to all the civil rights and privileges of which they were deprived by the District Court of this State, for offences against the laws of this State;

Which was read; and,

On motion of Mr Harrison,

Referred to a Select Committee of three.

Messrs Harrison, Betts and Williams were appointed said committee.

The following message was received from the Senate, by Mr Rockwell their Secretary:

MR SPEAKER;

I am directed to inform the House of Representatives that the Senate has passed,

Senate file, No. 91, An Act to repeal the township organization in Scott county;

Senate file, No. 95, Joint Resolution asking Congress for a donation of land to construct a military road from the Mississippi river; In which the concurrence of the House is requested.

I herewith return,

H. R. file, No. 110, Joint Resolution for a mail route from Bellevue in Jackson county, to Independence in Buchanan county;

H. R. file, No. 113, An Act authorizing an additional tax for State purposes;

H. R. file, No. 121, Joint Resolution for a mail route;

H. R. file, No. 124, Joint Resolution for a mail route from Sabula in Jackson county, to Cascade in Dubuque county;

H. R. file, No. 102, An Act to re-locate and extend a certain road therein named;

H. R. file, No. 114, An act authorizing the County Commissioners' Court of Des Moines county to have a vote taken in relation to having a Court House built in said county;

H. R. file, No. 122, An Act to repeal an act for the relief of the poor;

H. R. file, No. 125, An Act to provide for a loan of the school fund, accruing from the sale of the public lands;

H. R. file, No. 127, Joint Resolution in relation to a change of mail conveyance;

H. R. file, No. 132, An Act to provide for the incorporation of the town of Guttenburg, in Clayton county;

H. R. file, No. 135, An Act to locate a State road therein named; All of which have received the signature of the President of the Senate.

I herewith present for your signature,

Senate file, No. 71, Joint Resolution for the appointment of a Librarian;

Senate file, No. 51, Joint Resolution in relation to a mail route;

Senate file, No. 50, An Act to vacate a part of the town of Pittsburgh;

Senate file, No. 49, Memorial and Joint Resolution to Congress for the establishment of certain military posts;

The same having passed both branches of the General Assembly and been reported as correctly enrolled.

And then he withdrew.

Mr Read, from the Select Committee, to whom was referred, H. R. file, No. 116, A Bill for an act to establish a system of common schools;

Reported the same back with 27 amendments.

And the question upon concurring in the amendments being put upon the amendments separately,

The amendments were all concurred in.

Mr Mahony moved to strike out the 16th section;

Which was agreed to.

Mr Mahony offered the following, to be inserted at the end of the 65th section:

“Before employing any person, to act as teacher, the Board of Directors shall examine, or cause to be examined, all such applicants, in the following branches of an English education, to wit: Spelling, Reading, Writing, Arithmetic, Geography, History of the United States and English Grammar, and if the applicant is found qualified the Board may employ such applicant;”

Which was agreed to.

Mr Mahony moved to amend the 25th section by striking out “one dollar;”

Which was adopted.

Mr Burroughs offered the following proviso to the seventy-ninth section:

Provided, however, that all funds arising from a breach of the penal laws, and paid as an equivalent for exemption from military duty, shall be kept separate and apart, and so distributed, from all other school funds;”

And upon this question,

The yeas and nays were demanded,

And were as follows:

Yeas 21,

Nays 14.

Those who voted in the affirmative, were,

Messrs Allison, Bourne, Burroughs, Gifford, Griffith, Harrison, McCrary, McManaman, McFarland, Penny, Read, Sales, Stephenson, Timmons, Thompson, Walker, Williams, Woodworth and Mr Speaker.

Those who voted in the negative were,

Messrs Alexander, Babbitt, Baker, Collins, Corse, Davidson, Elmer, Langton, Mahony, Riggs, Sargeant, Weyand and Wood.

So the amendment was adopted.

Mr Mahony offered the following amendment, as the last section:

This act to take effect, and be in force, from and after its publication in the Iowa Capitol Reporter and Iowa Republican. And that the Superintendent of Public Instruction be required to send one copy of said papers, containing said act, to each school fund commissioner and county commissioners' clerk in this State ;

Which was agreed to.

Mr Sales moved to adjourn until half past six o'clock, this evening ;

Which was lost.

Mr McFarland moved to adjourn until to-morrow morning ;

Which was lost.

Mr Bourne moved to amend the seventy-ninth section, by adding:

Provided further, That all monies specified in this section shall be used for the erection and repairs of school houses ;

Which was disagreed to.

Mr McManaman moved to indefinitely postpone the bill.

Mr Riggs moved to refer the bill to a Select Committee.

Upon this question,

The yeas and nays being demanded,

The vote was as follows :

Yeas 14,

Nays 21.

Those who voted in the affirmative were,

Messrs Baker, Bourne, Collins, Davidson, Elmer, Goodrell, Langton, McFarland, Penny, Read, Riggs, Thompson, Williams and Woodworth.

Those who voted in the negative were,

Messrs Alexander, Allison, Babbitt, Burroughs, Corse, Flint, Gifford, Griffith, Harrison, Jacobs, Mahony, McCrary, McManaman, Sales, Sargeant, Stephenson, Timmons, Walker, Weyand, Wood and Mr Speaker.

So the motion to commit was lost.

The question recurring upon indefinitely postponing the bill.

And upon this question,

The yeas and nays were demanded,

And were as follows :

Yeas 9,

Nays 26.

Those who voted in the affirmative, were

Messrs Allison, Goodrell, McCrary, McFarland, McManaman, Read, Timmons, Walker and Williams.

Those who voted in the negative were,

Messrs Alexander, Babbitt, Baker, Bourne, Burroughs, Collins, Corse, Davidson, Elmer, Flint, Gifford, Griffith, Harrison, Jacobs, Langton, Mahony, Penny, Riggs, Sales, Sargeant, Stephenson, Thompson, Weyand, Wood, Woodworth and Mr Speaker.

So the bill was not indefinitely postponed.

On motion of Mr Corse,

The House adjourned until to-morrow at 10 o'clock A. M.

Thursday Morning, January 11th, 1849.

House met pursuant to adjournment.

Mr Corse moved to expunge from the journal, the amendment offered by Mr Riggs to H. R. file, No. 158, Joint Resolution asking for an appropriation of land, for the improvement of the Wab-sippinnicon river ;

Which was agreed to.

Mr Stephenson presented the petition of sundry citizens of Bloomington, praying for the passage of an act to amend an act entitled "an act to amend an act to incorporate the town of Bloomington, approved December 29, 1840 ;

Which was read ; and,

On motion of Mr Corse,

Referred to the standing Committee on Incorporations.

Mr Langton introduced the following resolution :

Resolved, That John J. E. Norman be allowed the sum of eight dollars, for services rendered as assistant clerk, pro tem., of this House, at the beginning of the present session ;

Which resolution was,

On motion of Mr Langton,

Referred to the standing Committee on Claims.

Mr Harrison introduced the following resolution :

Resolved, That William E. Leffingwell be allowed the sum of

three hundred dollars, for superintending the printing, indexing and distributing the journals of this House, of the present session ;

Which resolution was,

On motion of Mr Harrison,

Referred to the standing Committee on Claims.

Mr McFarland presented the account of F. M. Irish ;

Which was read ; and,

On motion of Mr McFarland,

Referred to the standing Committee on Claims.

Mr Mahony, from the Select Committee, to whom was referred, H. R. file, No. 153, A Bill for an act to allow fees to justices of the peace, constables, witnesses and jurors, in criminal cases before justices of the peace, reported

H. R. file, No. 159, As a substitute for the same ;

Which was read a first, second and third time.

And the question being upon the passage of the bill ;

And upon this question,

The yeas and nays were demanded,

And were as follows :

Yeas 13,

Nays 24.

Those who voted in the affirmative were,

Messrs Babbitt, Collins, Gifford, Goodrell, Langton, Mahony, McFarland, Norton, Read, Sales, Sargeant, Walker and Wood.

Those who voted in the negative were,

Messrs Alexander, Allison, Baker, Bourne, Burroughs, Corse, Davidson, Elmer, Evans, Flint, Griffith, Harrison, Jacobs, McCrary, McManaman, Penny, Riggs, Stephenson, Timmons, Thompson, Weyand, Williams, Woodworth and Mr Speaker.

So the bill was not passed.

Mr Corse introduced the following resolution :

Resolved, That Peter Keysler be allowed the sum of four dollars, for two days services, as Sargeant-at-arms, at the commencement of this session ;

Which was adopted.

Mr Harrison presented the account of Peter Conboy ;

Which was read ; and,

On motion of Mr Harrison,

Referred to the standing Committee on Claims.

Mr Harrison, from the Select Committee, to whom was referred

the petition of **Eli Myers**, School Fund Commissioner of Johnson county, reported that the committee had had the same under consideration and instructed him to report,

H. R. file, No. 160, A Bill for an act to change the location of certain roads therein named.

The bill was then read a first, second and third time, passed and its title agreed to.

On motion of Mr Sales,

Senate file, No. 58, A Bill for an act to establish Normal schools;
Was taken from the table and read a first and second time.

Mr Griffith moved to strike out "Mount Pleasant," and insert "West Point."

Mr Sales moved to refer the bill to a Select Committee of three;
Which was disagreed to.

The question then recurring upon the adoption of the amendment offered by Mr Griffith.

And upon this question,

The yeas and nays were demanded.

Mr Griffith moved a call of the House.

The roll being called, it appeared that,

Messrs Betts, McFarland, Sargeant and Williams were absent.

Messrs McFarland, Sargeant and Williams having appeared and taken their seats,

On motion of Mr Goodrell,

The further call of the House was dispensed with.

And the question being upon the amendment offered by Mr Griffith;

And the demand for the yeas and nays being renewed,

The vote was as follows:

Yeas 15,

Nays 20.

Those who voted in the affirmative were,

Messrs Baker, Collins, Davidson, Elmer, Flint, Griffith, Jacobs, Langton, Mahony, McFarland, Norton, Read, Walker, Wood and Mr Speaker.

Those who voted in the negative were,

Messrs Alexander, Allison, Babbitt, Bourne, Burroughs, Corse, Evans, Gifford, Goodrell, McCrary, McManaman, Penny, Riggs, Sales, Stephenson, Timmons, Thompson, Weyand, Williams and Woodworth.

So the amendment was not adopted.

Mr Bourne offered the following amendment :

Strike out "Andrew in Jackson county," and insert "Lyons in Clinton county."

And the question being upon adopting the amendment ;

And upon this question,

The yeas and nays were demanded,

And were as follows :

Yeas 9,

Nays 26.

Those who voted in the affirmative were,
Messrs Bourne, Goodrell, Griffith, McCrary, McManaman, Norton, Timmons, Walker and Williams.

Those who voted in the negative were,

Messrs Alexander, Allison, Babbitt, Baker, Burroughs, Collins, Corse, Davidson, Elmer, Evans, Flint, Gifford, Jacobs, Langton, Mahony, McFarland, Penny, Read, Riggs, Sales, Stephenson, Thompson, Weyand, Wood, Woodworth and Mr Speaker.

So the amendment was disagreed to.

Mr McFarland moved to strike out "Mount Pleasant," and insert "Franklin, in Lee county;"

Mr Sales moved the previous question.

The main question "Shall the bill be read a third time now?" being put,

It was decided in the affirmative.

The bill was then read a third time.

And the question being upon the passage of the bill;

And upon this question,

The yeas and nays were demanded,

And were as follows :

Yeas 21,

Nays 15.

Those voting in the affirmative, were

Messrs Alexander, Allison, Babbitt, Baker, Burroughs, Corse, Evans, Flint, Gifford, Goodrell, Jacobs, McCrary, McManaman, Riggs, Sales, Sargeant, Stephenson, Timmons, Thompson, Williams and Woodworth.

Those who voted in the negative were,

Messrs Bourne, Collins, Davidson, Elmer, Griffith, Langton,

Mahony, McFarland, Norton, Penny, Read, Walker, Weyand, Wood and Mr Speaker.

So the bill passed and its title agreed to.

The following message was received from the Senate by Mr Rockwell, their Secretary:

MR SPEAKER:

I am directed to inform the House of Representatives that the Senate have passed,

Senate file, No. 92, Joint Resolution relative to the printing of the laws;

In which the concurrence of the House is requested.

The Senate have also concurred in the amendments made by the House to,

Senate file, No. 62, An Act providing for the re-organization of the Board of Public Works, &c.,

I herewith return,

H. R. file, No. 132, Joint Resolution for superintending the printing and distributing the laws of the present session;

H. R. file, No. 147, A Bill for an act allowing an additional compensation to the agent employed to select University lands for the State;

H. R. file, No. 141, An Act to establish a State road therein named; and,

H. R. file, No. 144, An Act to authorize Robert Gower to keep a ferry across Cedar river;

All of which have passed the Senate without amendment. Also,

H. R. file, No. 126, An Act to amend an act entitled "an act to re-locate a territorial road from Fairfield to the Indian boundary;"

With one amendment; and,

H. R. file, No. 120, Joint Resolution for the relief of Daniel Judson, treasurer of Monroe county;

Without amendment.

H. R. file, No. 90, An Act to amend an act entitled "an act for the incorporation of the town of Bloomington," approved January 23rd, 1839;

H. R. file, No. 75, An Act supplemental and amendatory of an act for the appointment and duties of sheriffs;

H. R. file, No. 108, An Act authorizing Wm. F. Brackenridge to make a canal; and,

H. R. file, No. 57, An Act concerning claims on the half-breed tract;

The same having received the signature of the President of the Senate.

And then he withdrew.

H. R. file, No. 158, Joint Resolution asking a donation of land for the improvement of the Wabsipinnicon river;

Was read a third time, passed and its title agreed to.

H. R. file, No. 116, A Bill for an act to establish a system of common schools;

Was read a second time.

On motion of Mr Sales,

The bill was read a third time.

And the question being "Shall the bill pass?"

And upon this question,

The yeas and nays were demanded,

And were as follows :

Yeas 21,

Nays 14.

Those who voted in the affirmative were,

Messrs Alexander, Babbitt, Bourne, Burroughs, Corse, Flint, Gifford, Griffith, Harrison, Jacobs, Langton, Mahony, Norton, Read, Riggs, Sales, Sargeant, Stephenson, Weyand, Wood, and Mr Speaker.

Those who voted in the negative were,

Messrs Allison, Baker, Collins, Davidson, Elmer, Goodrell, McCrary, McManaman, Penny, Timmons, Thompson, Walker, Williams and Woodworth.

So the bill passed and its title agreed to.

Mr Sargeant from the standing Committee on Enrolled Bills, submitted the following report:

The Committee on Enrolled Bills have instructed me to report that they have examined the following bills and find them correctly enrolled:

H. R. file, No. 35, An Act to amend an act entitled "an act providing for and regulating general elections;

H. R. file, No. 58, An Act regulating grocery licenses;

H. R. file, No. 79, An Act supplemental to the act of Febru-

ary 25th, 1847, entitled "an act supplemental and amendatory to an act to establish common schools," approved July 16, 1840;

H. R. file, No. 107, An Act to provide for the payment of the jurors in the District Court of Lee county.

On motion of Mr Corse,

Mr Griffith's resolution in relation to the printing of the journals of the House, for the present session,

Was taken from the table.

And the question being upon the adoption of the resolution,

It was decided in the affirmative.

On motion of Mr Corse,

The House adjourned until 2 o'clock P. M.

2 o'clock P. M.

The House met pursuant to adjournment.

The Senate message was taken from the table.

Senate file, No. 74, A Bill for a special act for the benefit of Du-buque county;

Was read a first, second and third time, passed and its title agreed to.

Senate file, No. 79, An Act to authorize James H. Gower, Chas. W. Gower, and Robert Gower, their heirs and assigns to improve the Cedar river, by the erection of a dam and lock;

Was read a first and second time.

Mr Mahony moved to refer the bill to the Committee on Incorporations;

Which was lost.

The bill was read a third time, passed and its title agreed to.

Senate file, No. 88, Memorial to the Legislature of Wisconsin;

Was read a first, second and third time, passed, and its title agreed to.

Senate file, No. 69, A Bill for an act to incorporate the town of Cedar Rapids;

Was read a first and second time.

Mr McFarland moved to strike out the 15th section;

Which motion was lost.

Mr Mahony moved to refer the same to the Committee on Incorporations;

Which was agreed to.

Senate file, No. 96, Joint Resolution voting Capt. B. S. Roberts a sword;

Was read a first, second and third time.

And upon its passage,

The yeas and nays were demanded,

And were as follows:

Yeas 36,

Nays 00.

Those who voted in the affirmative, were

Messrs Alexander, Allison, Babbitt, Baker, Betts, Bourne, Burroughs, Collins, Corse, Davidson, Flint, Gifford, Griffith, Harrison, Jacobs, Langton, Mahony, McCrary, McManaman, McFarland, Norton, Penny, Read, Riggs, Sales, Sargeant, Stephenson, Timmons, Thompson, Walker, Weyand, Williams, Wood, Woodworth and Mr Speaker.

So the Joint Resolution passed and its title was agreed to.

H. R. file, No. 126, A Bill for an act to amend an act entitled "an act to locate a State road from Fairfield to the Indian boundary;"

Together with the amendment made by the Senate, was read; and,

On motion of Mr Collins,

The amendment was concurred in.

Senate file, No. 92, Joint Resolution in relation to printing the laws of the present session;

Was read a first and second time.

Mr Goodrell moved to strike out "Iowa Capitol Reporter," and insert "Iowa Republican;"

Which was disagreed to.

The resolution was read a third time, passed and its title agreed to.

Mr Goodrell offered the following resolution:

Resolved, That Smiley H. Bonham be allowed the sum of two dollars per day, extra, for services as Speaker of this House during the present session;

Which was adopted.

Mr Thompson introduced,

H. R. file, No. 161, Joint Resolution for a mail route;

Which was read a first, second and third time, passed and its title agreed to.

Mr Harrison, from the Select Committee, to whom was referred, H. R. file, No. 154, A Bill for an act to provide for the education of the deaf, dumb and blind, reported the same back to the House, with the following amendment:

Strike out all after the word "county," in the ninth line of the first section, to the word "it" in the eleventh line of the same section;

Which was agreed to.

The bill was then read a third time, passed and its title agreed to.

Mr Bonham offered the following resolution:

(Mr Read in the Chair.)

Resolved, That Stewart Goodrell be allowed the sum of four dollars, extra, as Speaker pro tem., of this House;

Which was adopted.

Mr Collins, from the Committee on Agriculture, submitted the following report:

The committee to whom was referred a resolution requesting the Committee on Agriculture to report a bill to prohibit stock from running at large, have had the same under consideration, and do not think it expedient to report such a bill, as it is the opinion of the committee that the interests of the farming community does not require such a law, and the committee asked to be excused from the further consideration of the same;

Which was concurred in.

Mr Harrison, from the Select Committee to whom was referred the petition of James P. Carleton, reported,

H. R. file, No. 162, A Bill for an act for the relief of Joseph Wallace and Wm. Secor;

Which was read a first, second and third time, passed and its title agreed to.

Mr Goodrell obtained leave and introduced,

H. R. file, No. 163, A Bill for an act to repeal an act therein named;

Which was read a first and second time.

Mr Harrison moved to indefinitely postpone the bill.

And upon this question,

The yeas and nays were demanded,

And were as follows :

Yeas 21,

Nays 12.

Those who voted in the affirmative were,

Messrs Alexander, Babbitt, Baker, Betts, Bourne, Collins, Corse, Davidson, Flint, Harrison, Jacobs, Langton, McFarland, Norton, Penny, Read, Riggs, Sargeant, Walker, Weyand and Mr Speaker.

Those who voted in the negative were,

Messrs Allison, Burroughs, Goodrell, Griffith, Mahony, McCrary, McManaman, Sales, Stephenson, Timmons, Williams and Woodworth.

So the bill was indefinitely postponed.

Mr Williams obtained leave and introduced,

H. R. file, No. 164, A Bill for an act reducing the compensation of certain county officers ;

Which was read a first and second time ; and,

On motion of Mr Griffith,

Referred to the Committee on the Judiciary.

Mr Griffith offered the following resolution :

Resolved, That five hundred copies of the journals of this House be printed and distributed as follows, to wit: five copies to each member of this House ; five copies in the office of the county commissioners' clerk of each organized county in this State, for the use of the county ; ten copies in the State Library of this State ; and the remaining part to be deposited in the office of the Secretary of State, for the use of the State ;

Mr Goodrell moved to amend by inserting "20 copies for the county of Pottowattamie ;"

Which amendment was not adopted.

The question recurring upon the adoption of the resolution,

It was decided in the affirmative.

Mr Griffith moved to take from the table,

Senate file, No. 61, Joint Resolution in relation to New Territories.

Pending which,

On motion of Mr Corse,

The House adjourned until to-morrow morning, at 10 o'clock.

Friday Morning, January 12th, 1849.

House met pursuant to adjournment.

Mr Gifford presented the petition of sundry citizens of Marion county, praying for the passage of an act instructing the Senators and requesting the Representatives of the State of Iowa, in the Congress of the United States, to use their influence in favor of Mr. Whitae's proposed railroad;

Which was read; and,

On motion of Mr Gifford,

Referred to the Committee on Roads and Highways.

Mr Gifford presented the petition of sundry citizens of Iowa, praying for the passage of an act to lay out a State road from the town of Wassensville to Red Rock, on the Des Moines river;

Which was read; and,

On motion of Mr Gifford,

Referred to the standing Committee on Roads and Highways.

Mr Babbitt presented the petition of sundry citizens of Iowa, praying for the passage of an act repealing the law raising the price of the lands in the Des Moines river grant;

Which was read; and,

On motion of Mr Babbitt,

Referred to the standing Committee on the Des Moines river Improvement.

Mr Gifford presented the petition of sundry citizens of Marion county, praying for the passage of an act to amend an act entitled "an act supplemental to an act creating a Board of Public Works, and providing for the improvement of the Des Moines river," approved January 24th, 1848;

Which was read; and,

On motion of Mr Gifford,

Referred to the standing Committee on the Des Moines river Improvement.

Mr Griffith presented the account of George S. Hampton;

Which was read; and,

On motion of Mr Griffith,

Referred to the standing Committee on Claims.

Mr Flint, from the standing Committee on Incorporations, to

whom was referred Senate file, No. 69, A Bill for an act to incorporate the town of Cedar Rapids, reported that the committee had had the same under consideration, and had instructed him to report the same back to the House and recommend its passage.

Mr Sargeant, from the standing Committee on Enrolled Bills submitted the following report:

The Committee on Enrolled Bills have instructed me to report that they have examined the following bills and find them correctly enrolled;

H. R. file, No. 120, Joint Resolution for the relief of Daniel Judson, treasurer of Monroe county;

H. R. file, No. 126, An Act to amend an act entitled "an act to re-locate a territorial road from Fairfield in Jefferson county to the Indian boundary;"

H. R. file, No. 132, Joint Resolution for superintending the printing and distributing the laws of the present session;

H. R. file, No. 140, An Act to amend an act entitled "an act to vacate the public square in the town of West Point in Lee county," approved February 17th, 1847;

H. R. file, No. 141, An Act to establish a State road therein named;

H. R. file, No. 144, An Act authorizing Robert Gower to keep a ferry across Cedar river;

H. R. file, No. 147, An Act allowing additional compensation to the agent employed to select the University lands for the State.

The Committee on Enrolled Bills have instructed me to report that they have presented to His Excellency, for his approval, the following acts:

H. R. file, No. 32, An Act to authorize Wm. P. Wilson to keep a ferry across the Des Moines river at Monterey;

H. R. file, No. 65, An Act relative to the record of the decree of partition of the half-breed tract of land, situated in Lee county;

H. R. file, No. 69, Joint Resolution for a mail route;

H. R. file, No. 73, An Act to locate a State road leading from Burlington in Des Moines county, to Fort Madison in Lee county;

H. R. file, No. 77, An Act to authorize Israel Atherton to establish and keep a ferry across the Mississippi river, at a point in Scott county, opposite Cordova, in the State of Illinois;

H. R. file, No. 80, An Act to create the Fifth Judicial District;

H. R. file, No. 88, An Act legalizing the acts of the County Commissioners of Des Moines county;

H. R. file, No. 89, An Act to locate a State road therein named;

H. R. file, No. 48, An Act to restrain swine from running at large in Clinton county;

H. R. file, No. 76, An Act to fund the debt of the State;

H. R. file, No. 78, An Act to extend the time for putting in a lock in the Iowa City Manufacturing Company's Mill Dam;

H. R. file, No. 91, An Act vacating a part of a certain road therein named;

H. R. file, No. 54, An Act concerning claims on the half-breed tract;

H. R. file, No. 90, An Act to amend an act entitled "an act for the incorporation of the town of Bloomington," approved January 23rd, 1839;

H. R. file, No. 95, An Act supplemental and amendatory of an act entitled "an act for the appointment and duties of sheriff's;"

H. R. file, No. 102, An Act to re-locate and extend a certain road therein named;

H. R. file, No. 108, An Act authorizing William F. Brackenridge to make a canal;

H. R. file, No. 110, Joint Resolution for a mail route from Belleview in Jackson county, to Independence in Buchanan county;

H. R. file, No. 113, An Act authorizing additional tax for State purposes;

H. R. file, No. 104, An Act authorizing the County Commissioners Court of Des Moines county to have a vote taken in relation to having a Court House built in said county;

H. R. file, No. 121, Joint Resolution for a mail route;

H. R. file, No. 122, An Act to repeal an act entitled "an act for the relief of the poor;"

H. R. file, No. 124, Joint Resolution for a mail route from Sabula in Jackson county, to Cascade in Dubuque county;

H. R. file, No. 125, An Act to provide for a loan of the school fund accruing from the sale of the public lands;

H. R. file, No. 127, Joint Resolution in relation to a change of mail conveyance;

H. R. file, No. 132, An Act to provide for the incorporation of the town of Guttenburg in Clayton county;

H. R. file, No. 135, An Act to locate a State road therein named; Presented January 11th, 1849.

All of which bills were then presented to the Speaker and received his signature.

Mr Corse obtained leave and introduced,

H. R. file, No. 165, A Bill for an act to amend the Burlington city charter;

Which was read a first and second time.

Mr McFarland moved to amend by inserting "to be published at the expense of the city;"

Which was agreed to.

Mr Griffith gave notice that on to-morrow, or some future day, he would introduce

A Bill for an act to amend an act entitled "an act relative to Mechanics' lien, and other purposes.

Mr Read, from the Committee on Ways and Means, submitted the following report:

The standing Committee on Ways and Means, to whom was referred H. R. file, No. 145, A Bill for an act to provide for the speedy collection of State revenue; also, H. R. file, No. 151, A Bill for an act to provide for levying and collecting revenue, have had the same under consideration, and have instructed me to report them back to the House and recommend their indefinite postponement.

And the question being upon the indefinite postponement of H. R. file, No. 145, A Bill for an act to provide for the speedy collection of State revenue;

And upon this question,

The yeas and nays were demanded,

And were as follows:

Yeas 12,

Nays 20.

Those who voted in the affirmative were,

Messrs Alexander, Betts, Burroughs, Collins, Goodrell, Harrison, Jacobs, McCrary, McManaman, Read, Sargeant and Stephenson.

Those who voted in the negative were,

Messrs Allison, Baker, Bourne, Corse, Davidson, Flint, Gifford, Griffith, Langton, Mahony, McFarland, Norton, Penny, Riggs, Sales, Thompson, Weyand, Williams, Wood and Mr Speaker.

So the bill was not indefinitely postponed; and,

On motion of Mr Thompson,

Was referred to a Select Committee of three.

Messrs Thompson, Mahony and Goodrell, were appointed said committee.

The question being upon the indefinite postponement of H. R. file, No. 151, A Bill for an act to provide for levying and collecting revenue,

It was decided in the negative.

Mr Griffith moved to amend by striking out "newspapers" and inserting "according to law;"

Which was agreed to.

Mr Allison offered the following amendment: "Strike out all that part of the bill which relates to personal property;"

Which was adopted.

And the question being upon the passage of the bill,

It was decided in the negative.

Mr Betts, from the standing Committee on Claims, submitted the following report :

The Committee on Claims, to whom was referred certain claims, have examined the same and instructed me to report that they allowed as correct the following sums, and recommend that the Committee on Expenditures include them in the general appropriation bill:

To Palmer & Paul, for printing, per bill, accompany this report,.....	\$964 87
Gower & Holt, per bill accompanying this report,....	43 64
Clark, Shephard & Clark, per bill accompanying this report,.....	3 80
E. Redhead, per bill accompanying this report,....	9 00
T. M. Banbury, " " "	5 25
Workman & Berryhill " " "	27 13
Chas. Gayman, " " "	103 50
F. Sanxay, " " "	66 86
F. W. Irish, " " "	10 00
J. C. Parvin, " " "	13 00
J. F. Abrahams, " " "	668 89

The committee are of opinion that the bill of Peter Coaboy, charging the State \$37,50 for laying down carpet in Senate Chamber and House of Representatives, is entirely too high, and have

agreed that \$20,00 is sufficient, and recommend that sum be included in the general appropriation bill.

The Committee on Claims, to whom was referred the following resolutions, viz:

Resolved, That John J. E. Norman be allowed eight dollars, for two days services as assistant clerk, pro tem., of this House;

Resolved, That William E. Leffingwell be allowed the sum of three hundred dollars for superintending the printing, indexing and distributing the journals of this House;

Have examined the same and instructed me to report in favor of the resolutions, and recommend their passage.

And the question being upon concurring in the report of the committee,

And the question being put separately,

The resolution allowing John J. E. Norman compensation for services, &c., was adopted.

The question being upon adopting the second resolution.

Mr Goodrell moved to amend by striking out "three hundred" and inserting "two hundred and fifty;"

Which amendment was disagreed to.

The question recurring upon the adoption of the resolution,

It was decided in the affirmative.

Mr McFarland, from the standing Committee on the Judiciary, to whom was referred H. R. file, No. 164, A Bill for an act to reduce the compensation of certain county offices, reported that the committee had had the same under consideration, and had instructed him to report the same back to the House, with the following amendment:

Insert in the second section the word "also," between the words "allowed" and "the;"

Which was concurred in.

Mr Corse moved to indefinitely postpone the bill.

And upon this question,

The yeas and nays were demanded,

And were as follows:

Yeas 20,

Nays 12.

Those who voted in the affirmative were,

Messrs Alexander, Babbitt, Baker, Betts, Collins, Corse, Davidson, Flint, Gifford, Griffith, Harrison, Jacobs, Langton, McMana-

man, Read, Sales, Sargeant, Stephenson, Weyand and Mr Speaker.

Those who voted in the negative were,

Messrs Allison, Bourne, Burroughs, Goodrell, Mahony, McCrary, Penny, Riggs, Thompson, Williams, Wood and Woodworth.

So the bill was indefinitely postponed.

Mr Griffith obtained leave to introduce,

H. R. file, No. 166, A Bill for an act to exempt a homestead from forced sale;

Which was read a first and second time; and,

On motion of Mr Bourne,

Referred to the standing Committee on the Judiciary.

Mr Harrison introduced the following resolution:

Resolved, That George Williams, Fireman to this House, be allowed the sum of two dollars per day, for forty-three days service; and that the Committee on Claims be instructed to inquire what additional allowance, if any, may be due the said Williams, for his services, and the hire of help, and that they be requested to report at their earliest convenience;

Which was adopted; and,

On motion of Mr Harrison,

Referred to the Committee on Claims.

Mr Baker obtained leave and introduced,

H. R. file, No. 167, A Bill for an act authorizing the transcribing and indexing the records of the Probate Court of Jefferson county;

Which was read a first, second and third time, passed and its title agreed to.

Mr Collins obtained leave to introduce the following resolution:

Resolved, That James N. Bell be allowed the sum of two dollars per day, for forty-three days, as Messenger of the House of Representatives; and that the standing Committee on Claims be instructed to incorporate the same in the general appropriation bill;

Which was adopted.

Mr. Harrison presented the account of George S. Hampton

Which was read; and,

On motion of Mr Harrison,

Referred to the Committee on Claims.

The following message was received from the Senate, by Mr Rockwell, their Secretary:

MR SPEAKER:

I am directed to inform the House of Representatives that the Senate have passed,

Senate file, No. 105, A Bill for an act to establish a State road from Oskaloosa to Montezuma;

Senate file, No. 107, A Bill for an act to establish a State road from the west side of Johnson county, to the west line of Dallas county;

Senate file, No. 110, An Act to authorize the Board of Commissioners of Jackson county to create an additional tax, for the erection of a bridge across the Maquoketa river;

Senate file, No. 118, Joint Resolution for a mail route;

In which the concurrence of the House is requested.

I herewith present for your signature,

Senate file, No. 57, An Act relative to the Penitentiary;

The same having passed both branches of the General Assembly, and been reported as correctly enrolled.

I herewith return,

H. R. file, No. 132, Joint Resolution for superintending the printing and distribution of the laws of the present session;

H. R. file, No. 79, An Act supplemental to the act of February 25th, 1847, entitled "an act supplemental and amendatory to an act to establish a system of common schools," approved January 16th, 1840;

H. R. file, No. 35, An Act to amend an act entitled "an act providing for and regulating general elections;

H. R. file, No. 147, An Act allowing an additional compensation to the agents employed to select the University lands for this State;

H. R. file, No. 120, Joint Resolution for the relief of Daniel Judson, treasurer of Monroe county;

H. R. file, No. 141, An Act to establish a State road therein named;

H. R. file, No. 144, An Act authorizing Robert Gower to keep a ferry across Cedar river;

H. R. file, No. 126, An Act to amend an act entitled "an act to re-locate a territorial road from Fairfield in Jefferson county, to the Indian boundary;

H. R. file, No. 140, An Act to amend an act entitled "an act to vacate the public square in the town of West Point, in Lee county;

H. R. file, No. 107, An Act to provide for the payment of the jurors of the District Court in Lee county; and,

H. R. file, No. 58, An Act regulating grocery license;

The same having received the signature of the President of the Senate.

The Senate have also passed,

Senate file, No. 111, An Act supplemental to an act establishing a branch of the State University at Fairfield;

Senate file, No. 67, An Act making an appropriation for the public buildings at Iowa City; and

Senate file, No. 113, An Act to amend an act concerning costs and fees;

In which the concurrence of the House is requested.

Also, I am directed to inform the House of Representatives that the Senate have passed,

Senate file, No. 100, Joint Resolution relative to the nett proceeds of the sale of lands in Iowa;

Senate file, No. 63, An Act to establish a State road therein named;

Senate file, No. 99, An Act to provide payment for printing the laws in newspapers; and,

Senate file, No. 90, An Act to amend an act forming judicial circuits;

In which the concurrence of the House is requested.

I herewith return,

H. R. file, No. 152, An Act to locate a State road from Fairfield in Jefferson county, to Keokuk in Lee county;

Which has passed the Senate with sundry amendments.

The Senate have also indefinitely postponed,

H. R. file, No. 150, An Act to incorporate the Iowa annual conference of the church of the United Brethren in Christ;

The Senate have also passed,

Senate file, No. 70, A Bill for an act to provide for the making of a Railroad from Dubuque to Keokuk;

Senate file, No. 89, An Act in relation to deeds of collectors of revenue;

Senate file, No. 102, Joint Resolution exonerating Samuel Stephens from certain penalties, and the interest on certain monies;

Senate file, No. 101, An Act to establish a State road from Drakeville to Albion in Monroe county;

Senate file, No. 81, An Act to improve the breed of hogs ;
Senate file, No. 97, A Bill for an act in relation to the election of
State officers ;

Senate file, No. 59, An Act to provide for the payment of ex-
penses in the arrest and detention of Allen Cameron, a fugitive from
justice, from the State of Pennsylvania ;

Senate file, No. 49, An Act to donate the College Square, in
Iowa City, to the Medical Department of the Iowa University ;

In which the concurrence of the House is requested.

I herewith return,

H. R. file, No. 136, Joint Resolution asking a change of mail
conveyance and extension of mail route ;

H. R. file, No. 143, An Act for a State road therein named ;

H. R. file, No. 138, An Act for the organization of the county of
Alamakee ;

H. R. file, No. 139, An Act to establish a branch of the State
University at Fairfield ;

All of which have passed the Senate without amendment.

Also,

H. R. file, No. 112, An Act to provide for the taking an enu-
meration of the white inhabitants ;

With one amendment ;

In which the concurrence of the House is requested.

I am also directed to inform the House that the Senate have re-
ceded from their 3rd amendment to,

H. R. file, No. 11, An Act to preserve the purity of elections ;

But insist on their 1st, 4th and 5th amendments.

The Senate have also concurred in the amendments made by the
House to,

Senate file, No. 72, An Act to authorize R. R. Jenks to erect a
toll bridge across the Wabsipinnicon river ; and,

Senate file, No. 57, An Act relative to the Penitentiary ;

And then he withdrew.

The message from the Senate was then taken from the table.

H. R. file, No. 11, A Bill for an act to preserve the purity of
elections ;

Was taken up, the Senate insisting upon their amendments.

On motion of Mr Corse,

The House receded from its disagreement to the said amendments.

H. R. file, No. 112, An Act to provide for taking an enumeration of the white inhabitants of Iowa;

Together with the amendments made by the Senate, was read;
And the question being upon concurring in the amendment,
It was decided in the negative.

Senate file, No. 81, A Bill for an act to improve the breed of hogs;
Was read a first and second time.

Mr Griffith moved to refer it to the Committee on Agriculture.

Mr Mahony moved to amend by referring it to the Committee of the Whole House;

Which was agreed to.

The House then resolved itself into Committee of the Whole, for the consideration of,

Senate file, No. 81, A Bill for an act to improve the breed of hogs.

Mr Mahony in the chair.

And after sometime spent therein, the committee arose and by their Chairman reported the bill back to the House with the following amendment: In the first section strike out "boar pig," and insert "bull pig," and asked leave to sit again.

And the question being upon granting leave to sit again,
It was decided in the negative.

The question then being upon agreeing to the amendment,
It was decided in the affirmative.

Mr McFarland moved to indefinitely postpone the bill, together with the amendment;

And upon this question,

The yeas and nays were demanded,

And were as follows:

Yeas 15,

Nays 17.

Those who voted in the affirmative were,

Messrs Alexander, Babbitt, Betts, Collins, Corse, Flint, Gifford, Jacobs, McCrary, McFarland, Norton, Riggs, Sargeant, Weyand and Mr Speaker.

Those who voted in the negative were,

Messrs Allison, Baker, Bourne, Burroughs, Davidson, Goodrell, Griffith, Harrison, Langton, Mahony, McManaman, Penny, Sales, Stephenson, Thompson, Williams and Wood.

So the bill was not indefinitely postponed.

On motion of Mr McManaman,
The House adjourned until two o'clock p. m.

2 o'clock, P. M.

The House met pursuant to adjournment.

Mr Betts obtained leave and introduced,

H. R. file, No. 168, A Bill for an act requiring claimants to authenticate their claims by oath;

Which was read a first, second and third time, passed and its title agreed to.

Senate file, No. 79, A Bill for an act to provide for the location of a railroad from Keokuk to Dubuque;

Was taken up and read a first and second time; and,

On motion of Mr Goodrell,

Referred to a Select Committee of three.

Messrs Goodrell, Flint and Riggs, were appointed said committee.

Senate file, No. 90, An Act to amend an act to provide for the creation of judicial circuits;

Was read a first and second time; and,

On motion of Mr Betts,

Referred to a Select Committee of three.

Messrs Betts, Harrison and Stephenson, were appointed said committee.

Senate file, No. 101, An Act to establish a State road from Drakeville to Albion in Monroe county;

Which was read a first, second and third time, passed and its title agreed to.

Senate file, No. 99, An Act to provide payment for printing the laws in newspapers;

Was read a first, second and third time, passed and its title agreed to.

Senate file, No. 102, Joint Resolution exonerating Samuel Stephens from certain penalties;

Which was read a first and second time; and,

On motion of Mr Wood,

Was indefinitely postponed.

Senate file, No. 89, An Act to provide for making collector's deeds;

Was read a first and second time; and,

On motion of Mr Griffith,

Referred to the Committee on Ways and Means.

Senate file, No. 53, An Act to establish a State road therein named;

Was read a first and second time; and,

On motion of Mr Collins,

Referred to the standing Committee on Roads and Highways.

Mr McFarland, from the standing Committee on the Judiciary, to whom was referred, H. R. file, No. 166, A Bill for an act to exempt a homestead from execution, reported the same back, with the following amendment: add to the end of the first section,

"Provided such tract of land or town lot shall not exceed in value the sum of five hundred dollars;"

Which report was concurred in.

Mr Corse moved the previous question;

And upon this question,

The yeas and nays were demanded,

And were as follows:

Yeas 21,

Nays 15.

Those who voted in the affirmative, were,

Messrs Alexander, Baker, Bourne, Burroughs, Corse, Davidson, Elmer, Gifford, Goodrell, Jacobs, McCrary, McManaman, Norton, Penny, Riggs, Sargeant, Stephenson, Timmons, Thompson, Weyand, and Woodworth.

Those who voted in the negative were,

Messrs Allison, Betts, Babbitt, Collins, Flint, Griffith, Harrison, Langton, McFarland, Read, Sales, Walker, Williams, Wood and Mr Speaker.

The main question being upon the passage of the bill;

And upon this question,

The yeas and nays being demanded,

The vote was as follows:

Yeas 19,

Nays 17.

Those who voted in the affirmative were,

Messrs Allison, Babbitt, Baker, Bourne, Collins, Flint, Griffith,

Langton, McCrary, McFarland, McManaman, Norton, Read, Sales, Stephenson, Timmons, Walker, Wood and Woodworth.

Those who voted in the negative were,

Messrs Alexander, Betts, Burroughs, Corse, Davidson, Elmer, Gifford, Goodrell, Harrison, Jacobs, Penny, Riggs, Sargeant, Thompson, Weyand, Williams and Mr Speaker.

So the bill passed and its title was agreed to.

Mr Griffith offered the following resolution:

Resolved, That Elbridge G. Lampson be allowed the sum of two dollars per day, for forty-three days service as Sergeant-at-arms of this House, and that the same be allowed in the general appropriation bill;

Which was adopted.

Mr Williams offered the following resolution:

Resolved, That the unanimous thanks of this body be tendered to Smiley H. Bonham, for the impartial, able and gentlemanly manner in which he has discharged the duties of presiding officer of this House;

Which was unanimously adopted.

Mr Betts, from the standing Committee on Claims, submitted the following report:

The Committee on Claims to whom was referred certain claims, have examined the same and allowed as correct, the following sums, and have instructed me to report in favor of the same, and recommend the Committee on Expenditures to include them in the general appropriation bill:

To Henry Kampter 43 days cutting wood for officers of State,.....	\$43 00
George Williams for additional compensation, cutting wood during the present session, 43 days,.....	43 00
Ballard & Moriarty for printing, per bill,.....	215 00

The committee have instructed me to report the claim of George S. Hampton back to the House for their consideration.

The Committee on Claims to whom was referred certain claims, have examined the same and instructed me to report in favor of the following sums, and recommend that the Committee on Expenditures include them in the general appropriation bill:

To F. M. Irish for 50 cords of wood, per certificate of Secretary of State,.....	\$100 00
--	----------

Sylvanus Johnson for 50 cords of wood, per certificate
of Secretary of State, 100 00

Which report was concurred in.

Mr Bonham offered the following resolution:

Resolved, That the per diem of the clerks of this House shall be as follows: chief clerk four dollars, first and second assistant three dollars each; and that the standing Committee on Expenditures be authorized to include the amount in the general appropriation bill.

Mr Bonham moved a call of the House.

Absent—Messrs Harrison, Evans and Mahony.

After some time spent, Mr Harrison appeared and took his seat. Messrs Evans and Mahony were reported sick; and,

On motion of Mr Griffith,

The further call of the House was suspended.

And the question being upon the adoption of the resolution;

And upon this question,

The yeas and nays were demanded,

And were as follows:

Yeas 25,

Nays 12.

Those who voted in the affirmative were,

Messrs Allison, Babbitt, Baker, Betts, Bourne, Burroughs, Collins, Flint, Gifford, Goodrell, Harrison, Jacobs, Langton, McFarland, Read, Riggs, Sales, Sargeant, Stephenson, Timmons, Williams, Wood, Woodworth and Mr Speaker.

Those who voted in the negative were,

Messrs Alexander, Corse, Davidson, Elmer, Griffith, McCrary, McManaman, Norton, Penny, Thompson, Walker and Weyand.

So the resolution was adopted.

The following message was received from the Senate, by Mr Rockwell, their Secretary:

MR SPEAKER;

I am directed to inform the House of Representatives that the Senate have reconsidered the vote upon the passage of,

Senate file, No. 90, An Act to amend the judicial circuits.

And then he withdrew.

Mr Collins, from the Committee on Roads and Highways, to whom was referred, Senate file, No. 63, An Act to establish a State road

therein named, reported the same back without amendment, and recommended its passage.

Mr Griffith moved to strike out the name of "Justin Millard," and insert that of "Soloman Jackson;"

Which was agreed to.

The bill was then read a third time, passed and its title agreed to.

Senate file, No. 59, An Act to provide for the payment of the expenses in the arrest and detention of Alien Cameron, a fugitive from justice, from the State of Pennsylvania;

Was read a first, second and third time, passed, and its title agreed to.

Mr Read introduced,

H. R. file, No. 169, A Bill for an act to amend an act to provide for general incorporations;

Which was read a first and second time.

Mr Griffith moved to suspend the 42nd rule and read a third time now.

Mr Babbitt moved to refer the same to a Select Committee of three;

Which was lost.

Mr Griffith moved to refer the same to the Committee on Ways and Means.

And the question being upon the suspension of the 42nd rule, It was decided in the affirmative.

The bill was then read a third time.

And the question being upon the passage of the bill;

And upon this question,

The yeas and nays were demanded,

And were as follows:

Yeas 28,

Nays 5.

Those who voted in the affirmative, were

Messrs Alexander, Allison, Baker, Bourne, Burroughs, Collins, Corse, Davidson, Elmer, Goodrell, Griffith, Langton, McCrary, McFarland, McManaman, Norton, Penny, Read, Riggs Sargeant, Stephenson, Timmons, Thompson, Walker, Williams, Wood, Woodworth and Mr Speaker.

Those who voted in the negative were,

Messrs Babbitt, Gifford, Jacobs, Sales and Weyand

So the bill passed and its title agreed to.

Mr Goodrell, from the Select Committee, to whom was referred Senate file, No. 79, An Act to locate a railroad from Dubuque to Keokuk, reported the same back with the following amendment, and recommend its passage: Strike out the name of "J. W. Albright," and insert "Wm. Patterson;"

Which was concurred in.

The bill was then read a third time, passed and its title agreed to.

On motion of Mr McFarland,

Senate file, No. 43, Joint Resolution for the relief of John Taylor; Was taken from the table, and read a first and second time.

Mr Babbitt offered an amendment which the Speaker decided could not be entertained, upon account of its irrelavency.

The resolution was read a third time.

And the question being upon the passage of the resolution;

And upon this question,

The yeas and nays were demanded,

And were as follows:

Yeas 31,

Nays 4.

Those voting in the affirmative, were

Messrs Alexander, Baker, Betts, Bourne, Collins, Corse, Davidson, Elmer, Flint, Gifford, Goodrell, Griffith, Jacobs, Langton, McCrary, McFarland, Norton, Penny, Read, Riggs, Sales, Sergeant, Stephenson, Timmons, Thompson, Weyand, Williams, Wood, Woodworth and Mr Speaker.

Those who voted in the negative were,

Messrs Allison, Burroughs, McManaman and Walker.

So the joint resolution passed and its title agreed to.

Mr Corse obtained leave and introduced,

H. R. file, No. 170, A Bill for an act making appropriations for the pay of members, officers and printers of the General Assembly, and other purposes;

Which was read a first, second and third time, passed and its title agreed to.

On motion of Mr Langton,

The House adjourned until to-morrow at 10 o'clock A. M.

Saturday Morning, January 13th, 1849.

House met pursuant to adjournment.

Mr Penny presented the petition of D. Hendershott and twenty-seven others, praying for the passage of certain laws relative to voters ;

Which was read ; and,

On motion of Mr Penny,

Laid upon the table.

Mr Goodrell offered the following resolution :

Resolved, That the Select Committee to whom was referred, Senate file, No. 90, An Act to amend an act to form judicial circuits, be requested to report the same back to the House at their earliest convenience ;

Which was adopted.

Mr Read, from the standing Committee on Ways and Means, to whom was referred, Senate file, No. 90, A Bill for an act relative to deeds of collectors of revenue, reported that the committee had had the same under consideration, and had instructed him to report the same back to the House without amendment, and recommend its passage.

The bill was then read a third time, passed and its title agreed to.

Mr Langton, from the Select Committee, to whom was referred, H. R. file, No. 137, A Bill for an act donating certain lands to the Medical Department of the University of Iowa, reported that the committee had had the same under consideration and instructed him to report that they deem the bill referred to as premature, that when the University shall have been established it will be ample time to ask the donation of such land ; and would therefore report the same back to the House, for them to take such action upon it as they may deem proper.

The bill was then read a third time, passed and its title agreed to.

Mr Sargeant, from the standing Committee on Enrolled Bills submitted the following report :

The Committee on Enrolled Bills have instructed me to report that they have presented to His Excellency, for his approval, the following acts :

H. R. file, No. 35, An Act to amend an act entitled "an act providing for and regulating general elections;

H. R. file, No. 58, An Act regulating grocery license;

H. R. file, No. 79, An Act supplemental to the act of February 25th, 1847, entitled "an act supplemental and amendatory to an act to establish common schools," approved January 16th, 1848;

H. R. file, No. 107, An Act to provide for the payment of the jurors in the District Court of Lee county;

H. R. file, No. 126, An Act to amend an act entitled "an act to re-locate a territorial road from Fairfield, in Jefferson county, to the Indian boundary;

H. R. file, No. 120, Joint Resolution for the relief of Daniel Judson, treasurer of Monroe county;

H. R. file, No. 132, Joint Resolution for superintending the printing and distributing the laws of the present session;

H. R. file, No. 140, An Act to amend an act entitled "an act to vacate the public square in the town of West Point in Lee county," approved February 17th, 1847;

H. R. file, No. 141, An Act to establish a State road therein named;

H. R. file, No. 144, An Act authorizing Robert Gower to keep a ferry across Cedar river;

H. R. file, No. 147, An Act allowing additional compensation to the agent employed to select the University lands for this State;

Presented January 12, 1849.

The following message was received from the Senate, by Mr Rockwell their Secretary:

MR SPEAKER:

I am directed to inform the House of Representatives that the Senate have adopted a substitute to

H. R. file, No. 56, An Act to repeal an act entitled "an act to provide for the location of the seat of government of the State of Iowa, and for the selection of lands granted by Congress to aid in erecting public buildings;"

In which the concurrence of the House is requested.

I herewith return,

H. R. file, No. 155, An Act granting a right of way to W. F. Coolbaugh;

H. R. file, No. 146, An Act to empower the mayor of Fort Madison to act as justice of the peace in certain cases ;

Which have passed the Senate without amendment ; Also,

H. R. file, No. 99, An Act for the relief of Appanoose county ;
and,

H. R. file, No. 148, An Act to amend an act allowing and regulating the writ of attachment ;

With one amendment each ;

In which the concurrence of the House is requested.

Also,

H. R. file, No. 134, An Act amendatory to an act providing for levying a tax for road purposes, on real and personal property ;

Without amendment.

I am directed to inform the House of Representatives that the Senate have passed,

Senate file, No. 69, An Act to incorporate the town of Cedar Rapids, in Linn county ; and,

Senate file, No. 88, Memorial to the Legislature of the State of Wisconsin ;

In which the concurrence of the House is requested.

I herewith return,

H. R. file, No. 140, An Act to amend an act entitled "an act to vacate the public square in the town of West Point, in Lee county ;"

Without amendment.

I am directed to inform the House of Representatives that the Senate has passed,

Senate file, No. 106, An Act to lay out and establish a State road from Grandview, in Louisa county, to Bloomington, in Muscatine county ;

Senate file, No. 114, Joint Resolution for a grant of land to aid in the construction of a building for a branch of the State University at Fairfield ; and,

Senate file, No. 104, An Act to establish a branch of the State University, at Dubuque ;

In which the concurrence of the House is requested.

I herewith return,

H. R. file, No. 154, An Act to provide for the instruction of the deaf, dumb and blind ;

H. R. file, No. 160, An Act to change the location of certain roads therein named ;

H. R. file, No. 156, Joint Resolution for a mail route;
 H. R. file, No. 61, Joint Resolution for a mail route;
 H. R. file, No. 158, Joint Resolution for a grant of land to improve the Wabsipinnicon river; and,
 H. R. file, No. 165, An Act to amend the Burlington city charter;

All of which have passed the Senate without amendment.

Also,

H. R. file, No. 128, An Act making appropriations for the support of the State government, for the fiscal years 1849 and 1850;

With the following amendment:

Strike out "eight" and insert "ten" in compensation as salary of District Judges.

In contingent expenses of the Supreme Court, strike out "five" and insert "eight."

H. R. file, No. 100, An Act to provide for collecting revenue for State and county purposes;

With one amendment; and,

H. R. file, No. 116, An Act to establish a system of Common Schools;

With one amendment;

Strike out 6th sec. and add to 14, amendment of the House;

In which the concurrence of the House of Representatives is requested.

I herewith present for your signature,

Senate file, No. 66, An Act for the re-location of the county seat of Clayton county;

Senate file, No. 83, An Act providing for the election of an additional justice of the peace in Montrose township, in Lee county;

Senate file, No. 54, An Act to establish Normal Schools;

Senate file, No. 84, An Act to legalize certain offices therein named;

Senate file, No. 53, An Act for the organization of Lucas county;

Senate file, No. 85, An Act to provide for the location of the county seat of Benton county;

Senate file, No. 64, An Act to authorize Augustus Phelps to keep a ferry at Lyons, in Clinton county;

Senate file, No. 87, An Act to amend an act to organize the Supreme Court;

Substitute to H. R. file, No. 118, An Act to preserve the records of Jones county ;

Senate file, No. 65, Resolution of thanks to Captain B. S. Roberts ;

Senate file, No. 82, Joint Resolution for a mail route ;

Senate file, No. 55, An Act to authorize Robert Bunker to keep a ferry across the Mississippi river, in Clayton county ;

Senate file, No. 73, An Act fixing the terms of the District Courts ;

Senate file, No. 59, An Act to provide for the payment of expenses in the arrest and detention of Allen Cameron, a fugitive from justice, from the State of Pennsylvania.

The same having passed both branches of the General Assembly and been reported as correctly enrolled.

I am also directed to inform the House of Representatives that the Senate has passed,

Senate file, No. 117, An Act supplemental to the act of February 25, 1847, entitled "an act to provide for the management and disposition of the School Fund ;

Senate file, No. 115, An Act to locate and establish a State road from Washington to Montezuma ;

In which the concurrence of the House is requested.

Also, the Senate have indefinitely postponed,

H. R. file, No. 162, An Act for the relief of Joseph Wallace and William Licor.

And then he withdrew.

On motion of Mr Sales,

H. R. file, No. 116, A Bill for an act to establish a system of Common Schools ;

Was taken from the table, and the bill, together with the amendments made by the Senate, being read,

Mr Sales moved to concur in the amendments made by the Senate ;

Mr Bourne moved to consider and vote upon the amendments separately.

Mr Sales moved the previous question ;

And upon this question,

The yeas and nays were demanded,

And were as follows:

Yeas 15,

Nays 16.

Those who voted in the affirmative were,
Messrs Alexander, Betts, Collins, Davidson, Evans, Elmer,
Flint, Griffith, Jacobs, Langton, Norton, Riggs, Sales, Weyand and
Wood.

Those who voted in the negative were,
Messrs Allison, Babbitt, Bourne, Gifford, Goodrell, Harrison,
McCrary, McFarland, McManaman, Penny Read, Sargeant, Ste-
phenson, Timmons, Williams and Mr Speaker.

So the previous question was decided in the negative.

And the question recurring upon Mr Bourne's motion;

It was decided in the affirmative; and, the amendments being ta-
ken seperately, were concurred in by the House.

On motion of Mr Harrison,

The account of George S. Hampton, was taken from the table,
and,

On motion of Mr Harrison,

Was referred to the committee on Claims.

The message from the Senate was taken from the table.

Senate file, No. 104, A Bill for an act to establish a branch of the
State University in Dubuque;

Was read a first and second time; and,

On motion of Mr Griffith,

Was laid on the table.

On motion of Mr Harrison,

The House adjourned until 2 o'clock P. M.

2 o'clock P. M.

The House met pursuant to adjournment.

Senate file, No. 114, Joint Resolution asking a donation of land
to aid in the construction of buildings for a branch of the State Uni-
versity, at Fairfield;

Was read a first, second and third time, passed and its title
agreed to.

Senate file, No. 97, A Bill for an act relative to the election of State officers ;

Was read a first and second time ; and,

On motion of Mr Harrison,

Was referred to the standing Committee on the Judiciary.

Mr Harrison offered the following resolution :

Resolved, That Wesley Garner be employed to enroll H. R. file, No. 116, An Act to establish a system of common schools, under the supervision of the Superintendent of Public Instruction ;

Which was adopted.

On motion of Mr Collins,

The vote taken on the passage of Senate file, No. 70, An Act to provide for making a railroad from Dubuque to Keokuk :

Was reconsidered ; and,

On motion of Mr Harrison,

Was referred to the standing Committee on Incorporations.

Senate file, No. 81, A Bill for an act for the improvement of the breed of hogs ;

Was read a third time ; and,

The question being upon its passage ;

And upon this question,

The yeas and nays were demanded,

And were as follows :

Yeas 11,

Nays 21.

Those who voted in the affirmative were,

Messrs Baker, Davidson, Elmer, Goodrell, Griffith, Harrison, Langton, Sales, Stephenson, Williams and Wood.

Those who voted in the negative were,

Messrs Alexander, Babbitt, Betts, Bourne, Collins, Evans, Gifford, Flint, Jacobs, Mahony, McCrary, McManaman, McFarland, Norton, Penny Read, Riggs, Sargeant, Timmons, Weyand and Mr. Speaker.

So the bill did not pass.

Mr Betts from the standing Committee on Claims to whom was referred the account of George S. Hampton,

Reported that the committee had had the same under consideration and instructed him to report in favor of the same, and recommend that the Committee on Expenditures include the same in the General Appropriation bill ;

Which was concurred in.

Senate file, No. 91, A Bill for an act to repeal the township organization in Scott county;

Was read a first, second and third time, passed and its title agreed to.

Mr Betts from the select Committee to whom was referred,

Senate file, No. 90, A Bill for an act to amend an act forming Judicial Circuits ;

Reported that the committee had had the same under consideration, and the majority had instructed him to report the same back without amendment and recommend its passage;

And by leave, reported the following minority report :

The minority of the select Committee to whom was referred, Senate file, No. 90, A Bill for an act to amend an act forming Judicial Circuits, beg leave to report :

That having given the subject a very careful and impartial investigation, the committee has come to the following conclusions :

1st. The Senate having reconsidered the act by their vote on yesterday, and the Secretary of the Senate having notified this House of the same before action on the subject had been had by the House, there is no such file in a legal or legislative existence.

2d. Your committee believe that this General Assembly have no right to divide a Judicial District, over which a Judge has been elected to preside, without the express wish of the people conveyed to the same by petition, satisfying every gentleman that a majority of them wish the change. Again, see the Constitution, which provides that Judicial Districts may be increased ; plainly implying they shall not be divided.

3d. Neither our Constitution or laws know any such judicial division as " circuits," which objection must be fatal to this bill.

Your committee would, for reasons assigned above, recommend the indefinite postponement of the bill, and ask the concurrence of the House in this report.

Mr Evans moved to indefinitely postpone the bill ;

And upon this question,

The yeas and nays were demanded,

And were as follows :

Yeas 17,

Nays 15.

Those who voted in the affirmative were,

Messrs Alexander, Babbitt, Baker, Betts, Collins, Elmer, Evans, Flint, Gifford, Jacobs, Langton, Mahony, Norton, Riggs, Sales, Weyand and Wood.

Those who voted in the negative were,

Messrs Allison, Bourne, Davidson, Goodrell, Griffith, Harrison, Penny, Sargeant, Stephenson, Timmons, Williams, and Mr Speaker.

So the bill was indefinitely postponed.

On motion of Mr McFarland,

The House adjourned until half past 6 o'clock this evening.

Half past 6 o'clock P. M.

The House met pursuant to adjournment.

Senate file, No. 67, A Bill for an act making an appropriation for the public buildings at Iowa City;

Was read a first and second time.

Mr Mahony offered the following amendment:

Strike out all of the last section after the word "publication;"

Which was disagreed to.

Mr Goodrell offered the following amendment:

Strike out "\$3000," and insert "\$1500;"

Which was disagreed to.

Mr Bonham moved to amend the bill by inserting after the word "manner," in the first section, the words "the balcony;"

(Mr Stephenson in the chair.)

Which amendment was adopted.

The bill was then read a third time, passed and its title agreed to.

H. R. file, No. 128, A Bill for an act making appropriations for the support of the State government for the fiscal years 1849 and 1850;

Together with the amendment made by the Senate was read;

And the amendment concurred in.

Senate file, No. 113, A Bill for an act to amend an act concerning costs and fees;

Was read a first and second time; and,

On motion of Mr Griffith,

Referred to the Lee county delegation.

Senate file, No. 105, A Bill for an act to establish a State road from Oskaloosa to Montezuma;

Was read a first, second and third time, passed and its title agreed to.

Substitute for H. R. file, No. 56, A Bill for an act to provide for the refunding of the purchase money paid by purchasers of lots in Monroe city, and vacating said city;

Was read a first and second time; and,

On motion of Mr Griffith,

Referred to the Committee on Ways and Means.

Senate file, No. 110, A Bill for an act to authorize the county commissioners of Jackson county to levy a tax for the purpose of building a bridge across the Maquoketa river;

Was read a first and second time; and,

On motion of Mr Mahony,

Was indefinitely postponed.

Senate file, No. 101, A Bill for an act to establish a State road from Drakeville to Albion, in Monroe county;

Was read a first, second and third time, passed and its title agreed to.

Senate file, No. 49, A Bill for an act donating the college square in Iowa City to the Medical Department of the University of Iowa;

Was read a first and second time.

Mr Mahony moved to indefinitely postpone the bill;

And upon this question,

The yeas and nays being demanded,

The vote was as follows:

Yeas 9,

Nays 19.

Those who voted in the affirmative were,

Messrs Alexander, Baker, Elmer, Flint, Mahony, McCrary, McFarland, Weyand and Wood.

Those who voted in the negative were,

Messrs Babbitt, Betts, Collins, Evans, Gifford, Goodrell, Griffith, Jacobs, Langton, McManaman, Norton, Penny, Read, Riggs, Sales, Stephenson, Timmons and Mr Speaker.

So the bill was not indefinitely postponed.

Mr Griffith moved to refer the bill to the Committee on Public Buildings;

Which was decided in the negative.

The bill was then read a third time, passed and its title agreed to.

Senate file, No. 108, Joint Resolution for a mail route;

Was read a first, second and third time, passed and its title agreed to.

Senate file, No. 95, Preamble and Joint Resolution asking of Congress a donation of land for a military road;

Was read a first, second and third time, passed and its title agreed to.

Senate file, No. 106, A Bill for an act to lay out and establish a State road from Grandview, in Louisa county, to Bloomington, in Muscatine county;

Was read a first, second and third time, passed and its title agreed to.

Senate file, No. 111, A Bill for an act supplemental to an act to establish a branch of the State University at Fairfield;

Was read a first and second time.

Mr Collins offered the following substitute for the title of the bill:

“A Bill for an act to establish at Fairfield a branch of the State University;”

Which was adopted.

The bill was then read a third time, passed and its title agreed to.

Mr Griffith obtained leave to introduce,

H. R. file, No. 171, Joint Resolution for a mail route;

Which was read a first, second and third time, passed and its title agreed to.

Mr Baker obtained leave to introduce,

H. R. file, No. 172, Joint Resolution of thanks to the lobby members;

Which was read a first and second time.

On motion of Mr Sales,

Was laid on the table.

Mr Flint from the standing Committee on Incorporations to whom was referred Senate file, No. 70, A Bill for an act to provide for making a Railroad from Dubuque to Keokuk, reported that the committee had had the same under consideration, and instructed him to report the bill back to the House and recommend its indefinite postponement.

The question being upon concurring in the report of the committee;

And upon this question,

The yeas and nays were demanded,

And were as follows :

Yeas 12,

Nays 14.

Those who voted in the affirmative, were,

Messrs Alexander, Babbitt, Betts, Collins, Elmer, Flint, Gifford, Jacobs, Mahony, McFarland, Riggs and Weyand.

Those who voted in the negative were,

Messrs Goodrell, Griffith, Langton, McCrary, McManaman, Norton, Penny, Read, Sales, Sargeant, Stephenson, Timmons, Wood and Mr Speaker.

So the bill was not indefinitely postponed.

Mr Mahony moved to amend by striking out all except the second section ;

Which was agreed to.

Mr Bonham offered the following amendment :

(Mr Stephenson in the chair.)

Strike out all of the second section after the word "the," and insert "General Assembly of this State ;"

Which was adopted.

Mr Sales moved to strike out " — Berry," and insert " — Durham ;"

Which motion was lost.

The bill was then read a third time.

Mr Mahony offered the following as a substitute for the title of the bill :

An Act to provide for the location of lands to be donated for the construction of a Railroad from Dubuque to Keokuk ;

Which was adopted.

The bill then passed and its title was agreed to.

Mr Read obtained leave and introduced,

H. R. file, No. 173, A Bill for an act to establish the Keokuk Court of Common Pleas.

Mr Goodrell moved to dispense with the reading of the bill and order the usual number of copies to be printed ;

And upon this question,

The yeas and nays were demanded,

And were as follows :

Yeas 7,

Nays 18.

Those who voted in the affirmative were,
Messrs Alexander, Elmer, Goodrell, Mahony, McCrary, McFarland and McManaman.

Those who voted in the negative were,
Messrs Babbitt, Baker, Betts, Collins, Flint, Gifford, Griffith, Jacobs, Langton, Norton, Penny, Read, Riggs, Sales, Sargeant, Weyand, Wood and Mr Speaker.

So the motion was lost.

The bill was then read a first and second time; and,

On motion of Mr Mahony,

Was referred to the Committee on the Judiciary.

On motion of Mr Collins,

The vote taken on the passage of Senate file, No. 111, A Bill for an act to establish at Fairfield, a branch of the State University, was reconsidered.

On motion of Mr Babbitt,

The bill was referred to the gentleman from Jefferson.

Mr Griffith from the Select Committee to whom was referred Senate file, No. 113, A Bill for an act to amend an act concerning costs and fees, reported that the committee had had the same under consideration and instructed him to report the same back with the following amendment :

Add as the second section the following :

That in all cases where witnesses are required to testify in the District Courts where the State of Iowa is plaintiff, and such case or cases may be continued or taken to the Supreme Court, by writ of error or otherwise, such witnesses shall be entitled to their fees for such services at the next succeeding county commissioners court of said county;

Which amendment was adopted.

The bill was then read a third time, passed and its title agreed to.

Mr Flint, by leave of the House, introduced,

H. R. file, No. 174, A Bill for an act to re-apportion the State, and define the boundaries of Senatorial and Representative Districts therein;

Which was read a first and second time; and,

On motion of Mr Mahony,

Was made the special order of the day for Monday next, at 9 o'clock, A. M., in Committee of the Whole House.

H. R. file, No. 100, A Bill for an act to amend an act to provide for collecting revenue for State and county purposes;

Together with the amendment made by the Senate was read, and the amendment concurred in.

Mr Langton moved to take from the table,

Senate file, No. 104, A Bill for an act to establish a branch of the State University in Dubuque;

Which motion was lost.

Senate file, No. 115, A Bill for an act to establish a road from Washington to Montezuma;

Was read a first and second time; and,

On motion of Mr Jacobs,

Was referred to the Committee on Roads and Highways.

Mr Collins, from the Select Committee to whom was referred Senate file, No. 111, A Bill for an act to establish at Fairfield, a branch of the State University, reported the bill back to the House with the following amendment:

Strike out all the amendments made by the House and insert those made by the Senate;

Which amendment was concurred in.

The bill was then read a third time, passed and its title agreed to.

Senate file, No. 117, An Act supplemental to the act of February 25th, 1847,

Being the next bill in order;

On motion of Mr Goodrell,

The first reading of the bill was dispensed with; the bill was read a second time by its title; and,

On motion of Mr Goodrell,

Was referred to the Committee on Schools.

On motion of Mr Griffith,

The House adjourned to meet on Monday next, at 9 o'clock A. M.

Monday Morning, January 15th, 1849.

House met pursuant to adjournment.

H. R. file, No. 174, A Bill for an act to re-apportion the State into Senatorial and Representative districts,

Being the special order of the day, the House resolved itself into a Committee of the Whole for the consideration of the same.

Mr Langton in the chair.

And after some time spent therein, the committee rose, and by their chairman, reported the same back to the House without amendment.

Mr Babbitt offered the following amendment:

Strike out "two" in the Polk and Marion district and insert "three."

Which motion was lost.

And the bill was read a third time, passed and its title agreed to.

Mr McCrary moved to reconsider the vote on the passage of Senate file, No. 70, An Act to provide for making a railroad from Dubuque to Keokuk;

Which motion was lost.

On motion of Mr Langton,

Senate file, No. 104, An Act to establish a branch of the State University at Dubuque;

Was taken from table, and read a third time;

And upon its passage,

The yeas and nays were demanded,

And were as follows:

Yeas 26,

Nays 3.

Those who voted in the affirmative, were

Messrs Alexander, Allison, Babbitt, Betts, Bourne, Collins, Davidson, Elmer, Gifford, Langton, Mahony, McCrary, McFarland, McManaman, Norton, Penny, Read, Riggs Sales, Stephenson, Timmons, Walker, Weyand, Williams, Wood and Mr Speaker.

Those who voted in the negative were,

Messrs Flint, Griffith and Jacobs.

So the bill passed and its title agreed to.

Mr Mahony from the Committee on the Judiciary to whom was referred,

H. R. file, No. 173, A bill for an act to establish a circuit court at the city of Keokuk, submitted the following report :

The Judiciary Committee to whom was referred H. R. file, No. 173, have had the same under consideration and have instructed me to report it back to the House and recommend its indefinite postponement, for the following reasons :

1st. The object sought by the passage of the bill is the establishment of a court with concurrent jurisdiction with the district court, which your committee believe to be totally inexpedient, and as sitting a precedent, which to say the least of it, would be dangerous to follow.

Respectfully submitted,

D. A. MAHONY,

Chairman *pro tem*, Judiciary Committee.

The question being upon indefinitely postponing the bill,

And upon this question,

The yeas and nays were demanded,

And weré as follows :

Yeas 26,

Nays 3.

Those voting in the affirmative, were

Messrs Alexander, Allison, Collins, Davidson, Elmer, Evans, Flint, Gifford, Goodrell, Griffith, Jacobs, Mahony, McCrary, McFarland, McManaman, Penny, Riggs, Sales, Sargeant, Stephenson, Timmons, Walker, Weyand, Williams, Wood and Mr Speaker.

Those who voted in the negative were,

Messrs Babbitt, Norton and Read.

So the bill was indefinitely postponed.

Mr Davidson offered the following resolution :

Resolved, (the Senate concurring) That the Rev. William Patterson, President of the Iowa Annual Conference of the Methodist Protestant Church, be and he is hereby allowed to occupy the Supreme Court room in the Capitol, for the purpose of holding divine service, for the term of one year, so as not to interfere with the sittings of the Supreme Court, or other public use, to which said room now is or may hereafter be appropriated.

Which was adopted.

Mr Mahony from the standing Committee on Schools, submitted the following report:

The standing Committee on Schools, to whom was referred, Senate file, No. 117, A Bill for an act supplemental to the act of February 25th, 1847, entitled an act to provide for the management and disposition of the School Fund;

Have had the same under consideration and have had instructed me to report the same back to the House and recommend its passage.

Mr Griffith offered the following amendment to the first section: Strike out the name of "Jacob Brown, of Jefferson county," and insert the name of "Elkanah Perdew, of Lee county;"

Which was disagreed to.

Mr Babbitt moved to strike out the name of "Robert Brown" and insert "George Gillespie."

Mr Griffith moved to amend the amendment by inserting the name of "George S. Hampton;"

Which was lost;

Mr Mahony moved to amend by striking out the proviso, in the first section;

Which motion was decided in the the negative.

Mr Griffith moved to amend by striking out the name of "John M. Whittaker," and inserting "George S. Hampton;"

Which was lost.

Mr Mahony offered the following amendment to the proviso, in the first section:

"And provided further, that it shall not be necessary for said agents to report to each other the selections made by each;"

Which was disagreed to.

Mr Bourne moved to indefinitely postpone the bill;

Which was lost; and,

On motion of Mr Babbitt,

The bill was referred to the standing Committee on Schools, with instructions to report this afternoon.

The following message was received from the Senate by Mr Rockwell, their Secretary:

MR SPEAKER:

I herewith return,

H. R. file, No. 139, An Act to establish at Fairfield a branch of the State University;

H. R. file, No. 165, An Act to amend the Burlington city charter;

H. R. file, No. 155, An Act granting a right of way to William F. Coolbaugh;

H. R. file, No. 136, Joint Resolution asking a change of mail conveyance and extension of mail route;

H. R. file, No. 146, An Act to empower the mayor of Fort Madison to act as a justice of the peace in certain cases:

H. R. file, No. 161, Joint Resolution for a mail route;

H. R. file, No. 11, An Act to preserve the purity of elections;

H. R. file, No. 158, Joint Resolution asking a donation of land for the improvement of the Wabsepinnicon river;

H. R. file, No. 156, Joint Resolution for a mail route;

H. R. file, No. 152, An Act to locate a State road from Fairfield to Keokuk in Lee county;

H. R. file, No. —, An Act for the relief of Appanoose county;

H. R. file, No. 138, An Act to organize the county of Alamakee;

H. R. file, No. 160, An Act to change the location of certain roads therein named;

The same having received the signature of the President of the Senate.

I herewith present for your signature,

Senate file, No. 111, An Act supplemental to an act establishing a branch of the State University at Fairfield;

Senate file, No. 89, An Act in relation to deeds of collectors of revenue;

Senate file, No. 106, An Act to lay out and establish a State road from Grandview in Louisa county, to Bloomington in Muscatine county;

The same having passed both branches of the General Assembly and been reported as correctly enrolled.

I herewith return,

H. R. file, No. 169, An Act to amend an act to authorize general incorporations;

The same having passed the Senate with one amendment;

In which the concurrence of the House is requested.

And then he withdrew.

H. R. file, No. 170, An Act making appropriations for the pay and mileage of members, officers and printers of the General Assembly, and for other purposes ;

Together with the amendment made by the Senate, was read,
And the amendment made by the Senate was concurred in.

Senate file, No. 27, An Act concerning the election of certain officers;

Was read a third time, passed and its title agreed to.

On motion of Mr Goodrell,

The House adjourned until two o'clock P. M.

2 o'clock, P. M.

The House met pursuant to adjournment.

Mr Timmons obtained leave to introduce,

H. R. file, No. 175, A Bill for an act to accept of a grant of land that may be appropriated by Congress for the construction of a Railroad from Dubuque to Keokuk ;

Which was read a first, second and third time, passed and its title agreed to.

Mr Read, from the Committee on Ways and Means, to whom was referred, Substitute for H. R. file, No. 56, A Bill for an act to provide for the refunding of the purchase money, paid by purchasers of lots in Monroe City, and vacating said city, reported the same back without amendment and recommended its passage.

Mr Gifford moved to amend by striking out "6 per cent.," and inserting "20 per cent.;"

Which was decided in the negative.

Mr Babbitt moved to amend by inserting "10 per cent.;"

And upon this question,

The yeas and nays were demanded,

And were as follows :

Yeas 7,

Nays 18.

Those who voted in the affirmative were,
Messrs Babbitt, Flint, Gifford, McCrary, Read, Sargeant, Wey-
and.

Those who voted in the negative were,
Messrs Alexander, Betts, Bourne, Collins, Davidson, Elmer, Jacobs, Langton, Mahony, McFarland, McManaman, Penny, Riggs, Sales, Stephenson, Timmons, Williams and Mr Speaker.

So the amendment was not agreed to.

Mr Gifford moved to strike out "6 per cent.," and insert "9 per cent.;"

Which motion being put was decided in the negative.

Mr McFarland moved to strike out "6 per cent.," and insert "5 per cent.;"

Which was disagreed to.

The question being upon the passage of the bill:

And upon this question,

The yeas and nays were demanded,

And were as follows:

Yeas 21,

Nays 6.

Those who voted in the affirmative were,
Messrs Alexander, Betts, Bourne, Collins, Davidson, Flint, Jacobs, Goodrell, McCrary, McFarland, McManaman, Penny, Read, Riggs, Sales, Stephenson, Timmons, Weyand, Williams, Wood and Mr Speaker.

Those who voted in the negative were,

Messrs Babbitt, Elmer, Gifford, Langton, Mahony and Sargeant.

So the bill passed and its title agreed to.

Mr Gifford offered the following resolution:

Resolved, The Senate concurring, that each and every denomination of christians in this State shall have the use of one of the rooms in this capitol, for the purpose of holding divine service for one year;

Which was not adopted.

Mr Mahony obtained leave to introduce,

H. R. file, No. 176, A Bill for an act to repeal a part of act entitled an act making appropriations for the pay and milage of members, officers and printers of the General Assembly, and for other purposes;

Which was read a first, second and third time.

The question being upon the passage of the bill;

And upon this question,

The yeas and nays were demanded,

And were as follows :

Yeas 26,

Nays 3.

Those who voted in the affirmative, were

Messrs Alexander, Babbitt, Betts, Collins, Davidson, Elmer, Flint, Gifford, Griffith, Jacobs, Langton, Mahony, McCrary, Penny, McFarland, McManaman, Read, Riggs, Sales, Sargeant, Timmons, Walker, Weyand, Williams, Wood and Mr Speaker.

Those who voted in the negative were,

Messrs Bourne, Goodrell and Stephenson.

So the bill passed, and its title was agreed to.

Mr Collins, from the Committee on Roads and Highways, to whom was referred,

Senate file, No. 63, An Act to establish a State road therein named;

Reported the same back without amendment and recommend its passage; and,

On motion of Mr Sales,

The bill was indefinitely postponed.

Mr Griffith obtained leave to introduce,

H. R. file, No. 177, A Bill for an act supplemental to the act making appropriations for the pay and mileage of members, officers and printers of the General Assembly, and for other purposes ;

Which was read a first and second time.

Mr Babbitt moved to amend so as to allow George S. Hampton fifty dollars ;

Which was disagreed to.

Mr Stephenson moved to strike out the whole appropriation ;

And upon this question,

The yeas and nays were demanded,

And were as follows :

Yeas 11,

Nays 16.

Those who voted in the affirmative were,

Messrs Allison, Babbitt, Bourne, Goodrell, McCrary, McManaman, Penny, Stephenson, Timmons and Wood.

Those who voted in the negative were,

Messrs Alexander, Betts, Collins, Davidson, Flint, Griffith, Jacobs, Langton, Mahony, McFarland, Read, Sales, Sargeant, Weyand, Williams and Mr Speaker.

So the motion was lost.

And the bill was read a third time, passed and its title agreed to.

Mr Mahony, from the standing Committee on Schools, to whom was referred,

Senate file, No. 117, An Act supplemental to the act of February 25th, 1847, entitled, an act to provide for the management and disposition of the School Fund ;

Reported the same back without amendment and recommend its passage.

And the bill was read a third time, and the question was upon the passage of the bill ;

And upon this question,

The yeas and nays were demanded,

And were as follows :

Yeas 21,

Nays 7.

Those who voted in the affirmative were,

Messrs Alexander, Collins, Elmer, Flint, Jacobs, Langton, Mahony, McCrary, McFarland, McManaman, Norton, Penny, Read, Riggs, Sales, Stephenson, Timmons, Walker, Weyand, Wood and Mr Speaker.

Those who voted in the negative were,

Messrs Allison, Babbitt, Bourne, Davidson, Gifford, Griffith and Williams.

So the bill passed and its title was agreed to.

The following message was received from the Senate by Mr Rockwell their Secretary :

MR SPEAKER :

I herewith return,

H. R. file, No. 177, the same having passed the Senate with sundry amendments.

And then he withdrew.

On motion of Mr Read,

The amendments were concurred in.

Mr Griffith moved to take from the table,

Senate file, No. 61, Joint Resolution in relation to new territories.

Mr Weyand moved a call of the House; when,
Messrs Baker, Bourne, Burroughs, Corse, Davidson, Evans, Harrison, McFarland, Read, Timmons and Woodworth were found to be absent.

On motion of Mr Goodrell,
The further call of the House was dispensed with.
And the question being upon Mr Griffith's motion;
It was decided the negative.

The following message was received from the Senate by Mr Rockwell their Secretary :

Mr SPEAKER :

I herewith return,
H. R. file, No. 174, An Act to re-apportion this State into Representative and Senatorial districts ;
H. R. file, No. 38 ; and,
H. R. file, No. 31 ;
All of which have passed the Senate with sundry amendments.
And then he withdrew.

On motion of Mr Mahony,
The amendments made by the Senate, to H. R. file, No. 31, were concurred in.

H. R. file, No. 174, A Bill for an act to re-apportion the State into Representative and Senatorial districts ; together with the amendments made by the Senate ;

Was read, and the question being upon concurring in the amendments made by the Senate ;

And after debate,

The yeas and nays were demanded,

And were as follows :

Yeas 15,
Nays 13.

Those who voted in the affirmative were,

Messrs Alexander, Collins, Flint, Gifford, Griffith, Jacobs, Langton, Mahony, Norton, Penny, Read, Riggs, Sargeant, Walker, Weyand and Wood.

Those who voted in the negative were,

Messrs Allison, Betts, Davidson, Elmer, Goodrell, McFarland,

McManaman, Penny, Sales, Stephenson, Timmons, Williams and Mr Speaker.

So the amendments were concurred in.

H. R. file, No. 38, Together with the amendments made by the Senate, was read ;

And the amendments were concurred in.

On motion of Mr Goodrell,

The House adjourned until half past 6 o'clock, this evening.

Half past 6 o'clock, P. M.

House met pursuant to adjournment.

The following message was received from the Senate, by Mr Rockwell, their Secretary :

MR SPEAKER ;

I herewith return,

H. R. file, No. 174, An Act to re-apportion the State into Representative and Senatorial Districts ;

H. R. file, No. 70, An Act to establish a system of common schools;

Substitute for H. R. file, No. 56, An Act to provide for the re-funding of the purchase money, paid by purchasers of lots in Monroe City, and for vacating said city ;

H. R. file, No. 170, An Act making appropriations for the pay and mileage of members, officers and printers of the General Assembly and for other purposes ;

The same having received the signature of the President of the Senate ;

I also, herewith present for your signature,

Senate file, No. 117, An Act supplemental to the act of February 25th, 1847, entitled "an act to provide for the management and disposition of the school fund;"

The same having passed both branches of the General Assembly, and been reported as correctly enrolled.

And then he withdrew.

On motion of Mr Goodrell,

A committee of two was appointed to wait upon the Senate, and inform that body that the House is now ready to adjourn SINE DIE.

Messrs Goodrell and Read were appointed said committee.

Mr Goodrell, from the committee appointed to wait upon the Senate, reported that the committee had discharged their duty.

The following message was received from the Senate, by Mr Rockwell their Secretary:

MR SPEAKER:

I am directed to inform the House of Representatives that Mr Harbour has been appointed by the Senate to act in conjunction with a similar committee on the part of the House of Representatives, to wait upon His Excellency and inform him that the two Houses of the General Assembly are now ready to adjourn SINE DIE.

And then he withdrew.

Mr Read was appointed a member of the joint committee upon the part of the House to wait upon His Excellency.

Mr Bonham offered the following resolution:

(Mr McFarland in the chair.)

Resolved, That Wesley W. Garner be allowed the sum of nine dollars, for three days services as enrolling clerk of this House;

Which was adopted.

Mr Mahony offered the following resolution:

Resolved, That the thanks of this House are due and are hereby given to Wm. E. Leffingwell, John P. Foley and W. E. Saunders, Esqr's, Clerks of this House, for the prompt and faithful discharge of their respective duties;

Which was unanimously adopted.

The following message was received from the Senate, by Mr Rockwell, their Secretary:

MR SPEAKER;

I herewith present for your signature,
Senate file, No. 70, An Act to provide for making a Railroad from Dubuque to Keokuk.

I herewith return,

H. R. file, No. 166, An Act to exempt a homestead from forced sale;

The same having received the signature of the President of the Senate;

I herewith return,

H. R. file, No. 177, An Act supplemental to the act making appropriations for the pay and mileage of members, officers and printers of the General Assembly and for other purposes;

The same having passed the Senate with one amendment, in which the concurrence of the House is requested.

And then he withdrew.

H. R. file, No. 177, A Bill for an act supplemental to the act making appropriations for the pay and mileage of members, officers and printers of the General Assembly;

Together with the amendment made by the Senate; was read;

And the amendment was concurred in.

Messrs Springer and Bradley, a committee from the Senate, were announced, who informed the House that the Senate was now prepared to adjourn *SINE DIE*.

Mr Read, from the joint committee appointed to wait upon His Excellency, the Governor, reported that they had discharged that duty, and that he had no further communication to make.

The following message was received from the Senate by Mr Rockwell their Secretary :

Mr SPEAKER :

I herewith return,

H. R. file, No. 177, An Act supplemental to the act making appropriations for the pay of members, officers and printers of the General Assembly, and for other purposes;

The same having received the signature of the President of the Senate.

And then he withdrew.

Mr McManaman moved the House adjourn *SINE DIE*.

Which question being put was decided in-the affirmative.

Mr Speaker Bonham arose and said:

Before announcing the decision of the House upon this question, allow me, gentlemen, to return you my warmest thanks for the

kind and gentlemanly treatment I have received at your hands, as the presiding officer of this body.

Although we are now about to separate for our homes, yet it is with reluctance that I bid you a farewell. From our associations here, feelings have sprung up within me which time will not eradicate, or space will not soften. Whatever may be our situation hereafter, the honor you have conferred upon me, and your generous bearing toward me, will be cherished with gratitude and pride.

Farewell, gentlemen, and may a kind Providence direct you speedily to the bosom of your families and friends.

I now declare this House adjourned *SINE DIE*.

STANDING COMMITTEES.

ON WAYS AND MEANS—Messrs Read, Harrison, Goodrell, Bourne and Betts.

JUDICIARY—Messrs McFarland, Mahony, ——— Allison and Elmer.

CLAIMS—Messrs Betts, Norton, Evans, Sargeant and Burroughs.

SCHOOLS—Messrs Mahony, Langton, Sales, Goodrell and Thompson.

MILITARY AFFAIRS—Messrs Griffith, Babbitt, Woodworth, Walker and Timmons.

ENROLLED BILLS—Messrs Sargeant and Thompson.

ENGROSSED BILLS—Messrs Sales and Langton.

EXPENDITURES—Messrs Corse, Gifford, Flint, Betts and Griffith.

ROADS AND HIGHWAYS—Messrs Collins, Riggs, Alexander, Stephenson and Jacobs.

TOWNSHIP AND COUNTY ORGANIZATION—Messrs Weyand, Wood, Penny, Williams and Babbitt.

PUBLIC BUILDINGS—Messrs Harrison, McFarland, Williams, McManaman and Baker.

NEW COUNTIES—Messrs Babbitt, Wood, Jacobs, Weyand and Gifford.

AGRICULTURE—Messrs Alexander, Walker, Flint, Collins and Williams.

ELECTIONS—Messrs Langton, Corse, Davidson, Woodworth and McCrary.

INCORPORATIONS—Messrs Flint, Betts, Timmons, Babbitt and Riggs.

IMPROVEMENT OF THE DES MOINES RIVER—Messrs. Read, Elmer, Harrison, Allison and Corse.

RULES

FOR THE GOVERNMENT OF THE

HOUSE OF REPRESENTATIVES, OF THE STATE OF IOWA.

DUTY OF THE SPEAKER.

1. He shall take the Chair every day precisely at the hour to which the House shall have adjourned on the preceding day; shall immediately call the members to order, and on the appearance of a quorum, shall cause the journal of the preceding day to be read.

2. He shall preserve order and decorum, and speak to points of order in preference to other members, rising from his seat for that purpose; and shall decide questions of order, subject to an appeal to the House by any two members.

3. He shall rise to put a question, but may state it sitting.

4. Questions shall be distinctly put in this form, to wit: "As many as are of opinion that [as the question may be] say Aye;" and, after the affirmative voice is expressed, "As many as are of the contrary opinion say No. "If the Speaker doubts, or a division be called for, the House shall divide. Those in the affirmative of the question shall first rise from their seats, and afterwards those in the negative.

5. The Speaker shall have a right to name any member to perform the duties of the Chair, but such substitution shall not extend beyond an adjournment.

6. All Committees shall be appointed by the Speaker, unless otherwise specially directed by the House.

7. In all cases where the House is equally divided, the Speaker shall give the casting vote, and shall also vote on a call of the Yeas and Nays.

8. All Acts, Addresses, and Joint Resolutions shall be signed by the Speaker; and all writs, warrants and subpoenas, issued by order of the House, shall be under his hand and seal, attested by the Clerk.

9. In case of any disturbances or disorderly conduct in the lobby, the Speaker or Chairman of the Committee of the Whole House, shall have power to have the same cleared.

10. ORDER OF THE BUSINESS OF THE DAY.

After the journal is read, the following order shall govern:

1st—Petitions or Remonstrances to be offered.

2d—Resolutions and Notices to bring in bills.

3d—Reports of Committees.

4th—Bills to be introduced, of which notice has been given.

5th—Messages and Communications on the Speaker's table.

6th—Bills and Resolutions ready for a second time.

7th—Bills on their passage.

8th—Reports in possession of the House, which offer grounds for a bill, are to be taken up, in order that the bill may be ordered in.

9th—Bills or other matters before the House and unfinished the preceding day.

OF DECORUM AND DEBATE.

11. When any member is about to speak in debate, or deliver any matter to the House, he shall rise from his seat and respectfully address himself to "Mr. Speaker," and shall confine himself to the question under debate, and shall avoid personalities.

12. If any member, in speaking, or otherwise, transgress the Rules of the House, the Speaker shall, or any member may, call to order; in which case, the member so called to order, shall immediately sit down, but may be permitted, with leave of the House, to explain; and the House shall, if appealed to, decide the case, but without debate. If there be no appeal, the decision of the Chair shall be submitted to; if the decision be in favor of the member called to order, he is at liberty to proceed; if otherwise he shall not be permitted to proceed without leave of the House; and if the case require it, he shall be liable to the censure of the House.

13. When two or more members happen to rise at once, the Speaker shall name the member who is first to speak.

14. No member shall speak more than twice on the same question, without leave of the House, nor more than once until every member choosing to speak shall have spoken.

15. Whilst the Speaker is putting any question, or addressing the House, none shall walk out of, or across the House; or when a member is speaking, shall entertain private discourse; nor whilst a member is speaking, shall pass between him and the Chair.

16. No member shall vote on any question, in the event of which he is immediately and particularly interested; or in case where he was not present when the question was put, unless the Speaker again state the question.

17. Upon a division and count of the House on any question, no member without the bar shall be counted.

18. Every member, who shall be in the House when the question is put, shall give his vote, unless the House, for special reasons, shall excuse him.

19. When a motion is made and seconded, it shall be stated by the Speaker; or, being in writing, it shall be handed to the Chair and read aloud by the Clerk before debated.

20. Every motion shall be reduced to writing, if the Speaker or any member desire it.

21. After a motion is stated by the Speaker, or read by the Clerk, it shall be deemed to be in the possession of the House, but may be withdrawn by leave of the House.

22. When a question is under debate, no motion shall be received but to adjourn; to lie on the table; for the previous question; to postpone to a day certain; to commit or amend; to postpone indefinitely; which several motions shall have precedence in the order in which they are arranged; and no motion to postpone to a day certain; to commit or to postpone indefinitely, being decided, shall be again allowed on the same day, and at the same stage of the bill or proposition. A motion to strike out the enacting words of a bill shall have precedence of a motion to amend, and, if carried, shall be considered equivalent to its rejection.

23. When a resolution shall be offered, or a motion made to refer any subject, and different committees shall be proposed, the question shall be taken in the following order :

The Committee of the Whole House; a Standing Committee; a Select Committee.

24. A motion to adjourn shall always be in order, excepting when a member is speaking, or the House voting; and the motion to lie on the table, shall be decided without debate.

25. The previous question shall be in this form: "Shall the main question be now put?" It shall only be admitted when demanded by a majority of the members present; and, until it is decided, shall preclude all amendment and further debate upon the main question.

26. On a previous question there shall be no debate.

27. When a question is postponed indefinitely, it shall not be acted upon again during the session.

28. Any member may call for a division of the question, which shall be divided, if it comprehends questions so distinct that one being taken away, the rest may stand entire for the discussion of the House; a motion to strike out, being lost, shall preclude neither amendment nor a motion to strike out and insert.

29. Motions and reports may be committed at the pleasure of the House.

30. No motion or proposition on a subject different from that under consideration, shall be admitted under color of amendment.

31. When a motion has been once made and carried in the affirmative or negative, it shall be in order for any member in the majority to move for the reconsideration thereof, on the same or succeeding day, and such motion shall take precedence of all other questions, except a motion to adjourn.

32. Petitions, memorials and other papers addressed to the House, shall be presented by the Speaker, or by a member in his place, a brief statement of the contents thereof, shall verbally be made by the introducer, and shall not be debated or decided on the day of their being first read, unless where the House shall direct otherwise, but shall lie on the table, to be taken up in the order they were read.

33. A proposition, requesting information from the Governor, Secretary, or any other State officer, shall lie on the table one day for consideration, unless otherwise ordered by unanimous consent of the House; and all such propositions shall be taken up for consideration in the order they were presented, immediately after reports are called for from Select Committees, and when adopted, the Clerk shall cause the same to be delivered.

34. Any five members, if the Speaker be in the Chair, shall be authorized to compel the attendance of absent members.

35. Upon calls of the House, or in taking the yeas and nays on any question, the names of the members shall be called alphabetically.

36. No member shall absent himself from the service of the House without leave, unless he be sick or unable to attend.

37. Upon the call of the House, the names of the members shall be called over by the Clerk, and the absentees noted, after which the names of the absentees shall again be called over, and the Sergeant-at-arms shall be directed by the Speaker to compel their attendance.

38. No committee shall sit during the sitting of the House without special leave.

39. Twenty members, including the Speaker, shall constitute a quorum, and, upon the demand of any two members the Yeas and Nays shall be ordered.

40. The hour to which this House shall stand adjourned from day to day, shall be 10 o'clock A. M., and 2 o'clock P. M., unless otherwise ordered by the House.

OF BILLS.

41. Every bill shall be introduced by motion for leave or by an order of the House on the report of a committee. One day's notice, at least, shall be given of the motion to bring in a bill.

42. Every bill shall receive three several readings in the House previous to its passage; and all bills shall be dispatched in the order they were introduced, unless where the House shall direct otherwise, but no bill shall be twice read on the same day without special order of the House.

43. The first reading of a bill shall be for information; and if opposition be made to it, the question shall be, "Shall this bill be rejected?" If no opposition be made, or if the question to reject be negatived, the bill shall go to its second reading without a question.

44. Upon a second reading of a bill, the Speaker shall state that it is ready for commitment, or engrossment; and if committed, then the question shall be whether to a Select or Standing Committee, or to a Committee of the Whole House. If to a Committee of the Whole House, the House shall determine on what day; but if the bill be ordered to be engrossed, the House shall appoint the day when it shall be read a third time.

45. After a bill has been committed and reported back, it shall be considered on its second reading after the amendments of the committee have been read.

46. After the commitment and report thereof to the House or at any time before its passage, a bill may be recommitted.

47. All bills ordered to be engrossed shall be executed in a fair round hand.

48. No amendment, unless by way of rider, shall be received to any bill on its third reading.

49. When a bill shall pass, it shall be certified by the Clerk, noting the day of its passage at the foot thereof.

OF COMMITTEE OF THE WHOLE HOUSE.

50. In forming Committees of the Whole House, the Speaker shall leave his Chair, and a Chairman to preside in Committee shall be appointed by the Speaker.

51. Upon bills committed to Committee of the Whole House, the bill shall be first read throughout by the Clerk or Chairman, and then again read and debated by clauses, leaving the preamble to be last considered; after report, the bill shall again be subject to be debated and amended by clauses, before a question to engross it be taken.

52. All amendments made to an original motion in Committee shall be incorporated with the motion and so reported.

53. All amendments made to a report committed to a Committee of the Whole House, shall be noted and reported as in case of bills.

54. All questions, whether in committee, or in the House, shall be propounded in the order which they were moved, except that in filling up blanks, the largest sum and longest time shall be first put.

55. The rules of the House shall be observed in Committee of the Whole House, so far as they are applicable.

56. No standing rule, or order of the House, shall be rescinded or changed, without one day's notice being given of the motion therefor, nor shall any rule be suspended except by a vote of at least two thirds of the members present; nor shall the order of business, as established by the rules of the House, be postponed or changed, except by a vote of at least two-thirds of the members present.

57. It shall be in order for the Committee on Enrolled Bills to report at any time.

58. No bill, memorial, or joint resolution, shall be printed unless ordered by the House.

59. When any matter is referred to a Standing Committee, by motion of any member, it shall be the duty of the Chairman of such standing committee to notify such member of their time of sitting upon such matter so referred; and said member shall be permitted to confer with such committee during their consideration of such matter.

60. The following shall be the Standing Committees:

Committee on Ways and Means.

- “ “ the Judiciary.
- “ “ Claims.
- “ “ Schools.
- “ “ Military Affairs.
- “ “ Enrolled Bills.
- “ “ Engrossed Bills.
- “ “ Expenditures.
- “ “ Roads and Highways.
- “ “ Township and County Organization.
- “ “ Public Buildings.
- “ “ New Counties.
- “ “ Agriculture.
- “ “ Elections.
- “ “ Incorporations.
- “ “ Improvement of the Des Moines River.

61. The rules of Parliamentary practice comprised in Jefferson's Manual, shall govern the House in all cases in which they are applicable, and where they are not inconsistent with the standing rules of this House.

JOINT RULES OF BOTH HOUSES.

1. In every case of an amendment of a bill agreed to in one House, and dissented to in the other, if either House shall request a conference, and appoint a committee for that purpose, and the other House shall also appoint a committee to confer, such committee shall, at a convenient hour, to be agreed on by their chairman, meet and state to each other, verbally, or in writing, as either shall choose, the reason of their respective Houses, for and against the amendment, and confer freely thereon.

2. When a message shall be sent from the Senate to the House

of Representatives, it shall be announced at the door of the House by the door-keeper, and shall be respectfully communicated to the Chair, by the person with whom it may be sent.

3. The same ceremony shall be observed when a message shall be sent from the House of Representatives to the Senate.

4. All messages from one House to the other, shall be sent by the Secretary of the Senate, Clerk of the House, or their respective assistants.

5. After a bill shall have passed both Houses, it shall be duly enrolled by the Secretary or Clerk of the House in which it originated, before it shall be presented to the Governor.

6. When bills are enrolled, they shall be examined by a Joint Committee of two from the Senate and two from the House of Representatives, appointed as a Standing Committee for that purpose; who shall carefully compare the enrollment with the engrossed bills, as passed in the two Houses, and correcting any errors that may be discovered in the enrolled bills, make their report forthwith to the House in which the bill originated.

7. After examination and report, each bill shall be signed in the respective Houses; first by the Speaker of the House of Representatives, then by the President of the Senate.

8. After a bill shall have been thus signed in each House, it shall be presented by the said committee to the Governor for his approbation, it being first endorsed on the back of the roll, certifying in which House the same originated, which endorsement shall be signed by the Secretary of the House in which the same did originate, and shall be entered on the journal of each House; the said committee shall report the day of presentation to the Governor, which shall also be entered on the journal of each House.

9. All orders, resolutions and votes which are to be presented to the Governor for his approbation, shall also in the same manner, be previously enrolled, examined and signed, and shall be presented in the same manner, and by the same committee, as provided in cases of bills.

10. When a bill or resolution, which shall have been passed in one House, is rejected in the other, notice thereof is to be given to the House in which the same may have passed.

11. When a bill or resolution which has been passed in one House, is rejected in the other, it is not to be brought in during the

same session, without a notice of five days, and leave of two-thirds of the House in which it shall be renewed.

12. Each House shall transmit to the other all papers on which any bill or resolution may be founded.

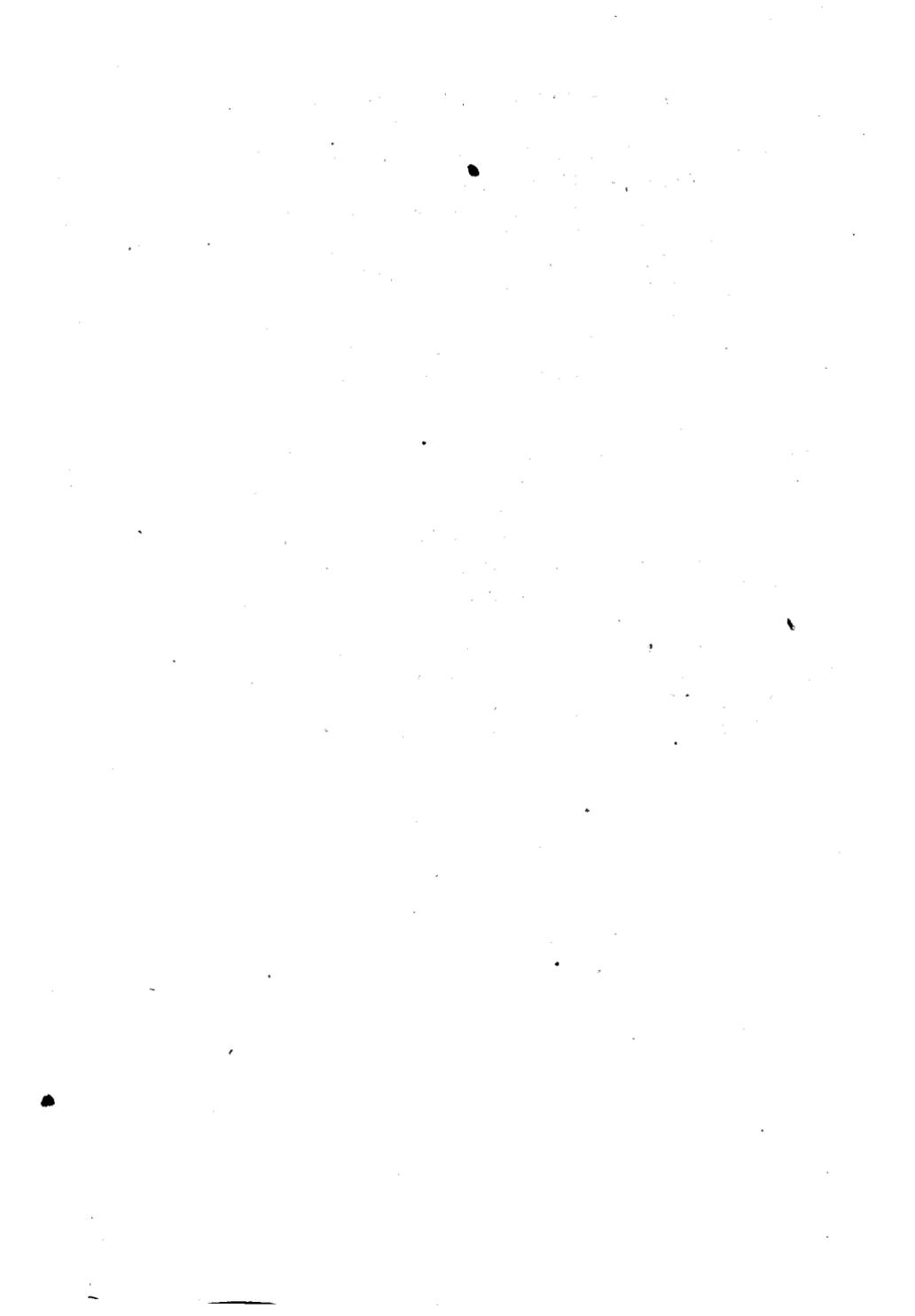
13. After each House shall have adhered to their disagreement, a bill or resolution is lost.

14. When bills which may have passed one House, are ordered to be printed in the other, a greater number of copies shall not be printed than may be necessary for the use of the House making the order.

15. All messages, reports, or other documents, presented to either House for general information, and ordered to be printed by such House, shall, when printed, be for the use of both Houses.

16. It shall be the duty of the Chief Clerk of the House, or the Secretary of the Senate, when any such document is ordered to be printed in their respective Houses, forthwith to communicate such order to the other, so that the same order may not be made in both Houses.

17. In all elections in Joint Convention of both branches of the General Assembly, the names of the members of both branches shall be arranged together in alphabetical order, and be called upon to vote in the order in which they shall stand arranged.



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