## JOURNAL

## OF'TEE

## House of Representatives

OF THE

TWENTY-SIXTH GENERAL ASSEMBLY, EXTRA SESSION.

## OF THE

## STATE OF IOWA,

Which Convened at the Capitol in Des Moines, January 19, 1897, and Adjourned July 2, 1897.


DES MOINES:
F. R. CONAWAY, BTATE PRINTER.
1897.

$$
\begin{aligned}
& J 87 \\
& 180 \\
& 1897 \\
& E \times i=0.006 .
\end{aligned}
$$

a!


## OFFICERS OF THE HOUSE.

Speaker:
hon. H. W. BYERS; Harlan.
Speaker pro tem:
hon. C. C. DOWELL, DeS Moines.
Chief Clerk:
James D. ROWEN, Des Moines.
First Assistant Clerk, - - . Sherman F. Myers, Anita.
Second Assistant Clerk, - - - Ford Howeld, Milton.
Engrossing Clerk, - - - Mrs Mollie Heist, Eldon.
Enrolling Clerk, - - - Minnie Nebergall, Hudl.
Assistant Postmistress, - - LORENA MOQUIN, Norway.
Sergeant-at-Arms, - - - J. H. Wilson, Casey.
Journal Clerk, - - - - J. M. BixLer, Corning.
Assistant Journal Clerk, - - F. W. Beckman, Manilla.
Bill Clerk, - - - - Belle Metcalf, Winthrop.
File Clerk, - - - - H. F. Burns, Osceola.
Speaker's Clerk, - - - C. R Benediot, Shelby.
Doorkeeper, - - - . . A. C. Boals, Hampton.

HOUSE OF REPRESENTATIVES.

| $\begin{aligned} & \stackrel{\leftrightarrow}{4} \\ & \text { 品 } \\ & \text { a } \end{aligned}$ | counties in digtricr. | NAMI. | P. O. ADDREEs. | ocoupation. | nativity. |  | - |
| :---: | :---: | :---: | :---: | :---: | :---: | :---: | :---: |
| 2 | Van Bu | Allen, W. S. | Birmingha | Lawyer | Iowa | 40 | 40 |
| 79 | Sioux | Bailey, C. F. | Ireton... | Farmer | Ohio |  | 51 |
| 43 | Scott | Baker, George T. | Davenport | Civil engineer and con.... | Iowa | 38 | 38 |
| 23 | Washington | Bell, W. B. | Washington | Retired manufacturer...- | Ohio | 41 | ${ }_{54}^{64}$ |
| 88 | Cerro Gordo | Bird, J. W. | Rockior ${ }_{\text {Waukron }}$ | Pharmer | Wiscons | 21 | 48 |
| 80 | Lyon and O'Brien | Brady, E. M. | Sanborn. | Hardware | Ohio | 22 | 51 |
| 48 | Linn.... | Brant, David | Cedar Kapids | Editor | India | 41 | 46 |
| 19 | Jefferson | Brighton, H. H | Fairfield | Lawyer | Ohio | 26 | 46 |
| 63 | Hamilton | Brinton, M. H | Ellsworth | Farmer and banker | Pennsylvania | 12 | E0 |
| 33 | Shelby | Byers, H. W. | Earlan | Lawyer | Wisconsi | 23 | 39 |
| 41 | Johnson | Byington, O. A. | Iowa City | Lawyer | Iowa |  | ${ }^{36}$ |
| 58 13 | Wood bury | Chapman, W. B.- | Correctionville Prescott | Farmer Farmer | Ohio | 23 | 40 |
| 51 | Marshall | Classen, J. B. | Marshallto | Farmer | Illinoib | 29 | 50 |
| 12 | Montgomery | Cook, R. E. | Red Oak | Brick and tile manufac'r.- | Illinois | $1{ }^{18}$ | 47 |
| 82 | Clay and Palo Alto..- | Cornwall, W. W. | Spencer | Lawyer....-.-. --.- --...- | Wisconsin | 6 | 39 |
| 18 | Wapello | Crow, W. G. | Eldon | Farmer-..-...---------- | Tennessee | 54 | ${ }^{69}$ |
| 30 | Cass | Davis, M. J. | Lewis | Physician and druggist... | Pennsylvania |  | ${ }_{65}^{59}$ |
| 37 | Polk | Doubleday. O. E. | Elkhart | Farmer | Indiana. |  | ${ }^{65}$ |
| 37 60 | Polk | Dowell, C. C..Early C L | Des Moin | Lawyer --...--.-......- | Ohio | 32 | 32 42 |
| .34 | Audubon | Edwards, A. H | Audubon | Farmer | Illinois | 11 | 50 |
| 5 | Wayne | Evans, H. K. | Corydon | Lawyer. | Iowa. |  | 33 |
| 76 | Humboldt \& Pocaho's | Finch, Parley | Humboldt | Lawyer | Pennsylvania | 25 | 52 |
| . 86 | Chickasaw....-.-..... | Frazee, John | Bassett | Farmer and stockman | Indiana | 44 | 55 |
|  | Page | Frink, O. H | Clarinda | County treasurer | Indiana | 26 | 49 |



HOUSE OF REPRESENTATIVES-CONTINUED.

|  | countirs in digtaict. | name. | P. O. ADDRISS. | OCCUPATION. | hativity. | 号 | $\stackrel{8}{8}$ |
| :---: | :---: | :---: | :---: | :---: | :---: | :---: | :---: |
| 77 | Buena Vista | Miller, D. C. | Newell | Farmer and banker | New York | 17 | 68 |
| 59 | Cherokee | Miller, Wireman. | Marcus | Farmer and stockman | Pennsylvania | 46 | 51 |
| 27 | Warren | Miller, J. H. | ralmyra | Farmer | Illinois | 29 | 54 |
| 65 | Grundy | Morrison, J. D. | Reinbeck | Real estate and insurance | Illinois | 22 | 46 |
| 24 | Keokuk | Morrison, John | Hedrics | Grain dealer. | Scotland | 42 | 62 |
| 20 | Henry | Mullen, W. --- | Winfiel | Farmer | Ohio | 40 | 58 |
| 48 | Linn | Nistert, H. J.- | Walker | Banker .....-.-. | Ohio... | 42 | 48 |
| 69 | Dubuque | Nolan, Thomas F. | Ballyclugh | Farmer and stockman. | Ireland |  | 57 |
| 11 | Mills | Parker, John | Silver City | Farmer and stockman. | England | 30 | 58 |
| 36 | Dallas .- | Perrott, E. G | Perry -- | Mecha |  |  | 64 |
| 31 | Appancose --- | Porter, L. L F | Oakland. | Banker | Wisconsin | 20 | 41 |
| 1 | Lee. | Power, J. T. P | Keokuk | Lawyer | Iowa | 32 | 32 |
| 7 | Ringgold | Prentiss, P. L. | Delphos | Physician | Indiana | 3 | 28 |
| 31 | Pottawattamie | Putnam, G. M. | Carson | Farmer | New Hampshir | 23 | 59 |
| 39 | Poweshie | Ray, W. G. | Grinnel | Editor and publisher | Michigan | 21 | 39 |
| 62 | Story .- | Reed, J. F. | Nevada | Teacher | Iowa | 33 | 33 |
| 17 | Monroe | Scott, D. H. | Albia | Farmer | Kentucky | 46 | 71 |
| 54 | Greene | Smith, P. A. | Scranton | Editor | Illinois | 41 | 56 |
| 85 | Floyd.- | Spaulding, E. C | Marble Rock | Farmer | Now Hampshir | 28 | 58 |
| 90 | Mitchell | St. John, R. F. | Riceville | Farmer and stockma | Illinois | 37 <br> 35 | 50 |
| 15 | Clarke | Sulivan, T. J | McGreg | Retired | Connecticut |  | 45 |
| 71 | Fayette | Thompson, J. A | Arlington | Merchant | Ohio | 42 | 42 |
| 72 | Bremer | Tibbitts, O. O.-- | Sumner | Mercha | Canada | 28 | 43 |
| 8 | Taylor- | Van Houten, G. | Leno | Lecturer | Missour |  | 49 |
| 4 | Mubuque | Voolker, C. A.--- | A dabuque | Farmer | Ohio. | 46 | 46 55 |


|  | Louisa | Weaver, H. O. | Wapello | Lawyer ..---.-...----..--- | Iowa | 30 | 30 |
| :---: | :---: | :---: | :---: | :---: | :---: | :---: | :---: |
| 38 | Jasper | Wells, N. A | Newton | Farmer and stockman. | Vermont | 41 | 43 |
| 32 | Harrison | Wheeler, J. R | Dunlap | Lumber and cosl. | New Yor | 31 |  |
| 81 | Dickinson, Emmet, and Osceola | Whelan, M. K. | Esthervi | Real estat | Ireland | 21 | 41 |
| 57 | Monona and Ida. | Whittier, Lyman | Whiting | Merehant | Massachusetts | 26 | 55 |
| 10 | Fremont | Williams, ${ }^{\text {S }}$. | Percival | Farmer | New York | 40 | 58 |
| 45 | Clinton | Wilson, J. 工. | Almont | Farmer | Iowa. | 39 | 39 |
| 28 | Madison | Wood, A. L | Winterset. | Editor and publisher. | Vermont | 26 | 33 |

## JOURNAL OF THE HOUSE.

$\left.\begin{array}{c}\text { Hall of the House of Representatives, } \\ \text { Des Moines, Iowa, Tuesday, January 19, 1897. }\end{array}\right\}$
Pursuant to the proclamation of the Governor, convening the Twenty-sixth General Assembly in extra session, the House was called to order by Speaker Byers, at 10 A. m.

Prayer was offered by Rev. Joshua Jester.
Upon motion of Mr. Dowell, James D. Rowen was made temporary Chief Clerk.

The roll was then called to ascertain if there was a quorum present, with the following result:

Messrs. Allen, Bailey, Baker, Bell, Bird, Bowen, Brady, Brant, Brighton, Brinton, Byington, Clark, Classen, Cook, Cornwall, Crow, Davis, Doubleday, Dowell, Early, Edwards, Evans, Finch, Frazee, Frink, Funk, Garner, Good, Griswold, Grote, Gurley, Haugen, Hauger, Hazen, Hendershot, Hinkhouse, Hinman, Hunt, Huntley, Jackson, Jay, Johnson of Webster, Johnston of Franklin, Klemme, Ladd, Lambert, Lauder, Lavender, Loomis, Lowry, McAchran, McArthur, McDonald, McDowell, McNulty, McQuin, Manahan, Marti, Martin, Mayne, Merriam, Miller of Buena Vista, Miller of Warren, Morrison of Grundy, Morrison of Keokuk, Mullin, Nietert, Nolan, Parker, Perrott, Porter, Potter, Power, Prentis, Putnam, Ray, Reed, Scott, Smith, Spaulding, St. John, Sullivan, Temple, Thompson, Tibbitts, Van Houten, Watters, Weaver, Wells, Wheeler, Whelan, Whittier, Williams, Wilson, Wood, Mr. Speaker-96.

Absent:
Messrs. Chapman, Miller of Cherokee, Voelker - 3.
Mr. Funk moved that Mr. James D. Rowen be made perma nent Chief Clerk of the House.

The roll was then called.
Those voting for Mr. Rowen were:
Messrs. Allen, Bailey, Baker, Bell, Bird, Bowen, Brady, Brant, Brighton, Brinton, Byington, Clark, Classen, Cook,,

Cornwall, Crow, Davis, Doubleday, Dowell, Early, Edwards, Evans, Finch, Frazee, Frink, Funk, Garner, Good, Griswold, Grote, Gurley, Haugen, Hauger, Hazen, Hendershot, Hinkhouse, Hinman, Hunt, Huntley, Jackson, Jay, Johnson of Webster, Johnston of Franklin, Klemme, Ladd, Lambert, Lauder, Lavender, Loomis, Lowry, McAchran, McArthur, McDonald, McDowell, McNulty, McQuin, Manahan, Marti, Martin, Mayne, Merriam, Miller of Buena Vista, Miller of Warren, Morrison of Grundy, Morrison of Keokuk, Mullin, Nietert, Nolan, Parker, Perrott, Porter, Potter, Power, Prentis, Putnam, Ray, Reed, Scott, Smith, Spaulding, St. John, Sullivan, Temple, Thompson, Tibbitts, Van Houten, Watters, Weaver, Wells, Wheeler, Whelan, Whittier, Williams, Wilson, Wood, Mr. Speaker-96.

Absent or not voting:
Messrs. Chapman, Miller of Cherokee, Voelker-3.
Mr. Rowen was declared duly elected Chief Clerk, and the oath of office was administered by the Speaker.

Mr. Funk offered the following resolution and moved its adoption:

Resolved, That the following named persons be elected as the permanent officers for the House of Representatives of the extra session of the Twenty-sixth General Assembly, viz: Sherm F. Myers, First Assistant Clerk; Ford Howell, Second Assistant Clerk; Mrs. Mollie Heist, Engrossing Clerk; Minnie Nebergall, Enrolling Clerk; John M. Bixler, Journal Clerk; F. W. Beckman, Journal Clerk; Belle Metcalf, Bill Clerk; H. F. Burnes, File Clerk; J. H. Wilson, Sergeant at Arms; A. C. Boals, Chief Doorkeeper; Lorena McQuin, Assistant Postmistress; J. Heffelfinger, Assistant Doorkeeper; B. S. Harriman, Assistant Doorkeeper; W. H. Doane, Assistant Doorkeeper; Henry Johnson, Assistant Doorkeeper; R. Blizzard, Assistant Doorkeeper; A. C. Guston, Assistant Doorkeeper; R. M. Boyd, Assistant Doorkeeper; G. W. Smith, Assistant Doorkeeper; Clark H. Harris, Janitor; Nate Middleton, Janitor; Ed. Goode, Janitor; Geo. Stovall, Janitor; Dwight French, Speaker's Page; Geo. M. Rowen, Chief Clerk's Page; Pearl Tibbitts, Page; W. P. Murphy, Page; Harold Maysent, Page; Alvah Miller, Page; Jessie Danforth, Page; Fay Ashley, Page; Pearl S. Doane, Page; Ella Potts, Page; Fred Allen, Page, and that the organization in all other respects remain as at the regular session, save that thirteen members be added to each division of the Code Revision Committee, making each of said divisions comprise twenty members.

Mr. McNulty moved to amend by substituting the name of Mr. P. D. Brown in place of Geo. Stovall as Cloak Room Janitor.

Lost.

Mr. Parker moved to amend by substituting the name of Mr. Earhart for Mr. Geo. W. Smith as Doorkeeper.

Lost.
Mr. Huntley moved that Mr. Smith's name as Dcorkeeper be omitted, and the place be left vacant.

Lost, by a vote of 34 yeas to 40 nays.
The original resolution was then adopted.
The newly elected officers of the House then assembled in front of the Speaker's desk and received the oath of office as administered by Speaker Byers.

Mr. Evans offered the following resolution, and moved its adoption:

Whereas, The duties of the Chief Clerk will be particularly exacting and arduous during the present session, and

Whereas, A stogographer will materially assist him in expediting the business of the Ho

Therefore, be it ${ }^{3}$ to appoint a stend compensation as a d, That the Chief Clerk of this House be authorized momittee clerk.
The resolution was laid over under rule 34.
The following committees were appointed as the Code Committees:
code revision committee, division number 1.
Temple, M. L., Chairman, of Clarke; Griswold, H. J., of Buchanan Reed, J. F., of Story; Brighton, H. H., of Jefferson; Lauder, J. W., of Union; Nietert, H. J., Linn; Hayes, Walter I., Clinton; Cook, R. E., Montgomery; Wells, N. A., Jasper; Miller, Wireman, Cherokee; Chapman, W. B., Woodbury; Clark, J. M., Adams; Classen, J. B., Marshall; Doubleday, O. E., Polk; Bailey, C. F., Sioux; Frink, H. O., Page; Lambert, Thos., Jackson; McDowell, J. P., Iowa; Van Houten, Geo., Taylor; Ladd, W. G., Butler.
code beyision committere, division number 2.
Allen, W. S., Chairman, of Van Buren; Cornwall,W.W., of Clay; Haugen, G. N., of Worth; McArthur, W. C., of Des Moines; St. John, R. T., of Mitchell; Whelan, M. K., of Emmet; Manahan, F. B., of Plymouth; Hendershot, I. B., of Marion; Baker, George, of Scott; Hunt, W. B., of Des Moines; Mullin, Washington, of Henry; Byington, O. A., of Johnson; Brady, E. M., of O'Brien; Davis, M. J., of Cass; Thompson, J. A., of Fayette; Jay, John, of Carroll; Perrott, E. G., of Dallas; McDonald, M., of Guthrie; Voelker, Chris., of Dubuque; Putnam, G. M., of Pottawattamie.

## code bevibion committee, division nember 3.

Finch, Parley, Chairman, of Humboldt; Morrison, John, of Keokuk; Gurley, Z. H., of Decatur; Evans, H. K., of Wayne; McNulty, Francis, of Woodbury; Wood, A. L., of Madison; Lavender, J. F., of Calhoun; Brant, David, of Linn; Edwards, A. H., of Audubon; Nolan, Thomas, F., of Dubuque;

Good, J. L., of Boone; Grote, J. F., of Crawford; Hazen, J. B., of Lee; Hinkhouse, R. W., of Cedar; Jackson, A. E., of Tama; Johnson, J P., of Webster; Bird, J. W., of Cerro Gordo; Crow, W. G., of Wapello; Whittier, Lyman, of Monona; Bowen, D. H., of Allamakee.

Code revibion committee, divibion number 4.
Brinton, M. H., Chairman, of Hamilton; Johnston, C. F., of Franklin; Dowell, C. C., of Polk; Funk, J. H., of Hardin; Ray, W. G., of Poweshiek; Morrison, J. D., of Grundy; Porter, C. R., of Appanoose; Garner, J. A., of Mahaska; Hauger, W. E., of Black Hawk; Hinman, S. N., of Wright; Huntley, L. D., of Lucas; Loomis, A. M., of Jones; McAchran, W. H., of Davis; Scott, D. H., of Monroe; Parker, John, of Mills; Power, J. T. P., of Lee; Sullivan, T. J., of Clayton; Wheeler, J. R., of Harrison; Williams, S., of Fremont.

## CODE REVISION COMMITTEE, DIVISION NUMBER 5.

Weaver, H. O., Chairman, of Louisa; Mayne, Samuel, of Kossuth; Early, Chas. L., of Sac; Bell, W. B., of Washington; Tibbitta, O. O., of Bremer; Martin, W. B., of Adair; Potter, L. F., of Pottawattige; Lowry, J. J., of Howard; Klemme, W. H., of Winneshiek; McQuin, $F$ of Benton; Miller, D. C., of Buena Vista; Miller J. H., of Warren; Fra Chn, of Chickasaw; Prentis, P. L., of Ringgold; Merriam, Frank, of D vare; Smith, P. A., of Greene; Spaulding, E. C., of Floyd; Marti, Chris., of Scott; Watters, H. B., of Muscatine; Wilson, J. L., of Clinton.

Mr. Morrison of Keokuk moved that a committee of three be appointed to notify the Governor that the House is organ. ized and ready for any communication which he may have to make to them.

Also, that a committee of three be appointed to notify the Senate that the House is organized.

Adopted.
The Speaker appointed as a committee to notify the Governor, Messrs. Morrison of Keokuk, Clark and Lowry.

Also, as the committee to notify the Senate, Messrs. Scott, Cook and Jackson.

Mr. Wilson offered the following resolution:
Whereas, N. A. Merrell, of Clinton county, who was a member of this House at the last regular session in the Twenty-sixth General Assembly, has recently departed this life, therefore be it

Resolved, That the Speaker appoint a ecmmittee to draft and report to this House such resolutions as will fittingly commemorate the life and public services of the deceased.

## Adopted.

The Speaker appointed as such committee, Messrs. J. L. Wilson, P. A. Smith, W. B. Bell.

Mr. Manahan offered the following resolution, and moved its adoption:

Resolved, That the Sergeant-at-Arms be requested to arrange the curtains of the House chamber and windows so that the light will be admitted from the top.

Adopted.
The committee to notify the Senate relative to House organization, reported duty performed and were discharged.

Committee from the Senate appeared to inform the House that the Senate was organized and ready to receive any communications which the House may have to make.

The committee to notify the Governor that the House was organized, reported duty performed and were discharged.

Mr. Cornwall offered the following resolution and moved its adoption:

Resolved, That the committee on the distribution of the proposed Code Revision of the regular session of the Twenty-Sixth General Assembly be instructed to reintroduce the same into this House, making the same distribution of said work among the subdivisions of the Code Committee as was made at the regular session.

The following communication from the Governor was then received:

$$
\left.\begin{array}{c}
\text { STATE OF IOWA, } \\
\text { Executive OFFICE, } \\
\text { Dhs Moines, January } 19,1897 .
\end{array}\right\}
$$

Mr Speaker - I am instructed by the Governor to present to the honorable, the House of Representatives, a communication in writing, together with sundry reports.

W. S. Richards, Acting Private Secretary.

## MESSAGE.

To the General Assembly of the State of Iowa:
The span of years allotted to a generation has passed away since last the General Assembly of Iowa was called together in extraordinary session. Fortunately, no questions so momentous and all-pervading as those which confronted the people and their representatives at that session, and the called session of the year preceding, are now dominant in the public mind. Then the life of the Nation was in peril. Multiplied thousands of Iowa's brave men were absent from their homes contending for the life and the integrity of the republic. Members and people were alike oppressed with anxiety for both country and loved ones; for the later session was held at the darkest hour of the conflict.

Now, in a time of peace, with the fearful struggle of those days long since closed and closed aright, you are assembled to pass in review the statutes of the commonwealth, and to put in concise form the laws which
are to begin to have force substantially with the commencement of the state's second half century.

A learned and industrious commission has prepared a revision of existing statutes, and put them, with such changes and modifications as to the commission seemed advisable, in codified form, in which shape the result of their labors has been before you for more than a year. An opportunity has thus been afforded the members of the General Assembly, and to some extent the people at large, to familiarize themselves with the new measures proposed, with the enactments the omission of which is contemplated, with the amendments which are suggested to existing statutes, and with the form which it is proposed to give the body of our statute laws. Therefore, the members of the General Assembly come together prepared, I doubt not, with the aid of the mature deliberation they have been enabled to give to the work, promptly to expedite the business for which the session has been called.

It is gratifying to know that many of the existing laws of this commonwealth have been so founded in wisdom as to commend themselves to statesmen and publicists of not only our sister states, but other lands. Our state officers receive not a few testimonials to this effect. I may mention the legislation pertaining to railroads, to insurance, to dairy interests, and to oil inspection. Let us hope that the matters you have in hand will show a still stronger development of legislation thus found to commend itself.

During the year past, our public institutions were visited by an unusual number of casualties through the power of the elements. On the 27th day of March, a severe rain storm did extensive damage to roofs at the School for the Deaf. The repairs necessitated a draft on the appropriation made for " providential contingencies," amounting to $\$ 397.03$.

On the 11th day of August the oldest building at the Anamosa penitentiary was destroyed by fire. It contained the dining room, kitchen, chapel and library. The damage amounted to $\$ 13,200$. The departments destroyed were furnished with temporary quarters, and nothing has been drawn from the appropriation on account of this disaster. It will not improbably, however, call for action on your part.

On the 21st day of the same month a tornado took off the roof of a wing of the main building of the Normal school and otherwise injured the structure, inflicting damage the repairment of which cost $\$ 541$. Again on the 29th day of the same month, lightning struck the main building of the Institution for Feeble Minded Children at Glenwood, set it on fire, and notwithstanding the extraordinary efforts on the part of the officers and employes, the citizens of Glenwood, and the fire department of Council Bluffs, the edifice was destroyed, except the foundation walls and a portion of the walls of the west wing. Most of the contents of the building were likewise destroyed. A contiguous structure belonging to the institution was also damaged by water, and the rain considerably injured other property which had been removed from other buildings in apprehension of their destruction. The damage done was the most extensive ever suffered by any institution in the State. The building itself had cost, with its contents, rather more than a $\$ 100,000$, and the whole damage is estimated at $\$ 125,000$.

An extraordinary emergency therefore confronted the Board of Trustees. The dining room, kitchen, school department, the rooms of seventy-five employes, and those of seventy children had disappeared. It should be remembered that prior to the catastrophe the institution was crowded beyond its capacity, and now a large part of the facilities which before were thus inadequate was gone. The members of the Board came before the Executive Council and represented the situation in which they were placed. The appropriation for meeting providential contingencies amounted to only $\$ 10,000$, of which sum several hundred dollars had already been expended, and it was manifest that there was not enough of that appropriation remaining to provide for any considerable part of the repairs absolutely indispensable for the maintenance of the institution. It was, moreover, clearly a matter of economy for steps to be taken to preserve the yet standing walls which it was believed could be utilized in rebuilding. The Executive Council, feeling that an occasion had arisen for which adequate provision had not been made, unanimously determined to take the responsibility of authorizing the expenditure of $\$ 25,000$, and afterwards of $\$ 15,000$ more, in the work of rebuilding; the same being thought to be imperatively necessary for the maintenance of the institution and the preservation of the State's property. For this action on the part of the Executive Council I ask the approval of the General Assembly. A special report of the Trustees of said institution and Dr. Powell, its Superintendent, is herewith submitted.

Fortunately, none of the calamities recited were attended with loss of life, or even personal injury This will be regarded as the more remarkable when it is taken into consideration the kind of unfortunates that are being cared for in the institution at Glenwood.

The State long since ceased paying premiums of insurance upon its property. Indeed, it never did pay out much for such purpose. But, the need of some sort of provision for meeting the contingencies of fire and other elemental disasters becoming manifiest, the General Assembly began several years ago the practice of making an appropriation for "providential contingencies." I find that the amount thus appropriated, down to the present time, aggregates $\$ 134,000$, while there is a total of drafts on these appropriations amounting to $\$ 63,678.19$, making the excess in amount appropriated over the expenditures $\$ 70,321.81$. Had the appropriations been cumulative as the first ones were, the unexpended balance of each appropriation being good for succeeding terms, there would have been, as appears above, a sum ample for making all the repairs at Glenwood that could not wait for the meeting of the General Assembly. In view of the experience of last year, $I$ submit that prudential considerations require that the State should purchase insurance for its property, or else that provision be made either for the establishment of an insurance fund, or for the adoption of other adequate provision to meet extraordinary emergencies.

I would also recommend a consideration of the propriety of making all State edifices hereafter constructed substantially fire proof. This, while lessening the risk, would obviate the danger of horrors such as have befallen public institutions-none of them, fortunately, in our own State.

A report made to me by the Auditor of State, which is herewith submitted, makes an unpleasant showing of the finances. It appears that, owing to drafts, amounting to $\$ 569,259.18$ on the special appropriations made at the regular session of the present General Assembly, there was a net floating indebtedness on the second day of the present month of \$397,075.70 , there being $\$ 593,459.10$ of warrants outstanding, with $\$ 196,383.40$ of cash in the treasury. The Auditor estimates that the receipts for the current year will be $\$ 2,137.445 .68$, and that the ordinary expenditures will be $\$ 1,723,086.34$, while there may be drawn during the year $\$ 519,968.07$ of the remaining special appropriations made at the last session. Should they all be drawn, which, however, is not probable, the indebtedness at the close of the present year will be in the neighborhood of $\$ 500,000$.

In view of this showing, I recommend that all of last session's special appropriations, any part of which is yet undrawn, be reviewed by the General Assembly, and wherever the same can be done without injury, the expenditure be deferred until the year 1898. And similar examination into all public expenditures might be made, with a view to reduction wherever practicable. Thus may be effectively inangurated a movement which shall lead eventually to the cancellation of all indorsed warrants, and, let me express the hope, to an abandonment of the practice of indorsing warrants "not paid," a practice not in conformity with sound business principles, even in the matter of running into debt.

On the 29th day of June last, I received the resignation of Hon. A. T. Meservey as a member of the Board of Trustees of the Agricultural College for the Eleventh Congressional District. Upon being advised that the Board had elected as Mr. Meservey's successor, the Hon. Hiram C. Wheeler, of the county of Sac, I issued eommission to that gentleman to hold, as provided by the statute, until the next meeting of the General Assembly. It is now incumbent upon you to elect a Trustee for the remainder of the unexpired term.

It is unnecessary for me to remind the General Assembly that the people of the state are expecting the session to be of brief duration, and I doubt not that you are, as their representatives, in full sympathy with that feeling. Permit me to express the hope that your deliberations will eventuate in a Code of Laws that will give satisfaction to the people, while it will anew commend the legislation of this great Commonwealth to approval beyond our borders.

January 19, 1897.
F. M. Drake.

## REPORT OF AUDITOR.

$$
\left.\begin{array}{l}
\text { STATE OF IOWA, } \\
\text { Office OF AUdItor OF State, } \\
\text { Des Moines, January 14, } 1897 .
\end{array}\right\}
$$

Hon. F. M. Drake, Governor:
Dear Sir-Complying with your request of the 13 th inst., for a financial statement, I have the honor to submit herewith a statement of the receipts and disbursement from January 4,

1896, io January 2, 1897, inclusive; also a statement showing warrants outstanding January 4, 1896, and amount of warrants issued to January 2, 1897; the amount of warrants outstanding and unpaid January 2, 1897; cash in treasury on said date and deficit January 2, 1897; also a statement showing the estimated receipts and expenditures for the year 1897, with probable deficitJan'y 1, 1898. Also a statement giving the extraordinary appropriations made by the Twenty-sixth General Assembly; the amount available, or that might be drawn in 1896, and the amount of warrants so drawn in the year 1896. It may be observed that while the amount of appropriations available for 1897 may be drawn during the year, it is probable that all of the appropriations will not be drawn. To the extent of this saving, the aggregate amount of deficit will be reduced correspondingly; but it was thought advisable to give the amounts in full, as the law gives the institutions the right to expend these sums, if necessary.

All of which is respectfully submitted,

> C. G. MCCARTHY,
> Auditor of State.

## RECEIPTS FROM JANUARY 4, 1896, TO JANUARY 2, 1897, INCLUSIVE.

From state tax, $2 \frac{1}{2}$ mills ..... $\$ 1,361,724.65$
From interest on delinquent taxes ..... 15,107.99
From insane dues from counties ..... 368,541.72
From college for the blind, from counties ..... 850.24
From Iowa school for the deaf from counties ..... 1,309.24
From feeble-minded children institution, from counties ..... 7,709. 16
From orphans' home, from counties ..... 19,647.05
From peddlers' licenses, from counties ..... $1,480.40$
From sale of laws, from counties ..... 129.50
From insurance companies for taxes ..... 124,128.62
From auditor of state for fees ..... 34,215.50
From auditor of state for fees, building and loan. ..... 880.00
From clerk supreme court for fees. ..... 2,456.20
From oil inspector for fees ..... 3,202.11
From secretary of state for fees ..... 12,722.83
From superintendent of public instruction for fees ..... 884.00
From telegraph companies for taxes. ..... $15,505.48$
From telephone companies for taxes ..... 4,935.00
From United States, aid soldiers' home. .....  $\$$ ..... 47,868.27
From custodian's sales ..... 89.30
From dairy commissioner's licenses ..... 566.00
From pharmacy commissioner's licenses. ..... 1,677.90
From sale geological reports. ..... 15.07
From secretary of state, sale of typewriter ..... 3000
From O'Brien county land sale. ..... 647.97
From refunds from soldiers' home. ..... $14,955.65$
From refund from Mount Pleasant hospital ..... 1,500.00
From refund from Hon. J. T. P. Power, mileage. ..... 5.10
From interest on Lyon county land sale, notes ..... 1,057.68
Total . $\$ 2,033,842.63$
Cash in treasury January 4, 1896. . . \$ 38,648.02
Cash received to January 2, 1897. . . 2,033,842 63
Total cash $\$ 2,072,490.65$
Warrants redeemed same time .....  \$1,872,228.32
Interest paid on same ..... 3,878.93
$1,876,107.25$
Bal. in treasury January 2, 1897 \$ 196,383.40
Warrants outstanding January $4,1896 \$ 33,061.41$Warrants issued to January 2, 1897. 2,432,626.01
Total warrants. ..... $\$ 2,465,687.42$
Warrants redeemed. ..... 1,872,228.32
Warrants outstanding January 2, 1897. ..... \$ $593,459.10$
Cash in treasury January 2, 1897 ..... 196,383.40
Deficit January 2, 1897 .....  $\$ 397,075.70$
expenditures from january 4, 1896, to january 2, 1897,
INCLUSIVE.
Adjutant-General's salary ..... $\$ 1,500.00$
Attorney-General's salary ..... 1,500.00
Attorney-General, per diem and expenses ..... 1,864.35
Attorney-General, clerks' fund ..... 1,515.00
Attorney-General, legal assistance ..... 1,580.00
Auditor of State's salary ..... 2,200.00
Deputy Auditor of State's salary. ..... 1,500.00
Auditor of State, executive council. ..... 500.00
Auditor of State, clerks' fund. ..... 7,112.58
Clerk supreme court, salary ..... $\$$
2,200.00
Clerk supreme court, deputy's salary. ..... 1,500.00
Clerk supreme court, clerks' fund ..... 1,664.00
Labor Commissioner's salary ..... 1,500.00
Labor Commissioner, deputy's salary ..... 691.68
Labor Commissioner's expenses ..... 688.66
Pharmacy Commissioner's enforcement fund ..... 869.01
Custodian's salary ..... 1,500.00
Custodian's expenses ..... 31,644.38
Dairy Commissioner's salary ..... 1,500.00
Dairy Commissioner's expenses ..... 3,642.53
District judges' (51) salaries ..... 124,687.71
Fish Commissioner's salary. ..... 1,200.00
Fish Commissioner's expenses ..... 3,374.14
Governor's salary and rent ..... 3,600.00
Governor, executive council ..... 500.00
Governor, private secretary's salary ..... 1,500.00
Governor, contingent fund ..... 5,136.44
Janitors' salaries ..... 9,960.00
Librarian's and assistant librarians' salaries ..... 2,700.00
Mine Inspectors' salaries ..... 3,600.00
Mine Inspectors' expenses. ..... 1,623.75
Mine Inspectors clerk's fund ..... 1,002.00
Mine Inspectors' board of examiners. ..... 325.20
Oil Inspectors' salary ..... 2,000.00
Railroad Commissioners' and secretary's salaries. ..... 10,620.96
Railroad Commissioners' expenses ..... 4,495.43
Secretary of State's salary ..... 2,200.00
Secretary of State, deputy's salary. ..... 1,500.00
Secretary of State, executive council ..... 500.00
Secretary of State, clerks' fund ..... 6,239.00
Secretary of State, clerk land office ..... 1,200.00
Superintendent of Public Instruction's salary ..... 2,200.00
Supt. of Public Instruction, deputy's salary ..... 1,500.00
Supt. of Public Instruction, clerks' fund. ..... 2,083.16
Supt. of Public Instruction, traveling expenses ..... 250.00
Superintendent Public Weights and Measures ..... 20.83
Supreme judges' salaries ..... 24,000.00
Supreme court contingent fund ..... 1,310.42
Supreme court reporter's salary and special appro- priation, Raymond $\$ 700$, and Salinger $\$ 1,300$ ..... 2,000.00
Treasurer of State's salary ..... 2,200.00
Treasurer of State, deputy's salary ..... \$ 1,500.00
Treasurer of State, executive council. ..... 500.00
Treasurer of State, clerk's fund. ..... 1,986.60
Veterinary surgeons ..... 3,001.52
Agricultural college financial agent's salary and expense ..... 1,926.14
Agricultural college trustees ..... 3,147.00
Agricultural societies ..... 21,632.25
Arrest of fugitives ..... 5,045.95
Blind college, clothing ..... 1,007.80
Blind college, support. ..... 27,140.1 0
Blind college, trustees ..... 1,247. 24
Blind industrial home trustees. ..... 974.55
Binder ..... 30,075.55
Board of educational examiners ..... 600.00
Board of health ..... 4,943.25
Code commissioners. ..... 57.06
Deaf school support. ..... 64,C85.00
Deaf school trustees ..... 917.20
Des Moines river lands. ..... 1,131. 32
Farmers' institutes ..... 2,439.09
Feeble minded children institution, clothing ..... $8,048.55$
Feeble minded children ordinary expenses. ..... 22,000.60
Feeble minded children support. ..... 62,020.00
Feeble minded children trustces. ..... 906.80
Geological survey ..... 5,067.11
Geological expenses ..... 3,362.69
Historical collection. ..... 5,450.10
Historical society ..... 1,000.00
Horticultural society ..... 2,500.00
Cherokee hospital commissioners ..... 1,811.77
Clarinda hospital support. ..... 111,990.00
Clarinda hospital trustees ..... 2,262.35
Independence hospital support. ..... 200,634.00
Independence hospital trustees ..... 824.23
Mount Pleasant hospital support ..... 188,790.00
Mount Pleasant hospital trustees ..... 924.34
Industrial schools support. ..... 72,750.00
Industrial schools trustees ..... 408.43
Non-resident insane ..... 822.05
Interest on school fund loans ..... 577.58
Weather service ..... 2,699.91
University endowment ..... 20000.00
University support. ..... 39,250.00
University board regents ..... 2,273.76
Library books ..... 4,044.32
Library repairs ..... 500.00
Militia. ..... 43,267.06
Miscellaneous expenditures ..... 63,816 99
Normal school salary-Chap. 102-92 and 148-94 ..... 20,250.00
Normal school contingent and repair-Chap. 102 $92, \$ 3,000 ; 137-96, \$ 8,000$ ..... $11,000.00$
Normal school trustees ..... 1,414.40
Orphans' home, support soldiers' orphans ..... 31,277.66
Orphans' home, support indigent children ..... 18.645 .88
Orphans' home, trustees ..... 662.61
Penitentiary at Anamosa, officers and guards ..... 48,324.29
Penitentiary at Ansmosa, support. ..... 67,117.76
Penitentiary at F't. Madison, officers and guards ..... 37,288.60
Penitentiary inspection ..... 67.63
State printer ..... 42,631.36
Providential contingencies ..... 1,920.23
Railroad prosecution ..... 272.10
Relief of Hull. ..... 240.00
Relief of Metz ..... 240.00
Reward for murderer ..... 300.00
Stationery account ..... 1,084.71
Soldiers' home, salary ..... 13,600.00
Soldiers' home, support ..... 72,620.00
Special appropriation, Twenty-fourth General Assembly ..... 70.00
Teachers' institutes ..... 4,950.00
Twenty-sixth General Assembly, members' salaries ..... 82,775.00
Twenty sixth General Assembly, members' mileage ..... 2,133.35
Twenty-sixth General Assembly, visiting Commit- tees ..... 766.00
Twenty-sixth General Assembly, officers' salaries. ..... 46,870.50
Commission to investigate insanity ..... 21.50
Agricultural College improvement and experimentation- On chap. 67-1-80 ..... 973.25
On chap. 78-1-82 ..... 2,088.02
On chap. 126-1-88 ..... 910.06
On chap. 145-1-94. ..... 11,260.19
On chap. 127-1-96. ..... $18,958.20$
Total$\$ 34,189.72$
Blind College improvements-
On chap. 148-1-94. $\$ \quad 645.06$
On chap. 146-1-96. ..... $5,744.53$
Total ..... 6,389.59
Blind Industrial Home, support, chap. 38-1-96 ..... 10,50000
Benedict Home-
On chap. 154-1-94. ..... $\$ 1,296.42$
On chap. 157-1-96. ..... 2,515.15
Total ..... 3,811.57
Deaf School improvements-chap. 129-1-96 ..... $12,100.00$
Feeble Minded institution-
On chap. 140-1-94. ..... $\$ \quad 987.50$
On chap. 145-1-96. ..... 56,200.00
Tota] ..... 57,187.50
Cherokee Hospital for Insane-
On chap. 186-94. ..... $\$ 50,000.00$
On chap. 140-96. $24,956.93$
Total ..... 74,956.93
Clarinda Hospital improvement-On chap. 141-1 -96 ..... $99,649.25$
Independence Hospital improvement- On chap. 134-1-94. ..... $\$ \quad 552.70$
On chap. 143-1-96 ..... 9,650.00
Total ..... $10,202.70$
Mt. Pleasant hospital improvement-
On chap. 135-1-94. .....  8450.00
On chap. 142-1-96. ..... $24,550.00$
Total ..... $25,000.00$
Industrial school for boys, improvement-On chap. 132-1-96 ..... $6,150.00$
Industrial school for girls, improvement-On chap. 133-1--96 ..... $14,700.00$
Iowa state university, improvement-
On chap. 152-94 and previous years. $\$ 5,433.85$
On chap. 144-2-96. . . . . . . . . . . . . . . . 7,009.59

Total
$\$ 12,443.44$
Library, circulating, 49-8-96; total appropriation

4,000.00
Soldiers' monument, 70-92. . . . . . . . . . . . . . . . . . . . . . . 19,140.19
New Orleans exposition, on chap. $170-86$ 100.00

Normal school improvement-
On chap. 102-92 and 148-94. . . . . . $\$$ \$ $1,300.00$
On chap. 137-96. . . . . . . . . . . . . . . . . . 3,500.00
Total
4,800.00
Normal school teachers-On chap. 137-96. . . . . 3,250.00
Orphans' home improvement-
On chap. 96 and 97-92 and 138-94..\$1,832.78
On chap. 131-96. . . . . . . . . . . . . . . . . . 8,936.60
Total.
$10,769.38$
Penitentiary at Anamosa, building-
On chap. 149-94.
$\$ 5,490.58$
On chap. 134-96. . . . . . . . . . . . . . . . . . . 19,121.07
Total. . . . . . . . . . . . . . . . . . . . . . .
entiary at Anamosa, escaped convicts,
Penitentiary at Anamosa, escaped convicts, 167-84
95.70

Penitentiary at Anamosa, transportation-
On chap. 149-94... . . . . . . . . . . . . . . . $\$$. 69.65
On chap. 134-6. . . . . . . . . . . . . . . . . . . 1,847.66
Total
$1,917.31$
Penitenitentiary at Ft. Madison, building-
Previous years, 150-94........... $\$$ 1,163.39
135 and 136-96 . . . . . . . . . . . . . . . . . . . 42,570.00
Total
$43,733.39$
Penitentiary at Ft. Madison, transportationOn chap. 135-96

2,000.00
Soldiers' home improvement. . . . . . . . . . . . . . . . . . . . 5 51,800.00
Burlington centennial.......... . . . . . . . . . . . . . . . . . . 10,000.00
Capitol repairs . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . 14, 10 . 15.51
Iowa and Missouri boundary line survey . . . . . . . $1,588.68$
Cedar county, special appropriation-154-1-96.
1,193.06
Grey uniforms-153-1-96 ..... $\$$ ..... 954.75
Shiloh battlefield ..... 812.03
Special appropriations, Twenty-sixth General Assembly ..... 21,254.29
Total $\$ 2,432,626.01$
ESTIMATED RECEIPTS FOR 1897.
From state tax, 27-10 mills ..... $\$ 1,400,000.00$
From special University tax, 1-10 mill. ..... $55,000.00$
From interest on delinquent taxes. ..... 15,108.00
From insane dues, from counties ..... 368,542.00
From college for the blind, from counties ..... 850.00
From Iowa school for the deaf, from counties. ..... 1,309.00
From feeble minded children institution, from co ..... 7,709.00
From orphans' home, from counties. ..... 19,647.00
From peddlers' licenses, from counties ..... 1,48000
From sale of laws, from counties ..... 130.00
From insurance companies for taxes. ..... 124,129.00
From auditor of state for fees (insurance) ..... 34,216.00
From auditor of state for fees (building and loan) ..... 600.00
From clerk supreme court for fees ..... 2,456.00
From oil inspector for fees ..... 3,202.00
From secretary of state for fees ..... 12,723.00
From superintendent of public instruction for fees ..... 884.00
From telegraph companies for taxes. ..... $15,505.00$
From telephone companies for taxes ..... 5,682.00
From United States' aid soldiers' home. ..... 47,868.00
From custodian's sales ..... 89.00
From dairy commissioners' licenses ..... 566.00
From pharmacy commissioners' licenses ..... 1,678.00
From sale geological reports ..... 15.00
From interest on Lyon county land notes. ..... 1,057.68
From sundry sources, miscellaneous. ..... 17,000.00
Total. ..... $\$ 2,137,445.68$
ESTIMATED EXPENDITURES FOR 1897.
Adjutant-General's salary ..... 1,500
Attorney General's salary ..... 1,500
Attorney-General's per diem and expenses ..... 1,900
A ttorney General's clerks' fund and legal assistance ..... 3,044
Auditor of State's salary ..... 2,200
Auditor of State's deputy's salary ..... 1,500
Auditor of State's clerk's fund ..... 10,816
Clerk of supreme court's salary. ..... 2,200
Clerk of supreme court's deputy's salary. ..... 1,500
Clerk of supreme court's clerk's fund ..... 1,653
Commissioner of labor statistics' salary ..... 1,500
Deputy commissioner of labor statistics' salary ..... 1,000
Commissioner of labor statistics, expenses ..... 500
Commissioners of pharmacy, enforcement fund ..... 1,000
Custodian's salary ..... 1,500
Custodian's expenses ..... 32,000
Dairy commissioner's salary ..... 1,500
Dairy commissioner's expenses ..... 4,856
District judges' salaries (fifty-one judges) ..... 127,500
Executive council fund ..... 2,000
F'armers' institutes ..... 2,500
Fish commissioner's salary ..... 1,200
Fish commissioner's expenses ..... 3,500
Governor's salary and house rent ..... 3,600
Governor's contingent fund ..... 5,276
Governor's contingent fund, to pay additional counsel ..... 2,000
Governor's private secretairy's salary ..... 1,500
Janitors' and watchmen's salaries. ..... 9,284
Librarian's salary. ..... 1,200
Librarians assistants' salaries. ..... 1,500
Mine inspectors' salaries (three inspectors). ..... 3,600
Mine inspectors' expenses ..... 1,700
Mine inspectors' clerks' fund ..... 1,000
Oil inspector's salary ..... 2,000
Railroad commissioners' salaries ..... 9,000
Railroad commissioners' secretary's salary ..... 1,500
Railroad commissioners' expenses. ..... 4,776
Railroad prosecution by state ..... 500
Secretary of State's salary. ..... 2,200
Secretary of State's deputy's salary ..... 1,500
Secretary of State's land office clerk's salary ..... 1,200
Secretary of State's clerk's fund ..... 5,000
Superintendent of public weights and measures. ..... 100
Superintendent of public instruction's salary ..... 2,200
Superintendent of public instruction's deputy's salary ..... 1,500
Superintendent of public instruction's clerks' fund. ..... 2,377
Superintendent of public instruction's traveling expenses. ..... \$ ..... 250
Supreme judges' salaries (six judges) ..... 24,000
Supreme court contingent expenses. ..... 1,752
Supreme court reporter's salary ..... 2,000
Treasurer of State's salary ..... 2,200
Treasurer of State's deputy's salary ..... 1,500
Treasurer of State's clerks' fund. ..... 2,311
Veterinary surgeon's per diem and expenses ..... 3,000
Adjusting school fund and revenue accounts. ..... 200
Agricultural college trustees' per diem and mileage ..... 3,150
Agriclutural college financial agent ..... 2,000
Agricultural societies ..... 26,367
Arrest of fugitives ..... 5,050
Blind industrial home support ..... 7,500
Blind industrial home trustees' per diem and mileage ..... 1,200
College for blind, clothing ..... 1,010
College for blind, support ..... 42,860
College for blind trustees' per diem and expenses. ..... 1,250
Hospitals for insane, support ..... 402,000
Hospitals for insane, trustees' per diem and mile- age. ..... 4,250
Insane, non-resident, removal of ..... 1,000
Industrial schools, support ..... 72,800
Industrial schools, trustees' per diem and mileage ..... 550
Iowa school for deaf, clothing ..... 2,080
Iowa school for deaf, support ..... 61,000
Iowa school for deaf, trustees' per diem and mile- age. ..... 1,000
Institution for feeble minded, clothing ..... 8,000
Institution for feeble minded, support and ordinary expenses ..... 84,100
Institution for feeble minded, trustees' per diem and mileage ..... 907
Normal school directors' per diem and mileage ..... 1,500
Orphans' home, soldiers' orphans ..... 32,000
Orphans' home, indigent children ..... 20,000
Orphans' home, per diem and mileage ..... 750
Penitentiary at Anamosa, support ..... 67,200
Penitentiary at Anamosa, officers and guards ..... 48,500
Penitentiary at Anamosa, transportation of dis- charged convicts ..... $1,15 \%$
Penitentiary at Ft. Madison, officers and guards.. $\$$ ..... 37,300
Penitentiary at Ft. Madison, transportation of discharged convicts ..... 2,000
Penitentiary inspection ..... 100
Relief of Jos. Metz ..... 240
Relief of F. M. Hull. ..... 240
Soldiers' home support. ..... 72,620
Soldiers home, salaries of officers and employes. ..... 12,600
State binding ..... 30,000
State printing ..... 43,000
State board of educational examiners ..... 600
State board of health ..... 5,000
State historical society ..... 1,000
State historical collection. ..... 7,908
State horticultural society ..... 2,500
State library ..... 6,456
State militia ..... 62,854
State university endowment fund ..... 20,000
State university regents' per diem and mileage ..... 3,000
Stationery contracts ..... 10,000
Teacher's institutes. ..... 5,000
Iowa weather service ..... 3,376
Miscellaneous expenditures. ..... 45,000
Providential contingencies. ..... 9,080
Interest on school fund loars ..... 793
Geological survey expense ..... 3,500
Murderers, arrest of ..... 500
Insanity, to investigate ..... 100
Memorial building ..... $25,000.00^{\circ}$
Interest on state warrants ..... 10,000.00
Agricultural college improvements, etc ..... 66,187.36
College for blind, improvement ..... 11,469.35
Benedict home, improvement and support ..... 6,684.85
Iowa school for the deaf, improvement. ..... 5,000.00
Des Moines river lands ..... 618.95
Institution feeble minded children, improvement. ..... 10,450.00
Geological survey. ..... 6,167.95
Hospital, Cherokee, building ..... 75,043.07
Hospital, Clarinda, building. ..... 99,650.75
Hospital, Independence, building ..... 6,650.00
Hospital, Independence, contingent fund ..... \$ 3,000.00
Hospital, Mount Pleasant, building ..... 21,605.54
Hospital, Mount Pleasant, contingent fund ..... 9,750.00
Industrial school for boys, building ..... 12,350.00
Industrial school for girls, building ..... 2,300.00
Iowa state university, building, etc ..... 15,865.97
Iowa state university, support ..... 66,373.74
Soldiers' monument. ..... 13,736.59
New Orleans exposition deficit. ..... 12,050.00
Normal school, improvement ..... 7,101.20
Normal school, teachers' salaries ..... 40,375.00
Normal school, contingent and repair ..... $10,375.00$
Orphans' home, improvement ..... 11,499.48
Penitentiary, Anamosa, improvement ..... 43,957.88
Penitentiary, Anamosa, escaped convicts. ..... 33.27
Penitentiary, Fort Madison, improvement; ..... 18,130.00
Prisoner's aid association ..... 704.65
Soldiers' home, improvement ..... 294.67
Spirit Lake monument ..... 2.30
Twenty-fifth Gen'l Assembly, special appr'n, flags ..... 1,072.10
Twenty-sixth Gen'l Assembly, special appropria'n ..... 288.75
Gray uniforms ..... 1,545.25
Shiloh battlefield ..... 58.25
Capitol building, repairs ..... 284.49
University building special tax ..... 55,000.00
Total ..... \$2,243,072.41
If there be an appropriation made by the special session for Glenwood, of $\$ 101,202.00$, as I am informed will be asked for, and if the special session cost $\$ 100,000.00$, as I estimate it will, the above footing will be increased to ..... \$2,444,274.41
EXTRAORDINARY APPROPRIATIONS MADE BY THE TWENTY- SIXTH GENERAL ASSEMBLY.
Chap. 49, Twenty-sixth General Assembly, travel- ing library ..... 4,000.00
Available in 1896, $\$ 4,000$; all drawn.
Chap. 103, Iowa national guards, additional ..... 10,400.00
Available in 1896, $\$ 5,200$; all drawn.
$25,000.00$
Available in 1896, $\$ 25,000$; none drawn.
Chap. 116, Burlington centennial. ..... $\$$
10,000.00
Available in 1896, $\$ 10,000$; all drawn.
Chap. 117, B. I. Salinger. ..... 800.00
Available in 1896, $\$ 800$; all drawn.
Chap. 118, battleship ..... 5,000.00
Available in 1896, $\$ 5,000$; none drawn.
Chap. 120, Spirit Lake dam. ..... 1,000.00
Available in 1896, $\$ 1,000 ; \$ 623.50$ drawn.
Chap. 126-3, railroad commissioners' maps ..... 900.00
Available in 1896, $\$ 900$; $\$ 862.50$ drawn.
Chap. 126-6, providential contingencies ..... 10,000.00
Available in 1896, $\$ 5,000 ; \$ 1,920.23$ drawn.
Chap. 126-9, McClain's codes ..... 1,377.00
Available in 1896, $\$ 1,377$; all drawn.
Chap. 126-14, Iowa Printing company. ..... 472.80
Available in 1896; $\$ 472.80$; all drawn.
Chap. 126-15, L. Harbach ..... 628.00
Available in 1896, $\$ 628$; all drawn.
Chap. 126-17, L. L. Babcock. ..... 7.50
Available in 1896, $\$ 7.50$; all drawn.
Chap. 126-18, Ida Kittleman ..... 7.50Available in 1896, $\$ 7.50$; all drawn.
Chap. 126-19, J. L. Thompson ..... 8.00Available in 1896, $\$ 8$; all drawn.
Chap. 126-20, W. H. Fleming ..... 15.00Available in 1896, $\$ 15$; all drawn.
Chap. 126-24, Iowa and Missouri boundary line ..... 2,500.00
Available in 1896, $\$ 2,500 ; \$ 1,588.68$ drawn.
Chap. 126-25, roof for arsenal, etc. ..... 500.00
Available in 1896, $\$ 500$; $\$ 185.60$ drawn.
Chap. 126-26, superintendent of weights and meas- ures ..... 250.00
Available in 1896, $\$ 250$; none drawn.
Chap. 126-27, extra to employes ..... 75.00Available in 1896, $\$ 75$; all drawn.
Chap. 126, net increase clerks' fund ..... $8,000.00$Available in 1896, $\$ 4,000$; all drawn.
Two additional judges ..... $10,000.00$
Available in 1896, $\$ 5,000 ; \$ 2,429.64$ drawn.
Chap. 127, agricultural college ..... 54,500.00
Available in 1896, $\$ 54,500 ; \$ 18,958.20$ drawn.
Chap. 128, agricultural society ..... 7,000.00Available in 1896, $\$ 7,000$; all drawn.

Chap. 129, Iowa school for the deaf............... $\$ 17,100.00$
Available in 1896, $\$ 17,100 ; \$ 12,100$ drawn.
Chap. 130, soldiers' home
51,800.00
Available for 1896, $\$ 51,800$; all drawn.
Chap. 131, soldiers' orphans' home $18,800.00$
Available in 1896, $\$ 9,400 ; \$ 8,936.60$ drawn.
Chap. 132, Iowa industrial school, boys'
18,500.00
Available in 1896, $\$ 9,250$. $\$ 6,150$ drawn.
Chap. 133, industrial school, girls'
17,000.00
Available in 1896, $\$ 15,450 ; \$ 14,700$ drawn.
Chap. 134, Anamosa penitentiary
66,198.00
Available in 1896, $\$ 33,099 ; \$ 20,968.73$ drawn.
Chap. 135 and 136, Ft. Madison penitentiary
64,200.00
Available in 1896, $\$ 57,700 ; \$ 44,570$ drawn.
Chap. 137, normal school.......................... $48,000.00$
Available in 1896, $\$ 22,500 ; \$ 14,750$ drawn.
Chap. 138, industrial home for the blind.......... $18,000.00$
Available in 1896, $\$ 10,500$; all drawn.
Chap. 139, Cherokee hospital, land.
12,140.00
Available in 1896, \$12,140; all drawn.
Chap. 136, Twenty-fifth General As-
sembly, Cherookee hospital building $\$ 100,000.00$
Chap. 140, Twenty-sixth General As-
sembly
50.000.00

Total........................................... . $150,000.00$
Available in $1896, \$ 75,000 ; \$ 74,956.93$ drawn.
Chap. 141, Clarinda hospital building . . . . . . . . . . . 199,300.00
Available in 1896, $\$ 99,650 ; \$ 99,649.25$ drawn.
Chap. 142, Mount Pleasant hospital............. . . 49,100.00
Available in 1896, $\$ 24,550$; all drawn.
Chap. 143, Independence hospital................. . . 19,300.00
Available in 1896, \$9,650; all drawn.
Chap. 144, state university ........................ $36,500.00$
Available in 1896, $\$ 16,750 ; \$ 16,259.59$ drawn.
Chap. 145, institution for feeble-minded children
65,800.00
Available in 1896, $\$ 57,150$; $\$ 56,200$ drawn.
Chap. 146, college for the blind.................. . . $10,500.00$
Available in 1896, $\$ 7,000 ; \$ 5,744.53$ drawn.
Chap. 147, visiting committees, members.
766.00

Available in 1896, $\$ 766$; all drawn.
Chap. 148, fish commission expenses. ..... 6,000.00
Available in 1896, $\$ 6,000 ; \$ 2,750.64$ drawn.
Chap. 149, Trans-Mississippi exposition ..... $10,000.00$
Available in 1897, $\$ 10,000$ : none drawn.
Chap. 150, Scott county non-resident insane ..... 412.89Available in 1896, $\$ 412.89$; all drawn.
Chap. 151, New Orleans exposition. ..... $12,000.00$Available in 1896, $\$ 12,000$; none drawn.
Chap. 152, badges, Twenty-sixth General As- sembly ..... 59.00Available in 1896, $\$ 59$; all drawn.
Chap. 153, Gray uniforms ..... 2,500.00
Available in 1896, $\$ 2,500$; $\$ 954.75$ drawn.
Chap. 154, Cedar county, Stella Lupton. ..... $1,193.06$
Available in 1896 \$1,193.06; all drawn.
Chap. 155, L. O. Hatch ..... 228.50
Available in $1896, \$ 228.50$; all drawn.
Chap. 156, Woodbury county orphans' home. ..... $1,069.76$Available in 1896, $\$ 1,069.76$; none drawn.
Chap. 157, Benedict home ..... $9,200.00$Available in 1896, $\$ 4,600 ; \$ 2,515.15$ drawn.
Chap. 158, weather service ..... 5,400.00
Available in $1896, \$ 2,700 ; \$ 2,699.91$ drawn.
Chap. 159, repairs on capitol. ..... $17,100.00$Available in 1896, $\$ 17,100 ; \$ 14,315.51$ drawn.
Chap. 160, inauguration ..... 276.96
Available in 1896, $\$ 276.96$; all drawn.
Chap. 161, Shiloh battlefield. ..... 870.28
Available in 1896, $\$ 870.28$; $\$ 812.03$ drawn.
Chap. 162, G. A. West, mail carrier 25 th G. A ..... 15.00Available in 1896, $\$ 15$; all drawn.Chap. 163, F. McClelland275.00Available in 1896, $\$ 275$; all drawn.
Chap. 164, J. L. Brown ..... $4,000.00$Available in 1896, $\$ 4,000$; all drawn.Chap. 165, N. B. Raymond.700.00Available in 1896, $\$ 700$; all drawn.
2,500.00
Chap. 166, H. H. JelleyAvailable in 1896, $\$ 2,500$; all drawn.Total amount appropriated by 26 th G. A. . $\$ 1,089,245.25$

> Amount available in $1896, \$ 719,20625$, of which amount............................. $569,259.18$ were drawn and expended; leaving availablefor 1897 expenditures. ..................... $\$ 519,986.07$

SUMMARY.
Warrants outstanding January 2, 1897............. $\$$ 593,459.10
Estimated expenditures for 1897................... . 2,243,072.41
Total estimated warrants for $1897 . . . . . . . . . . \$ 2,836,581.51$
Cash in treasury January 2, 1897.................... $\$$ 196,383.40
Estimated receipts for $1897 . . . . . . . . . . . . . . . . . . . . . . . . ~ . ~ 2,187,445.68$
Total resources . . . . . . . . . . . . . . . . . . . . . . . . . . $\$ 2,333,829.08$
Estimated deficit January 1, 1898.................. 502.702 .43
Total. . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . $\$ 2,836,531.51$
Deficit, January 2, 1897............ $397,075.70$
Additional deficit estimated for $1897 \quad 105,626.73$
Total........................... . $\$ 502,702.43$
If the appropriation for the institution for the feeble minded children be made, as noted on the bottom of my estimate for expenditures, of $\$ 101$,202.00, and if the special session of the Twentysixth General Assembly cost $\$ 100,000.00$, as I estimate it will, the deficit, January 1, 1898, will probably be \$ 703,904.43
The loss by fire at Glenwood is estimated at $\$ 125,000.00$ by the officers of the institution. The executive council has already advanced them $\$ 23,798.78$ to meet the pressing necessities, leaving $\$ 101,202.00$ in round numbers, as above stated.

REPORT OF TRUSTEES OF INSTITUTION FOR FEEBLE MINDED CHILDREN,
Iowa Institution for Feeble Minded Children,
Glenwood, Iowa, January $1,1897$.
To His Excellency, Francis M. Drake, Governor of Iowa, and to the Executive Council:

Gentlemen-In accordance with your request, we herewith submit a apecial report relative to the fire which consumed the main or administra-
tive building of the Iowa Institution for Feeble Minded Children, August 29, 1896.

We have the honor to be, Yours very respectfully,

W. H. Hadl, J. E. Wickham,<br>E. R. Moore, Trustees.

## F. M. Powell, Superintendent.

## REPORT.

The main, or Administrative building of the Iowa Institution for Feeble Minded Children was erected between the years 1884 and 1890, in accordance with provisions made for this purpose by the several General Assemblies, as follows:

1st.-The Twentieth General Assembly appropriated $\$ 50,000$. (Chapter 145, Session Laws, 1884.)

2d.-The Twenty-first General Assembly appropriated \$25,000. (Chapter 162, Session Laws, 1886.)

3d.-The Twenty-second General Assembly appropriated $\$ 16,000$. (Chapter 119, Session Laws, 1888.)

4th. The Twenty-third General Assembly appropriated $\$ 2,000$ for cold storage [addition to main building]; $\$ 2,000$ for bakery and kitchen furniture. (Chapter 80, Session Laws, 1890.)

5th.-The Twenty-fourth General Assembly appropriated $\$ 1,000$. (Chapter 92, Session Laws, 1892.)

6th.-The Twenty-second General Assembly also appropriated the sum of $\$ 15,000$ for steam heating, $\$ 1,500$ for hydrants and fire escapes and $\$ 1,200$ for beds and bedding, and the Twenty-third General Assembly a sum of $\$ 5,000$ for electric lighting. A large portion of these latter sums were expended on the building under consideration.

It is a difficult matter to adequately estimate the full pecuniary loss to the State by this calamity, for in addition to the sums specifically appropriated for construction and furnishing the building, there have been each year expenditures on the same, and we cannot even yet realize clearly all that has been lost to the institution and to the State.

The total amount specifically appropriated and expended in the erection of the building will be seen to be $\$ 96,000$. This, with a proportion of the other sums mentioned, makes an approximate cost of building and furnishing of not less than $\$ 125,000$.

The whole of this building was consumed by the fire, except the foundation walls, the vault and contents, a portion of the walls of the west wing and such material and furniture as was saved at the time of the fire.

Further, the contents of adjoining buildings were badly damaged, or destroyed, it being thought expedient to remove them, owing to the imminent danger of the fire extending. The dry goods store room contained some thousands of dollars' worth of material, much of which was ruined in its removal, and by subsequent wetting from the rain storm prevailing at the time.

The main building was the largest and principal one of the several buildings constituting the institution. It was built in the form of a cross,
extending north and south 208 feet, and east and west 169 feet; contained cellars, a basement floor, two main stories and an attic floor. The cellars were used for storage purposes in connection with the kitchen department. The basement floor contained kitchen, bakery, dining rooms for children and employes, and a general store room. The first floor provided for offices, living rooms for Superintendent's family, officers and teachers and a class of thirty children. The second floor was utilized entirely by the school department. The attic floor provided room for a class of girls and living rooms for employes. The extreme rear extension contained the cold storage plant and two school rooms.

## DETAILS OF THE FIRE.

At 2:15 on the morning of Saturday, the 29th of August, 1896, during a severe rain and electrical storm, the northeast corner of the tower of the administrative building was struck by lightning, and notwithstanding heroic efforts on the part of the institution staff, the people of Glenwood, and the fire department of Council Bluffs, the entire structure, and much of its contents, was destroyed.

Fire was discovered a few minutes after the lightning struck the building, by employes who slept on the upper floor. They aroused other occupants, sounded the alarm, and put into operation the fire hose. The entire force of the institution quickly responded to the alarm, and the available fire fighting apparatus was speedily brought into action. In addition to this, bath tubs were kept constantly full of water for the use of the bucket brigade, which rendered valuable service.

The first thought and consideration was the safety of the children, who were all quietly and orderly removed to places of safety, in a manner demonstrating the efficiency of Institution discipline.

When first discovered, the fire appeared to be confined to the upper portion of the tower, a square brick structure with heavy partition brick walls separating it from adjoining rooms in the building. Had the lightning, in its destructive path, not touched other parts, doubtless the fire would have been controlled, but it soon became manifest that another portion of the building was ignited, and a fire, far more serioun in its nature, was found to be flercely raging in the roof timbers of the south extension over the chapel. The Institution fire apparatus was speedily supplemented by the fire department of the city of Glenwood.

Slowly but surely the fire crept on. Finally, recognizing the impossibility of aving the building, an extra force was organized to remove the contents. By this time, other buildings were in danger, more especially the one on the west known as the "old building," the distance between the burning building and this structure being only fifteen feet. It was of the utmost importance to intercept the fire at this juncture, as the "old building" was connected with a number of others that must inevitably have been destroyed in the event of a failure to control the fire at this point. Strenuous efforts were accordingly directed to this end, and successfully. The west end of the administrative building was so thoroughly saturated with water that the fire gradually died out within a few feet of the west walls. Had these efforts been unsuccessful only a small portion of the Institution would have been left standing.

Early during the conflagration the fre department of Council Bluffs was telegraphed to for help, and a special train on the Chicago, Burlington \& Quincy brought a portion of their department to our aid. They assisted materially in the work of saving the remaining buildings.

The appliances for fire protection consisted in water pipes on each floor with hose attachments, fire buckets and axes, chemical fire extinguishers, outside hydrants and hose carts. The reservoir storage for water is contained in a brick tower, 100 feet high, in which are iron tanks, with a capacity of 1,300 barrels, a portion being kept constantly in reserve, to be drawn on only in the event of fire, until direct pressure can be obtained from the pumps, which have a forcing capacity of 500 barrels an hour. The apparatus stood the test in a gratifying manner. The building was provided with fire escapes on the several extensions.

The Trustees desire to express gratitude to the people of Glenwood and the surrounding country for their efficient assistance. They also wish to record that the officers and employes were active and energetic in their efforts to save the building and care for the children. All were unselfish in that they gave no thought for their own belongings, but cheerfully and willingly labored to save the State's unfortunate charges and property.

The Trustees respectfully call your attention to the personal losses of the employes, they being illy able to bear them.

AFTER THE FIRE.
The fire at once deprived the institution of 60,800 square feet of surface, divided into 100 rooms, every foot of which was utilized in the conduct and management of the affairs of the institution. The consequent embarrassment was very great. To appreciate this, it would be necessary to have been familiar with all the circumstances before and after the fire. In a few hours the institution was deprived of all conveniences for cooking for and dining over 400 children and seventy-five employes; rooms for Superintendent and family; offices for the executive department; cold storage plant; general store room and school department entire. All this must be temporarily provided for, and that immediately, until permanent provision could be secured. The changes incident to reorganize, deprived a large number of ehildren in the old building of allotted space, which made it necessary to improvise somewhere and somehow. The only resource was to crowd space already occupied. It therefore became necessary to double the classes and use hall space for dormitories and dining rooms.

It was imperative to provide at once temporary quarters for the administrative department to direct and carry on the affairs of the institution under the changed conditions. For this purpose rooms were utilized in the old building which we had fought so vigorously to save, and which was now thoroughly drenched, from garret to basement, with water from the use of hose during the fire. The same room was brought into requisition as an office that was used for the same purpose twenty years ago at the organization of the institution.

When it is understood that every department was actually crowded before the fire, you may realize the difficulty of solving the problem-how to meet the existing conditions. Yet the emergency must be met. For feeding and housing the population we depended upon the asylum or custodial building, which had a small kitehen and dining-room for 150 of the
lower classes of children, and the use of the kitchen and dining-room at the farm boys' cottage. By bringing into use these limited facilities and by making dining-rooms of halls and providing meals at separate times, the absolute necessities were, in a measure, provided for.

While the experience was a severe one, it was less so than it would have been had the season of the year been unfavorable.

The Superintendent telegraphed the Board of Trustees to come at once and notifled the Executive Council of the calamity.

Your honorable body will remember that we met you in council on Wednesday, September 2d, at which time the facts, as above stated, were submitted. In addition to the necessities referred to, your attention was called to the fact that portions of the walls still standing could be saved, if constructive repairs could take place before they were subjected to winter storms and spring thaws. In other words, the State would, in our opinion, save thousands of dollars if it were possible to rebuild at once. As a result of your deliberations, $\$ 25,000$ was appropriated to begin work at once, with instructions to rebuild as far as necessary to meet existing omergencies, all to be done substantially, as permanent strueture, suitable for the purposes of the Institution when the burnt building shall have been rebuilt as a whole.

You will remember, also, that another petition was presented November 12th, asking further assistance to rebuild other portions to meet the requirements of the Institution, and to save the State's property. With the aid rendered by your honorable body, we have been enabled to reconstruct the south extension and portions of the west wing; the former now being partially utilized. In accordance with your suggestions and our own judgment, it has been the endeavor to build substantially, using iron girders and partition brick walls wherever practicable, and in other ways build with a view of fire protection.

While the work commenced is incomplete, we are confident that the $\$ 40,000$ granted is being economically and profitably expended. The relief granted will provide kitchen facilities, dining rooms for girls and employes, and about one-half the former school facilities. It will also provide day and dormitory rooms for a class of girls, and rooms for a number of employes.

From careful estimates procured, we conclude that $\$ 75,000$ will complete and furnish the remaining portions of the building, which will contain the administrative offices, dining-room for boys, attic rooms for employes, superintendent's apartments, and complete the school department, all of which is urgently needed to place the Institution on the same basis as it, was before the fire. Respectfully,
F. M. Powell, Superintendent.

W. H. Hall, J. E. Wickham, E. R. Moore,

Trustees.

Mr. W. B. Martin moved that 3,000 copies of the Governor's Message be ordered printed for distribution.

Lost.
Mr. Cornwall moved the House adjourn till 2 P. m. Carried.
Adjourned.

## AFTERNOON SESSION.

House called to order at 2 P. M., Speaker Byers in the chair.
Mr. Power offered the following resolution, which was laid over under Rule 34.

Be it resolved, That in the introduction of the proposed Code each chapter thereof be introduced as a distinct bill.

The Speaker appointed as chairman of Committee on Public Lands and Buildings, Mr. Baker to succeed Mr. Merrell.

Mr. Finch offered the following concurrent resolution, which was laid over under Rule 34:

CONCURRENT RESOLUTION.
Be it Resolved.by the House, the Senate concurring, That the committee having any part of the proposed Code under consideration, make on the margin of each section thereof a reference to the section of the Code of 1873; also act of the General Assembly since 1872 incorporated in said section substantially as follows: "Code 210, 16 General Assembly, Chapter 100 , Sec. 7." Also, if practicable, as a reference to the revision of 1860 and Code of 1851 thus; "R. 600. C. 51-210."

The Speaker appointed as the committee to confer with a like committee from the Senate in reference to a mail carrier, the following members:

Messrs. Allen, Frink, Jackson, Spaulding, and Miller of Warren.

Mr. McArthur moved to adjourn until $10 \mathrm{~A} . \mathrm{M}$. to-morrow. Carried.
So the House adjourned.

Hall of the House of Representatives. Des Moines, Iowa, Wednesday January 20, 1897. $\}$

House met at 10 A. m., Chief Clerk Rowen in the chair.
Prayer by Rev. W. M. Todd, of Des Moines.
The House then proceeded to the election of Speaker protem.
Mr. Funk moved that Mr. Dowell be made Speaker pro tem.
Carried.
Messrs. Funk and Byington were appointed as a committee to escort the newly elected Speaker pro tem. to the chair.

Mr. Dowell was then sworn in by Chief Clerk Rowen.
Mr. McDowell offered the following resolution:
Resolved, That the rules of the regular session be adopted as the rules of the extra session of the Twenty-sixth General Assembly.

Laid over under Rule 34.
Speaker Byers in the chair.
Mr. Ray moved that a committee of three be appointed to arrange rooms and times of meeting of standing committees.

Adopted.
The Speaker appointed Messrs. Ray, Merriam and Power.
Mr. Merriam offered the following concurrent resolution and moved its adoption:

Resolved by the House, the Senate concurring, That a joint committee of five members of the House, appointed by the Speaker, and five members of the Senate, to be appointed by the President of the Senate, be appointed to arrange the division of the proposed Code into bills for the purpose of introduction into the respective Houses.

Adopted.
Mr. Gurley introduced the following resolution and moved its adoption:

Resolved, That the Speaker appoint a committee of three, whose duty it shall be to report the amount of mileage to which each member of the House is entitled, and that a proper certificate of the same shall be made.

Adopted.

The Speaker appointed as such committee Messrs. Gurley, Putnam and Sullivan.

Mr. Allen, of the Committee on Mail Carrier, presented the following report:

Mr. Speaker-Your committee appointed by the House and Senate to. select a mail carrier for the extra session of the Twenty-sixth General Assembly, beg leave to report that we have selected Henry Cain for that. position.

W. H. Berry, Chairman for Senate. W. S. Allen, Chairman for House.

Upon the motion of Mr. Allen the report was adopted.

## introduction of bills.

By Mr. Parker, House file No. 1, a bill for an act making an appropriation for the Institution for Feeble Minded Children, at Glenwood, Iowa.

Read first and second times and referred to Committee on Appropriations.

By Mr. Parker, House file No. 2, a bill for an act to provide for the payment of certain sums to employes of the Institution for Feeble Minded Children at Glenwood, on account of losses. sustained by fire, August 29, 1896.

Read first and second times and referred to Committee on Appropriations.

By Mr. Tibbitts, House file No. 3, a bill for an act to legalize the election held at Sumner, Iowa, on October 15, 1894, for the. issuance of bonds for water works.

Mr. Doweli moved that the bill be rejected.
Carried.
Mr. Ray presented the following report of the Committee on the Assignment of Committee Rooms:

Mr. Speaker-Your committee, to whom was referred the matter of assignment of rooms and the time of meeting, would report as follows:

First.-The various Code Committees will meet as follows each day of the week except Sunday:

Code Committee No. 1 in Room 1, at 2 o'clock P. M.
Code Committee No. 2 in Room 6, at 2 o'clock p. M.
Code Committee No. 3 in Room 13, at 2 o'clock P. m.
Code Committee No. 4 in Room 10, at 2 o'clock p. m.
Code Committee No 5 in Room 27, at 2 o'clock P. m.
Second.-The Committee on Public Lands and Buildings is assigned to room No. 15, and will meet on call of chairman.

Third.-All other committees will occupy the same committee rooms as during the regular session, and will meet upon call of their respective chairmen.

> W. G. Ray,
> Frank F. Merriam, John T. P. Power, Committee.

Upon motion of Mr. Ray, the report was adopted.
Mr. McDonald was excused until to-morrow.
On motion of Mr. Dowell the House adjourned until 2 p. m.

## AFTERNOON SESSION.

The House was called to order at 2 P. m., with SpeakerByers in the chair.

Mr. Brady was excused until to-morrow.
Mr. Reed offered the following resolution and moved its adoption:

Resolved, That seats for duly accredited newspaper reporters be assigned them in the reporters' gallery by the Chief Clerk of the House.

Adopted.
$\dot{M r}$. Funk moved that two hundred copies of the substitute for House file No. 8, as reported by the Committee on Ways and Means, be ordered printed.

Carried.
INTRODUCTION OF BILLS.
By Mr. Allen, House file No. 4, a bill for an act to revise, amend and codify the statutes in relation to the sovereignty and jurisdiction of the state and legislative departments.

Read first and second times.
On motion of Mr. Allen, Rule 43 was suspended and House file No. 4 was taken up and considered.

Mr. Allen moved that the rules be suspended, and that the bill be considered engrossed and read a third time now, which motion prevailed, and the bill was read a third time.

On the question, "Shall the bill pass?" the yeas were:
Messrs. Allen, Bailey, Baker, Bird, Brant, Brighton, Brinton, Byington, Chapman, Clark, Classen, Cook, Cornwall, «Crow, Davis, Doubleday, Dowell, Early, Edwards, Evans,

Finch, Frazee, Frink, Funk, Good, Griswold, Grote, Gurley, Haugen, Hauger, Hazen, Hendershot, Hinkhouse, Hinman, Hunt, Huntley, Johnson of Webster, Johnston of Franklin, Klemme, Ladd, Lauder, Lavender, Loomis, Lowry, Lambert, McAchran, McDowell, McNulty, McQuin, Manahan, Marti, Martin, Merriam, Miller of Buena Vista, Miller of Warren, Morrison of Grundy, Mullin, Nietert, Parker, Perrott, Porter, Potter, Power, Prentis, Putnam, Ray, Reed, Scott, Smith, Spaulding, Sullivan, Thompson, Tibbitts, Van Houten, Watters, Weaver, Wells, Whelan, Whittier, Williams, Wilson, Wood, Mr. Speaker-83.

The nays were:
None.
Absent or not voting:
Messrs. Bell, Bowen, Brady, Garner, Jackson, Jay, McArthur, McDonald, Mayne, Miller of Cherokee, Morrison of Keokuk, Nolan, St. John, Temple, Voelker, Wheeler-16.

So the bill passed and the title was agreed to.
By Mr . Allen, House file No. 5, a bill for an act to define the organization, powers and duties of the General Assembly.

Read first and second times.
On motion of Mr. Allen, Rule 43 was suspended and House file No. 5 was taken up and considered.

Mr. Allen moved that the rules be suspended, and that the bill be considered engrossed and read a third time now, which motion prevailed and the bill was read a third time.

On the question, "Shall the bill pass?" the yeas were:
Messrs. Allen, Bailey, Baker, Bell, Bird, Bowen, Brant, Brighton, Brinton, Byington, Clark, Classen, Cornwall, Crow, Davis, Doubleday, Dowell, Early, Edwards, Evans, Finch, Frazee, Griswold, Grote, Haugen, Hauger, Hazen, Hendershot, Hinman, Johnston of Franklin, Lauder, McNulty, McQain, Miller of Buena Vista, Mullin, Nietert, Potter, Prentis, Putnam, Reed, Scott, Smith, St. John, Temple, Tibbitts, Weaver, Wells, Williams, Wood, Mr. Speaker-50.

The nays were:
Messrs. Chapman, Frink, Funk, Good, Gurley, Hinkhouse, Hunt, Huntley, Jay, Johnson of Webster, Klemme, Ladd, Lambert, Loomis, Lowry, McAchran, McDowell, Manahan, Marti, Martin, Mayne, Merriam, Miller of Warren, Morrison of Grundy, Morrison of Keokuk, Parkər, Perrott, Porter,

Power, Ray, Spaulding, Sullivan, Thompson, Van Houten, Watters, Whelan, Whittier, Wilson-38.

Absent or not voting:
Messrs. Brady, Cook, Garner, Jackson, Lavender, McArthur, McDonald, Miller of Cherokee, Nolan, Voelker, Wheeler -11.

So the bill, having failed to receive a constitutional majority, was declared lost.

Mr. Funk, seconded by Mr. Merriam, moved to reconsider the vote just taken.

Carried.
Mr. Funk moved that the vote whereby the rules were suspended and the bill passed to a third reading be also reconsidered.

Carried.
The bill, House file No. 5, was then referred to the First Division of Code Revision Committee.

MESSAGE FROM THE SENATE.
The following message was received from the Senate:
Mr. Speaker-I am directed to inform your honorable body that the Senate has concurred in the following concurrent resolution:

For the appointment of a joint committee to consider plans of handling the Code.

## INTRODUCTION OF BILLS.

By Mr. Allen, House file No. 6, a bill for an act providing for the publication and construction of the statutes.

Read first and second times.
On motion of Mr. Allen Rule 43 was suspended and House file No. 6 was taken up and considered.

Mr. Finch moved to amend as follows:
Amend section 7 at the end of line 3 by adding "also on the margin or at the bottom of each section of this code a reference to the section of the Code of 1873, or acts of the general assembly since 1872 incorporated in said section; also a reference to the revision of 1860 and Code of 1851, if practicable."

On division of the House the amendment was adopted by a vote of 49 yeas to 26 nays.

Mr. Martin moved to amend as follows:
Amend section 6, chapter 3, by inserting after the word "unless," in the second line, the words, "some specifled time is provided in the act, or."

Adopted.

Mr. Gurley moved to amend as follows:
In section 6, line 1, strike out the words, "regular sessions" and insert in lieu thereof the words, "regular session."

Adopted.
Mr. Evans moved to amend as follows:
Amend section 8 by striking out the words, "this Code," and insert the words, "McClain's Annotated Code of Iowa as revised in 1888."

Lost.
Mr. Doubleday moved to amend as follows:
Amend by substituting the word "thirty" for "fifty," in the first line of section 7.

Lost.
Mr. Hinman moved to amend as follows:
Amend section 11 by inserting the word "State" before the word "Historical," in the fifth line.

Adopted.
Mr. Temple moved to strike out the word 'majority" and insert the word "vote" in lieu thereof, in line 5 of section 1.

Adopted.
Mr. Manahan moved to amend as follows:
Amend section 12, chapter 3, by inserting the words "city clerk" after the words "township clerk" in first line.

The amendment was lost by a vote of 31 yeas to 48 nays.
Mr. Allen moved that the rule be suspended, and that the bill be considered engrossed and read a third time now, which motion prevailed and the bill was read a third time.

On the question, "Shall the bill pass?" the yeas were:
Messrs. Allen, Bailey, Baker, Bell, Bird, Bowen, Brant, Brighton, Brinton, Byington, Chapman, Clark, Classen, Cook, Cornwall, Crow, Davis, Doubleday, Dowell, Early, Edwards, Evans, Finch, Frazee, Frink, Funk, Garner, Good, Griswold, Grote, Gurley, Haugen, Hauger, Hazen, Hendershot, Hinkhouse, Hinman, Hunt, Huntley, Jackson, Johnson of Webster, Johnston of Franklin, Klemme, Ladd, Lambert, Lauder, Lavender, Loomis, Lowry, McAchran, McArthur, McDowell, McNulty, Manahan, Marti, Martin, Mayne, Merriam, Miller of Buena Vista, Miller of Warren, Morrison of Grundy, Morrison of Keokuk, Mullin, Nietert, Nolan, Parker, Perrott, Porter, Potter, Power, Prentis, Putnam, Ray, Reed, Scott, Smith, Spaulding, St. John, Sullivan, Temple, Thompson, Tibbitts, Van Houten, Watters, Weaver, Wells, Wheeler, Whelan, Whittier, Williams, Wilson, Wood, Mr. Speaker-93.

The nays were:
None.

Absent or not voting:
Messrs. Brady, Jay, McDonald, McQuin, Miller of Cherokee, Voelker-6.

So the bill passed and the title was agreed to.
introduction of bills.
By Mr. Allen, House file No. 7, a bill for an act relating to the Code and its operation.

Read first and second time.
On motion of Mr. Allen, Rule 43 was suspended and House file No. 7 was taken up and considered.

Mr . Van Houten moved to amend as follows:
Strike out figure " 6 " in " 1896 ," in line 1 , section 2.
Adopted.
Mr. Allen moved that the rule be suspended and that the bill be considered engrossed and read a third time now, which motion prevailed and the bill was read a third time.

On the question, "Shall the bill pass?" the yeas were:
Messrs. Allen, Bailey, Baker, Bell, Bird, Bowen, Brant, Brighton, Brinton, Byington, Clark, Classen, Cook, Cornwall, Crow, Davis, Doubleday, Dowell, Early, Edwards, Evans, Finch, Frazee, Frink, Funk, Garner Good, Griswold, Grote, Gurley, Haugen, Hauger, Hazen, Hendershot, Hinkhouse, Hinman, Hunt, Huntley, Jackson, Johnson of Webster, Johnston of Franklin, Klemme, Ladd, Lambert, Lauder, Lavender, Loomis, Lowry, McAchran, McArthur, McDowell, McNulty, McQuin, Manahan, Marti, Martin, Mayne, Merriam, Miller of Buena Vista, Miller of Warren, Morrison of Grundy, Morrison of Keokuk, Mullin, Nietert, Nolan, Parker, Perrott, Porter, Potter, Power, Prentis, Putnam, Ray, Reed, Scott, Smith, Spaulding, St. John, Sullivan, Temple, Thompson, Tibbitts, Van Houten, Watters, Weaver, Wells, Wheeler, Whelan, Whittier, Williams, Wilson, Wood, Mr. Speaker-93.

The nays were:
None.
Absent or not voting:
Messrs. Brady, Chapman, Jay, McDonald, Miller of Coerokee, Voelker- 6.

So the bill passed and the title was agreed to.
The Speaker appointed as the committee to confer with the Senate committee in reference to considering plans for handling the Code, Messrs. Allen, Funk, Cornwall, Temple and Brighton.

## INTRODUCTION OF BILLS.

By Mr. Allen, House file No. 8, a bill for an act relative to the submission of constitutional amendments.

Read first and second time.
Rule 43 was then suspended and House file No. 8 was taken up and considered.

Mr. Cornwall moved to amend section 2, line 2, by striking out the word "such" and inserting in lieu thereof the words "the last;" also, insert after the word "assembly" in the same line the following: "adopting the same," also strike out of line 3, section 2, the words "the same," and insert the word "it."

Adopted.
Mr. Allen moved that the rule be suspended and that the bill be considered engrossed and read a third time now, which motion prevailed and the bill was read a third time.

On the question, "Shall the bill pass?" the yeas were:
Messrs. Allen, Bailey, Baker, Bell, Bird, Bowen, Brant, Brighton, Brinton, Byington, Chapman, Clark, Classen, Cook, Cornwall, Crow, Doubleday, Dowell, Early, Edwards, Evans, Finch, Frazee, Frink, Funk, Garner, Good, Griswold, Grote, Gurley, Haugen, Hauger, Hazen, Hendershot, Hinkhouse, Hinman, Hunt, Huntley, Jackson, Johnson of Webster, Johnston of Franklin, Klemme, Ladd, Lambert, Lauder, Lavender, Loomis, Lowry, McAchran, McArthur, McDowell, McNulty, McQuin, Manahan, Marti, Martin, Mayne, Merriam, Miller of Buena Vista, Miller of Warren, Morrison of Grundy, Morrison of Keokuk, Mullis, Nietert, Nolan, Parker, Perrott, Porter, Potter, Power, Prentis, Putnam, Ray, Reed, Scott, Smith, Spaulding, St. John, Sullivan, Temple, Thompson, Tibbitts, Van Houten, Watters, Weaver, Wells, Wheeler, Whelan, Whittier, Williams, Wilson, Wood, Mr. Speaker--93.

The nays were:
None.
Absent or not voting:
Messrs. Brady, Davis, Jay, McDonald, Miller of Cherokee, Vuelker-6.

So the bill passed and the title was agreed to.
Mr. Ray offered the following motion, which was laid over under R de 34.

Mr. Speaker-I move that a committee of three be appointed by the Speaker to investigate the needs of this House as to the number of committee clerks, and if it be found that the number employed at the regular session is greater than is needed at this session, to regroup the committees with a view to lessening the number of clerks to the actual needs of the session.

Mr. Gurley filed the following report of the Committee on Mileage.

Mr. Speaker-We, your Committee on Mileage, report as follows:

| NAME. | $\dot{\ddot{\oplus}} \underset{\vec{Z}}{\underline{y}}$ | $\begin{aligned} & \stackrel{\rightharpoonup}{0} \\ & \stackrel{0}{3} \\ & \text { 品 } \end{aligned}$ | NAME. | 突 | +0 0 0 |
| :---: | :---: | :---: | :---: | :---: | :---: |
| Allen, W. S | 256 | \$12.80 | Lavender, | 194 | * 9.70 |
| Bailey, O. F | 468 | 23.40 | Loomis, A. | 396 | 19.80 |
| Baker. Georg | 350 | 17.50 | Lowry, J. J. | 538 | 26.90 |
| Bell, W. B.. | ${ }^{232}$ | 11.60 | McAchran, W. H | 214 | 10.70 |
| Bird, J. W | 350 | 17.50 | Mcarthur, W. U | 336 | 18.80 |
| Bowen, D. H | 700 | 35.00 | McDonald, M. | 150 | 7.50 |
| Brady, E. M | 450 | 2850 | McDowell, J. P | 232 | 11.60 |
| Brant, David. | 300 | 15.00 | McNulty. Francis | 460 | 23.00 |
| Brighton, H. H | 236 | 11.80 | McQuin, B. M | 258 | 12.90 |
| ${ }_{\text {Brinton, }} \mathrm{M} . \mathrm{H}$ | 132 | ${ }_{10} 6.60$ | Manahan, F. B | 550 | 27.50 |
| Byers, H. W | ${ }_{242}^{200}$ | 12.00 | Marti, Ohr | 380 240 | 18.00 |
| Ohapman, W. B | 420 | 21.00 | Mayne, S | 278 | 13.40 |
| Clark, J. M | 278 | 13.60 | Merriam, Frank | 375 | 18.75 |
| Classen, J. | 132 | 6.60 | Miller, D C., of Buena Vis | 250 | 1250 |
| Oook, R. E | 286 | 14.30 | Miller, W., of Oherokee. | 400 | 20,00 |
| Cornwall, W. W | 348 | 17.40 | Miller, J. H., of Warren. | 72 | 3.60 |
| Orow, W.G | 206 | 10.30 | Morrison, J. D., of Grundy | 176 | 8.80 |
| Davis, M. J | 190 | 9.50 | Morrison, J., of Keokuk. | 180 | 9.00 |
| Doubleday, O. | 30 | 1.50 | Mullin, W | $\begin{array}{r}374 \\ 350 \\ \hline\end{array}$ | 18.70 |
| Dowell, |  |  | Nietert, H. J.... | 350 | 17.50 81.50 |
| Edwards, A. H | ${ }_{227}^{304}$ | 11.35 | Nolan, Thomas | 430 336 | 91.50 16.80 |
| Erans, H. K | 192 | 10.50 | Perrott, E. G | 70 | 3.60 |
| Finch, Parley | 204 | 10.20 | Porter, O. R | 22:2 | 11.10 |
| Frazee, John | 356 | 17.80 | Potter, L. F | 228 | 11.40 |
| Frink, 0 . H | 334 | 16.70 | Power, J. T. P | 324 | 16.20 |
| Funk, J. H . | 220 | 11.00 | Prentis, P. L. | 350 | 17.50 |
| Garner, J. A | 150 | 7.50 | Putnam, G. | 250 | 12.50 |
| Good, J. L. | 134 | 6.70 |  | 110 |  |
| Griswold, H | 320 240 | 16.00 12.00 | Reed, J. F. | 152 <br> 140 | 7.60 700 |
| Grote, J. F Gurley, Z. | 240 | 12.00 10.25 | Scott, D. H Smith. P. A | 140 200 | 7.00 10.00 |
| Haugen, G. N . | 388 | 19.10 | Spaulding, | 280 | 14.00 |
| Hauger, W. ${ }^{\text {c }}$ | 250 | 12.50 | St.John, R. T | 386 | 19.30 |
| Hayes, Waiter | 440 | 22.00 | Sullivan, T. J | 628 | 31.30 |
| Hazen, J. B . | 320 | 16.00 | Temple, M. L | 120 | 6.00 |
| Hendershot, I. B | 80 | 4.00 | Thompson, J. A | 320 | 16.00 |
| Hinkhouse, R. W | 300 | 15.00 | Tibbltts, O. O | 298 | 14.90 |
| Hinman, S. N | 234 | 11.70 | Van Houten, G. | 230 | 11.50 |
| Hunt, William B | 336 | 18.80 | Voelker, O. A | 412 | 20.60 |
| Huntley L. S | 132 | 6.60 | Watters, H. B | 284 | 14.20 |
| Jackson, A, E | 190 | 9.50 | Weaver, H. O | 360 | 18.00 |
| Jay, John T....... | 250 | 12.50 | Wells, N. A. | 80 | 4.00 |
| Johnson, Jonas P | 140 | 7.78 | Wheeler, J. R | 304 | 15.20 |
| Johnston, O. ${ }^{\text {K }}$ | 574 | 13.70 27.00 | Whelan, M. K.... | ${ }^{350}$ | 17.50 20.80 |
| Ladd, W. G. | 540 358 | 27.00 17.80 | Whittier, Lyman | 416 380 | 20.80 19.00 |
| Lambert, Thomas. | 480 | 24.00 | Wilson, J. L | 470 | 23.50 |
| Lauder, .J. W. | 212 | 1060 | W Ond, A. L. | 9n | 4.50 |

We submit the foregoing list as a statement of the number of miles traveled by each member in going to and returning from this, the extra session of the Twenty-sixth General Assembly, and the amount of money to which each member is entitled by statute therefor, and we recommend that such mileage be duly certified.
Z. H. Gurley,
G. N. Putnam,
T. J. Sullivan, Committee.

Mr. Miller of Cherokee granted indefinite leave of absence on account of sickness.

Journal of yesterday corrected and approved.
On motion of Mr. McNulty, House adjourned till 10 A. m. to-morrow.

$$
\left.\begin{array}{c}
\text { Hall of the House of Representatives, } \\
\text { Des Moines, Iowa, Thursday, January 21, 1897. }
\end{array}\right\}
$$

The House was called to order at 10 A. m., Speaker Byers in the chair.

Prayer was offered by Rev. W. A. Black, of Des Moines. PETITIONS AND MEMORIALS.

A petition from LeGrand Byington relative to silver remaining legal tender for all debts, also to transferable mileage tickets, also in reference to the issuing and registry of certificates of stock, was read by the Clerk and referred to Committee on Judiciary.

Messrs. Johnston, Finch, Mayne, Early, Tibbitts, Classen, Funk, Klemme, Spaulding, Byington, Jackson, Wood, Reed, Bell and Mr. Speaker presented petitions of citizens of their respective counties relative to the manufacturing bill.

Referred to Committee on Domestic Manufactures.
The following certificate of election was then read by the Clerk:

At the election holden in said county, in the Forty-fifth Representative district, on the 18th day of January, A. D. 1897, Walter I. Hayes was elected to the office of Representative to the General Assembly in and for said Forty-fifth district of the State of Iowa, for the residue of the term ending on the 31st day of December, A. D. 1897, and until his successor is elected and qualified; and he has taken the oath of office as required by law.

> G. D. Stage,

Witness:
President of the Board of Canvassers.
F. Hern,

County Auditor.
Mr. Hayes was then sworn in as a member of this House by the Speaker.

Mr. Hayes was assigned to the following committees: Code Division 1, Judiciary, Insurance, Private Corporations, Police Regulations, Engrossed Bills.

Journal of yesterday corrected and approved.
Mr. Ray called up his motion relative to the reduction of the force of committee clerks and moved its adoption.

Mr. Whelan moved to lay the motion on the table.
Messrs. Ray and Power demanded the yeas and nays on this question, which resulted as follows:

On the question, "Shall the motion prevail?" the yeas were:
Messrs. Allen, Bird, Bowen, Brinton, Chapman, Classen, Early, Evans, Funk, Griswold, Grote, Gurley, Haugen, McAchran, McDonald, McNulty, McQuin, Merriam, Nietert, Potter, Tibbitts, Whelan, Mr. Speaker-23.

The nays were:
Messrs. Bailey, Baker, Bell, Brant, Brighton, Byington, Cook, Cornwall, Crow, Clark, Davis, Edwards, Finch, Frazee, Frink, Good, Hauger, Hayes, Hazen, Hinkhouse, Hinman, Hunt, Huntley, Jackson, Jay, Johnson of Webster, Johnston of Franklin, Klemme, Ladd, Lambert, Lauder, Lavender, Loomis, Lowry, McArthur, McDowell, Manahan, Marti, Martin, Mayne, Miller of Buena Vista, Morrison of Grundy, Morrison of Keokuk, Mullin, Nolan, Parker, Perrott, Porter, Power, Prentis, Putnam, Ray, Reed, Scott, Smith, Spaulding, St. John, Sullivan, Temple, Thompson, Van Houten, Watters, Weaver, Wells, Wheeler, Whittier, Williams, Wilson, Wood-69.

Absent or not voting:
Messrs. Brady, Duubleday, Dowell, Garner, Hendershot, Miller of Cherokee, Miller of Warren, Voelker-8.

So the motion was lost.
Mr. Funk moved to amend by inserting after the words "committee clerks" the following: "janitors, pages, doorkeepers and all other employes of the House, employes in the Custodian's department, and accounts of the State Printer and Binder."

Mr. Tibbitts offered the following as a substitute to the amendment, and moved its adoption:

That each chairman who is allowed a committee clerk discharge such clerk as soon as he has no work for him.

Lost.
On the amendment offered by Mr. Funk, Messrs. Ray and Jackson demanded the yeas and nays, which resulted as follows:

The yeas were:
Messrs. Allen, Baker, Bell, Bird, Bowen, Brighton, Brinton, Chapman, Clark, Classen, Early, Edwards, Evans, Finch, Frazee, Frink, Funk, Good, Griswold, Grote, Gurley, Haugen, Hazen, Hinkhouse, Lauder, McAchran, McArthur, McDonald, McNulty, McQuin, Manahan, Martin, Merriam, Morrison of Grundy, Morrison of Keokuk, Mullin, Nietert, Potter, Putnam Reed, Smith, St. John, Thompson, Weaver, Whelan, Whittier, Wood, Mr. Speaker-48.

The nays were:
Messrs. Bailey, Brant, Byington, Cook, Cornwall, Crow, Davis, Doubleday, Hauger, Hayes, Hinman, Hunt, Huntley, Jackson, Jay, Johnson of Webster, Johnston of Franklin, Klemme, Ladd, Lambert, Lavender, Loomis, Lowry, McDowell, Marti, Mayne, Miller of Buena Vista, Nolan, Parker, Perrott, Porter, Power, Prentis, Ray, Scott, Spaulding, Sullivan, Temple, Tibbitts, Van Houten, Watters, Wells, Wheeler, Williams, Wilson-45.

Absent or not voting:
Messrs. Brady, Dowell, Garner, Hendershot, Miller of Cherokee, Miller of Warren, Voelker-7.

So the amendment was adopted.
Mr. Haugen moved to amend the motion by inoreasing the number of the committee from three to seven.

Adopted.
Mr. Cornwall moved that the motion be referred to the Committee on Appropriations.

On a division of the House the motion was lost by a vote of 36 yeas to 51 nays.

Mr. Brant moved to strike out of the motion all after the words "employes of the House" up to and including the words "state binder."

Carried.
Messrs. Allen and Hinman demanded the yeas and nays on the motion of Mr. Ray as amended.

The roll call resulted as follows:
The yeas were:
Messrs. Allen, Bailey, Baker, Bell, Bird, Bowen, Brant, Brighton, Brinton, Byington, Chapman, Clark, Clasen, Cook, Cornwall, Crow, Davis, Doubleday, Early, Edwards, Evans, Finch, Frazee, Frink, Funk, Garner, Good, Griswold, Grote, Gurley, Haugen, Hauger, Hayes, Hazen, Hinkhouse, Hinman,

Hunt, Huntley, Jackson, Jay, Johnson of Webster, Johnston of Franklin, Klemme, Ladd, Lambert, Lauder, Lavender, Loomis, Lowry, McAchran, McDonald, McDowell, McNulty, McQuin, Manahan, Marti, Martin, Mayne, Merriam, Miller of Buena Vista, Morrison of Grundy, Morrison of Keokuk, Mullin, Nietert, Nolan, Parker, Perrott, Porter, Potter, Power, Prentis, Putnam, Ray, Reed, Scott, Smith, Spaulding, St. John, Sullivan, Temple, Thompson, Tibbitts, Van Houten, Watters, Weaver, Wells, Wheeler, Whelan, Whittier, Williams, Wilson, Wood, Mr. Speaker-93.

Mr. McArthur voted in the negative.
Absent or not voting:
Messrs. Brady, Dowell, Hendershot, Miller of Cherokee, Miller of Warren, Voelker-6.

So the resolution was adopted.

## INTRODUCTION OF BILLS.

By Mr. Funk, House file No. 9, a bill for an act to revise, amend and codify the statutes in relation to the Executive department.

Read first and second time and referred to First Division: Code Revision Committee.

By Mr. Temple, House file No. 10, a bill for an act to revise, amend and codify the statutes in relation to the Judicial department.

Read first and second time and referred to First Division Code Revision Committee.

By Mr. Cornwall, House file No. 11, a bill for an act to revise, amend and codify the statutes in relation to county and township government.

Read first and second time and referred to Second Division Code Revision Committee.

By Mr. Brighton, House file No. 12, a bill for an act to revise, amend and codify the statutes in relation to city and. town government.

Read first and second time and referred to Third Division Code Revision Committee.

By Mr. Allen, House file No. 13, a bill for an act to revise, amend and codify the statutes in relation to elections and officers.

Read first and second time and referred to Fourth Division Code Revision Committee.

By Mr. Funk, House file No. 14, a bill for an act to revise, amend and codify the statutes in relation to the revenue.

Read first and second time and referred to Fifth Division Code Revision Committee.

By Mr. Temple, House file No. 15, a bill for an act to revise, amend and codify the statutes in relation to roads, bridges and ferries.

Read first and second time and referred to Fifth Division Code Revision Committee.

Mr. Manahan offered the following resolution and moved its adoption:

Whereas, A large number of the members of the House desire to visit the House chamber during the evening for the purpose of attending to correspondence, etc.; therefore be it

Resolved, That the Chief Doorkeeper be instructed to detail a doorkeeper to open and attend the doors of the House from 7 to 10 P . M. each day.

Adopted.
Mr. McDowell called up his resolution relative to the rules of this extra session and moved it be referred to the Committee on Rules.

Carried.
On motion of Mr. Temple the House adjourned till 9 A. m. to-morrow.

House met at 9 A. m., Speaker Byers in the chair.
Prayer by Rev. F. H. Lemon.
The Speaker appointed as the committee of seven as provided by the motion of Mr. Ray, relative to the reduction of the force of House employes, Messrs. Ray, Temple, Classen, Whelan, Merriam, Lowry and Jay.

Mr. Wilson offered the following report of the committee appointed to draft resolutions upon the death of Hon. N. A. Merrell:

Mr. Speaker-Your committee to draft resolutions on the death of Hon. N. A. Merrill respectfully submit the following:

Whereas, An all wise Providence has suffered to be removed from the membership of this body, Hon. N. A. Merrell, of Clinton county, an honored member, who was held in high esteem by all of his associates, as a true man, patriot and citizen, widely known and universally respected. Although nearly three score and ten, we could have wished that his life might have been prolonged for the sake of those who were near and dear to him and for our profit and pleasure; however, we realize that our loss is his gain. Therefore, be it

Resolved, By the members of the House of Representatives of the Twenty-Sixth General Assembly of Iowa, in extra session assembled, that in the death of Hon. N. A. Merrell, this House has lost one of its most judicious, upright, faithful and honored members, the state a wise, conservative legislator and true patriot; his family is bereft of a devoted husband and affection ate father, the community a kind neighbor and a valued citizen.

Resolved, That these resolutions be spread on the Journal of the House and that the Chief Clerk be instructed to forward a copy of the same to the bereaved wife and family.
J. L. Wilson,
P. A. Smith,
W. B. Bell, Committee.
The report was adopted unanimously by a rising vote.
PETITIONS AND MEMORIALS.
Messrs. Griswold, Prentiss, McDonald, Johnson of Webster, Bird and Thompson presented remonstrances of citizens of
their respective counties against the passage of a manufacturing bill.

Referred to Committee on Domestic Manufacturers.
Mr. Temple moved that the House proceed to the consideration of House file No. 5 , a bill for an act to define the organization, powers and duties of the General Assembly.

On a division of the House the motion was lost by a vote of 32 yeas to 35 nays.

## INTRODUCTION OF BILLS.

By Mr. Cornwall, House file No. 16, a bill for an act to revise, amend and codify the statutes in relation to corporations.

Read first and second time and referred to First Division Code Revision Committee.

By Mr. Cornwall, House file No. 17, a bill for an act to revise, amend and codify the statues in relation to agricultural, horticultural soeieties and stock breeding associations.

Read first and second time and referred to First Division Code Revision Committee.

By Mr. Cornwall, House file No. 18, a bill for an act to revise, amend and codify the statutes in relation to insurance.

Read first and second time and referred to First Division Code Revision Committee.

By Mr. Cornwall, House file No. 19, a bill for an act to revise, amend and codify the statutes in relation to banks and banking.

Read first and second time and referred to First Division Code Revision Committee.

By Mr. Cornwall, House file No. 20, a bill for an act to revise, amend and codify the statutes in relation to building and loan associations.

Read first and second time and referred to First Division Code Revision Committee.

By Mr. Brighton, House file No. 21, a bill for an act to revise and codify the statutes in relation to internal improvements.

Read first and second time and referred to Second Division Code Revision Committee.

By Mr. Brighton, House file No. 22, a bill for an act to revise and codify the statutes in relation to taking private prop erty for works of internal improvement.

Read first and second time and referred to Second Division Code Revision Committee.

By Mr. Brighton, House file No. 23, a bill for an act to revise and codify the statutes in relation to to the construction and operation of railways.

Read first and second time and referred to Second Division Code Revision Committee.

By Mr. Brighton, House 'file No. 24, a bill for an act to revise, amend and codify the statutes in relation to the Board of Railroad Commissioners.

Read first and second time and referred to Second Division Code Revision Committee.

By Mr. Brighton, House file No, 25, a bill for an act to revise, amend and codify the statutes in relation to the regulation of carriers by railway.

Read first and second time and referred to Second Division Code Revision Committee.

By Mr. Brighton, House file No. 26, a bill for an act to revise, amend and codify the statutes in relation to the construction and operation of telegraph and telephone lines.

Read first and second time and referred to Second Division Code Revision Committee.

By Mr. Allen, House file No. 27, a bill for an act to revise, amend and codify the statutes in relation to the militia.

Read first and second time and referred to Second Division Code Revision Committee.

By Mr. Funk, House file No. 28, a bill for an act to revise, amend and codify the statutes in relation to the settlement and support of the poor.

Read first and second time and referred to Third Division Code Revision Committee.

By Mr. Funk, House file No. 29, a bill for an act to revise, amend and codify the statutes in relation to the care of the insane.

Read first and second time and referred to Third Division Code Revision Committee.

By Mr. Funk, House file No. 30, a bill for an act to revise, amend and codify the statutes in relation to domestic animals.

Read first and second time and referred to Third Division Code revision Committee.

By Mr. Funk, House file No. 31, a bill for an act to revise, amend and codify the statutes in relation to fences.

Read first and second time and referred to Third Division Code Revision Committee.

By Mr. Funk, House file No. 32, a bill for an act to revise, amend and codify the statutes in relation to lost goods.

Read first and second time and referred to Third Division Code Revision Committee.

By Mr. Funk, House file No. 33, a bill for an act to revise, amend and codify the statutes in relation to intoxicating liquors.

Read first and second time and referred to Third Division Code R9vision Committee.

By Mr. Funk, House file No. 34, a bill for an act to revise, amend and codify the statutes in relation to fire insurance companies.

Read first and second time and referred to Third Division Code Revision Committee.

By Mr. Funk, House file No. 35, a bill for an act to revise, smend and codify the statutes in relation to the Bureau of Labor Statistics.

Read first and second time and referred to Third Division Code Revision Committee.

By Mr. Funk, House file No. 36, a bill for an act to revise, amend and codify the statutes in relation to mines and mining.

Read first and second time and referred to Third Division Code Revision Committee.

By Mr. Funk, House file No. 37, a bill for an act to revise, amend and codify the statutes in selation to the geological survey.

Read firsi and second time and referred to Tbird Division Code Revision Committee.

By Mr. Funk, House file No. 38, a bill for an act to revise, amend and codify the statutes in relation to the inspection of petroleum products.

Read first and second tine and referred to Third Division Code Revision Committee.

By Mr. Funk, House file No. 39, a bill for an act to revise and codify the statutes in relation to the inspection of passenger boats.

Read first and second time and referred to Third Division Code Rerision Committee.

By Mr. Funk, House file No. 40, a bill for an act to revise, amend and codify the statutes in relation to dairy commissioners and the imitation of dairy products.

Read first and second time and referred to Third Division Code Revision Committee.

By Mr. Funk, House file No. 41, a bill for an act to revise, amend and codify the statutes in relation to the state veterinary surgeon.

Read first and second time and referred to Third Division Code Revision Committee.

By Mr. Funk, Houss file No. 42, a bill for an act to revise amend and codify the statutes in relation to the care and propa. gation of fish.

Read first and second time and referred to Third Division Code Revision Committee.

By Mr. Funk, House file No. 43, a bill for an act to revise, amend and codify the statutes in relation to State Board of Health.

Read first and second time and referred to Third Division Code Revision Committee.

By Mr. Funk, House file No. 44, a bill for an act to revise, amend and codify the statutes in relation to the practice of medicine.

Read first and second time and referred to Third Division Code Revision Committee.

By Mr. Funk, House file No. 45, a bill for an act to revise, amend and codify the statute in relation to the practice of pharmacy.

Read first and second time and referrad to Third Division. Code Revision Committee.

By Mr. Funk, House file No. 46, a bill for an act to revise; amend and codify, the statutes in relation to the practice of dentistry

Read first and second time and referred to Third Division Code Revision Committee.

By Mr. Funk, House file No. 47, a bill for an act to revise, amend and codify the statutes in relation to the Soldiers' Home.

Read first and second time and referred to Third Division Code Revision Committee.

By Mr. Funk, House file No. 48, a bill for an act to revise, amend and codify the statutes in relation to the regents and trustees of state institutions.

Read first and second time and referred to Third Division Code Revision Committee.

Mr. Weaver, from the committee appointed by the Twentyfifth General Assembly upon the uniformity of law, offered the following report:

To the General Asscmbly of Iowa:
In pursuance of the provisions of joint resolution No. 14 of the Twentyfifth General Assembly (acts of the Twenty-fifth General Assembly, chapter 206), the undersigned were, by the Code Commissioners of Iowa, appointed in 1894 to act as commissioners for Lowa to confer with similar commissioners appointed by other states of the United States in devising and recommending to the various states for adoption, provisions to promote uniformity of legislation in the United States, and each of us has attended one or more of the annual sessions of such commissioners from the various states, held since that date of our appointment.

The recommendations of this board of commissioners from the various states so far as agreed upon prior to the report of the Code Commission to the General Assembly, were embodied by the commissioners in that report; but, since such report was presented to the present General Assembly at the beginning of its regular session, the Board of Conmissioners of the several states has adopted and recommended for enactment by the legislatures of the various states, an act to secure uniformity in the law as to negotiable instruments, and as it is not practicable for us, as commissioners for Iowa, to make further report to the Code Commission, we respectfully ask leave to present the recommendations of such Board of State Commissioners directly to your honorable body, with the purpose that the bill referred to, which is herewith transmitted, be adopted by your honorable body as a chapter of Title 15 of the Code of Iowa, as reported to Trade and Commerce.

We beg leave to suggest that the general purpose of securing uniformity in commercial matters among the various states is an important one to the interests of this state, and that the adoption of the proposed act will not only bring our law into more complete uniformity with the general law of the country upon this subject, but also that it will render definite and certain the law of this state upon some questions as to which there is now some uncertainty and difficulty.

Very Respectfully,

> L. G. Kinne, Emlin McClain, H. O. Whaver.

Des Moines, Iowa, Jan. 20, 1897.
Mr. Byington offered the following resolution, and moved its adoption:

Resolved, That a committee of five be appointed to distribute the various session laws of the regular session of the Twenty-sixth General Assembly to the appropriata Code revision committees, and that said committee furnish the chairman of each Code revision committee memoranda showing the said laws assigned to his committee.

Adopted.
The Speaker appointed as such committee Messrs. Byington, Hayes, Evans, Power and Mayne.

Mr. Brinton excused till to-morrow.
Mr. Martin excused till Monday.
On motion of Mr. Ladd, House adjourned till 9:30 A. M. to morrow.

> Hall of the House of Representatives, Des Moines, Iowa, Saturday, January 23, 1897. $\}$

House met pursuant to adjournment, Speaker Byers in the chair.

Prayer by Rev. A. L. Golden.
Journal of yesterday corrected and approved.
Mr. Hinman excused until noon to-day.
Messrs. Mayne and Potter excused until Monday morning. PETITIONS AND MEMORIALS.

Messrs. Hinkhouse, Thompson, Wells, Doubleday, Jackson, Whelan, Clark, Classen, Manahan, Loomis, Brant, Watters, Evans, Lowry, Mullen, Spaulding, Griswold, Porter, Cornwall, Good, Bowen, Frink, Morrison of Keokuk, Brady, St. John, Grote, Ladd, Bell, Garner, Funk, Frazee, Nolan and Bailey presented remonstrances of citizens of their respective counties against the manufacturing bill.

Referred to Committee on Domestic Manufactures.
Mr. Morrison of Keokuk presented petition of citizens of Keokuk county asking that hucksters and peddlers of groceries be included in license, section 906 of the Code.

Referred to Committee on Ways and Means.
Mr. Classen presented memorial from Farmers Mutual Fire Insurance Company of Marshall county relating to encroachments of outside companies.

Referred to Committee on Insurance.

## REPORT OF COMMITTEES.

Mr. Finch, from the Committee on Code Revision, Division No. 3, submitted the following report:

Mr. Speaker-Your Committee on Code, Division No. 3, to whom was referred House file No. 28, a bill for an act to revise, amend and codify the statutes in relation to the settlement and support of the poor, beg leave to report that they have had the same under consideration and have
instructed me to report the same back to the House with the recommendation that the same be amended as follows:

Page 439, section 9, line 3, strike out " six months" insert "one year." Page 440, section 11, lines 4 and 5 , strike out "six months" insert "one year." Page 440, section 13, line 3, strike out "three" insert "fifteen." Page 440, section 13, line 7, strike out "ten" insert "thirty." Page 440, section 15 , line 8 , add "they may require any able bodied person to labor faithfully on the streets and highways, at the rate of five cents per hour in payment for and as a condition of granting a relief, said labor shall be performed by the direction of the officers having charge of working streets and highways." Page 441, section 16, line 1, after the word "soldiers" insert "sailors." Page 441, section 23, line 4, between "of" and "all" insert "any or." Page 441, section 24, line 1, between "of" and "all" insert "any or." Page 443, section 32, lines 4 and 5, strike out the following words: "In counties having a population of fourteen thousand or over, and not exceeding one mill on the dollar in other counties." And when so amended the same do pass.

> P. Finoh, Chairman.

Ordered passed on file.
Mr. Hendershot, from the Committee on Rules, submitted the following report:

Mr. Speaker-Your Committee on Rules, to whom was referred a resolution to provide rules for this session same as at the Twenty-sixth General Assembly, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same be amended by striking out the word "Rider" in first line of Rule 49.
I. B. Hendershot,

Chatrman.
Report adopted.
Mr. Temple, from the Committee on Code Revision, Division No. 1, submitted the following report:

Mr. Speaker-Your Committee on Code Revision, Division No 1, to whom was referred House file No. 5, a bill for an act to revise, amend and codify the statutes in relation to the General Assembly, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same do pass as amended, and recommend amendments as follows:

To strike out section 9 thereof and to substitute as follows:
Section 9. The compensation of the officers and employes of the General Assembly shall be: To the Secretary of the Senate and Chief Clerk of the House, six dollars per day each; to the Assistant Secretaries of the Senate and Clerks of the House, Journal, Enrolling and Engrossing Clerks five dollars per day each; to the Speaker's Clerk, Lieutenant-Governor's Clerk and Sergent-at-Arms four dollars per day each; to Postmaster and assistant, Mail carrier, Bill Clerk, File Clerk, Door-keepers, Janitors and Committee Clerks three dollars per day each, and the necessary stationery for each of the Clerks, Secretaries and their assistants
aforesaid. To the Lieutenant-Governor's Page and the Speaker's Page two dollars per day each; to the Messengers one dollar and fifty cents per day each, and no other or greater compensation shall be allowed such officers or employes, nor shall there be any allowance of or for stationery except as above provided, postage, newspapers or per requisite in any form or manner or under any other name or designation.

M. L. Temple.<br>Chairman.

Ordered passed on file.

## Mr. Temple from the Committee on Code Revision, Division

 No. 1, submitted the following report:Mr. Speaker-Your committee on Code Revision, Division No. 1, to whom was referred House file No. 18, a bill for an act to revise, amend and codify the statutes in relation to insurance, beg leave to report that under the resolution heretofore adopted the Committee on Insurance has called for said bill and the same has been transferred to the Insurance Committee. M. L. Temple, Chairman.

## So ordered.

Mr. Temple, from the Committee on Code Revision, Division No. 1, submitted the following report:

Mr. Speaker-Your Committee on Code Revision, Division 1, to whom was referred House file No. 9, a bill for an act to revise, amend and codify the statutes in relation to the executive department, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same do pass with the following amendments: In chapter 2 , section 11, line 1, strike out the word "state." In chapter 2, section 18, line 2, strike out the words "of Iowa." In chapter 2 , section 20 , line 2 , strike out the word "three" and insert "five" in lieu thereof. In same line strike out the words "one dollar and twenty-five cents" and in lieu thereof insert the words "five dollars." In chapter 3, amend section 12 by adding at the end thereof the words "banks and building loan associations." Strike out all of chapter 5. Amend chapter 7 by striking out section 1 and substituting in lieu thereof the following: "The Governor, Secretary, Auditor and Treasurer of State shall constitute the Executive Council, and any three of these shall constitute a quorum. No deputy of either of such officers shall act in said Council for his principal." In chapter 8, section 1 , line 10 , strike out the words "and such other matters as the Council may deem expedient." Chapter 9 , section 2 , line 5 , amend by inserting after the words "public instruction" the words "adjutant-general, railroad commissioners."

M. L. Temple, U'hatrman.

Ordered passed on file.
The following requisition was placed on file:

To Representative Temple, Chairman of First Division of the Committee on Revision of the Code:
I am instructed by the Committee on Insurance to request of your committee that House file No. 18 (chapters 4,5 and 8 of the proposed Code) be turned over to the Committee on Insurance, to be considered and reported upoz by said Insurance Committee.

Chas. L Early, Chairman Committee on Insurance.

Des Moines, Iowa, Jan. 22, 1897.
So ordered.

## INTRODUCTION OF BILLS.

By Mr. Temple, House file No. 49, a bill for an act to revise, amend and codify the statutes in relation to Department of Public Instruction.

Read first and second time and referred to Fourth Division Code Revision Committee.

By Mr. Temple, House file No. 50, a bill for an act to revise, amend and codify the statutes in relation to Educational Board of Examiners.

Read first and second time and referred to Fourth Division Code Revision Committee.

By Mr. Temple, House file No. 51, a bill for an act to revise, amend and codify the statutes in relation to the State University.

Read first and second time and referred to Fourth Division Code Revision Committee.

By Mr. Temple, House file No. 52, a bill for an act to revise, amend and codify the statute in relation to the College of Agriculture and Mechanic Arts.

Read first and second time and referred to Fourth Division Code Revision Committee.

By Mr. Temple, House file No. 53, a bill for an act to revise, amend and codify the statutes in relation to normal schools.

Read first and second time and referred to Fourth Division Code Revision Committee.

By Mr. Temple, House file No. 54, a bill for an act to revise, amend and codify the statutes in relation to the Orphans' Home and Home for Destitute Children.

Read first and second time and referred to Fourth Division Code Revision Committee.

By Mr. Temple, House file No. 55, a bill for an act to revise, amend and codify the statutes in relation to Institution for Feeble Minded Children.

Read first and second time and referred to Fourth Division Code Revision Committee.

By Mr. Temple, House file No. 56, a bill for an act to revise, amend and codify the statutes in relation to the Industrial School.

Read first and second time and referred to Fourth Division Code Revision Committee.

By Mr. Temple, House file No. 57, a bill for an act to revise, amend and codify the statutes in relation to the college for the blind.

Read first and second time and referred to Fourth Division Code Revision Committee.

By Mr. Temple, House file No. 58, a bill for an act to revise, amend and codify the statutes in relation to the Industrial Home for the Blind.

Read first and second time and referred to Fourth Division Code Revision Committee.

By Mr. Temple, House file No. 59, a bill for an act to revise, amend and codify the statutes in relation to the School for the Deaf.

Read first and second time and referred to Fourth Division Code Revision Committee.

By Mr. Temple, Hause file No. 60, a bill for an act to revise, amend and codify the statutes in relation to high schools.

Read first and second time and referred to Fourth Division Code Revision Committee.

By Mr. Temple, House file No. 61, a bill for an act to revise amend and codify the statutes in relation to the county superintendent.

Read first and second time and referred to Fourth Division Code Revision Committee.

By Mr. Temple, House file No. 62, a bill for an act to revise amend and codify the statutesin relation to the system of common schools.

Read first and second time and referred to Fourth Division Code Revision Committee.

By Mr. Temple, House file No. 63, a bill for an act to revise amend and codify the statutes in relation to the school fund.

Read first and second time and referred to Fourth Division Code Revision Committee.

By Mr. Temple, House file No. 64, a bill for an act to revise, amend and codify the statutes in relation to the State Library.

Read first and second time and referred to Fourth Division Code Revision Committee.

By Mr. Temple, House file No. 65, a bill for an act to revise, amend and codify the statutes in relation to the State Historical Society.

Read first and second time ard referred to Fourth Division Code Revision Committee.

By Mr. Cornwall, House file No. 66, a bill for an act to revise, amend and codify the statutes in relation to the rights of property.

Read first and second time and referred to Fifth Division Code Revision Committee.

By Mr. Brighton, House file No. 67, a bill for an act to revise, amend and codify the statutes in relation to weights, measures and inspection.

Read first and second time and referred to Fifth Division Code Revision Committee.

By Mr. Brighton, House file No. 68, a bill for an act to revise, amend and codify the statutes in relation to money of accounts and interest.

Read first and second time and referred to Fifth Division Code Revision Committee.

By Mr. Brighton, House file No. 69, a bill for an act to revise, amend and codify the statutes in relation to notes and bills.

Read first and second time and referred to Fifth Division Code Revision Committee.

By Mr. Brighton, House file No. 70, a bill for an act to revise, amend and codify the statutes in relation to tender.

Read first and second time and referred to Fifth Division Code Revision Committee.

By Mr. Brighton, House file No. 71, a bill for an act to revise, amend and codify the statutes in relation to surety.

Read first and second time and referred to Fifth Division Code Revision Committee.

By Mr. Brighton, House file No. 72, a bill for an act to revise, amend and codify the statutes in relation to private seals.

Read firstand second time and referred to Fifth Division Code Revision Committee.

By Mr Brighton, House file No. 73, a bill for an act to revise, amend and codify the statutes in relation to assignment for creditors.

Read first and second time and referred to Fifth Division Code Revision Committee.

By Mr. Brighton, House file No. 74, a bill for an act to revise, amend-and codify the statutes in relation to mechanics' liens.

Read first and second time and referred to Fifth Division Code Revision Committee.

By Mr. Brighton, House file No. 75, a bill for an act to revise, amend and codify the statute in relation to silent partnerships.

Read first and second time and referred to Fifth Division Code Revision Committee.

By Mr. Brighton, House file No. 76, a bill for an act to revise, amend and codify the statutes in relation to warehousemen, carriers, hotel keepers, livery stable keepers and herders.

Read first and second time and referred to Fifth Division Code Revision Committee.

By Mr. Allen, House file No. 77, a bill for an act to revise, amend and codify the statutes in relation to domestic relations.

Read first and second time and raferred to First Division Code Revision Committee.

By Mr. Funk, House file No. 78, a bill for an act to revise, amend and codify the statutes in relation to estates of decedents.

Read first and second time and referred to First Division Code Revision Committee.

The following requisition was filed:
To Mr. Brinton, Chairman of Fourth Division Code Committee:
The Committee on School and Text Books desire to call from your committee House files Nos. 49, 50, 60, 61, 62 and 63.
J. F. Reed,

Chairman.
So ordered.
Mr. Early offered the following concurrent resolution and moved its adoption:

Resolved by the House, the Senate concurring, That the Secretary of State be requested to furnish each member of the House and Senate a copy of the Senate and House Journals, a copy of the rules and session laws of the Twenty-sixth General Assembly for their use at this session.

Adopted.
Mr. Wood offered the following concurrent resolution and moved its adoption:

Resolved by the House, the Senate concurring, That a committee of two from the House and one from the Senate be appointed by the Speaker of the House and the President of the Senate to visit the institution for the feeble minded at Glenwood, and investigate the needs of said institution with reference to rebuilding of the buildings recently destroyed by fire.

Adopted.
The Speaker appointed as such committee Messrs. Wood and Baker.

The House here took up for consideration House file No. 5, with report of committee recommending passage with amendments.

The report of the committee was adopted.
Mr. Klemme moved to amend by striking out of line 2, section 8 , the words " and fifty."

Lost.
Mr. Temple moved to strike out the substitute of the committee and insert section $\mathcal{G}$ as reported by the Code Committee.

Messrs. Van Houten and McDowell demanded the yeas and nays on this motion, which resulted as follows:

On the question, "Shall the amendment be adopted?" the yeas were:

Messrs. Allen, Bird, Brant, Brinton, Classen, Crow, Davis, Doubleday, Dowell, Early, Griswold, Grote, Jackson, Ladd, Lauder, Loomis, McDowell, McQain, Miller of Buena Vista, Miller of Warren, Morrison of Grundy, Nietert, Putnam, Smith, Temple, Tibbitts, Williams, Wood, Mr. Speaker-28.

The nays were:
Messrs. Bailey, Baker, Bell, Brady, Brighton, Byington, Chapman, Clark, Cook, Cornwall, Edwards, Evans, Finch, Frazee, Frink, Funk, Garner, Good, Gurley, Haugen, Hauger, Hayes, Hazen, Hendershot, Hinkhouse, Hunt, Huntley, Jay, Johnson of Webster, Johnston of Franklin, Klemme, Lambert, Lowry, McAchran, Manahan, Marti, Merriam, Morrison of Keokuk, Mullin, Nolan, Parker, Perrott, Porter, Power, Prentis, Ray, Reed, Scott, Spaulding, Sullivan, Thompson, Van Houten, Watters, Wells, Wheeler, Whelan, Whittier, Wilson-58.

Absent or not voting:
Messrs. Bowen, Hinman, Lavender, McArthur, McDonald, McNulty, Martin, Mayne, Miller of Cherokee, Potter, St. John, Voelker, Weaver-13.

So the motion was lost.

Mr. Temple moved that the rule be suspended, and that the bill be considered engrossed and read a third time now, which motion prevailed and the bill was read a third time.

On the question, "Shall the bill pass?" the yeas were:
Messrs. Allen, Bailey, Baker, Bell, Brady, Brant, Brighton, Brinton, Byington, Chapman, Clark, Classen, Cook, Cornwall, Crow, Davis, Doubleday, Dowell, Early, Edwards, Evans, Finch, Frazee, Frink, Funk, Garner, Good, Griswold, Grote, Gurley, Haugen, Hauger, Hayes, Hazen, Hendershot, Hinkhouse, Hunt, Huntley, Jackson, Jay, Johnson of Webster, Johnston of Franklin, Klemme, Ladd, Lambert, Lauder, Loomis, Lowry, McAchran, McDowell, Manahan, Marti, Merriam, Miller of Buena Vista, Miller of Warren, Morrison of Grundy, Morrison of Keokuk, Mullin, Nietert, Nolan, Parker, Perrott, Porter, Power, Prentis, Putnam, Ray, Reed, Scott, Smith, Spaulding, Sullivan, Temple, Thompson, Tibbitts, Van Houten, Watters, Wells, Wheeler, Whelan, Whittier, Williams, Wilson, Wood, Mr. Speaker-85.

The nays were:
Messrs. Bird and McQuin-2.
The absent or not voting:
Messrs. Bowen, Hinman, Lavender, McArthur, McDonald, McNulty, Martin, Mayne, Miller of Cherokee, Potter, St. John, Voelker, Weaver-13.

So the bill passed and title, when amended, was agreed to. MESSAGES FROM the SENATE.
The following messages were received from the Senate:
Mr. Speaker-I am directed to inform your honorable body that the Senate has passed the following concurrent resolution, in which the concurrence of the House is asked :

Relative to copies of House and Senate Journals for the use of members.
G. A. Newman, Secretary.
Also:
Mr. Speaker-I am directed to inform your honorable body that the Senate has passed the following concurrent resolution in which the concurrence of the House is asked:

In relation to appointment of committee to visit the Institution for Feeble Minded at Glenwood.
G. A. Newman, Secretary.
The House here took up for consideration House file No. 28, a bill for an act to revise, amend and codify the statutes in relation to the settlement and support of the poor, with report of committee recommending passage when amended.

The report of the committee adopted.
Mr. Hauger moved that the bill be read section by section for information and amendments.

Carried.
The clerk read the bill.
Mr. Frink moved to strike out the words 'sone and one-half mills" in line 4, section 32, and insert in lieu thereof the words "one mill."

Carried.
Mr . Temple moved to amend section 20 by inserting in line 4 after the word "treasury" the following: "but if the board shall diminish or reject claims or bills for care and support actually furnished the holder of such claim or bill, may within twenty days appeal from the order of the board to the district court."

Adopted.
Mr. Griswold moved to amend section 15, line 3, by inserting between "city" and "is" the words "or incorporated towns." Also in line 5 the same words between the words "city" and "or."

Lost.
Mr. Lauder moved to amend section 13 by striking out the word "fifteen" in line 3 and inserting the word "thirty."

Lost.
Mr. Brighton moved to amend by striking out the word "two" in line 5, section 8 , and inserting the word "five."

Lost.
Mr. Allen moved to amend by striking out in line 2, section 16 , the words, "when they can and prefer to be relieved to the extent above provided," and inserting in lieu thereof the words, "against their objections."

Lost.
Mr. Finch moved that the rule be suspended, and that the bill be considered engrossed and read a third time now, which motion prevailed and the bill was read a third time.

On the question, "Shall the bill pass?" the yeas were:
Messrs. Allen, Bailey, Baker, Bell, Bird, Bowen, Brady, Brant, Brighton, Brinton, Byington, Chapman, Clark, Classen, Cook, Crow, Davis, Doubleday, Dowell, Early, Edwards, Evans, Finch, Frazee, Frink, Funk, Garner, Good, Griswold, Grote, Gurley, Haugen, Hauger, Hayes, Hazen, Hendershot,

Hinkhouse, Huntley, Jackson, Jay, Johnson of Webster, Johnston of Franklin, Klemme, Ladd, Lambert, Lauder, Loomis, Lowry, McAchran, McDowell, McQuin, Manahan, Marti, Merriam, Miller of Buena Vista, Miller of Warren, Morrison of Grundy, Morrison of Keokuk, Mullin, Nietert, Nolan, Parker, Perrott, Porter, Power, Prentis, Putnam, Ray, Reed, Scott, Smith, Spaulding, St. John, Sullivan, Temple, Thompson, Tibbitts, Van Houten, Watters, Wells, Wheeler, Whelan, Whittier, Williams, Wilson, Wood, Mr. Speaker-86.

The nays were:
None.
Absent or not voting:
Messrs. Cornwall, Hinman, Hunt, Lavender, McArthur, McDonald, McNulty, Martin, Mayne, Miller of Cherokee, Potter, Voelker, Weaver-13.

So the bill passed and the title was agreed to.
The following motion to reconsider was filed
Mr. Speaker-I move to reconsider the vote by which House file No. 28 passed the House.

> David Brant.

I second the motion.

> R. T. St. Јонл.

Mr. Finch offered the following resolution, which was laid over under Rule 34 :

Resolved by the House, the Senate concurring, That a committee of five, three from the House and two from the Senate, be appointed by the presiding officers of each house, to designate where the laws of the Twentysixth General Assembly of a general nature be incorporated in the new Code.

Mr. Cornwall excused till Tuesday.
Mr. Lauder excused till Monday on account of sickness.
Mr. Miller of Warren, excused until Monday 2 p. m.
Mr. Ladd moved to adjourn till 10 A. M. Monday.
Mr. Merriam moved to amend by making it 2 p . M. to day. Amendment lost.
Motion of Mr. Ladd carried.
House adjourned.
$\left.\begin{array}{l}\text { Hall of the House of Representatives, } \\ \text { Des Moines, Iowa, Monday, January 25, 1897. }\end{array}\right\}$
The House met at 10 A. M. with Speaker Byers in the chair. Prayer was offered by Rev. H. T. Dudley.
The Journal of Saturday was corrected and approved.
PETITIONS AND MEMORIALS.
Messre. Davis, Baker, Hinman, Miller of Beuna Vista, Garner, Dowell, Klemme and Bird presented remonstrances of citizens of their respective counties against a manufacturing bill.

Referred to Committee on Domestic Manufactures.
Mr. Potter presented remonstrance of physicians of Pottawattamie county against any bill "legalizing the practice of osteopathy" in the State of Iowa.

Referred to Committee on Public Health.
Mr. Watters presented memorial of the Society of Friends at Marietta, Iowa, against a manufacturing bill.

Referred to Committee on Domestic Manufactures.
REPORTS OF COMMITTEES.
Mr. Finch, from the Committee on Code Revision Division No. 3, submitted the following report:

Mr. Speaker-Your Committee on Code Revision Division No. 3, to whom was referred House file No. 33, a bill for an act to revise, amend and codify the statutes in relation to intoxicating liquors, beg leave to report that the Committee on Suppression of Intemperance has demanded said bill and the same has been transferred to said committee.

> P. Finch, Chairman.

So ordered.
Mr. Allen, from the Second Division of the Committee on Code Revision, submitted the following report:

Mr. Speaker-Your Second Division of the Committee on Code Revision, to whom was referred House file No 11, a bill for an act to revise
amend and codify the statutes in relation to county and township government, beg leave to report that they have been requested by the Committee on County and Township Organization to report the same back to the House with the recommendation that the same be referred to such Committee on County and Township Organization.

## W. S. Allen,

Chairman.
So ordered.
The House here took up for consideration House file No. 9, a bill for an act to revise, amend and codify the statutes in relation to the executive department, with the report of the committee recommending passage with amendments.

The report of the committee was adopted.
Mr. Morrison of Grundy moved to amend by inserting in chapter 7, section 1, line 8, after the words "Secretary," the words "Attorney General."

Messrs. McDowell and Klemme demanded the yeas and nays on this amendment, which resulted as follows:

On the question, "Shall the amendment be adopted?" the yeas were:

Messrs. Bailey, Gurley, Loomis, Morrison of Grundy, Parker, Spaulding, Van Houten, Watters-8.

The nays were:
Messrs. Allen, Baker, Bell, Bird, Bowen, Brady, Byington, Chapman, Clark, Classen, Cook, Crow, Davis, Doubleday, Dowell, Early, Edwards, Evans, Finch, Frazee, Frink, Garner, Good, Grote, Haugen, Hauger, Hinkhouse, Hinman, Hunt, Huntley, Jackson, Jay, Johnston of Franklin, Klemme, Lambert, Lowry, McAchran, McDowell, McNulty, Marti, Martin, Merriam, Miller of Buena Vista, Morrison of Keokuk, Mullin, Nietert, Nolan, Perrott, Porter, Potter, Prentis, Putnam, Ray, Reed, Scott, Smith, St. John, Sullivan, Thompson, Tibbitts, Voelker, Wheeler, Whelan, Williams, Mr. Speaker-65.

Absent or not voting:
Messrs. Brandt, Brighton, Brinton, Cornwall, Funk, Griswold, Hayes, Hazen, Hendershot, Johnson of Webster, Ladd, Lauder, Lsvender, McArthur, McDonald, McQuin, Manahan, Mayne, Miller of Cherokee, Miller of Warren, Power, Temple, Weaver, Wells, Whittier, Wilson, Wood-27.

So the amendment was lost.
Mr. Merriam moved to amend chapter 4, section 4, line 2, by striking out the word "issuance" and inserting in lieu thereof the word "presentation."

Mr. Hauger moved to amend the amendment by striking out the words "and only in the order of their issuance."

The amendment of Mr. Hauger lost.
The amendment of Mr. Merriam adopted.
Upon motion of Mr. Haugen the Clerk read the bill section by section for information and amendments.

Mr. Lambert in the chair.
MESSAGE FROM THE SENATE.
The following message was received from the Senate:
Mr. Speaker-I am directed to inform your honorable body that the Senate has passed the following concurrent resoluion, in which the concurrence of the House is asked:

Relative to the adoption of a common plan for the consideration of Jode work.

Be $1 t$ resolved by the Senate, the House concurring, That the joint committee heretofore appointed to consider the consideration of Code work report to each House a common plan for adoption of titles and chapters of the proposed Code.

Geo. A. Nrwman, Secretary.
Speaker Byers in the Chair.
Upon motion of Mr. Allen the Senate concurrent resolution just received was taken up and adopted.

Mr. Martin moved to amend the bill under consideration by striking out of Title II, chapter 2, section 20, line 2, the word "five" as reported by the committee, after the words "notaries public," and inserting the words "one dollar and twenty-five cents."

On a division of the House the amendment was adopted by a vote of 36 yeas to 32 nays.

Mr. McQuin was granted indefinite leave of absence on account of sickness.

Mr. Finch called up his concurrent resolution relative to appointing a committee to designate where the laws of the Twenty-sixth General Assembly of a general nature be incorporated in the new Code and moved its adoption.

Adopted.
On motion of Mr. Byington the House adjourned till 9:30 A. M. to-morrow.

Hall of the House of Representatives, Des Moines, Iowa, Tuesday, January 26, 1897. $\}$
The House was called to order at 9:30 A. m., with Speaker Byers in the chair.

Prayer was offered by the Rev. Dr. Crum of Webster City.
The Journal of yesterday was read and approved.
The House here took up for consideration the pending measure, House file No. 9, a bill for an act to revise, amend and codify the statutes in relation to the Executive department.

Mr. Hauger moved to amend by striking out after the word "auditor" in chapter 4, page 24, section 4, of the proposed revision of the Code, in the first and second lines, up to and including the word "issuance" in said section 4, and add, "and in case there are not funds sufficient to pay all warrants when presented, he shall pay so far as practicable in the order in which they are presented."

Lost.
Mr. Loomis moved that the vote by which the amendment to section 20 was adopted yesterday be reconsidered.

Mr. Hinman seconded the motion.
Carried.
The question now before the House is to strike out of chapter 2 , section 20, line 2 the word "five," as reported by the committee, after the words "notaries public," and insert the words "one dollar and twenty-five cents."

Mr. Early moved to amend the amendment by striking out words "one dollar and twenty-five cents" and inserting the words "three dollars."

Lost.
The original amendment was then lost.
Mr. Garner moved to amend section 22, page 21 by inserting after the word "deputy," in the first line, the following: "for whose acts he shall be responsible and for whom he shall require bonds;" also insert after the word "appointment" the words "and bond."

On a division of the House the amendment was adopted by a vote of 46 yeas to 29 nays.

Mr. Garner moved to amend section 11, chapter 2, line 1, by inserting after the word "deputy" the words "for whose acts he shall be responsible and from whom he shall require bond;" also insert after the word "appointment" "the bond."

Adopted.
Mr. Finch asked to be recorded as voting "no" on the above amendment and offered the following explanation of his vote:

Mr. Speaker--I vote no because a bond is provided for on page 225, section 7, and page 226, section 10.

## P. Finch.

Mr. Garner moved to amend section 16, chapter 4, by inserting after the word "deputy," in line 2 , the words "for whose acts he shall be responsible and from whom he shall require bond;" also after the word "appointment" the words "and bond."

Adopted.
Mr. Temple moved to amend title by striking out the words "printing and binding;" also that chapter 6 be numbered chapter 5 , and chapter 7 be numbered 6 , that chapter 8 be numbered chapter 7, and chapter 9 be numbered chapter 8 .

Adopted.
Mr. Haugen moved to amend section 11, line 2, by atriking out the words "city of Des Moines" and inserting the word "state."

Lost.
Mr. Watters moved to amend section 3 by striking out in line 5 after the word "reward" the words "shall be indicted" and insert the same words in line 6 after the word "earned."

Lost.
Mr. Funk moved that the rule be suspended, and that the till be considered engrossed and read a third time now, which motion prevailed and the bill was read a third time.

On the question, "Shall the bill pass?" the yeas were:
Messrs. Allen, Bailey, Baker, Bell, Bird, Bowen, Brady, Brant, Brighton, Brinton, Byington, Chapman, Clark, Classen, Cook, Cornwall, Crow, Davis, Doubleday, Dowell, Early, Edwards, Evans, Finch, Frazee, Frink, Funk, Garner, Good, Griswold, Grote, Gurley, Hauger, Hazen, Hendershot, Hinkhouse, Hinman, Hunt, Huntley, Jacksou, Johnson of Webster,

Johnston of Franklin, Klemme, Ladd, Lambert, Lauder, Lavender, Loomis, Lowry, McAchran, McDonald, McDowell, Marti, Martin, Mayne, Merriam, Miller of Buena Vista, Miller of Warren, Morrison of Grundy, Morrison of Keokuk, Mullin, Nietert, Nolan, Parker, Perrott, Porter, Potter, Power, Prentis, Putnam, Ray, Reed, Scott, Smith, Spaulding, St. John; Sullivan, Temple, Thompson, Tibbitts, Van Houten, Voelker, Watters, Weaver, Wells, Wheeler, Whelan, Whittier, Williams, Wilson, Wood, Mr. Speaker-92.

Mr. Haugen voted in the negative.
Absent or not voting:
Messrs. Hayes, Jay, McArthur, McNulty, McQuin, Manahan, Miller of Cherokee-7.

## REPORTS OF COMMITTEES.

Mr. Brinton, from the Committee on Code Revision, Fourth Division, submitted the following report:

Mr. Speaker-Your Committee on Code Revision, Fourth Division, to whom was referred House file No. 51, a bill for an act to revise, amend and codify the statutes in relation to the State University, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same do pass, with the following amendment:

Page 537, section 2, line 11, strike out all after the word "by," and insert the words, "and filed with the Secretary of State."
M. H. Brinton, Chairnan.
Ordered passed on file.
Also:
Mr. Speaker-Your committee on Code Revision, Fourth Division, to whom was referred House file No. 13, a bill for an act to revise, amend and codify the statutes in relation to elections and officers, beg leave to report that the Committee on Elections has demanded said bill and the same has been transferred to said committee.

M. H. Brinton, Chatman.

So ordered.
Also:
Mr. Speaker-Your Committee on Code Revision Fourth Division, to whom was referred House file No. 54, a bill for an act to revise, amend and codify the statutes in relation to the Orphans' Home and Home for Destitute Children, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same do pass with the following amendment:

Page 546, section 1, line 2, after the word "trustees" insert "one of whom shall be a woman."

M. H. Brinton, Chairman.

Ordered passed on file.
Also:
Mr. Speaker-Your committee on Code Revision, Fourth Division, to whom was referred House file No. 53, a bill for an act to revise amend and codify the statutes in relation to the normal schools, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same do pass with the following amendments:

Page 545, section 2 , lines 9 and 10 , strike out the words "if necessary for the proper support of the institution."

Page 546, section 7, line 2, strike out the word "one" and insert the word "three."

M. H. Brinton, Chairman.

Ordered passed on file.
Mr. Allen, from the Committee on Code Revision Second Division, submitted the following report:

Mr. Speaker-Your Committee on Code Revision Second Division, to whom was referred House file No. 22, a bill for an act to revise, amend and codify the statutes in relation to taking private property for works of internal improvement, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same do pass with the following amendments:

In line 2 , section 20 , insert the word "two" before the word "frequently."

In line 5 , section 26 , strike out the words "to any person injured."
In line 3, section 32, strike out the word "electric" and insert the word "other"in lieu thereof.
W. S. Allen, Chairman.
Ordered passed on file.
Report of Committee on Plan to Divide the Code:
Mr. Speaker-Your committee appointed as a joint committee with a similar one of the Senate, to devise a plan for the division of the proposed Code into bills, and to whom has been referred concurrent resolution to report with respect to the retention in the bills of the chapters, titles, etc., beg leave to report that said joint committee has taken the matter under consideration, and has instructed me to report the following, viz.:

Retain all chapters and chapter numbers, together with the statement of the subject of the chapter in each bill wherever they occur.

Insert in parentheses after each chapter the words "of title -_" (filling in the blank with the appropriate number of the titleas found in proposed Code).

Strike out all marginal numbers and references at end of sections to McClain's Code, Acts of the General Assembly.

Respectfully submitted, W. S. Allen, Chairman.
Mr. Funk in the chair.
Mr. Allen moved that report of committee be adopted. Carried.
Mr. Weaver, from the Fifth Division Code Revision Committee, submitted the following report:

Mr. Speaker-Your Fifth Division Code Revision Committee, to whom was referred House file No. 14, a bill for an act to revise, amend and codify the statutes relative to the revenue, beg leave to report that at the request of the Committee on Ways and Means the same has been transferred to said Committee for their consideration.

> H. O. Weaver, Chairman.

So ordered.
Also:
Mr. Speaker-Your Fifth Division Code Revision Committee, to whom was referred House file No. 15, a bill for an act to revise, amend and codify the statutes in relation to roads, bridges and ferries beg leave to report that at the request of the Committee on Roads and Highways the same has been referred to such committee for their consideration.

> H. o. Weaver, Chairman.

So ordered.
PETITIONS AND MEMORIALS.
Messrs. Brighton, Hinman and Johnston of Franklin, presented remonstrances of citizens of their respective counties against a manufacturers' bill.

Referred to Committee on Domestic Manufactures.
Messrs. Hazen and Power presented petition of citizens of Lee county, asking the enactment of a law whereby railroads shall issue thousand mile books at a 2 -cent rate without rebate and which shall be interchangeable.

Referred to Committee on Railroads and Commerce.
Mr. Byers in the chair.
Mr. Temple moved that the House adjourn till 9 A. m. to-morrow.

Carried.
he House adjourned.

# Hall of the House of Representatives. Des Moines, Iowa, Wednesday January 27, 1897. $\}$ 

House met at 9 A. m., Speaker Byers in the chair. Prayer by Rev. Miss Safford, of Sioux City.

PETITIONS AND MEMORIALS.
Messrs. Lauder, Watters and Bird presented remonstrances of citizens of their respective counties against the passage of manufacturing bill.

Referred to Committee on Domestic Manufactures.
Mr. Speaker presented petition of citizens of Marathon, Iowa, for a law to secure depositors in banks against loss.

Referred to Committee on Banks and Banking.

## REPORTS OF COMMITTEES.

Mr. Finch, from the Committee on Code Revision, Division No. 3, submitted the following report:

Mr. Speaker-Your committee on Code Revision, Division No. 3, to whom was referred House file No. 32, a bill for an act to revise, amend and codify the statutes relating to lost goods, beg leave to report that they have had the same under consideration and have instructed me to report 'the same back to the House with the recommendation that the same do pasa.

> P. Finch, Chairman.

Ordered passed on file.
Also:
Mr. Speaker-Your Committee on Code Revision Division No. 3, to whom was referred House file No. 36, a bill for act to revise, amend and codify the statutes in relation to domestic animals, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same be amended as follows:

Page 458, section 2, line 3 , between the words "reside" and "and," insert "or in which he occupies or uses real estate."

Page 458, section 2, line 3, between "county" and "who," insert "where taken."

Page 458, section 2, line 6, strike out "may" and insert "shall."
Page 460, section 8, line 12, between "court and "five," insert"within."
Page 461, section 14, strike out all of section 14 after the word "county," in line 2.

Page 461, strike out all of sections 16 and 17.
Page 465, section 41, line 12, between "up" and "one," insert "as an estray."

Page 465, section 41, line 12, strike out the words "taking up."
Page 465 , section 41, line 17 , strike out the word "public," and when so amended the same do pass.
P. Finch,

Chairman.
Ordered passed on file.
Also:
Mr. Speaker-Your Committee on Code Revision, Division No. 3, to whom was referred House file No. 29, a bill for an act to revise, amend and codify the statutes relating to the care of the insane, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same be amended as follows, and when so amended that the same do pass:

Page 443, section 1, line 4, strike out "six" and insert "five."
Page 444, section 2, line 3, strike out the words "one treasurer" and insert "ghall elect a treasurer who shall not be a member of said board, and who shall reside at the place where the hospital is located."

Page 444, section 2, line 4, strike out "and" between the words "qualified" and "hold," and insert"said board shall."

Page 444, section 5, line 7, between "quarterly" and "for" insert"at the ond of each quarter."

Page 444, section 5, line 8, strike out 'sixteen" and insert "fourteen."
Page 445, section 6, line 6, strike out "he may think" and insert "may be;" also add to said section 6 the following: "He shall keep a book in which shsll be entered all moneys or supplies received for account of any patient, and a detailed account of the disposition of the same."

Page 445, section 8, line 1, strike out the words "medical men."
Page 445, section 9, line 1, between "insanity" and "consisting" insert the following: "And in counties having two places where the district court is held, there shall be one of such board of commissioners at each place." Chapter 53, 26 G. A.

Page 445, section 9, line 2, between the words "court" and "who" insert "or his deputy."

Page 453, section 39, line 2, strike out,"sixteen" and insert "fourteen."
Page 454, section 45, add to section 45 the following: "Provided that the estates of all insane or idiotic persons and all persons legally bound for the support of such persons who may be treated in any county asylum or poor house, other than at or in either of the State Hospitals for the Insane within the state, shall be liable to the county furnishing such treatment, sustenance or supplies for the value thereof, which value shall be determined in the first instance by the board of supervisors."

Page 455, section 48, line 3, strike out "or she."
Page 455, section 50, strike out all of section 50 after the word "him," in line 5, and insert the following: "But such letters written to the person
so confined may be examined by the Superintendent, and if in his opinion the delivery of such letters would be injurious to the person so confined, he shall return the letters to the writer with his reasons for not delivering it."

Page 456, section 55, line 12, before the first word "to" insert "as provided herein."

Page 457, section 57, line 8 , between "way" and "witnesses" insert: "But if such examining physician be a member of the Board of Commissioners he shall be entitled to no other fee than the pay as such commissioner."

> P. Finci, Chairman.

Ordered passed on file.
Mr. Reed, from the Committee on School and Text Books, submitted the following report:

Mr. Speaker-Your Committee on School and Text Books, to whom was referred House file No. 49 (it being Chapter 1, Title 13), a bill for an act to revise, amend and codify the statutes in relation to Superintendent of Public Instruction, beg leave to report that they have had the same nnder consideration and have instructed me to report the same back to the House with the recommendation that the same do pass with the following amendment.

Amend section 6 by striking out the word "fifty" and substitute the words "one hundred."
J. F. Reed, Chairman.
Ordered passed on file.
Mr. Allen, from the Committee on Code Revision Second Division, submitted the following report:

Mr. Speaker-Your Committee on Code Revision Second Division, to whom was referred House file No. 23, a bill for an act to revise, amend and codify the statutes in relation to the construction and operation of railways, beg leave to report that they have been requested by the Committee on Railroads and Commerce to report the same back to the House with the recommendation that the same be referred to such Committee on Railroads and Commerce.

W. S. Allen, Chairman.

So ordered.
Mr. Ray submitted the following report:
Mr. Speakkr-Your committee to investigate the needs of this House as to the number of employes, would respectfully report as follows:

First. -That for the extra session the same committees be allowed clerks as at the regular session, except the Committees on Animal Industry and College for the Blind. That the Committee on Animal Industry be grouped wtih the Committee on Penitentiaries; the Committee on Representative Districts with the Committee on Public Health; the Committee on Institution for Feeble Minded with Committee on Police Regulations; the Committee on Institution for Deaf and Dumb and Committee on College for the

Blind with the Committee on Public Charities; the Committee on Compensation of Public Officers with Committee on Agriculture.

Second.-That the clerk of any committee shall also be a clerk for the individual members of that committee.

Third.-That the committee clerks of the House may be assigned work by the Chief Clerk when not employed in the duties of their respective committees or the members thereof.

Fourth.-That within two days from the adoption of this report the Clerk of the House shall place upon the House Journal the name of each clerk, the name of the committee to which he is assigned, and the date on which he appeared in the House and was sworn in.

Fifth.-On each day on which the Legislature convenes each clerk shall report at the hour of convening to the Second Assistant Clerk, and the names of the absentees shall be noted by said Second Assistant in the Journal of the proceedings for the day, and no clerk shall draw pay for days absent unless excused by the Speaker.

Sixth.-That each chairman is hereby instructed to discharge his clerk when the work of his committee has been completed, and that the name of each clerk thus dismissed be entered on the Journal of even date, with reasons for dismissal.

| (Signed) | W. G. Ray, |
| :--- | :--- |
|  | M. L. Temple, |
|  | J. J. Lowry, |
|  | Frank F. Merriam, |
|  | J. B. Classen, |
|  | J. T. Jay, |
|  | M. K. Whelan. |

Adopted.
Mr. Baker offered the following concurrent resolution and moved its adoption:

Resolved by the House, the Senate concurring, That the Secretary of State be and is hereby authorized to supply Walter I. Hayes with a copy of McClain's Annotated Code, together with supplement thereto, and also with copies of all session laws.

Adopted.
Journal of yesterday corrected and approved.
INTRODUCTION OF BILLS.
By Mr. Temple, House file No. 79, a bill for an act to revise, amend and codify the statutes in relation to procedure in courts of original jursdiction.

Read first and second time and referred to Committee on Judiciary.

By Mr. Cornwall, House file No. 80, a bill for an act to revise, amend and codify the statutes in relation to attachments, garnishments, executions and supplementary executions and supplementary proceedings.

Read first and second time and referred to Third Division of Code Revision Committee.

By Mr. Brighton, House file No. 81, a bill for an act to revise, amend and codify the statutes in relation to procedure to reverse, vacate or modify judgments.

Read first and second time and referred to Third Division Code Revision Committee.

By Mr. Allen, House file No. 82, a bill for an act to revise, amend and codify the statutes in relation to proceeding in particular cases.

Read first and second time and referred to Third Division Code Revision Committee.

By Mr. Funk, House file No. 83, a bill for an act to revise, amend and codify the statutes in relation to justices of the peace and other courts.

Read first and second time and referred to Fourth Division Code Revision Committee.

By Mr. Temple, House file No. 84, a bill for an act to revise, amend and codify the statutes in relation to evidence.

Read first and second time and referred to Fourth Division Code Revision Committee.

By Mr. Cornwall, House file No. 85, a bill for an act to revise, amend and codify the statutes in relation to crimes and punishments.

Read first and second time and referred to Fourth Division Code Revision Committee.

By Mr. Brighton, House file No. 86, a bill for an act to revise, amend and codify the statutes in relation to criminal procedure.

Read first and second time and referred to Fifth Division Code Revision Committee.

By Mr. Allen, House file No. 87, a bill for an act to revise, amend and codify the statutes in relation to the discipline and government of jails and penitentiaries.

Read first and second time and referred to First Division Code Revision Committee.

On motion of Mr. Allen, House file No. 22, a bill for an act to revise, amend and codify the statutes in relation to taking private property for works of internal improvement, with report of committee recommending passage with amendments, was taken up, considered, and the report of the committee adopted.

Mr. Porter moved to insert in line 5, section 26, the words, "to any person injured," where stricken out by the committee. Adopted.
Mr. Evans moved to amend section 28 by adding the words, "and whose gates are required to be maintained at such crossings the person or corporations owning or operating said railway shall have said gates on hinges, so they will swing readily and freely, and on failure to do so shall be guilty of a misdemeanor."

Lost.
Mr. Allen moved that the rule be suspended, and that the bill be considered engrossed and read a third time now, which motion prevailed and the bill was read a third time.

Mr. Morrison of Keokuk moved that the bill be ordered sent back to the committee.

Lost.
On the question, "Shall the bill pass?" the yeas were:
Messrs. Allen, Bailey, Btker, Bell, Bird, Bowen, Brady, Brant, Brighton, Brinton, Byington, Chapman, Clark, Classen, Cook, Cornwall, Davis, Doubleday, Dowell, Early, Edwards, Evans, Finch, Frazee, Frink, Funk, Good, Grote, Gurley, Haugen, Hauger, Hazen, Hendershot, Hinman, Hunt, Huntley, Jackson, Ladd, Lambert, Lauder, Loomis, Lowiy, McAchran, McDonald, McDowell, Marti, Mayne, Miller of Buena Vista, Miller of Warren, Mullin, Nietert, Parker, Perrott, Porter, Potter, Prentis, Reed, Scott, Smith, Spaulding, St. John, Sullivan, Temple, Thompson, Tibbitts, Voelker, Watters, Wells, Wheeler, Whelan, Whittier, Williams, Wilson, Wood, Mr. Speaker-75.

The nays were:
Messrs. Crow, Garner, Griswold, Johnson of Webster, Klemme, Lavender, Martin, Merriam, Morrison of Keokuk, Nolan, Power, Ray, Van Houten-13.

Absent or not voting:
Messrs. Hayes, Hinkhouse, Jay, Johnston of Franklin, McArthur, McNulty, McQuin, Manahan, Miller of Cherokee, Morrison of Grundy, Putnam, Weaver-12.

So the bill passed and the title was agreed to.
The following explanation of vote was filed:
Mr. Speaker-I vote "no" on the passage of House file No. 22 for the reason that section 32 , chapter 4 , permits street railways to be operated by other power than animal and electric power.
W. B. Martin.

The following message was received from the Senate:
Mr. Speakir-I am directed to inform your honorable body that the Wenate has refused to concur in the following concurrent resolution in which the concurrence of the House is asked:

Relative to the appointment of a joint committee to designate where the laws of the Twenty-sixth General Assembly shall be incorporated in the proposed Code.

## G. A. Newman,

 Secretary.On motion of Mr. Brinton, House file No. 51, a bill for an act to revise, amend and ecdify the statutes in relation to the State University, with report of committee recommending passage with amendments, was taken up, considered and the report of the committee adopted.

Mr. Morrison of Keokuk moved to amend by striking out of section 6, line 2, the word "young."

On a division of the House the amendment was adopted by a vote of 51 yeas to 32 nays.

Mr. Allen moved to insert the word "State" in line 1, section 1, before the word "University."

Lost.
Mr. Brinton moved that the rule be suspended, and that the bill be considered engrossed and read a third time now, which motion prevailed and the bill was read a third time.

On the question, "Shall the bill pass?" the yeas were:
Messrs. Allen, Bailey, Bell, Bird, Bowen, Brady, Brant, Brighton, Brinton, Byington, Chapman, Clark, Classen, Cook, Cornwall Davis, Doubleday, Dowell, Early, Edwards, Evans, Finch, Frazee, Frink, Funk, Garner, Good, Griswold, Grote, Gurley, Haugen, Hauger, Hazen, Hendershot, Hinman, Hunt, Huntley, Jackson, Jay, Johnson of Webster, Klemme, Ladd, Lambert, Lavender, Loomis, Lowry, McAcbran, McDonald, McDowell, McNulty, Marti, Martin, Mayne, Merriam, Miller of Buena Vista, Miller of Warren. Morrison of Grundy, Morrison of Keokuk, Mullin, Nietert, Nolan, Parker, Perrott, Porter, Potter, Prantis, Putnam, Ray, Reed, Scott, Smith, Spaulding, St. John, Sullivan, Temple, Thompson, Van Houten, Voelker, Watters, Wells, Wheeler, Whelan, Whittier, Williams, Wilson, Wood, Mr. Speaker-88.

The nays were:
None.

Absent or not voting:
Messrs. Baker, Crow, Hayes, Hinkhouse, Johnston of Franklin, Lauder, McArthur, McQuin, Manahan, Miller of Cherokee, Power, Tibbitts, Weaver-12.

So the bill passed and the title was agreed to.
The House here took up for consideration Calendar No. 3, it being House file No. 53, a bill for an act to revise, amend and codify the statutes in relation to the normal school, with report of committee recommending amendments, and when so amended that the same do pass.

Mr. Cornwall moved to amend the first committee amendment by striking out the word "may" and inserting the word "shall" in lieu thereof; also insert after the word "and," in the ninth line, the words 'may charge."

Lost.
The amendment of the committee was lost.
The second amendment of the committee was then put and lost.

Mr. Brinton moved that the rule be suspended, and that the bill be considered engrossed and read a third time now, which motion prevailed and the bill was read a third time.

On the question, "Shall the bill pass?" the yeas were:
Messrs. Allen, Baker, Bell, Bird, Bowen, Brady, Brant, Brighton, Brinton, Byington, Chapman, Clark, Classen, Cornwall, Crow, Davis, Doubleday, Dowell, Early, Edwards, Evans, Finch, Frazee, Frink, Funk, Garner, Good, Griswold, Grot», Gurley, Haugen, Hauger, Hazen, Hendershot, Hinman, Hunti, Huntley, Jackson, Jay, Johnson of Webster, Klemme, Ladd, Lambert, Lauder, Lavender, Loomis, Lowry, McAchran, McArthur, McDonald, McDowell, McNulty, Marti, Martin, Mayne, Merriam, Miller of Buena Vista, Miller of Warren, Morrison of Grundy, Morrison of Keokuk, Mallin, Nietert, Nolan, Harker, Perrott, Porter, Potter, Power, Prentis, Putnam, Ray, Reed, Scott, Smith, Spaulding, St. John, Suilivan, Temple, Thompson, Tibbitts, Van Houten, Voelker, Watters, Wells, Whelan, Whittier, Williams, Wilson, Wood, Mr. Speaker-90.

The nays were:
None.
The absent or not voting were:
Messrs. Bailey, Cook, Hayes, Hinkhouse, Johnston of Franklin, McQuin, Manahan, Miller of Cherokee, Weaver, Wheeler-10.

So the bill passed and the title was agreed to.
Calendar No. 4, House file No. 54, a bill for an act to revise, amend and codify the statutes in relation to the Orphans' Home and Home for Destitute Children, with report of committee recommending passage with amendments, was taken up and considered.

The amendment of the committee was withdrawn and the report was adopted.

Mr. Brinton moved that the rule be suspended, and that the bill be considered engrossed and read a third time now, which motion prevailed and the bill was read a third time.

On the question "Shall the bill pass?" the yeas were:
Messrs. Allen, Bailey, Baker, Bell, Bird, Bowen, Brady, Brant, Brighton, Brinton, Byington, Chapman, Clark, Classen, Cook, Cornwall, Crow, Davis, Doubleday, Dowell, Early Edwards, Evans, Finch, Frazee, Frink, Funk, Garner, Good, Griswold, Grote, Gurley, Haugen, Hauger, Hazen, Hender shot, Hinman, Hunt, Huntley, Jackson, Jay, Johnson of Webster, Klemme, Lambert, Lauder, Lavender, Loomis, Lowry McAchran, McDonald, McDowell, McNulty, Marti, Martin, Mayne, Merriam, Miller of Buena Vista, Miller of Warren, Morrison of Grundy, Morrison of Keokuk, Mullin, Nietert, Nolan, Parker, Perrott, Porter, Potter, Power, Prentis, Patnam, Ray, Reed, Scott, Smith, Spaulding, St. John, Sullivan, Temple, Thompson, Tibbitts, Van Houten, Voelker, Wattars, Wells, Wheeler, Whelan, Whittier, Williams, Wilson, Wood, Mr. Speaker-91.

The nays were:
None.
Absent or not voting:
Messrs. Hayes, Hinkhouse, Johnston of Franklin, Ladd, McArthur, McQuin, Manahan, Miller of Cherokee, Weaver-10.

So the bill passed and title was agreed to.

## REPORT OF COMMITTEE.

Mr. Brinton, from the Committee on Code Revision Fourth Division, submitted the following report:

Mr. Speaker-Your Committee on Code Revision Fourth Division, to whom was referred House file No. 84, a bill for an act to revise, amend and codify the statutes in relation to evidence, beg leave to report that upon the request of the chairman of the Judiciary Committee the same has been transferred to the Judiciary Committee.
M. H. Brinton, Chairman.
So ordered.

David Shean was qualified as clerk for the following committees: Committee on Federal Relations, Committee on Normal Schools, Committee on Retrenchment and Reform.

On motion of Mr. Gurley, the House adjourned till 9 A. m. to-morrow.

$$
\left.\begin{array}{c}
\text { Hall of the House of Representatives, } \\
\text { Des Moines, Iowa, Thursday, January 28, 1897. }
\end{array}\right\}
$$

The House met at 9 A. M., with Speaker Byers in the chair. Prayer was offered by Rev. W. M. Todd.
Mr. Lauder was excused until to-morrow.
PETITIONS AND MEMORIALS.
Messrs. Potter, McDowell, Spaulding and Bailey presented petitions of citizens of their respective counties asking a reduction of railroad fare.

Referred to Committee on Railroads and Commerce.
Mr. Gurley presented petition of citizens of Decatur county in ragard to the revenue.

Referred to Committee on Ways and Means.
The House took up for consideration House file No. 30, a bill for an act to revise, amend and codify the statutes in relation to Domestic Animals, with report of committee recommending passage with amendments, and the report of the committee was adopted.

Mr. Chapman moved to strike out the word "five" and insert the word "three" in line 1, section 40.

Mr. Hinman moved, as a further amendment, to strike out in same line the word "two" and insert the word "one."

Amendment lost.
Amendment of Mr. Chapman lost.
Mr. Finch moved that the rule be suspended, and that the bill be considered engrossed and read a third time now, which motion prevailed and the bill was read a third time.

On the question, "Shall the bill pass?" the yeas were:
Messrs. Allen, Bailey, Baker, Bell, Bird, Bowen, Brady, Brighton, Brinton, Byington, Chapman, Clark, Classen, Cook, Cornwall, Crow, Davis, Doubleday, Dowell, Early, Edwards, Evans, Finch, Frazee, Frink, Good, Griswold, Grote, Gurley, Haugen, Hauger, Hayes, Hazen, Hendershot, Hinkhouse, Hin-
man, Hunt, Huntley, Jackson, Jay, Johnson of Webster, Johnston of Franklin, Klemme, Lambert, Lavender, Loomis, Lowry, McAchran, McArthur, McDonald, McDowell, McNulty, Marti, Martin, Mayne, Merriam, Miller of Buena Vista, Miller of Warren, Morrison of Grundy, Morrison of Keokuk, Mullin, Nietert, Nolan, Parker, Perrott, Porter, Potttr, Power, Prenis, Putnam, Ray, Reed, Scott, Smith, Spaulding, St. John, Sullivan, Temple, Thompson, Tibbitts, Van Houten, Voelker, Watters, Weaver, Wells, Wheeler, Whelan, Wnittier, Williams, Wilson, Wood, Mr. Speaker-92.

The nays were:
None.
Absent or not voting:
Messrs. Brant, Funk, Garner, Ladd, Lauder, McQuin, Manahan, Miller of Cherokee-8.

So the bill passed and the title was agreed to.

## MESSAGE FROM THE SENATE.

The following message was received from the Senate:
Mr. Speaker-I am directed to inform your honorable body that the Senate has concurred in the following concurrent resolution in which the concurrence of the House is asked:

Relative to furnishing McClain's Code and supplements thereto, and session laws, to Walter I. Hayes.
G. A. Newman,

Secretary.
Calendar No. 5 being House file No. 5, a bill for an act to revise, amend and codify the statutes in relation to the care of the insane, with the report of the committee recommending passage with amendments, was taken up and considered.

Mr. Griswold moved that the bill be read section by section for information and amendment.

Carried.
Mr. Griswold moved to amend the committee amendment to section 2 by striking out the words, "who shall not be a memner of said board and who shall reside at the place where the hospital is located;" also, insert a period after the word "qualification," in section 2, and strike out the word "and," and insert the words "Said board shall."

Adopted.
Mr. Crow in the chair.
Committee amendment to section 5 was adopted
Committee amendment to section 6 was adopted.

Committee amendment to section 8 was adopted.
The committee amendment to section 9 was adopted.
The following motion to reconsider was filed:
Mr. Speaker-I move to reconsider the vote by which section 5, chapter 2, was amended.
W. C. MgArthur.

I second the motion,
W. Mullin.

The committee amendment to section 39 was adopted.
The coinmittee amendment to section 45 was adopted.
The commitiee amendment to section 48 was adopted.
The committee amendment to section 50 was adopted.
The committee amendment to section 55 was adopted.
The committee amendment to section 57 was adopted.
Speaker Byers in the chair.
Mr. Spaulding moved to amend by adding to section 6 the words: "He shall, annually, in the month of December, make to the county auditors of the respective counties from which he has patients, a report of the mental and physical condition of each patient and the probable safety of removing any patient to the county hospital."

Adopted.
Mr. Finch moved that the rule be suspended, and that the bill be considered engrossed and read a third time now, which motion prevailed and the bill was read a third time.

Oa the question, "Shall the bill pass?" the yeas were:
Messrs. Allen, Bailey, Baker, Bell, Bird, Buwen, Brady, Brant, Brighton, Brinton, Byington, Chapman, Clark, Classen, Cook, Cornwall, Crow, Davis, Doubleday, Dowell, Early, Edwarcis, Evans, Finch, Frazee, Frink, Funk, Garner, Good, Griswold, Grote, Gurley, Haugen, Hauger, Hayes, Hazen, Hendershot, Hinkhouse, Hinman, Hunt, Hantley, Jackson, Jay, Johnson of Webster, Johnston of Franklin, Klemme, Ladd, Lambert, Lavender, Loomis, McAchran, McArthur, McDonald, McDowell, McNulty, Marti, Martin, Mayne, Merriaw, Miller of Buena Vista, Miller of Warren, Morrison of Grundy, Morrison of Keokuk, Mullin, Nietert, Nolan, Parker, Perrott, Porter, Potter, Power, Prentis, Putnam, Ray, Reed, Scott, Smith, Spaulding, St. John, Sullivan, Temple, Thompson, Tibbitts, Van Houten, Voelker, Watters, Wells, Wheeler, Whelan, Whittier, Williams, Wilson, Wood, Mr. Speaker-94.

The nays were:
None.

Absent or not voting:
Messrs. Lauder, Lowry, McQuin, Manahan, Miller of Cherokee, Weaver-6.

So the bill passed and the title was agreed to.

## REPORTS OF COMMITTEES.

Mr. Finch, from the Committee on Code Revision, Division No. 3, submitted the following report:

Mr. Speaker-Your Committee on Code Revision, Division No. 3, to whom was referred House file No. 35, a bill for an act to revise, amend and codify the statutes relating to the Bureau of Labor Statistics, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that chapter 132, of the Twentieth General Assembly as amended by chapter 86 of the Twenty-sixth General Assembly, be substituted, except the publication clause, and that said substitute do pass. A copy of said substitute is hereby attached, marked exhibit "A," and made a part thereof.

$$
\begin{gathered}
\text { [ехнівтт "A."] } \\
\text { THE LA W. } \\
\text { CHAPTEK } 132 .
\end{gathered}
$$

## BUREAU OF LABOR STATISTICS.

An Act to Create a Bureau of Labor Statistics, and to Provide for the Appointment of a Commissioner of said Bureau, and to Define his Duties and Term of Office.

Be it Enacted by the General Assembly of the State of Iowa:
Section 1. That there is hereby created a Bureau of Labor Statistics, to be under the control and management of a Commissioner thereof, to be appointed as hereinafter provided by this act.

Sec. 2. That the Governor shall, within thirty days after the taking effect of this act and biennially thereafter, with the advice and consent of the Executive Council, appoint a Commissioner of Labor Statistics. The term of office of said Commissioner to commence on the first day of April in each even numbered year and continue for two years and until his successor is appointed and qualified; and said Commissioner before entering upon the discharge of his duties shall take an oath or affirmation to discharge the same faithfully, and to the best of his ability; and shall give bond in the sum of two thousand dollars ( $\$ 2,000$ ) with sureties to the approval of the Govarnor, conditioned for the faithful discharge of his official duties.

Sec. 3. Said Commissioner shall receive a salary of fifteen hundred dollars per annum, and shall be allowed a deputy at a salary of one thousand dollars per annum in lieu of clerk hire, payable monthly, and necessary postage, stationery and office expenses, the said salary and expenses to be paid by the State as the salaries and expenses of other State officers are provided for. The Commissioner, or any officer or employe of the Bureau of Labor Statistics, shall be allowed in addition to their salaries their actual and necessary traveling expenses while in the performance of their duties;
said expenses to be audited by the Executive Council and paid out of the general fund of the State upon a voucher verified by the Commissioner; provided that the total of such expenses for officers and employes shall not exceed $\$ 500$ per annum. He shall have and keep an office in the Capitol at Des Moines in which shall be kept all records, documents, papers, correspondence and property pertaining to his office, and shall deliver them to his successor in office.

Sec. 4. Said Commissioner may be removed from his office by the Governor for neglect of duty or malfeasance in office; and any vacancy occurring at any time may be filled by the Governor by and with the consent of the Executive Council.

Sec. 5. The duties of said Commissioner shall be to collect, assort, systematize and present in biennial reports to the Governor, on or before the 15th day of August preceding each regular meeting of the General Assembly, statistical details relating to all departments of labor in the State, especially in its relations to the commercial, social, educational and sanitary conditions of the laboring classes, and to the permanent prosperity of the mechanical, manufacturing and productive industries of the State, and shall as fully as practicable collect such information and reliable reports from each county in the State, the amount and condition of the mechanical and manufacturing intereats, the value and location of the various manufacturing and coal productions of the State, also sites offering natural or acquired advantages for the profitable location and operation of different branches of industry; he shall by correspondence with interested parties in other parts of the United States impart to them such information as may tend to induce the location of mechanical and producing plants within the state, together with such other information as shall tend to increase the productions, and consequent employment of producers; and in said biennial report he shall give a statement of the business of the Bureau since the last regular report, and shall compile and publish therein such information as may be considered of value to the industrial interests of the state, the number laborers and mechanics employed, the number of apprentices in each trade with the nativity of such laborers, mechanics' and apprentices' wages earned, the savings from the same, with age and sex of laborers employed, the number and character of accidents, the sanitary condition of institutions where labor is employed, the restrictions, if any, which are put upon apprentices when indentured, the proportion of married laborers and mechanics who live in rented houses, with the average annual rental and the value of property owned by laborers and mechanics: and he shall include in such report what progress has been made with schools now in operation for the instruction of students in the mechanic arts and what systems have been found most practical, with details thereof

Such report when printed shall not consist of more than 600 printed pages octavo.

Five thousand copies thereof shall be printed and bound uniformly similar to the reports of other State officers as now authorized by law. Said reports when published to be disposed of as follows, viz: To the public libraries in the state, to the various trades organizations, agricultural and mechanical societies, and other places where the commissioner
may deem proper and best calculated to accomplish the furtherance of the industrial interests of the State.

SEc. 6. The Commissioner of the Bureau of Labor Statistics shall have the power to issue subpœnas, administer oaths, and take testimony in all matters relating to the duties herein required by said Bureau, said testimony to be taken in some suitable place in the vicinity to which testimony is applicable. Witnesses subpœenaed and testifying before the Commissioner of the Bureau shall be paid the same fees as witnesses before a justice court, such payment to be made out of the contingent fund of the Bureau in advance, but such expense for witnesses shall not exceed $\$ 100$ annually. Any person duly subpœenaed under the provisions of this section, who shall wilfully neglect or refuse to attend or testify at the time and place named in the subpœena shall be deemed guilty of a misdemeanor, and upon conviction thereof, before any court of competent jurisdiction, shall be punished by a fine not exceeding $\$ 50$ and costs of prosecution, or by imprisonment in the county jail not exceeding thirty days; provided, however, that no witness shall be compelled to go outside the county in which he resides to testify.

Sec. 7. The Commissioner of the Bureau of Labor shall have the power, upon the complaint of two or more persons, or upon his failure to otherwise obtain information in accordance with the provisions of this act, to enter any factory or mill, workshop, mine, store, business house, public or private work, when the same is open or in operation, upon a request being made in writing, for the purpose of gathering facts and statistics such as are contemplated by this act, and to examine into the methods of protection from danger to employes, and the sanitary conditions in and around such buildings and places, and make a record thereof; and any owner or occupant of such factory or mill, workshop, mine, store, business house, public or private work, or any agent or employe of such owner or occupant who shall refuse to allow any officer or employe of said Bureau to so enter, or who shall hinder him, or in any way deter him from collecting information, shall be deemed guilty of a misdemeanor, and upon conviction thereof before any court of competent jurisdiction, shall be punished by a fine of not exceeding $\$ 100$ and costs of prosecution, or by imprisonment in the county jail not exceeding thirty days.

SEc. 8. The expression "factory," "mill," "workshop," "mine," "store," "business house" and "public or private work," as used in this act, shall be construed to mean any factory, mill, workshop, mine, store, business house, public or private work, where five or more wage-earners are employed for a certain stipulated compensation.

Sec. 9. It shall be the duty of every owner, operator or manager of every factory, mill, workshop, mine, store, business house, public or private work, or any other establishment where labor is employed as herein provided, to make to the Bureau, upon blanks furnished by said Bureau, such reports and returns as said Bureau may require for the purpose of compiling such labor statistics as are contemplated in this act; and the owner, operator or business manager shall make such reports or returns within sixty days from the receipt of blanks furnished by the Commissioner, and shall certify under oath to the correctness of the same. Any owner, operator or manager of such factory, mill, workshop, mine, store, business house, public or private work, as herein stated, who shall neglect
or refuse to furnish to the Commissioner of Labor such reports or returns as may be required by the following blank, shall be deemed guilty of a misdemeanor, and upon conviction thereof shall be punished by a fine not exceeding $\$ 100$ and costs of prosecution, or imprisoned in the county jail not exceeding thirty days.

BLANK.
Name of firm or corporation .-................................ Number of hands employed during year ending December 31, _...: Males, ......; females, -...--; apprentices, .-...-.-. Total amount of wages paid during year ending December 31, ....., \$............ Total amount of wages paid previous year, \$-........-- Any general increase or reduction of wages during the past year? If so, what per cent of increase or reduction? .-....-.-. Cause of increase or reduction?................... Any increase or decrease of business during past year?........... What means are provided for the escape of employes in case of fire? ........... What measures are taken to prevent accident to employes from machinery? ........ How are buildings ventilated? .-...-.... Are separate water-closets and wash-rooms provided for the different sexes? .-.......... Number of weeks during past year business was run on full time with full force,.............Number of weeks during past year business was run on short time or with reduced force, .-.........Number of weeks during past year business was suspended, ---------Number of strikes during year ending December 31
number involved,...........-; alleged cause,............; result,.................. How many days did strike continue, and what was loss of wages in consequence thereof? .-......... Was any property destroyed, and if so, its value?

SEC. 10. In the reports of the Commissioner no use shall be made of names of individuals, firms or corporations supplying the information called for by sections 5 and 6 of this act, such information being deemed confidential and not for the purpose of disclosing personal affaira, and any officer or employe of the Bureau of Labor Statistics violating this provision shall be deemed guilty of a misdemeanor, and upon conviction thereof shall be fined in a sum not exceeding $\$ 500$ and costs of prosecution, or by imprisonment in the county jail not exceeding one year.

Stc. 11. No report or return made to said Bureau in accordance with the provisions of this act, and no schedule, record or document gathered or returned by its officers or employes shall be destroyed within two years of the collection or receipt thereof. At the expiration of two years all records, schedules, or papers accumulating in said Bureau during said period that may be considered of no value by the Commissioner may be destroyed, provided the authority of the Executive Council be first obtained for such destruction.
P. Finch, Chairman.
Substitute read first and second time and passed on file.
Also:
Mr. Speaker-Your Committee on Code Revision, Division No. 3, to whom was referred House fle No. 42, chapter 15, title 12, a bill for an act to revise, amend and codify the statutes relating to the care and propagation of fish, beg leave to report that the said chapter has been trans-
ferred to the Committee on Fish and Game, in compliance with a request therefor.
P. Finch, Chairman.
So ordered.
Also:
Mr. Speaker-Your Committee on Code Revision, Division No. 3, to whom was referred House file No. 43, chapter 16, title 12, a bill for an act to revise, amend and codify the statutes relating to the State Board of Health, beg leave to report that in compliance with a request of the Committee on Public Health, the said House file has been transferred to said committee.

> P. Finch, Chatrmar.

So ordered.
Also:
Mr. Speaker-Your committee on Code Revision, Division No. 3, to whom was referred House file No. 40, chapter 13, title 12, a bill for an act to revise. amend and codify the statutes relating to the State Dairy Commissioner, beg leave to report that said chapter has been transferred to the Committee on Agriculture, in compliance with a request therefor.

> P. Finch, Chatrman.

So ordered.
Also:
Mr. Speaker-Your Committee on Code Revision, Division No. 3, to whom was referred House file No. 31, chapter 4, title 12, a bill for an act to revise, amend and codify the statutes relating to fences, beg leave to report that in compliance with a request from the Committee on Agriculture, said chapter has been referred to said committee.

## P. Finch, Chairman.

So ordered.
Also:
Mr. Speaker-Your Committee on Code Revision, Division No. 3, to whom was referred House file No. 38, chapter 11, title 12, 2 bill for an act to revise, amend and codify the statutes relating to the inspection of petroleum products, beg leave to report that in compliance with a request from Committee on Mines and Mining, said House file has been transferred to said committee.

> P. Finch, Chairman.

So ordered.
Also:
Mr. Speaker-Your committee on Code Revision, Division No. 3, to whom was referred House file No. 36 , a bill for an act to revise, amend and codify the statutes relating to mines and mining, beg leave to report
that in compliance with a request from the Committee on Mines and Mining, said House file has been transferred to said committee.

P. Finch, Chairman.

So ordered.
Also:
Mr. Speaker-Your Committee on Code Revision, Division No. 3, to whom was referred House file No. 37 , chapter 10, title 12, a bill for an act to revise, amend and codify the statutes relating to the Geological Survey, beg leave to report that said chapter has been transferred to the Committee on Mines and Mining, in compliance with a request therefor.

> P. Fince,
> Chairman.

So ordered.
Mr, Brinton, from the Committee on Code Revision, Division No. 4, submitted the following report:

Mr. Speaker-Your Committee on Code Revision, Division No. 4, to whom was referred House file No. 55, a bill for an act to revise, amend and codify the statutes in relation to the Institution for Feeble-Minded Children, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the House with the following amendments:

Page 548, section 1, strike out from lines 4 and 5 the words, "and a secretary and treasurer who may or may not be from their number," and insert in line 4 after the word "president," the words, "secretary and treasurer."

Page 550, strike out from section 9, the first two lines except the word "the" at the end of line 2.

And when so amended, recommend that the same do pass.

> M. H. Brinton, Chatrman.

## Ordered passed on file.

Also:
Mr. Speaker-Your Committee on Code Revision, Division No. 4, to whom was referred House file No. 83, a bill for an act to revise, amend and codify the statutes in relation to justices of the peace and their courts, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the House with the following amendments:

Page 837, section 2, line 3, strike out the words "in the aggregate."
Page 833, section 5, line 4, after the word "against," insert the word "such."

Page 834, section 9, line 2, strike out the words "and in the following order," and insert the words "as follows."

Page 835, section 18, line 1, after each word "by," strike out the word "attorney," and insert after each in lieu thereof the word "agent."

Page 835, section 28, line 1, strike out the word "therefor" and insert the words "for transcript."

Page 836, section 33, line 1, strike out the word "attorney" and insert the word "agent."

Page 838, section 51, line 1, strike out the word "justice" and insert the word "court."

Page 839, section 63, lines 3 and 4, strike out the words, "but it shall continue in force only ten years thereafter."

Page 841, section 85, line 2, strike out the word "attorney" and insert the word "agent."

Page 841, section 86, line 1, strike out the word "attorney" and insert the word "agent."

Page 841, section 87, line 2, strike out the word "it" and insert the words "the action."

Page 842, section 104, lines 4 and 5, strike out all after the word "attachment."

Page 844, section 118, strike out all the section after the word "costs" in line 1.

Page 845, section 122, line 14, strike out the word "or" and insert the word "of."

Page 845, section 123, line 5, insert after the word 'returning'" the words "by nearest traveled route."

Page 846, section 125, insert after the word "collected," in line 1, the words "in criminal cases;" in line 3, strike out the words "fifteen hundred" and insert the words "seven hundred fifty;" also, in line 3, strike out the word "twelve" and insert the word "six;" in line 4, strike out the word "twelve" and insert the word "six;" at the end of line 4, strike out the word "one," and at the beginning of line five, strike out the word "thousand" and insert the words "five hundred;" in line 5 , after the word "justices," strike out the words "one thousand" and insert the words "five hundred;" in line 6, strike out the word "eight" and insert the word "four;" in line 7, strike out the word "eight" and insert the word "four;" in line 7, after the words "constables," and "justices," strike out the word "six" and insert the word "three," and in line 8, strike out the words "five hundred" and insert the words "two hundred fifty," and when so amended recommend that the same do pass.
M. H. Brinton,

Chairman.

## Ordered passed on file. <br> Also:

Mr. Speaker-Your Committee on Code Revision Fourth Division, to whom was referred House file No. 52, a bill for an act to revise, amend and codify the statutes in relation to the College of Agriculture and Mechanic Arts, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the House with the following amendments:

Page 539, section 2, line 9, to the word "student" add the letter "s," and strike out the word "has" and insert the word "have."

Page 540, strike out section 5, and insert the following, being section 2669 of McClain's Code: "Tuition in the college herein established shall be forever free to pupils from the State over sixteen years of age, who have been residents of this state six months previous to their admission. Each county in this State shall have a prior right to tuition for three scholars
from such county; the remainder equal to the capacity of the college shall be by the trustees distributed among the counties in proportion to the population, subject to the above rule. Transient scholars, otherwise qualified, may at all times receive tuition.

Page 541, section 12, line 3, strike out the word "eight" and insert the word "six."

Page 544, section 25, line 2, strike out the words "two thousand" and insert the words "fifteen hundred."

Page 544, section 29, line 3, strike out the words "except under a permit issued by the district court."

Page 544, section 30, line 1, strike out the word "support" and insert the words "repairs, general improvements and current expenses," and when so amended recommend the same do pass.

## M. H. Brinton, Chairman.

Ordered passed on file.
Calendar No. 7, being House file No. 32, a bill for an act to revise, amend and codify the statutes in relation to lost goods, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Mr. Finch moved that the rule be suspended, and that the bill be considered engrossed and considered read a third time now, which motion prevailed.

On the question, "Shall the bill pass?" the yeas were:
Messrs. Allen, Bailey, Baker, Bird, Bowen, Brady, Brant, Brighton, Brinton, Byington, Chapman, Classen, Cook, Cornwall, Crow, Davis, Doubleday, Dowell, Early, Edwards, Evans, Finch, Funk, Good, Griswold, Grote, Gurley, Hayes, Hazen, Hendershot, Hinman, Hunt, Huntley, Jackson, Jay, Johnson of Webster, Johnston of Franklin, Klemme, Ladd, Lambert, Lavender, Loomis, Lowry, McAchran, McArthur, McDonald, McNulty, Marti, Martin, Mayne, Miller of Buena Vista, Miller of Warren, Morrison of Keokuk, Mullin, Nietert, Parker, Perrott, Porter, Prentis, Putnam, Reed, Smith, Temple, Thompson, Tibbitts, Watters, Wells, Wheeler, Whelan, Whittier, Williams, Wilson, Wood, Mr. Speaker-74.

The nays were:
Messrs. Frink, Hinkhouse, McDowell, Morrison of Grundy, Potter, Power, Ray, Sullivan, Van Houten, Weaver-10.

Absent or not voting:
Messrs. Bell, Clark, Frazee, Garner, Haugen, Hauger, Lauder, McQuin, Manahan, Merriam, Miller of Cherokee, Nolan, Scott, Spaulding, St. John, Voelker-16.

So the bill passed and the title was agreed to.

The following explanations of votes were filed:
Mr. Speaker-My reason for voting "no" is because the bill was not read.
J. P. McDowell.

Mr. Speaker-I vote "no" on bill No. 32, for the reason that the same was never read in the House except by title.

> J. D. Morrison.

Mr. Speaker-I vote "no" on House file No. 32 because it has never been read in the House.

## J. T. P. Power.

Mr. Speaker-I desire the Journal to show that I vote "no" on House file No. 32 because the bill was not read before the House.

O. H. Fhine.

On motion of Mr. Reed, House file No. 49, a bill for an act to revise, amend and codify the statutes in relation to Superintendent of Public Instruction, with report of committee recommending passage with amendments, was taken up and considered.

Mr. Reed moved that amendment of committee be adopted.
Messrs. Brant and Smith demanded the yeas and nays on this motion, which resulted as follows:

On the question, "Shall the motion prevail?" the yeas were:
Messrs. Allen, Bird, Brant, Brinton, Byington, Chapman, Classen, Cornwall, Dowell, Early, Funk, Grote, Hauger, Hayes, Hazen, Hendershot, Huntley, Jackson, Johnston of Franklin, Lavender, Loomis, Lowry, McArthur, Martin, Miller of Buena Vista, Nietert, Perrott, Porter, Potter, Prentis, Putnam, Ray, Reed, Temple, Tibbitts, Van Houten, Watters, Weaver, Wells, Whelan, Whittier, Wood, Mr. Speaker-43.

The nays were:
Messrs. Bailey, Bell, Bowen, Brady, Brighton, Clark, Cook, Crow, Davis, Doubleday, Edwards, Evans, Finch, Frazee, Frink, Garner, Good, Gurley, Haugen, Hinkhouse, Hinman, Hunt, Jay, Johnson of Webster, Klemme, Lambert, McAchran, McDonald, McDowell, McNulty, Marti, Mayne, Merriam, Miller of Warren, Morrison of Grundy, Morrison of Keokuk, Mullin, Nolan, Parker, Power, Scott, Smith, Spaulding, St. John, Sullivan, Thompson, Voelker, Wheeler, Williams, Wil-son-50.

Absent or not voting:
Messrs. Baker, Griswold, Ladd, Lauder, McQuin, Manahan, Miller of Cherokee-7.

So the amendment was lost.

Mr. Reed moved that the rule be suspended, and that the bill be considered engrossed and read a third time now, which motion prevailed and the bill was read a third time.

On the question, "Shall the bill pass?" the yeas were:
Messrs. Allen, Bailey, Baker, Bell, Bird, Bowen, Brady, Brant, Brighton, Byington, Chapman, Clark, Classen, Cook, Cornwall, Crow, Davis, Dowell, Early, Edwards, Evans, Finch, Frazee, Frink, Funk, Garner, Good, Grote, Gurley, Haugen, Hauger, Hayes, Hazen, Hendershot, Hinkhouse, Hinman, Hunt, Huntley, Jackson, Jay, Johnson of Webster, Johnston of Franklin, Klemme, Ladd, Lambert. Lavender, Loomis, Lowry, McAchran, McArthur, McDonald, McDowell, McNulty, Marti, Martin, Mayne, Merriam, Miller of Buena Vista, Miller of Warren, Morrison of Grundy, Morrison of Keokuk, Mullin, Nietert, Nolan, Parker, Perrott, Porter, Potter, Power, Prentis, Putnam, Ray, Reed, Scott, Smith, Spaulding, St. John, Sullivan, Temple, Thompson, Tibbitts, Van Houten, Watters, Wells, Wheeler, Whelan, Whittier, Williams, Wilson, Wood, Mr. Speaker-91.

The nays were:
None.
Absent or not voting:
Messrs. Brinton, Doubleday, Frazee, Griswold, Lauder, McQuin, Manahan, Miller of Cherokee, Voelker, Weaver-9.

So the bill passed and the title was agreed to.
On motion of Mr. Funk, House adjourned until 9 A. M. to morrow.

House called to order by Speaker Byers.
Prayer by Rev. W. A. Black.
Journals of 27 th and 28th corrected and approved.
PETITIONS AND MEMORIALS.
Mr. Brighton presented petition of Friends' church, Pleasant Plain, Iowa, against manufacturing bill.

Referred to Committee on Domestic Manufactures.
Messrs. Martin, Bell, Bailey, Scott and Frazee presented petition of citizens of their respective counties asking a 2 -cent fare and interchangeable mileage books.

Referred to Committee on Railroads and Commerce.
Messrs. Martin, Good, Smith, Sullivan, Bailey, Classen and Weaver presented remonstrance of citizens of their respective counties against a manufacturing bill.

Referred to Committee on Domestic Manufactures.
Mr. Lauder presented petition of citizens of Union county, asking that chapter 43 , of the acts of the Twenty-sixth General Assembly, be amended, changing time of meeting for the township trustees back to October or postpone till after election.

Referred to Committee on County and Township Organiza. tion.

REPORTS OF COMMITTEES.
Mr. Temple, from the Committee on Code Revision, Division No. 1, submitted the following report:

Mr. Spraker-Your Committee on Code Revision, Division No. 1, to whom was referred House file No. 10, a bill for an act to revise, amend and codify the statutes in relation to the judicial department beg leave to report that they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same do pass with amendments and recommend that the same be amended as follows:

That section 4 of chapter 1 be amended by adding at the end of said section the words, "but in such cases opinions may be filed."

That chapter 2 be amended by striking out section 2 and inserting the following in lieu thereof: "The salary of the clerk of the Supreme Court shall be twenty-two hundred dollars per annum. He shall collect the following fees, and account for them as provided in this Code:
"First.-Upon filing each appeal, ten dollars, and when two or more cases are consolidated and submitted together, for each additional case, five dollars, which shall be in full of all clerical services in the case, and no appeal shall be filed or docketed until such fees are paid.
"Second.-Upon filing a motion to affirm, if the appeal has not heretofore been docketed, the sum of five dollars, which shall be in full of all fees relating to such motion, and such motion shall not be filed until the fee herein provided has beeu paid.
"Third- For a transcript of any record or paper, for each one hundred words, ten cents.
"Fourth.-For certificate and seal, one dollar.
"Fifth.-For issuing any writ or approving any bond required to be filed in his office, one dollar. All such fees shall be paid into the state treasury."

That section 3 of chapter 5 be amended as follows: By striking out line 2 and inserting in lieu thereof the following: "The first district shall consist of the county of Lee and have one judge," and by striking out of the third line the word "Louisa;" and by striking out of the nineteenth line the word "Marshall" and by inserting the following in lieu thereof: "The seventeenth district shall consist oi the counties of Tama, Benton and Marshall, and have two judges;" and by adding after line 33 the following: "The twentieth district shall consist of the counties of Des Moines, Henry and Louisa, and shall have two judges."

That section 5 of chapter 5 ke amended by striking out the word "three" in the first line thereof and inserting the word "four" in lieu thereof.

That section 23 of chapter 5 be amended by striking out of the first line thereof the words "special proceedings."

That section 4 of chapter 6 be amended by adding at the end thereof the following: "And in case of inability of any judge to act, through sickness or other cause, a judge shall be appointed to hold during such inability."

That section 6 of chapter 6 be amended by inserting in the sixth line thereof, after the word "taken" the word "thereto."

That section 23 of chapter 6 be amended by striking out of the eighth line thereof, at the end of the line, the words, "or town."

That section 10 of chapter 8 be amended by striking out of the first line thereof the words, "be entitled to charge or receive," and insert in lieu thereof the words, "collect for the benefit of the county."

That the said section be further amended by inserting therein after line 30 the following: "The clerk shall, upon the filing of any petition, appeal or writ of error, in any civil cause, require the party filing the same to deposit with him as clerk the sum of five dollars to secure payment of the fees taxable in favor of the county."

That said section be further amended by striking out of lines 46 and 47 thereof the words, "in excess of the amount, sufficient to cover the salary or salaries of the clerk and his deputies or clerks," and to insert in
lieu thereof the following: "by the clerk under the provisions of this Code."

That said chapter 8 be further amended by striking out section 11 thereof, and inserting the following:
"SEC. 11. The clerk shall be paid in full compensation for his services in counties having a population of ten thousand and under twelve thousand, twelve hundred dollars; in counties having twenty and under thirty thousand, thirteen hundred dollars; in counties having thirty and under forty thousand or more, fifteen hundred dollars. The salary of the clerk shall be paid monthly on warrant drawn by the auditor on the county treasurer and out of the county treasary. In addition to such salary the board of supervisors may allow him additional compensation in probate and guardianship matters not exceeding three hundred dollars."

That section 14 of chapter 8 be amended by striking out the word "other" in the second line thereof.

That section 5 of chapter 9 be amended by striking out of lines 2 and 3 thereof the words "or any member of a firm with which he may be connected."

That section 7 of the same chapter be amended by striking out the word "may" in the first line and inserting the word "shall" in lieu thereof.

That chapter 11 be amended by striking out the first twenty-two sections thereof and substituting the following therefor:

Section 1. All qualified electors of the State, of good moral character, sound judgment, and in full possesion of the senses of hearing and seeing, and who can speak, write and read the English language, are competent jurors in their respective counties.

Sce. 2. The following persons are exempt from liability to act as jurors: All persons holding office under the laws of the United States or this State; all practicing attorneys, physicians, registered pharmacists and clergymen; all acting professors or teachers of any school, college or other institution of learning, and all other persons disabled by any bodily infirmity, or over sixty-five years of age, active members of any fire company, and any person who is conscientiously opposed to acting as a juror because of his religious faith.

SEC. 3. Any person may also be excused from serving on a jury when his own interests or those of the public will be materially injured by his attendance, or when the state of his own health, or the death or sickness of a member of bis family requires his absence from court. Any person. who knowingly makes any false affidavit, statement or claim for the purpose of relieving himself from serving as a juror, or if any person requests the judges of election to return his name as such juror, he shall, upon conviction, be punished ly fine not exceeding one hundred dollars, or by imprisonment in the county jail not more than thirty days, or the court may punish such person for contempt.

Sec. 4. There shall annually be made lists from which to select persons to serve as grand and petit jurors, and talesmen for the year, commencing on the first of January following, as follows: Seventy-five persons in each county from which to select grand jurors, four hundred persons in each county having twenty thousand inhabitants or less, and eight hundred persons in counties having more than twenty thousand inhabitants, from
which to select petit jurors; one hundred and fifty persons in counties having twenty thousand inhabitants or less, and three hundred persons in counties having more than twenty thousand inhabitants, from which to select talesmen. The talesmen list shall be made from names of persons who reside in the city or town in which the district court is held and the township or townships in which such city or town is located; if according to the last State or national census there be less than one thousand inhabitants in the territory from which the talesmen are required to be drawn, such lists may include residents of another township next nearest to the court house. In counties where court is held in more than one place, the persons shall be selected from the qualified electors of the separate divisions of the county, giving each division of the county the number of grand and petit jurors and talesmen it would be entitled to under this act if it were a separate county.

Sac. 5 On or before the first Monday in September in each year the county auditor shall apportion the number of grand and petit jurors to be selected among the several election precincts, and the talesmen among the precincts from which the same are to be drawn, in each as near as practicable, in proportion to the number of votes polled in such precincts at the last general election

SEC. 6. The auditor shall at the time of furnishing the poll books to the judges of election furnish them also a statement of the number of persons apportioned to their respective precincts to be returned for the said jury lists, together with the names of all persons who have served as jurors during the preceding year, which latter names shall be furnished to him by the clerk of the district court. The judges shall thereupon make the requisite selection and return lists of names so selected to the auditor with the returns of elections; and in case the judges of election shall fail to make and return said lists as herein required the board of supervisors shall, at the meeting held to canvass the votes polled in the county, make such lists for the delinquent precincts, and the auditor shall file such lists in his office, and cause a copy thereof to be recorded in the election book. Such liste shall be composed only of persons competent and qualified to serve as jurors; and the judges of election or boards of supervisors shall omit from such lists the name of any person who has requested, directly or indirectly, that his name be returned thereon, or any person who has served as a juror in a court of record during the preceding year. And if the name of any such person is returned, the fact that he has requested to be so returned, or has served as a juror in a court of record during the preceding year, shall be a ground for challenge for cause. The members of the election board, or the board of supervisors, when certifying such lists shall state that the lists do not contain the name of any person who requested, directly or indirectly, that his name appear thereon. Provided, that if the boundaries of any voting precinct shall be changed it shall te the duty of the auditor in making the apportionment of grand and petit jurors and talesmen, to assign to the new voting precinct the total number of grand and petit jurors and talesmen to which all the former precincts affected by the change were entitled, giving to each new precinct an equal number as nearly as possible.

Sec. 7. On or before the first Monday in December each year the county auditor and clerk of the district court shall prepare from said lists
separate ballots, containing the names and places of residence, of all persons so returned by the judges of election or board of supervisors, keeping the names of the several classes of jurors separate, and deposit in separate boxes the ballots of grand jurors, petit jurors and talesmen as returned on said lists, which boxes shall be plainly marked, sealed and forthwith deposited with the clerk of the district court.

SEC. 8. Twelve persons shall be drawn from the grand jury list, and shall constitute the panel from which to select grand jurors for one year; but no more than one person shall be drawn from any civil township except where there are less than twelve civil townships in the county, in which case no more than two persons shall be drawn from any one township. No person shall be summoned or serve as grand juror for two consecutive jears. If more persons shall be drawn from any civil township than is hereby authorized, or any person is drawn who has served the preceding year as grand juror, it is the duty of the officer drawing such grand jury to reject all such names so drawn, and proceed with the drawing until the required number of jurors shall be secured.

Sec. 9. The names of the twelve persons constituting the panel of the grand jury shall on the second day of each term of court, unless otherwise ordered by the court, or judge, be placed by the clerk in a box and after thoroughly mixing the same he shall draw therefrom twelve names; and the persons so drawn shall constitute the grand jury for that term. Should any of the persons so drawn be excused, or fail to attend on said second day of the court the clerk shall draw other names until the seven grand jurors are secured.

SEC. 10. Petit jurors shall be drawn from the petit jury lists for the term, but no persol shall be required to attend as petit juror more than one term in the same year. But this exemption shall not apply to talesmen.

SEC. 11. At least twenty days prior to the first day of each term at which a grand or petit jury is required to be selected, the county auditor, clerk of the district court, and recorder shall meet at the court house and proceed to draw the grand and petit jurors as provided herein.

The ballote when placed in the respective boxes from which the drawings are to be made shall be uniform in size and paper, and be so folded as to conceal the names on the ballots, and the boxes shall be arranged with only an aperture to insert the hand, and at the time of the drawing the boxes shall be thoroughly shaken in the presence of the officers attending the drawing and the seal on the aperture broken in their presence, and one of the officers shall then, without looking at the ballot, draw one from the appropriate petit jury or grand jury box, as the case may be, and pass it to one of the other officers attending the drawing, who shall open it, and the name thereon shall be read aloud by him and taken down; then another ballot shall be drawn and opened in the same manner until the whole number of jurors shall be drawn for each class, when the box shall again be sealed up and returned to the clerk of the district court, who shall immediately issue his precepts to the sheriff of the county, commanding to summons the persons so drawn to appear at the court house at the time designated in such precept; or if the court shall determine that either the grand or petit jurors have been illegally drawn, selected
or summoned, the court may set aside the precept under which they were summoned, and direct a sufficient number drawn and summoned in the manner above provided; the drawing may proceed forthwith, and the jurors so drawn be required to appear immediately or at such time as the court may fix.

Sec. 12. The sheriff shall immediately obey such precepts, and on or before the day of the appearance of said jurors must make returns thereof, and on a failure to do so, without sufficient cause, may be punished for contempt.

Sec. 13. Except when required at a special term, the twelve persons from which the grand jury is to be empanelled not be summoned after the first term, but must appear at each succeeding term during the year without summons, under the same penalty as though they had been summoned.

SEc. 14. Unless the court or judge otherwise orders, jurors shall be summoned to appear at each place where court is held, at 10 o'clock A. M. of the second day of the term, at which time they shall be called and all excuses shall be heard and be determined by the court, but the empanelling of the grand or petit jury may be postponed to a subsequent day by order of the court or judge. If any person fails to appear without sending a sufficient excuse, the court may issue an order requiring him to appear and show cause why he should not be punished for contempt, and unless he renders a sufficient excuse for such failure he may be punished for contempt.

SEc. 15. The grand jury shall be composed of seven members. The petit jurors in counties containing a population of less than fifteen thousand, shall be fifteen in number, unless the court or judge otherwise orders. In counties having fifteen thousand or over, the number shall be twenty-four, unless the court or judge otherwise orders. When a single county constitutes a district, the court may increase the number not to exceed seventy-two.

SEc. 16. Should the number of petit jurors summoned fail to appear, or be excused as provided in this chapter, the required number shall be drawn in the same manner as the original panel, and the persons so drawn shall be forthwith summoned to appear and serve as jurors during the term. Persons so drawn shall have the right to present excuses as provided for the original panel. The court or judge thereof, either before or during the term, may order as many additional jurors drawn for the term, or for the trial of any particular case, as may be deemed necessary, which drawing shall be in the same manner as for the original and regular panel, so far as applicable.

Sec. 17. If, in the judgment of the court, the business of the term does not require the attendance of all the petit jurors, such number as the court deems proper may be discharged. Should it afterwards appear that a jury is required, the court may direct them to be resummoned.

SEC. 18. If upon the trial of any cause the court shall determine that it is probable talesmen will be needed to complete the jury, or if the regular panel has been exhausted, the clerk shall, in the presence of the court, draw such number of names as the court may order from the talesmen's box to complete the jury. In drawing such names, the clerk, when the court directs, shall reject those known to be unable to serve or absent
from the territory from which drawn and proceed until the required number is secured. The persons whose names are so drawn or as many thereof as may be found within the territory from which talesmen are selected, shall be immediately summoned by the sheriff to appear forthwith, and the jury shall be completed from the persons so summoned and appearing. The names of jurors so drawn and who serve shall be placed in a safe receptacle from time to time until all the ballots are drawn from the talesmen's box, when such ballots shall be returned to the said box to be drawn in like manner as before, when the parties to the cause, by agreement entered of record, waive the drawing of talesmen as above provided, the court may direct the sheriff to summon such talesmen from the body of the county.

SEC. 19. All ballots drawn when the persons do not appear or do not serve (except when permanent disability is shown) shall be returned to the respective boxes from which drawn, but the ballots of the petit jurors, except talesmen, so drawn, who appear and serve for any term shall be destroyed.

Sec. 20. When a city or town is a party to a suit the talesmen shall not be drawn therefrom, but in such cases the court shall order a special venire or may order the talesmen drawn from the petit jury box.

SEC. 21. Any officer whose duty it is to perform any of the services in this chapter mentioned, who shall intentionally fail to perform them as required by law, or who shall act corruptly in the discharge of such duties, or any of them, shall be deemed guilty of a misdemeanor, and on conviction thereof shall be imprisoned, not less than six months nor more than one year.

SEC. 22. At the close of each term of the district court, the clerk shall make out a certificate to each juror of the amount to which he is entitled for his services, and on the presentation of such certificate, the county auditor shall issue to each juror a warrant for said amount on the county treasury, without the same being audited by the board of supervisors.

That chapter 12 be amended by the striking out of line 4 in section 6 , the words "in his discretion."

That chapter 15 be amended by inserting therein, after the word "required," in the tenth line of section 1 the following words: "members of all boards of any State institution, of all commissions, boards or bodies, created by law, and all persons, referees, or appraisers appointed by authority of law, who have any duty to perform by virtue of their office or appointment, requiring the administration of oaths."

> M. L. Temple, Chairman.

Ordered on file.
Mr. Allen, from the Committee on Code Revision, Second Division, submitted the following report:

Mr. Speaker-Your Committee on Code Revision, Second Division, to whom was referred House file No. 26, a bill for an act to revise, amend and codify the statutes in relation to the construction and operation of telegraph and telephone lines, beg leave to report that said bill has been demanded by the Committee on Telegraph, Telephone and Express and
has by this committee been transferred to said Committee on Telegraph, Telephone and Express, under the standing resolution of this House.

> W. S. Allen, Chairman.

So ordered.

## Also:

Mr. Speaker-Your Committee on Code Revision, Second Division, to whom was referred House file No. 27 , a bill for an act to revise, amend and codify the statutes in relation to the militia, beg leave to report that said bill has been demanded by the Committee on Military, and has by this committee been transferred to the Committee on Military, under the standing rules of this House.

W. S. Allen, Chatrman.

So ordered.
Mr. Brinton, from the Committee on Code Revision, Fourth Division, submitted the following report:

Mr. Speaker-Your Committee on Code Revision, Fourth Division, to whom was referred House file No. 58, a bill for an act to revise, amend and codify the statutes in relation to the Industrial Home for the Blind, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the House with the following amendments:

Page 555, section 2, line 1, strike out the word "six" and insert the word "three;" also, in line 1, after the word "trustees," add "one of whom shall be a woman."

Page 555, section 3, after the word "duties" strike out all of line 4, strike out all of line 5, and the word "session" in line 6, and insert "act as an auditing board," and when so amended recommend that same do pass.
M. H. Brinton,

Chairman.

Ordered passed on file.
Also:
Mr. Speaker-Your Committee on Code Revision, Fourth Division, to whom was referred House file No. 57, a bill for an act to revise, amend and codify the statutes in relation to College for the Blind, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the House with the following amendments:

Page 553, section 1, line 2, strike out the word "six," and insert the word "five;" also in line 2, strike out word "May" and insert the word "June."

Page 554, section 3, line 5, strike out the word "treasurer" and insert the word "auditor," and when so amended recommend the same do pass.
M. H. Brinton,

- Chairman.

Ordered passed on file.

Also:
Mr. Speaker-Your Committee on Code Revision, Fourth Division, to whom was referred House file No. 59, a bill for an act to revise, amend and codify the statutes in relation to the School for the Deaf, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the House with the following amendments:

Page 556, section 2, line 3, strike out the word "shall" and insert the word "may."

Page 557, section 4, line 5, strike out the word "treasurer" and insert the word "auditor," and when so amended recommend that same do pass.
M. H. Brinton,

Chairman.
Ordered passed on file.
Also:
Mr. Speaker-Your committee on Code Revision, Fourth Division, to whom was referred House file No. 56, a bill for an act to revise, amend and codify the statutes in relation to the Industrial School, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the House with the following amendments:

Page 550, section 1, line 2, strike out the word "six" and insert the word "five;" in same line strike out the word "annually" and insert the word "quarterly;" in line 3 strike out the word "first" and insert the word "second;" also, in line 3 strike out the words "January, April, July, October and at April."

Page 552, section 7, line 23, strike out the words "or for such less term as he may think best."

Page 553, section 8, lines 8 and 9 , strike out the words "or for such less term as is in his judgment right and proper."

Page 553, section 9, line 1, strike out the word "felony" and insert the word "crime;" also, in section 9, line 2, after the word "dangerous" insert the words, "or detrimental."

Page 553, section 12, line 2, strike out the word "eight" and insert the word "ten."

And when so amended recommend the same do pass.

> M. H. Brinton, Chairman.

Ordered passed on file.
Mr. Temple, from the Committee on Code Revision, First Division, submitted the following report:

Mr. Speaker-Your Committee on Code Revision, First Division, to whom was referred House file No. 20, a bill for an act to revise, amend and codify the statutes in relation to building and loan associations, beg leave to report that the same has been demanded by and transferred to the Committee on Building and Loan Associations.

M. L. Temple, Chairman.

So ordered.

Mr. Finch, from the Committee on Code Revision, Division No. 3, submitted the following report:

Mr. Speaker-Your Committee on Cude Revision, Division No. 3, to whom was referred House file No. 41, chapter 14, title 12, a bill for an act to revise, amend and codify the statutes relating to the State Veterinary Surgeon, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same do pass with the following amendment:

Page 514, section 6, line 15, strike out allafter the word "to," in line 15, and insert, "mean cattle, horses, mules and asses."

> P. Finch, Chairman.

Ordered passed on file.
The following motion to reconsider was filed:
Mr. Speaker-I move to reconsider the vote whereby House file No. 32 was declared to have passed the House.
J. H. Funk.

I second the motion.
Z. H. Gurley.

Calendar No. 10, House file No. 55, a bill for an act to revise, amend and codify the statutes in relation to the Institution for Feeble Minded Children, with repoct of committee recommending amendments, and when so amended that same do pass, was taken up, considered, and the amendments of the committee adopted.

Mr. Frink moved to amend by striking out in line 1, section 3 , the words "between the age of five and twenty-one years." Lost.
Mr. Brinton moved that the rule be suspended, and that the bill be considered engrossed and read a third time now, which motion prevailed and the bill was read a third time.

Mr. Van Houten in the chair.
On the question, "Shall the bill pass?" the yeas were:
Messrs. Allen, Bailey, Baker, Bell, Bird, Bowen, Brady, Brant, Brighton, Brinton, Byington, Chapman, Clark, Classen, Cook, Cornwall, Crow, Davis, Doubleday, Dowell, Early, Edwards, Evans, Finch, Frazee, Frink, Funk, Good, Griswold, Grote, Gurley, Haugen, Hauger, Hazen, Hendershot, Hinkhouse, Hinman, Huntley, Jackson, Jay, Johnson of Webster, Johnston of Franklin, Klemme, Ladd, Lambert, Lauder, Lavender, Loomis, Lowry, McAchran; McArthur, McDonald, McDowell, McNulty, Marti, Martin, Mayne. Merriam, Miller of Buena Vista, Miller of Warren, Morrison of Keokuk, Mullin, Nietert, Nolan, Parker, Perrott, Porter, Potter, Power,

Prentis, Putnam, Ray, Reed, Scott, Smith, Spaulding, Sullivan, Temple, Thompson, Tibbitts, Van Houten, Voelker, Watters, Wells, Wheeler, Whelan, Whittier, Williams, Wood-89.

The nays were:
None.
Absent or not voting:
Messrs. Garner, Hayes, Hunt, McQuin, Manahan, Miller of Cherokee, Morrison of Grundy, St. John, Weaver, Wilson, Mr. Speaker-11.

So the bill passed and the title was agreed to.
The Speaker resumed the chair.
Calendar No. 9, House file No. 52, a bill for an act to revise, amend and codify the statutes in relation to the State College of Agriculture and Mechanic Arts, with report of committee recommending passage with amendments, was taken up and considered.

Committee amendment to section 3 was adopted.
Committee amendment to section 5 was adopted.
Committee amendment to section 12 was lost.
Committee amendment to section 25 was adopted.
Mr. McNulty moved to amend the committee amendment to section 29 by striking out all of said section and inserting section 2670 of McClain's Code

On a division of the House the motion was adopted by a vote of 49 yeas to 18 nays.

Committee amendment to section 30 was adopted.
Mr. Lauder moved to insert the word "shall" between "treasurer" and "reside," in line 1, section 11.

Adopted.
Mr. Brinton moved that the rule be suspended, and that the bill be considered engrossed and read a third time now, which motion prevailed and the bill was read a third time.

Mr. Loomis in the chair.
On the question, "Shall the bill pass?" the yeas were:
Messrs. Allen, Baker, Bell, Bowen, Brady, Brant, Brighton, Brinton, Byington, Chapman, Clark, Classen, Cook, Cornwall, Crow, Davis, Doubleday, Early, Edwards, Finch, Frazee, Frink, Garner, Good, Griswold, Gurley, Haugen, Hauger, Hazen, Hendershot, Hinkhouse, Hinman, Huntley, Jackson, Jay, Johnson of Webster, Johnston of Franklin, Klemme, Ladd, Lauder, Lavender, Loomis, Lowry, McAchran, McArthur, McDonald, McDowell, McNulty, Marti, Martin, Mayne, Merriam,

Miller of Buena Vista, Miller of Warren, Morrison of Grundy, Morrison of Keokuk, Mullin, Nietert, Nolan, Perrott, Porter, Potter, Power, Prentis, Putnam, Ray, Reed, Scott, Smith, Spaulding, Thompson, Tibbitts, Van Houten, Voelker, Watters, Weaver, Wells, Wheeler, Whelan, Whittier, Williams, Wood-82.

The nays were:
None.
Absent or not voting:
Messrs. Bailey, Bird, Dowell, Evans, Funk, Grote, Hayes, Hunt. Lambert, McQuin, Manahan, Miller of Cherokee, Parker, St. John, Sullivan, Temple, Wilson, Mr. Speaker-18.

So the bill passed and the title was agreed to.
Mr. Reed, from the Committee on School and Text Books, submitted the following report:

Mr. Speaker-Your Committee on School and Text Books, to whom was referred House file No. 50, a bill for an act to revise, amend and codify the statutes in relation to the State Board of Educational Examiners, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same do pass with the following amendments:

Amend section 2 , line 14 , by striking out "any normal school state," and substitute therefor "the Iowa State Normal School."

Strike out "is" in line 15 and insert "in."
After word "shown" in line 15, insert the following: "They may issue a certificate or diploma to any primary school teacher in the State, of sufficient experience, and who shall pass such examination as the board may designate, in branches and methods which pertain especially to that kind of work. Such certificate or diploma shall be known as a primary teacher's certificate or a primary teacher's diploma, and shall not be valid as a teacher certificate for any other department."

Amend section 3, line 2, by striking out the following after the word "but:" "any certificate or diploma may be revoked by the board for any cause or disqualification to be found upon complaint entered by any county superintendent and the evidence produced," and insert the following:
"The board shall have power to revoke any certificate or diploma for causes which may seem to them satisfactory, or which if known at the time would have prevented their issuing it, provided the holder of such certificate or diploma shall have due notice and shall be allowed to be present and make his defense.
J. F. REED,

Chairman.
Ordered passed on file.
Speaker Byers in the chair.
Mr. Haugen moved to adjourn until 9 A. M. to-morrow.
Lost.

Calendar No. 11, being House file No. 83, a bill for an act to revise, amend and codify the statutes in relation to justices of the peace and their courts, with report of committee recommending passage with amendments, was taken up and considered.

Committee amendments to sections $2,5,9,18,28,33,51,63$, $85,86,87,104,118,122$ and 123 , were adopted.

The following is a list of committee clerks, their committee and when sworn:

Harold Lounsberry, County and Township Organization; Z. R. Gurley, Claims; Anna Foster, Agriculture; B. J. Clark, Fish and Game; Katherine Davis, Municipal Corporations; L. A. Turner, Banks and Banking; Mary McAchran, Penitentiaries; D. C. Wright, Appropriations; Olive Conger, Public Library; E. E. Rarick, First Division Code Revision Committee: E. M. Allen, Second Division Code Revision Committee; Ed. K. Winnie, Third Division Code Revision Committee; O. U. Miracle, Fourth Division Code Revision Committee; Clara Keller, Fifth Division Code Revision Committee; Mrs. A. Maysant, Soldiers' and Orphans' Home; A. L. W. Moore, Private Corporations-January 19.
E. E. Funk, Ways and Means; Harry Whittier, Pardons; David Shean, Federal Relations; Anna Wilson, Judiciary; W. E. Griswold, Mines and Mining; Clyde Hart, Railroads and Commerce; H. B. Watters, Jr., Roads and Highways; Fred D. Martin, Building and Loan; Chas. J. Rogers, Domestic Manufactures; Gilbert Chapman, Suppression of IntemperanceJanuary 20.
M. J. Potter, Telegraph, Telephone and Express; S. R. Clift, Schools and Text Books; Winogene Hobbs, Printing-January 22.

Sidney Bowen, Public Health; Welling ton Martin, Public Lands and Buildings-January 26.
J. J. Dunkleberg, Police Regulations; Phil Waddell, Insurance; J. A. Farrell, Public Charities-January 28.

On motion of Mr. Funk, the House adjourned until 9 A. M. to-morrow.
$\left.\begin{array}{l}\text { Hall of the House of Representatives, } \\ \text { Des Moines, Iowa, Saturday January 30, 1897. }\end{array}\right\}$
House called to order at 9 A. M., Speaker Byers in the chair. Prayer by Rev. J. Everist Cathell.

## PETITIONS AND MEMORIALS

Messrs. Doubleday, Wood, Smith and Early presented petitions of citizens of their respectivecounties asking a 2 -cent rate on railroads and interchangeable mileage books.

Referrad to Committee on Railroads and Commerce.
Messrs. Jackson and Haugen presented petitions of citizens of their respective counties against a manufacturing bill.

Referred to Committee on Domestic Manufactures.

## REPORTS OF COMMITTEES.

Mr. Finch, from the Committee on Code Revision, Division No. 3, submitted the following report:

Mr. Speaker-Your Committee on Code Revision, Division No. 3, to whom was referred House file No. 39 (chapter 12, title 12), a bill for an act to revise, amend and codify the statutes relating to the inspection of passenger boats, beg leave to report that they have bad the same under consideration and have instructed me to report the same back to the House with the recommendation that the same do pass.

> P. Finch, Chairman.

Ordered passed on file.
Also:
Mr. Speaker-Your Committee on Code Revision, Division No. 3, to whom was referred House file No. 48 (chapter 21, title 12), a bill for an act to revise amend and codify the statutes relating to the regents and trustees of State institutions, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same do pass, with the following amendments:

Page 529, section 1, add to line 3 the following: "all of whom shall not be of same political party."

Page 529, section 1, line 8, strike out the word "six,", insert "five."

Page 530, add to section 8 the following: "except appropriations already made for the erection of buildings now in the course of construction or under contract as provided by law."

Page 530, section 12, line 1, strike out the word "verified," and insert the following: "certified to by president and secretary and approved by the board."

P. Finch,<br>Chairman.

Ordered passed on file.
Also:
Mr. Speaker-Your Committee on Code Revision, Division No. 3, to whom was referred House fle No. 47, a bill for an act to revise, amend and codify the statutes relating to Soldiers' Home, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same do pass with the following amendment:

Page 527 , section 1, line 2, strike out the word "six" and insert "five."
P. Finch, Chairman.
Ordered passed on file.
Also:
Mr. Speaker-Your Committee on Code Revision, Division No. 3, to whom was referred House file No. 46 (chapter 19, title 12), a bill for an act to revise, amend, and codify the statutes relating to the practice of denistry, beg leave to report that the Committee on Pharmacy called for said bill and the same has been transferred to said committee.

> P. Finch, Chairman.

So ordered.
Also:
Mr. Speaker-Your Committee on Code Revision, Division No. 3, to whom was referred House file No. 45 (chapter 18, title 12), a bill for an act to revise, amend and codify the statutes relating to the practice of pharmacy, beg leave to report that, complying with a request therefor by the Committee on Pharmacy, said chapter has been transferred to said committee.

> P. Finct, Chairman.

So ordered.
Mr. Brinton, from the Committee on Code Revision, Division No. 4, submitted the following report:

Ma. Speaker-Your Committee on Code Revision, Division No. 4, to whom was referred House file No. 65, a bill for an act to revise, amend and codify the statutes in relation to the State Historical Society, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same do pass.
M. H. Brinton, Chairman.
Ordered passed on file.

## Also:

Mr. Spraker-Your Committee on Code Revision, Division No. 4, to whom was referred House file No. 64, a bill for an act to revise, amend and codify the statutes in relation to the State Library, beg leave to report that upon the request of the chairman of the Committee on Public Libraries, the same has been transferred to said committee.
M. H. Brinton,

Ohairman.
So ordered.
The committee on distribution of the various session laws of the Twenty-sixth General Assembly to appropriate committees submitted the following report:

Mr. Speaker-Your committee to whom was referred the distribution of the various session laws of the regular session of the Twenty-sixth Goneral Assembly, to the appropriate Code revision committees, and to furnish memoranda of such distribution to the chairman of each'said committees, would report as follows:

That we have assigned the various chapters as follows:
To Code Revision Committee, Division No. 1, chapters 21,22, 23, 54, 55, 61, 64, 72, 74, 75, 77, 79, 81, 85, 97, 98, 105, 108, 110, 111, 121, 122, 124, 125.

To Code Revision Committee, Division No. 2 , chapters 26, 33, 34, 35, 42, 43, 46, 76, 78, 83, 100, 102, 103, 107.

To Code Revision Committee, Division No. 3, chapters 1, 2, 3, 4, 5, 6, 7, 8, $9,10,11,12,13,14,16,17,18,19,24,25,27,51,52,53,56,57,59,60,63,65$, 86, 89, 90, 91, 94, 101, 120.

To Code Revision Committee, Division No. 4, chapters 15, 36, 37, 38, 39, $40,41,49,50,58,62,67,68,69,70,71,80,82,87,88,92,93,95,96,99,106$.

To Code Revision Committee, Division No. 5, chapters 20, 28, 29, 30, 31, $32,44,45,47,48,66,73,84,104,109,114,144$.

Your committee dia not assign the following chapters, as not being of a permanent character and not necessary to be incorporated in the Code, to-wit: $112,113,115,116,117,118,119,123,126,127,128,129,130,131,133$, $134,135,136,137,138,139,140,141,142,143,145,146,147,148,149,150,151$, $152,153,154,155,156,157,158,159,160,161,163,164,165,166$.

For the same reason your committee did not assign any of the legalizing acts, being chapters 167 to 218 inclusive.

> O. A. Byington, Samuel Mayne, H. K. Evans, John T. P. Power, W. I. Hayes, Committce.

Mr. Weaver, from the Committee on Code Revision, Division No. 5, submitted the following report:

Mr. Speaker-Your Committee on Code Revision, Division No. 5, to whom was referred House file No. 67, a bill for an act to revise, amend and codify the statutes in relation to weights, measures and inspection, beg leave to report that they have had the same under consideration and have
instructed me to report the same back to the House with the recommendation that the same do pass as reported by the Code Commissioners without amendment.

H. O. Weaver, Chairman.

Ordered passed on file.
Also:
Mr. Speaker-Your Committee on Code Revision, Division No. 5, to whom was referred House file No. 68, a bill for an act to revise, amend and codify the statutes in relation to money of account and interest, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same do pass.
H. O. Weaver,

Chairman.

Ordered passed on file.
Also:
Mr. Speaker-Your Committee on Code Revision, Division No. 5, to whorn was referred House file No. 71, a bill for an act to revise, amend and codify the statutes in relation to sureties, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same do pass.

H. O. Weaver, Chatrman.

Ordered passed on file.

## Also:

Mr. Speaker-Your Committee on Code Revision, Division No. 5, to whom was referred House file No. 66, a bill for an act to revise, amend and codify the statutes in relation to right of property, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same do pass with the following amendments:

Chapter 1, page 597, strike out section 182 and insert in lieu thereof the following: "nonresident aliens, or corporations corporated under the laws of any foreign country, or corporations organized in this country, one-half of the stock of which is owned and controlled by non-resident aliens, are prohibited from acquiring title to or holding any real estate in this State, except as hereinafter provided, save that the widow and heirs or devisee being nonresident aliens of any alien or naturalized citizen who has acquired real estate in this State, may hold the same by devisee, descent or distribution for a period of twenty years, and if at the end of that time such real estate has not been sold to a bona fide purchaser for value, or such alien's heirs have not become residents of this State, such land shall escheat to the State; provided, that nothing in this act contained shall prevent aliens from having or acquiring property of any kind within the corporate limits of any city or town in the State, or lands not to exceed three hundred and twenty acres in the name of one person, or any stock in any corporation for pecuniary profit, or from alienating or
devising the same. The provisions of this chapter shall not affect the distribution of personal property, and shall apply to real estate heretofore devised or descended when no proceedings of forfeiture have been commenced," which shall be section 1.

That section 3 be numbered section 2.
That section 4 be numbered section 3 .
That section 5 be numbered section 4 .
That section 6 be numbered section 5 .
In chapter 2, page 599, strike out the word "a" before the word "municipal" in line 2 , section 2 , and insert the words "nny other" in lieu thereof.

On page 600 insert before the word "vote" in line 14, section 6 , the words "yea and nay;" also before the word "vote" in line 17, section 6 , insert the words "yea and nay."

In chapter 8, section 3, line 2, insert after the word "sane" the words "joint instrument."

In chapter 9 , section 5, line 5 , strike out all of the section after the word "term."

> H. O. Weaver, Chairman.

Ordered on file.
Mr. Sullivan offered the following resolution, and moved its adoption:

Whereas, Samuel Murdock and Reuben Noble, of Clayton county, who were members of this body, have recently departed this life; therefore, be it

Resolved, That the Speaker appoint a committee of three to draft and report suitable resolutions on the lives and public services of the deceased.

Adopted.
The Speaker appointed as such committee Messrs. Sullivan, Nolan and Mayne.

Mr. Lowry excused indefinitely on account of sickness.
Mr. Scott excused till Monday.
The House here took up for consideration the pending bill, House file No. 83, a bill for an act to revise, amend and codify the statutes in relation to justices of the peace and their courts.

The committee amendments had all been adopted up to the amendment to section 125 yesterday.

Mr. Huntley moved to amend the committee amendment to section 125 in line 5, by striking out the words "five hundred" and insert "five hundred and fifty;" in line 7 strike out the words "four hundred" and insert "five hundred;" also the words "three hundred" and insert "four hundred and
fifty;" also in line 8, strike out the words "two hundred and fifty" and insert 'four hundred."

Lost.
Amendment of the committee was lost by a vote of 30 yeas and 31 nays.

MESSAGE FROM THE SENATE.
The following message was received from the Senate:
Mr. Speaker-I am directed to inform your honorable body that the Senate has passed the following concurrent resolution, in which the concurrence of the House is asked:

Relative to the adoption of a plan whereby time may not be consumed unnecessarily in the Code work.

Be it resolved by the Senate, the House concurring, That the joint committee heretofore appointed for the division of the proposed Code into appropriate bills be continued and instructed to report:

First.-That means, if any, can be devised whereby time may not be consumed in unnecessary reading of the several bills in each House.

Second.-A plan whereby an agreement, as far as possible, may be had on bills by the respective committees of each House, to which said bills may be referred, prior to the reporting of said bills to either House.

Third.-Whether it is advisable, after an agreement may be reached by the committees, as contemplated in the subdivision 2 hereof, to make such distribution of bills between both Houses of the Legislature so that each House may not unnecessarily consume time in the consideration of the the same bill.

Fourth.-Such further recommendation as may seem proper to the committee tending to a dispatch of business in a manner conformable to the Constitution. They may report a concurrent resolution for the consideration of both houses.

> G. A. Newman, Seeretary.

The resolution was taken up by the House and adopted.
Mr. Byington moved to amend by striking out sections 42 and 43 and insert in lieu thereof section 4796 and section 4797 of McClain's Code.

On a division of the House, amendment was lost by a vote of 29 yeas and 38 nays.

Mr. Porter moved that the rule be suspended, and that the bill be considered engrossed and read a third time now, which motion prevailed and the bill was read a third time.

On the question, "Shall the bill pass?" the yeas were:
Messrs. Allen, Bailey, Baker, Bell, Bird, Brady, Brant, Brighton, Brinton, Cornwall, Crow, Davis, Doubleday, Dowell, Early, Edwards, Finch, Frazee, Good, Gurley, Haugen, Hauger, Huntley, Jackson, Johnson of Webster, Johnston of

Franklin, Klemme, Loomis, McAchran, Martin, Miller of Buena Vista, Miller of Warren, Morrison of Keokuk, Nolan, Parker, Porter, Potter, Prentis, Putnam, Reed, Smith, Spaulding, Temple, Thompson, Watters, Wells, Whelan, Whittier, Williams, Mr. Speaker-50.

The nays were:
Messrs. Byington, Clark, Cook, Evans, Frink, Funk, Garner, Griswold, Hazen, Hendershot, Hinkhouse, Hinman, Ladd, Lauder, McArthur, McDowell, Mayne, Merriam, Morrison of Grundy, Mullin, Nietert, Perrott, Power, Ray, Sullivan, Van Houten, Weaver, Wood-28.

Absent or not voting:
Messrs. Bowen, Chapman, Classen, Grote, Hayes, Hunt, Jay, Lambert, Lavender, Lowry, McDonald, McNulty, McQuin, Manahan, Marti, Miller of Cherokee, Scott, St. John, Tibbitts, Voelker, Wheeler, Wilson-22.

So the bill, having failed to receive a constitutional majority, was lost.

The following explanation of vote was filed:
Mr. Speaker-I vote "no" because sections 42 and 43 were not. changed, and because of the provision requiring payment of jury fee in advance.
O. A. Byington.

The following motion to reconsider was filed:
Mr Speaker-I move to reconsider the vote whereby House file No. 83: was lost.
J. H. Funk.

I second the motion.
C. F. Johnston.

Calendar No. 12, being House file No. 35, a bill for an act to revise, amend and codify the statutes in relation to the Bureau of Labor Statistics, with report of committee recommending a substitute therefor, and that the substitute do pass, was taken up and considered.

Mr. Finch moved that the rule be suspended, and that the bill be considered engrossed and read a third time now, which motion prevailed and the bill was read a third time.

On the question, "Shall the bill pass?" the yeas were:
Messrs. Allen, Bailey, Baker, Bird, Bowen, Brady, Brant, Brinton, Byington, Clark, Crow, Davis, Doubleday, Dowell, Early, Edwards, Evans, Finch, Frazee, Frink, Garner, Good, Griswold, Gurley, Haugen, Hauger, Hazen, Hendershot, Hinkhouse, Hinman, Jackson, Johnson of Webster, Johnston of Franklin, Ladd, Lauder, Loomis, McAchran, McArthur, McDowell, Martin, Mayne, Merriam, Miller of Buena Vista,

Miller of Warren, Morrison of Grundy, Morrison of Keokuk, Mullin, Nietert, Nolan, Parker, Perrott, Porter, Power, Prentis, Ray, Smith, St. John, Sullivan, Thompson, Van Houten, Weaver, Wells, Whelan, Whittier, Williams, Wood, Mr. Speaker-67.

The nays were:
Messrs. Bell, Brighton, Cook, Funk, Huntley, Klemme, Reed, Watters-8.

Absent or not voting:
Messrs. Chapman, Classen, Cornwall, Grote, Hayes, Hunt, Jay, Lambert, Lavender, Lowry, McDonald, McNulty, McQuin, Manahan, Marti, Miller of Cherokee, Potter, Putnam, Scott, Spaulding, Temple, Tibbitts, Voelker, Wheeler, Wilson-25.

So the bill passed and the title was agreed to.
Mr. Morrison of Grundy, moved that House file No. 58 be recommitted.

Adopted.
Calendar No. 15, House file No. 57, a bill for an act to revise, amend and codify the statutes in relation to the College for the Blind, with report of committee recommending passage with amendments, was taken up, considered and the amendments of the committee adopted.

Mr. Brinton moved that the rule be suspended, and that the bill be considered engrossed and read a third time now, which motion prevailed and the bill was read a third time.

On the question, "Shall the bill pass?" the yeas were:
Messrs. Allen, Bailey, Baker, Bell, Bird, Bowen, Brady, Brant, Brighton, Brinton, Byington, Clark, Classen, Cook, Crow. Davis, Early, Edwards, Evans, Finch, Frazee, Frink, Funk, Garner, Good, Griswold, Gurley, Haugen, Hauger, Hazen, Hendershot, Hinkhouse, Hinman, Huntley, Jackson, Johnson of Webster, Johnston of Franklin, Klemme, Ladd, Lauder, Loomis, McAchran, McArthur, McDowell, Martin, Mayne, Merriam, Miller of Buena Vista, Miller of Warren, Morrison of Grundy, Morrison of Keokuk, Mullin, Nietert, Parker, Perrott, Porter, Power, Prentis, Ray, Reed, Smith, St. John, Sullivan, Thompson, Van Houten, Watters, Weaver Wells, Whelan, Whittier, Williams, Wood, Mr. Speaker-73.

The nays were:
None.

Absent or not voting:
Messrs. Chapman, Cornwall, Doubleday, Dowell, Grote, Hajes, Hunt, Jay, Lambert, Lavender, Lowry, McDonald, McNulty, McQuin, Manahan, Marti, Miller of Cherokee, Nolan, Potter, Putnam, Scott, Spaulding, Temple, Tibbitts, Voelker, Wheeler, Wilson-27.

So the bill passed and the title was agreed to.
Calendar No. 16, being House file No. 59, a bill for an act to revise, amend and codify the statutes in relation to the School for the Deaf, with report of committee recommending passage with amendments, was taken up, considered, and the amendments of the committee adopted.

Mr. Brinton moved that the rule be suspended, and that the bill be considered engrossed and read a third time now, which motion prevailed and the bill was read a third time.

Mr. Weaver in the chair.
Mr. Van Houten moved that the bill be recommitted.
Lost.
On the question, "Shall the bill pass?" the yeas were:
Messrs. Allen, Bailey, Baker, Bell, Bird, Bowen, Brant, Brighton, Brinton, Byington, Clark, Cook, Doubleday, Early, Edwards, Evans, Finch, Frazee, Frink, Funk, Garner, Good, Griswold, Gurley, Haugen, Hauger, Hazen, Hendershot, Hinkhouse, Hinman, Huntley, Jackson, Johnson of Webster, Johnston of Franklin, Ladd, Lauder, Loomis, McAchran, McDowell, Martin, Mayne, Merriam, Miller of Buena Vista, Miller of Warren, Morrison of Grundy, Morrison of Keokuk, Mullin, Nietert, Nolan, Parker, Perrott, Porter, Potter, Power, Prentis, Putnam, Ray, Reed, Smith, Spaulding, St. John, Sullivan, Thompson, Watters, Weaver, Wells, Whittier, Williams, Wood, Mr. Speaker-70.

The nays were:
Messrs. Klemme, Van Houten, Whelan-3.
Absent or not voting:
Messrs. Brady, Cnapman, Classen, Cornwall, Crow, Davis; Dowell, Grote, Hayes, Hunt, Jay, Lambert, Lavender, Lowry, McArthur, McDonald, McNulty, McQuin, Manahan, Marti, Miller of Cherokee, Scott, Temple, Tibbitts, Voelker, Wheeler, Wilson-27.

So the bill passed and the title was agreed to.
Speaker Byers resumed the chair.
The Journal of yesterday was corrected and approved.

## REPORTS OF COMMITTEES.

Mr. Finch, from the Committee on Code Revision, Division No. 3, submitted the following report:

Mr. Speaker-Your Committee on Code Revision, Division No. 3, to whom was referred House file No. 12, title 5, a bill for an act to revise, amend, and codify the statutes in relation to city and town government, beg leave to report that the said bill has been transferred to the Committee on Municipal Corporations, as requested.

P. Finch,<br>Chairman.

So ordered.
Mr. Weaver, from the Committee on Code Revision, Division No. 5, submitted the following report:

Mr. Speaker-Your Committee on Code Revision, Division No. 5, to whom was referred House file No. 75, a bill for an act to revise, amend and codify the statutes in relation to limited partnership, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same do pass.

H. O. WEAVER, Chairman.

Ordered passed on file.
Also:
Mr. Speaker-Your Committee on Code Revision, Division No. 5, to whom was referred House file No. 76, a bill for an act to revise, amend and codify the statutes in relation to warehousemen, carriers, hotel keepers, livery stable keepers and herders, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same do pass.
H. O. Weaver, Chairman.
Ordered passed on file.
Also:
Mr. Speaker-Your Committee on Fifth Division Code Revision, to whom was referred House file No. 72, a bill for an act to revise, amend and codify the statutes in relation to private seals, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same do pass.

H. O. Weaver, Chairman.

Ordered passed on file.
Also:
Mr. Speaker - Your Committee on Fifth Division Code Revision, to whom was referred House file No. 73, a bill for an act to revise, amend and codify the statutes with respect to assignment for creditors, beg leave to report that they have had the same under consideration and have
instructed me to report the same back to the House with the recommendation that the same do pass with the following amendments:

Chapter 7, section 15, line 4, after the word "hands," add, "if any assignee shall reside out of the State or become insane or otherwise incapable of discharging the trust, the court may upon ten days' notice to him, or his attorney, remove him and appoint another in his stead."
H. O. Weaver, Chairman.
Ordered passed on file.
Also:
Mr. Speaker-Your Committee on Fifth Division Code Revision, to whom was referred House file No. 70, a bill for an act to revise, amend and codify the lawn with respect to tender, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same do pass with the following amendment:

Strike out section 4 of chapter 4, on page 631 of Black Code.
H. O. Wester, Chairman.
Ordered passed on file.
Also:
Mr. Speaker-Your Committee on Fifth Division Code Revision, to whom was referred House file No. 86, a bill for an act to revise, amend and codify the statutes in relation to criminal proceedings, beg leave to report that at the request of the Judiciary Committee the same has been transferred to such committee.

> H. O. Weaver, Chairman

So ordered.
The following motion to reconsider was filed:
Mr. Spmaker-I move to reconsider the vote whereby the amendment to sections 42 and 43, and also amendment of House file No. 83 to section 118, were lost.

Frank F. Merriam.
I second the motion.

W. E. Hauger.

Mr. Martin was excused until Tuesday.
. Mr. Johnston, of Franklin, moved to adjourn until 2 P. M. Monday.

Mr. Early moved to amend by making it 10 A. m. Monday.
Mr. Brighton moved to amend the amendment by making it 1:15 P. M. Monday.

On division of the House the motion of Mr. Brighton was carried by a vote of 41 yeas to 35 nays.

The original motion as amended was carried.
The House adjourned.

$$
\left.\begin{array}{l}
\text { Hall of the Hoube of Representatives, } \\
\text { Des Moines, Iowa, Monday, February } 1,1897 .
\end{array}\right\}
$$

House called to order at 1:15 P. M., Speaker Byers in the chair.

Prayer by Rev. W. A. Black.
Journal of Saturday, January 30, corrected and approved.
PETITIONS AND MEMORIALS.
Messrs. Johnson of Webster, Mullen, Finch and Reed presented petition of citizens of their respective counties, asking a 2-cent rate and interchangeable mileage books.

Referred to Committee on Railroads and Commerce.
Messrs. Miller of Buena Vista, Ray, Ladd and Wells presented remonstrances of citizens of their respective counties against a manufacturers' bill.

Referred to Committee on Domestic Manufactures.
Mr. Wells presented petition of citizens of Jasper county asking that salaries of county officers be reduced.

Referred to Committee on Compensation of Public Officers.
A roll call was then ordered to ascertain if there be a quorum present, with the following result:

Those present were:
Messrs. Bailey, Bell, Bowen, Brady, Brant, Brighton, Brinton, Clark, Crow, Davis, Doubleday, Early, Edwards, Evans, Finch, Frazee, Frink, Funk, Garner, Good, Gurley; Haugen, Hauger, Hazen, Hendershot, Hinkhouse, Hinman,. Johnson of Webster, Klemme, Ladd, Lauder, Loomis, McAchran, McDowell, Mayne, Miller of Buena Vista, Miller of Warren, Morrison of Grundy, Mullin, Nietert, Parker. Perrott, Power, Prentis, Putnam, Ray, Reed, Scott, Smith, Spaulding, Temple, Thompson, Tibbitts, Watters, Wells, Wheeler, Whelan, Whittier, Williams, Wood, Mr. Speaker--61.

The absent were:
Messrs. Allen, Baker, Bird, Byington, Chapman, Classen,

Cook, Cornwall, Dowell, Griswold, Grote, Hayes, Hunt, Huntley, Jackson. Jay, Johnston of Franklin, Lambert, Lavender, Lowry, McArthur, McDonald, McNulty, McQuin, Manahan, Marti, Martin, Merriam, Miller of Cherokee, Morrison of Keokuk, Nolan, Porter, Potter, St. John, Sullivan, Van Houten, Voelker, Weaver, Wilson-39.

There being a quorum present, the House proceeded to the consideration of House file No. 56, a bill for an act to revise, amend and codify the statutes in relation to the Industrial School, with the report of the committee recommending passage with amendments.

The amendments of the committee were adopted.
Mr. Brinton moved that the rule be suspended, and that the bill be considered engrossed and read a third time now, which motion prevailed, and the bill was read a third time.

On the question, "Shall the bill pass?" the yeas were:
Messrs. Bailey, Bell, Bird, Bowen, Brady, Brant, Brighton, Brinton, Clark. Crow, Davis, Doubleday, Early, Edwards, Evans, Finch, Frazee, Frink, Funk, Garner, Good, Gurley, Hauger, Hayes, Hazen, Hendershot, Hinkhouse, Hinman, Jackson, Johnson of Webster, Klemme, Ladd, Lauder, Loomis, McAchran, McDowell, Miller of Buena Vista, Miller of Warren, Morrison of Grundy, Mullin, Nietert, Parker, Perrott, Power, Prentis, Putnam, Ray, Reed, Scott, Smith, Spaulding, Sullivan, Temple, Thompson, Watters, Weaver, Wells, Wheeler, Whelan, Whittier, Williams, Wood, Mr. Speaker-63.

Mr. Tibbitts voted in the negative.
Absent or not voting:
Messrs. Allen, Baker, Byington, Chapman, Classen, Cook, Cornwall, Dowell, Griswold, Grote, Haugen, Hunt, Huntley, Jay, Johnston of Franklin, Lambert, Lavender, Lowry, McArthur, McDonald, McNulty, McQuin, Manahan, Marti, Martin, Mayne, Merriam, Miller of Cherokee, Morrison of Keokuk, Nolan, Porter, Potter, St. John, Van Houten, Voelker, Wilson-36.

So the bill passed and the title was agreed to.
Calendar No. 18, House file No. 41, a bill for an act to revise, amend and codify the statutes in relation to the State Veterinary Surgeon, with report of committee recommending passage without amendments, was taken up, considered, and the report of the committee adopted.

Mr. Hayes in the chair.
Mr. Finch moved that the rule be suspended and that the bill be considered engrossed and read a third time now, which motion prevailed, and the bill was read a third time.

Speaker Byers resumed the chair.
On the question, "Shall the bill pass?" the yeas were:
Messrs. Bailey, Bell, Bird, Bowen, Brady, Brant, Brighton, Brinton, Clark, Cook, Crow, Davis, Doubleday, Early, Edwards, Evans, Finch, Frazee, Frink, Funk, Garner, Good, Haugen, Hauger, Hayes, Hazen, Hendershot, Hinkhouse, Hinman, Jackson, Jay, Johnson of Webster, Klemme, Ladd, Lauder, Loomis, McAchran, McArthur, McDowell Mayne, Miller of Buena Vista, Miller of Warren, Morrison of Grundy, Mullin, Nietert, Parker, Perrott, Power, Prentis, Putnam, Ray, Reed, Scott, Smith, Spaulding, Sullivan, Temple, Thompson, Tibbitts, Watters, 'Weaver, Wells, Wheeler, Whelan, Whittier, Williams, Wood, Mr. Speaker-68.

The nays were:
None.
Absent or not voting:
Messrs. Allen, Baker, Byington, Chapman, Classen, Cornwall, Dowell, Griswold, Grote, Gurley, Hunt, Huntley, Johnston of Franklin, Lambert, Lavender, Lowry, McDonald, McNulty, McQuin, Manahan, Marti, Martin, Merriam, Miller of Cherokee, Morrison of Keckuk, Nolan, Porter, Potter, St. John, Van Houten, Voelker, Wilson-32.

So the bill passed and the title was agreed to.
Calendar No. 19, House file No. 50, a bill for an act to revise, amend and codify the statutes in relation to the Educational Board of Examiners, with report of committee recommending passage with amendments, was taken up, considered and the amendments of the committee adopted.

Mr. Reed moved that the rule be suspended, and that the bill be considered engrossed and read a third time now, which motion prevailed and the bill was read a third time.

On the question, "Shall the bill pass?" the Jeas were:
Messrs. Bailey, Bell, Bird, Bowen, Brady, Brant, Brighton, Brinton, Clark, Crow, Davis, Doubleday, Dowell, Early, Edwards, Evans, Finch, Frazee, Frink, Funk, Good, Gurley, Haugen, Hauger, Hayes, Hazen, Hendershot, Hinkhouse, Hinman, Jackson, Jay, Johnson of Webster, Klemme, Lauder, Lavender, Loomis, McAchran, McDowell, Mayne, Miller of

Buena Vista, Miller of Warren, Morrison of Grundy, Mullin, Nietert, Parker, Perrott, Power, Prentis, Putnam, Ray, Reed, Scott, Smith, Spaulding, Sullivan, Temple, Tibbitts, Watters, Weaver, Wells, Wheeler, Whelan, Whittier, Williams, Wood, Mr. Speaker-66.

The nays were:
Messrs. Garner and Thompson-2.
Absent or not voting:
Messrs. Allen, Baker, Byington, Chapman, Classen, Cook, Cornwall, Griswold, Grote, Hunt, Huntley, Johnston of Franklin, Ladd, Lambert, Lowry, McArthur, McDonald, McNulty, McQuin, Manahan, Marti, Martin, Merriam, Miller of Cherokee, Morrison of Keokuk, Nolan, Porter, Potter, St. John, Van Houten, Voelker, Wilson-32.

So the bill passed and the title was agreed to.
Calendar No. 20, being House file No. 39, a bill for an act to revise, amend and codify the statutes in relation to the inspection of passenger boats, with report of committee recommending passage, was taken up, considered and the report of the committee adopted.

Mr. Finch moved that the rule be suspended, and that the bill be considered engrossed and read a third time now, which motion prevailed and the bill was read a third time.

On the question, "Shall the bill pass?" the yeas were:
Messrs. Bailey, Bell, Bird, Bowen, Brady, Brighton, Brinton, Clark, Crow, Davis, Doubleday, Dowell, Early, Edwards, Evans, Finch, Frazee, Frink, Funk, Garner, Good, Gurley, Haugen, Hauger, Hayes, Hazen, Hendershot, Hinkhouse, Hinman, Jackson, Jay, Johnson of Webster, Klemme, Ladd, Lauder, Lavender, Loomis, McAchran, McArthur, McDowell, Mayne, Miller of Buena Vista, Miller of Warren, Morrison of Grundy, Mullin, Parker, Perrott, Power, Prentis, Putnam, Ray, Reed, Scott, Smith, Spaulding, Sullivan, Temple, Thompson, Tibbitts, Watters, Weaver, Wells, Wheeler, Whelan, Whittier, Williams, Wood, Mr. Speaker-68.

The nays were:
None.
Absent or not voting:
Messrs. Allen, Baker, Brant, Byington, Chapman, Classen, Cook, Cornwall, Griswold, Grote, Hunt, Huntley, Johnston of Franklin, Lambert, Lowry, McD'onald, McNulty, McQuin,

Manahan, Marti, Martin, Merriam, Miller of Cherokee, Morrison of Keokuk, Nietert, Nolan, Porter, Potter, St. John, Van Houten, Voelker, Wilson-32.

So the bill passed and the title was agreed to.
Calendar No. 21, being House file No. 48, a bill for an act to revise, amend and codify the statutes in relation to the regents or trustees of State institutions, with report of committee recommending passage with amendments, was taken up, considered and the report of the committee adopted.

Mr. Hauger moved to amend by substituting for lines 7, 8 and 9 , section 1, page 529, the following: "For the College for the Blind, the Industrial Home for the Blind, each of the Hospitals for the Insane, the Industrial School, the Soldiers' Home, five trustees each, and the Normal School six trustees, who shall hold office for six years."

Mr. Ray moved to amend the amendment by striking out the words "the Industrial Home for the Blind."

Adopted.
Mr. Bell moved to amend the amendment by striking out the words "the Soldiers Home."

Adopted.
Amendment as amended adopted.
Mr. Reed moved to amend section 6, line 1, by striking out the words "the county," and insert the words "congressional districts."

Adopted on a division of the House by a vote of 32 yeas to 28 nays.

Mr. Ray moved to amend section 1, line 10, by inserting after the words "feeble minded" the words "Industrial Home for the Blind."

Adopted.
Mr. Potter moved to amend section 6, line 3, by striking out the word "shall" and insert the word "may."

On a division of the House the amendment was adopted by a vote of 40 yeas and 18 nays.

Mr. Potter moved that the bill go over till to-morrow.
Carried.
Calendar No. 22, being House file No. 47, a bill for an act to revise, amend and codify the statutes in relation to the Soldier's Home, with report of committee recommending passage with amendments, was taken up, considered and the amendments of the committee adopted.

Mr. Sullivan in the chair.
Mr. Finch moved that the rule be suspended, and that the bill be considered engrossed and read a third time now, which motion prevailed and the bill was read a third time.

The Speaker resumed the chair.
On the question, "Shall the bill pass?" the yeas were:
Messrs. Bailey, Bell, Bird, Bowen, Brady, Brant, Brighton, Brinton, Clark, Cook, Crow, Doubleday, Dowell, Edwards, Evans, Fineh, Frazee, Frink, Funk, Garner, Griswold, Gurley, Haugen, Hauger, Hayes, Hazen, Hendershot, Hinkhouse, Hinman, Jackson, Jay, Johnson of Webster, Klemme, Ladd, Lauder, Lavender, Loomis, McAchran, McDowell, Mayne, Miller of Buena Vista, Miller of Warren, Morrison of Grundy, Morrison of Keokuk, Mullin, Nietert, Nolan, Parker, Perrott, Potter, Power, Prentis, Putnam, Ray, Reed, Scott, Smith, Spaulding, Sullivan, Temple, Thompson, Tibbitts, Van Houten, Watters, Weaver, Wells, Wheeler, Whelan, Whittier, Williams, Wood, Mr. Speaker-71.

The nays were:
None.
Absent or not voting:
Messrs. Allen, Baker, Byington, Chapman, Classen, Cornwall, Crow, Davis, Early, Good, Grote, Hunt, Huntley, Johnston of Franklin, Lambert, Lowry, MeArthur, MeDonald, McNulty, McQuin, Manahan, Marti, Martin, Merriam, Miller of Cherokee, Porter, Sti. John, Voelker, Wilson-29.

So the bill passed and the title was agreed to.
Calendar No. 23, House file No. 65, a bill for an act to revise, amend and codify the statutes in relation to the State Historical Society, with report of committee recommending passage, was taken up, considered and the report of the committee adopted.

Mr. Brinton moved that the rule be suspended, and that the bill be considered engrossed and read a third time now, which motion prevailed and the bill was read a third time.

On the question, "Shall the bill pass ?" the yeas were:
Messrs. Bailey, Bell, Bird, Bowen, Brady, Brant, Brighton, Brinton, Clark, Cook, Crow, Davis, Doubleday, Dowell, Early, Edwards, Evans, Finch, Frazee, Frink, Funk, Garner, Good, Griswold, Hauger, Hazen, Hendershot, Hinkhouse, Hinman, Jackson, Jay, Johnson of Webster, Klemme, Ladd, Lauder, Lavender, Loomis, McAchran, McDowell, Mayne, Miller of Buena Vista, Miller of Warren, Morrison of Grundy, Morrison
of Keokuk, Mullin, Nietert, Nolan, Parker, Perrott, Potter, Power, Prentis, Putnam, Ray, Reed, Scott, Smith, Spaulding, Sullivan, Temple, Thompson, Tibbitts, Van Houten, Watters, Weaver, Wells, Wheeler, Whelan, Whittier, Williams, Wood, Mr. Speaker-72.

The nays were:
None.
Absent or not voting:
Messrs. Allen, Baker, Byington, Chapman, Classen, Cornwall, Grote, Gurley, Haugen, Hayes, Hunt, Huntley, Johnson of Franklin, Lowry, McArthur, McDonald, McNulty, McQuin, Manahan, Marti, Martin, Merriam, Miller of Cherokee, Porter, St. John, Voelker, Wilson-28.

So the bill passed and the title was agreed to.
Calendar No. 24, being House file No. 71, a bill for an act to revise, amend and codify the statutes in relation to sureties, with report of committee recommending passage, was taken up, considered and the report of the committee adopted.

Mr. Weaver moved that the rule be suspended, and that the bill be considered engrossed and read a third time now, which motion prevailed and the bill was read a third time.

On the question, "Shall the bill pass?" the yeas were:
Messrs. Bailey, Bell, Bird, Bowen, Brady, Brant, Brighton, Brinton, Clark, Cook, Crow, Davis, Doubleday, Dowell, Early, Edwards, Evans, Finch, Frazee, Frink, Funk, Garner, Good, Griswold, Haugen, Hauger, Hayes, Hazen, Hendershot, Hinkhouse, Hinman, Jackson, Jay, Johnson of Webster, Klemme, Ladd, Lauder, Lavender, Loomis, McAchran, McArthur, McDowell, Mayne, Miller of Buena Vista, Miller of Warren, Morrison of Grundy, Morrison of Keokuk, Mullin, Nietert, Nolan, Parker, Perrott, Potter, Power, Prentis, Putnam, Ray, Reed, Scott, Smith, Spaulding, Sullivan, Temple, Van Houten, Watters, Weaver, Wells, Wheeler, Whelan, Whittier, Williams, Wood, Mr. Speaker-73.

The nays were:
None.
Absent or not voting:
Messrs. Allen, Baker, Byington, Chapman, Classen, Cornwall, Grote, Gurley, Hunt, Huntley, Johnston of Franklin, Lambert, Lowry, McDonald, McNulty, McQuin, Manahan, Marti, Martin, Merriam, Miller of Cherokee, Porter, St. John, Thompson, Tibbitts, Voelker, Wilson-27.

So the bill passed and the title was agreed to.
Mr. Lavender moved to adjourn until 9 A. m. to-morrow.
Lost.
Mr. Morrison of Keokuk, moved that the Chief Clerk be allowed a clerk at a rate not to exceed $\$ 3.00$ per day, and that the same clerk be discharged when the work of bringing up amendrents to the Code is caught up.

Carried.
Calendar No. 20, being House file No. 72, a bill for an act to revise, amend and codify the statutes in relation to private seals, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Mr. Weaver moved that the rule be suspended, and that the bill be considered engrossed and read a third time now, which motion prevailed and the bill was read a third time.

On the question, "Shall the bill pass?" the yeas were:
Messrs. Bailey, Bell, Bird, Bowen, Brady, Brant, Brighton, Brinton, Clark, Cook, Crow, Doubleday, Dowell, Early, Edwards, Evans, Finch, Frazee, Frink, Funk, Garner, Good, Griswold, Haugen, Hauger, Hayes, Hazen, Hendershot, Hinkhouse, Hinman, Jackson, Jay, Johnson of Webster, Klemme, Lauder, Lavender, Loomis, McAchran, McArthur, McDowell, Mayne, Miller of Buena Vista, Miller of Warren, Morrison of Grundy, Morrison of Keokuk, Mullin, Nietert, Nolan, Parker, Perrott, Potter, Power, Prentis, Putnam, Ray, Reed, Scott, Smith, Spaulding, Sullivan, Thompson, Tibbitts, Van Houten, Watters, Weaver, Wells, Wheeler, Whelan, Whittier, Williams, Mr. Speaker-71.

The nays were:
None.
Absent or not voting:
Messrs. Allen, Baker, Byington, Chapman, Classen, Cornwall, Davis, Grote, Gurley, Hunt, Huntley, Johnston of Franklin, Ladd, Lambert, Lowry, McDonald, McNulty, McQuin, Manahan, Marti, Martin, Merriam, Miller of Cherokee, Porter, St. John, Temple, Voelker, Wilson, Wood-29.

So the bill passed and the title was agreed to.
On motion, Calendar No. 26, House file No. 75, a bill for an act to revise, amend and codify the statutes in relation to limited partnership, with report of committee recommending passage, was taken up, considered and the report of the committee adopted.

Mr. Bell in the chair.
Mr. Weaver moved that the rule be suspended, and that the bill be considered engrossed and read a third time now, which motion prevailed and the bill was read a third time.

Speaker Byers in the chair.
On the question, "Shall the bill pass?" the yeas were:
Messrs. Bell, Bird, Bowen, Brady, Brant, Brighton, Brinton, Clark, Cook, Crow, Davis, Doubleday, Dowell, Early, Edwards, Evans, Finch, Frazee, Frink, Funk, Garner, Good, Griswold, Gurley, Haugen, Hauger, Hayes, Hazen, Hendershot, Hinkhouse, Hinman, Jackson, Jay, Johnson of Webster, Klemme, Lauder, Lavender, Loomis, McAchran, McArthur, McDowell, Mayne, Miller of Buena Vista, Miller of Warren, Morrison of Grundy, Morrison of Keokuk, Mullin, Nietert, Nolan, Parker, Perrott, Potter, Power, Prentis, Putnam, Ray, Reed, Scott, Smith, Spaulding, Sullivan, Thompson, Tibbitts, Watters, Weaver, Wells, Whelan, Whittier, Mr. Speaker-69.

The nays were:
None.
Absent or not voting:
Messrs. Allen, Bailey, Baker, Byington, Chapman, Classen, Cornwall, Grote, Hunt, Huntley, Johnston of Franklin, Ladd, Lambert, Lowry, McDonald, McNulty, McQuin, Manaban, Marti, Martin, Merriam, Miller of Cherokee, Porter, St. John, Temple, Van Houten, Voelker, Wheeler, Williams, Wilson, Wood-31.

So the bill passed and the title was agreed to.
Miss Cora Bell was appointed and duly qualified as clerk of the Committee on Military.

On motion of Mr. Ray, the House adjourned until $9 \mathrm{~A} . \mathrm{m}$ to-morrow.

> Hall of thix House of Representatives, Des Moints, Iowa, Tuesday, February $2,1897$.

The House met at 9 a. m., with Speaker Byers in the chair. Prayer was offered by Mrs. C. P. Stetson of California.

## PETITIONS AND MEMORIALS.

Messrs. Prentis, Wells, Ray, Temple and Bell, presented remonstrances of citizens of their respective counties against the passage of a manufacturers' bill.

Referred to Committee on Domestic Manufactures.
Messrs. Baker, Bell, Garner, Brady, Hendershot, Mayne, Scott, Reed, Potter, Lavender and Dowell presented petitions of citizens of their respective counties, asking for a 2-cent rate on railways and interchangeable mileage books.

Referred to Committee on Railroads and Commerce.
Mr. Loomis presented remonstrance of citizens of Jones county against any change in the laws allowing appropriations to county and district fairs.

Referred to Committee on Agriculture.
Mr. Watters presented remonstrance of citizens of Muscatine county against the provisions of sections 21,22 and 23 in the pending bill in relation to the revenue.

Referred to Committee on Ways and Means.
Mr. Smith presented petition of citizens of Greene county, asking for the passage of a law whereby the board of county supervisors of each county shall be required to check the books and accounts of each county officer once each year.

Referred to Committee on Ways and Means.
Mr. Sullivan filed the following report:
Mr. Sphaker-Your committee to draft resolutions on the death of Hon. Reuben Noble, beg leave to submit the following report:

Whereas, An all-wise Providence has removed from this transitory life Judge Reuben Noble, full of years and honors, to a better and more certain existence.

Wherias, Judge Noble was one of the sturdy pioneers of early Iowa who was largely remponsible for the commanding position our State occupies to-day among her sister states.

And, as he was not only identified with the early material development of our State, but was one of the influential pioneer law-makers and was an active member of that honorable organization, known as the Pioneer Law-makers of Iowa, at the time of his death; now therefore, be it

Resolved, as follows: That we recognize the commanding influence for good of such a positive and aggressive character as Judge Noble. That we fully appreciate and regret the loss to Iowa in the death of such a man. That we tender to his family our sincere and lasting sympathy for their irreparable loss. That we extend to his surviving associates in the Pioneer Law-makers' association of Iowa our sympathy and affection, and with the hope while the years go by and the little band of Iowa's early law-makers grow smaller and smaller that they may ever cherish and revere the memory of Judge Reuben Noble, of Clayton county, a man that lived in one county for nearly one-half a century without reproach. That the clerk of this House shall send to Mrs. Reuben Noble at McGregor, Iowa, a copy of these resolutions.
T. J. Sullivan,

Thos. F. Nolan,
Samurl Mayne.
Adopted unanimously by a rising vote.
Also:
Mr. Speaker-Your Committee to draft resolutions on the death of Hon. Samuel Murdock respectfully report as follows:

Whereas, An all-wise Father has taken to Himself Judge Samuel Murdock, after permitting him to survive begond the allotted time of man; and,

Whereas, Judge Murdock for over one-half of a century was intimately connected with the material development of Iowa; and as he was one of the pioneer law-makers of this state, and was always, during his long life, intimately associated with the enactment and enforcement of our laws; therefore, be it

Resolved, as follows: That we are fully sensible of the loss to the State of the early pioneers of Iowa, of which Judge Murdock was a striking example. That we appreciate tbat such men possessing the energy, capacity and character of Judge Murdock were largely responsible for the intelligence, progressive spirit and high state of civilization found in Iowa to-day. That as Judge Murdock was a member of that band of Pioneer Law-makers of Iowa, that as the years go by become smaller and smaller, we extend to that association our sympathy and condolence in the loss they have sustained in his death. That to his family, to whom he was so much, we extend to them our sympathy and affection, with the thought expressed that they have a goodly heritage in the memory of the noble, loving and self-sachificing life of Judge Samuel Murdock.

That the clerk of this House shall send to Mrs. Samuel Murdock at Elkader, Iowa, a copy of these resolutions.

## Adopted unanimously by rising vote.

Mr. Bird offered the following concurrent resolution and moved its adoption:

Resolved by the House, the Senate concurring, That the Secretary of State be and is hereby instructed to furnish to all members and officers of the General Assembly needing the same, letter heads and envelopes similar to those provided by the last General Assembly.

Adopted.

## MESSAGES FROM THE SENATE.

## The following messages were received from the Senate:

Mr. Speaker-I am directed to inform your honorable body that the Senate has passed the following concurrent resolution, in which the concurrence of the House is asked:

Relative to the conference of committies of the two Houses on Code bills.

Resolved by the Senate, the House concurring, That the committees of the two Houses to which have been referred the several Code bills, shall confer before reporting said bills to their respective Houses, in order that. an agreement may be had, if possible, on said bills before they are reported, and recommend that the same do pass.

Geo. A. Newman, Secretary.

Also:
Mr. Speaker-I am directed to inform your honorable body that the Senate has passed the following bill, in which the concurrence of the House is asked:

Senate file No. 66, a bill for an act to revise, amend and codify the statutes in relation to sureties.

Gro. A. Newman,
Also:
Secretary.

Mr. Speaker-I am directed to inform your honorable body that the Senate has passed the following bill, in which the concurrence of the House is asked:

Senate file No. 58, a bill for an act to revise, amend and codify the: statutes in relation to county high schools.

Gro. A. Newman, Secretary.

Also:
Mr. Speaker-I am directed to inform your honorable body that the Senate has amended the title and passed the following bill, in which the concurrence of the House is asked:

House file No. 49, a bill for an act to revise, amend and codify the $\begin{gathered}\text { tat- }\end{gathered}$ utes in relation to the Superintendent of Public Instruction.

Geo. A. Newman,

Also:
Mr. Speaker-I am directed to inform your honorable body that the Senate has passed the following bill, in which the concurrence of the House is asked:

Senate file No. 3, a bill for an act to revise, amend and codify the laws in relation to township and county government.

Gro. A. Newman,
Secretary.
The concurrent resolution just messaged over from the Senate was taken up and adopted.

SENATE MESSAGES.
Senate file No. 66, a bill for an act to revise, amend and codify the statutes in relation to sureties, was read first and second time.

Upon motion of Mr. Funk the rule was suspended and the bill considered now.

Mr. Weaver moved that the rule be suspended, and that the bill be read a third time now, which motion prevailed and the bill was read a third time.

On the question, "Shall the bill pass?" the yeas were:
Messrs. Bailey, Baker, Bell, Bird, Bowen, Brady, Brant, Brighton, Brinton, Byington, Clark, Cook, Cornwall, Crow, Doubleday, Dowell, Edwards, Evans, Finch, Frazee, Frink, Funk, Garner, Good, Griswold, Grote, Gurley, Haugen, Hauger, Hazen, Hendershot, Hinkhouse, Hinman, Hunt, Jackson, Johnson of Webster, Klemme, Ladd, Lambert, Lauder, Lavender, Loomis, Lowry, McAchran, McDonald, McDowell, McQuin, Marti, Mayne, Merriam, Miller of Buena Vista, Miller of Warren, Morrison of Grundy, Mullin, Nietert, Nolan, Parker, Perrott, Porter, Potter, Power, Prentis, Putnam, Ray, Reed, Scott, Smith, St. John, Sullivan, Temple, Thompson, Tibbitts, Van Houten, Vcelker, Watters, Weaver, Wells, Wheeler, Whelan, Whittier, Williams, Wilson, Mr. Speaker -83.

The nays were:
None.
Absent or not voting:
Messrs. Allen, Chapman, Classen, Davis, Early, Hayes, Huntley, Jay, Johnston of Franklin, McArthur, McNulty, Manahan, Martin, Miller of Cherokee, Morrison of Keokuk, Spaulding, Wood,-17.

So the bill passed and the title was agreed to.

Senate file No. 3, a bill for an act to revise, amend and codify the statutes in relation to township and county government, was read first and second time and referred to Committee on County and Township Organization.

Senate file No. 58, a bill for an act to revise, amend and codify the statutes in relation to county high schools, was read first and second time and referred to Committee on School and Text Books.

The House here took up House file No. 49, with Senate amendments to the title, and on motion of Mr. Funk, the House concurred in the Senate amendments.

Upon motion of Mr. Weaver, House file No. 71 was indefinitely postponed, it being identical with the Senate file just passed.

Mr. Funk called up his motion to reconsider the vote whereby House file No. 83 was lost.

The motion carried.
Mr. Funk moved to reconsider the vote whereby House file No. 83 passed to its third reading.

Carried.
Mr. Merriam called up his motion to reconsider the vote whereby the motion to substitute sections 4796 and 4797 of Mc Clain's Code in lieu of section's 42 and 43 was lost.

Carried.
Mr. Loomis moved the previous question.
Carried.
The motion to substitute sections 4796 and 4797 for sections 42 and 43 was then put and carried.

Mr. Hauger called up the motion to reconsider the vote whereby the amendment to section 118 was lost.

Motion carried.
Mr. Brant moved to amend the amendment to section 118, as follows:

Mr. Speaker-I move to amend the amendment by striking out all after the word "juror," in line 2, 'and to insert after the first word "jury," in the second line the words, "in civil actions."

Lost.
On the amendment to section 118 , to strike out all after the word "cost," the yeas and nays were demanded by Messrs. McArthur and Merriam, which resulted as follows:

On the question, "Shall the amendment be adopted?"
The yeas were:

Messrs. Bailey, Bird, Bowen, Brant, Brighton, Brinton, Byington, Edwards, Evans, Finch, Frazee, Frink, Griswold, Haugen, Hauger, Hayes, Hazen, Jackson, Johnston of Franklin, Ladd, Lauder, Loomis, Lowry, McArthur, McDonald, McDowell, McQuin, Mayne, Merriam, Miller of Buena Vista, Morrison of Grundy, Morrison of Keokuk, Mullin, Nietert, Parker, Porter, Putnam, Ray, Spaulding, St. John, Temple, Thompson, Tibbitts, Weaver, Whittier, Wood-46.

The nays were:
Messrs. Baker, Bell, Brady, Clark, Cook, Cornwall, Crow, Davis, Doubleday, Dowell, Funk, Garner, Good, Gurley, Hendershot, Hinkhouse, Hinman, Hunt, Johnson of Webster, Klemme, Lambert, McAchran, McNulty, Marti, Miller of Warren, Nolan, Perrott, Potter, Power, Prentis, Reed, Scott, Smith, Sullivan, Van Houten, Voelker, Watters, Wells, Wheeler, Whelan, Williams, Wilson, Mr. Speaker-43.

Absent or not voting:
Messrs. Allen, Chapman, Classen, Early, Grote, Huntley, Jay, Lavender, Manahan, Martin, Miller of Cherokee-11.

Amendment adopted.
Mr. Frink moved that the rule be suspended, and that the bill be engrossed and read a third time now, which motion prevailed and the bill was read a third time.

Mr. Tibbitts moved that only those sections of the bill be read which have been amended by the committee or changed from the old law by the Code Commissioners.

Mr. Morrison of Grundy objected and insisted that the bill be read in full, whereupon the clerk read the bill.

Mr. Tibbitts in the chair.
Speaker Byers resumed the chair.
On the question, "Shall the bill pass?" the yeas were:
Messrs. Bailey, Baker, Bell, Bird, Bowen, Brady, Brant, Brighton, Brinton, Byington, Clark, Cook, Cornwall, Crow, Doubleday, Dowell, Edwards, Evans, Finch, Frazee, Frink, Funk, Good, Griswold, Gurley, Haugen, Hauger, Hazen, Hendershot, Hinkhouse, Hinman, Jackson, Jay, Johnson of Webster, Klemme, Lambert, Lauder, Lavender, Loomis, Lowry, McAchran, McArthur, McDonald, McDowell, McNulty, McQuin, Marti, Mayne, Merriam, Miller of Buena Vista, Miller of Warren, Morrison of Grundy, Morrison of Keokuk, Mullin, Nietert, Nolan, Parker, Perrott, Porter, Prentis, Putnam, Ray, Reed, Scott, Smith, Spaulding, Sullivan, Thompson, Tibbitts, Van Houten, Voelker, Watters, Weaver, Wells,

Wheeler, Whelan, Whittier, Williams, Wilson, Wood, Mr. Speaker-81.

The nays were:
Messrs. Potter and Power-2.
Absent or not voting:
Messrs. Allen, Chapman, Classen, Davis, Early, Garner, Grote, Hayes, Hunt, Huntley, Johnston of Franklin, Ladd, Manahan, Martin, Miller of Cherokee, St. John, Temple-17.

So the bill passed and the title as amended was agreed to.
At this juncture, Mr. Byington in a few well chosen words presented the Speaker witha gavel made by L. S. Swafford, of Iowa City, from wood taken from the first capitol building of the Territory of Iowa by W. F. Conklin, of Iowa City, formerly first assistant secretary of the Iowa Senate of the Twentyfourth General Assembly.

The Speaker responded neatly in a short speech.
Mr. Smith offered the following concurrent resolution and moved its adoption.

Whereas, Hon. James Wilson, professor of Ames, Iowa, Agricultural College, has been honored with a position in President-elect William McKinley's cabinet, as Secretary of Agriculture; and,

Whereas, The members of the Twenty-sixth General Assembly of Iowa, have full confidence in his ability and integrity to fill said office to the credit of the agricultural interests of the Nation, and with honor to the State of Iowa; therefore, be it

Resolved, That we extend congratulations to Hon. James Wilson and to all who are engaged in agricultural pursuits everywhere.

Resolved, That the clerks of the House and Senate be instructed to forward a copy of the above to Prof. James Wilson, also that a copy be sent to President-elect Wm. McKinley.

Adopted unanimously by a rising vote.
Upon motion of Mr. Morrison of Keokuk, the Speaker appointed as a committee to notify Mr. Wilson of the resolution just adopted, also to conduct him to the Speaker's chair, Mes srs. Jackson, Morrison of Keokuk and Smith.

Mr. Wilson was then conducted to the Speaker's chair and addressed the House.

Calendar No. 29, being House file No. 73, a bill for an act to revise, amend and codify the statutes in relation to assignments for creditors, with report of committee recommending passage with amendments, was taken up, considered and the amendments of the committee adopted

Mr. Weaver moved to strike out the words "two-thirds" in section 15, line 1, and insert in lieu thereof the words "onehalf;" also, before the word "amount" to insert the words "two-thirds in."

Adopted.
Mr. McNulty moved to amend line 3, section 4, by adding after the word "debtor" the words "or the creditor."

Lost.
Mr. Weaver moved that the rule be suspended, and that the bill be considered engrossed and read a third time now, which motion prevailed and the bill was read a third time.

On the question, "Shall the bill pass?" the yeas were:
Messrs. Bailey, Baker, Bell, Bird, Brady, Brighton, Brinton, Byington, Clark, Cook, Cornwall, Crow, Davis, Doubleday, Dowell, Edwards, Evans, Finch, Frazee, Frink, Funk, Good, Griswold, Gurley, Haugen, Hauger, Hayes, Hazen, Hendershot, Hinkhouse, Hinman, Hunt, Huntley, Jackson, Jay, Johnson of Webster, Johnston of Franklin, Klemme, Ladd, Lambert, Lauder, Lavender, Loomis, Lowry, McAchran, McArthur, McDonald, McDowell, McNulty, McQuin, Marti, Merriam, Miller of Buena Vista, Miller of Warren, Morrison of Grundy, Morrison of Keokuk, Mullin, Nietert, Nolan, Parker, Perrott, Porter, Potter, Power, Prentis, Putnam, Ray, Reed, Scott, Smith, Spaulding, St. John. Sullivan, Temple, Thompson, Tibbitts, Van Houten, Watters, Weaver, Wells, Wheeler, Whelan, Whittier, Williams, Wilson, Wood, Mr. Speaker-87.

The nays were:
None.
Absent or not voting:
Messrs. Allen, Bowen, Brant, Chapman, Classen, Early, Garner, Grote, Manahan, Martin, Mayne, Miller of Cherokee, Voelker-13.

So the bill passed and the title was agreed to.
report of committee.
Mr. Brinton, from the Committee on Code Revision, Division No. 4, submitted the following report:

Mr. Speaker-Your Committee on Code Revision, Division No. 4, to whom was referred House file No. 58, a bill for an act to revise, amend and codify the statutes in relation to the "Industrial Home for the Blind," beg leave to report that they have had the same under consideration and have instructed me to report the same back to the house with the recommendation that the same do pass, with the following amendments:

Page 555, section 1, line 6, insert after the word "therein" the words, "and every indigent adult blind person of the state having such residence may be admitted."

Page 555, section 2, line 1, strike out the word "six" and insert "three," and insert in same line, after the word "trustees," the words "one of whom shall be a woman.'

Page 555, section 3, strike out all of line 4, after the word "duties," all of line 5, and the word "session" in line 6, and insert the words, "act as an auditing board."
M. H. Brinton, Chairman.
Ordered passed on file.
Journal of yesterday corrected and approved.
Upon motion of Mr. Finch, House file No. 48 was recommitted.

Upon motion of Mr. McArthur, House adjourned till 9 A. m. to-morrow.

$$
\left.\begin{array}{c}
\text { Hall of the House of Representatives, } \\
\text { Des Moines, Iowa, Wednesday, February } 3,1897 .
\end{array}\right\}
$$

House called to order at 9 A. m., Speaker Byers in the chair Prayer by Rev. Edwin Ewell of Clarion, Iowa.
Mr. Perrott was excused on account of sickness.

## PETITIONS AND MEMORIALS.

Mr. Speaker and Messrs. Brant, Marti, Ray, Thompson, Wheeler, Bell and Hauger, presented petitions of citizens of their respective counties asking a 2 -cent rate on railroads and an interchangeable mileage book.

Referred to Committee on Railroads and Commerce.
Mr. Speaker presented remonstrance of citizens of Shelby county against discrimination against county and district fairs in the matter of appropriation.

Referred to Committee on Appropriations.
Mr. Speaker and Mr. Voelker presented remonstrances of citizens of Shelby and Dubuque counties, respectively, against raising the present assessed value of property to a full cash value.

Referred to Committee on Ways and Means.
Messrs. Ladd, Classen and Wheeler presented remonstrances of citizens of their respective counties against a manufacturers' bill.

Referred to Committee on Domestic Manufactures.
Mr. Putnam presented memorial of Business Men's association of Council Bluffs in favor of a manufacturers' bill.

Referred to Committee on Domestic Manufactures.
Mr. Nolan presented remonstrance of County Auditors' association against a change in the law for dividing mulct tax revenue.

Referred to Committee on Municipal Corporations.

Mr . Allen presented petition of citizens of Van Buren cour ty asking the repeal of sections 2 and 3 , chapter 68, acts Twentyfourth General Assembly, relating to steam engines and rublic highway.

Referred to Committee on Roads and Highways.
Mr. Morrison of Keokuk, presented memorial of citizens of Keokuk county, asking an amendment to the present mulct law.

Referred to Committee on Municipal Corporations.
Mr. Watters presented memorial of citizens of Muscatine county asking for a 24 -cent rate on railroads.

Referred to Committee on Railroads and Commerce.
Mr. Nolan presented petition of citizens of Dubuque county containing some proposed legislation relative to survey and surveying, and recommendations of Association of Civil Engineers and Surveyors, made through legislative committee of association.

Referred to Committee on Roads and Highways.
Mr. Hinkhouse offered the following resolution and moved its adoption:

Whereas, William P. Wolf of Cedar county, who was Speaker of the Twentieth General Assembly, has recently departed this life; therefore, be it

Resolved, That the Speaker appoint a committee to draft and report to this House such resolutions as will fittingly commemorate the life and public services of the deceased.

Adopted.
The Speaker appointed as such committee Messrs. Hinkhouse, Hayes and Brant.

Mr. Brant offered the following concurrent resolution and moved its adoption:

Resolved by the House, the Senate concurring, That the Clerk of the House and the Secretary of the Senate are hereby instructed to certify to the Secretary of State the names of all newspaper reporters to whom desks have been assigned, and that they shall be allowed stationery to the amount of one dollar per week each; provided, that no allowance be made to any person who is otherwise receiving compensation for services rendered the State.

Adopted.
REPORTS OF COMMITTEES.
Mr. Reed, from the Committee on School and Text Books, submitted the following report:

Mr. Speaker-Your Committee on School and Text Books, to whom was referred House file No. 60, a bill for an act to revise, amend and codify the statutes in relation to county high schools, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the
same be indefinitely postponed, as Senate file No. 58 covers the same subject.

J. F. Reed,

Chairman.
Ordered passed on file.
Also:
Mr. Speaker-Your Committee on School and Text Books, to whom was referred Senate file No. 58, a bill for an act to revise, amend and codify the statutes in relation to county high schools, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same do pass.
J. F. Rerd,

Chairman.
Ordered passed on file.
On motion of Mr. Reed, Senate file No. 58, a bill for an act to revise, amend and codify the statutes in relation to county high schools, with report of committee recommending passage, was taken up, considered and the report of the committee adopted.

Mr. Reed moved that the rule be suspended, and that the bill be read a third time now, which motion prevailed and the bill was read a third time.

On the question, "Shall the bill pass?" the yeas were:
Messrs. Allen, Bailey, Bell, Bird, Bowen, Brady, Brant, Brighton, Brinton, Byington, Chapman, Clark, Classen, Cook, Cornwall, Crow, Davis, Dowell, Early, Edwards, Evans, Finch, Frazee, Frink, Funk, Garner, Good, Griswold, Gurley, Hauger, Hayes, Hazen, Hendershot, Hinkhouse, Hinman, Hunt, Huntley, Jay, Johnson of Webster, Klemme, Ladd, Lambert, Lauder, Loomis, Lowry, McAchran, McArthur, McDowell, Marti, Martin, Mayne, Merriam, Miller of Buena Vista, Miller of Warren, Morrison of Grundy, Morrison of Keokuk, Mullin, Nietert, Nolan, Parker, Porter, Potter, Power, Prentis, Putnam, Ray, Reed, Scott, Smith, Spaulding, St. John, Sullivan, Temple, Thompson, Tibbitts, Van Houten, Voelker, Watters, Weaver, Wells, Wheeler, Whelan, Whittier, Williams, Wilson, Mr. Speaker-86.

Mr . McDonald voted in the negative.
Absent or not voting:
Messrs. Baker, Doubleday, Grote, Haugen, Jackson, Johnston of Franklin, Lavender, McNulty, McQuin, Manahan, Miller of Cherokee, Perrott, Wood-13.

So the bill passed and the title was agreed to.

Upon motion of Mr. Reed, the report of the committee recommending that House file No. 60 be indefinitely postponed was adopted.

MESSAGES FROM THE SENATE.
The following messages were received from the Senate:
Mr. Spraker-I am directed to inform your honorable body that the Senate has concurred in the following concurrent resolution, in which the concurrence of the Senate was asked:

Relative to the appointment of Hon. James Wilson to the cabinet of President-elect William McKinley.

Geo. A. Newman,
Secretary.
Also:
Mr. Speaker-I am directed to inform your honorable body that the Senate returns the following bill:

House file No. 83, as requested by the House.
Geo. A. Newman,
Secretary.
Also:
Mr. Speaker-I am directed to inform your honorable body that the Senate has passed the following concurrent resolution in which the concurrence of the House is asked, relative to furnishing stationery for members of the Senate and House:

Be it Resolved by the General Assembly of the State of Iowa, That the Secretary of State be directed to furnish suitable stationery for the use of the Senate and House.

Geo. A. Newman, Secretary.
Calendar No. 30, House file 1No. 70, a bill for an act to revise, amend and codify the statutes in relation to tender, with report of committee recommending passage as amended, was taken up and considered.

Mr. Power moved to amend the committee amendment by striking out all after the words "United States," in section 4.

Lost.
Amendment of committee adopted.
Mr. Weaver moved that the rule be suspended, and that the bill be considered engrossed and read a third time now, which motion prevailed and the bill was read a third time.

On the question, "Shall the bill pass?" the yeas were:
Messrs. Allen, Bailey, Baker, Bell, Bird,Bowen, Brady, Brant, Brighton, Brinton, Byington, Chapman, Clark, Classen, Cook, Cornwall, Crow, Davis, Doubleday, Edwards, Evans, Finch, Frazee, Frink, Funk, Good, Griswold, Gurley, Hauger, Hayes, Hazen, Hendershot, Hinkhouse, Hinman, Hunt, Huntley, Jackson, Jay, Johnson of Webster, Johnston of Franklin, Klemme,

Ladd, Lambert, Lauder, Loomis, Lowry, McAchran, McDonald, McDowell, Marti, Martin, Mayne, Merriam, Miller of Buena Vista, Miller of Warren, Morrison of Grundy, Morrison of Keokuk, Mullin, Nietert, Nolan, Parker, Porter, Potter, Power, Prentis, Putnam, Ray, Reed, Scott, Smith, Spaulding, St. John, Sullivan, Temple, Thompson, Tibbitts, Van Houten, Voelker, Watters, Weaver, Wells, Wheeler, Whelan, Whittier, Williams, Wilson, Mr. Speaker-87.

Mr . Garner voted in the negative.
Absent or not voting:
Messrs. Dowell, Early, Grote, Haugen, Lavender, McArthur, McNulty, McQuin, Manahan, Miller of Cherokee, Perrott, Wood-12.

So the bill passed and the title was agreed to.
Calendar No. 31, House file No. 68, a bill for an act to revise, amend, and codify the statutes in relation to money of account on interest, with report of committee recommending passage, was taken up, considered and the report of the committee adopted.

Mr. Weaver moved that the rule be suspended, and that the bill be considered engrossed and read a third time now, which motion prevailed and the bill was read a third time.

On the question, "Shall the bill pass?" the yeas were:
Messrs. Allen, Bailey, Bell, Bird, Bowen, Brady, Brighton, Brinton, Byington, Chapman, Clark, Classen, Cook, Cornwall, Crow, Davis, Doubleday, Dowell, Edwards, Evans, Finch, Frazee, Frink, Funk, Garner, Good, Griswold, Gurley, Hauger, Hayes, Hazen, Hendershot, Hinkhouse, Hinman, Hunt, Huntley, Jackson, Jay, Johnston of Franklin, Klemme, Ladd, Lambert, Lauder, Loomis, Lowry, McAchran, McArthur, McDonald, McDowell, Marti, Martin, Mayne, Merriam, Miller of Buena Vista, Miller of Warren, Morrison of Grundy, Morrison of Keokuk, Mullin, Nietert, Nolan, Parker, Porter, Potter, Power, Prentis, Putnam, Ray, Reed, Scott, Smith, Spaulding, Sullivan, Temple, Thompson, Tibbitts, Van Houten, Voelker, Watters, Weaver, Wells, Wheeler, Whelan, Whittier, Williams, Wilson, Mr.Speaker-86.

The nays were:
None.
Absent or not voting:
Messrs. Baker, Brant, Early, Grote, Haugen, Johnson of Webster, Lavender, McNulty, McQuin, Manahan, Miller of

Cherokee, Perrott, St. John, Wood-14.
So the bill passed and the title was agreed to.
Calendar No. 32, House file No. 67, a bill for an act to revise, amend and codify the statutes in relation to weights, measures and inspection, with report of committee recommending passage, was taken up, considered and the report of the committee adopted.

Mr. Weaver moved that the rule be suspended, and that the bill be considered engrossed and read a third time now, which motion prevailed and the bill was read a third time.

On the question, "Shall the bill pass?" the yeas were:
Messrs. Allen, Bailey, Bell, Bird, Bowen, Brant, Brighton, Brinton, Byington, Chapman, Clark, Classen, Cook, Cornwall, Crow, Davis, Doubleday, Dowell, Early, Edwards, Finch, Frazee, Frink, Funk, Garner, Good, Griswold, Gurley, Hauger, Hayes, Hazen, Hendershot, Hinkhouse, Hinman, Hunt, Huntley, Jackson, Jay, Johnson of Webster, Johnston of Franklin, Klemme, Ladd, Lambert, Lauder, Loomis, Lowry, McAchran, McArthur, McDonald, McDowell, McNulty, Marti, Martin, Mayne, Merriam, Miller of Buena Vista, Miller of Warren, Morrison of Grundy, Morrison of Keokuk, Mullin, Nietert, Nolan, Parker, Perrott, Porter, Potter, Power, Prentis, Putnam, Ray, Reed, Scott, Smith, Spaulding, St. John, Sullivan, Temple, Thompson, Tibbitts, Van Houten, Voelker, Watters, Weaver, Wells, Wheeler, Whelan, Whittier, Williams, Wilson, Mr. Speaker-90.

The nays were:
None.
Absent or not voting:
Messrs. Baker, Brady, Evans, Grote, Haugen, Lavender, McQuin, Manahan, Miller of Cherokee, Wood-10.

So the bill passed and the title was agreed to.
Calendar No. 33, being House file No. 58, a bill for an act to revise, amend and codify the statutes in relation to the Industrial Home for the Blind, with report of committee recommending passage with amendments, was taken up and considered.

Mr. Weaver moved to amend the second amendment of the committee by striking out the word "shall" and insert the word "may."

## Adopted.

Amendment of committee as amended adopted.
Other amendments of the committee adopted.

Mr. Brinton moved that the rule be suspended, and that the bill be considered engrossed and read a third time now, which motion prevailed and the bill was read a third time.

On the question, "Shall the bill pass?" the yeas were:
Messrs. Allen, Bailey, Bell, Bowen, Brant, Brighton, Brinton, Byington, Chapman, Clark, Classen, Crow, Davis, Doubleday, Dowell, Edwards, Finch, Frazee, Frink, Funk, Garner, Good, Griswold, Gurley, Haugen, Hauger, Hayes, Hazen, Hendershot, Hinkhouse, Hinman, Hunt, Huntley, Jackson, Johnson of Webster, Johnston of Franklin, Klemme, Lambert, Lauder, Lavender, Loomis, Lowry, McAchran, McArthur, McDowell, McNulty, McQuin, Marti, Martin, Mayne, Merriam, Miller of Buena Vista, Miller of Warren, Morrison of Grundy, Morrison of Keokuk, Mullin, Nietert, Nolan, Parker, Porter, Potter, Power, Prentis, Putnam, Ray, Reed, Scott, Smith, Spaulding, St. John, Sullivan, Temple, Thompson, Tibbitts, Van Houten, Voelker, Watters, Weaver, Wells, Wheeler, Whelan, Williams, Wilson, Mr. Speaker-84.

The nays were:
None.
Absent or not voting:
Messrs. Baker, Bird, Brady, Cook, Corn wall, Early, Evans, Grote, Jay, Ladd, McDonald, Manahan, Miller of Cherokee, Perrott, Whittier, Wood-16.

So the bill passed and the title was agreed.
Calandar No. 13, being House file No. 10, a bill for an act to revise, amend and codify the statutes in relation to the Judicial Department, with report of committee recommending passage with amendments, was taken up and considered.

Amendment of the committee to section 4, chapter 1, was adopted.

Amendment of the committee to section 2 , chapter 2, was adopted

Amendment of the committee to section 3, chapter 5, was adopted.

On the amendment of the committee to section 5, chapter 5, Messrs. Garner and Brighton demanded the yeas and nays, which resulted as follows:

On the question, "Shall the amendment prevail?" the yeas were:

Messrs. Allen, Bailey, Bird, Bowen, Brady, Brant, Brighton, Brinton, Byington, Chapman, Classen, Cook, Cornwall,

Crow, Davis, Dowell, Early, Evans, Finch, Frink, Funk, Good, Gurley, Haugen, Hauger, Hayes, Hazen, Hunt, Huntley, Jackson, Jay, Johnson of Webster, Johnston of Franklin, Lambert, Lauder, Lavender, Loomis, McAchran, McArthur, McNulty, McQuin, Mayne, Merriam, Miller of Buena Vista, Morrison of Keokuk, Mullin, Nietert, Parker, Porter, Potter, Power, Putnam, Sullivan, Temple, Voelker, Weaver, Wheeler, Whelan, Whittier-59.

The nays were:
Messrs. Bell, Clark, Doubleday, Edwards, Frazee, Garner, Griswold, Hendershot, Hinkhouse, Hinman, Klemme, Ladd, Lowry, McDonald, McDowell, Marti, Martin, Miller of Warren, Morrison of Grundy, Nolan, Prentis, Ray, Reed, Scott, Smith, Spaulding, St. John, Thompson, Tibbitts, Van Houten, Watters, Wells, Williams, Wilson, Mr. Speaker-35.

Absent or not voting:
Messrs. Baker, Grote, Manahan, Miller of Cherokee, Perrott, Wood-6.

So the amendment prevailed.
Mr. Reed moved to amend section 5, chapter 5, by adding the words "provided that no county shall be longer than ninety days without court being in session therein."

Mr. Dowell in the chair.
Mr. McArthur moved to lay the amendment on the table.
Lost.
Mr. Hayes moved to amend the amendment by striking out the word "ninety" and inserting the words "one hundred and twenty."

Amendment was lost by a vote of 31 yeas to 38 nays. Amendment of Mr. Reed lost by a vote of 37 yeas to 43 nays. Committee amendment to section 23, chapter 5, adopted. Committee amendment to section 4, chapter 6, adopted.
Committee amendment to section 6, chapter 6, adopted, Committee amendment to section 23 , chapter 6, adopted.
Committee amendment to section 10, chapter 8, adopted.
Committee amendment to section 11, chapter 8, was adopted by a vote of 43 yeas to 27 nays.

Committee amendment to section 14, chapter 8, adopted.
Committee amendment to section 5, cbapter 9, was adopted by a vote of 31 yeas to 17 nays.

Committee amendment to section 7 , chapter 9 , lost.
On motion of Mr. Lavender, House adjourned till 9 A. m. to morrow.

Hall of the House of Represintatives, $\}$ Des Moines, Iowa, Thursday, February 4, 1897. $\}$
House met pursuant to adjournment, Speaker Byers in the chair.

Prayer by Rev. E. W. Curtis of Des Moines, Iowa.
Mr. McQuin excused indefinitely on account of sickness.

## PETITIONS AND MEMORIALS.

Messrs. Reed, Hinman, Brinton, Davis, Miller of Buena Vista, Temple, Doubleday and Spaulding presented petitions of citizens of their respective counties asking for a 2 -cent rate on railroads, and an interchangeable mileage book.

Referred to Committee on Railroads and Commerce.
Messrs. Van Houten and Cook presented remonstrances of citizens of their respective counties against a manufacturing bill.

Referred to Committee on Domestic Manufactures.
Mr. Allen presented petition of citizens of Van Buren county asking the repeal of sections 2 and 3 , chapter 68 , acts of the Twenty-fourth General Assembly, relating to engines and highways.

Referred to Committee on Roads and Highways.
Mr. Martin presented petition of citizens of Adair county against any reduction in appropriation to county and district fairs.

Referred to Committee on Appropriations.
Mr. McDonald presented petition of citizens of Guthrie county against raising the present assessed valuation of property to its full cash value.

Referred to Committee on Ways and Means.
Mr. Nolan presented memorial of J. C. Longueville of Dubuque, Iowa, relating to foundation walls.

Referred to Committee on Cities and Towns.

Mr. Nolan presented petition of citizens of Dubuque county, and Property Owners Fire Association of Iowa, relative to the creation of an office of fire marshal.

Referred to Committse on Insurance.
unfinished business.
The House here took up the pending amendments to the pending bill, House file No. 10, relating to the Judicial Department, it being the committee amendment to chapter 11.

The committee amendment to chapter 11 was adopted.
The committee amendment to chapter 12, section 6, was adopted.

The committee amendment to chapter 15 , section 1 , was adopted.

Mr. Temple offered the following amendment and moved its adoption: "Amend chapter 4, section 3, in line 3, by inserting after the word 'courts' the words 'including United States district judges whose districts lie within this State.'"

Adopted.
Mr. Merriam moved to reconsider the vote whereby the committee amendments to sections 10,11 and 14 , of chapter 8 , were adopted.

Carried.
Mr. Temple moved to amend the committee amendment to section 10 , chapter 8 , by adding after line 30 , the following: 'The clerk shall, upon the filing of any petition, appeal or writ of error, in any civil case, require the party filing the same, to deposit with him five dollars to secure the ayment of the fees taxed in favor of the county, but in case such fees should not amount to such sum, the clerk shall, at the termination of the cause, return the excess to the party making the deposit."

On the amendment of Mr. Temple, Messrs. Brant and Johnson of Webster demanded the "yeas and nays," which resulted as follows:

On the question, "Shall the amendment prevail?" the yeas were:

Messrs. Brant, Brinton, Chapman, Clark, Classen, Davis, Doubleday, Edwards, Frink, Good, Hazen, Hinman, Hunt, Huntiey, Johnson of Webster, Klemme, Lambert, Lauder, Loomis, McAchran, McDonald, Nietert, Potter, Putnam, Reed, S ott, Smith, St. John, Sullivan, Temple, Van Houten, Watters Wells, Wheeler, Williams, Wilson-36.

The nays were:
Messrs. Allen, Bailey, Baker, Bell, Bird, Bowen, Brady, Brighton, Byington, Cook, Cornwall, Crow, Dowell, Early, Evans, Finch, Frazee, Funk, Griswold, Gurley, Haugen, Hauger, Hendershot, Hinkhouse, Jackson, Jay, Johnston of Franklin, Ladd, Lavender, Lowry, McArthur, McDowell, McNulty, Marti, Martin, Mayne, Merriam, Miller of Buena Vista, Miller of Warren, Morrison of Grundy, Morrison of Keokuk, Mullin, Nolan, Parker, Porter, Power, Prentis, Ray, Spaulding, Thompson, Tibbitts, Voelker, Weaver, Whelan, Whittier, Wood, Mr. Speaker-57.

Absent or not voting:
Messrs. Garner, Grote, Hayes, McQuin, Manahan, Miller of Cherokee, Perrott-7.

So the amendment was lost.
Committee amendment to section 10 , line 30 , was then put and lost.

On committee amendment to section 10, line 1, Messrs, Allen and Haugen demanded the yeas and nays, which resulted as follows:

On the question, "Shall the amendment prevail?" the yeas were:

Messrs. Bailey, Bowen, Brady, Brighton, Brinton, Chapman, Classen, Crow, Davis, Doubleday, Frink, Hinman, Huntley, Jackson, Ladd, Lambert, Lauder, Loomis, McAchran, McDonald, Morrison of Grundy, Morrison of Keokuk, Nietert, Potter, Risy, Reed, Scott, St. John, Sullivan, Temple, Thompson, Van Houten, Watters, Wells, Wheeler, Williams, Mr. Speaker-37.

The nays were:
Messrs. Allon, Baker, Bell, Bird, Brant, Byington, Clark, Cook, Cornwall, Duwell, Early, Edwards, Evans, Finch, Frazee, Funk, Good, Griswold, Gurley, Haugen, Hauger, Hazen, Hendershot, Hinkhouse, Hunt, Jay, Johnson of Webster, Johnston of Franklin, Klemme, Lavender, Lowry, McArthur, McDowell, McNulty, Marti, Martin, Mayne, Merriam, Miller of Buena Vista, Miller of Warren, Mullin, Nolan, Parker, Porter, Power, Prentis, Smith, Spaulding, Tibbitts, Voelker, Weaver, Whelan, Whittier, Wilson, Wood-55.

Absent or not voting:
Messrs. Garner, Grote, Hayes, McQuin, Manahan, Miller of Cherokee, Perrott, Putnam-8.

So the amendment was lost.
The committee amendment to section 10 , lines 46 and 47 , was then put and lost.

Mr. Potter moved to amend the committee amendment to section 11, by striking out all of section 11 and insert in lieu thereof the following: "Section 11. The clerk shall receive in full compensation for his services in counties having a population of ten thousand or less, one thousand dollars; in counties having over ten thousand and under fifteen thousand, thirteen hundred dollars; in counties having fifteen thousand and under twenty-five thousand, sixteen hundred dollars; in counties having twenty five thousand and under thirty-five thousand, eighteen hundred dollars; in counties having thirty-five thousand and under forty-five thousand, twenty-one hundred dollars, and in counties having forty-five thousand or over, twenty-five hundred dollars per annum, to be paid out of the county treasury in equal monthly installments."

Lost.
Mr. Dowell moved to amend committee amendment by striking out "fifteen hundred" in line 5 and insert "two thousand."

Lost.
The committee amendment to section 11, chapter 8, was lost by a vote of 31 yeas to 50 nays.

The committee amendment to section 14, chapter 8, was lost.
Mr. Haugen moved to amend by striking out of section 11, chapter 8 , all after the word "dollars" in line 6 , and all in line 7 up to and including the word "treasury."

Adcpted.
Mr. Power moved to amend section 3, chapter 6, title 3, by inserting after the word "and," in line3, the following: "when he acts as clerk of his court he shall," and by inserting in said section, after the word "duties," in line 4, the following: "as clerk."

Adopted.
Also, amend section 11, chapter 6 , title 3 , by striking out the first word "by," in line 4 , and inserting in lieu thereof the word "when," and by inserting after the word "fjudge," in said line the following words: "acts as clerk."

Adopted.

Mr. Martin moved to amend section 13, chapter 8 , in line 2, by inserting after the word "him" the following: "and the amount of fees charged by him and uncollected."

Motion adopted by a vote of 36 yeas to 30 nays.
Mr. Potter moved to amend section 6, chapter 5, in line 2 by inserting after the word "modified" the following: "All proceedings had in said court shall have, within the territory over which said court shall have jurisdiction, the same force and effect as though ordered in the court at the county seat of said county, but;" also, strike out all after the word "office in line 7.

Adopted.
Mr. Reed moved to amend as follows: "On page 63, chapter 8 , section 10 , strike out the words, 'be entitled to' in line $1 . "$ Lost.
Mr. Cornwall moved to amend chapter 5, section 18, line 3, by inserting between the words "be" and "corrected," the words, "be prepared in vacation and."

Adopted.
Mr. Temple moved the following amendment as a substitute for page 76 , chapter 12, title III:

Section 6. Whenever any person who now or hereafter may be required or permitted by law to give a bond applies for the approval thereof, any officer or body who is now or shall hereafter be required to approve the sufficiency of such bond, may, in lieu of the sureties or securities required by law, accept and approve the same whenever its conditions are guaranteed by a company or a corporation duly organized or incorporated within this State, or authorized to do business therein, and to guaranty the fidelity of persons holding positions of public or private trust, or secure any bond above referred to, and which company shall have an unimpaired paid up capital as provided by chapter 4, title IX, of this Code. The certificate of the State Auditor to the effect that such company has complied with the requirements of this chapter and has the paid up capital provided above, shall be sufficient evidence to authorize the officer or body having the approval of the same to accept and approve it; but nothing herein contained shall apply to bonds in criminal cases.

Mr. Van Houten moved to amend the amendment by strik ing out all after last word "it."

Lost.
Amendment of Mr. Temple lost.
Mr. Cornwall moved to amend chapter 1, title 3, page 40, by adding after section 10 , the following: "On and after the first day of January, 1899, the court shall appoint a supreme
court reporter for a term not exceeding four years, who may be removed at the pleasure of the court."

On this amendment Messrs. Allen and Lauder demanded the "yeas and nays."

On the question, "Shall the amendment prevail?" the yeas were:

Messrs. Baker. Bowen, Brant, Brinton, Byington, Chapman, Cook, Cornwall, Frazee, Frink, Funk, Good, Gurley, Hazen, Hinkhouse, Hunt, Huntley, Johnson of Webster, Klemme, Lambert, McNulty, Mayne, Miller of Buena Vista, Morrison of Grundy, Parker, Porter, Potter, Power, Putnam, Ray, Scott, Van Houten, Wells, Whelan, Whittier, Wilson- 36.

The nays were:
Messrs. Allen, Bailey, Bell, Bird, Brady, Brighton, Clark, Classen, Crow, Davis, Doubleday, Dowell, Early, Edwards, Evans, Finch, Griswold, Haugen, Hauger, Hendershot, Hinman, Jackson, Jay, Johnston of Franklin, Ladd, Lauder, Lavender, Loomis, McAchran, McArthur, McDonald, McDowell, Marti, Martin, Merriam, Miller of Warren, Morrison of Keokuk, Mullin, Nietert, Nolan, Prentis, Reed, Smith, Spaulding, St. John, Sullivan, Temple, Thompson, Tibbitts, Voelker, Watters, Weaver, Williams, Wood, Mr. Speaker-55.

Absent or not voting:
Messrs. Garner, Grote, Hayes, Lowry, McQuin, Manahan, Miller of Cherokee, Perrott, Wheeler-9.

So the amendment was lost.
Mr. Reed moved to amend page 50, by striking out section 12, chapter 4, and substitute the following: Section 12. "The salary of the supreme court reporter shall be $\$ 600$ for each volume of the supreme court reports completed, payable upon the certificate of the chief justice that the report has been properly completed and filed with the supreme court."

Mr . Cornwall offered the following as a substitute to the amendment of Mr. Reed, and moved its adoption: "Amend chapter 4 , section 12, by striking out section 12 and substituting the following, 'The supreme court reporter shall receive as full compensation for all services rendered the sum of six hundred dollars for each volume of the reports completed by him in accordance with the provisions of this chapter, which sum shall be paid only after the publication of the volume, and upon the certificate of the chief justice that he has properly performed his official duties. Each volume shall conform
in manner and style as near as may be to volume 80 of the Iowa Reports.' "

Substitute adopted.
Mr. Power moved to amend section 15 of chapter 6, by striking out the word "mayor" in the first line and inserting the word "marshal" in lieu thereof, and by inserting after the word "recorder" in said line the words "or clerk of the city council," and by striking out in lines 1 and 2 the words "immediately after qualifying and every three months thereafter" and insert in lieu thereof the following: "at least fifteen days before the January, April, July and October terms of said court."

Adopted.
Mr. Hauger moved to amend section 12, page 65, in line 6, by striking out the words, "one-half" and insert in lieu thereof, "two-thirds."

Lost.
Mr. Gurley moved the previous question.
Carried.
The motion that the rule be suspended and that the bill be considered engrossed and read a third time now, prevailed.

MESSAGE FROM THE SENATE.
The following message was received from the Senate:
Mr. Speaker-I am directed to inform your honorable body that the Senate has concurred in the following concurrent resolution, in which the conourrence of the house is asked:

Relative to stationery for the members of the General Assembly.
G. A. Newman

Secretary.
On motion of Mr. Wood, the House adjourned until $9 \mathrm{~A} . \mathrm{m}$. to-morrow.

> Hall of the House of Representatives. Des Moines, Iowa, Friday, February 5, 1897. $\}$

House met at 9 A. M., Speaker Byers in the chair.
Prayer by Rev. Levi Jarvis of Des Moines.
PETITIONS AND MEMORIALS.
Messrs. Van Houten, Classen and Brighton presented remonstrances of citizens of their respective counties against a manufacturing bill.

Referred to Committee on Domestic Manufactures.
Messrs. Sullivan, Lambert, Good, Dowell, Porter, Baker, Funk, Evans, Hinman, McNulty and McDonald presented petitions of citizens of their respective counties asking a 2 -cent rate on railroads.

Referred to Committee on Railroads and Commerce.
Messrs. Baker, Bowen, Marti, Good and Grote presented petitions of citizens of their respective counties asking for the passage of a manufacturing bill.

Referred to Committee on Domestic Manufactures.
Mr. Classen presented petition of business men of Marshalltown against Senate file No. 47, relative to taxation of corporations.

Referred to Committee on Ways and Means.
On the pending bill, House file No. 10, the motion to pass to to third reading having prevailed, the clerk read the bill.

Mr. Porter in the chair.
Speaker Byers in the chair.
On the question, "Shall the bill pass?" the yeas were:
Messrs. Allen, Bailey, Baker, Bell, Bird, Bowen, Brady, Brant, Brighton, Brinton, Byington, Chapman, Clark, Classen, Cornwall, Crow, Davis, Doubleday, Dowell, Evans, Finch, Frazee, Frink, Funk, Garner, Good, Griswold, Haugen,

Hauger, Hazen, Hendershot, Hinkhouse, Hinman, Huntley, Jackson, Jay, Johnson of Webster, Johnston of Franklin, Klemme, Lavender, Lowry, McAchran, McDonald, McDowell, McNulty, Manahan, Marti, Martin, Mayne, Merriam, Miller of Buena Vista, Miller of Cherokee, Morrison of Grundy, Morrison of Keokuk, Mullin, Nolan, Porter, Power, Prentis, Putnam, Ray, Reed, Scott, Smith, Spaulding, St. John, Sullivan, Thompson, Tibbitts, Voelker, Watters, Weaver, Wheeler, Whelan, Whittier, Williams, Wood, Mr. Speaker-78.

The nays were:
Messrs. Cook, Lambert, Lauder, McArthur, Nietert, Parker, Perrott, Van Houten, Wells, Wilson-10.

Absent or not voting:
Messrs. Early, Eảwards, Grote, Gurley, Hayes, Hunt, Ladd, Loomis, McQuin, Miller of Warren, Potter, Temple-12.

So the bill passed and the title was agreed to. MESSAGE FROM THE SENATE.
The following message was received from the Senate:
Mr. Speaker-I am directed to inform your honorable body that the senate has passed the following bill, in which the concurrence of the House is asked:

Senate file No. 4, a bill for an act to revise, amend and codify the statutes in relation to procedure in courts of original jurisdiction.

Geo. A. Newman, Secretary.
REPORTS OF COMMITTEES.
Mr. Funk, from the Committee on Ways and Means submitted the following report:

Mr. Speaker-Your Committee on Wayn and Means, to whom was referred chapter 144 of the acts of the Twenty-sixth General Assembly, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the House with the statement that the same does not come within the province of this committee, but should be incorporated in House file No. 51, in relation to thea State University.

> J. H. Funk,
> Chairman.

Mr. Allen, from the Committee on Code Revision, Second Division, submitted the following report:

Mr. Speaker-Your Committee on Code Revision, Second Division, to whom was referred House file No. 21, a bill for an act to revise, amend and codify the statutes in relation to internal improvements, beg leave to report they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same do pass with the following amendments, to-wit:

In line 6, section 2, chapter 1, add after the word "clerk" the words "at the time of issuing the order," and in same line strike out the words "upon the order," and insert in lieu thereof the word "thereon."

In line 10 , section 2, chapter 2 , strike out the word "level," and insert the word "elevation" in lieu thereof.

In line 1, section 6, chapter 2 , add after the words "the kind and" the word "approximate."

In line 5 , section 7, chapter 2 , strike out the word "and."
In line 3, section 8, chapter 2, insert the word "resident" after the word "six."

In line 6, section 18, chapter 2, add "thirty days previous to such day" after the word "township."

In line 1 , section 25 , chapter 2 , prefix the letter " $t$ " to the letters " $h-e . "$
In line 4 , section 27 , chapter 2 , strike out "or the right of way of a railway company."

In line 5 , section 27 , chapter 2 , stribe out "or the railway company."
In line 6, section 27, chapter 2, strike out the words "right of way" and insert the word "land," in lieu thereof.

In line 10, section 27, chapter 2, the word "twenty" erased, and the word "forty" substituted therefor.

In line 13, section 27 , chapter 2, the word "fifteen" struck out, and the word "thirty" substituted therefor.

At end of section 27, chapter 2, add the following: "Whenever any railroad crosses the land of any person or persons who desire to drain their land for any of the purposes set forth in this section, the party or parties desiring such drain or drains, shall notify the railroad company by leaving a written notice with the nearest station agent, stating in such notice the starting point route, or termination of such drain or drains, and if the railroad company refuse or neglect for the space of thirty days to dig across their right of way a drain of equal depth and size of the one dug by the party who wishes to drain his land, then the party who desires to drain the land may proceed to dig such drain, and the railroad company shall be liable for the costs of the construction of such drain, to be collected in court having jurisdiction."

W. S. Allen, Chairman.

Ordered on file.
Following is a report of the joint committee appointed to visit the Institution for Feeble Minded at Glenwood:
To the Twenty-sixth General Assembly in extra session:
Your committee appointed to visit the Institution for Feeble Minded at Glenwood and secure information with reference to the rebuilding of that part of said institution which was destroyed by fire, beg leave to submit the following report:

First.-We found that on the night of August 29, 1896, during an electrical storm, lightning struck the part of said iastitution known as the Administrative building, setting fire to the same in several different places and resulting in the destruction of said building. The Administrative building thus destroyed consisted of four parts, known as the north and east and south and west extensions.

Second.-To provide for the immediate and preliminary aid of the institution in its distress, and commence the reconstruction of the destroyed portions the Executive Council made an allowance of $\$ 40,000$. From this allowance we found that the walls and roof of the south and west extensions have been rebuilt and enclosed and a portion of the interior finished, which work has consumed all but $\$ 2,467.10$ of said $\$ 40,000$, which amount is now on hand and available for use.

Third.-We find from careful estimates that to complete and furnish the south and west extensions ready for occupancy will require an appropriation at the hands of this Assembly of $\$ 17,900$, of which amount $\$ 11,900$ will be required for finishing, and $\$ 6,000$ for furnishing the same.

Fourth.-We found that the north and east extensions of said building must yet be entirely rebuilt, with the possible exception of a part of the foundation, and that practically none of the old material can be utilized in the construction of the same. From the estimates furnished your committee by the architect and a careful consideration of all the items necessary to rebuild these extensions, we respectfully recommend an appropriation of $\$ 43,000$, and for furnishing same properly, for dynamos, electric wiring, engine, hose, and hydrant, and renewing water mains, $\$ 12,000$.

Your committee recommends that the above appropriation, aggregating $\$ 72,900$, be made by this Assembly and available as follows: $\$ 17,900$ for the completion of work now in progress immediately; $\$ 55,000$ for rebuilding and refitting the north and east extensions, not later than June 1, 1897.

Respectfully submitted,

> B. F. Carroll,
> A. L. Wood,
> GEo. T. Baker, $\begin{gathered}\text { Committee. }\end{gathered}$

Mr. Weaver, from the Committee on Code Revision, submitted the following report:

Mr. Speaker-Your Committee on Code Revision, Fifth Division, to whom was referred House file No. 74, a bill for an act to revise, amend and codify the statutes respecting mechanics' liens, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same do pass with the following amendments:

Strike out the word "immediate" in line 2, section 6, page 636, and insert "intermediate."

Strike out subdivision 1 of section 8, chapter 8, page 637, and insert the following: "As between persons claiming mechanic liens upon the same property, according to the order of the filing of the statements and accounts therefor."

Add the following after the word "betterments" in the fourth subdivison, section 8 , page 638. "In case the premises do not sell for more than sufficient to pay off the prior mortgage, or other lien, the proceeds shall be applied on the prior mortgage or other liens."

Strike out all the remaining words after the word "shall" in line 9, section 15, and insert the following: "have priority in the order in which they are filed."
H. O. Weaver,

Chairman.
Ordered passed on file.
On motion of Mr. Weaver, House file No. 66 was recommitted for amendment.

Mr. Potter excused till Monday morning.
Mr. McDowell excused till Monday.
Mr. Jackson excused till Tuesday. SENATE MESSAGES.
Senate file No. 4, a bill for an act to revise, amend and codify the statutes in relation to procedure in courts of original jurisdiction, was read first and second time and referred to Committee on Judiciary.

INTRODUCTION OF BILLS.
By Mr. Miller of Warren, House file No. 88, a bill for an act to provide for the payment of paper folders for three days' labor performed after the adjournment of the regular session of the Twenty-sixth General Assembly.

Read first and second time and referred to Committee on Appropriations.

On motion of Mr. Cornwall, the House adjourned till 9 A. m. to-morrow.

> Hall of the House of Represfntatives, Des Moines, Iowa, Saturday, February 6, 1897 ,

The House met at 9 A. m., with Speaker Byers in the chair. The opening prayer was offered by Rev. J. D. Forsythe.
The Journals of February 2, 3, 4 and 5 were then corrected and approved.

MESSAGE FROM THE SENATE.
The following message was received from the Senate:
Mr. Speakif-I am directed to inform your honorable body that the Senate has passed the following bill, in which the concurrence of the House is asked:

Senate file No. 43, a bill for an act to revise, amend and codify the statutes in relation to domestic relations.

PETITIONS AND MEMORIALS.
Mr. Merriam presented petition of W. A. Place and 262 others of Delaware county, against the passage of a law to legalize the manufacture of liquors in Iowa.

Referred to Committee on Domestic Manufactures.
Messrs. Watters, Morrison of Keokuk, Morrison of Grundy, Baker, Lambert and Wilson, presented petitions of citizens of their respective counties, asking for the passage of a manufacturing bill.

Referred to Committee on Domestic Manufactures.
Mr. Morrison of Grundy presented petition of citizens of Grundy county, asking that peddlers be licensed.

Referred to Committee on Ways and Means.
Messrs. Brady, Bailey, Doubleday, Frink, Griswold, Hauger, St. John, Whittier, Brant and Whelan presented petitions of citizens of their respective counties, asking a 2 -cent rate on railroads.

Referred to Committee on Railroads and Commerce.
Mr. Whittier presented petition of citizens of Ida county, asking that Washington's birthday anniversary be made a legal holiday.

Referred to Committee on Judiciary.
Mr. Cornwall presented memorial of H. C. Darrah, of Emmetsburg, asking an amendment to section 9, title 14, on page 615 of the Code.

Referred to Fifth Division Code Revision Committee.
Mr. Watters presented remonstrance of citizens of Muscatine county against any change in the law relating to printing and binding.

Referred to Committee on Printing.
REPORT OF COMMITTEE.
Mr. Reed, from the Committee on School and Text Books, submitted the following report:

Mr. Speaker-Your Committee on School and Text Books, to whom was referred House file No. 61, a bill for an act to revise, amend and codify the statutes in relation to county superintendent, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same do pass, with the following amendments:

Section 2, line 7, insert after the word "last" the words "and Friday;" and add to said section 2 the following: "Such examinations shall be held at the county seat in a suitable room which shall be provided for that purpose by the board of supervisors. Special examinations may be held elsewhere in the county at the discretion of the county superintendent. Any school officer or other person may be present at any examination."

Section 3, strike out all of lines 1, 2, and 3 to the word "such."
Strike out in line 7 the word "one" and insert the words "specialteacher."

Section 4, line 2, strike out the word "shall" and insert the word "may" in lieu thereof.

Section 4, line 4, insert after the word 'year" the following: "But to applicants passing an examination in the following additional branches: didactics, elementary algebra, the elements of physics, elementary civics, and elementary economics, a certificate shall issue for a term of two years, upon proof of thirty-six weeks' successful experience in teaching."

Section 4, line 4, strike out the word "which" and insert the word "a."
Section 4, line 4, strike out the word "must" and insert the word 'may."

Section 5, line 6, after the word "certificate," insert the following: "provided, that if the applicant is granted a two-years certificate he shall pay one dollar additional."

Section 6, line 9, between the words "as" and "be," insert the word 'to.'

Strike out all marginal numbers.

> J. F. Remp,
> Chairman.

Ordered passed on file.

## SENATE MESSAGES.

Senate file No. 43, a bill for an act to revise, amend and codify the statutes in relation to domestic relations, was read first and second time and referred to Committee on Code Revision, Division No. 1.

On motion of Mr. Mayne, House file No. 74, a bill for an act to revise, amend and codify the statutes in relation to mechanics' liens, with report of committee recommending passage with amendments, was taken up and considered.

The committee amendment to section 6, line 2, was adopted.
The committee amendment to section 8 , chapter 8 , subdivision 1 , was adopted by a vote of 34 yeas to 28 nays.

The committee amendment to section 8, subdivision 4, was adopted.

The committee amendment to section 15, line 19, was adopted.
Mr. Finch moved to amend section 14, line 3, by striking out the word "ten" and inserting the word "thirty" in lieu therecf; also, by inserting after the word "demand" the words "in writing."

## Adopted.

Mr. Mayne moved that the rule be suspended, and that the bill be considered engrossed and read a third time now, which motion prevailed and the bill was read a third time.

On the question, "Shall the bill pass?" the yeas were:
Messrs. Allen, Baker, Bell, Brady, Brant, Brighton, Brinton, Byington, Chapman, Clark, Classen, Cook, Cornwall, Crow, Davis, Doubleday, Dowell, Edwards, Evans, Finch, Frazee, Frink, Good, Griswold, Haugen, Hauger, Hayes, Hazen, Hendershot, Hinman, Huntley, Jay, Johnson of Webster, Johnston of Franklin, Klemme, Lambert, Lauder, Loomis, Lowry, McArthur, McNulty, Marti, Martin, Mayne, Merriam, Miller of Warren, Morrison of Grundy, Morrison of Keokuk, Nolan, Parker, Porter, Prentis, Ray, Reed, Scott, Smith, Spaulding, St. John, Temple, Voelker, Watters, Wells, Wheeler, Whelan, Whittier, Williams, Wilson, Mr. Speaker-68.

The nays were:
Messrs. Bailey, Bowen, Grote, Ladd, McAchran, Tibbitts-6.
Absent or not voting:
Messrs. Bird, Early, Funk, Garner, Gurley, Hinkhouse, Hunt, Jackson, Lavender, McDonald, McDowell, McQuin, Manahan, Miller of Buena Vista, Viller of Cherokee, Mullin,

Nietert, Perrott, Potter, Power, Putnam, Sullivan, Thompson, Van Houten, Weaver, Wood-26.

So the bill passed and the title was agreed to.
The House here suspended rule 42 and took up for consideration Senate file No 43 , a bill for an act to revise, amend and codify the statutes in relation to domestic relations.

Mr. Temple moved that the rule be suspended, and that the bill be read a third time now, which motion prevailed and the bill was read a third time.

On the question, "Shall the bill pass?" the yeas were:
Messrs. Allen, Bailey, Baker, Bell, Bird, Bowen, Brady, Brant, Brighton, Brinton, Byington, Chapman, Clark, Classen, Cook, Cornwall, Crow, Davis, Doubleday, Dowell, Edwards, Evans, Finch, Frazee, Frink, Good, Griswold, Grote, Haugen, Hauger, Hayes, Hazen, Hinman, Huntley, Jay, Johnson of Webster, Johnston of Franklin, Klemme, Ladd, Lambert, Lauder, Lavender, Loomis, Lowry, McAchran, McArthur, McNulty, Marti, Martin, Mayne, Merriam, Miller of Warren, Morrison of Grundy, Morrison of Keokuk, Nolan, Parker, Porter, Prentis, Ray, Reed, Scott, Smith, Spaulding, St. John, Temple, Tibbitts, Van Houten, Voelker, Watters, Wells, Wheeler, Whelan, Whittier, Williams, Wilson, Wood, Mr. Speaker-77.

The nays were:
None.
Absent or not voting:
Messrs. Early, Funk, Garner, Gurley, Hendershot, Hinkhouse, Hunt, Jackson, McDonald, McDowell, McQuin, Manahan, Miller of Buena Vista, Miller of Cherokee, Mullin, Nietert, Perrott, Potter, Power, Putnam, Sullivan, Thompson, Weaver-23.

So the bill passed and the title was agreed to.
Upon motion of Mr. Temple, House file No. 77, relating to domestic relations, was indefinitely postponed.

The following motion to reconsider was filed:
Mr. Speaker-I move to reconsider the vote by which House file No. 74 passed, went to its third reading and by which committee amendment to subdivision 1 , section 8 , chapter 8 , passed.

John Morrison.
I second the motion.
P. L. Prentis.

Mr. Miller of Buena Vista was excused until Monday.

Mr. Miller of Cherokee was excused indefinitely on account of sickness.

Mr. Brant offered the following concurrent resolution, which was laid over under rule 34:

Resolved by the House, the Senate concurring, That the Secretary of State be and is hereby authorized and directed to secure for the benefit of the State of Iowa, copyright on codified laws of the State when completed by this General Assembly.

On motion of Mr. Reed, House file No. 61, a bill for an act to revise, amend and codify the statutes in relation to county superintendent, with report of committee recommending passage with amendments, was taken up and considered.

Mr. Brant moved to amend the committee amendment to section 4, line 4, by striking out the words, "elementary physics and algebra."

This was lost by a vote of 82 yeas to 36 nays.
The amendment of the committee was adopted.
The amendment of the committeee to section 4, line 2, was lost.

All the other amendments of the committee were adopted.
Mr. Reed moved to insert the words, "as provided by law," in line 8 , section 6 , after the word "report."

Adopted.
Mr. Merriam moved to strike out the words "Friday and," is line 7 , section 2.

Lost.
Mr. Morrison of Keokuk moved to strike out the word 'four'' and insert the word 'three" in lieu thereof, in section 9 , line 1.

Messrs. Morrison of Keokuk and Spaulding demanded the "yeas and nays" on this question. The roll call resulted as follows:

On the question "Shall the amendment prevail?" the yeas were:

Messrs. Bailey, Bell, Brighton, Clark, Cook, Crow, Duubleday, Edwards, Evaus, Finch, Frazee, Good, Hendershot, Hınman, Johnson of Webster, McAchran, McArthur, Martin, Morrison of Keokuk, Parker, Porter, Scott, Spaulding, St. John, Tibbitts, Van Houten, Wells, Wheeler, Williams-29.

The nays were:
Messrs. Allen, Baker, Bird, Brant, Brinton, Byington, Chapman Classen, Cornwall, Davis, Dowell, Frink, Griswold,

Grote, Haugen, Hauger, Hayes, Hazen, Jay, Johnston of Frankin, Klemme, Ladd, Lambert, Lauder, Lavender, Loomis, Lowry, McNulty, Marti, Mayne, Merriam, Miller of Warren, Morrison of Grundy, Nolan, Prentis, Ray, Reed, Smith, Temple, Voelker, Watters, Whelan, Whittier, Wilson, Wood, Mr. Speaker-46.

Absent or not voting:
Messrs. Bowen, Brady, Early, Funk, Garner, Gurley, Hinkhouse, Hunt, Huntley, Jackson, McDonald, McDowell, McQuin, Manahan, Miller of Buena Vista, Miller of Cherokee, Mullin, Nietert, Perrott, Potter, Power, Putnam, Sullivan, Thompson, Weaver-25.

So the amendment was lost.
Mr. Reed moved that the rule be suspended, and that the bill be considered engrossed and raad a third time now, which motion prevailed and the bill was read a third time.

On the question, "Shall the bill pass?" the yeas were:
Messrs. Allen, Bailey, Bird, Bowen, Byington, Chapman, Cornwall, Davis, Doubleday, Dowell, Evans, Frink, Good, Griswold, Grote, Hauger, Hendershot, Huntley, Ladd, Lavender, Loomis, Lowry, McAchran, McNulty, Martin, Mayne, Moarison of Grundy, Prentis, Reed, Smith, Temple, Watters, Whelan, Whittier, Williams, Wood, Mr. Speaker-37.

The nays were:
Messrs. Baker, Bell, Brighton, Clark, Classen, Cook, Crow, Finch, Frazee, Haugen, Hazen, Hinman, Jay, Johnson of Webster, Klemme, McArthur, Marti, Miller of Warren, Morrison of Keokuk, Nolan, Parker, Porter, Ray, Smith, Spaulding, Tibbitts, Van Houten, Wells, Wheeler, Wilson- 30.

Absent or not voting:
Messrs. Brady, Brant, Brinton, Early, Edwards, Funk, Garner, Gurley, Hayes, Hinkhouss, Hunt, Jackson, Johnston of Franklin, Lambert, Lauder, McDonald, McDowell, McQuin, Manahan, Merriam, Miller of Buena Vista, Miller of Cherokee, Mullin, Nietert, Perrott, Potter, Power, Putnam, St. John, Sullivan, Thompson, Voelker, Weaver-33.

So the bill was lost.

## MESSAGES FROM THE GENATE.

The following messages were received from the Senate:
Mr. Speaker-I am directed to inform your honorable body that the Senate has amended and passed the following bill, in which the concurrence of the Senate was asked:

House file No. 30, a bill for an act to revise and codify the statates in relation to domestic animals.

Geo. A. Newman,
Secretary.
Also:
Mr. Speaker-I am directed to inform your honorable body that the Senate has passed the following bill, in which the concurrence of the House is asked:

Senate file No. 50, a bill for an act to revise, amend and codify the statutes in relation to the Educational Board of Examiners.

Geo. A. Newman,
Secretary.
Also:
Mr. Speaker-I am directed to inform your honorable body that the Senate has passed the following bill, in which the concurrence of the House is asked:

Senate file No. 49, a bill for an act to revise, amend and codify the statutes in relation to county superintendent.

Geo. A. Nemman,
Secretary.
The bill Senate file No. 49, was referred to Committee on School and Text Books.

The following motion to reconsider was filed:
Mr. Speaker-I move a reconsideration of the vote by which House file No. 61 failed to pass the House.
W. G. Ray.

I second the motion.
Jas. Clark.
Mr. Lavender moved that the House adjourn till 1:30 P. M. Monday.

Mr. Ray moved to amend by making it $10 \mathrm{~A} . \mathrm{m}$.
The amendment prevailed.
The motion as amended prevailed and the House adjourned.

The House met at 10 A. M., with Speaker Byers in the chair. The opening prayer was offered by Rev. Mr. Haines of Des Moines.

The Journal of Saturday was corrected and approved.
Mr. McAchran was excused on account of sickness.
PETITIONS AND MEMORIALS.
Mr. Merriam presented petition of Rev. N. W. Rixby and twenty-five others of Delaware county, against the passage of a law to legalize the manufacture of liquor in Iowa.

Referred to Committee on Domestic Manufactures.
Messrs. McArthur, Ladd and Clark presented remonstrances of citizens of their respective counties, against a manufacturing bill.

Referred to Committee on Domestic Manufactures.
Messrs. Prentis, Bowen, Bird, Allen, Lambert and Potter presented petitions of citizens of their respective counties, asking for a 2-cent rate on railroads and for interchangeable mileage books.

Referred to Committee on Railroads and Commerce.
Messrs. Potter, Voelker and Nolan presented petitions of citizens of their respective counties, asking for the passage of a manufacturing bill.

Referred to Committee on Domestic Manufactures.
Mr. Nolan presented memorial of board of supervisors of Dubuque county, against any change in the present mulct law.

Referred to Committee on Suppression of Intemperance.
Mr. Manahan presented memorial of city council of Remsen, Iowa, against any change in present mulct law.

Referred to Committee on Suppression of Intemperance.
Mr. Manahan presented memorial of city council of Le Mars, Iowa, asking for a change in the present mulct law.

Referred to Committee on Suppression of Intemperance.

Mr. Klemme presented petition of citizens of Winneshiek county and the Property Owners' Fire association, asking for laws tending toward a suppression of incendiarism.

Referred to Committee on Insurance.
Mr. Potter presented remonstrance of Saving, Building and Loan association of Council Bluffs, Iowa, against the passage of a law to require building and loan associations to list the names of their members with the auditor for purposes of taxation.

Referred to Committee on Building and Loan.
Mr. Potter presented petition of Blaff City Typographical union No. 203, against any change in the law relating to State printing and binding.

Referred to Committee on Printing.
Mr. Fuvk offered the following resolution and moved its adoption:

Whereas, The report of the State Auditor shows there is a large deficit in the finances of the State, which, it is charged by the public press has been caused largely by unnecessary and illegal expenditures of public funds in several departments of the State government; and,

Whereas, It is the duty of this House as the direct representatives of the taxpayers of the State to require the utmost economy in the expenditure of public money consistent with the proper and efficient administration of the affairs of the State; therefore, be it

Resolved, That a committee of five members of this House be appointed by the Speaker, whose duty it shall be to inquire into the receipts and expenditures of the various departments of the State government with the power to send for and examine persons and papers, to ascertain the number of employes in each department at this time and for the last biennial period, and the amount of wages paid the same, and to take such further steps as in their judgment may be necessary to arrive at a full understanding of the expenditures of the State service, said committee to report its findings, conclusions and recommendations to the House at the earliest. practical date.

Adopted.
The following resolution was introduced by Mr. Lambert:
Resolved, That the Speaker appoint a committee of three to investigate the matter of the printing of blanks and other miscellancous job work for the various State officials, the result of their investigations to be reported back to the House as soon as practicable, and be it further

Resolved, That for the purpose of facilitating their work and imparting information to said committee the Secretary of State is requested to furnish for the inspection of the committee the copy for each job of work filed in his office during the past eighteen months, together with the statement showing the actual number of "ems" and number of impressions. of press work in each job and the cost thereof.

Adopted.

## REPORT OF JOINT COMMITTEE ON ENROLLED BILLS.

Mr. Hauger, from the Joint Committee on Enrolled Bills, submitted the following report:

Mr. Speaker-Your joint Committee on Enrolled Bills respectfully report that they have examined, and find correctly enrolled Senate file No. 58, a bill for an act to revise, amend and codify the statutes in relation to county high schools, chapter 12 , (of title 13).

G. S. Gilbertson, Chairman Senate Committee.<br>W. E. Haturer, Chairman House Committee.

Ordered passed on file.
Also:
Mb. Speaker-Your Joint Committee on Enrolled Bills respectfully report that they have examined, and find correctly enrolled, Senate file No. 66, a bill for an act to revise, amend and codify the statutes in relation to sureties, chapter 5, (of title 15) of sureties.
G. S. Gilbertson, Chairman Senate Committee.
W. E. Hauger, Chairman House Committee.
Ordered passed on file.
REPORT OF COMMITTEE.
Mr. Finch, from the Committee on Code Revision, Division No. 3, submitted the following report:

Mr. Speaker-Your Committee on Code Revision, Division No. 3, to whom was referred House file No. 48, a bill for an act to revise, amend and codify the statutes in relation to regents and trustees of State institutions, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same do pass with the following amendments:

Section 1, line 3, add "all of whom shall not be of the same political party."

Line 7, strike out the words "Industrial Home for the Blind."
Line 8, after the word "insane" insert the word "and;" strike out the words "and the Soldiers' Home, six;" insert before the word "trustee" the word "flve."

Line 10, insert after the words "the Orphans' Home" the words "the Industrial Home for the Blind."

Line 11, add 'for the Soldiers' Home five trustees, to be appointed by the Governor, by and with the consent of the Senate, who shall hold office for the term of six years."

Page 530, section 6, line 1, strike out the word "county" and insert in place thereof the words "congressional district"

Section 8, line 3, change the period to a comma and add the worda, "except appropriations already made for the erection of buildings now in the course of construction and under contract as provided by law."

Section 11, lines 2 and 3, strike out the words "traveling expenses," and insert in place thereof the word "mileage."

Section 12, line 1, strike out the words "traveling expenses," and insert in place thereof the word "mileage."

Strike out the word "verify," and insert after the word "itemized" the words, "and certified to by the president and secretary and approved by the board."

Strike out all the marginal figures and references and underscoring.
P. Finch,

Ohairman.
Ordered passed on file.
The Speaker increased the Joint Committee on Enrolled Bills by the appointment thereto of the following named mombers: Messrs. Morrison of Grundy and Ray of Poweshiek.

Referring to an article in the State Register, under the date of Friday, February 5, charging him with a personal interest in the amendments offered to House file No. 48, because of his connection with the bank in which present resident trustee and treasurer of the School for the Deaf at Council Bluffs deposits the funds of said institution, Mr. Potter arose to a question of personal privilege, and denied the charge in toto; said that the charitable view to be taken of the matter is that the member who made the charge in the committee had jumped to this conclusion owing to the similarity of the titles of Mr . Potter's bank and the bank in Council Bluffs, where the present treasurer carries his deposits. Mr. Potter stated that this bill was recalled by the chairman of the committee on his (Potter's) request, and not because of suspicion on the part of the members of the committee concerning the motives of the member from Pottawattamie, as stated in the Register.

On motion of Mr. Weaver, House file No. 76, a bill for an act to revise, amend and codify the statutes in relation to warehouses, carriages, hotel-keepers, livery stable keepers and herders, with report of committee recommending passage, was taken up, considered and the report of the committee adopted.

Mr. Weaver moved that the rule be suspended, and that the bill be considered engrossed and read a third time now, which motion prevailed and the bill was read a third time.

On the question, "Shall the bill pass?" the yeas were:
Messrs. Allen, Bailey, Baker, Bell, Bird, Bowen, Byington, Chapman, Clark, Classen, Cook, Cornwall, Crow, Davis, Doubleday, Dowell, Edwards, Evans, Finch, Frazee, Frink, Funk, Good, Griswold, Grote, Haugen, Hauger, Hayes, Huntley, Jay, Johnson of Webster, Klemme, Ladd, Lambert,

Loomis, Lowry, McArthur, Manahan, Marti, Mayne, Merriam, Morrison of Kookuk, Nolan, Parker, Porter, Potter, Prentis, Ray, Reed, Scott, Spaulding, St. John, Tibbitts, Voelker, Watters, Weaver, Wheeler, Whelan, Whittier, Williams, Wilson, Wood, Mr. Speaker-63.

The nays were:
None.
Absent or not voting:
Messrs. Brady, Brant, Brighton, Brinton, Early, Garner, Gurley, Hazen, Hendershot, Hinkhouse, Hinman, Hunt, Jackson, Johnston of Franklin, Lauder, Lavender, McAchran, McDonald, McDowell, McNulty, McQuin, Martin, Miller of Buena Vista, Miller of Cherokee, Miller of Warren, Morrison of Grundy, Mullin, Nietert, Perrott, Power, Putnam, Smith, Sullivan, Temple, Thompson, Van Houten, Wells- 37.

So the bill passed and the title was agreed to.
On motion of Mr. Allen, House file No. 21, a bill for an act to revise, amend and codify the statutes in relation to internal improvements, with report of committee recommending passage with amendments, was taken up and considered.

The committee amendment to section 2, chapter 1, was adopted.

The committee amendment to section 2, chapter 2, was adopted.

The committee amendment to section 6, chapter 2, was adopted.

The committee amendment to section 7, chapter 2, was adopted.

The committee amendment to section 8, chapter 2, was adopted.

The committee amendment to section 18, chapter 2, was adopted.

The committee amendment to section 25, chapter 2, was adopted.

The committee amendment to section 27, chapter 2, was adopted.

Mr. Griswold was called to the chair.
Speaker Byers resumed the chair.
Mr. Allen moved that the rule be suspended, and that the bill be considered engrossed and read a third time now, which motion prevailed and the bill was read a third time.

On the question "Shall the bill pass?" the yeas were:
Messrs. Allen, Bailey, Baker, Bell, Bird, Bowen, Byington, Chapman, Clark, Cornwall, Davis, Doubleday, Dowell, Edwards, Evans, Finch, Frazee, Frink, Funk, Good, Griswold, Grote, Haugen, Hauger, Hayes, Hazen, Hendershot, Huntley, Jay, Johnson of Webster, Klemme, Ladd, Lambert, Lowry, McArthur, Marti, Mayne, Merriam, Miller of Warren, Nolan, Parker, Porter, Potter, Prentis, Ray, Reed, Scott, Spaulding, St. John, Tibbitts, Voelker, Watters, Weaver, Wheeler, Whelan, Whittier, Williams, Wilson, Wood, Mr. Speaker-60,

The nays were:
Messrs. Crow, and Morrison of Keokuk-2.
Absent or not voting:
Messrs. Brady, Brant, Brighton, Brinton, Classen, Cook, Early, Garner, Gurley, Hinkhouse, Hinman, Hunt, Jackson, Johnston of Franklin, Lauder, Lavender, Loomis, McAchran, McDonald, McDowell, McNulty, McQuin, Manahan, Martin, Miller of Buena Vista, Miller of Cherokee, Morrison of Grundy, Mullin, Nietert, Perrott, Power, Putnam, Smith, Sullivan, Temple, Thompson, Van Houten, Wells-38.

So the bill passed and the title was agreed to.
On motion of Mr. Doubleday, the House adjourned until 9 A. M. to-morrow.

Hall of the House of Representatives, Des Moines, Iowa, Tuesday, February 9, 1897. $\}$
The House met at 9 a. m., with Speaker Byers in the chair. The session was opened with prayer by Rev. W. A. Black. Mr. Lavender was excused until Friday on account of sickness.

Mr. Perrott was excused on account of sickness.
The Journal of yesterday was corrected and approved.
PETITIONS AND MEMORIALS.
Messrs. Morrison of Grundy, Bailey, Griswold, Lambert, Hayes, Baker, Byington, McDowell, Loomis, Smith and Watters presented petitions of citizens of their respective counties, asking for the passage of a manufacturers' bill.

Referred to Committee on Domestic Manulactures.
Messrs. Bowen, Dowell, Hayes, Brighton, Whittier, Perrott, McDonald, Good and Ladd presented petitions of citizens of their respective counties, asking for 2 -cent railroad fares.

Referred to Committee on Railroads and Commerce.
Mr. Hayes presented remonstrance of Typographical Union, No. 334, Clinton county, against any change in the present law in reference to State binding and printing.

Referred to Committee on Printing.
Mr. Smith presented petition of the Christian Endeavor society of the Presbyterian church of Jefferson, Iowa, against a manufacturing bill.

Referred to Committee on Domestic Manufactures.
Mr. Morrison of Keokuk, presented petition of citizens of Wayland, Newport and Martinsburg, Keokuk county, asking that hucksters and peddlers be licensed.

Relerred to Committee on Ways and Means.
Mr. Crow presented petition of Ottumwa Typographical union No. 73, against any change in the present law relative to State binding and printing.

Referred to Committee on Printing.

Mr. Early presented petition of grain dealers of Sac county, asking support for commissioners' amendment to section 9 , title 14.

Referred to Committee on Code Revision, Fifth Division.
Messrs. Scott and Johnson of Webster presented petitions of citizens of their respective counties, against compelling officers of building and loan associations to list with the auditor the members of the association for the purpose of taxation.

Referred to Committee on Ways and Means.
Mr. Brant presented petition of M. Otmar and 518 others, asking for passage of manufacturers' bill.

Referred to Committee on Domestic Manufactures.
Mr. Lowry offered the following resolution and moved its adoption:

Whereas, Hon. John McHugh, of Cresco, Howard county, Iowa, who was a member of this House in the Sixteenth General Assembly of Iowa, and an honored and highly respected citizen of Howard county, died January 30, A. D. 1897; therefore, be it

Resolved, That the Speaker of the House appoint a committee of three to draft and report to this Assembly such resolutions as will fittingly commemorate the life and public services of the deceased.

Adopted.
The Speaker appointed as such committee, Messrs. Lowry, Frazee and Martin.

## REPORTS OF COMMITTEES.

Mr. Reed, from the Committee on School and Text Books submitted the following report:

Mr. Speaker-Your Committee on School and Text Books, to whom was referred Senate file No. 49, a bill for an act'to revise, amend and codify the statutes in relation to county superintendents, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same do pass with the following amendments:

Amend section 2 by inserting at the end of the section: "Such examination shall be held at the county seat in a suitable room which shall be provided for that purpose by the board of supervisors. Special examinations may be held elsewhere in the county at the discretion of the county superintendent. Any school officer or other person may be present at any examination."

In section 3, line 3, strike out " such" and insert "the."
Section 3, line 7, strike out "one" and insert "special teacher."
Strike out the amendment after the word "year" in section 4, line 4, and insert the following: "But to applicants passing an examination in the following additional branches: didactics, elementary civics, and elementary
economics, a certificate shall issue for a term of two years, upon proof of thirty-six weeks' successful experience in teaching."

Section 5, line 6, after the word "certificate" insert the following: 'provided, that if the applicant is granted a two years' certificate, he shall pay one dollar additional."

J. F. Reed,<br>Chairman.

Ordered passed on file.
Mr. Allen offered the following report:
Mr. Speaker-Under the concurrent resolution offered in the Senate on the 29th ult., your committee was instructed, among other things, to report:

First.-What means, if any, can be devised whereby time may not be consumed in unnecessary reading of the several bills in each House?

Your committee has taken this matter in serious consideration. It is not unmindful of the necessarily great expense entailed upon the State in the revision and codification of the laws; nor is it forgetful of the fact that the burdens of taxation, accompanied with low prices and business depression, are resting heavily upon our people. Your committee earnestly desires to expedite the work of the revision and codification of our laws, to reduce the expense to the very lowest possible amount and to give to the people of the State a Code which will be complete in itself and bear the test of legal scrutiny as far at least as its validity in law is concerned.

Secomd.-Can the reading in full of every bill in each House be dispensed with without violating the provisions of the Constitution referred to below?

Third.-Is the matter of legally dispensing with the reading of the bills in full in eaoh House so clear from doubt that such reading can be safely, wisely and prudently omitted?

If either of these questions cannot be answered in the affirmative, then all must agree that the part of wisdom and the careful discbarge of our duty as legislators both require such reading be had. We respectfully submit, that the members of this Legislature, no matter what be the stress of circumstances, cannot afford, in view of the duty they owe to themselves and the high obligation they are under to the people of the State in the responsible task of revising the laws, to adopt a Code of doubtful constitutionality, nor can the people afford to have such a Code.

Section 17, of article 3, of the Constitution is the one which relates to this subject, and is in these words: "Section 17. No bill should be passed unless by the assent of a majority of all members elected to each branch of the General Assembly, and the question upon the final passage shall be taken immediately upon its last reading, and the yeas and nays entered on the Journal."

The question under the above provision is whether section 17 is mandatory or simply directory. If mandatory, then clearly the Legislature has no power to waive it or to neglect to carry out its provisions; if it is doubtful as to whether the courts would construe it, so far as it relates toa full reading of a bill, as mandatory or merely directory, then the wise, prudent and careful legislator would resolve the doubt in such way as to avoid the question of the constitutionality of the law being raised under
this section, and we think should insist on a full reading of a bill as provided by the Constitution.

Cooley, on Constitutional Limitations, on page 88 (6th Ed.), says: "But when all the legitimate lights for ascertaining the meaning of the constitution have been made use of, it may still happen that the construction remains a matter of doubt. In such a case it seems clear that every one called upon to act where, in his opinion, the proposed action would be of doubtful constitutionality, is bound upon the doubt alone to abstain from acting. Whoever derives power from the constitution to perform any public function, is dieloyal to that instrumentand grossly derelict in duty if he does that which he is not reasonably satisfied the constitution per mits. Whether the power be legislative, executive, or judicial, there is manifest disregard of constitutional and moral obligation by one who having taken an oath to observe that instrument, takes part in an action which he cannot say he believes to be no violation of its provisions."

The following quotations will show how the courts have regarded the question as to whether any of the provisions of a written constitution are merely directory:

Cooley in his work above quoted, on page 93 says: "But the courts tread upon very dangerous ground when they venture to apply the rules which distinguish directory and mandatory statutes to the provisions of a constitution." And the same author says, on page 94: "There are some cases, however, where the doctrine of directory statutes has been applied to constitutional provisions; but they are so plainly at variance with the weight of authority upon the precise point considered that we feel warranted in saying that the judicial decisions as they now stand do not sanction the application."

In Wolcott v. Wighton, 7 Ind., p. 48, the court says: "A liberal construction of statutes and a strict construction of constitutional provisions, are a safe and reasonable judicial policy. But constitutions, which are a delegation of power, require a strict construction. In such instruments, the people will be presumed to have expressed themselves in careful and measured terms, corresponding with the immense importance of the powers delegated-leaving as little as possible to implication. (Gibbon v. Ogden, 9 Wheat, 188; The people v. Purdy, 2 Hill, 31, and 4 Hill, 384; Newell v. The People, 3 Seld., 9; Greencastle Tp. v. Block, 5 Ind., 566.)"

In Greencastle Twp. v.' Block, 5 Ind., 567, the court says: "When such a question (the constitutionality of a law) does arise, it is surely not the first duty of the court to tax their ingenuity to explain away the constitution, in order to accommodate a favorite theory. If there be any form of words which should be held sacred, it is the plain language of the fundamental law. It is the rule and commission by which both legislators and judges are to proceed. 2 Dallas, 304. The courts dare not deal with that instrument in a 'double sense.' In giving it construction they must not bend to any outside pressure, real or stimulated. Such judicial delinquency would inflict infinitely more serious evils than any temporary inconvenience which may flow from adherence to the terms of the constitution.
" It was urged in argument and so held by the judges (in 3 Seldon, 9), that the discretion of the courts is more restricted in applying the rules
of construction to a plan of government contained in a written constitution than in the construction of statutes, and the reason is conclusive. Statutes are often hastily and unskillfully drawn and thus need construction to make them sensible, but constitutions impart the utmost discrimination in the use of language. They are the permanent will of the people intended for the guidance of posterity: Thus, Marshall, C. J., in relation to the constitution of the United States: 'The framers of the constitution, and the people who adopted it, must be understood to have employed words in their natural sense, and to have intended what they said.' Gibbon v. Ogden, 9 Wheat, 188.
"So in the dissenting opinion of Bronson, J., in the People v. Purdy, 2 Hill, page 31, subsequently declared in the court of errors to be the law and cited with marked approbation in Newell v. The People: 'Written constitutions will soon become of little value if their injunctions may be lightly overlooked; and the experiment of setting a boundary to power will prove a failure.' Again, in the same case, the court of errors, in reversing the judgment of the supreme court and adopting the dissenting opinion of Bronson, J., say: 'If the courts venture to substitute for the clear language of the instrumont their own notion of what should have been or was intended to be, there will be an end of written instruments. Purdy v. The People, 4 Hill, 384. In construing the language of the constitution, courts have nothing to do with the argument from inconvenience.' Their sole duty is to declare ita lex scripta est-thus saith the constitution. 21 Wend., 21."

In Koehler v. Hill, 60 Iowa, known as the "amendment case," Judge Day in delivering the opinion of the court on rehearing, used this language on page 644 , in referring to the provision of the Constitution relative to ontering the proceedings on the Journal: "Is this constitutional provision mandatory, or simply directory? A mandatory provision is one which must be observed. A directory is one which leaves it optional with the department or officer to which it is addressed to obey it or not, as he should see fit." Courts sometimes exercise the power of declaring statutory provisions directory. Even in the case of a statute, the exercise of this power is a delicate one, and must be indulged very sparingly. But in the case of a constitutional provision, the exercise of this power is of much more doubtful propriety."

But we have quoted sufficiently at length from the authorities to show that the omission of the reading of a bill in either house is of such doubtful propriety that such a precedent should not be established. What is true of this extra session is true of all regular sessions, and if the reading of a single bill in full in each house can be dispensed with at this session, then with equal propriety the same thing can be done with all bills and at all sessions of the legislature. Such legislation is, as far as we know, without precedent and will be fraught with many more evils than are involved in the reading of them.

We would, therefore, recommend that each bill should have a full reading in each house before the vote thereon is taken.
N. M. Pusey,
C. S. Rance,
W. H. Berry,
H. L. Waterman,
A. B. Fune, Senate Committee.
W. S. Allen, J. H. Funk, W. W. Cornwall, henry H. Brighton, House Committee.
Mr. Temple filed the following minority report:
To the General Assembly of the State of Iowa:
The undersigned member of the concurrent committee appointed to report among other things as to the necessity of the full reading of all revision bills at the time of placing them on passage, begs leave to submit the following as a minority report. We have carefully considered the matters involved and find that the only constitutional provision bearing on this question directly or indirectly, is section 17, of article 3 of the Constitution of 1857. It provides as follows: "No bill shall be passed unless by the assent of a majority of all the members elected to each branch of the General Assembly and the question upon the final passage shall be taken immediately upon its last reading and the yeas and nays entered upon the Journal."

This section is in form prohibitive, but in effect affirmative and mandatory, in the two matters embraced therein, which are that bills in order to become laws must receive the assent of a majority of the members of the respective houses, and that their votes, for and against, must be recorded in the Journal. These are the only direct and mandatory provisions found in the section, and as such must be strictly complied with. No other mandatory or commanding words can be found therein, by any fair or legitimate construction, unless we resort to speculation and indirect implication. It is insisted by a majority of the committee that the framers of the Constitution, by the language used fixing the time when the question should be put, implied that the bill should be read in full immediately before putting the question. If this be true, then it equally follows by implication, that if it must be read once, it must be read more than once, for a single reading could not be aptly termed its last reading. Logically" if there is a last reading to be implied from the language of the section there must be implied a former reading, or why the words "its last readings." If either house may determine for itself what shall constitute a first and second reading, and satisfy the requirements implied from this section of the Constitution, by a reading by title, then may it not, the Constitution being silent as to the form or manner of reading, by such rule or by such vote as would suspend the rules, determine what shall constitute a third reading?

We find in section 9 , article 3, the following provision: "Each house shall act uponits own adjournments, keep a Journal of its proceedings, and publish the same; determine its rules of proceedings, etc." Now, the fact
that the Constitution of Iowa does not in article 17 attempt to provide and fix the formalities of legislation, and that article 9 reserves to the Legislature the right to adopt its own rules, leads us irresistibly to the conclusion that all formalities were to be left to the General Assembly, and that nothing was intended to be drawn therefrom by implication. The custom of three separate readings originated in the early days of legislative assemblies when printing was unknown or little used, and when a large proportion of the legislators were illiterate and the members gained their entire knowledge of bills and their contents from the reading by the clerk and the exposition by the Speaker. Since it has become the practice to print all bills in full and distribute copies among the members, the first and second readings have by long practice and usage become merely a formal reading by title. The old rule has been modified in the spirit of the legal maxim laid down by Coke on Littleton that 'reason is the soul of the law, and when the reason of any particular law ceases, so does the law itself."

Since the reason of the law has made these numerous readings in full useless, cumbersome and obstructive, legislative assemblies have abridged them and resorted to more effective and time-saving methods.

The three separate stages formerly marked by a reading in full, on separate days, have been retained in practice, to mark the separate stages of the bill in its passage: 1st-Its rejection or acceptance by the House; 2nd-Commitment; 3rd-Discussion, amendment and passage. The framers of the Constitution had these convenient stages in mind when they fixed the time of calling for the yeas and nays, and their intention was to prescribe the time for final vote, rather than to prescribe the kind of reading the bill should receive at the hands of the clerk. Any reading that may mark and make certain this stage of the bill is a sufficient compliance with the requirements of the Constitution, and the ancient usages which were in the minds of the framers, when they adopted its provisions. While the courts of this country have uniformly held, that mandatory or affirmative provisions, whether prohibiting or commanding, found in the Constitution were not to be disregarded, at the peril of rendering the action of the legislature void, yet the decisions are uniform and abundant in the reports of all the courts of last resort, that the courts will imply nothing from the language of the Constitution, substance or body of the act itself, nor from the contents of the legislative journals, that will vitiate the acts of the sovereign power of the people, as expressed through threir representatives. To justify a court in setting aside legislative acts or a code as unconstitutional, the matter must appear directly in one of the three forms above pointed out. That ancient writer and well-spring of law and common sense above referred to, lays it down as a maxim, 'that, he who considers merely the letter of an instrument goes but skin-deep into its meaning."

Let us get to the substance of the matter. The proposed Code has been carefully prepared, the various parts have been introduced in the two Houses in the form of bills, "to revise, amend and codify" the statutes. It has been printed, and in a convenient form, has been in the hands of the members of the General Assembly for about fifteen months. A large part of the regular session was spent in considering it. In the form of bills, it has been carefully reviewed in committees composed of large numbers of the members selected from the body of each house who represent every
interest of the State, and has been carefully read and prepared with the Code of 1873 and the acts of the General Assembly passed since 1873. A large part of the proposed Code has been the law for many years, some of it dating as far back as 1846, and in much of it no change is offered. Under such circumstances it would seem superfluous at this date to read even for information. The information needed is as to whether or not the proposed bills preserve the law as it now exists and as it heretofore existed and if changed to what extent. Every member knows that this information can not be gained from the formal reading, called the last reading, from the clerk's desk. He who feels it his duty to guard the law as it is, and to see that no harmful innovations creep in will have a hard task to satisfy a quickened conscience with the information he is likely to get from such a reading. Lawyer or banker, merchant or farmer, he would indeed be presumptious, who would claim that he was so well acquainted with the body of our law, that he can detect a change or innovation by listening to the monotonous reading of a wearied clerk even though he followed with his eyes the lines of "the Black Code."

It seems to us that the reading of the law fails as construed by the majority. Again, it is a known fact that under the rules governing the House, no amendments, alterations or changes can be made upon the third reading except by common consent. The work of preparing the law and putting it upon passage has been done previously. We are not insensible of the obligations of the solemn oath taken by members to support and maintain the Constitution of our State, or would we by false economy jeopardise the code of laws that may be passed by this General Assembly. But for all the reasons heretofore set out, and sensible of the present conditions of the finances of our State with every industry prostrate, with thousands of our people in straits for money to buy food and fuel, as well as to pay taxes, we cannot concur in the report and recommendations that pledge us to advise the members of this General Assembly to seek new and implied obligations of the Constitution which they may support and maintain, especially when we know that such construction will lengthen this extra session at least thirty days, if not more. This number of additional days will take from the depleted treasury of the State from thirtyfive to forty-five thousand dollars in addition to the legitimate cost of the Code, and is inconsistent with that rule, which the supreme court of Ohio laid down as governing the construction of constitutional provisions, "that they are designed to produce orderly and well arranged laws, a fair expression of the sentiment of the people and a frugality in expenditures."

We have made this minority report thus full and at length because the minority deem it their duty to enter a protest against costly, cumbersome, obsolete, and dilatory methods, especially in such a crisis as now confronts us.

We therefore recommend, that when bills come up for final passage, the bills be read by title and that while the bill is open for amendments all parts or sections as the committees report, or the underscoring indicate, have been changed by the Code Commissioner's, be carefully read; that all sections amended in committee or on the floor of the House, be read before amendments are closed, and that all further reading be dispensed with as not required by the Constitution, and that such reading as above recommended be declared by the House to be a reading.

We give it as our opinion that objections and protests filed against such procedure under section 10, article 3, of the Constitution, will not in any manner invalidaterthe acts of this General Assembly, but will stand upon the journals as a doubtful honor roll (?) for the future.

Respectfully submitted, M. L. Thmple.

The House here took up for consideration Senate file No. 49, a bill for an act to revise, amend and codify the statutes in relation to county superintendent, with report of committee recommending passage with amendments.

Mr. McArthur moved the following amendment: Amend section 1, chapter 18, by inserting after the word "sex" and before the word "shall" the words, "shall be of good moral character, and the holder of a first-class or State certificate, or diploma, and."

Adopted.
Committee amendment to section 2 was adopted.
Committee amendment to section 3 was adopted.
Committee amendment to section 4 was adopted.
Mr. Morrison of Keokuk moved to strike out of line 1, section 4, the word "satisfactory," and insert the words "'sufficient under the rules of the examination."

Lost.
The committee amendment to section 5 was adopted.
Mr. Morrison of Keokuk moved to strike out the word "four," in section 9, line 1, and insert the word "three."

Mr. Mayne moved the previous question.
Carried.
On the amendment, Messrs. Morrison of Keokuk and McDonald demanded the yeas and nays, which resulted as follows:

On the question, "Shall the amendment prevail ?" the yeas were:

Messrs. Bell, Brighton, Clark, Cook, Crow, Doubleday, Evans, Finch, Frazee, Garner, Hunt, Jay, Johnson of Webster, Klemme, Lowry, McDonald, McDowell, Martin, Morrison of Keokuk, Parker, Scott, $\square$ Spaulding, Tibbitts, Van Houten, Ẅells, Wheeler, Williams, Wilson-28.

The nays were:
Messrs, Allen, Bailey, Baker, Bird, Bowen, Brady, Brant, Brinton, Byington, Chapman, Classen, Cornwall, Davis, Dowell, Early, Edwards, Frink, Funk, Good, Griswold, Grote,

Gurley, Hauger, Hayes, Hazen, Huntley, Jackson, Ladd, Lambert, Lauder, Loomis, McAchran, McArthur, Manahan, Marti, Mayne, Merriam, Miller of Buena Vista, Morrison of Grundy, Nietert, Nolan, Perrott, Porter, Potter, Power, Prentis, Putnam, Ray, Reed, Smith, St. John, Temple, Voelker, Watters, Weaver, Whelan, Whittier, Mr. Speaker--58.

Absent or not voting:
Messrs. Haugen, Hendershot, Hinkhouse, Hinman, Johnston of Franklin, Lavender, McNulty, McQuin, Miller of Cherokee, Miller of Warren, Mullin, Sullivan, Thompson, Wood-14.

So the amendment was lost.
Mr. Reed moved that the rule be suspended, and that the bill be considered engrossed and read a third time now, which motion prevailed and the bill was read a third time.

On the question, "Shall the bill pass?" the yeas were:
Messrs. Allen, Bailey, Baker, Bell, Bird, Bowen, Brady, Brant, Brighton, Brinton, Byington, Chapman, Clark, Classen, Cook, Cornwall, Crow, Davis, Dowell, Early, Edwards, Evans, Finch, Frink, Funk, Garner, Good, Griswold, Grote, Gurley, Hauger, Hayes, Hazen, Hunt, Huntley, Johnson of Webster, Klemme, Ladd, Lambert, Lauder, Loomis, Lowry, McAchran, McArthur, Manahan, Marti, Martin, Mayne, Merriam, Morrison of Grundy, Morrison of Keokuk, Nietert, Nolan, Perrott, Porter, Potter, Power, Prentis, Putnam, Ray, Reed, Smith, St. John, Temple, Tibbitts, Voelker, Watters, Weaver, Wells, Wheeler, Whelan, Whittier, Williams, Wilson, Mr. Speaker-76.

The nays were:
Messrs. Frazee, Jay, McDowell, Parker, Scott-5.
Absent or not voting:
Messrs. Doubleday, Haugen, Hendershot, Hinkhouse, Hinman, Jackson, Johnston of Franklin, Lavender, McDonald, McNulty, McQuin, Miller of Buena Vista, Miller of Cherokee, Miller of Warren, Mullin, Spaulding, Sullivan, Thompson, Van Houten, Wood-19.

So the bill passed and the title was agreed to.

## MESSAGE FROM THE SENATE.

The following message was received from the Senate:

[^0]Resolved by the Senate, the House concurring, That the President of the Senate and the Speaker of the House be requested to separate Code bills for consideration of the two houses in such a way as that bills first considered in one house shall be considered in the other house as messages from the house in which they were first considered.

Geo. A. Newman,
Secretary.
On motion of Mr. Finch, House file No. 30 and House file No. 48 were referred to Third Division Code Revision Committee.

Senate file No. 50, a bill for an act to revise, amend and codify the statutes in relation to Educational Board of Examiners, was read first and second time and referred to Committee on School and Text Books.

Concurrent resolution of Mr. Brant, relative to copyrighting the Code when completed, was taken up and adopted.

REPORT OF COMMITTEE ON ENROLLED BILLS.
Mr. Hauger, from the Committee on Enrolled Bills, submitted the following report:

Mr. Speaker-Your Committee on Enrolled Bills respectfully report that they have examined, and find correctly enrolled, House file No. 49, a bill for an act to revise, amend and codify the statutes in relation to the Superintendent of Public Instruction.

W. E. Hauger,<br>Chairman.

Ordered passed on file.
REPORT OF JOINT COMMITTEE ON ENROLLED BILLS.
Mr. Hauger, from the Joint Committee on Enrolled Bills, submitted the following report:

Mr. Speaker-Your Joint Committee on Enrolled Bills respectfully report that they have examined, and find correctly enrolled, House file No. 49. a bill for an act to revise, amend and codify the statutes in relation to the Superintendent of Public Instruction.

G. S. Gilbertson, Chairman Senate Committee.<br>W. E. Hauger, Chairman House Committee.

Ordered passed on file.
Mr. Allen called up the concurrent resolution from the Senate, just messaged over, and moved its adoption.

Carried.
The Speaker appointed as the committee to investigate the number of employes and duties of same, in the State departments, in accordance with the resolution of Mr. Funk passed
on yesterday, Messrs. Funk, Lauder, Davis, Baker, Voelker.
The Speaker appointed as the committee to investigate printing for State officers, in accordance with the resolution of Mr. Lambert passed on yesterday, Messrs. Lambert, Temple and Brant.

On motion of Mr. Morrison of Grundy, the House adjourned until 9 A. M. to-morrow.

> Hall of the House of Representatives, Des Moines, Iowa, Wednesday, February 10, 1897. $\}$

The House met at 9 A. m., with Speaker Byers in the chair.
Prayer was offered by Rev. Atwood of Des Moines.
The Speaker added to the committee appointed yesterday to investigate the printing of blanks for State officers, the following members: Messrs. Smith and Jay.

The Journal of yesterday was corrected and approved.

## PETITIONS AND MEMORIALS.

Messrs. Nietert, Cook, Frink, Nolan, Brant, Voelker and Byington presented remonstrances of citizens of their respective counties, against the passage of section 24 of the proposed revenue bill.

Referred to Committee on Ways and Means.
Messrs. Sullivan, Frink, Cornwall, Hinkhouse and Dowell presented petitions of citizens of their respective counties, asking the passage of a manufacturing bill.

Referred to Committee on Domestic Manufactures.
Messrs. Garner, Lambert, Power, Mullin, Miller of Buena Vista, Baker, Hinman and Dowell presented petitions of citizens of their respective counties, asking for a 2 -cent rate on railroads.

Referred to Committee on Railroads and Commerce.
Mr. McArthur presented remonstrance of citizens of Des Moines county, against any change in the present law relating to State printing and binding.

Referred to Committee on Printing.
Mr. Morrison of Keokuk, presented petition of citizens of Keokuk county, asking for a law licensing peddlers and hucksters.

Referred to Committee on Ways and Means.

Messrs. Cook and McArthur presented remonstrances of citizens of their respective counties, against taxation of the capital stock of corporations.

Referred to Committee on Ways and Means.
REPORTS OF COMMITTEES.
Mr. Allen, from the Committee on Code Revision, Second Division, submitted the following report:

Mr. Speaker-Your Committee on Code Revision, Second Division, to whom was referred chapters $26,33,34,35,42,43,46,76,78,83,100,102$, 103 and 107 of the Acts of the Twenty-sixth General Assembly, for the purpose of revision and codification, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the House with the statement that with the exception of said chapter 46 all of the chapters aforesaid are either amendatory or supplementary to the laws in force prior to the Twenty-sixth General Assembly, and that your said committee have no bills under consideration at the present time relating to the subject matter contained in such chapters, and that they would therefore recommend the following reference by the House of the foregoing chapters, as follows, viz:

To the Committee on County and Township Organization, chapters 26, $42,43,76,78,83$ and 100.

To the Committee on Telephone and Express, chapters 33 and 107.
To the Committee on Railroads and Commerce, chapters 34 and 35.
To the Committee on Military, chapters 102 and 103.
Your committee would further report that they will prepare and offer the provisions of chapter 46, relating to levees and drainage as an independent bill for the consideration of the House.

W. S. Allen, Chairman.

The report was referred to the Committee on the Distribution of the Acts of the Twenty-sixth General Assembly.

Mr. Cornwall, from the Committee on Judiciary, submitted the following report:

Mr. Speaker-Your Committee on Judiciary, to whom was referred House file No. 84, a bill for an act to revise, amend and codify the statutes in relation to evidence, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same do pass when amended as follows:

First-Amend page 850, chapter 1, section 6, line 3, by inserting between the words "other" and "but" the following: "or in a civil action by one against a third party for alienating the affections of the other."

Second.-Amend page 855, chapter 1, by striking out all of section 55 and inserting in lieu thereof the following, being section 3686 of the Code, as follows: 'The petition for that purpose must state the facts expected to be proved by such books or papers, and that, as the petitioner believes, such books and papers are under the control of the party agains: whom the rule
is sought, and must show wherein they are material. The rule shall thereupon be granted to produce the books and papers, or show cause to the contrary, if the court deems such rule expedient and proper."

Third.-Amend page 857 , section 62, of the same chapter, by inserting between the words "witness" and "are" in the first line, the words "except parties to the action."

Fourth.-Amend page 857 by inserting between 62 and 63 of the same chapter as section 62a, section 3817 of the Code as follows: "When the county or any party has paid the fees of any witness, and the same is afterward collected from the adverse party, the county or person so paying the same, shall upon the production of the receipt of such witness or other satisfactory evidence, be entitled to such fee, whether it be in the. hands of the justice or clerk, or has been paid into the county treasury."

Fifth.-Amend page 859 , section 83 of said chapter, by inserting in line 3, after the word "subpoena," the words "or is over seventy-one years of age," and by striking out of said line the following words, "for other cause."

Sixth.-Amend page 859 , section 88 of said chapter, by adding to the end of said section, chapter 74 of the Laws of the Twenty-sixth General Assembly, as follows:
"Whenever a party to any cause shall serve notice for the taking of any deposition, either within or without the State, upon commission, with interrogatories attached thereto, the opposite party may elect to crossexamine such witness orally at the time of the taking of such deposition, and in such event shall serve the moving party or his attorney, prior to the issuing of such commission, with notice of such election, and thereupon, before the deposition shall be taken, the moving party shall serve such opposite party or his attorney with notice of the day, hour and place (including the street and number if a city) of the taking of such deposition, and the name of the party before whom the same is to be taken, which notice shall be served not less than three days prios to the taking thereof, the day of service not being included; and one additional day for every three hundred miles distance between the place of the residence of such party, or his attorney, and the place where such deposition is to be taken.
"The oral cross-examination shall be reduced to writing by the commissioner the same as though taken on written cross-interrogatories; also, the moving party in the taking of said deposition may appear before such commissioner, if he so desires, in person or by agent or attorney, and examine such witness or witnesses orally in chief, and the re-examination and re-cross-examination shall proceed in the same manner; and if any such moving party, in the taking of such deposition shall not desire to examine such witaess or witnesses orally the commissioner shall propound the interrogatories in chief, in the usual manner of taking depositions on written interrogatories and the same rules with regard to examining witnesses and the same requirements with regard to returning of such depositions to the clerk of the court in which the same is intended to be used, as are now observed in practice, or required by law shall obtain."

Seventh.-Amend page 861, line 6, section 96, of the same chapter, by striking out the word "thirty" and inserting in lieu thereof the words "one hundred."

Eighth.—Amend page 861, section 97, of the same chapter, as follows:
Strike out of line 2 the words "whether written or" and insert in lieu thereof the word "if;" also insert in said line between the words "out" and "and," the following: "if written to be stated by number;" also, in line 3 , of said section, strike out the words "underneath the respective questions," and insert in lieu thereof the word "thersunder."

Ninth.-Amend page 861, section 98, line 2, by inserting between the words "person" and "named" the following: "previously sworn to correctly so do and;" also, amend line 5 of said section by inserting between the words "same" and "are" the following: "or a true copy thereof."

Tenth.-Amend page 862, line 1 , of section 102 , of said chapter, by inserting after the word "upon" the word "written" and also after the word "interrogatories," in same line, insert "alone."

Eleventh. -Amend page 863, section 110, line 4, of said chapter, by inserting between the words "exceptions" and "must" the following: "or motion to suppress such depositions."

Very truly yours,
W. W. Cornwall,

Chairman.
Ordered passed on file.
Mr. Temple, from the Committee on Code Revision, Division No. 1, submitted the following report:

Mr. Speaker-Your Committee on Code Revision, Division No. 1, to whom was referred House file No. 16, a bill for an act to revise, amend and codify the statutes relating to corporations, etc., beg leave to report that they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same do pass with amendments as follows:

Amend section 4, chapter 1, title 9, as follows: By striking out of lines 8 and 9 the words "and thereafter the corporation may commence operations" and add the following: "but before such certificate shall be issued, and the articles are recorded, the corporation shall pay to the Secretary of State as a franchise fee, the sum of twenty-five dollars, and the further sum of one dollar per thousand for all authorized stock in excess of ten thousand dollars, and each corporation now organized and doing business in this State which may hereafter increase its capital stock sinall pay in the same manner one dollar for each thousand dollars of increase, but in no event shall the fees collected under this section exceed the sum of three hundred and fifty dollars for any single corporation; but the provisions of this section shall not apply to workingmen's co-operative associations, nor farmers' mutual insurance companies, and only after the foregoing provisions have been complied with may the corporation commence operations.",

Amend section 5 of said chapter 1 by inserting therein after the word "stock" the words "and the private property of its members shall not be exempt from the payment of any excess of indebtedness so incurred."

Amend section 13 of chapter 1 by inserting in the first line thereof, after the word "articles," the words "powers, privileges."

Amend section 1 of chapter $z$ by inserting at the end of line 4 the words "political, amusement, military."

M. L. Temple, Chairman.

Ordered passed on file.
Also:
Mr. Speaker-Your Committee on Code Revision, Division No. 1, to whom was referred House file No. 17, a bill for an act to revise, amend and codify the statutes in relation to agricultural and horticultural societies and stock breeders' associations, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same do pass with amendments as follows:

Amend section 7, chapter 3, in the second line thereof, by* striking out the words, "or adjoining counties."

Amend section 15 of chapter 3 by adding at the end thereof the words, "or unless the former name is given."

Amend section 23 of chapter 3 by striking out of line 4 the word "awarded" and substituting the word "offered."

Amend section 29 of chapter 3, by adding or inserting in line 3 thereof, after the word "year." the words "which institute may be adjourned from time to time and place to place in said county."

Also amend said section 23 by inserting at the end of line 6 the words, "not to exceed."

Amend section 24, of chapter 3, by adding at the end of said section the following: "In case two or more organizations shall claim recognition as farmers' institutes, the bills shall be audited by the board of supervisors, as near as possible, equitably, but in no case shall more than three institutes be held in one year in any county, under the provisions of this chapter."

Amend section 26, of chapter 3, in line 4, by striking out the words "signal service" and inserting the words "weather bureau."

Amend chapter 3, section 27, line 7, by substituting the word "three" for the word "one."

M. L. Temple,<br>Chairman.

Ordered passed on file.

## REPORT OF COMMITTEE ON ENROLLED BILLS.

Mr. Hauger, from Committee on Enrolled Bills, submitted the following report:

Mr. Speaker-Your Committee on Enrolled Bills respectfully report that they have this day sent to the Governor for his approval:

House flle No. 49, a bill for an act to revise, amend and codify the statutes in relation to the Superintendent of Public Instruction.

W. E. Hauger,<br>Chairman.

Ordered passed on file.

On motion of Mr. Temple, House file No. 16, a bill for an act to revise, amend anu codify the statutes in relation to corporations for pecuniary profit, with report of committee recommending passage with amendments, was taken up and considered.

Mr. Haugen moved to amend the amendment of the committee to section 4, chapter 1, by adding after the word "to" as follows: "Building and loan associations, farmers' co-operative associations organized for the manufacture of butter, cheese, or other dairy products."

Mr. Martin moved to postpone action on this bill till $9 \mathrm{~A} . \mathrm{m}$. to-morrow.

Lost.
Mr. Merriam moved to adjourn till 2 p. m. in order that the amendments of the committee might be printed.

Lost.
Mr. Cornwall demanded a division of the amendment offered by Mr. Haugen.

On the question of "building and loan associations" the yeas were 46 , the nays 27.

So the first division of the amendment was adopted.
On the second division of the question, Messrs. Haugen and Finch demanded the yeas and nays, which resulted as follows:

On the question, "Shall the amendment prevail?" the yeas were:

Messrs. Bird, Bowen, Brant, Brighton, Classen, Cook, Cornwall, Crow, Finch, Frazee, Good, Haugen, Hauger, Hazen, Hinman, Jay, Johnson of Webster, Klemme, Loomis, McDowell, Manahan, Martin, Mayne, Merriam, Miller of Buena Vista, Morrison of Grundy, Morrison of Keokuk, Mullin, Potter, Prentis, Ray, Reed, Smith, Spaulding, St. John, Sullivan, Tibbitts, Voelker, Wheeler, Whelan, Whittier, Wilson, Wood, Mr. Speaker-44.

The nays were:
Messrs. Allen, Bailey, Baker, Bell, Brinton, Byington, Chapman, Clark, Davis, Doubleday, Dowell, Early, Edwards, Evans, Frink, Funk, Garner, Gurley, Hendershot, Hinkhouse, Hunt, Huntley, Jackson, Ladd, Lambert, Lauder, Lowry, McAchran, McDonald, McNulty, Marti, Miller of Warren, Nietert, Nolan, Parker, Porter, Power, Putnam, Scott, Temple, Thompson, Van Houten, Watters, Weaver, Wells, Williams -46 .

Absent or not voting:
Messrs. Brady, Griswold, Grote, Hayes, Lavender, Johnston of Franklin, McArthur, McQuin, Miller of Cherokee, Perrott-10.

So the amendment was lost.
Mr. Thompson made the following motion:
Mr. Speaker-I move to reconsider the vote whereby the second division of the amendment to section 4, chapter 1, offered by Mr. Haugen, House file No. 16, was lost.
J. A. Thompson.

I second the motion.
Chris. Marti.
Mr. Ladd moved a reconsideration of the vote on the first division of the question.

Adopted.
On the question to except building and loan associations from this act, the nays prevailed and the amendment was lost.

The amendment of the committee to section 4 , chapter 1, was then adopted.

Committee amendment to section 5, chapter 1, was adopted.
Mr. McArthur offered the following as a substitute to section 13 as amended by the committee: "Section 13. The articles, powers, and privileges and regulations of corporations organized under the provisions of this title, or amended thereunder, shall be subject to legislative control and may be altered, abridged, or set aside by law, and every franchise may be regulated, withheld or made subject to conditions imposed by the General Assembly."

Adopted.
Mr. Tibbitls moved to strike out of section 6, line 1, the words "which must be in the State."

Lost.
Committee amendment to section 1, chapter 2, was adopted.
Mr. Finch moved to add to section 20 of chapter 1, section 1 of chapter 81 of Acts of Twenty-sixth General Assembly.

Adopted.
Mr. Martin moved to strike out of section 20 , chapter 1, the words "having an interest therein," and inserting the words "desiring the same."

Lost by a vote of 22 yeas to 38 nays.
MESSAGES FROM THE SENATE.
The following messages were received from the Senate:

Mr. Speaker-I am directed to inform your honorable body that the Senate has passed the following bill, in which the concurrence of the House is asked:

Substitute for Senate file No. 45, a bill for an act to revise, amend and codify the statutes in relation to the system of common schools.

Geo. A. Newman,
Secretary.
Read first and second time and referred to Committee on School and Text Books.

Also:
Mr. Speaker-I am directed to inform your honorable body that the Senate has passed the following bill, in which the concurrence of the House is anked:

Senate file No. 15, a bill for an act to revise, amend and codify the statutes relative to the militia.

Geo. A. Newman,
Secretary.
Read first and second time and referred to Committee on Military.

On motion of Mr. Tibbitts, the House adjourned till 9 A. M. to-morrow.

$$
\left.\begin{array}{r}
\text { Hall of the House of Representatives, } \\
\text { Des Moines, Iowa, Thursday, February 11, } 1897 .
\end{array}\right\}
$$

The House met at 9 a. m., with Speaker Byers in the chair.
Prayer was offered by Rev. A. L. Golden, of Des Moines, Iowa.

## PETITIONS AND MEMORIALS.

Mr. Speaker and Messrs. Baker, Hinkhouse and Doubleday presented petitions of citizens of their respective counties, asking for the passage of a manufacturing bill.

Referred to Committee on Domestic Manufactures.
Messrs. Cornwall, Nolan, Thompson and Doubleday presented petitions of citizens of their respective counties, asking for a 2 -cent fare.

Referred to Committee on Railroads and Commerce.
Mr. Reed presented remonstrance of citizens of Story county, against the passage of a manufacturing bill.

Referred to Committee on Domestic Manufactures.
Mr. Byington presented petition of citizens of Johnson county, asking for a law to provide that coal shall be weighed by the city wood measurer and on scales owned by the city.

Referred to Committee on Municipal Corporations.
Mr. Doubleday presented memorial of Crocker Post No. 12, G. A. R., asking a levy of five-tenths mills when necessary for the Soldiers' Relief Fund.

Referred to Committee on Military.
Mr. Parker presented petition of citizens of Mills county, against the revenue bill as relating to building and loan associations.

Referred to Committee on Building and Loan Associations.
Mr. Voelker presented petition of the Typographical union No. 22, of Dubuque, against any change in present law in reference to State printer and binder.

Referred to Committee on Printing.

Mr. Johnson of Webster presented memorial of J. T. Svenson of Gowrie, Iowa, asking that sections 62 and 64 be stricken out of the new Code.

Referred to Committee on Ways and Means.
Mr. Funk presented petition of citizens of Radcliffe, Iowa, asking a board of examiners for all parties engaged in steam engineering.

Referred to Committee on Code Revision, First Division.
On motion of Mr. Bell, House file No. 47 was ordered recalled from the Senate.

Mr. Ray offered the following resolution and moved its adoption:

[^1]Adopted.
The Speaker appointed as such committee Messrs. Ray, Dowell and Lowry.

## INTRODUCTION OF BILLS.

By Mr. Brant, House file No. 89, a bill for an act to amend sections 17,18 and 24 of chapter 62, acts of the Twenty-fifth General Assembly, and to make the same applicable to cities organized and operating under special charters, was read first and second times.

On motion of Mr. Funk, rule 43 was suspended and the bill taken up and considered now.

Mr. Brant moved that the rule be suspended, and that the bill be considered engrossed and read a third time now, which motion prevailed and the bill was read a third time.

On the question, "Shall the bill pass?" the yeas were:
Messrs. Allen, Bailey, Baker, Bowen, Brady, Brant, Brinton, Byington, Chapman, Classen, Cornwall, Crow, Davis, Doubleday, Dowell, Early, Edwards, Funk, Good, Grote, Gurley, Haugen, Hauger, Hazen, Hendershot, Hinkhouse, Hiliman, Hunt, Jay, Johnston of Franklin, Klemme, Ladd, Lambert, Lauder, Lowry, McArthur, McDonald, McDowell, McNulty, Marti, Martin, Mayne, Merriam, Miller of Buena Vista, Miller of Warren, Morrison of Grundy, Morrison of Keokuk, Mullin, Nietert, Nolan, Parker, Porter, Potter, Power, Prentis, Putnam,

Ray, Reed, Smith, Sullivan, Temple, Thompson, Tibbitts, Voelker, Watters, Weaver, Wheeler, Whelan, Whittier, Williams, Wilson, Mr. Speaker-72.

The nays were:
Messrs. Bell, Clark, Cook, Finch, Frazee, Frink, Huntley, Jackson, Loomis, McAchran, Manahan, Scott, Spaulding, Van Houten, Wells- 15.

Absent or not voting:
Messrs. Bird, Brighton, Evans, Garner, Griswold, Hayes, Johnson of Webster, Lavender, McQuin, Miller of Cherokee, Perrott, St. John, Wood-13.

So the bill passed and the title was agreed to.
The following explanations of votes were filed:
Mr. Speaker-Having never in any way recognized the justice of the mulct law. I vote "no."

F. B. Manahan.

Mr. Speaker-I vote "aye" because there are a great many who have paid for the right to sell, and I do not believe it is right to deprive them of that right until their time expires.
J. P. McDowell.

Mr. Speaker-I vote " $n o$ " on House file No. 89, by Brant, because the bill does not provide for an opportunity to manufacture the goods for which the sale is provided.

> A. E. Jaceson.

The following motion to reconsider was filed.
Mr. Speaker-I move a reconsideration of the vote by which Martin's amendment to section 20, House file No. 16, was lost.

Wm. H. Klemme.

I second the motion.

W. G. Ray.

## REPORTS OF COMMITTEES.

Mr. Bowen, from the Committee on Public Health, submitted the following report:

Mr. Speaker-Your Committee on Public Health, to whom was referred House file No. 43, a bill for an act to revise, amend and codify the statutes in relation to the State board of health, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that thesame do pass with the following amendments:

Strike cut all of section 3, and insert in lieu thereof the following:
"Section 3. It shall be the duty of all assessors at the time of making assessment, to obtain and report to the county auditor upon blanks adopted by the State board of health, and furnished by the auditor, such registration of births and deaths as occur within their respective districts for the year ending December 31, immediately preceding."

Also strike out all of section 4 and insert in lieu thereof the following:
"Section 4. The clerk of the court in each county shall keep a book in which shall be recorded all marriages occurring within the county, together with such dates respecting the same as shall be required by the State board of health, and shall report to the secretary of the State board of health on or before the first day of June in each year such data respecting such marriages for the year ending December 31, immediately preceding. The auditor of each county shall keep a book in which shall be recorded all births and deaths occurring within the county as shown by the returns filed in his office by the assessor as provided in section 3; and on or before the first day of June in each year shall furnish to the secretary of the State board of health a report of such births and deaths."

In line 1 of section 6, page 519, strike out the word "it" and insert in lieu thereof the words "The local board;" also, in section 11, line 1, page 521, insert after the word "secretary" the following words, "of the State board of health;" also, in the same line and section strike out the word "State" after the word "the."

## D. H. Bowen, Chairman.

Ordered passed on file.
Mr. Finch, from the Committee on Code Revision, Division No. 3, submitted the following report:

Mr. Speaker-Your Committee on Code Revision, Division No. 3, to whom was referred House file No. 82, a bill for an act to revise, amend and codify the statutes relating to procedure in particular cases, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same do pass with the following amendments:

Page 803, section'7, insert between the words "pleading" and "must" the words "if in justice court."

Add to said section 7 the following: "If in district or superior courts, the same as is required in ordinary actions."

Page 803, section 8, line 1, insert the words "in justice court" between "made" and "for."

Page 805, section 5, line 4, insert the word "if" between the words "and" and "he."

Chapter 7, section 1, line 2, strike out "by a sheriff or constable."
Page 811, section 7, line 4, after "officer" insert "or person making sale."
Section 8, line 1, strike out the word "sheriff" and insert the words "officer or person."

Page 813, section 23, line 4, between "to" 'and "so," insert the word "do."

Page 813, section 23, line 5, strike out the word "sixty" and insert the word "thirty" in lieu thereof.

Page 813, section 23, line 5, after the word "requested" insert "in writing."

Add to said chapter 7 the following:
"Section 27. Any contract hereafter made for the sale of real estate in the State of Iowa, and which provides for the forfeiture of vendee's rights therein upon the happening of certain conditions, shall not be forfeited or cancelled unless thirty days before a declaration of forfeiture
is made a written notice be served on the vendee or assignee, notiee of whose right as assignee has been conveyed to vendor and on the party in possession of said rea estate, which notice shall be served in the same manner and by the same parties authorized to serve original notices, and shall contain a decl sion of an intention to forfeit said contract and the reason therefor.
"Section 28. For the period of thirty days after service of said notice, the vendee or those claiming under him, may discharge any unpaid payment and costs of service of notice of forfeiture, or perform any condition broken; and, if said payments are made or said conditions broken are performed within said period of thirty days, the right to forfeit for default occurring before said notice is served is terminated.
"Section 29. The requirements contained in sections 27 and 28 shall be operative in all cases where the intention of the parties, as gathered from the contract and surrounding circumstances, is to sell or agree to sell an interest in real estate, any contract or agreement of the parties to the contrary notwithstanding."

Chapter 8, section 4, line 1, between "duty" and "is" insert the word "it."

Chapter 8, strike out all of section 6.
Page 818, section 10, line 4, before the word "judge" insert "or;" after the word "either" strike out the word "or."

After each chapter and number thereof add "title XXI."
Strike out all references, marginal figures and underscoring.

Ordered passed on file.
Mr. Reed, from the Committee on School and Text Books, submitted the following report:

Mr. Speaker-Your Committee on School and Text Books, to whom was referred House file No. 63, a bill for an act to revise, amend and codify the statutes in relation to the school fund, being chapter 16 of title XIII, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same do pass with the following amendments:

Section 1, line 8, strike out "interstate" and insert 'intestate."
Section 3, line 2, after the word "section" strike out "of" and insert "or."

Section 4, line -, strike out "of" after the word "section" and insert "or."

Section 9, line 3, strike out "three" and insert "six."
Strike out all marginal and reference numbers.
J. F. Reed,

Chairman.
Ordered passed on file.
Mr. Wood, from the Committee on Appropriations, submitted the following report:

Mr. Speaker-Your Committee on Appropriations, to whom was referred House file No. 1, a bill for an act making a special appropriation for the Institution for Feeble Minded, at Glenwood, Iowa, beg leave to report that they have had the same under consideration and have instructed me to report a substitute for the same back to the House with the recommendation that the substitute do pass.

> A. L. Wood, Chairman.

Substitute read first and second time and ordered passed on file.

Mr. Davis, from the Committee on Pharmacy, submitted the following report.

Mr. Speaker-Your Committee on Pharmacy, to whom was referred chapter 18, title 12 , a bill for an act to revise, amend and codify the atatutes in relation to pharmacy, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same do pass with the following amendments:

Amend by inserting after section 1, sections 1, 2 and 3, of chapter 59, of the laws of the Twenty-sixth General Assembly, regular gession.

Section 1. That the commissioners of pharmacy shall annually, on the first Monday in May, elect a suitable person, who shall not be a member of said board, and who shall be known as "secretary and treasurer;" said secretary and treasurer shall enter upon the discharge of his duties as soon as he shall have filed with the Secretary of State a good and sufficient bond, in the penal sum of fifteen hundred dollars, signed by at least two sureties, who shall justify in the aggregate to double the amount of said bond, and which shall bear upon its face the approval of the Governor.

The salary of said secretary and treasurer shall not exceed fifteen hundred dollars per annum.

Section 2. The secretary and treasurer shall keep in his office a book known as the "commissioners of pharmacy license and fee book," which shall be made with ruled columns and printed headings, showing the date, the name of the person paying, and the amount of each license and fee paid, in which he shall enter all fees or licenses received by him, and on the first Monday of each month he shall file with the Auditor of State a true statement thereof for the previous month, properly sworn to by him, and shall quarterly pay into the State treasury, on the first day of January, April, July and October of each year, the amount of license fees payable by law into such treasury.

Section 3. The books, accounts, vouchers and funds belonging to, or kept by said board of commissioners of pharmacy, shall at all times be open or subject to the inspection of the Governor, or any committee appointed by him.

Section two (2), line 6, after the word "prescription" insert the word "only."

Seetion 4, line 2, strike out after "dollars" the words "and with an examination five dollars" and insert the following: "and each and every person whom they examine orally, or whose answers to a schedule of questions are
returned subscribed to under oath, the sum of five dollars, which shall be in full for all services. And in case the examination of said person shall prove defective and unsatisfactory and his name not be registered he shall be permitted to present himself for re-examination within any period not exceeding twelve months, next thereafter, and no charge shall be made for re-examination. The said commissioners are authorized to administer oaths and take and certify the aeknowledgments of instruments in writing."

Section 7, line 17, strike out "both" and "purchaser" and insert "the dispenser."

Section 8, line 3, insert after the word "treasurer" the words "of the commission of pharmacy," and in line 7 add to said section the following: "and shall, upon conviction, pay a fine of not lems than one hundred dollars (\$100), nor more than two hundred dollars (\$200)."
"In actions or prosecutions under this chapter it need not be"proven that the defendant has not a license, but such fact shall be a matter of defense.' M. J. Davis, Chairman.

Ordered passed on file.
Mr. Brinton, from the Committee on Code Revision, Fourth Division, submitted the following report:

Mr. Sphaker-Your Committee on Code Revision, Fourth Division, to whom was referred certain acts of the Twenty-sixth General Assembly, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same be re-referred as follows:

Chapter 15, to the Commitree on Cities and Towns.
Chapter 37, to the Committee on School and Text Books.
Chapter 38, to the Committee on School and Text Books.
Chapter 39, to the Committee on School and Text Books.
Chapter 40, to the Committee on School and Text Books.
Chapter 49, to the Committee on Public Libraries.
Chapter 50, to the Committee on Public Libraries.
Chapter 62, to the Committee on Elections.
Chapter 68, to the Committee on Elections.
Chapter 80, to the Committee on Fish and Game.
Chapter 92, to the Committee on Mines and Mining.
Chapter 93, to the Committee on Mines and Mining.
M. H. Beinton, Chairman.
Referred to Committee on Distribution of the Acts of Twenty-sixth General Assembly.

Also:
Mr. Speaker-Your Committee on Code Revision, Fourth Division, to whom was referred House file No. 85, a bill for an act to revise, amend and codify the statutes in relation to crimes and punishments, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the House with the following amendments:

Page 869, section 34, line 2, strike out the word "three" and insert the word "five."

Same page, section 35, line 2, strike out the word "or" and insert the word "of."

Page 870, beginning with and including section 40 , increase the section numbers by 2 through the chapter, and insert as sections 40 and 41 the following:

Sec. 40. Every husband shall be deemed guilty of a misdemeanor who shall, without good cause, abandon his wife and wilfully neglect or refuse to maintain and provide for her, or who shall abandon his child or children under the age of twelve years, and wilfully neglect or refuse to maintain and provide for such child or children.

Sec. 41. No other evidence shall be required to prove that such husband was married to such wife, or that he is the lawful father of such child or children, than is or shall be required to prove such fact or facts in a civil action.

Page 873, section 15, lines 5 and 6 , strike out the words, "and the possession of such tools or implements shall be presumptive evidence of his intent to commit burglary."

Same page, beginning with and including section 18, increase the section numbers throughout the chapter by ouc insert as section 18 the following, being chapter 36 of the Twenty-sixth General Assembly.

Sec. 18. If any person unlawfully break and enter any freight or express car which is sealed or locked, in which any goods, merchandise, or valuable things are kept for use, deposit or transportation, he shall be imprisoned in the penitentiary not more than five years, or be fined not exceeding one hundred dollars, and imprisoned in the county jail not more than one year.

Same page, section 18, line 5, strike out the word "fifteen" and insert the word "five."

Same page, section 19, line 4, strike out the words, "in the first degree."
Page 874, section 21, line 6, strike out the word "ten" and insert the word "three."'

Same page, section 22, line 5, strike out the words "nor less than one year."

Pages 876 and 877 , strike out the whole of section 19.
Page 877, strike out the numbers of sections $20,21,22,23$ and 24 and insert the numbers 19, 20, 21, 22 and 23 in lieu thereof. And insert as section 24 the following, being chapter 87 acts of the Twenty-sixth General Assembly:

Sec. 24. If any person maliciously, wilfully and feloniously cut, break, sever or unfasten any tug, strap, line or other part of any harness, attached to any horse or team, or maliciously and feloniously remove, break, unfasten or injure any part of any vehicle, he shall be imprisoned in the penitentiary not to exceed one year, or be imprisoned in the county jail not to exceed six monthe or be fined not to exceed five hundred dollars.

Page 879, section 1, line 8, strike out the word "five" and insert the word "fifteen."

Page 879, beginning with section 4, increase the section numbers by three throughout the chapter and insert as sections 4, 5 and 6 , the following, being chapter 71, of the acts of the Twenty-sixth General Assembly.

Sec. 4. Whoever shall wilfully take, carry away, or otherwise convert to his own use, or sell or dispose of, without the consent of te o wner or owners, any pile, logs, or cant suitable to. be worked into plank, board, joists, shingles, or other lumber, the property of another, whether the owner thereof be known or unknown, lying or being in any lake, bay, or river in or bordering on this state or in any tributary of such lake, bay, or river, or tributary, or on any shough, ravine, island, bottom, or land adjoining any such lake, bay, or river, or tributary, such property being so taken, carried away, or otherwise converted, or sold, or disposed of within this State, or taken possession of with intent to sell or dispose of, as aforesaid, or cuts out, mutilates, destroys, or renders illegible the marks or mark thereon, destroying the identification thereof, or in any manner wilfully injures any such logs, not his own, or places upon such logs, or pieces of timber, any mark or device other than the original mark or device, shall be deemed guilty of the crime of larceny, and on conviction thereof, shall be fined not less than $\$ 50$, and be imprisoned in the county jail not less than three months, and on a second conviction for a like crime shall be I not less han $\$ 100$ and be imprisoned in the penitentiary not more than two years.

Sec. 5. Every person guilty of any of the offenses described in the preceding section, shall, whether convicted thereof in a criminal prosecution or not, be liable to pay the owner or owners of such pile, log, cant or other lumber respecting which the offense is committed, double the amount of the value of the same, to be recovered in an action therefor.

Sec. 6. In any prosecution under the two preceding sections, if any such pile, logs or cant shall be found in the possession of the defendant, either with or without the mark cut out or destroyed, or partly cut out or destroyed, or partly sawed or manufactured into lumber of any kind, fence posts, fence rails or stove wood, such possession shall be presumptive evidence of his guilt; the owner of any such pile, log, cant or other lumber, may at any time lawfully, by himself or agent, enter in a peaceable manner into or upon any mill or mill-boom or raft of logs, piles, cant or other lumber in any river or its tributaries in or bordering on this State, or on or near the banks of such lakes, bays or rivers or their tributarien in search of any such pile, log, cant or other lumber which he may have lost, and any person who shall wilfully prevent or obstruct such search shall, upon conviction thereof, be liable to a penalty of not less than twenty dollars nor more than fifty dollars for every such offense.

Page 880, section 7, line 12, strike out the word "five" and insert the word "fifteen."

Page 880, insert after section 7 the following, being chapter 67 of the acts of the Twenty-sixth General Assembly:

Any such officer, who shall receive any money belonging to the State, county, township, school or municipality, or State institution of which he is an officer, shall be deemed to have received the same by virtue of his office, and in case he fails or neglects to account therefor upon demand of the person entitled thereto he shall be deemed guilty of embezzlement and shall be punished as above provided.

Page 888, section 20, line 3, insert after the word "ten" the word "years."

Page 889, mection 23, line 3, insert after the word "custody" the words "with or without a warrant."

Page 889, strike out section 27 and insert the following, being chapter 106, acts of the Twenty-sixth Geperal Assembly:

Sec. 27. If any person confined in a county jail upon any criminal charge, either before or after a conviction for a criminal offense, break jail and escape therefrom, he shall be imprisoned in such jail not exceeding one year and fined not exceeding three hundred dollars; provided, that when such jail breaking occurs during incarceration after conviction or before trial for a criminal offense whereof he is afterwards convicted, in either of such cases, the sentence to commence from and after the expiration of the sentence upon the original charge.

Page 894, amend the title to chapter 9 by prefixing the word "Of" thereto.
Page 895, section 5, line 6, insert after the second word "son," the following: "or if any man or woman marry within the fourth degree of conmanguanity."

Page 897, section 20, line 2, after the word "printed," insert the words "or written." Same section, line 4, after the word "printed," insert the words "or written." Same section, lines 6 and 7, strike out the words "county jail," and insert the word "penitentiary." Same section, line 7, strike out the words "thirty days," and insert the words "one year." Eame line, strike out the word "hundred," and insert the word, "thousand."

Page 898, beginning with and including section number 27, increase the section numbers by 1 , and insert as section 27 , the following:

Sec. 27. If any person exhibit through a phonograph or any other instrument for receiving and reproducing the human voice, any story, song, or any other matter containing any obscene, indecent, or immoral language, he shall be imprisoned in the penitentiary not more than one year, or be fined not exceeding one thousand dollars.

Page 902, section 9, line 2, insert after the word "food," the words "or confection."

Page 906, strike out the section numbers 4 and 5 and substitute therefor the numbers 5 and 6 and insert as section 4 the following, being chapter 95, acts of the Twenty-sixth General Assembly.

Sec. 4. Any person who shall keep and maintain in any shop, house, room, or other place, to be resorted to by other persons in which opium or any of its preparations or compounds, is sold or given away to be smoked or used in such place, or who allows opium or any of its preparations to be smoked in such shop, house, room, or other place, and every person who resorts to such shop, house, room, or other place for the purpose of smoking opium or its preparations and compounds shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined not exceeding five hundred dollars or imprisoned in the county jail not exceeding six months, or both.

The State, upon the trial of any person indicted for keeping a place described in this section, may, for the purpose of establishing the charaeter of the place so kept by the defendant, introduce evidence of the genoral reputation of such place so kept, and such evidence shall be competent for such purpose.

Pages 906 to 909 , beginning with and including section number 6 and extending to and including section number 21, increase the section numbers by 2 , and on page 906 insert as section 7 the following, being chapter 96, acts of the Twenty-sixth General Assembly.

Sec. 7. No one, by himself, clerk, servant, employe, or agent, shall, for himself or any person else, directly or indirectly, or upon any pretense, or by any device, manufacture, sell, exchange, barter, dispense, give in the consideration of the purchase of any property, of any services, or in evasion hereof, or keep for sale any cigarettes, or cigarette paper, or cigarette wrappers, or any paper made or prepared for the purpose of making cigarettes, or for the purpose of being filled with tobacco for smoking; or own, or keep, or be in any way concerned, engaged or employed, in owning or keeping any such cigarettes or cigarette paper, or wrappers with intent to violate any provision of this section; or authorizo or permit the same to be done; whoever is found guilty of violating any of the provisions of this section for the first offense shall pay a fine of not less than twenty-five dollars nor more than fifty dollars and costs of prosecution, and stand committed to the county jail until such fine and costs are paid; for the second and each subsequent offense he shall pay, upon conviction thereof, a fine of not less than one hundred dollars nor more than five hundred dollars and the costs of prosecution, or be imprisoned in the county jail not to exceed six months; provided, that the provisions hereof shall not apply to the sales of jobbers doing an inter-state business with customers outside the State.

Page 907, section 10, line 3, strike out the words "ruffed grouse or pheasant, wild turkey or." Same section, line 4, strike out the word "October" and insert the word "November." Same section, strike out all after the word "August" and insert at the close of the section the following: "the killing of any ruffed grouse or pheasant or wild turkey is prohibited until November 1, 1892, and thereafter between the first day of January and first day of October in each year."

Page 907, section 11, line 3, strike out the word "twenty-five" and insert the word "fifteen." Same section, line 4, strike out the word "twenty-five" and insert the word "fifteen."

Page 908, section 15, line 5, strike out the words "twenty-five dollars for each wild deer, elk or fawn."

Page 909, section 20, line 4, strike out the words "horse, mule or ass" and insert the word "animal."

Same page, section 21, line 3, strike out the words "horse, mule or ass" and insert the word "animal."

Same page, insert after section 23 as sections $24,25,26,27$ and 28 the following:

Sec. 24. The owner or person having charge of any swine, any of which die or are killed on account of any disease, shall, upon such fact coming to his knowledge, immediately burn or bury the same three feet beneath the surface.

Sec. 25. No person shall sell or give away, or offer for sale any swine that have died of any disease, or that have been killed on account of any disease.

Sec. 26. No person shall convey upon or along any public highway or other public ground, or any private land, except that owned or leased by him, any diseased swine, or swine that have died of, or have been killed on account of any disease. Upon the trial for the violation of the provisions of this section, the proof that any person has hauled, or is hauling, dead swine from a neighborhood in which swine have been dying, or are at the time dying, from any disease, shall be presumptive evidence of his guilt.

Sec. 27. It shall be unlawful for any person negligently or wilfully to allow his hogs or those under his control, infested with any disease, to escape his control or run at large.

Sec. 28. Any person violating or failing to comply with any provision of the four preceding sections shall be fined not less than five nor more than one hundred dollars, or be imprisoned in the county jail not to exceed thirty days, or both.

Page 909, beginning with and including section number 26, increase the section numbers by 3 up to and inoluding section number 33. And insert

Sec. 34. It shall be the duty of every person or corporation owning, ocempying or controlling lands, lots or other real property, or any highway supervisor or other public officer having charge of any street or highway, tn cut and burn or otherwise entirely destroy any Russian thistles growing on said premises, right-of-way, highway or street, between the twenty-fifth day of July and the tenth day of August of each year, and any person, corporation or public officer neglecting to destroy all such Russian thistles between said dates, after notice of their presence in writing, to said person or corporation or officer, or to an agent of any said person or corporation, by any person, shall be deemed guilty of a misdemeanor and be punished accordingly.

Sec. 35. It shall be the duty of all persons knowing of the presence of Russian thistles upon any premises, lands, lots, streets, highways or elsewhere, in any township, at any time after the tenth day of August and before the fifteenth day of August, to give notice in writing to the owner, cccupant, persons or corporations in possension or control thereof, and if not destroyed by such owner, occupant, or persons in possession by the twentieth day of August, to give notice in writing immediately after the twentieth day of August of that year, to any member of the board of township trustees in which said thistles are growing; or if within a city or incorporated town then to give notice in writing to the mayor, recorder, or clerk thereof; who shall, on or before the fifth day of September, cause the same to be cut, burned or otherwise totally destroyed.

The reasonable costs of destroying said thistles and of serving said notices aforesaid shall be paid out of the general county fund on the certificate of the board of township trustees or city or town council of the amount of the same, which certificate shall describe the lands or lots upon which said thistles are destroyed and the amount of costs for destroying the same on each tract, together with the costs of serving said notices thereon, and upon the filing of a certificate in the Auditor's office the county board of supervisors shall cause the amount so paid to be levied as a special tax against the premises on which said thistles have been
destroyed, and against the persons or corporations owning said premises, and the county treasurer shall collect the same as any other tax and return it to the county fund. The costs for serving said notices on said officers shall be the same as original notices in justices courts, but only one sueh charge for serving said notices shall be taxed against each owner of said land.

Page 910, section 30, line 2, strike out the word "bull" and insert the words "any other."

Page 912, beginning with and including section number 6 , increase the section numbers by one throughout the chapter. And insert as section 6, the following:

Sec. 6. If any person publicly curse or use abusive language towards another person, or publicly uses blasphemous, obscene or offensive language, he shall be imprisoned in the county jail not exceeding thirty days or be fined not exceeding one hundred dollars, or both.

Page 913, section 9, line 4, strike out the words "of this Code."
Page 914, section 9, line 1, insert after the word "has," the word "adopted."

Page 915, section 10, line 11, prefix to the word "incorporated," the syllable "un."

Page 915, section 11, line 4, insert after the word "the," the words "name or."

Page 918, section 31, insert at the end of line 2 the following: "Free Mason, Odd Fellows, Knights of Pythias, or any other secret or fraternal order having adopted any specific badge or button."

Page 919, add to section 32 the following, being the last five lines of section 5462 of McClain's Code: "All persone aiding, ensouraging, advising or confederating with, or knowingly harboring or concealing any such person or persons, or in any manner being accessory to the commission of the above described offense, or confederating together for the purpose of playing such games, shall be deemed principals therein, and punished accordingly."

Page 920, section 3, line 1, insert after the second word "houses" the words "or houses resorted to for the use of opium or hasheesh."

And when so amended recommend that the same do pass.
M. H. Brinton,

Chairman.
Mr. Weaver, from the Committee on Fifth Division Code Revision, submitted the following report:

Mr. Speaker-Your Committee on Fifth Division Code Revision, to whom was referred House file No. 66, a bill for an act to revise, amend and codify the statutes in relation to "rights of property," being title 14, page 598 of Revision, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same do pass with the following amendments:

Strike out sections 1 and 2 of chapter 1, page 597, and insert the following:

Non-resident aliens, or corporations incorporated under the laws of any foreign country, or corporations organized in this country, one-half
of the stock of which is owned or controlled by non-resident aliens, are prohibited from acquiring title to or holding any real estate in this State except as hereinafter provided, save that the widow and heirs and devisees being non-resident aliens of any alien or naturalized citizen who has acquired real estate in this State, may hold the same by devise, descent or distribution for a period of twenty years, and if at the end of that time such real estate has not been sold to bona flde purchaser for value, or such alien heirs have not become residents of this State, such land shall escheat to the State. Provided, that nothing in this act contained shall prevent aliens from having or acquiring property of any kind within the corporate limits of any city or town in the State or lands not to exceed three hundred and twenty acres in the name of one person, or any stock in any corporation for pecuniary profit or from alienating or devising the same.

The provisions of this chapter shall not effect the distribution of personal property and shall apply to real estate heretofore devised or descended when no proceedings of forfeiture have been commenced, which shall be section 1 .

That section 3 be section 2.
That section 4 be section 3 .
That section 5 be section 4 .
That section 6 be section 5 .
In chapter 2 , on page 599, strike out the word " $a$ " before the word "municipal" in line 2, section 2, and insert the words "any other."

In section 6, page 600, insert before the word "vote" in line 14, the words "yea and nay;" also, before the word "vote" in line 17 of same section insert the words "yea and nay." At the end of section 2, chapter 4, on page 602, add the following: "No incumbrance of personal property which may be held exempt from execution by the head of a family, if a resident of this State under the provisions of law, shall be of any validity unless the same be by written instrument, and unless the husband and wife, if both be living, concur in and sign the same joint instrument.'

In section 1, chapter 8, page 613, insert the words "joint instrument" after the word "same" in line 2 of section 3 .

On page 615, chapter 9, strike out the word "such" in line 5, section 5 , and insert after the word "property" in sane line "subject to lien under farm leases."

In section 5, line 6, strike out all of section after the word "and" and add the following: "indexed in a book in which the county recorder shall index all leases filed in his office, describing the leased premises, showing. the amount for which the lien is claimed, the date sueh lease was made, the date of filing, and the date of expiration. Such recorder shall receive for filing and indexing leases the sum of twenty cents.

H. O. Weaver,<br>Chairman.

Ordered passed on file.
The House here took up the pending bill, House file No. 16, relative to corporations for pecuniary profit.

The motion to reconsider the vote whereby amendment of Mr. Martin to section 20 was lost, was adopted.

Amendment of Mr. Martin adopted.
Mr. Thompson called up his motion to reconsider the vote whereby the second division of amendment to section 4, chapter 1, was lost.

Motion to reconsider adopted.
On the amendment Messrs. Thompson and Tibbitts demanded the yeas and nays, which resulted as follows:

On the question, "Shall the amendment prevail?" the yeas were:

Messrs. Bell, Bird, Bowen, Brighton, Classen, Cook, Cornwall, Crow, Finch, Frazee, Frink, Garner, Good, Grote, Haugen, Hauger, Hayes, Hendershot, Hinman, Hunt, Huntley, Jay, Johnston of Franklin, Klemme, Ladd, Loomis, McDowell, Manahan, Marti, Martin, Mayne, Merriam, Miller of Buena Vista, Miller of Warren, Morrison of Grundy, Morrison of Keokuk, Mullin, Nolan, Porter, Prentis, Putnam, Ray, Reed, Scott, Smith, Spaulding, St. John, Sullivan, Thompson, Tibbitts, Watters, Wheeler, Whelan, Whittier, Wilson, Wood, Mr. Speaker-57.

The nays were:
Messrs. Allen, Baker, Brady, Brinton, Chapman, Clark, Davis, Doubleday, Early, Edwards, Evans, Funk, Gurley, Hinkhouse, Jackson, Lambert, Lauder, Lowry, McAchran, McArthur, McDonald, McNulty, Nietert, Parker, Potter, Power, Temple, Van Houten, Voelker, Weaver, Wells, Williams-32.

Absent or not voting:
Messrs. Bailey, Brant, Byington, Dowell, Griswold, Hazen, Lavender, Johnson of Webster, McQuin, Perrott, Miller of Cherokee.

So the amendment prevailed.
Mr. Potter moved to amend as follows: Amend section 5, chapter 1 , line 4, by striking out the word "members" and. insert in lieu thereof the words "officers and directors."

Lost.

* r. Temple moved that the rule be suspended, and that the bill be considered engrossed and read a third time now, which motion prevailed and the bill was read a third time.

On the question, "Shall the bill pass?" the yeas were:
Messrs. Allen, Bailey, Baker, Bell, Bird, Bowen, Brady, Brant, Brighton, Brinton, Byington, Chapman, Clark, Classen,

Cornwall, Crow, Davis, Doubleday, Dowell, Edwards, Frazee, Frink, Funk, Good, Gurley, Haugen, Hauger, Hayes, Hazen, Hendershot, Hinkhouse, Hinman, Hunt, Huntley, Jackson, Jay, Johnston of Franklin, Klemme, Ladd, Lambert, Lauder, Loomis, Lowry, McAchran, McDonald, McDowell, McNulty, Manahan, Martin, Mayne, Merriam, Miller of Buena Vista, Miller of Warren, Morrison of Grundy, Morrison of Keokuk, Mullin, Nietert, Nolan, Parker, Porter, Power, Prentis, Putnam, Ray, Reed, Scott, Smith, Spaulding, St. John, Sullivan, Temple, Thompson, Voelker, Watters, Wells, Wheeler, Whittier, Williams, Wilson, Wood, Mr. Speaker-81.

The nays were:
Messrs. Cook, Early, Evans, Finch, Johnson of Webster, McArthur, Potter, Tibbitts, Van Houten, Weaver, Whelan-11. Absent or not voting:
Messrs. Garner, Griswold, Grote, Lavender, McQuin, Marti Miller of Cherokee, Perrott-8.

So the bill passed and the title was agreed to.
MESSAGES FROM THE SENATE.
The following messages were received from the Senate:
Mr. Speaker-I am directed to inform your honorable body that the Senate herewith returns House file No. 47, as requested by the House.

Geo. A. Newman, Secretary.

## Also:

Mr. Speaker-I am directed to inform your honorable body that the Senate has passed the following bill, in which the concurrence of the House is asked:

Senate file No. 20, a bill for an act to revise, amend and codify the statutes in relation to the construction and operation of railways.

Geo. A. Newman, Secretary.

## Also:

Mr. Speaker-I am directed to inform your honorable body that the Senate has passed the following joint resolution, in which the concurrence of the House is asked:

Joint resolution No. 2, relative to the removal of the pension office from Des Moines.

JOINT RESOLUTION NO. 2.
Whereas, It is reported that the Interior Department proposes to remove the pension offices from the cities of Des Moines and Topeka to the city of St. Louis; and,

Whereas, Such removal will cause much inconvenience to a large number of pensioners in Iowa and Nebraska, who now receive their pensions through the pension office at Des Moines; therefore, be it

Resolved, by the General Assembly of the State of Iowa, That we earnestly protest against said contemplated removal of the pension office from the city of Des Moines and that we urge our Senators and Representatives in Congress to oppose the aforesaid proposed removal.

Resolved, That the Secretary of the Senate is instructed to transmit a copy hereof to each of our Senators and Representatives in Congress from Iowa.

> Geo. A. Newman, Secretary.

Read first and second time.
Mr. Dowell moved that the rule be suspended and the joint resolution be read a third time now.

Carried.
On the question, "Shall the joint resolution be adopted?" the yeas were:

Messrs. Allen, Bailey, Baker, Bell, Bird, Bowen, Brady, Brant, Brighton, Brinton, Byington, Clark, Classen, Cook, Cornwall, Crow, Davis, Doubleday, Dowell, Early, Edwards, Evans, Finch, Frazee, Frink, Funk, Good, Grote, Gurley, Hauger, Hazen, Hendershot, Hinkhouse, Hinman, Hunt, Huntley, Jackson, Jay, Johnson of Welster, Johnston of Franklin, Klemme, Ladd, Lauder, Loomis, Lowry, McAchran, McArthur, McDonald, McDowell, McNulty, Manahan, Marti, Martin, Mayne, Merriam, Miller of Buena Vista, Miller of Warren, Morrison of Grundy, Morrison of Keokuk, Mullin, Nietert, Nolan, Parker, Porter, Potter, Power, Prentis, Putnam, Ray, Reed, Scott, Smith, Spaulding, St. John, Temple, Thompson, Tibbitts, Van Houten, Voelker, Watters, Weaver, Wells, Wheeler, Whittier, Williams, Wood, Mr. Speaker-87.

The nays were:
Messrs. Hayes, Lambert, Sullivan, Whelan-4.
Absent or not voting:
Messrs. Chapman, Garner, Griswold, Haugen, Lavender, McQuin, Miller of Cherokee, Perrott, Wilson-9.

So the resolution was adopted.
Mr. Whelan offered the following explanation of his vote:
Mr. Spfaker-Believing that the Iowa delegation is fully capable of looking after all matters concerning the welfare of the State, and opposing all resolutions instructing them, I vote "no."

## M. K. Whelan.

Calendar No. 33, being House file No. 84, a bill for an act to revise, amend and codify the statutes in relation to evidence, with report of committee recommending passage with amendments, was taken up and considered.

Mr. Dowell was called to the chair.
The committee amendment to section 6, chapter 1, was adopted.

The committee amendment to section 55, chapter 1, was adopted.

The committee amendment to section 62, chapter 1 , was adopted.

The committee amendment to insert section $62 a$ between sections 62 and 63 was adopted.

On the committee amendment to section 83, chapter $1, \mathrm{Mr}$. Early demanded a division of the question as follows: The first division to insert the words "or is over 70 years of age," was adopted.

The second division to strike out the words "for other causes," was also adopted.

Mr. Reed moved to amend section 25, chapter 1, by inserting after the word "contract" the words, "and no evidence of a change in any written contract."

Amendment adopted by 38 yeas to 36 nays.
Mr. Doubleday moved to strike out the word "in" and insert the word "by" in lieu thereof in line 1, section 85.

Lost.
Speaker Byers resumed the chair.
The committee amendment to section 88, chapter 1, was .adopted.

The committee amendment to section 96 , chapter 1 , was adopted.

MESSAGE FROM THE SENATE.
The following message was received from the Senate:
Mr. Spisier-I am directed to inform your honorable body that the Senate has amended the following bill, in which the concurrence of the Senate was asked:

Senate file No. 49, a bill for an act to revise, amond and codify the statates in relation to county superintendent.

Geo. A. Newman,

Secretary.
SENATE MESSAGES.
Senate file No. 20, a bill for an act to revise, amend and codify the statutes in relation to construction and operation of railways, was read first and second time and referred to Committee on Railroads and Commerce.

On motion of Mr. Johnston of Franklin, House adjourned until 9 o'clock A. M. to-morrow.

Hall of the House of Representatives, Des Moines, Iowa, Friday, February 12, 1897. $\}$

The House met at 9 A. M., with Speaker Byers in the chair.
The opening prayer was offered by Rev. R. W. Hughes of Des Moines.

The Journals of Wednesday and Thursday were corrected and approved.

## PETITIONS AND MEMORIALS.

Messrs. Prentis, Classen, Gurley, Spaulding and Davis presented petitions of citizens of their respective counties, requesting the enactment of a fire marshal law.

Referred to Committee on Insurance.
Mr. Reed presented remonstrance of citiz jns of Story county, against the passage of a manufacturing bill.

Referred to Committee on Domestic Manufactures.
Messrs. Griswold, Brant, Klemme, Early, Brady and Tibbitts, presented petitions of citizens of their respective counties, asking for a 2 -cent rate on railroads.

Referred to Committee on Railroads and Commerce.
Messrs. Weaver, Power, Mullin, Brighton, McArthur and Hunt presented petitions of boards of supervisors of the first congressional district, asking certain changes in present laws.

Referred to Committee on County and Township Organization.

Messrs. Thompson, Nolan and Dowell presented petitions of citizens of their respective counties, asking the passage of a manufacturing bill.

Referred to Committee on Domestic Manufactures.
Mr. Nolan presented remonstrance of citizens of Dubuque county, against the proposed revenue bill in relation to building and loan associations.

Referred to Committee on Ways and Means.

Mr. McDowell presented petition of physicians and surgeons of Iowa county, asking passage of a bill to control the practice of medicine in Iowa.

Referred to Committee on Pharmacy.
Mr. Johnston of Franklin offered the following resolution and moved its adoption:

Resolved, That each bill reported on the Calendar shall show the date and page of the House Journal where the committee report on sama appears.

Adopted.
REPORT OF JOINT COMMITTEE ON ENROLLED BILLS.
Mr. Hauger, from the Joint Committee on Enrolled Bills, submitted the following report:

Mr. Speaker-Your Joint Committee on Enrolled Bills respectfully report that they have examined, and find correctly enrolled, Senate file No. 43 , a bill for an act to revise, amend and codify the statutes in relation to the domestic relations.

> G. S. Gilbertson, Chairman Senate Committee.
> W. E. Havger, Chairman House Committee.

Ordered passed on file.
REPORTS OF COMMITTEES.
Mr. Potter, from the Committee on Telegraph, Telephone and Express, submitted the following report:

Mr. Speaker-Your Committee on Telegraph, Telephone and Express, to whom was referred by the distributing committee, chapter 107 of the acts of the Twenty-sixth General Assembly, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same be referred to Division No. 5 of the Code Revision Committee.
L. F. Pottrir,

Chairman.
So ordered.
Mr. Temple, from the Committee on Code Revision, Division No. 1, submitted the following report:

Mr. Spraker-Your Committee on Code Revision, Division No. 1, to whom was referred House file No. 87, a bill for an act to revise, amend and codify the statutes in relation to the discipline and government of jails and penitentiaries, beg leave to report that they have had the same under consideration and have instructed me to report the ame back to the House with the recommendation that the same do pass with the following amendments:

Amend by striking out of line 3, section 57, chapter 2, page 1019, the word "seventy" and inserting the words "one hundred" in lieu thereof.
M. L. Temple,

Chairman.
Ordered passed on file.
Mr. Weaver, from the Committee on Code Revision, Division No. 5, submitted the following report:

Mr. Spraker-Your Committee on Code Revision, Division No. 5, to whom was referred House file No. 69, a bill for an act to revise, amend and codify the statutes in relation to bills and notes, being chapter 3 of Title XV, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same do pass with the following amendments:

That sections 1, 7, 8, 9, 10 and 11, of chapter 3 , be omitted and the following inserted in lieu thereof:

CHAPTER I.
NEGOTIABLE INSTRUMENTS IN GENERAL.
Section 1. This act shall be known as the Negotiable Instruments Law.
Sec. 2. In this act, unless the context otherwise requires:
"Acceptance" means an acceptance completed by delivery or notification.
"Action" includes counter-claim and set-off.
"Bank" includes any person or association of persons carrying on the business of banking, whether incorporated or not.
"Bearer" means the person in possession of a bill or note which is payable to bearer.
"Bill" means bill of exchange, and "note" means negotiable promissory note.
"Delivery" means transfer of possession, actual or constructive, from one person to another.
"Holder" means the payee or indorsee of a bill or note, who is in possession of it, or the bearer thereof.
"Indorsement" means an indorsement completed by delivery.
"Instrument" means negotiable instrument.
"Issue" means the first delivery of the instrument, complete in form to a person who takes it as a holder.
"Person" includes a body of persons, whether incorporated or not.
"Value" means valuable consideration.
"Written" includes printed, and writing includes print.
Sec. 3. The person "primarily" liable on an instrument is the person who by the terms of the instrument is absolutely required to pay the same. All other parties are "secondarily" liable.

Sec.4. In determining what is a "reasonable time" or an "unreasonable time" regard is to be had to the nature of the instrument, the usage of trade or business (if any) with respect to such instruments, and the facts of the particular case.

Sec. 5. Where the day, or the last day, for doing any act herein required or permitted to be done falls on Sunday or on a holiday, the act may be done on the next succeeding secular or business day.

Sec. 6. The provisions of this act do not apply to negotiable instruments made and delivered prior to the passage hereof.

Sec. 7. In any case not provided for in this act the rules of the law merchant shall govern.

## FORM AND INTERPRETATION.

Sec. 8. An instrument to be negotiable must conform to the following requirements:

1. It must be in writing and signed by the maker or drawer;
2. Must contain an unconditional promise or order to pay a sum certain in money;
3. Must be payable on demand, or at a fixed or determinable future time;
4. Must be payable to order or to bearer; and,
5. Where the instrument is addressed to a drawee, he must be named or otherwise indicated therein with reasonable certainty.

Sec. 9. The sum payable is a sum certain within the meaning of this act, although it is to be paid:

1. With interest; or
2. By stated installments; or
3. By stated installments, with a provision that upon default in payment of any installment or of interest, the whole shall become due; or
4. With exchange, whether at a fixed rate or at the current rate; or
5. With costs of collection or an attorney's fee, in case payment shall not be made at maturity.

Sec. 10. An unqualified order or promise to pay is unconditional within the meaning of this act, though coupled with:

1. An indication of a particular fund out of which reimbursement is to be made, or a particular account to be debited with the amount; or
2. A statement of the transaction which gives rise to the instrument.
3. But an order or promise to pay out of a particular fund is not unconditional.

Sec. 11. An instrument is payable at a determinable future time, within the meaning of this act, which is expressed to be payable:

1. At a fixed period after date or sight; or
2. On or before a fixed or determinable future time specified therein; or
3. On or at a fixed period after the occurrence of a specified event, which is certain to happen, though the time of happening be uncertain.

An instrument payable upon a contingency is not negotiable, and the happening of the event does not cure the defect.

Sec. 12. An instrument which contains an order or promise to do any act in addition to the payment of money is not negotiable. But the negotiable character of an instrument otherwise negotiable is not affected by a provision which:

1. Authorizes the sale of collateral securities in case the instrument be not paid at maturity; or
2. Authorizes a confession of judgment if the instrument be not paid at maturity; or
3. Waives the benefit of any law intended for the advantage or protection of the obligor; or
4. Gives the holder an election to require something to be done in lieu of payment of money.

But nothing in this sectien shall validate any provision or stipulation otherwise illegal.

Sec. 13. The validity and negotiable character of an instrument are not affected by the fact that:

1. It is not dated; or
2. Does not specify the value given, or that any value has been given therefor; or
3. Does not specify the place where it is drawn or the place where it is payable; or
4. Bears a seal; or

5 Designates a particular kind of current money in which payment is to be made.

But nothing in this section shall alter or repeal any statute requiring in certain cases the nature of the consideration to be stated in the instrument.

Sec. 14. An instrument is payable on demand:

1. Where it is expressed to be payable on demand, or at sight, or on presentation; or
2. In which no time for payment is expressed.

Where an instrument is issued, accepted or indorsed when over due, it is, as regards the person so issuing, accepting or indorsing it, payable on demand.

Sec. 15. The instrument is payable to order where it is drawn payable to the order of a specified person or to him or his order. It may be drawn payable to the order of:

1. A payee who is not maker, drawer or drawee; or
2. The drawer or maker; or
3. The drawee; or
4. Two or more payees jointly; or
5. One or some of several payees; or
6. The holder of an office for the time being.

Where the instrument is payable to order the payee must be named or otherwise indicated therein with reasonable certainty;

Sec. 16. The instrument is payable to bearer:

1. When it is expressed to be so payable; or
2. When it is payable to a person named therein or bearer; or
3. When it is payable to the order of a fictitious or non-existing person, and such fact was known to the person making it so payable; or
4. When the name of the payee does not purport to be the name of any person; or
5. When the only or last indorsement is an indorsement in blank.

Sec. 17. The instrument need not follow the language of this act, but any terms are sufficient which clearly indicate an intention to conform to the requirements hereof.

Sec. 18. Where the instrument or an acceptance or any indorsement thereon is dated, such date is deemed prima facie to be the true date of the making, drawing, acceptance or indorsement as the case may be.

Sec. 19. The instrument is not invalid for the reason only that it is ante-dated or post-dated, provided this is not done for an illegal or fraudulent purpose. The person to whom an instrument so dated is delivered acquires the title thereto as of the date of delivery

Sec. 20. Where an instrument expressed to be payable at a fixed period after date is issued undated, or where the acceptance of an instrument payable at a fixed period after sight is undated, any holder may insert there in the true date of issue or acceptance, and the instrument shall be payable accordingly. The insertion of a wrong date does not void the instrument in the hands of a subsequent holder in due course; but as to him, the date so inserted is to be regarded as the true date

Sec. 21. Where the instrument is wanting in any material particular, the person in possession thereof has a prima facie authority to complete it by filling up the blanks therein. And a signature on a blank paper delivered by the person making the signature in order that paper may be converted into a negotiable instrument operates as a prima facie authority to fill it up as such for any amount. In order, however, that any such instrument when completed, may be enforced against any person who became a party thereto prior to its completion, it must be filled up strictly in accordance with the authority given and within a reasonable time. But if any such instrument, after completion, is negotiated to a holder in due course, it is valid and effectual for all purposes in his hands, and he may enforce it as if it had been filled up strictly in accordance with the authority given and within a reasonable time.

Sec. 22. Where an incomplete instrument has not been delivered it will not, if completed and negotiated, without authority, be a valid contract in the hands of any holder, as against any person whose signature was placed thereon before delivery.

Sec. 23. Every contract on a negotiable instrument is incomplete and revocable until delivery of the instrument for the purpose of giving effect thereto. As between immediate parties, and as regards a remote party other than a holder in due course, the delivery, in order to be effectual, must be made either by or under the authority of the party making, drawing, accepting cr indorsing, as the case may be, and in such case the delivery may be shown to have been conditional, or for a special purpose only, and not for the purpose of transferring the property in the instrument. But where the instrumsnt is in the hands of a holder in due course, a valid delivery thereof by all parties prior to him so as to make them liable to him is conclusively presumed. Aud where the instrument is no longer in the possession of a party whose signature appears thereon, a valid and intentional delivery by him is presumed until the contrary is proved.

Sec. 24. Where the language of the instrament is ambiguous, or there are omissions therein, the following rules of construction apply:

1. Where the sum payable is expressed in words and also in figures and there is a discrepancy betwisn the two, the suin donated by the words is the sum payable; but if the foords are ambiguous or uncertain, references may be had to the figures to fix the amount;
2. Where the instrument provides for the payment of interest, without specifying the date from which interest is to run, the interest runs from
the date of the instrument, and if the instrument is undated, from the issue thereof;
3. Where the instrument is not dated, it will be considered to be dated as of the time it was issued;
4. Where there is a conflict between the written and printed provisions of the instrument, the written provisions prevail;
5. Where the instrument is so ambiguous that there is doubt whether it is a bill or note, the holder may treat it as either at his election;
6. Where a signature is so placed upon the instrument that it is not clear in what capacity the person making the same intended to sign, he is to be deemed an indorser;
7. Where an instrument containing the words "I promise to pay" is signed by two or more persons, they are deemed jointly and severally liable thereon.

Sec. 25. No person is liable on the instrument whose signature does not appear thereon, except as herein otherwise expressly provided. But one who signs in a trade or assumed name will be liable to the same extent as if he had signed in his own name.

Sec. 26. The signature of any party may be made by a duly authorized agent. No particular form of appointment is necessary for this purpose; and the authority of the agent may be established as in other cases of agency.

Sec. 27. Where the instrument contains, or a person adds to his signature, words indicating that he signs for or on behalf of a principal; or in a representative capacity, he is not liable on the instrument if he was duly authorized; but the mere addition of words describing him as an agent, or as filling a representative character, without disclosing his principal, does not exempt him from personal liability.

Sec. 28. A signature by "procuration" operates as notice that the agent has but a limite $\bar{\alpha}$ authority to sign, and principal is bound only in case the agent in so signing acted within the actual limits of his authority.

Sec. 29. The indorsement or assignment of the instrument by a corporation or by an infant passes the property therein, notwithstanding that from want of capacity the corporation or infant may incur no liability thereon.

Sec. 30. Where a signature is forged or made without the authority of the person whose signature it purports to be, it is wholly inoperative, and no right to retain the instrument, or to give a discharge therefor, or to enforce payment thereof against any party thereto, can be acquired through or under such signature, unless the party, against whom it is sought to enforce such right is precluded from setting up the forgery or want of authority.

## CONSIDERATION.

Sec. 31. Every negotiable instrument is deemed prima facie to have been issued for a valuable consideration; and every person whose signature appears thereon to have become a party thereto for value.

Sec. 32. Value is any consideration sufficient to support a simple contract. An antecedent or pre-existing debt constitutes value; and is deemed such whether the instrument is payable on demand or at a future time.

Sec. 33. Where value has at any time been given for the instrument, the holder is deemed a holder for value in respect to all parties who became such prior to that time.

Sec. 34. Where the holder has a lien on the instrument, arising either from contract or by implication of law, he is deemed a holder for value to the extent of his lien.

Sec. 35. Absence or failure of consideration is matter of defense as against any person not a holder in due course; and partial failure of consideration is a defense pro tanto whether the failure is an ascertained and liquidated amount or otherwise.

Sec. 36. An accommodation party is one who has signed the instrument as maker, drawer, acceptor or indorser, without receiving value therefor and for the purpose of lending his name to some other person. Such a person is liable on the instrument to a holder for value, notwithstanding such holder at the time of taking the instrument knew him to be only an aecommodation party.

## NEGOTIATION.

Sec. 37. An instrument is negotiated when it is transferred from one person to another in such a manner as to constitute the transferee the holder thereof. If payable to bearer it is negotiated by delivery; if payable to order it is negotiated by the indorsement of the holder completed by delivery.

Sec. 38. The indorsement must be written on the instrument itself or upon a paper attached thereto The signature of the indorser, without additional words, is a sufficient indorsement.

Sec. 39. The indorsement must be an indorsement of the entire instrument. An indorsement which purports to transfer to the indorsee a part only of the amount payable, or which purports to transfer the instrument to two or more indorsees severally, does not operate as a negotiation of the instrument. But where the instrument has been paid in part it may be indorsed as to the residue.

Sec. 40. An indorsement may be either special or in blank; and it may also be either restrictive or qualified, or conditional.

Sec. 41. A special, indorsement specifies the person to whom, or to whose order the instrument is to be payable; and the indorsement of such indorsee is necessary to the further negotiation of the instrument. An indorsement in blank specifies no indorsee, and an instrument so indorsed is payable to bearer, and may be negotiated by delivery.

Sec. 42. The holder may convert a blank indorsement into a special indorsement by writing over the signature of the indorser in blank any contract consistent with the character of the indorsement.

Sec. 43. An indorsement is restrictive, which either:

1. Prohibits the further negotiation of the instrument; or
2. Constitutes the indorsee the agent of the indorser; or
3. Vests the title in the indorsee in trust for or to the use of some other person.

But the mere absence of words implying power to negotiate does not make an indorsement restrictive.

Sec. 44. A restrictive endorsement confers upon the indorsee the right:

1. To receive payment of the instrument;
2. To bring any action thereon that the indorser could bring;
3. To transfer his rights as such indorsee, where the form of the indorsement authorizes him to do so.

But all subsequent indorsees acquire only the title of the first indorsee under the restrictive indorsement.

Sec. 45. A qualified indorsement constitutes the indorser a mere assignor of the title to the instrument. It may be made by adding to the indorser's signature the words "without recourse" or any words of similar import Such an indorsement does not impair the negotiable character of the instrument.

Sec. 46. Where an indorsement is conditional, a party required to pay the instrument may disregard the condition, and make payment to the indorsee or his transferee, whether the condition has been fulfilled or not. But any person to whom an instrument so indorsed is negotiated, will hold the same, or the proceeds thereof, subject to the rights of the person indorsing conditionally.

Sec. 47. Where an instrument, payable to bearer, is indorsed specially, it may nevertheless be further negotiated by delivery; but the person indorsing specially is liable as indorser to only such holders as make title through his indorsement.

Sec. 48. Where an instrument is payable to order of two or more payees or indorsees who are not partners, all must indorse, unless the one indorsing has authority to indorse for the others.

Sec. 49. Where an instrument is drawn or indorsed to a person as "cashiel" or other fiscal officer of a bank or corporation, it is deemed prima facie to be payable to the bank or corporation of which he is such officer, and may be negotiated by either the indorsement of the bank or corporation, or the indorsement of the officer.

Sec. 50. Where the name of a payee or indorsee is wrongly designated or misspelled, he may indorse the instrument as therein described, adding, if he think fit, his proper signature.

Sec. 51. Where any person is under obligation to indorse in a representative capacity, he may indorse in such terms as to negative personal iability.

Sec. 52. Except where an indorsement bears date after the maturity of the instrument, every negotiation is deemed prima facie to have been effected before the instrument was overdue.

Sec. 53. Except where the contrary appears every indorsement is presumed primafacie to have been made at the place where the instrument is dated

Sec. 54. An instrument negotiable in its origin continues to be negotiable until it has been restrictively indorsed or discharged by payment or otherwise.

Sec. 55. The holder may at any time strike out any indorsement which is not necessary to his title. The indorser whose indorsement is struck out, and all indorsers subsequent to him, are thereby relieved from liability on the instrument.

Sec. 56. Where the holder of an instrument payable to his order transfers it for value without indorsing it, the transfer vests in the transferee
such title as the transferer had therein, and the transferee acquires, in addition, the right to have the indorsement of the transferer. But for the purpose of determining whether the transferee is a holder in due course, the negotiation takes effect as of the time when the indorsement is actually made.

Sec. 57. Where an instrument is negotiated back to a prior party, such party may, subject to the provisions of this act, reissue and further negc-tiate the same. But he is not entitled to enforce payment thereof against any intervening party to whom he was personally liable.

RIGHTS OF THE HOLDER.
Sec. 58. The holder of a negotiable instrument may sue thereon in his own name; and payment to him in due course discharges the instrument.

Sec. 59. A holder in due course is a holder who has taken the instrument under the following conditions:

1. That it is complete and regular upon its face;
2. That he became the holder of it before it was overdue, and without notice that it had been previously dishonored, if such was the fact;
3. That he took it in good faith and for value;
4. That at the time it was negotiated to him he had no notice of any infirmity in the instrument or defect in the title of the person negotiating it.

Sec. 60. Where an instrument payable on demand is negotiated an unreasonable length of time after its issue, the holder is not deemed a holder in due course.

Sec. 61. Where the transferee receives notice of any infirmity in the instrument or defect in the title of the person negotiating the same before he has paid the full amonnt agreed to be paid therefor, he will be deemed a holder in due course only to the extent of the amount theretofore paid by him.

Sec. 62. The title of a person who negotiates an instrument is defective within the meaning of this act when he obtained the instrument, or any signature thereto, by fraud, duress, or force and fear, or other unlawful means, or for an illegal consideration, or when he negotiates it in breach of faith, or under such circumstances as amount to a fraud.

Sec. 63. To constitute notice of an infirmity in the instrument or defect in the title of the person negotiating the same, the person to whom it is negotiated must have had actual knowledge of the infirmity or defect, or knowledge of such facts that his action in taking the instrument amounted to bad faith.

Sec 64. A holder in due course holds the instrument free from any defect of title of prior parties, and free from defenses available to prior parties among themselves, and may enforce payment of the instrument for the full amount thereof against all parties liable thereon.

Sec. 65. In the hands of any holder other than a holder in due course, a negotiable instrument is subject to the same defenses as if it were nonnegotiable. But a holder who derives his title through a holder in due course, and who is not himself a party to any fraud or illegality affecting the instrument, has all the rights of such former holder in respect of all parties prior to the latter.

Sec. 66. Every holder is deemed prima facie to be a holder in due course; but when it is shown that the title of any person who has negotiated the instrument was defective, the burden is on the holder to prove that he or some person under whom he claims acquired the title as a holder in due course. But the last mentioned rule does not apply in favor of a party who became bound on the instrument prior to the acquisition of such defective title.

LIABILITIES OF PARTIES.
Sec 67. The maker of a negotiable instrument by making it engages that he will pay it according to its tenor; and admits the existence of the payee and his then capacity to indorse.

Sec. 68. The drawer by drawing the instrument admits the existence of the payee and his then capacity to indorse; and engages that on due presentment the instrument will be accepted or paid, or both, according to its tenor, and that if it be dishonored, and the necessary proceedings on dishonor be duly taken, he will pay the amount thereof to the holder, or to any subsequent endorser who may be compelled to pay it. But the drawer may insert in the instrument an express stipulation negativing or limiting his own liability to the holder.

Sec. 69. The acceptor by accepting the instrument engages that he will pay it according to the tenor of his acceptance; and admits:

1. The existence of the drawer, the genuineness of his signature, and his capacity and authority to draw the instrument; and
2. The existence of the payee and his then capacity to indorse.

Sec. 70. A person placing his signature upon an instrument otherwise than as maker, drawer or acceptor is deemed to be an indorser, unless he clearly indicates by appropriate words his intention to be bound in some other capacity.

Sec 71. Where a person, not otherwise a party to an instrument, places thereon his signature in blank before delivery, he is liable as indorser in accordance with the following rules:

1. If the instrument is payable to the order of a third person, he is liable to the payee and to all subsequent parties.
2. If the instrument is payable to the order of the maker or drawer, or is payable to bearer, he is liable to all parties subsequent to the maker or drawer.
3. If he signs for the accommodation of the payee, he is liable to all parties subsequent to the payee.

Sec. 72. Every person negotiating an instrument by delivery or by a qualified indorsement warrants:

1. That the instrument is genuine and in all respects what it purports to be;
2. That he has a good title to it;
3. That all prior parties had capacity to contract;
4. That he has no knowledge of any fact which would impair the validity of the instrument or render it valueless.

But when the negotiation is by delivery only, the warranty extends in favor of no holder other than the immediate transferee.

The provisions of subdivision three of this section do not apply to persons negotiating public or corporate securities, other than bills and notes.

Sec. 73. Every indorser who indorses without qualification, warrants to all subsequent holders in due course:

1. The matters and things mentioned in subdivisions one, two and three of the next preceding section; and
2. That the instrument is at the time of his indorsement valid and subsisting.

And, in addition, he engages that on due presentment, it shall be accepted or paid, or both, as the case may be, according to its tenor, and that if it be dishonored, and the necessary proceedings on dishonor be duly taken, he will pay the amount thereof to the holder, or to any subsequent indorser who may be compelled to pay it.

Sec. 74. Where a person places his indorsement on an instrument negotiable by delivery he incurs all the liabilities of an indorser.

Sec. 75. As respects one another, indorsers are liable prima facie in the order in which they indorse; but evidence is admissible to show that as between or among themselves they have agreed otherwise. Joint payees or joint indorsees who indorse are deemed to indorse jointly and severally.

Sec. 76. Where a broker or other agent negotiates an instrument without indorsement, he incurs all the liabilities prescribed by section sixtyfive of this act, unless he discloses the name of his principal, and the fact that he is acting only as agent.

## PRESENTMENT FOR PAYMENT.

Sec. 77. Presentment for payment is not necessary in order to charge the person primarily liable on the instrument; but if the instrument is, by its terms, payable at a special place, and he is able and willing to pay it there at maturity, such ability and willingness are equivalent to a tender of payment upon his part. But except as herein otherwise provided, presentment for payment is necessary in order to charge the drawer and indorsers.

Sec. 78. Where the instrument is not payable on demand, presentment must be made on the day it falls due. Where it is payable on demand, presentment must be made within a reasonable time after its issue, except that in the case of a bill of exchange, presentment for payment will be sufficient if made within a reasonable time after the last negotiation thereof.

Sec 79. Presentment for payment. to be sufficient, must be made:

1. By the holder, or by some person authorized to receive payment on his behalf;
2. At. a reasonable hour on a business day;
3. At a proper place as herein deflned;
4. To the person primarily liable on the instrument, or if he is absent or inaccessible, to any person found at the place where the presentment is made.

Sec. 80. Presentment for payment is made at the proper place:

1. Where a place of payment is specified in the instrument and it is there presented;
2. Where no place of payment is specifled but the address of the person to make payment is given in the instrument and it is there presen ted;
3. Where no place of payment is specifed and no address is given and the instrument is presented at the usual place of business or residence of the person to make payment;
4. In any other case if presented to the person to make payment wherever he can be found, or if presented at his last known place of business or residence.

Sec 81. The instrument must be exhibited to the person from whom payment is demanded, and when it is paid must be delivered up to the party paying it.

Sec. 82. Where the instrument is payable at a bank, presentment for payment must be made during banking hours, unless the person to make payment has no funds there to meet it at any time during the day, in which case presentment at any hour before the bank is closed on that day is sufficient.

Sec. 83. Where the person primarily liable on the instrument-is dead, and no place of payment is specified, presentment for payment must be made to his personal representative if such there be, and if with the exercise of reasonable diligence, he can be found.

Sec. 84. Where the persons primarily liable on the instrument are liable as partners, and no place of payment is specified, presentment for payment may be made to any one of them, even though there has been a dissolution of the firm.

Sec. 85. Where there are several persons, not partners, primarily liable on the instrument, and no place of payment is specified, presentment must be made to them all.

Sec. 86. Presentment for payment is not required in order to charge the drawer where he has no right to expect or require that the drawee or acceptor will pay the instrument.

Sec. 87. Presentment for payment is not required in order to charge an indorser where the instrument was made or accepted for his accommodation, and he has no reason to expect that the instrument will be paid if presented.

Sec. 88. Delay in making presentment for payment is excused when the delay is caused by circumstances beyond the control of the holder, and not imputable to his default, misconduct or negligence. When the cause of the delay ceases to operate, presentment must be made with reasonable diligence.

Sec. 89. Presentment for payment is dispensed with:

1. Where after the exercise of reasonable diligence presentment as required by this act cannot be made;
2. Where the drawee is a fictitious person;
3. By waiver of presentment express or implied.

Sec. 90. The instrument is dishonored by non-payment when:

1. It is duly presented for payment and payment is refusnd or cannot be obtained; or
2. Presentment is excused and the instrument is overdue and unpaid.

Sec. 91. Subject to the provisions of this act, when the instrument is dishonored by non-payment, an immediate right of recourse to all parties secondarily liable thereon, accrues to the holder.

Sec. 92. Every negotiable instrument is payable at the time fixed therein without grace. When the day of maturity falls on Sunday, or the first day of January, twenty second day of February, thirtieth day of May, the fourth day of July, the first Monday in September, twenty-fifth day of December, and any day appointed or recommended by the Governor of this State, or by the president of the United States as a day of fasting or thanksgiving, shall be regarded as holidays, for all purposes relating to the presentation for payment or acceptance, the instrument is payable on the next succeeding business day.

Instruments falling due on Saturday are to be presented for payment on the next succeeding business day, except that instruments payable on demand may, at the option of the holder, be presented for payment before twelve o'clock noon on Saturday, when that entire day is not a holiagay.

Sec. 93. Where the instrument is payable at a fixed period after date, after sight, or after the happening of a specified event, the time of payment is determined by excluding the day from which the time is to begin to run, and by including the date of payment.

Sec. 94. Payment is made in due course when it is made at or after the maturity of the instrument to the holder thereof in good faith and without notice that his title is defective.

Sec. 95. When the holder of an instrument for the payment of money is absent from the State when it becomes due, and the indorsee or assignee of such an instrument has not notified the maker of such indorsement or assignment, the maker may tender payment at the last residence or place of business of the payee before the instrument becomes due, and if there be no person there authorized to receive payment and give proper credit therefor, the maker may deposit the amount due with the clerk of the district court in the county where the payee resided at the time it became due, paying the clerk one per cent on the amount deposited, and the maker shall not be liable for interest from that date. [3280]

## NOTICE OF DISHONOR.

Sec. 96. Except as herein otherwise provided, when a negotiable instrument has been dishonored by non-acceptance or non-payment, notice of dishonor must be given to the drawer and to each indorser, and any drawer or indorser to whom such notice is not given is discharged.

Sec. 97. The notice may be given by or on behalf of the holder, or by or on behalf of any party to the instrument who might be compelled to pay it to the holder, and who, upon taking it up would have a right to re-imbursement from the party to whom the notice is given.

Sec. 98. Notice of dishonor may be given by an agent either in his own name or in the name of any party entitled to give notice, whether that party be his principal or not.

Sec. 99. Where notice is given by or on behalf of the holder, it enures for the benefit of all subsequent holders and all prior parties who have a right of recourse against the party to whom it is given.

Sec. 100. Where notice is given by or on behalf of a party entitled to give notice, it enures for the benefit of the holder and all parties subsequent to the party to whom notice is given.

Sec. 101. Where the instrument has been dishonored iu the hands of an agent he may either himself give notice to the parties liable thereon, or
he may give notice to his principal. If he give notice to his principal, he must do so within the same time as if he were the holder, and the principal upon the receipt of such notice has himself the same time for giving notice as if the agent had been an independent holder.

Sec. 102. A written notice need not be signed and an insufficient written notice may be supplemented and validated by verbal communication. A misdescription of the instrument does not vitiate the notice unless the party to whom the notice is given is in fact misled thereby.

Sec. 103. The notice may be in writing or merely oral and may be given in any terms which sufficiently identifiy the instrument, and indicate that it has been dishonored by non-acceptance or non-payment. It may in all cases be given by delivering it personally or through the mails.

Sec. 104. Notice of dishonor may be given either to the party himself or to his agent in that behalf.

Sec. 105. When any party is dead, and his death is known to the party giving notice, the notice must be given to a personal representative, if there be one, and if with reasonable diligence, he can be found. If there be no personal representative, notice may be sent to the last residence or last place of business of the deceased

Sec. 106. Where the parties to be notified are partners notice to any one partner is notice to the firm even though there has been a dissolution.

Sec. 107. Notice to joint parties who are not parners must be given to each of them, unless one of them has authority to receive such notice for the others.

Sec. 108. Where a party has been adjudged a bankrupt or an insolvent, or has made an assignment for the benefit of creditors, notice may be given either to the party himself or to his trustee or assignee.

Sec. 109. Notice may be given as soon as the instrument is dishonored; and unless delay is excused as hereinafter provided, must be given within the times fixed by this act.

Sec. 110. Where the person giving and the person to receive notice reside in the same place, notice must be given within the following times:

1. If given at the place of business of the person to receive notice, it must be given before the close of business hours on the day following;
2. If given at his residence, it must be given before the usual hours of rest on the day following;
3. If sent by mail, it must be deposited in the postoffice in time to reach him in usual course on the day following.

Sec. 111. Where the person giving and the person to receive notice raside in different places, the notice must be given within the following times:

1. If sent by mail, it must be deposited in the postoffice in time to go by mail the day following the day of dishonor, or if there be no mail at a convenient hour on that day, by the next mail thereafter.
2. If given otherwise than through the postoffice, then within the time that notice would have been received in due course of mail, if it had been deposited in the postoffice within the time specified in the last subdivision.

Sec. 112. When notice of dishonor is duly addressed and deposited in the postoffice, the sender is deemed to have given due notice, notwithstanding any miscarriage in the mails.

Sec. 113. Notice is deemed to Lave been deposited in the postoffice when deposited in any branch postoffice or any letter box under control of the postoffice department.

Sec. 114. When a party receives notice of dishonor, he has after the receipt of such notice the same time for giving notice to antecedent parties that the holder has after the dishonor.

Sec. 115. Where a party has added an address to his signature, notice of dishonor must be sent to that address; but if he has not given such address, then the notice must be sent as follows:

1. Either to the postoffice nearest to his place of residence, or to the postoffice where he is accustomed to receive his letters; or
2. If he live in one place, and have his place of business in another, notice may be sent to either place; or
3. If he is sojourning in another place, notice may be sent to the place where he is so sojourning.
4. But where the notice is actually received by the party within the time specified in this act, it will be sufficient, though not sent in accordance with the requirements of this section.

Sec. 116. Notice of dishonor may be waived, either before the time of giving notice has arrived, or after the omission to give due notice, and the waiver may be express or implied.

Sec. 117. Where the waiver is embodied in the instrument itself, it is binding upon all parties; but where it is written above the signature of an indorser, it binds him only.

Sec. 118. A waiver of protest, whether in the case of a foreign bill of exchange or other negotiable instrument, is deemed to be a waiver not only of a formal protest but also of presentment and dishonor.

Sec. 119. Notice of dishonor is dispensed with when, after the exercise of reasonable diligence, it cannot be given to or does not reach the parties sought to be charged.

Sec. 120. Delay in giving notice of dishonor is excused when the delay is caused by circumstances beyond the control of the holder and not imputable to his default, miscgnduct or negligence. When the cause of delay ceases to operate, notice must be given with reasonable diligence.

Sec. 121. Notice of dishonor is not required to be given to the drawer in either of the following cases:

1. Where the drawer and the drawee are the same person;
2. Where the drawee is a fictitious person or a person not having capacity to contract;
3. Where the drawer is the person to whom the instrument is presented for payment;
4. Where the drawer has no right to expect or require that the drawee or acceptor will honor the instrument;
5. Where the drawer has countermanded payment.

Sec. 122. Notice of dishonor is not required to be given to an indorser in either of the following cases:

1. Where the drawee is a fictitious person or a person not having capacity to contract, and the indorser was aware of the fact at the time he indorsed the instrument;
2. Where the indorser is the person to whom the instrument is persented for payment:
3. Where the instrument was made or accepted for his accommodation.

Sec. 123. Where due notice of dishonor by non-acceptance has been given, notice of a subsequent dishonor by non-payment is not necessary, unless in the meantime the instrument has been accepted.

Sec. 124. An omission to give notice of dishonor by non acceptance does not prejudice the rights of a holder in due course subsequent to the omission.

Sec. 125. Where any negotiable instrument has been dishonored it may be protested for non-acceptance or non-payment as the case may be; but protest is not required, except in the case of foreign bills of exchange.

DISCHARGE OF NEGCTIABLE INBTRUMENTS.
Sec. 126. A negotiable instrument is discharged:

1. By payment in due course by or on behalf of the principal debtor;
2. By payment in due course by the party accommodated, where the instrument is made or accepted for accommodation;
3. By the intentional cancellation thereof by the holder;
4. By any other act which will discharge a simple contract for the payment of money;
5. When the princípal debtor becomes the holder of the instrument at or after maturity in his own right;

Sec. 127. A person secondarily liable on the instrument is discharged:

1. By any act which discharges the instrument;
2. By the intentional cancellation of his signature by the holder;
3. By the discharge of a prior party;
4. By a valid tender of payment made by a prior party;
5. By a release of the principal debtor, unless the holder's right of recourse against the party secondarily liable is expressly reserved;
6. By any agreement binding upon the holder to extend the time of payment, or to postpone the holder's right to enforce the instrument; unless made with the assent of the party secondarily liable, or unless the right of recourse against such party is expressly reserved.

Sec. 128. Where the instrument is paid by a party secondarily liable thereon, it is not discharged; but the party so paying it is remitted to his former rights as regards all prior parties, and he may strike out his own and all subsequent indorsements, and again negotiate the instrument, except:

1. Where it is payable to the order of a third person, and has been paid by the drawer; and
2. Where it was made or accepted for accommodation, and has been paid by the party accommodated.

Sec. 129. The holder may expressly renounce his rights against any party to the instrument, before, at or after its maturity. An absolute and unconditional renunciation of his rights against the principal debtor made at or after the maturity of the instrument discharges the instrument. But a renunciation does not affect the rights of a holder in due course without notice. A renunciation must be in writing, unless the instrnment is delivered up to the person primarily liable thereon.

Sec. 130. A cancellation made unintentionally, or under a mistake, or without the authority of the holder, is inoperative; but where an instrument or any signature thereon appears to have been cancelled the burden of proof lies on the party who alleges that the cancellation was made unintentially, or under a mistake or without authority.

Sec. 131. Where a negotiable instrument is materially altered without the assent of all parties liable thereon, it is avoided, except as against a party who has himself made, authorized or assented to the alteration and subsequent indorsers.

But when an instrument has been materially altered and is in the hands of a holder in due course, not a party to the alteration, he may enforce payment thereof according to its original tenor.

Sec. 132. Any alteration which changes:

1. The date;
2. The sum payable; either for principal or interest;
3. The time or place of payment;
4. The number or the relations of the parties;
5. The medium of currency in which payment is to be made;

Or which adds a place of payment where no place of payment is specified, or any other change or addition which alters the effect of the instrument in any respect, is a material alteration.

## BILLS OF EXCHANGE.

FORM AND INTERPRETATION.
Sec. 133. A bill of exchange is an unconditional order in writing addressed by one person to another, signed by the person giving it, requiring the person to whom it is addressed to pay on demand or at a fixed or determinable future time a sum certain in money to order or to bearer.

Sec. 134. A bill of itself does not operate as an assignment of the funds in the hands of the drawee available for the payment thereof and the drawee is not liable on the bill unless and until he accepts the same.

Sec. 135. A bill may be addressed to two or more drawees jointly, whether they are partners are not; but not to two or more drawees in the alternative or in succession.

Sec. 136. An inland bill of exchange is a bill which is, or on its face purports to be, both drawn and payable within this State. Anyother bill is a foreign bill. Unless the contrary appears on the face of the bill, the holder may treat it as an inland bill.

Sec. 137. Where in a bill drawer and drawee are the same person, or where the drawee is a fictitious person, or a person not having capacity to contract, the holder may treat the instrument at his option, either as a bill of exchange or a promissory note.

Sec. 138. The drawer of a bill and any indorser may insert thereon the name of a person to whom the holder may resort in case of need, that is to say, in case the bill is dishonored by non-acceptance or non-payment. Such person is called the referee in case of need. It is in the option of the holder to resort to the referee in case of need or not as he may see fit.

## ACCEPTANCE.

Sec. 139. The acceptance of a bill is the signification by the drawee of his assent to the order of the drawer. The acceptance must be in writing
and signed by the drawer. It must not express that the drawee will perform his promise by any other means than the payment of money.

Sec. 140. The holder of a bill presenting the same for acceptance may require that the acceptance be written on the bill and if such request is refused, may treat the bill as dishonored.

Sec. 141. Where an acceptance is written on a paper other than the bill itself, it does not bind the acceptor except in favor of a person to whom it is shown and who, on the faith thereof, receives the bill for value.

Sec. 142. An unconditional promise in writing to accept a bill before it is drawn is deemed an actual acceptance in favor of every person who, upon the faith thereof, receives the bill for value.

Sec. 143. The drawee is allowed twenty-four hours after presentment in which to decide whether or not he will accept the bill; but the acceptance, if given, dates as of the day of presentation.

Sec. 144. Where a drawee to whom a bill is delivered for acceptance destroys the same, or refuses within twenty-four hours after such delivery, or within such other period as the holder may allow, to return the bill accepted or non-accepted to the holder, he. will be deemed to have accepted the same.

Sec. 145. A bill may be accepted before it has been signed by the drawer, or while otherwise incomplete, or when it is overdue, or after it has been dishonored by a previous refusal to accept, or by non-payment. But when a bill payable after sight is dishonored by non-acceptance and the drawee subsequently accepts it, the holder, in the absence of any different agreement, is entitled to have the bill accepted as of the date of the first presentment.

Sec. 146. An acceptance is either general or qualified. A general acceptance assents without qualification to the order of the drawer. A qualified acceptance in express terms varies the effect of the bill as drawn.

Sec. 147. An acceptance to pay at a particular place is a general acceptance unless it expressly states that the blll is to be paid there only and not elsewhere.

Sec 148. An acceptance is qualified which is:

1. Conditional, that is to say, which makes payment by the acceptor dependent on the fulfillment of a condition therein stated;
2. Partial, that is to say, an acceptance to pay part only of the amount for which the bill is drawn;
3. Local, that is to say, an acceptance to only pay at a particular place;
4. Qualified as to time;
5. The acceptance of some one or more of the drawees, but not of all.

Sec. 149. The holder may refuse to take a qualified acceptance, and if he does not obtain an unqualified acceptance, he may treat the bill as dishonored by non-acceptance. Where a qualified acceptance is taken the drawer and indorsers are discharged from liability on the bill, unless they have expressly or impliedly authorized the holder to take a qualified acceptance, or subsequently assent thereto. When the drawer or an indorser receives notice of a qualified acceptance, he must within a reasonable time express his dissent to the holder, or he will be deemed to have assented thereto.

## PRHSENTMENT FOR ACCEPTANCE.

Sec. 150. Presentment for acceptance must be made;

1. Where the bill is payable after sight, or in any other case where presentment for acceptance is necessary in order to fix the maturity of the instrument; or
2. Where the bill expressly stipulates that it shall be presented for acceptance; or
3. Where the bill is drawn payable elsewhere than at the residence or place of business of the drawee.

In no other case is presentment for acceptance necessary in order to render any party to the bill liable.

Sec. 151. Except as herein otherwise provided, the holder of a bill which is required by the next preceding section to be presented for acceptance must either present it for acceptance or negotiate it within a reasonable time. If he fail to do so, the drawer and all indorsers are discharged.

Sec. 152. Presentment for acceptance must be made by or on behalf of the holder at a reasonable hour, on a business day and before the bill is overdue, to the drawer or some person authorized to accept or refuse acceptance on his behalf; and:

1. Where a bill is addressed to two or more drawees who are not partners, presentment must be made to them all, unless one has authority to accept or refuse acceptance for all, in which case presentment may be made to him only.
2. Where the drawee is dead, presentment may be made to his personal representative;
3. Where the drawee has been adjudged a bankrupt or an insolvent or has made an assignment for the benefit of creditors, presentment may be made to him or to bis trustee or assignee.

Sec. 153. A bill may be presented for acceptance on any day on which negotiable instruments may be presented for payment under the provisions of sections seventy-two and eighty-five of this act. When Saturday is not otherwise a holiday, presentment for acceptance may be made before twelve o'clock noon on that day.

Sec. 154. Where the holder of a bill drawn payable elsewhere than at the place of business or the residence of the drawee has not time with the exercise of reasonable diligence to present the bill for acceptance before presenting it for payment on the day that it falls due, the delay caused by presenting the bill for acceptance before presenting it for payment is excused and does not discharge the drawers and indorsers.

Sec. 155. Presentment for acceptance is excused and a bill may be treated as dishonored by non-acceptance, in either of the following cases:

1. Where the drawee is dead, or has absconded, or is a fictitious person or a person not having power to contract by bill;
2. Where after the exercise of reasonable diligence, presentment cannot be made;
3. Where although presentment has been irregular, acceptance has been refused on some other ground.

Sec. 156. A bill is dishonored by non-acceptance:

1. When it is duly presented for acceptance and such an acceptance as is prescribed by this act is refused or cannot be obtained; or
2. When presentment for acceptance is excused and the bill is not accepted.

Sec. 157. When a bill is duly presented for accptance and is not accepted within the prescribed time, the person presenting it must treat the bill as dishonored by non-acceptance or he loses the right of recourse against the drawer or indorsers.

Sec. 158. When a bill is dishonored by non-acceptance, an immediate right of recourse against the drawers and indorsers accrues to the holder and no presentment for payment is necessary.

## PROTEST.

Sec. 159. When a foreign bill appearing on its face to be such is dishonored by non-acceptance, it must be duly protested for non-acceptance, and where such a bill which has not previously been dishonored by nonacceptance is dishonored by non-payment, it must be duly protested for non-payment. If it is not so protested, the drawer and indorsers are discharged. Where a bill does not appear on its face to be a foreign bill, protest thereof in case of dishonor is unnecessary.

Sec. 160. The protest must be annexed to the bill, or must contain a a copy thereof, and must be under the hand and seal of the notary making it, and must specify:

1. The time and place of presentment;
2. The fact that presentment was made and the manner thereof;
3. The cause or reason for protesting the bill;
4. The demand made and the answer given, if any, or the fact that the drawee or acceptor could not be found.

Sec. 161. Protest may be made by:

1. A notary public; or
2. By any respectable resident of the place where the bill is dishonored, in the presence of two or more credible witnesses.

Sec. 162. When a bill is protested, such protest must be made on the day of its dishanor, unless delay is excused as herein provided. When a bill has been duly noted, the protest may be subsequently extended as of the date of the noting.

Sec. 163. A bill must be protested at the place where it is dishonored, except that when a bill drawn payable at the place of business or residence of some person other than the drawee, has been dishonored by nonacceptance, it must be protested for non-payment at the place where it is expressed to be payable, and no further presentment for payment to, or demand on the drawee, is necessary.

Sec. 164. A bill which has been protested for non-acceptance may be subsequently protested for non-payment.

Sec. 165. Where the acceptor has been adjudged a bankrupt or an insolvent or has made an assignment tor the benefit of creditors, before the bill matures, the holder may cause the bill to be protested for better security against the drawer and indorsers.

Sec. 166. Protest is dispensed with by any circumstances which would dispense with notice of dishonor. Delay in noting or protesting is excused when delay is caused by circumstances beyond the fcontrol of the holder and not imputable to his default, misconduct, or negligence. When the
cause of delay ceases to operate, the bill must be noted or protested with reasonable diligence.

Sec. 167. Where a bill is lost or destroyed or is wrongly detained from the person entitled to hold it, protest may be made on a copy or written particulars thereof.

## ACCEPTANCE FOR HONOR.

Sec. 168. Where a bill of exchange has been protested for dishonor by non-acceptance or protested for better security and is not overdue, any person not being a party already liable thereon, may, with the consent of of the holder, intervene and accept the bill supra protest for the honor of any party liable thereon or for the honor of the person for whose account the bill is drawn. The acceptance for honor may be for part only of the sum for which the bill is drawn; and where there has been an acceptance for honor for one party, there may be a further acceptance by a different person for the honor of another party.

Sec. 169. An acceptance for honor supra protest must be in writing and indicate that it is an acceptance for honor, and must be signed by theacceptor for honor.

Sec. 170. Where an acceptance for honor does not expressly state for whose honor it is made, it is deemed to be an acceptance for the honor of the drawer.

Sec. 171. The acceptor for honor is liable to the holder and to all parties to the bill subsequent to the party for whose honor he has accepted.

Sec. 172. The acceptor for honor by such acceptance engages that he will on due presentment pay the bill according to the terms of acceptance, provided it shall not have been paid by the drawee, and provided also that it shall have been duly presented for payment and protested for nonpayment and notice of dishonor given to him.

Sec. 173. Where a bill payable after sight is accepted for honor, its maturity is calculated from the date of the noting for non-acceptance and not from the date of the acceptance for honor.

Sec. 174. Where a dishonored bill has been accepted for honor supra protest or contains a reference in case of need, it must be protested for non-payment before it is presented for payment to the acceptor for honor or referee in case of need.

Sec. 175. Presentment for payment to the acceptor for honor must be made as follows:

1. If it is to be presented in the place where the protest for non-payment was made, it must be presented not later than the day following its maturity;
2. If it is to be presented in some other place than the place where it was protested, then it must be forwarded within the time specified in section 104.

Sec. 176 The provisions of section eighty-one apply where there is. delay in making presentment to the acceptor for honor or referee in case of need.

Sec. 17\%. When the bill is dishonored by the accentor for honor it. must be protested for non-payment by him.

## PAYMENT FOR HONOR.

Sec. 178. Where a bill has been protested for non-payment, any person may intervene and pay its supra protest for the honor of any person liable thereon or for the honor of the person for whose account it was drawn.

Sec. 179. The payment for honor supra protest in order to operate as such and not as a mere voluntary payment must be attested by a notarial act of honor which may be appended to the protest or form an extension to it.

Sec. 180. The notarial act of honor must be founded on a declaration made by the payer for honor or by his agent in that behalf declaring his intention to pay the bill for honor and for whose honor he pays.

Sec. 181. Where two or more persons offer to pay a bill for the honor of different parties, the person whose payment will discharge most parties to the bill is to be given the preference.

Sec. 182. Where a bill has been paid for honor all parties subsequent to the party for whose honor it is paid are discharged, but the payer for honor is subrogated for, and succeeds to, both the rights and duties of the holder as regards the party for whose honor he pays and all parties liable to the latter.

Sec. 183. Where the holder of a bill refuses to receive payment supra protest, he loses his right of recourse against any party who would have been discharged by such payment.

Sec. 184. The payer for honor on paying to the holder the amount of the bill and the notarial expenses incidental to its dishonor, is entitled to receive both the bill itself and the protest.

## BILLE IN A BKT.

Sec. 185. Where a bill is drawn in a set, each part of the set being numbered and containing a reference to the other parts, the whole of the parts constitute one bill.

Sec. 186. Where two or more parts of a set are negotiated to different holders in due course, the holder whose title first accrues is as between such holders the true owner of the bill. But nothing in this section affects the rights of a person who in due course accepts or pays the part first presented to him.

Sec. 187. Where the holder of a set endorses two or more parts to different persons he is liable on every such part, and every endorser subsequent to him is liable on the part he has himself indorsed, as if such parts were separate bills.

Sec. 188. The acceptance may be written on any part and it must be written on one part only. If the drawee accepts more than one part, and such accepted parts are negotiated to different holders in due course, he is liable on every such part as if it were a separate bill.

Sec. 189. When the acceptor of a bill drawn in a set pays it without requiring the part bearing his acceptance to be delivered up to him, and that part at maturity is outstanding in the hands of a holder in due course, he is liable to the holder thereon.

Sec. 190. Except as herein otherwise provided where any one part of a bill drawn in a set is discharged by payment or otherwise the whole bill is discharged.

## PROMISSORY NOTES AND CHECKS

Sec. 191. A negotiable promissory note within the meaning of this act. is an unconditional promise in writing made by one person to another, signed by the maker, engaging to pay on demand or at a fixed or determinable future time, a sum certain in money to order or to bearer, Where a note is drawn to the maker's own order, it is not complete until indorsed by him.

Sec. 192. A check is a bill of exchange drawn on a bank payable on demand. Except as herein otherwise provided, the provisions of this actapplicable to a bill of exchange payable on demand apply to a check.

Sec. 193. A check must be presented for payment within a reasonable time after its issue or the drawer will be discharged from liability thereon to the extent of the loss caused by the delay.

Sec. 194. Where a check is certified by the bank on which it is drawn, the certificaijon is equivalent to an acceptance.

Sec. 195. Where the holder of a check procures it to be accepted or certified, the drawer and all indorsers are discharged from liability thereon.

Sec. 196. A check of itself does not operato as an assignment of any part of the funds to the credit of the drawer with the bank, and the bank is not liable to the holder, unless and until it accepts or certifies the check.

That sections two (2), three (3), four (4), five (5), six (6), twelve (12), thirteen (13), fourteen (14), and fifteen (15), be a separate chapter, and be numbered sections $1,2,3,4,5,6,7$, and 8 , respectively.

> H. O. Weaver,
> Chairman.

Ordered passed on file.
The house took up the pending bill, House file No. 84, a bill for an act to revise, amend and codify the statutes in relation toevidence.

Committee amendment to section 97, chapter 1, was adopted. Committee amendment to section 98 , chapter 1, was adopted. Committee amendment to section 102, chapter 1, was adopted. Committee amendment to section 110, chapter 1, was adopted.
Mr. Cornwall moved to amend section 111 by inserting after the word "exceptions" the following: "and motion to suppress."

Adopted.
Mr. Bell moved to amend by adding to section 12: "But in prosecutions against gaming, betting, lotteries, dealing in options, and keeping a gambling house or rooms for the illegal use or disposal of intoxicating liquors, no witness shall be excused from giving testimony upon the ground that his testimony would tend to render him criminally liable, or expose him to public ignominy, but any matter so elicited shall not be used against him, and said witness shall not be prosecuted for any
crimes in which his evidence is used for the State under the provisions of this section."

Messrs. Smith and Hinman demanded the yeas and nays on this question, which resulted as follows:

On the question, "Shall the amendment prevail?" the yeas were:

Messrs. Allen, Bailey, Bell, Bird, Brady, Brant, Brighton, Brinton, Chapman, Clark, Classen, Cook, Crow, Davis, Doubleday, Evans, Finch, Frink, Funk, Garner, Good, Griswold, Grote, Gurley, Haugen, Hauger, Hendershot, Hinman, Jay, Johnson of Webster, Klemme, Ladd, Lambert, Lauder, Loomis, McAchran, McDonald, Martin, Merriam, Miller of Buena Vista, Miller of Warren, Morrison of Grundy, Morrison of Keokuk, Mullin, Nietert, Nolan, Parker, Potter, Prentis, Putnam, Ray, Reed, Scott, Smith, Spaulding, St. John, Temple, Thompson, Van Houten, Watters, Wells, Whelan, Whittier, Williams, Wilson, Wood, Mr. Speaker-67.

The nays were:
Messrs. Baker, Bowen, Byington, Cornwall, Dowell, Frazee, Hayes, Hazen, Hinkbouse, Hunt, Huntley, Jackson, Johnston of Franklin, Lowry, McArthur, McDowell, McNulty, Manahan, Marti, Mayne, Power, Sullivan-22.

Absent or not voting:
Messrs. Early, Edwards, Lavender, McQuin, Miller of Cherokee, Perrott, Porter, Tibbitts, Voelker, Weaver, Wheeler -11.

So the amendment prevailed.
Mr. Finch moved to amend section 97 as follows: Strike out of line 3 the words "the answer must" and insert "each answer must refer to the interrogatory answered by number and."

Adopted.
Mr. Evans moved to amend as follows: Amend section 8 by inserting after the word "surgeon," in line 1 , the following: "or the stenographer or confidential clerk of any such person who obtains such information by reason of his employment."

Adopted.
Mr. Cornwall moved that the rule be suspended, and that the bill be considered engrossed and read a third time now, which motion prevailed, and the bill was read a third time.

On the question, "Shall the bil! pass?" the yeas were:
Messrs. Bailey, Bell, Bird, Bowen, Brady, Brant, Brinton, Byington, Chapman, Clark, Classen, Cook, Cornwall, Crow,

Davis, Early, Edwards, Evans, Finch, Frink, Funk, Good, Griswold, Grote, Gurley, Haugen, Hauger, Hendershot, Hinkhouse, Hinman, Hunt, Huntley, Jackson, Jay, Johnson of Webster, Klemme, Ladd, Lambert, Loomis, McAchran, McDonald, Martin, Mayne, Miller of Buena Vista, Miller of Warren, Morrison of Grundy, Morrison of Keokuk, Mullin, Nietert, Nolan, Parker, Potter, Prentis, Patnam, Ray, Reed, Scott, Smith, Spaulding, St. John, Thompson, Van Houten, Watters, Wells, Whelan, Whittier, Williams, Wilson, Wood, Mr. Speaker -70.

The nays were:
Messrs. Allen, Baker, Dowell, Frazee, Hays, Hazen, Johnston of Franklin, Lauder, Lowry, McArthur, McDowell, McNulty, Manahan, Marti, Merriam, Power, Sullivan, Temple, Tibbitts, Weaver-20.

Absent or not voting:
Messrs. Brighton, Doubleday, Garner, Lavender, McQuin, Miller of Cherokee, Perrott, Porter, Voelker, Wheeler-10.
..) So the bill passed and the title was agreed to.
MESSAGE FROM THE SENATE.
The following message was received from the Senate:
Mr. Speaker-I am directed to inform your honorable body that the Senate has passed the following joint resolution No. 3, in which the concurrence of the House is asked:

Providing for the appointment of a joint committee to investigate the reports of trustees, regents, commissioners, or other officers of State institutions.

JOINT RESOLUTION NO. 3.
Providing for the appointment of a joint committee to investigate the reports of trustees, regents, commissioners, or other officers of State institutions and the books and the records of such institutions, for the payment of the expenses of such investigation and defining the powers of such committee.
Be it Resolved by the General Assembly of the State of Iowa:

1. That a joint committee consisting of three members of the Senate and three members of the House be appointed to investigate the reports of trustees, regents and commissioners and other officers of State institutions, and the books and records of such institutions for the purpose of ascertaining:

First.-Whether the trustees holding the positions named have faithfully accounted for all moneys of the State which have come into their hands.

Second.-Whether they have drawn money for services, per diem, mileage or expenses not authorized by law.

Third.-To investigate the manner in which contracts for the purchase of supplies have been let and to ascertain whether or not the institutions are conducted in an economical manner.

Fourth.-To ascertain whether the products of the institutions which are owned by the State are purchased, used or consumed by the other State institutions, and if not, the reason for discrimination against such products.

Fifth.-To report the result of such investigation to the Twenty-sixth or Twenty-seventh General Assembly as it may elect, and recommend, what, if any change should be adopted in the management of such institutions.
2. That such committee shall have power to employ a stenographic clerk at a salary not exceeding three dollars per day and actual traveling expenses and if deemed necessary to employ an expert accountant at a salary not exceeding five dollars per day, and actual traveling expenses, which per diem and expenses shall be paid out of any money in the treasury not otherwise appropriated, on vouchers signed by the chairman of the committee and filed with the Auditor of the State.
3. The committee shall have power over such institutions, subpœena and examine witnesses and enforce theirattendance, require the production of books, records, papers and me moranda, and it shall have power to punish as a contempt by fine and imprisonment, or either of them, the offense of refusal to attend or be sworn or examined before the committee when duly summoned, or for a refusal to produce books, papers, records, or memoranda when ordered so to do by the committee. Subpenas or orders shall be signed by the chairman of the committee and served by any peace officer, who shall be entitled to the same fees as serving similar papers in the district court.
4. That such committee may hold its sessions either during the time of the present session of the legislature or after the adjournment thereof.
5. The members of such committee shall receive while engaged-in the performance of their duties, mileage in the sum of five cents per mile each way, and the other actual and necessary expenses incurred, to be paid out of any moneys in the treasury not otherwise appropriated, on sworn vouchers filed with the Auditor of State.
6. That the period to be covered by this investigation shall be from July 1st, 1893.

Geo. A. Newman.
Secretary.
On motion of Mr. Bowen, House file No. 43, a bill for an act to revise, amend and codify the statutes in relation to the State board of health, with report of committee recommending passage with amendments, was taken up, considered and the amendments of the committee adopted.

Mr. Gurley was called to the chair.
Mr , Weaver moved that House file No. 43 be recommitted, and that it retain its place on the Calendar.

Carried.
Speaker Byers resumed the chair.

Calendar No. 37, being House file No. 82, a bill for an act to revise, amend and codify the statutes in relation to procedure in particular cases, with report of committee recommending passage with amendments, was taken up, considered and the amendments of the committee adopted.

Mr. Finch moved that the rule be suspended, and that the bill be considered engrossed and read a third time now, which motion prevailed.

Mr. Ray was called to the chair.
Speaker Byers resumed the chair.
Joint resolution No. 3, from Senate, relative to investigation of board of regents and other State officers of State institutions, was taken up and read first and second time and referred to Committee on Com pensation of Public Officers.

Mr. Speaker-Your Fifth Division of Code Revision Committee, to whom was referred chapters $20,28,29,30,31,32,44,45,47,48,66,73,84$, 104, 109, 114 and 144, being chapters of the acts of the Twenty-sixth General Assembly, beg leave to report that they have had the same under consideration, and that chapters $23,29,30,31,32,109,114$ and 144 , at the request of the Committee on Ways and Means, have been referred to said committee for consideration.

That chapters $44,45,47$ and 48 are likewise referred to the Committee on Roads and Highways for their consideration.

That chapter 73 of the said acts be referred to Code Revision Committee, No. 3, for their consideration.

Your committee would further report that the remaining chapters have been carefully considered by the committee as shown by the reports heretofore made.
H. O. Weaver, Chairman.
So ordered.
On motion of Mr. Putnam, House adjourned till 9 A. m. tomorrow.

Hall of the House of Reprebentatives, \} Des Monef, Iowa, Saturday, February 13, 1897. $\}$
The House met at 9 A. M., with Speaker Byers in the chair.
The session was opened with prayer by Rev. H. F. Moore of Webster City, Iowa.

Messrs. Clark and Grote were excused until Tuesday.
Mr. Potter was granted indefinite leave of absence on account of sickness.

Mr. Voelker was excused on account of sickness.
PETITIONS AND MEMORIALS.
Mr. Lauder presented petition of citizens of Union county, asking for a 2 -cent rate on railroads.

Referred to Committee on Railroads and Commerce.
Messrs. Huntley and Lauder presented remonstrances of citizens of their respective counties, against a manufacturing bill.

Referred to Committee on Domestic Manufactures.
Mr. Ray presented petition of citizens of Poweshiek county, asking that bankers be required to give bonds to protect depositors.

Referred to Committee on Banks and Banking.
Mr. Scott presented remonstrance of citizens of Monroe county, against the proposed revenue bill as regards building and loan associations.

Referred to Committee on Ways and Means.
Mr. Power presented remonstrance of citizens of Lee county, against proposed change in assessment laws.

Referred to Committee on Ways and Means.
Mr. Merriam presented petition of J. W. Rowe and eleven others of Delaware county, asking for a 2 -cent railroad fare.

Referred to Committes on Railroads and Commerce.

Mr. Speaker presented memorial of John Colvin, Speaker of House of Representatives, Pierre, South Dakota, in reference to alien ownership of lands, etc., in the United States.

Referred to Committee on Code Revision, First Division.
Mr. Dowell presented petition of Wm. F. Nine and one thousand and seventy-four others, asking the passage of a manufacturing bill.

Referred to Committee on Domestic Manufactures.
Mr. Early offered the following resolution and moved its adoption:

Resolved by the House, the Senate concurring, That a joint convention be held in the Hall of the House on Tuesday, February 16, 1897, at 11:45 A. M., for the purpose of electing a trustee of the Agricultural College to fill the vacancy caused by the resignation of A. T. Meservey.

Adopted.

## REPORTS OF COMMITTEES.

Mr. Bowen, from the Committee on Public Health, submitted the following report:

Mr. Speaker-Your Committee on Public Health, to whom was referred House file No. 43, a bill for an act to revise, amend and codify the statutes in relation to the State Board of Health, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the House with the following amendment:

Amend section 1, line 4, by adding after the word "term" the following: "But no one of the seven physicians hereafter appointed shall be an officer or member of the faculty of any medical school, and the Governor shall have power to remove any member of said board for good cause shown."

## D. H. Bowen,

Chairman.
Ordered passed on file.
Mr. Reed, from the Committee on School and Text Books, submitted the following report:

Mr. Speaker-Your Committee on School and Text Books, to whom was referred House file No. 62, a bill for an act to revise, amend and codify the statutes in relation to the system of common schools, being chapters 14 and 15, title XIII, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same do pass with the following amendments:

Section 4, line 6, after the word "townships" insert the following: "provided ten days' notice has been posted in each district."

Section 4, line 11, after the word "houses" insert "provided ten days' notice has been posted in each district."

Section 6, line 2, insert after the word "meeting" the following: "and the amount of school house tax to be voted."

Section 6, line 5, strike out the following: "In the year preceding the expiration of the term of office of the director for that district, or in caseof a vacancy therein."

Section 10, line 5, strike out "the term of three years" and insert "one vear;" and at the end of line 5 strike out "or for the remainder of the unexpired term and until his successor is elected and qualified."

Section 19, line 32, strike out "and securing his approval in writing of the plans submitted."

Section 19, line 56, strike out 'bbut such suspension shall not continue more than one week nor be ordered more than once during the same term."

Section 19, add at the end of line 60 the following: "The board of directors of any independent school district is also empowered to establish within said district, in connection with the common schools, a kindergarten or kindergartens, for the instruction of children, to be paid for in the same manner as other grades and departments. All teachers in kindergartens established under this act shall hold a certificate from the county superintendent certifying that the holder thereof has been examined upon kindergarten principles and is qualified to teach kindergartens."

Section 59, line 10, insert after the word "elections" the following: "Provided that nothing in this section shall be constructed to prohibit women from voting at all elections at which they are entitled to vote."

Chapter 15, page 582, section 5, line 3, strike out "system and."
Section 10, chapter 15, line 1, strike out "whether" and at the end of the same line strike out the words "or the third preceding section."

At the end of said chapter 15 add the following:
Section 18. Whenever a petition signed by one-third or more of the legal voters, to be determined by the school board of any school township, or independent district, shall be filed with the secretary thirty days or more before the annual meeting of the electors, asking that the question of providing free text-books, for the use of pupils in the public schools. thereof, be submitted to the voters at the next annual meeting, he shall cause notice of such proposition to be given in the call for such meeting. If at such meeting, a majority of the legal voters present and voting by ballot thereon, shall authorize the board of directors of such school township, or independent district, to loan text-books to pupils free of charge, then the board shall procure such books as shall be needed, in the manner provided by law for the purchase of text-books, and loan them to the pupils.

The board shall hold pupils responsible for any damage to, loss of, or failure to return any such books, and shall adopt such rules and regulations that may be responsible and neccessary for the keeping and preservation thereof. Any pupil shall be allowed to purchase any text-book used in the school at cost.

No pupil already supplied with text-books shall be supplied with others without charge until needed. The electors may at any election called as herein provided, direct the board to discontinue the loaning of text-books. to pupils.

Strike out all the marginal and reference numbers.

J. F. Reed,<br>Chairman.

Ordered placed on file.

Mr. Temple, from the Committee on Code Revision, Division No. 1, submitted the following report:

Mr. Speaker-Your Committee on Code Revision, Division No. 1, to whom was referred House file No. 19, a bill for an act to revise, amend and codify the statutes in relation to banks and banking, beg leave to report that the same has been demanded by the Committee on Banks and Banking and that under the rules of the House it has referred the same to said standing committee.

M. L. Temple, Chairman.

So ordered.
Mr. Lauder, from the Committee on Railroads and Commerce, submitted the following report:

Mr. Speaker-Your Committee on Railroads and Commerce, to whom was referred Senate file No. 20, a bill for an act to revise, amend and codify the statutes in relation to the construction and operation of railways, being chapter 5 , title 10 , beg leave to report that they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same do pass.

> J. W. Lauder,
> Chairman.

Ordered passed on file.
Mr. Temple, from the Committee on Code Revision, First Division, submitted the following report:

Mr. Speaker-Your Committee on Code Revision, First Division, to whom was referred certain acts of the Twenty-sixth General Assembly, beg leave to report they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same be re-referred as follows:

Chapter 21 to the Committee on Insurance.
Chapter 22 to the Committee on Insurance.
Chapter 23 to the Committee on Insurance.
Chapter 54 to the Committee on Judiciary.
Chapter 55 to the Committee on Judiciary.
Chapter 64 to the Committee on Judiciary.
Chapter 74 to the Committee on Judiciary.
Chapter 75 to the Committee on Judiciary.
Chapter 108 to the Committee on Judiciary.
Chapter 110 to the Committee on Judiciary.
Chapter 111 to the Committee on Judiciary.
Chapter 85 to the Committee on Building and Loan Associations.
Chapter 125 to the Committee on Representative Districts.
M. L. Temple,
('hatrnaan.
So ordered.
The clerk resumed the reading of House file No. 82, which was pending on yesterday.

To the proposition of considering read those sections in which there is no change, Mr. Morrison of Grundy objected and insisted that the bill be read in full, and the clerk completed the reading.

On the question, "Shall the bill pass?" the yeas were:
Messrs. Allen, Baker, Bell, Bowen, Brady, Brighton, Brinton, Byington, Classen, Cook, Crow, Davis, Doubleday, Dowell, Early, Evans, Finch, Griswold, Gurley, Haugen, Hayes, Hazen, Hendershot, Hinkhouse, Hinman, Hunt, Huntley, Jackson, Johnson of Webster, Johnston of Franklin, Klemme, Ladd, Lambert, Lavender, Loomis, Lowry, McAchran, McDowell, McNulty, Martin, Mayne, Merriam, Miller of Buena Vista, Miller of Warren, Morrison of Grundy, Morrison of Keokuk, Mullin, Nietert, Nolan, Parker, Perrott, Prentis, Putnam, Ray, Reed, Scott, Smith, Spaulding, St. John, Temple, Thompson, Watters, Whelan, Whittier, Williams, Wilson, Wood, Mr. Speaker-68.

The nays were:
Messrs. Frazee, McArthur, Manahan, Power, Sullivan-5.
Absent or not voting:
Messrs. Bailey, Bird, Brant, Chapman, Clark, Cornwall, Edwards, Frink, Funk, Garner, Good, Grote, Hauger, Jay, Lauder, McDonald, McQuin, Marti, Miller of Cherokee, Por ter, Potter, Tibbitts, Van Houten, Voelker, Weaver, Wells, Wheeler-27.

So the bill passed and the title was agreed to.
Calendar No. 38, being House file No. 63, a bill for an act to revise, amend and codify the statutes in relation to the school fund, with report of committee recommending passage with amendments, was taken up, considered, and the amendments of the committee adopted.

Mr. Nietert was called to the chair.
Speaker Byers resumed the chair.
Mr. Reed moved that the rule be suspended, and that the bill be considered engrossed and read a third time now, which motion prevailed and the bill was read a third time.

On the question, "Shall the bill pass?" the yeas were:
Messrs. Allen, Baker, Bell, Bowen, Brady, Brant, Brighton, Brinton, Byington, Classen, Cook, Crow, Davis, Doubleday, Dowell, Early, Edwards, Evans, Finch, Frazee, Griswold, Gurley, Haugen, Hauger, Hazen, Hendershot, Hinkhouse, Hinman, Hunt, Huntley, Jackson, Johnson of Webster, Johnston
of Franklin, Klemme, Ladd, Lambert, Lauder, Lavender, Loomis, Lowry, McAchran, McArthur, McDowell, McNulty, Martin, Mayne, Merriam, Miller of Buena Vista, Miller of Warren, Morrison of Grundy, Morrison of Keokuk, Mullin, Nietert, Nolan, Parker, Perrott, Power, Prentis, Putnam, Ray, Reed, Scott, Smith, Spaulding, Sullivan, Temple, Thompson, Watters, Whelan, Whittier, Williams, Wilson, Wood, Mr. Speaker-74.

The nays were:
None.
Absent or not voting:
Messrs. Bailey, Bird, Chapman, Clark, Cornwall, Frink, Funk, Garner, Good, Grote, Hayes, Jay, McDonald, McQuin, Manahan, Marti, Miller of Cherokee, Porter, Potter, St. John, Tibbitts, Van Houten, Voelker, Weaver, Wells, Wheeler-26.

So the bill passed and the title was agreed to.
Galendar No. 36, being House file No. 43, a bill for an act to revise, amend and codify the statutes in relation to the State board of health, with report of committee recommending passage with amendments, was taken up, considered, and the amendments of the committee adopted.

Mr. Bowen moved that the rule be suspended, and that the bill be considered engrossed and read a third time now, which motion prevailed and the bill was read a third time.

On the question, "Shall the bill pass?" the yeas were:
Messrs. Allen, Baker, Bowen, Brady, Brant, Brinton, Byington, Classen, Cook, Davis, Doubleday, Early, Edwards, Finch, Frazee, Griswold, Gurley, Haugen, Hauger, Hazen, Hendershot, Hinkhouse, Hinman, Huntley, Jackson, Johnson of Webster, Johnston of Franklin, Lambert, Lauder, Loomis, Lowry, McAchran, McDowell, McNulty, Martin, Mayne, Merriam, Miller of Buena Vista, Miller of Warren, Morrison of Keokuk, Nietert, Nolan, Parker, Power, Prentis, Putnam, Reed, Smith, Sullivan, Temple, Thompson, Van Houten, Watters, Whelan, Whittier, Williams, Wilson, Mr. Speaker-58.

The nays were:
Messrs. Bell, Crow, Dowell, Evans, Hunt, Klemme, Ladd, Lavender, McArthur, Morrison of Grundy, Mullin, Perrott, Ray, Scott, Wood-15.

Absent or not voting:
Messrs. Bailey, Bird, Brighton, Chapman, Clark, Cornwall, Frink, Funk, Garner, Good, Grote, Hayes, Jay, McDonald,

McQuin, Manahan, Marti, Miller of Cherokee, Porter, Potter, Spaulding, St. John, Tibbitts, Voelker, Weaver, Wells, Wheeler-27.

So the bill passed and the title was agreed to.
Calendar No. 40, being House file No. 45, a bill for an act to revise, amend and codify the statutes in relation to the practice of pharmacy, with report of committee recommending passage with amendments, was taken up and considered.

The committee amendment to section 1 was adopted.
The committee amendment to section 7, line 17, was adopted.
Mr. Prentis moved to amend the committee amendment to section 8 by inserting between the words "and" and "shall" the words "any person;" also, after the word "conviction," insert the word "thereof."

Adopted.
The committee amendment as amended was adopted.
Mr. Morrison of Keokuk moved to amend section 2, line 7, by striking out the word "herein" and inserting in lieu thereof the words "in this chapter."

Adopted.
Mr. Early moved to amend as follows: Amend section 8 by adding to said section the words "the provisions of this section shall not apply to itinerant venders of proprietary medicines."

The amendment was lost by a vote 20 yeas to 39 nays.
Mr. Smith offered the following amendment: After the word "treasury," in section 8, line 7, add "Said commissioners shall, on the first day of January of each year, make a verified and itemized statement in writing to the Auditor of State of all receipts and expenditures of money coming into their hands by virtue of their office."

Adopted.
Mr. Gurley moved to amend as follows: Amend section 8, line 1, by striking out the word "itinerant."

Lost.
Mr. Power moved to amend as follows: Amend section 9, in line 3, after the word "chemical," by inserting the following: "except exclusive manufacturers of proprietary medicines."

Lost.
Mr. McArthur moved to amend as follows: Amend section 8 , by inserting in line 1 , between the word "vender" and "of,"
the words "except such as confine their business to the county of their residence."

Lost.
Mr. Davis moved that the rule be suspended, and that the bill be considered engrossed and read a third time now, which motion prevailed and the bill was read a third time.

On the question, "Shall the bill pass?" the yeas were:
Messrs. Allen, Baker, Bell, Bowen, Brady, Brant, Brighton, Brinton, Byington, Classen, Crow, Davis, Doubleday, Dowell, Early, Edwards, Evans, Finch, Griswold, Haugen, Hauger, Hazen, Hendershot, Hinkhouse, Hinman, Jackson, Johnson of Webster, Johnston of Franklin, Klemme, Ladd, Lambert, Lauder, Lavender, Lowry, McAchran, McDowell, McNulty, Manahan, Mayne, Merriam, Miller of Buena Vista, Miller of Warren, Morrison of Grundy, Morrison of Keokuk, Mullin, Nolan, Parker, Prentis, Reed, Scott, Smith, Spaulding, Sullivan, Temple, Thompson, Van Houten, Watters, Whelan, Whittier, Williams, Wood, Mr. Speaker-62.

The nays were:
Messrs. McArthur, Martin, Nietert, Power, Ray-5.
Absent or not voting:
Messrs. Bailey, Bird, Chapman, Clark, Cook, Cornwall, Frazee, Frink, Funk, Garner, Good, Grote, Gurley, Hayes, Hunt, Huntley, Jay, Loomis, McDonald, McQuin, Marti, St. John, Tibbitts, Voelker, Weaver, Wells, Wheeler, Whittier, Wilson-29.

So the bill passed and the title was agreed to.
On motion of Mr. Brant, the House adjourned until 10 o'clock Monday morning
$\left.\begin{array}{l}\text { Hall of the House of Representatives, } \\ \text { es Moines, Iowa, Monday, February 15, } 1897 .\end{array}\right\}$
House met at 10 o'clock A. M., Speaker Byers in the chair. Prayer by Rev. Mr. Johnson of Boone, Iowa.

PETITIONS AND MEMORIALS.
Messrs. Parker and Good presented remonstrances of citizens of their respective counties, against raising assessments for purposes of taxation.

Referred to Committee on Ways and Means.
Mr. Manahan presented petition of citizens of Plymouth county, asking a change in the statutes so as to give threshers a lien on grain threshed.

Referred to Committee on Agriculture.
Messrs. McDonald and Evans presented petitions of citizens of Guthrie and Wayne counties, respectively, asking for a 2-cent rate on railroads.

Referred to Committee on Railroads and Commerce.
Mr. Smith presented memorial of Greene District Lodge, I. O. G. T., against the passage of a manufacturers' bill.

Referred to Committee on Suppression of Intemperance.
On motion of Mr. Wood, House file No. 1, a bill for an act making a special appropriation for the Institution for Feeble Minded at Glenwood, Iowa, with report of committee recommending a substitute and that substitute do pass, was taken up and considered.

On motion of Mr. Wood, House file No. 1 was re-referred to Committee on Appropriations.

MESSAGE FROM THE SENATE.
The following message was received from the Senate:
Mr. Speaker-I am directed to inform your honorable body that the Senate has passed the following concurrent resolution, in which the concurrence of the House is asked:

Relative to a joint convention for the purpose of electing a trustee of the Agricultural College.

> Geo. A. Newman, Sectetary.

On motion of Mr. Temple, House file No. 87, a bill for an act to revise, amend and codify the statutes in relation to the discipline and government of jails and penitentiaries, with report of committee recommending passage with amendments, was taken up, considered and the report of the committee adopted.

Mr. Temple moved to amend section 17 by adding thereto the words "such labor shall be performed in accordance with such rules and regulations as may be made by resolution of the board of supervisors, not inconsistent with the provisions of this chapter, and such labor shall not be leased."

Adopted.
Mr. Davis moved to strike out of line 5, in section 57, chapter 2, the words "one hundred" and insert the words "seventyfive."

Adopted by a vote of 30 yeas to 14 nays.
Mr. Temple moved that the rule be suspended, and that the bill be considered engrossed and read a third time now, which motion prevailed and the bill was read a third time.

On the question, "Shall the bill pass?" the yeas were:
Messrs. Baker, Bell, Bowen, Brady, Byington, Classen, Cook, Crow, Davis, Doubleday, Early, Edwards, Evans, Frazee, Good, Griswold, Gurley, Haugen, Hauger, Hazen, Hendershot, Hinkhouse, Hinman, Huntley, Jackson, Johnson of Webster, Johnston of Franklin, Klemme, Lowry, McAchran, McDowell, McNulty, Manahan, Martin, Mayne, Merriam, Miller of Buena Vista, Miller of Warren, Morrison of Keokuk, Mullin, Nietert, Nolan, Parker, Perrott, Porter, Potter, Prentis, Putnam, Ray, Reed, Smith, Spaulding, Sullivan, Temple, Thompson, Watters, Weaver, Whelan, Whittier, Williams, Wilson, Wood, Mr. Speaker-63.

The nays were:
Messrs. Dowell and Ladd-2.
Absent or not voting:
Messrs. Allen, Bailey, Bird, Brant, Brighton, Brinton, Chapman, Clark, Cornwall, Finch, Frink, Funk, Garner, Grote, Hayes, Hunt, Jay, Lambert, Lauder, Lavender, Loomis, McArthur, McDonald, McQuin, Marti, Miller of Cherokee,

Morrison of Grundy, Power, Scott, St. John, Tibbitts, Van Houten, Voelker, Wells, Wheeler-35.

So the bill passed and the title was agreed to.
Senate file No. 49, with Senate amendments to House amendments to the bill, was taken up and considered.

Upon the motion of Mr. Ray, the House agreed to the Senate amendments to the House amendments to Senate file No. 49.

On motion of Mr. Reed, House file No. 62, a bill for an act to revise, amend and codify the statutes in relation to the system of common schools, with report of committee recommending passage with amendments, was taken up and considered.

The committee amendment to section 4, line 6, was adopted.
The committee amendment to section 4, line 11, was adopted.
The committee amendment to section 6, line 2, was adopted.
The committee amendment to section 6, line 5, was adopted.
The committee amendment to section 10 , line 5 , was adopted.
The committee amendment to section 19, line 32, was adopted.
The committee amendment to section 19, line 56 , was adopted.
The committee amendment to section 19, line 60, was adopted.
The committee amendment to section 59 , line 10 , was adopted.
The committee amendment to section 5 , line 3 , chapter 15 , was adopted.

The committee amendment to section 10 , line 1 , chapter 15 , was adopted.

The committee amendment to add to chapter 15, as section 18, was adopted.

The following motion to reconsider was filed:
Mr. Sphaker-I move a reconsideration of the vote by which amendment to Senate file No. 49 was concurred in.
W. E. Hauger.

I second the motion.
W. B. Martin.

On motion of Mr. Reed, House adjourned until 2 p. m.

## AFTERNOON SESSION.

The House was called to order at 2 P. m. by Speaker Byers. Mr. Allen was excused until Wednesday.
Mr. McAchran moved to amend House file No. 62, the pend. ing bill, by inserting after the word "corporation" in line

10, section 19, the words 'but no school building shall be used for the sale of any kind of merchandise.

Adopted.
Mr. Edwards moved to amend section 19, line 4, by striking out the words "provide for the fencing of school house sites."

Lost.
Mr. Cook moved to amend by adding to section 52 the words 'at the annual school election in independent districts of 1,000 population or more there shall be chosen by the voters, by ballot, a treasurer who shall qualify on the Tuesday following the third Monday in September, next, and shall give bond in such sum as the board of directors shall require and shall serve until his successor is elected and qualified."

Adopted.
Mr. Spaulding moved to amend by adding to section 25 the words, "provided the parent or guardian of non-resident pupils pays local taxes in such school township or independent district, such pupils may attend free of charge.

Adopted.
Mr. Mullin moved to amend section 19 of committee report by adding after the word "district" in the second line thereof the following words: "upon the vote of a majority of the legal voters thereof at any annual meeting."

On a division of the House the amendment was lost by a vote of 26 yeas to 35 nays.

Mr. Early moved a reconsideration of the vote by which the amendment as offered by Mr. Spaulding was adopted.

Carried.
The amendment was then put and lost.
Mr. Spaulding offered the following amendment: Strike out in section 73, line 1, the words "school officer" and insert the word "secretary."

Lost.
The clerk proceeded to read the bill for information and amendments.

Mr. Wilson was called to the chair.
Speaker Byers resumed the chair.
Mr. Cook moved to amend as follows: Add after "members" in line 4, section 53, the words, "when not otherwise provided for in this chapter."

Adopted.

Mr. Prentis moved to amend section 40, lines 3 and 4, by striking out "one hundred" and inserting "seventy-five" in lieu thereof.

Adopted.
There being no further amendments, Mr. Reed moved that the rule be suspended, and that the bill be considered engrossed and read a third time now, which motion prevailed and the bill was read a third time.

On the question, "Shall the bill pass?" the yeas were:
Messrs. Baker, Bell, Bowen, Brady, Brant, Byington, CClassen, Cook, Crow, Davis, Doubleday, Dowell, Early, Edwards, Evans, Frazee, Funk, Good, Griswold, Haugen, Hauger, Hazen, Hendershot, Hinkhouse, Hinman, Huntley, Johnson of Webster, Johnston of Franklin, Klemme, Ladd, Lauder, Lowry, McAchran, McDowell, McNulty, Martin, Mayne, Merriam, Miller of Buena Vista, Miller of Warren, Morrison of Keokuk, Mullin, Nietert, Nolan, Parker, Perrott, Porter, Potter, Prentis, Putnam, Ray, Reed, Scott, Smith, Spaulding, Sullivan, Temple, Thompson, Van Houten, Watters, Weaver, Wells, Whelan, Whittier, Williams, Wilson, Wood, Mr. Speaker-68.

The nays were:
None.
Absent or not voting:
Messrs. Allen, Bailey, Bird, Brighton, Brinton, Chapman, Clark, Cornwall, Finch, Frink, Garner, Grote, Gurley, Hayes, Hunt, Jackson, Jay, Lambert, Lavender, Loomis, McArthur, McDonald, McQuin, Manahan, Marti, Miller of Cherokee, Morrison of Grundy, Power, St. John, Tibbitts, Voelker, Wheeler -32.

So the bill passed and the title was agreed to.
On motion of Mr. Klemme, the House adjourned until 9 A. m. to-morrow.

House called to order at 9 A. M., Speaker Byers in the chair. Prayer by Rev. Beckhart of Anita. Journal of yesterday corrected and approved. PETITIONS AND MEMORIALS.

Messrs. Finch, Hendershot, Dowell, Watters and Prentis presented petitions of citizens of their respective counties, against a manufacturers' bill.

Referred to Committee on Domestic Manufactures.
Mr. Dowell presented petition of citizens of Polk county, asking a manufacturers' bill.

Referred to Committee on Domestic Manufactures.
Messrs. Dowell, Davis and Brinton presented petitions of citizens of their respective counties, asking a 2 -cent rate on railroads.

Referred to Committee on Railroads and Commerce.
Calender No. 42, House file No. 85, a bill for an act to revise, amend and codify the statutes in relation to crimes and punishments, with report of committee recommending passage with amendments, was taken up and considered.

Mr. Bell moved to amend committee amendment to section 34, line 2, by striking out the word "five" and inserting the word "ten."

Lost.
Committee amendment was adopted.
Committee amendment to section 35, line 2, was adopted.
Committee amendment to add after section 39, was adopted.
The committee amendment to section 15 , chapter 3 , was adopted.

The committee amendment to add after section 17 as section 18, was adopted.

The committee amendment to section 18 , line 5, was adopted.
The committee amendment to section 19, line 4, was adopted.
The committee amendment to section 21 , line 6 , was adopted.
The committee amendment to section 22, line 5, was adopted.
The committee amendment to section 19 , chapter 4 , was adopted.

The committee amendment to change section numbers and insert committee section 24, was adopted.

Mr. Doubleday moved to strike out of section 20, chapter 4, line 2, the word "one," and insert in lieu thereof the word "three."

Lost.
Committee amendment to section 1, chapter 5 , was adopted.
Mr. Mayne moved to amend as follows: Insert after word "chattels," in line 2, section 1, chapter 5, the words "including all domesticated or restrained animals."

Adopted.
Committee amendment to insert chapter 71, acts Twentysixth General Assembly, as sections 4, 5 and 6, of chapter 5, was adopted.

Mr. Martin in the chair.
Committee amendments to section 7 , chapter 5 , were adopted.
Mr. Smith moved to amend section 4, line 3, chapter 7, by inserting after the word "whether" the words "or in any manner threatens or intimidates."

Adopted.
Committee amendment to section 20, chapter 7, was adopted.
Committee amendment to section 23, chapter 7, was adopted.
Committee amendment to section 27, chapter 7, was adopted by a vote of 36 yeas to 15 nays.

Mr. Whelan moved to amend section 25, chapter 7 by inserting after the words "criminal charge" in line 3 the words "with or without a warrant."

Adopted.
Speaker Byers in the chair.

## REPORTS OF COMMITTEES.

Mr. Davis, from the Committee on Pharmacy, submitted the following report:

Mr. Speaker-Your Committee on Pharmacy, to whom was referred House file No. 46, a bill for an act to revise, amend and codify the statutes in relation to the practice of dentistry, beg leave to report that they have Thad the sameo under consideration and have instructed me to report the
same back to the House with the recommendation that the same do pass with the following amendments:

Strike out the words "twenty-five" in the fifteenth line of section 1, and insert in lieu thereof the word "ten;" also, by inserting in the seventeenth line, after the word "office," the following: "Any one who desires to continue in the practice of dentistry shall on or before May 15 th of each year, pay to the board of examiners the sum of one dollar, for which he shall receive a renewal of his certificate, unless his name has been stricken from the register for violation of law. Any person who shall fail or neglect to procure his annual renewal of registration shall for each such offense be liable to a fine of ten dollars for each calendar month during which he is delinquent;" also, by striking out all marginal numbers and reference numbers at end of sections and marginal lines.

> M. J. DAvis,
> Chairman.

Ordered passed on file.
Mr. Finch, from the Committee on Code Revision, Third Division, submitted the following report:

Mr. Speaker-Your Committee on Code Revision, Third Division, to whom was referred certain acts of the Twenty-sixth General Assembly, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same be re-referred, as follows:

1. Chapters $1,2,3,4,5,6,7,8,9,10,11,12,13,14,15,16,17,18,19,24$, 27,51 and 63 to the Committee on Municipal Corporations.
2. Chapters 25 and 60 to the Committee on Suppression of Intemperance.
3. Chapters 24 and 27 to the Committee on Ways and Means.
4. Chapter 91 to the Committee on Public Health.
5. Chapters 52,53 and 56 to the Committee on Insane.
6. Chapter 59 to the Committee on Pharmacy.
7. Chapters 65, 89 and 90 to the Committee on Judiciary.
8. Chapter 94 to the Committee on Mines and Mining.
9. Chapter 101 to the Committee on Agriculture.
10. Chapter 120 to the Committee on Fish and Game.
11. Chapter 57 to the Fourth Division of Code Committee.
P. Finch, Chairman.
Referred to the Committee on Distribution of the Acts of the Twenty-sixth General Assembly.

Mr. Early moved that a committee of three be appointed to notify the Senate that the House is in readiness for the joint session.

Adopted.
The Speaker appointed as such committee Messrs. Early, Martin and McDowell.

The Speaker requested those members on the west side of the House chamber to vacate their seats for the use of the honorable body of the Senate.

The committee appointed to notify the Senate reported that duty performed and were discharged.

The doorkeeper announced the arrival of the honorable body of the Senate, which body took seats in the west side of the hall vacated for their use.

JOINT CONVENTION.
The joint convention was called to order by Senator Funk, President pro tem. of the Senate, who stated that the object of the joint convention was the selection of a trustee for the Iowa Agricultural College at Ames to fill a vacancy in the Eleventh district.

The clerk called the roll to ascertain if there be a quorum present.

Those present were:
Messrs. Alexander, Allyn of Ringgold, Bailey, Bell of Jefferson, Bell of Washington, Berry, Bird, Blanchard, Bonson, Bowen, Brady, Brant, Brighton, Brinton, Byers of Lucas, Byers of Shelby, Byington, Carpenter, Carroll, Chapman, Clark, Cook, Craig, Crow, Davis, Doubleday, Dowell, Downey, Druet, Early, Edwards, Ellis, Ellison, Ericson, Evans, Everall, Finch, Funk of Dickinson, Funk of Hardin, Garst, Gilbertson, Good, Griswold, Gurley, Harriman, Haugen, Hauger, Hazen, Healy, Hendershot, Henderson, Hinkhouse, Hinman, Hipwell, Hobart, Hospers, Hotchkiss, Hunt, Huntley, Hurst, Jackson, Johnson of Webster, Johnston of Franklin, Junkin, Kiıburn, Klemme, Ladd, Lambert, Lauder, Lothrop, Lowry, McAchran, Merriam, McDonald, McDowell, McNulty, Marti, Martin, Mayne, Miller of Buena Vista, Miller of Warren, Morrison of Grundy, Morrison of Keokuk, Mullin, Nietert, Nolan, Palmer, Parker, Penrose, Perrin, Perrott, Phelps, Potter, Power, Prentis, Putnam, Ray, Reed, Riggen, Rowen, Scott, Spaulding, Sullivan, Temple, Thompson, Tibbitts, Trewin, Voelker, Waterman, Weaver, Wells, Wheeler, Whelan, Whittier, Williams, Wilson, Wood-116.

Those absent were:
Messrs. Allen of Van Buren, Baker, Carney, Cheshire, Classen, Cornwall, Eaton, Frazee, Frink, Garner, Gorrell, Grote, Harper, Hayes, Jay, Lavender, Lehfeldt, Loomis, McArthur, McQuin, Manahan, Miller of Cherokee, Mitchell,

Porter, Pusey, Ranck, Sargent, Smith, St. John, Upton, Van Houten, Watters, Young-33.

There being a quorum present, Senator Lothrop placed in nomination the name of W. J. Dixon of Sac City to fill said vacancy, it being the unexpired term of the Hon. A. F. Meservey.

The President of the Senate appointed as teller on the part of the Senate Senator Ellison of Jones.

Speaker Byers appointed as teller on the part of the House Mr. Thompson of Fayette.

There being no other nominations the roll was then called, which resulted as follows:

Those voting for Mr. Dixon were:
Messrs. Alexander, Allyn of Ringgold, Bailey, Bell of Jefferson, Bell of Washington, Berry, Blanchard, Bowen, Brady, Brant, Brighton, Brinton, Byers of Lucus, Byers of Shelby, Carpenter, Carroll, Chapman, Clark, Cook, Craig, Crow, Davis, Doubleday, Dowell, Downey, Druet, Early, Edwards, Ellis, Ellison, Erickson, Evans, Finch, Funk of Dickinson, Funk of Hardin, Garst, Gilbertson, Good, Griswold, Gurley, Harriman, Haugen, Hauger, Healy, Hendershot, Henderson, Hinkhouse, Hinman, Hobart, Hospers, Hotchkiss, Huntley, Jackson, Johnson of Webster, Johnston of Franklin, Junkin, Kilburn, Klemme, Ladd, Lambert, Lauder, Lothrop, McAchran, McDonald, McNulty, Martin, Mayne, Merriam, Miller of Buena Vista, Miller of Warren, Morrison of Grundy, Morrison of Keokuk, Mullin, Nietert, Nolan, Palmer, Parker, Penrose, Perrin, Perrott, Phelps, Potter, Power, Prentis, Putnam, Ray, Reed, Riggen, Rowen, Sargent, Scott, Smith, Spaulding, Temple, Thompson, Tibbitts, Trewin, Waterman, Watters, Weaver, Wells, Whelan, Whittier, Williams, Wilson, Wood-106. Those absent were:
Messrs. Allen of Van Buren, Baker, Bird, Bonson, Byington, Carney, Cheshire, Classen, Cornwall, Early, Everall, Frazee, Frink, Garner, Gorrell, Grote, Harper, Hayes, Hazen, Hipwell, Hunt, Hurst, Jay, Lavender, Lehfeldt, Loomis, Lowry, McArthur, McDowell, McQuin, Manahan, Marti, Miller of Cherokee, Mitchell, Porter, Pusey, Ranck, St. John, Sullivan, Upton, Van Houten, Voelker, Wheeler, Young -44.

Mr. Dixon was then declared duly elected and the following certificate of election was signed in the presence of the joint convention.

## Hall of the House of Representatives, $\}$

This is to certify that an election of the two houses of the Twentysixth General Assembly of the State of Iowa, in joint convention, on Tuesday, the sixteenth day of February, A. D. 1897, for the purpose of electing a trustee of the Agricultural College at Ames. W. J. Dixon having received a majority of all the votes cast for said office, was declared duly elected trustee of the Agricultural College at Ames, Iowa, for the unexpired term. of A. F. Meservey, resigned, and until his successor is elected and qualified.

Signed in the presence of the joint convention, this sisteenth day of February, A. D. eighteen hundred and ninety-seven.

A. B. Funk, President pro tem. of the Senate. H. W. Byers, Speaker of the House of Representatives.

Attest:
F. O. Ellison, Teller of the Senate.
J. A. Thompson, Teller of the House of Representatives.
The Journal of the joint convention was then read and approved.

On motion of Senator Blanchard, the joint convention dis. solved.

The House resumed its session.
On motion of Mr. Hinman, the House adjourned till 9 a. m. to-morrow.

House called to order at 9 A. m., Speaker Byers in the chair.
Prayer by Rev. Bruce Brown of Osceola.
Messrs. Lavender and Potter excused indefinitely on account of sickness.

Journal of yesterday corrected and approved.
PETITIONS AND MEMORIALS.
Mr. Perrott presented petition of citizens of Dallas county, asking for a 2 -cent rate on railroads.

Referred to Committee on Railroads and Commerce.
Mr. Doubleday presented petition of citizens of Polk county, asking passage of a manufacturing bill.

Referred to Committee on Domestic Manufactures.
Messrs. Nolan and Voelker presented petitions of Trades and Labor congress of Dubuque, against any change in the present law relating to State printing and binding.

Referred to Committee on Printing.
Mr. Hendershot presented petition of citizens of Knoxville, Iowa, against passage of a manufacturing bill.

Referred to Committee on Domestic Manufactures.
Messrs. Good and Hauger presented petitions of citizens of their respective counties, against the adoption of sections 22 and 23 of the proposed revenue bill.

Referred to Committee on Building and Loan.
Mr. Frink presented petition of citizens of Page county, asking passage of section 24 of the proposed revenue bill.

Referred to Committee on Ways and Means.
The committee appointed to draft resolutions on the death of Hon. John McHugh, who died at his home in Cresco, Iowa January 30, 1897, reported as follows:

Mr. Spanker-Your committee appointed to draft resolutions of respect for Hon. John McHugh, present the following:

Whrreas, An allwise Providence in His infinite wisdom and love, has called unto himself the Hon. John McHugh, an ex-member of this body, and late national bank examiner, and an eminent citizen of our State; therefore, be it

Resolved, That this body, recognizing the eminent and valuable services of the deceased to our State, and realizing that he contributed in a great degree in assisting to place our State in the high rank that she now occupies, and

Resolved, That in the death of Hon. John McHugh we are called upon to mourn the loss of an able, efficient and conscientious citizen; one devoted to all that was good and noble, an honored and revered neighbor, husband and father. In remembrance we extol and revere the splendid qualities of his generous heart and mind, the noble attributes of his manhood, and shall ever cherish the fondest recollections of his noble life.

Resolved, That this body extend to the sorrowing wife, family and friends of the deceased our sincere sympathy and respect.

Resolved, That these resolutions be printed in the House Journal and an engrossed copy of the same be mailed to the widow of the deceased.

$$
\begin{aligned}
& \text { J. J. Lowry, } \\
& \text { W. B. Martin, } \\
& \text { John Frazee, } \\
& \text { Committee. }
\end{aligned}
$$

Unanimously adopted by a rising vote.
Mr. Klemme offered the following resolution:
Resolved, That this House hold afternoon sessions on Wednesday, Thursday and Friday of each week, beginning at 2 o'clock P. M., and until otherwise ordered.

Laid over under rule No. 34.
The clerk resumed the reading of the pending bill, House file No. 85.

The committee amendment to the title of chapter 9 was adopted.

The committee amendment to section 5, chapter 9 , was adopted.

The committee amendment to section 20 , chapter 9 , was adopted.

The committee amendment to insert as section 27 , chapter 9 , was adopted.

Mr. Brighton was called to the chair.
The committee amendment to section 9 , chapter 10 , was adopted.

The committee amendment to insert section 4, on page 906, was adopted.

The committee amendment to insert as chapter 7, section 96, acts of the Twenty-sixth General Assembly, was adopted.

Mr. Smith moved to amend the committee amendment to section 10 , chapter 11, by adding the word "quail" in the list of those birds to be prohibited from being killed until 1902.

On a division, the amendment to amendment was adopted by a vote of 33 to 16 .

Amendment of committee, as amended, adopted.
Mr. Sullivan moved to amend as follows: Amend chapter 11, section 10, line 5, by striking out the word "May" and insert in lieu thereof the word "April."

## Lost.

Committee amendment to section 11, chapter 11, was adopted. Speaker Byers in the chair.
Mr. Sullivan moved to amend as follows: Chapter 11, section 10, strike out of line 2 the words "any woodcock between the first day of January and the tenth day of July," and insert in line 6 after the word "pheasant" the word "woodcock."

Adopted.
The committee amendment to section 15 , chapter 11, was adopted.

The committee amendment to section $20,{ }^{\text {T}}$ chapter 11 , was adopted.

The committee amendment to section 21, chapter 11, was adopted.

The committee amendment to insert as sections 24, 25, 26, 27 and 28, being certain acts of the Twenty-sixth Gemeral Assembly, was adopted.

The committee amendment to insert after section 33 , sections 34 and 35 was adopted.

The committee amendment to section 30, chapter 11, was adopted.

Mr. Morrison of Keokuk moved to amend section 34 by inserting in line 2, after the word "order," the words "and a competent engineer to operate the same."

Adopted.
Mr. Tibbitts moved to amend section 20, line 2, page 909, by inserting after the words "button-farcy or" the following, "diseases of a contagious character or."

Adopted.
Mr. Finch moved to amend the committee amendment which was called section 35 , chapter 11, by inserting after the word
"premises," line 18, the words "except when the title to said land is in the United States or State of Iowa."

Adopted.
The committee amendment to section 6, chapter 12 , was adopted.

The committee amendment to section 9 , chapter 12 , was adopted.

The committee amendment to section 9 , chapter 13 , was adopted.

The committee amendment to section 10 , chapter 13 , was adopted.

The committoe amendment to section 11, chapter 13 , was adopted.

The committee amendment to section 31, chapter 13, was adopted.

The committee amendment to section 32 , chapter 13 , was adopted.

The committee amendment to section 3, chapter 14, was adopted.

Mr. Brighton moved to amend as follows: Amend chapter 3 , by inserting as a separate section after section 17, the following: "If any tramp or vagrant, without permission enter any school house or other public buildings in the night time when same is not occupied by another or others having proper authority to be there, or, having entered the same in the daytime, remain in the same at night when not occupied as aforesaid, or at any time commit any nuisance, use, misuse, destroy or partially destroy any private or public property therein, he shall be imprisoned in the penitentiary not more than three years or be fined not exceeding one hundred dollars and imprisoned in the county jail not more than one year."

The amendment was adopted by a vote of 38 yeas to 30 nays.
Mr. Morrison of Ksokuk moved to strike out section 34 on page 900 .

Messrs. Temple and Bell demanded the yeas and nays, which resulted as follows:

On the question, "Shall the amendment prevail?" the yeas were:

Messrs. Baker, Bird, Brant, Crow, Grote, Hendershot, Hunt, Jackson, Jay, Lauder, Lowry, McDonald, McNulty, Marti, Mayne, Morrison of Keokuk, Nietert, Power, Sullivan, Tibbitts Voelker, Wheeler, Whelan-23.

The nays were:
Messrs. Bailey, Bell, Bowen, Brighton, Brinton, Byington, Chapman, Clark, Cook, Davis, Doubleday, Early, Edwards, Evans, Finch, Frazee, Frink, Funk, Garner, Good, Gurley, Hayes, Hazen, Hinkhouse, Hinman, Huntley, Johnston of Franklin, Ladd, Lambert, Loomis, McAchran, McDowell, Martin, Merriam, Miller of Buena Vista, Miller of Warren, Morrison of Grundy, Mullin, Nolan, Parker, Perrott, Porter, Prentis, Reed, Scott, Smith, Spaulding, Temple, Van Houten, Watters, Weaver, Wells, Whittier, Williams, Wilson, Wood, Mr. Speaker $-57$.

Absent or not voting:
Messrs. Allen, Brady, Classen, Cornwall, Dowell, Griswold, Haugen, Hauger, Klemme, Johnson of Webster, Lavender, McArthur, McQuin, Manahan, Miller of Cherokee, Potter, Putnam, Ray, St. John, Thompson-20.

So the amendment was lost.

## MESSAGE FROM THE SENATE.

The following message was received from the Senate:
Mr. Speaker-I am directed to inform your honorable body that the Senate has passed the following bill, in which the eoncurrence of the Senate was asked:

House file No. 89, a bill for an act to amend sections 17, 18 and 24, chapter 62, of the acts of the Twenty-fifth General Assembly, and make the same applicable to cities organized or operating under special charters.

Geo. A. Newman, Secretary.
REPORT OF COMMITTEE ON ENROLLED BILLS.
Mr. Hauger, from the Committee on Enrolled Bills, submitted the following report:

Mr. Speaker-Your Committee on Enrolled Bills reapectfully report that they have examined, and find correctly enrolled, House file No. 89, a bill for an act to amend sections 17,18 and 24 , of chapter 62, of the acts of the Twenty-fifth General Assembly, and to make the same applicable to cities organized and operating under special charters.
W. E. Hauger, Chairman.
Ordered passed on file.
REPORT OF JOINT COMMITTEE ON ENROLLED BILLS.
Mr. Hauger, from the Joint Committee on Enrolled Bills, submitted the following report:

Mr. Speaker-Your Joint Committee on Enrolled Bills respectfully report that they have examined. and find correctly enrolled, House fle No. 89, a bill for an act to amend sections 17,18 and 24 , of chapter 62 , of the
acts of the Twenty-fifth General Assembly, and to make the same applicable to cities organized and operating under special charters.
G. S. Gilbertion, Chairman Senate Committee.
W. E. Hauger, Chairman House Committee.
Ordered passed on file.
On motion of Mr. Martin, the House adjourned until 9 A. M. to-morrow.

> Hall of the House of Representatives, 3 Moines, Iowa, Thursday, February 18, 1897.

The House met at 9 A. m., with Speaker Byers in the chair.
Prayer was offered by Rev. F. S. Johnson of Valley Junction.

The Journal of yesterday was corrected and approved.
PETITIONS AND MEMORIALS.
Mr. Brady presented petition of citizens of O'Brien county, asking the passage of a manufacturers' bill.

Referred to Committee on Domestic Manufactures.
Mr. Lauder presented remonstrance of citizens of Creston, against the proposed revenue law in reference to building and loan associations.

Referred to Committee on Ways and Means.
Messrs. Huntley and Davis presented remonstrances of citizens of their respective counties, against the passage of a manufacturers' bill.

Referred to Committee on Domestic Manufactures.
Mr. Clark presented memorial of citizens of Adams county, asking for lower freight rates for corn.

Referred to Committee on Railroads and Commerce.
The House here took up pending bill, House file No. 85, which the Clerk finished reading on yesterday.

Mr. Finch moved to amend line 4, section 39, chapter 7, after the word "account" by striking out the word "of" and insert the word "for."

Adopted.
Mr. Martin moved to amend section 31, chapter 2, by adding to said section the words "no person shall be convicted under the provisions of this section unless the evidence of the prosecuting witness be corroborated by other evidence tending to connect the defendant with the commission of the crime."

Adopted.

Mr. Mullin moved to amend section 20, chapter 4, by striking out all of said section after the word "imprisoned" in line 3 and inserting in lieu thereof the words "in the penitentiary not more than five years or be fined not exceeding five hundred dollars or imprisoned in the county jail not exceeding one year."

Adopted.
Mr. Wells movea to reconsider the vote whereby the amendment to section 20, chapter 11, was adopted on yesterday.

Carried.
Amendment to insert words "diseases of a contagious character or" after word "button-farcey" was then put and lost.

Mr. Garner moved to amend section 37, line 6, chapter 13, by striking out the words "to regular boarders nor."

Mr. Brant moved to amend the amendment by striking out all of sections 36 and 37 of chapter 13.

Lost.
The amendment of Mr. Garner was then lost.
Mr. Wilson moved to amend chapter 11, section 33, line 1, by inserting the word "one" after the word "having," and by striking out the word "two;" also, remove the plural "s" after the words "rods" and "'jacks."

Lost.
Mr. Klemme moved to amend by striking out of lines 1 and 2 , section 27, chapter 7, the words, "either before or," and in the same section also strike out lines 4,5 and 6 to the word 'after" in line 6.

Lost.
Mr. Brant moved to strike out of section 27, line 4, chapter 7 , the words "provided that," and insert the word "but."

Adopted.
Mr. Mayne moved to amend by adding to section 27, chapter 7, the following: "Provided, that in case of any person breaking jail before conviction of any criminal offense, he shall be tried upon the original charge first, and if acquitted, such acquittal shall be a bar to any further prosecution under this section."

Lost.
Mr. Mayne moved to amend by striking out all of the first line after the first word 'person," in section 6, chapter 12, as recommended by the committee, and insert between the words
"blasphemous" and "obscene" the word "or," and insert between the words "language" and "he" the words "to the disturbance of the public peace and quiet;" also, strike out of line 2 the words "or offensive."

Adopted.
Mr. Wilson moved to amend section 33, chapter 11, by striking out all after the word "section."

Adopted by a vote of 44 yeas to 20 nays.
Mr. Johnson of Webster moved to amend section 30, chapter 13, line 4, by inserting after the word "same" the words "with knowledge that is not of the weight represented."

Mr. Klemme moved to amend the amendment by striking out all of section 30, chapter 13.

Lost.
The amendment of Mr. Johnson was then lost.
Mr. Finch moved to amend section 1, chapter 9 , by striking out all of said section after the word "wife" in line 5.

Adopted.
Mr. McNulty moved to amend by striking out of lines 2 and 3, section 17, chapter 13, the word 'protest" and insert the word "manifest."

## Adopted.

Mr. Brinton moved that the rule be suspended, and that the bill be considered engrossed and read a third time now, which motion prevailed and the bill was read a third time.

On the question, "Shall the bill pass?" the yeas were:
Messrs. Allen, Bailey, Bell, Bird, Bowen, Brady, Brighton, Brinton, Byington, Clark, Classen, Chapman, Cook, Crow, Davis, Doubleday, Dowell, Early, Edwards, Evans, Finch, Frazee, Frink, Funk, Good, Griswold, Grote, Gurley, Hauger, Hayes, Hazen, Hendershot, Hinkhouse, Hinman, Hunt, Huntley, Jackson, Jay, Johnston of Franklin, Ladd, Lambert, Lauder, Loomis, Lowry, McAchran, McArthur, McDowell, Marti, Martin, Mayne, Merriam, Miller of Buena Vista, Miller of Warren, Morrison of Grundy, Morrison of Keokuk, Mullin, Nietert, Nolan, Parker, Perrott, Porter, Prentis, Putnam, Ray, Reed, Scott, Smith, St. John, Sullivan, Temple, Thompson, Voelker, Watters, Weaver, Wells, Wheeler, Whelan, Whittier, Williams, Wilson, Mr. Speaker-81.

The nays were:
Messrs. Baker, Brant, Johnson of Webster, Klemme McDonald, McNulty, Power, Tibbitts-8.

Absent or not voting:
Messrs. Cornwall, Garner, Haugen, Lavender, McQuin, Manahan, Miller of Cherokee, Potter, Spaulding, Van Houten, Wood-11.

So the bill passed and the title was agreed to.
MESSAGES FROM THE SENATE.
The following message was received from the Senate:
Mr. Speaker-I am dircted to inform your honorable body that the Senate has amended the title and passed the following bill, in which the concurrence of the Senate was asked:

House file No. 8, a bill for an act to revise, amend and codify the statutes in relation to the submission of constitutional amendments.

Geo. A. Newman,
Secretary.
Also:
Mr. Speaker-I am directed to inform your honorable body that the Senate has passed the following bill, in which the concurrence of the Senate was asked:

House file No. 39, a bill for an act to revise, amend and codify the statutes in relation to the inspection of passenger boats.

Geo. A. Newman, Secretary.
Also:
Mr. Speaker-I am directed to inform your honorable body that the Senate has passed the following bill, in which the concurrence of the House is asked:

Senate file No. 30, a bill for an act to revise, amend and codify the statutes in relation to the practice of dentistry.

> Geo. A. Newman, Secretary.

The House took up House file No. 8, with Senate amendments to the title.

On the question, "Shall the House concur in the Senate amendments?" the yeas were:

Messrs. Allen, Bell, Bird, Bowen, Brady, Brant, Brighton, Brinton, Byington, Chapman, Clark, Classen, Cook, Crow, Doubleday, Dowell, Early, Edwards, Evans, Finch, Frazee, Frink, Funk, Garner, Good, Griswold, Grote, Gurley, Haugen, Hauger, Hayes, Hazen, Hendershot, Hinkhouse, Hinman, Hunt, Huntley, Jackson, Jay, Johnson of Webster, Johnston of Franklin, Klemme, Ladd, Lauder, Loomis, Lowry, McAchran, McArthur, McDonald, McDowell, McNulty, Marti, Martin, Mayne, Merriam, Miller of Buena Vista, Miller of Warren, Morrison of

Grundy, Morrison of Keokuk, Mullin, Nietert, Nolan, Parker, Perrott, Porter, Power, Prentis, Putnam, Ray, Reed, Scott, Smith, Spaulding, St. John, Sullivan, Temple, Thompson, Tibbitts, Voelker, Watters, Weaver, Wells, Wheeler, Whelan, Whittier, Williams, Wilson, Mr. Speaker-88.

The nays were:
None.
Absent or not voting:
Messrs. Bailey, Baker, Cornwall, Davis, Lavender, McQuin, Manahan, Miller of Cherokee, Potter, Van Houten, Wood-11. So the House concurred.

## SENATE MESSAGES.

House file No. 36, a bill for an act to revise, amend and codify the statutes in relation to the practice of dentistry, was read first and second time and referred to Committee on Pharmacy.

Mr. Hauger called up the motion to reconsider the vote whereby the Senate amendments to the House amendments to Senate file No. 49 were agreed to.

The motion prevailed.
Mr. Funk moved that Senate file No. 49 be recalled from the Senate.

Carried.
On motion of Mr. Wood, substitute for House file No. 1, a bill for an act making special appropriations for the Institution for the Feeble Minded at Glenwood, Iowa, with report of committee recommending passage, was taken up, considered and the report of the committee adopted.

Mr. Wood moved that the rule be suspended, and that the bill be considered engrossed and read a third time now, which motion prevailed and the bill was read a third time.

On the question, "Shall the bill pass?" the yeas were:
Messrs. Allen, Bailey, Bell, Bird, Bowen, Brady, Brant, Brinton, Byington, Chapman, Clark, Classen, Crow, Doubleday, Dowell, Early, Edwards, Evans,Finch,Frazee,Frink, Funk, Garner, Good, Griswold, Gurley, Haugen, Hauger, Hazen, Hendershot, Hinkhouse, Hunt, Huntley, Jackson, Jay, Johnson of Webster, Johnston of Franklin, Klemme, Ladd, Lambert, Lauder, Loomis, Lowry, McAchran, McArthur, McDonald, McDowell, McNulty, Marti, Mayne, Merriam, Miller of Buena Vista, Miller of Warren, Morrison of Grundy,

Morrison of Keokuk, Mullin, Nietert, Nolan, Parker, Perrott, Porter, Power, Prentis, Putnam, Ray, Reed, Scott, Smith, Spaulding, St. John, Sullivan, Temple, Thompson, Tibbitts, Voelker, Watters, Weaver, Wells, Wheeler, Whelan, Whittier, Williams, Wilson, Wood, Mr. Speaker-85.

The nays were:
None.
Absent or not voting:
Messrs. Baker, Brighton, Cook, Cornwall, Davis, Grote, Hayes, Hinman, Lavender, McQuin, Manahan, Martin, Miller of Cherokee, Potter, Van Houten-15.

So the bill passed and the title was agreed to.
The Speaker signed in the presence of the House the following bills on the dates named: February 9th, House file No. 49; February 17th, House file No. 89; February 8th, Senate file No. 66, Senate file No. 58; February 18th, Senate file No. 43.

Calendar No. 41, House file No. 66, a bill for an act to revise, amend and codify the statutes in relation to the rights of property, with report of committee recommending passage with amendments, was taken up and considered.

Mr. Funk was called to the chair.
The committee amendment to chapter 1 , sections 1 and 2, was adopted.

The recommendation of committee changing section numbers was adopted.

The committee amendment to section 2, chapter 2, was adopted.

The committee amendment to section 6, chapter 2, was adopted.

Mr. Weaver moved to amend title to chapter 3, by striking out the words "for religious purposes."

Carried.
The committee amendment to chapter 4 , section 2 , was adopted.

Speaker Byers resumed the chair.
On motion of Mr. Funk, the House adjourned until 2 P. M.

## AFTERNOON SESSION.

The House was called to order by Speaker Byers, at 2 p. m. The Clerk resumed the reading of House file No. 66.

The committee amendment to section 3, chapter 8 , was adopted.

Mr. Doubleday moved to amend the committee amendment. to section 5, chapter 9, lines 5 and 6, as follows: Add to section 5, page 615, of Black Code, the words: "And when such lease is entered in the book kept in the recorder's. office as above provided for, the county recorder is hereby required to write or stamp on the back of each article indexed as above, a notice of such indexing with the date of filing, which notice shall be prima facie evidence that the article or lease has been properly indexed."

Lost.
The amendment of the committee was then adopted.
Mr. Doubleday moved to amend as follows: Amend line 7, section 3, on page 598, by substituting "twenty" for "ten."

## Lost.

Mr. Parker moved to amend as follows: Amend page 615, chapter 9 , section 5 , by striking out all of line 2 and all up to and including the word "execution" in the third line.

Lost.
Mr. Johnston of Franklin moved to amend by adding after the last word "instrument" in the committee amendment to section 2, chapter 4, page 602, the following words: "but incumbrances on the property sold, given to secure the purchase price, need only be signed and acknowledged by the purchaser if taken at the time of purchase."

Adopted.
Mr. Klemme moved to amend section 5, page 615, by inserting before the word "tenant" in line 2 the word "farm;" also, before the word "which" in same line, insert as follows: "all farm implements that he is the owner of at the date of the lease."

Mr. Temple moved to amend amendment by striking out sections 5 and 6 of chapter 9.

Lost.
Amendment of Mr. Klemme lost.
Mr. McNulty moved to amend chapter 9, section 4, line 10 , page 615, by inserting after the word "notice" the following: "and in commercial leases where the tenant becomes insolvent, mortgage foreclosed or a receiver appointed, the lease of the premises shall expire not more than one year after such insolvency."

Lost.

Mr. Finch moved to amend the committee amendment to section 2, chapter 4, by inserting after the word "validity" the words "'as to such exempt property only."

Adopted.
Mr. Early moved to amend section 4, chapter 9, by adding to said section, "But any lease may be terminated by the tenantpaying a full year's rent in addition to the time of his occupancy of the premises."

## Lost.

Mr. Finch moved to amend section 21, line 8, chapter 6, by inserting after the word "district" the words "and that said conveyance and the acknowledgment thereof are in due form of law;" also, to section 22, line 12 , after the word "district" insert as above.

## Adopted.

Mr. Weaver moved that the rule be suspended, and that the bill be considered engrossed and read a third time now, which. motion prevailed and the bill was read a third time.

On the question, "Shall the bill pass?" the yeas were:
Messrs. Allen, Bailey, Baker, Bell, Bird, Bowen, Brady, Brant, Brinton, Byington, Chapman, Clark, Classen, Cook, Crow, Davis, Doubleday, Dowell, Early, Edwards, Evans, Finch, Frazee, Frink, Funk, Good, Griswold, Grote, Gurley, Haugen, Hauger, Hayes, Hazen, Hendershot, Hinkhouse, Hinman, Hunt, Huntley, Jackson, Jay, Johnson of Webster, Johnston of Franklin, Klemme, Lambert, Lauder, Loomis, Lowry, McA'chran, McArthur, McDonald, McDowell, McNulty, Marti, Martin, Mayne, Merriam, Miller of Buena Vista, Miller of Warren, Morrison of Grundy, Morrison of Keokuk, Mullin, Nietert, Nolan, Parker, Perrott, Porter, Power, Prentis, Putnam, Ray, Reed, Scott, Smith, Spaulding, Sț. John, Sullivan, Temple, Thompson, Tibbitts, Voelker, Watters, Weaver, Wells, Wheeler, Whelan, Whittier, Williams, Wilson, Wood, Mr. Speaker-90.

The nays were:
Messrs. Brighton and Ladd-2.
Absent or not voting:
Messrs. Cornwall, Garner, Lavender, McQuin, Manahan, Miller of Cherokee, Potter, Van Houten-8.

So the bill passed and the title was agreed to.

The following message was received from the Senate:

Mr. Speaker-I am directed to inform your honorable body that the Senate has passed the following bill, in which the concurrence of the House is asked:

Senate file No. 10, a bill for an act to revise, amend and codify the statutes in relation to elections and officers.

Geo. A. Newman,

Secretary.
Also:
Mr. Speaker-I am directed to inform your honorable body that the Senate has amended and passed the following bill, in which the concurrence of the Senate was asked:

House file No. 41, a bill for an act to revise, amend and codify the statutes in relation to the State veterinary surgeon.

Geo. A. Newman,
Secretary.
Calendar No. 46 , being Senate file No. 20, a bill for an act to revise, amend and codify the statutes in relation to the construction and operation of railways, with report of committee recommending passage, was taken up, considered and the report of the committee adopted.

Mr. Smith was called to the chair.
On motion of Mr. Ray, the House adjourned until 9 A. M. to-morrow.

House met at 9 A. M., Mr. Dowell in the chair. Prayer by Rev. Geo. H. Kennedy of Spencer, Iowa. The Journal of yesterday was corrected and approved.

PETITIONS AND MEMORIALS.
Mr. Merriam presented petition of G. Staehle and sixty-one others of Delaware county, asking for a law whereby the railroads of Iowa shall issue a thousand-mile mileage book at the rate of 2 cents per mile.

Referred to Committee on Railroads and Commerce.
Mr. Baker presented petition of citizens of Scott county, asking for a manufacturing bill.

Referred to Committee on Domestic Manufactures.
Messrs. Ray and Johnson of Webster presented remonstrances of citizens of their respective counties, against the proposed revenue bill as affecting building and loan associations.

Referred to Committee on Ways and Means.
Mr. Johnson of Webster presented petition of citizens of Webster county, asking a 2-cent rate on railroads.

Referred to Committee on Railroads and Commerce.
Mr. Garner presented petition of citizens of Mahaska county, asking a law creating a State board of examiners.

Referred to Committee on Ways and Means.
REPORTS OF COMMITTEES.
Mr. Merriam, from the Committee on Compensation of Public Officers, submitted the following report:

Mr. Speaker-Your Committee on Compensation of Public Officers, to whom was referred joint resolution No. 3, providing for appointment
of a joint committee to investigate the reports of trustees, regents, commissioners and other officers of State institutions, etc., beg leave to report that they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the accompanying substitute do pass.

JOINT RESOLUTION
Providing for the appointment of a joint committee to investigate the reports of trustees, regents, commissioners or other officers of State institutions, and all State officers, and the books and records of such institutions or offices, for the payment of expenses of such investigation, and defining the powers of the committee.
Be it resolved by the General Assembly of the State of Iowa:
First.-That a joint committee consisting of one member of the Senate and two members of the House, be appointed by the President of the Senate and the Speaker of the House, to investigate thoroughly the reports of trustees, regents, commissioners and all otber officers of State institutions, and the books and records of such institutions and offices, and the conduct and management of their affairs, and the records, reports and doings of all State officials, for the purpose of ascertaining:

First.-Whether the persons holding the positions named have faithfully accounted for all moneys of the State which have been drawn from the State Treasurer or have come into their hands otherwise, and to ascertain if all appropriations made for State officers, or to be expended by them, and for State institutions, have been drawn from the State treasury in accordance with law, and so expended.

Second.-Whether such persons have drawn money for services, per diem, mileage or expenses, or otherwise, not authorized by law, or have authorized expenditures without authority of law.

Third.-To investigate the manner in which all contracts including those for the purchase of supplies have been let and to ascertain whether or not the matters in charge of such officials are conducted in an economical and business-like manner.

Fourth.-To ascertain whether the products of the institutions which are owned by the State, are purchased, used or consumed by the other State institutions, and if not, the reason for such discrimination against such products.

Fifth.-To report the result of such investigation to the Twenty-sixth or Twenty-seventh General Assembly, when such investigation shall have been completed, and recommended if any change should be adopted in the management of such institutions or offices.

Sixth.-No senator or member of the House shall be eligible to appointment as a member of said committee who resides, in case of a senator in the senatorial district, or in case of a representative in the representative district, in which any State institution or office which is the subject of this investigation is located.

Seventh.-That such committee shall have power to employ a stenographic clerk at a salary not exceeding $\$ 2$ per day and actual traveling expenses, and if deemed necessary, to employ an expert accountant at a salary not exceeding $\$ 5$ per day and actual traveling expenses, which por diem and expenses shall be paid out of any money in the treasury not
otherwise appropriated on vouchers signed by the chairman of the committee and filed with the auditor of State.

Elghth. -The committee shall have the power to visit such State institutions and offices, subpœna and examine witnesses and enforce their attendance, require the production of books, records, papers and memoranda and it shall have the power to punish as a contempt by fine or imprisonment, or either of them, the offense or refusal to attend or be sworn or examined before the committee when duly summoned, or for a refusal to produce books, papers, records or memoranda when ordered to do so by the committee. Subpœnas or orders shall be signed by the chairman of the committee and served by any peace officer, who shall be entitled to the same fees for serving the same as for serving similar papers in the district court.

Ninth.-That such committee may hold its sessions either during the time of the present session of the legislature or after the adjournment thereof.

Tenth.-The members of such committee shall receive, while engaged in the performance of their duties, mileage in the sum of 5 cents per mile each way, a per diem of $\$ 5$ for each day actually employed in such investigation at such time as the General Assembly is not in session, and the other actual and necessary expenses incurred, to be paid out of any moneys in the treasury not otherwise appropriated, on vouchers filed with the Auditor of state.

Eleventh.-That the period covered by this investigation shall be from July 1, 1893, to January 1, 1897.

Frank F. Merriam, Chairman.

The substitute was read first and second time and passed on file.

Mr. Classen, from the Committee on County and Township Organization, submitted the following report:

Mr. Speaker-Your Committee on County and Township Organization, to whom was referred Senate file No. 3, a biil for an act to revise, amend and codify the statutes in relation to county and township government, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same do pass when amended as follows:

Amend page 93 , chapter 2 , section 15, line 7, by inserting the word "substructure" between the words "including" and "superstructure."

Also amend page 97 , section 33, of same chapter by inserting the following as subdivision 3: "A book to be known as the bridge book, where a record of bridges shall be kept in a numerical order in each congressional township, commencing in section 1 and numbering each bridge; give location in fractional parts of sections; name the kind of material used for substructure and superstructure; give length and cost of bridge and when repaired to keep a record of repairs and charge it to the bridge, and warrants drawn in payment for erection or repairs of bridges shall indicate number of the bridge for which it is issued in payment."

Also, on same page and section, that subdivision 3 be numbered subdivision 4.

Also, amend page 108, section 11, chapter 6, line 5 , by inserting the word "quarterly" after the word "treasury."

Also, on page 109, section 11, chapter 6, line 8, by inserting the words "and civil" between the words "criminal" and "process."

Also, amend page 109, section 11, same chapter, by inserting the following at the end of the Senate amendment: "Provided the total receipts of his office exceed $\$ 1,200$."

Also, amend page 114, section 6, chapter 8, line 2 , by changing the word "may" to "shall."

Also, amend page 34, section 3, acts of the Twenty-sixth General Assembly, by adding the following after said sections: "and for such purpose the trustees may purchase land not to exceed in value $\$ 100$."

Your committee have also re-referred chapters 43 and 78 to the Committee on Roads and Highways.

> J. B. Classen, Chairman.

Ordered passed on file.
Mr. Hinkhouse offered the following resolution:
Whereas, It has pleased an all-wise Providence to remove from our midst Hon. Wm. P. Wolf, an honored citizen of Cedar county and of this State, who served his country with distinction on the battle field, represented the Second district in the Forty-first congress, was Speaker of the House in the Twentieth General Assembly, und at the time of his death was judge of the Eighteenth judicial district; therefore, be it

Resolved, That the people of this State have lost a wise and able legislator, a fearless judge and a loyal and upright citizen. In him the people found a man of sympathy whom it was a pleasure to know.

Resolved, That we sympathize with his wife and children, and as a token of our regard for his memory, we order these resolutions spread upon the Journal of this House and direct that a certified copy be sent to his family.

> R. W. Hinkhouse, David Brant, W. I. Hayes.

Adopted unanimously by a rising vote.
The House here took up House file No. 41, with Senate amendments.

Mr. Finch moved that the House concur in the Senate amendments.

On the question, "Shall the House concur?" the yeas were:
Messrs. Allen, Bailey, Bell, Bird, Brant, Chapman, Clark, Classen, Cook, Crow, Davis, Dubleday, Dowell, Early, Edwards, Evans, Finch, Frink, Funk, Garner, Good, Grote, Gurley, Haugen, Hauger, Huntley, Johnson of Webster, Ladd, Lavender, Loomis, McAchran, McNulty, Martin, Mayne, Miller of Buena Vista, Miller of Cherokee, Morrison of Keokuk, Mullin, Nietert, Parker, Putnam, Scott, Smith, St. John,

Thompson, Tibbitts, Weaver, Whelan, Whittier, Williams, Wood-51.

The nays were:
Messrs. Baker, Brighton, Byington, Frazee, Griswold, Hazen, Hendershot, Hinkhouse, Hinman, Hunt, Jackson, Jay, Johnston of Franklin, Klemme, Lambert, Lauder, Lowry, McDonald, McDowell, Marti, Merriam, Morrison of Grundy, Nolan, Perrott, Porter, Power, Prentis, Ray, Reed, Spaulding, Sullivan, Temple, Voelker, Watters, Wells, Wheeler, Wilson -37.

Absent or not voting:
Messrs. Bowen, Brady, Brinton, Cornwall, Hayes, McArthur, McQuin, Manahan, Miller of Warren, Potter, Van Houten, Mr. Speaker-12.

So the House concurred.
SENATE MESSAGES.
Senate file No. 10, a bill for an act to revise, amend and codify the statutes in relation to elections and officers, was read first and second time and referred to Committee on Elections.

The clerk resumed the reading of the pending bill, Senate file No. 20, relating to the construction and operation of railways.

Mr. Evans moved to amend section 22 by inserting in line 2, after the word "large" the words "and maintain proper and sufficient cattle guards." In the same line, after the word "fence," insert "or maintain cattle guards," and after the word "fence," in line 3, also insert the words "or cattleguards."

Adop: ed.
Mr. Merriam in the chair.
Mr. Thompson moved to strike out section 72 and substitute as follows: "In cases where any railway company shall fail or refuse to make the name of a railway station conform to the name of the village, incorporated town or city within the limits of which it is situated, it shall be the duty of the Railway Commissioners of the State to order a change of the name of said railway, station to effect such uniformity within sixty days after a petition in writing by the town council of said incorporated town or city, or in the case of a village, by the township trustees, asking for such order, is filed with said Railway Commissioners."

Adopted.

Mr. Ray moved to amend section 44, line 3, by inserting after the word "weight" the words "or in lieu of such baggage, one bicycle for the use of the person transported."

Mr. Dowell again resumed the chair.
Mr. McArthur moved to amend the amendment as follows: Insert after the word "bicycle" the words "when such bicycle is properly crated."

Lost.
Mr. Klemme moved to amend the amendment by adding "but railroad companies shall not be liable for damages that carries them."

Lost by a vote of 23 yeas to 40 nays.
Messrs. McArthur and McNulty demanded the yeas and nays on the amendment of Mr. Ray.

On the question, "Shall the amendment "prevail?" the Jeas were:

Messrs. Bailey, Brant, Byington, Chapman, Clark, Cook, Davis, Evans, Finch, Frazee, Funk, Griswold, Grote, Hayes, Hazen, Hinman, Huntley, Jackson, Jay, Johnson of Webster, Johnston of Franklin, Ladd, Loomis, McDowell, Martin, Merriam, Miller of Cherokee, Morrison of Grundy, Morrison of Keokuk, Nolan, Parker, Porter, Putnam, Ray, Reed, Scott, Temple, Wood-38.

The nays were:
Messrs. Allen, Baker, Bell, Bird, Brighton, Brinton, Classen, Crow, Doubleday, Dowell, Early, Edwards, Garner, Gurley, Haugen, Hauger, Hendershot, Hinkhouse, Klemme, Lauder, Lavender, Lowry, McAchran, McArthur, McDonald, McNulty, Marti, Mayne, Miller of Buena Vista, Miller of Warren, Mullin, Nietert, Perrott, Prentis, Smith, Spaulding, St. John, Sullivan, Voelker, Watters, Wells, Wheeler, Whelan, Whittier, Wil-liams-45.

Absent or not voting:
Messrs. Bowen, Brady, Cornwall, Frink, Good, Hunt, Lambert, McQuin, Manahan, Potter, Power, Thompson, Tibbitts, Van Houten, Weaver, Wilson, Mr. Speaker-17.

So the amendment was lost.

## MESSAGES FROM THE SENATE.

The following message was received from the Senate:
Mr. Speaker-I am directed to inform your honorable body that the Senate has amended and passed the following bill, in which the concurrence of the Senate was asked:

House file, No. 63, a bill for an act to revise, amend and codify the statutes in relation to the school fund.

Geo. A. Newman,<br>Secretary.

Also:
Mr. Speaker-I am directed to inform your honorable body that the Senate has amended and passed the following bill, in which the concurrence of the Senate was asked:

House file No. 73, a bill for an act to revise, amend and codify the statutes in relation to assignment for creditors.

Geo. A. Newman, Secretary.

Also:
Mr. Speaker-I am directed to inform your honorable body that the Senate has amended and passed the following bill, in which the concurrence of the Senate was asked:

House file No. 67, a bill for an act to revise, amend and codify the statutes in relation to weights and measures.

Geo. A. Newman, Secretary.

Also:
Mr. Speaker-I am directed to inform your honorable body that the Senate has concurred in the following concurrent resolution, in which the concurrence of the Senate was asked:

Relative to furnishing stationary to newspaper reporters. Geo. A. Newman, Secretary.
Mr. McNulty moved to amend section 42, by inserting after the word "corporation" in line 1, the words "including street railways;" also, strike out all after the word "deed" in line 3.

Mr. Finch demanded a division on the question.
Question relating to "street railways" carried.
Question to strike out all after the word "deed," lost.
Mr. Evans moved to strike out the Senate amendments to section 52, lines $15,16,17$, and restore the reading of the Code as recommended by the Code Commissioners; also, after the word "elections" insert the words, "which shall be conducted as provided with respect to similar propositions in chapter on elections."

Mr. Early moved to postpone further consideration of the amendment of Mr. Evans until the next session.

Mr. Wood moved to adjourn until 9 A. m. to-morrow.
Mr. Reed moved to amend by making it 2 P. m. to-day.
Lost.

The original motion for adjournment was then lost.
The motion of Mr. Early was lost.
The amendment of Mr. Evans was lost by a vote of 34 yeas to 42 nays.

Mr. Wood moved an adjournment till 9 A. m. to-morrow. Lost.

## MESSAGES FROM THE SENATE.

The following message was received from the Senate:
Mr. Sphaker-I am directed to inform your honorable body that the Senate has amended and passed the following bill, in which the concurrence of the Senate was asked:

House flle No. 72, a bill for an act to revise, amend and codify the statutes in relation to private seals.

Geo. A. Newman,

Secretary.

## Also:

Mr. Speaker-I am directed to inform your honorable body that the Senate has amended and paseed the following bill, in which the concurrence of the Senate was asked:

House file No. 68, a bill for an act to revise, amend and codify the statutes in relation to money of account and interest.

Geo. A. Newman,
Secretary.
Also:
Mr. Speaker-I am directed to inform your honorable body that the Senate has amended and passed the following bill, in which the concurrence of the Senate was asked:

House file No. 75, a bill for an act to revise, amend and codify the statutes in relation to limited partnership.

> Geo. A. Newman,

Secretary.

## Also:

Mr. Speaker-I am directed to inform your honorable body that the Senate has concurred in the following bill, in which the concurrence of the Senate was asked:

House file No. 70, a bill for an act to revise, amend and codify the statutes in relation to tender.

> Geo. A. Newman,
> Secretary.

Mr. Baker moved to amend page 394, section 36, line 5, by striking out the word "grade," and inserting in lieu thereof the word "roadbed."

Adopted.
Mr. McNulty moved to amend section 42, page 395, by adding after the last word in said section the following: "But
this section shall not be deemed to be applicable to street railways prior to the adoption of this Code."

Lost.
Mr. Temple offered the following amendment and moved its adoption: Strike out all of sections $51,52,53,54,55,56,57$ and 58.

On a privileged motion of Mr. Johnston of Franklin, 200 copies of the election law were ordered printed.

Mr. Loomis moved to adjourn until 9 A. M. to-morrow. Carried.

Hall of the House of Representatives, Des Moines, Iowa, Saturday, February 20, 1897.
The House met at 9 A. m., with Speaker Byers in the chair. Prayer was offered by Senator Rowen.
Mr. McDowell was excused until Tuesday because of sickness.
Mr. Garner was excused indefinitely because of the seridus illness of his father.

PETITIONS AND MEMORIALS.
Mr. Dowell presented petition of 704 tax payers of Polk county, asking for the passage of a manufacturers' bill.

Referred to Committee on Domestic Manufactures.
Mr. Nolan presented remonstrance of W. H. Guilford of the Dubuque branch experiment station, relating to a reduction of appropriation for horticultural purposes.

Referred to Committee on Horticulture.
Mr. Dowell offered the following concurrent resolution and moved its adoption:

CONCURRENT RESOLUTION.
Whereas, The free delivery service of the postoffice department of the United States is self-sustaining; and,

Whereas, There is now pending before the House of Representatives of the Congress of the United States a bill introduced by the Hon. N. D. Sperry of Connecticut entitled "a salary bill," adopted by the sixth annual meeting of the national association of letter-carriers, being a bill to increase the pay of letter-carriers, known as House roll No. 260, providing that the pay of letter-carriers in cities of more than 75,000 population for the first year of service shall be $\$ 600$, for the second year of service $\$ 800$, for the third year of service $\$ 1,000$, and for the fourth year of service and thereafter $\$ 1,200$; and the pay of letter-carriers in cities of less than 75,000 population shall be for the first year of service $\$ 600$, for the second year of service $\$ 800$, and for the third year and thereafter $\$ 1,000$; and,

Whereas, The Senate of the Congress of the United States on the tenth day of June, 1896, by a unanimous vote, passed a similarly worded bill introduced by Senator Mitchell of Oregon, known as Senate roll 3058, and said bill now being on the Speaker's table in the House; therefore, be it

Resolved by the House of Representatives of the General Assembly of the State of Iowa, the Senate concurring, That the Representatives of the State of Iowa in the National Congress be requested to favor and assist in securing an early day for its consideration, and to use every honorable effort to secure the passage of the aforesaid Senate bill No. 3058; and be it further

Resolved, That a copy of this resolution be forwarded by the Clerk of the House to each of the Congressmen from the State of Iowa and to the Speaker of the House of Representatives of the National Congress.

Adopted.
Mr. Reed offered the following joint resolution No. 1.

## MEMORIAL AND JOINT RESOLUTION.

In reference to evidence in support of claims for pensions:
Whereas, There are many thousands of just claims for pensions pending in the office of the pension department; and,

Whereas, The consideration and determination of such claims is indefinitely postponed and the claimants are deprived of their just rights on account of the unusual requirements of the commissioner of pensions as to the form of affdavits in support of claims, as will appear from an examination of order No 229 of the commissioner and dated June 19, 1893, by the terms of which it is practically very difficult and nearly impossible to comply with the terms of said order and tending to confuse the officers before whom testimony may be taken, and the witness testifying could hardly fail to be confused and justice thereby defeated; therefore, be it

Resolved by the General Assembly of the State of Iowa, That affidavits taken in support of pension claims according to the laws of any state or territory of the United States, and valid in such states and territories in legal proceedings therein shall be considered by the commissioner of pensions in all matters relating to pensions, and due weight be given such affidavits to which they would be entitled in such state or territory.

Resolved, Second, That our Senators and Representatives in Congress be and are hereby requested to use all their influence to secure the passage of a law in accordance with the above resolution and which would materially aid in the adjustment of pension claims.

Resolved, Third, That the Secretary of State be instructed to furnish a copy of this memorial and joint resolution to each of our Senators and Representatives in Congress.

Laid over under rale 34 .
Mr. Klemme called up his resolution of the 17 th inst., relative to afternoon sessions, and moved its adoption.

The resolution was lost.
The pending bill, Senate file No. 20, relating to the opera. tion and construction of railroads, was taken up.

The amendment of Mr. Temple offered on yesterday and still pending, was then put and lost.

Mr. Temple moved to amend section 38 by adding thereto the following: "Nor shall any contract of insurance, relief, benefit, or indemnity in case of injury or death, nor any other
contract entered into prior to the injury, between the person so injured and such corporation, or any other person or association acting for such corporation, nor shall the acceptance of any insurance, relief, benefit or indemnity by the person injured after the injury, from such corporation, person or association, constitute any bar or defense to any cause of action brought under the provisions of this section."

Adopted.
Mr. Allen moved to amend saction 45 by adding after the word "superintendent" in lines 2 and 3 the words "or other officer in possession of the necessary information."

Adopted.
Mr. McArthur moved to amend section 42 by inserting before the word "mortgage" in line 3 the word "railway," and by adding at the end of said section the following: "and prior and superior to the lien of any street railway mortgage or trust deed executed after the adoption of the Code."

Adopted.
Mr. Lauder moved that the rule be suspended, and that the bill be considered engrossed and read a third time now, which motion prevailed and the bill was read a third time.

On the question, "Shall the bill pass ?" the yeas were:
Messrs. Allen, Bailey, Baker, Bell, Bird, Brady, Brant, Brighton, Brinton, Chapman, Clark, Cook, Crow, Davis, Doubleday, Dowell, Early, Edwards, Evans, Finch, Frink, Funk, Good, Griswold, Grote, Haugen, Hauger, Hayes, Hazen, Hendershot, Hinkhouse, Hinman, Huntley, Jackson, Jay, Johnson of Webster, Johnston of Franklin, Klemme, Ladd, Lambert, Lauder, Lavender, Loomis, Lowry, McAchran, McArthur, Marti, Martin, Merriam, Miller of Buena Vista, Miller of Cherokee, Miller of Warren, Morrison of Grundy, Morrison of Keokuk, Mullin, Nietert, Nolan, Parker, Perrott, Porter, Prentis, Patnam, Ray, Reed, Scott, Smith, Spaulding, St. John, Thompson, Tibbitts, Watters, Weaver, Wells, Wheeler, Whelan, Williams, Wilson, Mr. Speaker-78.

The nays were:
None.
Absent or not voting:
Messrs. Bowen, Byington, Classen, Cornwall, Frazee, Garner, Gurley, Hunt, McDonald, McDowell, McNulty, McQuin, Manahan, Mayne, Potter, Power, Sullivan, Temple, Van Houten, Voelker, Whittier, Wood-22.

So the bill passed and the title was agreed to.
Mr. Hinman offered the following resolution, which was laid over under rule 34:

Whereas, During the last two years the labor of the farm has produced an unprecedented quantity of corn; and,

Wherfas, A large portion of the crops of 1895 and nearly all of 1896 is still in the hands of the producers, resulting from the loss of nearly forty per cent of the hog crop of the above mentioned years by cholera; and,

Whereas, The extreme low price of this product is such that after paying freight rates and commission there is hardly anything left for the producer with which to pay taxes and other necessary expenses; and,

Whereas, The condition of the above mentioned crop is such that it must be handled and sorted within the next forty days or become a total loss to the producer and a consequent loss to the railroads in treights; therefore, be it

Resolved by the House, the Senate concurring, That the railroad commissioners be instructed to confer with the leading lines of road running to the eastern and southern markets and use every effort within their power to secure a reduced rate on corn shipments for the next forty days, that at least a portion of this crop may be moved, thereby affording temporary relief to every industry within the State.

MESSAGES FROM THE SENATE.
The following message was received from the Senate:
Mr. Speaker-I am directed to inform your honorable body that the Senate has amended and passed the following bill, in which the concurrence of the House is asked:

House file No. 51, a bill for an act to revise, amend and codify the statutes in relation to the State University.

Geo. A. Newman, Secretary.
Also:
Mr. Speaker-I am directed to inform your honorable body that the Senate has amended and passed the following bill, in which the concurrence of the House is asked:

House file No. 22, a bill for an act to revise, amend and codify the statutes in relation to taking private property for works of internal improvement.

Geo. A. Newman,

Secretary.
Also:
Mr. Speaker-I am directed to inform your honorable body that the Senate returns herewith Senate file No. 49, as requested by the House. Geo. A. Newman, Secretary.
The question of agreeing to the Senate amendments to the House amendments to Senate file No. 49 was then considered and the roll call resulted as follows:

On the question, "Shall the House agree to the amendments?" the yeas were:

Messrs. Allen, Bailey, Baker, Bell, Bird, Brady, Brant, Brinton, Chapman, Clark, Cook, Crow, Davis, Doubleday, Dowell, Early, Evans, Finch, Frink, Funk, Good, Griswold, Grote, Gurley, Hauger, Hayes, Hazen, Hendershot, Hinkhouse, Hinman, Huntley, Jackson, Jay, Johnston of Franklin, Klemme, Ladd, Lambert, Lauder, Lavender, Loomis, Lowry, McAchran, McArthur, Marti, Martin, Miller of Buena Vista, Miller of Cherokee, Miller of Warren, Morrison of Grundy, Morrison of Keokuk, Mullin, Nietert, Nolan, Parker, Perrott, Porter, Prentis, Putnam, Ray, Reed, Scott, Smith, St. John, Thompson, Tibbitts, Voelker, Watters, Weaver, Wells, Wheeler, Whelan, Williams, Wilson, Wood, Mr. Speaker-75.

Mr. Spaulding voted in the negative.
Absent or not voting:
Messrs. Bowen, Brighton, Byington, Classen, Cornwall, Edwards, Frazee, Garner, Haugen, Hunt, Johnson of Webster, McDonald, McDowell, McNulty, McQuin, Manahan, Mayne, Merriam, Potter, Power, Sullivan, Temple, Van Houten, Whit-tier-24.

So the House agreed to the Senate amendments.
Mr. Merriam called up the resolution which was offered on yesterday by the Committee on Compensation of Public Officers, and moved its adoption.

Mr. Brant moved to strike out of section 10 all after the word "way," down to and including the word "session."

Adopted.
Mr. Ray moved to strike out sections 7 and 10.
Mr. Wood moved to postpone indefinitely the pending resolution.

Messrs. Haugen and Brant demanded the "yeas and nays" on the motion of Mr. Wood, which resulted as follows:

On the question, "Shall the motion prevail?" the yeas were:
Messrs. Bailey, Brady, Clark, Crow, Doubleday, Early, Evars, Griswold, Grote, Hendershot, Hinkhouse, Huntley, Johnson of Webster, Klemme, Ladd, McArthur, Miller of Buena Vista, Morrison of Keokuk, Mullin, Parker, Perrott, Spaulding, Temple, Tibbitts, Watters, Weaver, Wells, Williams, Wood, Mr. Speaker-30.

## The nays were:

Messrs. Allen, Baker, Bell, Bird, Brant, Brighton, Brinton, Chapman, Cook, Davis, Dowell, Edwards, Finch, Frink, Funk, Good, Gurley, Haugen, Hayes, Hazen, Hinman, Jackson, Jay, Johnston of Franklin, Lambert, Lauder, Loomis, Lowry, McAchran, Marti, Martin, Merriam, Miller of Warren, Morrison of Grundy, Nietert, Nolan, Porter, Prentis, Putnam, Ray, Reed, Scott, Smith, Thompson, Voelker, Wheeler, Whelan, Wilson-48.

Absent or not voting:
Messrs. Bowen, Byington, Classen, Cornwall, Frazee, Garner, Hauger, Hunt, Lavender, McDonald, McDowell, McNulty, McQuin, Manahan, Mayne, Miller of Cherokee, Potter, Power, St. John, Sullivan, Van Houten, Whittier-22.

So the motion was lost.
The Speaker filed the following explanation of his vote:
I vote to indefinitely postpone this resolution for the reason that the statute makes it the duty of the Governor to prosecute such investigations. Section 759 of the Code provides that whenever in the judgment of the Governor the public services require it, he shall appoint a commission of three expert accountants who shall examine books, papers, vonchers, etc., and reprrt their findings to the Governor.

Section 760 gives the Governor power to suspend any said officer who has been guilty of any defalcation, misappropriation of public money, or gross carelessness, or negligence in performing the duties of his office.

Section 762 gives the Governor power to make temporary appointments to fill the place of suspended officers.

Section 764 provides for compensation to said accountants in the sum of $\$ 3.00$ per day.

Section 765 gives said commission all the power necessary to make thorough investigation.

It will be seen from the above provisions of the statute that the right to punish by suspension or removal from office is wholly within the power of the Governor, and any report that a committee from this body would make after an investigation would have to be referred to the chief executive to be acted upon.

I vote to indefinitely postpone the resolution for the further reason that I am opposed to the time of this extra session being taken up with matters outside of the legitimate Code work.

Mr. Whelan demanded a division of the question of Mr. Ray.
The motion to strike out section 7 was lost.
The motion to strike out section 10 was lost.
Mr. Morrison of Kejkuk offered as section 12 the following, and moved its adoption: "Section 12. That said committee ascertain from the State records whether the State received
any money for proparty turned over by ex-State Treasurer Rankin and the amount, and if from this or other State funds the Agricultural College was reimbursed or not, and if not, why, and the committee make such recommendation as the facts will warrant."

Adopted.
Mr. Morrison of Grundy, moved to amend by adding to section 5 the following: "To ascertain whether the number of employees of any and all kinds employed in the various State institutions is greater than is neces 3 ary for the propar conduct of affairs, and whether the salaries paid to such employees is greater or less than is paid for like service in private institutions of a similar character."

Mr. Gurley offered to amend the amendment by inserting between the words "the" and "management" in section 5 the words "government and;" also, add to section 5 the words "and whether the number of officers in charge thereof may not safely be reduced also;" this to precede the amendment of Mr. Morrison of Grundy.

Adopted.
Amendment as amended adopted.
Mr. Brant moved to amend by increasing the committee to two from the Senate and two from the House.

Mr. Spaulding moved to amend the amendment by striking out in the first provision, lines 1,2 and 3 , to and including the word "House," and inssrt in lieu thereof the following: "a committee consisting of three members appointed by the Governor."

Mr. McAchran moved that the resolution bo laid on the table. Carried.

## MESSAGES FROM THE SENATE.

The following message was received from the Senate:
Mr. Speaker-I am directed to inform your honorable body that the Senate has amended and passed the following bill, in which the concurrence of the House is asked:

House file No. 52 , a bill for an act to revise, amend and codify the statutes in relation to the State College of Agriculture and Mechanic Arts.

Geo. A. Newman, Secretary.

## Also:

Mr. Speaker-I am directed to inform your honorable body that the Senate has amended and passed the following bill, in which the concurrence of the House is asked:

House file No. 53, a bill for an act to revise, amend and codify the statutes in relation to the normal schocl.

Geo. A. Newman,
Secretary.
The House here took up House file No. 51, with Senate amendments.

Referred to Cormmittce on State University.
Mr. Miller of Cherokee was excused indefinitely on account of sickness.

House file No. 22, with Senate amendments, was taken up and referred to Second Division Code Revision Committee.

House file No. 53, with Senate amendments to title, was taken up and the Clerk called the roll on the Senate amendment.

On the question, "Shall the House concur?" the yeas were:
Messrs. Allen, Bailey, Baker, Bell, Bird, Brady, Brighton, Brinton, Chapman, Clark, Cook, Crow, Davis, Doubleday, Dowell, Early, Edwards, Evans, Finch, Frink, Funk, Good, Griswold, Grote, Gurley, Hayes, Hazen, Hendershot, Hinkhouse, Hinman, Huniley, Jackson, Jay, Johnson of Webster, Johnston of Franklin, Klemme, Lauder, Lavender, Loomis, Lowry, McAchran, Marti, Merriam, Miller of Warren, Morrison of Grundy, Morrison of Keokuk, Mullin, Nietert, Nolan, Parker, Perrott, Pcrter, Prentis, Putnam, Ray, Reed, Scott, Smith, Spaulding, St. John, Temple, Thompson, Tibbitts, Voelker, Waiters, Weaver, Wheeler, Whelan, Williams, Wood, Mr. Speaker-71.

The nays were:
None.
Absent or not voting:
Messrs. Bowen, Brant, Byington, Classen, Cornwall, Frazee, Garner, Haugen, Hauger, Hunt, Ladd, Lambert, McArthur, McDonald, McDowell, McNulty, McQuin, Manahan, Martin Mayne, Miller of Buena Vista, Miller of Cherokee, Potter, Power, Sullivan, Van Houten, Wells, Whittier, Wilsor-29.

So the House concurred.
House file No. 52 with Senate amendments was taken up and considered.

Mr. Early moved that the House concur in Senate amendments:

On the question, "Shall the House concur?" the yeas were:
Mєssrs. Allen, Baker, Brady, Brant, Brinton, Chapman, Clark, Crow, Davis, Doubleday, Dowell, Early, Edwards, Finch,

Frink, Funk, Good, Griswold, Grote, Hauger, Hayes, Hazen, Hinkhouse, Hinman, Jackson, Johnston of Franklin, Klemme, Ladd, Lauder, Lavender, Loomis, Lowry, McAchran, McArthur, Marti, Merriam, Miller of Warren, Morrison of Keokuk, Mullin, Nietert, Nolan, Perrott, Porter, Putnam, Reed, Smith, Temple, Tibbitts, Voelker, Watters, Weaver, Wells, Whelan, Williams, Wood, Mr. Speaker-56.

The nays were:
Messrs. Bailey, Bell, Bird, Brighton, Evans, Gurley, Haugen, Hendershot, Jay, Morrison of Grundy, Parker, Prentis, Ray, Scott, Spaulding, St. John, Wheeler-17.

Absent or not voting:
Messrs. Bowen, Byington, Classen, Cook, Cornwall, Frazee, Garner, Hunt, Huntley, Johnson of Webster, Lambert, McDonald, McDowell, McNulty, McQuin, Manahan, Martin, Mayne, Miller of Buena ${ }^{\text {N Vista, Miller of Cherokee, Potter, }}$ Power, Sullivan, Thompson, Van Houten, Whittier, Wilson-27.

So the House concurred.
Mr. Johnston of Franklin, moved that the House adjourn until 9 A. M. Tuesday.

Mr. Spaulding moved to amend by making it 10 A. M. Monday.

Carricd.
The motion as amended was carried and the House adjourned.

$$
\left.\begin{array}{c}
\text { Hall of the House of Representatives, } \\
\text { Des Moines, Iowa, Monday, February 22, 1897. }\}
\end{array}\right\}
$$

House met at 10 A. m., Speaker Byers in the chair.
Prayer by Rev. H. C. Rosenberger of Mitchellville, Iowa.
Journals of February 19 and February 20 corrected and approved.

## PETITIONS AND MEMORIALS.

Mr. Allen presented petition of citizens of Van Burencounty, asking repeal of sections 2 and 3 , chapter 68, relative to steam engines on highways.

Referred to Committee on Roads and Highways.
Mr. Hayes presented petition of citizens of Clinton county, asking passage of manufacturing bill.

Referred to Committee on Suppression of Intemperance.
Messrs. Hinman, Putnam, Miller of Buena Vista, Tibbitts, Gurley and Evans presented petitions of citizens of their respective counties, asking passage of bill regulating practice of medicine.

Referred to Committee on Public Health.
report of joint committee on enrolled bills.
Mr. Hauger, from the Joint Committee on Enrolled Bills, submitted the following report:

Mr. Speaker-Your Joint Committee on Enrolled Bills respectfully report that they have examined, and find correctly enrolled, Senate file No. 49, a bill for an act to revise, amend and codify the statutes in relation to county superintendent.

G. S. Gilbertson, Chairmars Senate Committee.<br>W. E. Havaer, Chairman House Committee.

Ordered passed on file.

Mr. Hinman called up his concurrent resolution relative to lower rates on railroads for corn and moved its adoption.

Mr. Miller of Buena Vista moved to amend resolution extending the time to three months instead of forty days.

Carried.
Resolution as amended adopted.
The following motion to reconsider was filed:
Mr. Speaker-I move to reconsider the motion by which the House concurred in the amendment of the Senate to House file No. 52.
H. O. Weaver.

I second the motion.

- M. J. Davis.

Mr. Evans offered the following concurrent resolution, which was laid over under rule 34:

Be it resolved by the House, the Senate concurring, That there be a committee of three appointed, composed of two from the House and one from the Senate, to be appointed by the Speaker of the House and the President of the Senate respectively, whose duty it shall be:

First.-To confer with the State printer and binder and get estimates of the cost per copy of printing and binding respectively of $5,000,10,000,15,000$ and 20,000 copies of the proposed Code as now being enacted, without annotations; also estimate of cost with annotations.

Second.-To determine how scon after adjournment of this extra session the laws enacted thereat can be published in bound volumes in durable form ready for the use of the public.

Third.-To consult with the Attorney-General and examine the authorities and report their conclusions as to whether or not a copyright of the laws being enacted and annotations of the same will protect the State in an annotated code from competition in its publication and sale by private enterprise.

Fourth.-To report a bill providing for the editing and indexing of the laws now being enacted and for printing, binding, distribution and sale of same.

Fifth.-That the committee report such further and other facts and conclusions in reference to the subject matter as may be deemed important.

The following motion to reconsider was filed:
Mr. Speaker-I move to reconsider the motion by which the committee substitute for joint resolution No. 3 was laid on the table.
H. O. Weaver.

I second the motion.
W. C. McArthur.

The Speaker signed Senate file No. 49, in presence of the House.

On motion of Mr. Morrison of Keokuk, House adjourned until 9 A. M. to-morrow.

House met at 9 A. m., Speaker Byers in the chair.
Prayer by Rev. J. L. Gillin of Hudson, Iowa.
Journal of yesterday corrected and approved.
PETITIONS AND MEMORIALS.
Messrs. Baker, Hinman, Whittier and Scott presented petitions of citizens of their respective counties, asking a law to regulate the practice of medicine.

Referred to Committee on Public Health.
Mr. Power presented petition of citizens of Lee county, asking a 2 cent mileage rate on railroads.

Referred to Committee on Railroads and Commerce.
REPORT OF COMMITTEE.
Mr. Finch, from the Committee on Code Revision, Division No. 3, submitted the following report:

Mr. Speaker-Your Committee on Code Revision, Division No. 3, to whom was referred House file No. 30 , a bill for an act to revise, amend and codify the statutes in relation to domestic animals, beg eave to report that they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same do pass as amended in the Senate.
P. Finct, ('hairman.
The House took up the bill just reported, House file No. 30, with report of committee that amendment of Senate be concurred in.

On the question, "Shall the House concur?" the yeas were:
Messrs. Allen, Bailey, Baker, Bell, Brinton, Byington, Chapman, Clark, Classen, Cornwall, Crow, Doubleday, Dowell, Edwards, Evans, Finch, Frazee, Frink, Funk, Good, Griswold, Grote, Gurley, Hauger, Hazen, Hendershot, Hinkhouse, Hinman, Huntley, Jay, Johnson of Webster, Johnston of Franklin, Klemme, Ladd, Lambert, Lauder, Loomis, Lowry, McAchran,

McDonald, Merriam, Miller of Buena Vista, Morrison of Grundy, Morrison of Keokuk, Mullin, Nietert, Nolan, Parker, Perrott, Porter, Potter, Power, Prentis, Putnam, Ray, Reed, Scott, Smith, Spaulding, St. John, Sullivan, Tibbitts, Voelker, Watters, Wells, Whelan, Whittier, Williams, Wilson-70.

The nays wera:
None.
Absent or not voting:
Messrs. Bird, Brady, Brant, Brighton, Cook, Davis, Early, Garner, Haugen, Hayes, Hunt, Jackson, Lavender, McArthur, McDuwell, McNulty, McQuin, Manahan, Marti, Martin, Mayne, Miller of Cherokee, Miller of Warren, Temple, Thompson, Van Houten, Weaver, Wheeler, Wood, Mr. Speaker--30.

So the House concurred.
MESSAGES FROM THE SENATE.
The following message was received from the Senate:
Mr. Speaker-I am directed to inform your honorable body that the Senate has concurred in the following concurrent resolution, in which the concurrence of the Senate was asked:

Relative to freight rates on corn.
Geo. A. Newman, Secretary.
Also:
Mr. SPFAKER-I am directed to inform your honorable body that the Senate has passed the following bill, in which the concurrence of the House is asked:

Senate file No. 78, a bill for an act to revise, amend and codify the statutes in relation to procedure to reverse, vacate or modify judgments. Geo. A. Newman,

Secretary.
Also:
Mr. Speaker-I am directed to inform your honorable body that the Senate has amended and passed the following bill, in which the concurrence of the House is asked:

House file No. 56, a bill for an act to revise, amend and codify the statutes in relation to the Industrial School.

Geo. A. Newman, Secretary.
Also:
Mr. Speaker-I am directed to inform your honorable body that the Senate has amended and passed the following bill, in which the concurrence of the House is asked:

House file No. 58, a bill for an act to revise, amend and codify the statutes in relation to the Industrial Home for the Blind.

Geo. A. Newman,
Secretary.

## Also:

Mr. Speaker $\rightarrow$ I am directed to inform your honorable body that the Senate has passed the following bill, in whieh the concurrence of the House is asked:

Senate file No. 29, a bill for an act to revise, amend and codify the statutes in relation to mines and mining.

Geo. A. Newman, Secretary.
Also:
Mr. Speaker-I am directed to inform your honorable body that the Senate has amended and passed the following bill, in which the concurrence of the House is asked:

House file No. 55, a bill for an act to revise, amend and codify the statutes in relation to the Institution for Feeble Minded Children.

Geo. A. Newman, Secretary.
Oa motion of Mr. Classen, Senate file No. 3, a bill for an act to revise, amend and codify the statutes in relation to county and township government, with report of committee recommending passage with amendments, was taken upand considered.

Mr. Nolan moved to strike out Senate amendment to section 2, line 2, chapter 2, it being all from the word "over," up to and including the words "may be."

Messrs. Nolan and Nietert demanded a roll call on this amendment, which resulted as follows:

On the question, "Shall the amendment prevail?" the yeas were:

Messrs. Allen, Bailey, Bell, Bird, Brant, Brighton, Brinton, Chapman, Clark, Cornwall, Cro r, D subleday, Duwell, Early, Edwards, Evans, Finch, Frazse, Frink, Funk, Good, Griswold, Grote, Gurley, Hauger, Hinkhouse, Hinman, Huntley, Johnson of Webster, Johnston of Franklin, Klemme, Ladd, Loomis, McAchran, McDonald, Manahan, Marti, Merriam, Miller of Buena Vista, Morrison of Grundy, Morrison of Keokuk, Mullin, Nietert, Nolan, Parker, Perrott, Potter, Prentis, Putnam, Ray, Reed, S sott, Smith, Spaulding, St John, Watters, Wells, Whelan, Whittier, Williams, Wilson, Wood-62.

The nays were:
Messrs. Baker, Bowen, Classen, Davis, Hayes, Hazen, Hendershot, Lambert, Lauder, Lowry, Porter, Power, Temple, Voelker, Weaver, Mr. Speaker-16.

Absent or not voting:
Messrs. Brady, Byington, Cook, Garner, Haugen, Hunt, Jackson, Jay, Lavender, McArthur, McDowell, McNulty,

McQuin, Martin, Mayne, Miller of Cherokee, Miller of Warren, Sullivan, Thompson, Tibbitts, Van Houten, Wheeler-22.

The amendment of Mr. Nolan prevailed.
Mr. Hauger was called to the chair.
The committee amendment to section 15 , chapter 2 , was adopted.

Mr. Wood moved to amend section 32, chapter 2, lines 13 and 14, by striking out all from the word "exceed" up to and including the word "advertisement," and insert in lieu thereof the following: "thirty-three and one-third cents for each ten lines of brevier type or its equivalent."

Adopted.
Mr. Lambert moved to amend as follows: In line 15, strike out the word "may" and insert the word "shall."

Adopted.
Speaker Byers resumed the chair.
The committee amendment to section 33, chapter 2, was adopted.

Mr. Weaver moved to amend section 49, chapter 2, by striking out the words "fifty cents" and inserting in lieu thereof the words "one dollar;" also, by striking out the words "one dollar" in the same line and insert the words "two dollars."

Mr. Morrison of Grundy, moved to amend the amendment by striking out the words "two dollars" and inserting the words "five dollars."

## Lost.

On the amerdment of Mr. Weaver; Messrs. Sullivan and Weaver demanded the yeas and nays which resulted as follows:

On the question, "Shall the amendment prevail?" the yeas were:

Messrs. Allen, Baker, Bell, Bird, Brighton, Brinton, Chapman, Classen, Davis, Dowell, Early, Edwards, Evans, Fir ch, Funk, Griswold, Grote, Gurley, Hayes, Hazen, Hendershot, Hinkhcuse, Johrston of Franklin, Klemme, Ladd, Lambert, Lauder, Marti, Morrison of Grundy, Morrisc $n$ of Keokuk, Mullin, Nietert, Perrott, Potter, Scott, Smith, Spaulding, Temple, Tibbitts, Wєaver, Whittier, Williams, Wood, Mr. Speaker-44.

The nays were:
Messrs. Bailey, Bowen, Brant, Clark, Cornwall, Crow, Doubleday, Frazee, Frink, Good, Haugen, Hauger, Hinman, Huntley, Jay, Johnson of Webster, Loomis, Lowry, McAchran,

McDonald, Merriam, Miller of Buena Vista, Miller of Warren, Nolan, Parker, Porter, Power, Prentis, Putnam, Ray, Reed, Sullivan, Voelker, Watters, Whelan, Wilson-36.

Absent or not voting:
Messrs. Brady, Byington, Cook, Garner, Hunt, Lavender, McArthur, McDuwell, McNulty, McQuin, Manaban, Martin, Mayne, Miller of Cherokec, St. John, Thompson, Van Houten, Wells, Wheeler-20.

So the amendment prevailed.
Mr. Ray moved to amend section 62, line 3, by striking out the word "five," as proposed by the Senate, and restoring the word "six."

## Lost.

Mr. Parker movad to amend section 61, by adding after the word "auditor" the word "surveyor."

Lost.
Mr. Baker moved to amend section 3, chapter 5, line 3, by striking out the word "annual" and inserting the word "quarterly;" also, insert after the word "January," in line 4, the words "April, July and October."

Lost.
Mr. Baker moved to strike out in line 4 section 10, chapter 6 , the words "'on the first Monday in January of each year," and insert the words "at the time of making such quarterly reports."

Adopted.
Mr. Potter moved to amend chapter 5, section 6, by adding after the words "four hundred," in line 2 , the words "or less."

Adopted.

## MESSAGES FROM THE SENATE.

The following message was received from the Senate:
Mr. Speaker-I am directed to inform your honorable body that the Senate has passed the following concurrent resolution, in which the concurrence of the House is asked:

Relative to the removal of Sylvester Scovel, a citizen of Ohio, from the province of Santa Clara, Cnba, to the city of Havana.

CUNCURRENT RESOLUTION.
Whereas, The United States Senate has unanimously passed a resolution introduced by the senior senator from New York asking that Sylvester Scovel, a citizen of Ohio and a correspondent of the New York World, now imprisoned in the province of Santa Clara, Cuba, be removed to the city of Havana, and that he be granted all the rights and privileges secured to American citizens by treaty between Spain and the

United States, and requesting the secretary of state to use his good offices with the Spanish government in behalf of Scovel; therefore, be it

Resolved by the Senate, the House concurring, That we endorse the action of the United States Senate, and recommend speedy action upon the part of the secretary of state.

Geo. A. Newman, Secretary.
Also:
Mr. Speaker-I am directed to inform your honorable body that the Senate has amended and passed the following bill, in which the concurrence of the Senate was asked:

House file No. 4, a bill for an act in relation to the sovereignty and jurisdiction of the State and the Legislative department.

Geo. A. Newman,
Secretary.
Also:
Mr. Speaker-I am directed to inform your honorable body that the Senate has amended and passed the following bill, in which the concurrence of the Senate was asked:

House file No. 5, a bill for an act to revise, amend and codify the statutes in relation to the General Assembly.

Geo. A. Newman,
Secretary.
Mr. Evans called up his resolution relative to printing the Code and asked leave to amend by making the committee five instead of three, and composed of "three from the House and two from the Senate."

Granted.
Mr. Haugen moved to add the words "and others" after the word "binder."

Carried.
The resolution of Mr. Evans was adopted.
senate messages.
Senate file No. 29, a bill for an act to revise, amend and codify the statutes in relation to mines and mining, was read first and second time and referred to Committee on Mines and Mining.

Senate file No. 78, a bill for an act to revise, amend and codify the statutes in relation to procedure to reverse, vacate or modify judgments, was read first and second time and referred to Committee on Code Revision, Third Division.

House file No. 63, with Senate amendments, was then taken up and referred to the Committee on School and Text Books.

The Senate resolution relating to Sylvester Scovel was taken up and adopted on motion of Mr. Wood.

House file No. 68, with Senate amendments to title, also to the bill, was taken up and the roll called on the question of concurrence.

On the question, "Shall the Hcuse concur?" the yeas were:
Messrs. Allen, Bailey, Baker, Bell, Bird, Bowen, Brant, Brighton, Brinton, Byington, Chapman, Clark, Classen, Cornwall, Crow, Davis, Doubleday, Dowell, Early, Edwards, Evans, Finch, Frazee, Frink, Funk, Good, Griswold, Grote, Gurley, Haugen, Hauger, Hayes, Hazen, Hendershot, Hinkhouse, Hinman, Huntley, Jay, Johnson of Webster, Johnston of Franklin, Klemme, Ladd, Lauder, Loomis, Lowry, McAchran, McDonald, Merriam, Miller of Buena Vista, Miller of Warren, Morrison of Grundy, Morrison of Keokuk, Mullin, Nietert, Nolan, Parker, Perrott, Porter, Potter, Power, Prentis, Putnam, Ray, Reed, Scott, Smith, Spaulding, St. John, Sullivan, Temple, Tibbitts, Voelker, Watters, Weaver, Wells, Whelan, Whittier, Williams, Wilson, Wood, Mr. Speaker-81.

The nays were:
None.
Absent or not voting:
Messrs. Brady, Cook, Garner, Hunt, Jackson, Lambert, Lavender, McArthur, McDowell, McNulty, McQuin, Manahan, Marti, Martin, Mayne, Miller of Cherokee, Thompson, Van Houten, Wheeler-19.

So the House concurred.
House file No. 56, with Senate amendments to title, was taken up and the House concurred.

House file No. 72, with Senate amendments, was taken up and the roll call resulted as follows:

On the question, "Shall the House concur?" the yeas were:
Messrs. Allen, Bailey, Baker, Bell, Bird, Bowen, Brant, Brighton, Brinton, Byington, Chapman, Clark, Classen, Cornwall, Crow, Davis, Doubleday, Dowell, Early, Edwards, Evans, Frazee, Frink, Funk, Good, Griswold, Grote, Gurley, Haugen, Hauger, Hayes, Hazen, Hendershot, Hinkhouse, Hinman, Huntley, Jay, Johnson of Webster, Johnston of Franklin, Klemme, Ladd, Lambert, Lauder, Loomis, Lowry, McAchran, McDonald, Merriam, Miller of Buena Vista, Miller of Warren, Morrison of Gruцdy, Morrison of Keokuk, Mullin, Nietert, Nolan, Parker, Perrott, Porter, Potter, Power, Prentis, Putnam, Ray, Reed, Scott, Smith, Spaulding, St. John, Sullivan, Temple, Tibbitts,

Voelker, Watters, Wearer, Wells, Whelan, Whittier, Williams, Wilson, Wood, Mr. Speaker-81.

The nays were:
None.
Absent or not voting:
Messrs. Brady, Cook, Finch, Garner, Hunt, Jackson, Lavender, McArthur, McDowell, McNulty, McQuin, Manahan, Marti, Martin, Mayne, Miller of Cherokee, Thompson, Van Houten, Wheeler-19.

So the House concurred.
Mr. Morrison of Keokuk, moved to adjourn till 2 p. m.
Mr. Early moved to amend by making it 9 A. M. to-morrow.
The amendment was adopted by a vote of 38 yeas to 36 nays.
The motion as amended was adopted.
The House then adjourned.

Hall of the House of Representatives, Des Moines, Iowa, Wednesday, February 24, 1897. $\}$
The House met at 9 A. m., with Speaker Byers in the chair. Prayer was offered by Rev. W. M. Todd.

## PETITIONS AND MEMORIALS.

Messrs. McDonald and Crow presented petitions of citizens of their respective counties, asking for a 2-cent mileage rate on railroads.

Referred to Committee on Railroads and Commerce.
Mr. McDonald presented remonstrance of citizens of Guthrie county, against passage of a manufacturing bill.

Referred to Committee on Domestic Manufactures.
Mr McDowell piesented remonstrance of citizens of Iowa county, against reduction of fees for publishing legal notices.

Referred to Committee on Printing.
Mr. Speaker presented petition of Shelby county institúte, favoring the encouragement of bset sugar cultivation and other legislation.

Referred to Committee on Ways and Means.
Mr. Speaker presented petition of citizens of Sbelby county, asking the passage of amendment to section 19 , chapter 3 , of election law:

Referred to Committee on Elections.
report of committee on enrolled bills.
Mr. Hauger, from the Committee on Enrolled Bills, submitted the following report:

Mr. Speaker-Your Committee on Enrolled Bills respectfully report that they have examined, and find correctly enrolled, House file No. 53, a bill for an act to revise, amend and codify the statutes in relation to normal schools.
W. E. Hauger, Chairman.
Ordered passed on file.

## Also:

Mr. Speaker-Your Committee on Enrolled Bills respectfully report that they have examined, and find correctly enrolled, House file No. 8, a bill for an act to revise, amend and codify the statutes in relation to the submission of constitutional amendments.

W. E. Hauger,<br>Chairman

Ordered passed on file.
Also:
Mr. Speaker - Your Committee on Enrolled Bills respectfully report that they have examined, and find correctly enrolled, House file No. 41, a bill for an act to revise, amend and codify the statutes in relation to the State veterinary surgeon.

W. E. Hauger, Chairman.

Ordered passed on file.
Also:
Mr. Speaker-Your Committee on Enrolled Bills respectfully report that they have examined, and find correctly enrolled, House file No. 70, a bill for an act to revise, amend and codify the statutes in relation to tender.

## W. E. Hauger, <br> Chairman.

Ordered passed on file.
Also:
Mr. Speaker-Your Committee on Enrolled Bills respectfully report that they have examined, and find correctly enrolled, House file No. 39, a bill for an act to revise, amend and codify the statutes in relation to the inspection of passenger boats.
W. E. Hauger,

Chairman
Ordered passed on file.
REPORT OF JOINT COMMITTEE ON ENROLLED BILLS.
Mr. Hauger, from the Joint Committee on Enrolled Bills, submitted the following report:

Mr. Speaker-Your Joint Committee on Enrolled Bills respectfully report that they have examined, and find correctly enrolled, House file No. 39 , a bill for an act to revise, amend and codify the statutes in relation to the inspection of passenger boats.

> G. S. Gilbertson, Chairman Senate Committee.
> W. E. HavaEr, Chairman House Committee.

Ordered passed on file.

Also:
Mr. Speaker-Your Joint Committee on Enrolled Bills respectfully report that they have examined, and find correctly enrolled, House file No. 41, a bill for an act to revise, amend and codify the statutes in relation to the State veterinary surgeon.

> G. S. Gllbertson, Chairman Senate Committee.
> W. E. Havaer, Chairman House Committee.

Ordered passed on file.

## Also:

Mr. Speaker-Your Joint Committee on Enrolled Bills respectfully report that they have examined, and find correctly enrolled, House file No. 70, a bill for an act to revise, amend and codify the statutes in relation to tender.

> G. S. Gilbertson, Chairman Senate Committee.
> W. E. HaUGEr, Chairman House Committee.

Ordered passed on file.
Also:
Mr. Speaker-Your Joint Committee on Enrolled Bills respectfully report that they have examined, and find correctly enrolled, House file No. 53, a bill for an act to revise, amend and codify the statutes in relation to the normal school.

> G. S. Gilbertson, Chairman Senate Committee.
> W. E. HaUGer, Chairman House Committee.

Ordered passed on file.
Also:
Mr. Speaker-Your Joint Committee on Enrolled Bills respectfully report that they have examined, and find correctly enrolled, House file No. 8 , a bill for an act to revise, amend and codify the statutes in relation to the submission of constitutional amendments.

> G. S. Gilbertson, Chairman Senate Committee.
> W. E. Haugrn, Chairman House Committee.

Ordered passed on file.

## REPORTS OF STANDING COMMITTEES.

Mr. St. John, from the Committee on Agriculture, submitted the following report:

Mr. Speaker-Your Committee on Agriculture, to whom was referred House file No. 31, a bill for an act to revise, amend and codify the statutes in relation to fences, beg leave to report that they have had the same
under consideration and have instructed me to report the same back to the House with the recommendation that the same do pass with the following amendments:

First.-In section 2, line 2, amend by inserting' after the word "rebuilding" the words "trimming or cutting back;" also, in section 2 , line 6 , amend by inserting after the word "rebuild" the words "trim or cut back"

Second -Amend section 3, line 3, by inserting after the word "rebuild" the words "trim or cut back."

Third.-Amend section 4, line 4, by inserting after the word "rebuilding" the words "trimming or cutting back."

Fourth -Amend by striking out sections 15 and 16.
Fifth.-Amend section 17 by striking out the number of the section, " 17 ," and inserting in lieu thereof the number " 15 ."

Sixth.-Amend section 18 by striking out the number of the section, " 18 ," and inserting in lieu thereof the number " 16 ."

Seventh.-Amend section 19 by striking out the number of the section, " 19, ," and inserting in lieu thereof the number " 17 ."

Eighth.-Amend by striking out the marginal references.
R. T. St. John,

Chairman.
Ordered passed on file.
Mr. Reed, from the C smmittee on School and Text Books, submitted the following report:

Mr. Speaker-Your Committee on School and Text Books, to whom was referred House file No. 63, a bill for an act to revise, amend and codify the statutes in relation to the school fund, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the House with the recomenendation that the House do concur in the Senate amendment thereto.

J. F. Reed,<br>Chairman.

Ordered passed on file.
Also:
Mr. Speaker-Your Committee on School and Text Books, to whom was referred Senate fiie No. 50, a bill for an act to revise, amend and codify the statutes in relation to the educational board of examiners, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same do pass.

> J. F. Reed,
> Chairman.

Ordered passed on file.
Mr. Reed asked that the Senate amendments to this bill be printed in the Journal.

Granted.
The following are the amendments as adopted in the Senate:

## SENATE AMENDMENTB.

Insert after the enacting clause the following: "Chapter 16 (of title 13), of the school fund."

Page 585, section 2, line 5, strike out the word "auditor" and in lieu thereof insert the word "treasurer."

Page 585, section 3, line 3, after the word "same" strike out the word "in" and insert in lieu thereof the word "into."

Page 586, section 4, line 10, strike out the word "auditor" and in lieu thereof insert the word "treasurer."

Page 587, section 6, line 15, strike out the word "auditor" and in lieu thereof insert the word "treasurer."

In section 7, line 5, strike out the word "is" and insert the word "as" in lieu thereof.

Page 588, section 12, line 1, strike out the word "his" and in lieu thereof insert the word "the."

Page 588, section 12, line 2, after the word "hands" insert the words "of the county treasurer."

Page 588, section 12, line 6, after the word "to" insert the words "or be carried by."

Page 589, section 12 , line 8 , strike out the word "semi-annually" and in lieu thereof insert the word "annually"

Page 589, section 13, line 9, after the word "and" insert the words "certify the same to the treasurer who shall."

Page 589, section 13, line 10, after the word "dollars" insert the words "to be paid to the auditor."

Page 589, section 14, line 1, strike out the words "in detail."
Page 589, section 14, line 2, strike out the word "the" and in lieu thereof insert the words "a minute of such;" also, in same line strike out the word "spread" and in lieu thereof insert the word "entered"

In section 10, line 1, strike out the word "auditor" and insert the word "treasurer" in lieu thereof.

Page 590 , section 16, line 2, after the words "made to the," strike out the word "auditor" and in lieu thereof insert the word "treasurer;" also, in same line strike out the word "proper;" also, in same line, after the word "county," insert the following: "upon a certificate from the auditor showing the amount due;" also, in the same line strike out the words "who as such" and in lieu thereof insert the words "and the."

Page 590, section 16, line 4, strike out the word "he" and in lieu thereof insert the words "The auditor."

Page 590 , section $1 \dot{6}$, line 7, after the word "hands" insert the words "and those of the treasurer."

Page 590, section 16, line 8, after the word "kept." change the period to semicolon and add the following: "and the county treasurer snall keep a like account and record of all school funds coming into his hands."

Page 590, section 17, lines 8 and 9, strike out the words "it shall be bid in for the use of such fund, in behalf of the State," and in lieu thereof insert the following: "the auditor shall bid such sum as the interests of the fund require."

In section 17, line 7, strike out the words "ten per cent of the recovery" and insert the words "the amount as provided by law for attorneys."

Strike out all undersccring.

Journal of yesterday corrected and approved.
The Speaker signed, in the presence of the House, House file No. 41, House file No. 39, House file No. 70, House file No. 53, House file No. 8.

The House resumed the consideration of the pending bill, Senate file No. 3.

Mr. Allen offered the following amendment: In line 5, section 10, chapter 1, after the word "or" add the words "after the expiration of five years."

In the same line strike out the words "before said date;" also, in line 19, strike out the words "before maturity" and insert in lieu thereof the words "after the expiration of five years."

Mr. Cornwall offered the following as a substitute: Amend section 10, chapter 1, by striking out of line 5, after the word "date," lines 6 and 7 except the last two words; also, amend said section by striking out all of lines 12 to 37 , both inclusive, and insert in lieu thereof the following:

The county of........., in the State of lowa, for value received, promises to pay to bearer.......-dollars, lawful money of the United States of America, on......., with.....interest on said sum from the date hereof until paid at the rate of........ per centum per annum, payable......... annually on the first day bf...-.....and.-.-...-. in each year on presentation and surrender of the interest coupons hereto attached. Both principal and interest payable at

This bond is issued by the board of supervisors of said county pursuant to the provisions of section 10, chapter 1 of the Code of Iowa, and in conformity to a resolution of said board duly passed. And it is hereby certified and recited that all acts, conditions and things required by the laws and constitution of the State of Iowa to be done precedent to and in the issue of the bond have been properly done, happened and been performed in regular and due form as required by law and the total indebtedness of said county, including this bond, does not exceed the constitutional or statutory limitations.

In testimony whereof, said county, by its board of supervisors, has caused this boad to be signed by the chairman of the' board and attested by the auditor, with the county seal attached, this......-day of

Attest. Chairman, Board of Supervisors.

County auditor,
[FORM ..-----.---..]
The treasurer of ..................county, Iowa, will pay to bearer dollars on.-...................., at...-..........for........................annual interest on its bond dated
No.
$\qquad$
No. ------

[^2]The committee amendment to line 5 , section 11, chapter 6 , was adopted.

Mr. Dowell offered the following as a substitute for the committee amendment to line 8, chapter 6, section 11: Add after the word "county" the words "and in civil matters he shall be allowed to retain the regular mileage collected by him."

Adopted by a vote of 49 yeas to 20 nays.
Mr. Edwards moved to amend section 11, chapter 6, line 2, by adding the word "thousand" after the words "twentyeight."

Adopted.
The committee amendment to add to section 11, chapter 6, was adopted.

Mr. Chapman moved to amend section 11, line 3, chapter 6, by striking out after the word "thousand" the words "twentythree hundred" and insert in lieu thereof the words "two thousand;" also, by striking out in line 4 after the word "thousand" the words "three thousand" and inser" in lieu thereof the words "twenty five hundred."

On the amendment, Messrs. Chapman and Sullivan demanded the yeas and nays, which resulted as follows.

On the question, "Shall the amendment prevail?" the yeas were:

Messrs. Allen, Bailey, Bell, Bird Bowen, Brady, Brant, Brighton, Brinton, Byington, Chapman, Clark, Cornwall, Crow, Davis, Doubleday, Early, Edwards, Evans, Finch, Frazee, Frink, Funk, Good, Griswold, Gurley, Haugen, Hauger, Hazen, Hendershot, Hinkhouse, Huntley, Jay, Johnston of Franklin, Klemme, Lambert, Lauder, Loomis, Lowry, McAchran, McDonald, McDswell, Marti, Martin, Merriam, Miller of Buena Vista, Miller of Warren, Morrison of Grundy, Mullin, Nietert, Parker, Perrott, Porter, Putter, Prentis, Putnam, Ray, Reed, Scott. Smith, Spaulding, Sullivan, Thompson, Tibbitts, Van Houten, Watters, Wells, Wheeler, Whelan, Whittier, Williams, Wood, Mr. Speaker-73.

The nays were:
Messrs. Classen, Cook, Dowell, Grote, Ladd. Lavender, McArthur, Nolan, Power, St. John, Temple, Voelker, Wil-son-13.

Absent or not voting:
Messrs. Baker, Garner, Hayes, Hinman, Hunt, Jackson, Johnson of Webster, McNulty, McQuin, Manahan, Mayne, Miller of Cherokee, Morrison of Keokuk, Weaver-14.

So the amendment prevailed.
Mr. St. John moved to amend section 22, chapter 6, line 1, by striking out the word "may" and inserting in lieu thereof the word "shall."

Lost.
Mr. Porter was called to the chair.
The committee amendment to section 6, line 2, chapter 8, was adopted.

MESSAGES FROM THE SENATE.
The following message was received from the Senate:
Mr. Speaker-I am directed to inform your honorable body that the Senate has amended and passed the following bill, in which the concurrence of the Senate was asked:

House file No. 76 , a bill for an act to revise, amend and codify the statutes in relation to warehousemen, carriers, hotel-keepers, livery stable keepers and herders.

Amendments found on pages 642,644 and 646.
Geo. A. Newman,
Secretary
Also:
Mr. Speaker-I am directed to inform your honorable body that the Senate has amended and passed the following bill, in which the concurrence of the Senate was asked:

House file No. 83, a bill for an act to revise, amend and codify the statutes in relation to justices of the peace and their courts.

Geo. A. Newman, Secretary.
Also:
Mr. Speaker-I am directed to inform your honorable body that the Senate has passed the following concurrent resolution, in which the concurrence of the Senate was asked:

Relative to printing and publishing the Code.
Geo. A. Newman, Secretary.
The committee amendment to chapter 26 , section 3 , of the acts of the Twenty-sixth General Assembly, as incorporated in the bill by the Senate, was adopted.

Speaker Byers resumed the chair.
Mr. Martin moved to amend as follows: Amend section 18, chapter 10, by adding thereto the words "but said clerk shall not receive to exceed one per cent for handling said money."

Adopted.
Mr. Frink moved to amend section 34, line 5, chapter 10, by adaing after the words "in office" the words "unless otherwise provided by law."

Adopted.

Mr. Evans moved to amend as follows: In section 19, chapter 7 , line 5, change the semicolon after "cents" to a period. Strike out the words "which fees shall be paid out of the county treasury."

Insert the following as paragraph 5 of section 19: "Which fees shall be paid out of the county treasury when they cannot be obtained from the estate of the deceased."

Change the number of the next paragraph to " 6. ."
Adopted.
Mr. Martin moved to amend as follows: Add to section 11, chapter 6, the following: "but in no case shall any sheriff in counties of less population than twenty-eight thousand inhabitants receive as fees, after paying his deputies, to exceed the sum of two thousand dollars. All other fees collected by him shall be paid into the county treasury."

Adopted.
Mr . Gurley moved to reconsider the motion whereby the committee amendment to add to section 11, chapter 6, was adopted.

Carried.
Mr. Gurley moved to amend the committee amendment by striking out the words "twelve hundred" and inserting the words "fifteen hundred."

Adopted.
Committee amendment as amended was adopted.
Mr. Loomis moved to amend chapter 4, section 9, as follows: Strike out all of section 9 , and substitute the following as section 9: "County treasurers shall be allowed an annual salary to be fixed by the board of supervisors of their respective counties at their June meeting of each odd numbered year as follows: In counties having a population of five thousand or less, not to exceed one thousand dollars; in counties of over five thousand inhabitants and under ten thousand, not to exceed eleven hundred dollars; in counties of over ten thousand inhabitants and under eighteen thousand, not to exceed twelve hundred dollars; in counties of over eighteen thousand inhabitants and under twenty-five thousand, not to exceed thirteen hundred dollars; and in all counties of twenty-five thousand inhabitants or more, not to exceed fifteen hundred dollars; but in no county shall it be less than nine hundred dollars. Said salary shall be paid monthly out of the general fund of the county. There
shall not be allowed for deputy or clerk hire more than the amount provided in the next section."

Messrs. Merriam and Lauder demanded the yeas and nays un this amendment, which resulted as follows:

On the question, "Shall the amendment prevail?" the yeas were:

Messrs. Bird, Brady, Brighton, Brinton, Chapman, Clark, Cook, Edwards, Haugen, Johnston of Franklin, Ladd, Loomis, McArthur, McDonald, Martin, Morrison of Keokuk, Ray, Scott, Spaulding, Mr. Speaker-20.

The nays were:
Messrs. Allen, Bailey, Bowen, Brant, Byington, Classen, Cornwall, Crow, Davis, Doubleday, Dowell, Early, Evans, Finch, Frazee, Frink, Funk, Good, Griswold, Grote, Gurley, Hauger, Hazen, Hendershot, Hinkhouse, Huntley, Jay, Johnson of Webster, Klemme, Lambert, Lauder, Lavender, Lowry, McAchran, McDowell, Marti, Merriam, Miller of Buena Vista, Miller of Warren, Mullin, Nietert, Nolan, Parker, Perrott, Porter, Potter, Power, Prentis, Putnam, Reed, Smith, St. John, Sullivan, Temple, Thompson, Tibbitts, Van Houten, Voelker, Watters, Wells, Wheeler, Whelan, Whittier, Williams, Wilson, Wood-67.

Absent or not voting:
Mr. Baker, Garner, Hayes, Hinman, Hunt, Jackson, McNulty, McQuin, Manahan, Mayne, Miller of Cherokee, Morrison of Grundy, Weaver-13.

So the amendment was lost. MESSAGE FROM THE SENATE.
The following message was received from the Senate:
Mr. Speaker-I am directed to inform your honorable body that the Senate has passed the following bill, in which the concurrence of the House is asked:

Substitute for Senate file No. 83, a bill for an act to amend section 1967 of the Code of Iowa of 1873 , as amended by chapter 49 of the acts of the Twenty-fifth General Assembly.

Gho. A. Netwan,
REPORT OF COMMITTEE ON ENROLLED BILLS.
Mr. Hauger, from Committee on Enrolled Bills, submitted the following report:

Mr. Speaker-Your Committee on Enrolled Bills respectfully report that they have this day sent to the Governor for his approval:

House file No. 39, a bill for an act to revise, amend and codify the statutes in relation to inspection of passenger boats.

Also:
House file No. 41, a bill for an act to revise, amend and codify the statutes in relation to the State veterinary surgeon.

Also:
House file No. 53, a bill for an act to revise, amend and codify the statutes in relation to the normal school.

Also:
House file No. 8, a bill for an act to revise, amend and codify the statutes in relation to the submission of constitutional amendments.

Also:
House file No. 70, a bill for an act to revise, amend and codify the statutes in relation to tender.

W. E. Hauger,<br>Chairman.

On motion of Mr. Whelan, the House adjourned until 2 P. m.

## AFTERNOON SESSION.

The House met at 2 p. m.; pursuant to adjournment, with Speaker Byers in the chair.

Mr. Finch offered the following amendment to the pending bill: Senate file No. 3, chapter 4, add to section 1, "and shall on Monday of each week file with the auditor a statement in writing, showing the amount of money in his hands as such treasurer at the close of each day during the preceding week, also showing where, with whom, and the amount of such money on deposit at the close of said days with any person or company. The auditor shall file said statement, which shall be open to public examination. Any person or company receiving said deposits shall upon written request of any member of the board of supervisors make a statement in writing to the auditor showing the daily balance of said treasurer for the last ten days preceding said report."

Adopted.
Mr. Johnston of Franklin moved to amend as follows: Amend by striking out the words "seventeen thousand" in line 4, section 32, on page 97 of the Black Code, and insert in lieu thereof "thirteen thousand five hundred."

Lost.

Mr. Ladd moved to amend chapter 4, section 9, paragraph 5 , as follows: Insert after the word "year," in line 11, the words 'in counties having a population of twenty-five thousand and over;" also, strike out of line 12 the word "ten" and insert the word "fifteen" in lieu thereof. In the same line strike out the word "thirteen" and insert the word "twelve;" after the word "dollars," in same line, insert the words "and in counties having a population of less than twenty-five and over fifteen thousand the salary shall not exceed thirteen hundred dollars."

Messrs. Merriam and Haugen demanded the yeas and nays, which resulted as follows:

On the question, "Shall the amendment prevail?" the yeas were:

Messrs. Brady, Brighton, Chapman, Clark, Evans, Finch, Grote, Gurley, Haugen, Hinkhouse, Huntley, Ladd, Loomis, McAchran, McArthur, McDonald, Martin, Morrison of Keokuk, Porter, Ray, Scott, Smith, Spaulding, Tibbitts, Van Houten, Wells, Mr. Speaker-27.

The nays were:
Messrs. Allen, Bailey, Baker, Brant, Brinton, Byington, Classen, Cook, Cornwall, Crow, Davis, Doubleday, Dowell, Early, Edwards, Frazee, Frink, Good, Griswold, Hauger, Hayes, Hazen, Hendershot, Johnson of Webster, Johnston of Franklin, Klemme, Lauder, Lavender, Lowry, McDowell, McNulty, Marti, Nerriam, Miller of Warren, Morrison of Grundy, Mullin, Nietert, Parker, Perrott, Porter, Potter, Power, Prentis, Reed, St. John, Sullivan, Temple, Thompson Voelker, Watters, Wheeler, Whelan, Whittier, Williams, Wilson, Wood-55.

Absent or not voting:
Messrs. Bell, Bird, Bowen, Funk, Garner, Hinman, Hunt, Jackson, Jay, Lambert, McQuin, Manaban, Mayne, Miller of Buena Vista, Miller of Cherokee, Nolan, Putnam, Weaver-18.

So the amendment was lost.
Mr. Klemme moved to add to section 35, chapter 2, the following: "And in addition shall receive ten cents for each hundred dollars that he is able to uncover that was not given in previous assessments by same parties."

Lost.

Mr. Bird moved to reconsider the vote by which the words "fifty cents" were changed to" 'one dollar" in section 49, chapter 2.

Mr. Ladd seconded the motion.
The motion to reconsider was carried.
The motion to strike out the words"'fifty cents" and insert"'one dollar" was then put and lost by a vote of 36 yeas to 44 nays.

Mr. Frink moved to amend as follows: Amend by adding at the end of section 22 , "each member shall receive as compensation the sum of $\$ 25.00$, annually, to be paid out of the county treasury."

After discussion Mr. Frink asked leave to withdraw the amendment, winich was granted.

Mr. Haugen moved to amend as follows: In section 10, line 10, chapter 4 , strike out the word "shall" and insert the word' 'may." Adopted.
Mr. Frink moved to reconsider the vote whereby section 32, chapter 2 , line 15 , was amended.

Mr. McDonald seconded the motion.
The motion to reconsider was lost.
Mr. Classen moved that the rule be suspended, and that the bill be read a third time now, which motion prevailed and the bill was read a third time.

On the question, "Shall the bill pass?" the yeas were:
Messrs. Allen, Bailey, Baker, Bell, Bird, Brady, Brant, Brighton, Brinton, Byington, Chapman, Clark, Classen, Cook, Cornwall, Crow, Davis, Doubleday, Dowell, Early, Edwards, Evans, Finch, Frazee, Frink, Funk, Good, Griswold, Grote, Gurley, Haugen, Hauger, Hayes, Hazen, Hendershot, Hinkhouse, Jackson, Jay, Johnson of Webster, Johnston of Franklin, Klemme, Ladd, Lambert, Lauder, Lavender, Loomis, Lowry, McAchran, McArthur, McDonald, McDowell, McNulty, Marti, Martin, Merriam, Miller of Buena Vista, Miller of Warren, Morrison of Grundy, Morrison of Keokuk, Mullin, Nietert, Parker, Perrott, Porter, Potter, Power, Prentis, Putnam, Ray, Reed, Scott, Smith, Spaulding, St. John, Sullivan, Temple, Thompson, Tibbitts, Voelker, Watters, Wells, Wheeler, Whelan, Whittier, Williams, Wilson, Wood, Mr. Speaker-88.

The nays were:
None.
Absent or not voting:
Messrs. Bowen, Garner, Hinman, Hunt, Huntley, McQuin, Manahan, Mayne, Miller of Cherokee, Nolan, Van Houten, Weaver-12.

So the bill passed and the title was agreed to.
Mr. Parker called up House file No. 55, with Senate amendments, and moved that the House concur in the amendments of the Senate.

On the question, "Shall the House concur?" the yeas were:
Messrs. Allen, Bailey, Baker, Bell, Bird, Brady, Brant, Brighton, Brinton, Byington, Chapman, Clark, Classen, Cook, Cornwall, Crow, Davis, Doubleday, Dowell, Early, Evans, Finch, Frazee, Frink, Funk, Good, Griswold, Grote, Gurley, Haugen, Hauger, Hayes, Hazen, Hendershot, Hinkhouse, Huntley, Jackson, Johnson of Webster, Johnston of Franklin, Klemme, Ladd, Lambert, Lauder, Lavender, Loomis, Lowry, McAchran, McArthur, McDonald, McDowell, McNulty, Marti, Martin, Merriam, Miller of Buena Vista, Miller of Warren, Morrison of Grundy, Morrison of Keokuk, Mullin, Nietert, Parker, Perrott, Porter, Potter, Power, Prentis, Putnam, Ray, Reed, Scott, Smith, Spaulding, St. John, Sullivan, Temple, Thompson, Tibbitts, Voelker, Watters, Wells, Wheeler, Whelan, Whittier, Williams, Wilson, Wood, Mr. Speaker-87.

The nays were:
None.
Absent or not voting:
Messrs. Bowen, Edwards, Garner, Hinman, Hunt, Jay, McQuin, Manahan, Mayne, Miller of Cherokee, Nolan, Van Houten, Weaver-13.

So the House concurred.
Senate file No. 83, a bill for an act to legalize acknowledg. ments of instruments in writing heretofore taken by notaries public, was taken up and read first and second time.

On motion of Mr. Cornwall, rule 43 was suspended and the bill considered now.

Mr. Cornwall moved that the rule be suspended, and that the bill be read a third time now, which motion prevailed and the bill was read a third time.

On the question, "Shall the bill pass?" the yeas were:
Messrs. Allen, Bailey, Baker, Bell, Bird, Brady, Brant, Brighton, Brinton, Byington, Chapman, Clark, Classen, Cook, Cornwall, Crow, Davis, Doubleday, Dowell, Early, Evans, Finch, Frink, Funk, Good, Griswold, Grote, Gurley, Hauger, Hazen, Hendershot, Hinkhouse, Jackson, Jay, Johnston of Franklin, Klemme, Lambert, Lauder, Lavender, Loomis, Lowry, McAchran, McArthur, McDonald, McDowell, McNulty,

Marti, Merriam, Miller of Buena Vista, Miller of Warren, Mullin, Nietert, Parker, Perrott, Porter, Potter, Power, Prentis, Putnam, Ray, Reed, Scott, Smith, Spaulding, St. John, Thompson, Tibbitts, Watters, Wells, Wheeler, Whelan, Whit tier, Williams, Wilson, Wood, Mr. Speaker-76.

Mr. Temple voted in the negative.
Absent or not voting:
Messrs. Bowen, Edwards, Frazee, Garner, Haugen, Hayes, Hinman, Hunt, Huntley, Johnson of Webster, Ladd, McQuin, Manahan, Martin, Mayne, Miller of Cberokee, Morrison of Grundy, Morrison of Keokuk, Nolan, Sullivan, Van Houten, Voelker, Weaver-23.

So the bill passed and the title was agreed to.
Mr. Temple from the First Division Code Revision Committee, asked to have House file No. 17 re-referred to said committee.

Granted.
On motion of Mr. Davis, Senate file No. 36, a bill for an act to revise, amend and codify the statutes in relation to the practice of dentistry, was taken up and considered.

Mr. Gurley moved to amend line 5, section 1, by striking out the word "five" and insert the word "three."

Mr. Merriam moved that this bill be recommitted to Committee on Pharmacy.

## Carried.

Mr. Brighton moved to adjourn until 9 A. M. to-morrow.
Lost.
On motion of Mr. Reed, Senate file No. 50, a bill for an act to revise, amend and codify the statutes in relation to the educational board of examiners, with report of committee recommending passage, was taken up, considered and the report of the committee adopted.

Mr. Reed moved that the rule be suspended, and that the bill be read a third time now, which motion prevailed and the bill was read a third time.

On the question, "Shall the bill pass?" the yeas were:
Messrs. Allen, Bailey, Bell, Bird, Bowen, Brady, Brighton, Brinton, Byington, Chapman, Clark, Classen, Cornwall, Crow, Davis, Doubleday, Dowell, Early, Edwards, Evans, Finch, Frazee, Frink, Funk, Good, Griswold, Grote, Haugen, Hauger, Hayes, Hazen, Hendershot, Hinkhouse, Huntley, Jackson, Jay, Johnson of Webster, Johnston of Franklin, Klemme, Ladd,

Lambert, Lauder, Lavender, Loomis, Lowry, McAchran, McArthur, McDonald, McDowell, McNulty, Marti, Merriam, Miller of Buena Vista, Miller of Warren, Morrison of Grundy, Morrison of Keokuk, Mullin, Nietert, Nolan, Parker, Perrott, Porter, Potter, Power, Prentis, Putnam, Ray, Reed, Scott, Smith, Spaulding, St. John, Tibbitts, Van Houten, Voelker, Watters, Wells, Wheeler, Whelan, Whittier, Williams, Wilson, Wood, Mr. Speaker-84.

Mr. Thompson voted in the negative.
Absent or not voting:
Messrs. Baker, Brant, Cook, Garner, Gurley, Hinman, Hunt, McQuin, Manahan, Martin, Mayne, Miller of Cherokee, Sullivan, Temple, Weaver- 15.

So the bill passed and title was agreed to.
On motion of Mr. St. John, House file No. 31, a bill for act to revise, amend and codify the statutes in relation to fences, with report of committee recommending passage with amendments, was taken up, considered and the amendments of the committee adopted.
$\mathrm{V}_{1}$. Spaulding moved to amend section 4, line 8, between words "for" and "said," by inserting the word "double."

Adopted.
Mr. Tibbitts moved to amend section 14 by striking out the word "three," where it occurs in lines 1 and 8, and insert in lieu thereof the word "four."

## Lost.

Mr. St. John moved to amend line 8, section 14, by striking out the word "three" and inserting the words "four" in lieu thereof.

Lost.
Mr. Frink moved to amend by adding after the word "year," in section 1, line 4, the words "and if said fence be a hedge the owner thereof shall trim or cut back once in two years to within five feet of the ground."

Adopted.
Mr. St. John moved that the rule be suspended, and that the bill be considered engrossed and read a third time now, which motion prevailed and the bill was read a third time.

On the question, "Shall the bill pass?" the yeas were:
Messrs. Allen, Bailey, Baker, Bell, Bird, Bowen, Brady, Brighton, Byington, Chapman, Clark, Classen, Cook, Cornwall, Crow, Doubleday, Dowell, Edwards, Evans, Finch,

Frink, Funk, Good, Griswold, Grote, Gurley, Haugen, Hauger, Hayes, Hazen, Hendershot, Hinkhouse, Huntley, Jackson, Jay, Johnson of Webster, Johnston of Franklin, Klemme, Lambert, Lauder, Lavender, Loomis, Lowry, McAchran, McArthur, McDonald, McDowell, McNulty, Marti, Martin, Merriam, Miller of Buena Vista, Miller of Warren, Morrison of Grundy, Morrison of Keokuk, Mullin, Nietert, Nolan, Parker, Perrott, Porter, Potter, Power, Prentis, Putnam, Ray, Reed, Scott, Smith, Spaulding, St. John, Sullivan, Temple, Thompson, Tibbitts, Van Houten, Voelker, Watters, Wells, Wheeler, Whelan, Whittier, Williams, Wilson, Wood, Mr. Speaker-86.

The nay were:
None.
Absent or not voting:
Messrs. Brant, Brinton, Davis, Early, Frazee, Garner, Hinman, Hunt, Ladd, McQuin, Manahan, Mayne, Miller of Cherokee, Weaver-14.

So the bill passed and the title was agreed to.
House file No. 58, with Senate amendments, was taken up and considered.

Mr. Brinton moved that the House concur in Senate amendments.

On the question, "Shall the House concur?" the yeas were: Messrs. Allen, Bailey, Baker, Bell, Bird, Bowen, Brady, Brighton, Brinton, Byington, Chapman, Classen, Cook, Cornwall, Crow, Doubleday, Dowell, Edwards, Evans, Finch, Frazee, Frink, Funk, Good, Griswold, Grote, Gurley, Hauger, Hayes, Hazen. Hendershot, Hinkhouse, Huntley, Jackson, Jay, Johnson of Webster, Johnston of Franklin, Klemme, Lambert, Lauder, Lavender, Loomis, Lowry, McAchran, McArthur, McDonald, McDowell, McNulty, Marti, Martin, Miller of Warren, Morrison of Grundy, Morrison of Keokuk, Mullin, Nietert, Nolan, Parker, Perrott, Porter. Potter, Power, Prentis, Putnam, Ray, Reed, Scott, Smith, Spaulding, St. John, Sullivan, Temple, Thompson, Tibbitts, Van Houten, Voelker, Watters, Wells, Wheeler, Whelan, Whittier, Williams, Wilson, Wood, Mr. Speaker-84.

The nays were:
None.

Absent or not voting:
Messrs. Brant, Clark, Davis, Early, Garner, Haugen, Hinman, Hunc, Ladd, McQuin, Manahan, Mayne, Merriam, Miller of Buena Vista, Miller of Cherokee, Weaver-16.

So the House concurred.
House file No. 5, with Senate amendments, was taken up and the roll call on the question of concurrence resulted as follows:

On the question, "Shall the House concur?" the yeas were:
Messrs. Bailey, Baker, Bowen, Brighton, Brinton, Chapman, Clark, Frazee, Frink, Good, Gurley, Hinkhouse, Klemme, McDonald, Parker, Ray, Scott, Spaulding, St. John, Van Houten, Watters-21.

The nays were:
Messrs. Allen, Bell, Bis d, Brady, Byington, Classen, Cook, Cornwall, Crow, Davis, Doubleday, Dowell, Early, Edwards, Evans, Finch, Funk, Griswold, Grote, Haugen, Hauger, Hayes, Hazen, Hendershot, Huntley, Jackson, Jay, Johnston of Franklin, Lambert, Lauder, Lavender, Loomis, Lowry, McAchran, McArthur, McDowell, McNulty, Marti, Martin, Merriam, Miller of Warren, Morrison of Keokuk, Mullin, Nietert, Nolan, Perrott, Porter, Potter, Power, Prentis, Putnam, Reed, Smith, Sullivan, Temple, Thompson, Tibbitts, Voelker, Wells, Wheeler, Whelan, Whittier, Williams, Wilson, Wood-65.

Absent or not voting:
Messrs. Brant, Garner, Hinman, Hunt, Johnson of Webster, Ladd, McQuin, Manaban, Mayne, Miller of Buena Vista, Miller of Cherokee, Morrison of Grundy, Weaver, Mr. Speaker-14.

So the House refused to concur.
Mr. Putnam moved to adjourn till 9 A. m. to-morrow.
Mr. Parker moved to amend the motion by making it $8 \mathrm{~A} . \mathrm{M}$.
Messrs. Cornwall and Wood demanded the yeas and nays on this amendment, which resulted as follows:

On the question, "Shall the amendment prevail?" the yeas were:

Messrs. Allen, Bailey, Bird, Brady, Brinton, Byington, Clark, Classen, Cornwall, Dowell, Frink, Good, Haugen, Hauger, Hazen, Huntley, Johnston of Franklin, Klemme, Lauder, Loomis, McAchran, McDonald, McDowell, Martin, Merriam, Morrison of Keokuk, Mullin, Nietert, Parker, Perrott, Prentis, Ray, Reed, Scott, Smith, St. John, Thompson, Van Houten, Voelker, Watters, Wells, Whittier, Williams, Wilson, Wood, Mr. Speaker-46.

The nays were:
Messrs. Baker, Bell, Bowen, Brighton, Chapman, Cook, Crow, Davis, Doubleday, Early, Edwards, Evans, Finch, Frazee, Funk, Griswold, Grote, Gurley, Hayes, Hendershot, Hinkhouse, Jackson, Jay, Johnson of Webster, Ladd, Lambert, Lavender, Loomis, McArthur, McNulty, Marti, Miller of Warren, Morrison of Grundy, Nclan, Porter, Potter, Power, Putnam, Spaulding, Sullivan, Temple, Tibbitts, Wheeler, Whelan -44.

Absent or not voting:
Messrs. Brant, Garner, Hinman, Hunt, McQuin, Manahan, Mayne, Miller of Buena Vista, Miller of Cherokee, Weaver-10. So the amendment prevailed.
The motion as amended carried, and the House adjourned.

> Hall of the House of Representatives, Des Moines, Iowa, Thursday, February 25, 1897. $\}$

The House met at 8 A. m., pursuant to adjournment, with Speaker Byers in the chair.

Prayer was offered by Rev. A. L. Golden of Des Moines.
PETITIONS AND MEMORIALS.
Mr. Haugen presented petition of citizens of Worth county, asking for a 2 -cent mileage rate on railroads.

Referred to Committee on Railroads and Commerce.
Mr. Allen presented petition of citizens of Van Buren county, asking the repeal of sections 2 and 3 , chapter 68 , acts of the Twenty-fourth General Assembly, relating to steam engines on highways.

Referred to Committee on Roads and Highways.
Mr. Brant presented petition of citizens of Linn county, asking for a 2 -cent rate on railroads.

Referred to Committee on Railroads and Commerce.
The House took up for consideration House file No. 76, with Senate amendments.

Mr. Cornwall moved that the House concur in Senate amendments.

On the question, "Shall the House concur?" the yeas were:
Messrs. Allen, Bailey, Baker, Bird, Brady, Brinton, Byington, Chapman, Clark, Classen, Cook, Cornwall, Crow, Doubleday, Dowell, Early, Edwards, Evans, Finch, Frazee, Frink, Funk, Good, Gurley, Hauger, Hazen, Hendershot, Hinman, Huntley, Johnston of Franklin, Klemme, Ladd, Lambert, Loomis, McAchran, McDonald, McDowell, Marti, Martin, Miller of Warren, Morrison of Grundy, Morrison of Keokuk, Mullin, Nietert, Parker, Perrott, Porter, Potter, Putnam, Reed, Scott, Smith, St. John, Thompson, Tibbitts, Van Houten, Voelker, Watters, Wells, Whittier, Williams, Wilson, Mr. Speaker-63.

The nays were:
Messrs. Brighton, Merriam, Prentis, Whelan-4.
Absent or not voting:
Messrs. Bell, Bowen, Brant, Davis, Garner, Griswold, Grote, Haugen, Hayes, Hinkhouse, Hunt, Jackson, Jay, Johnson of Webster, Lauder, Lavender, Lowry, McArthur, McNulty, McQuin, Manahan, Mayne, Miller of Buena Vista, Miller of Cherokee, Nolan, Power, Ray, Spaulding, Sullivan, Temple, Weaver, Wheeler, Wood-33.

So the House concurred.
Housefile No. 73, with Senate amendments, was next taken up.
Mr . Allen moved that the House concur in the Senate amendments.

There being three amendments, the roll was called on the concurrence in the first and second amendments.

On the question, "Shall the House concur in the first and second amendments?" the yeas were:

Messrs. Allen, Bailey, Baker, Bird, Bowen, Brady, Brant, Brinton, Byington, Chapman, Clark, Classen, Cook, Cornwall, Crow, Doubleday, Dowell, Early, Edwards, Evans, Frazee, Frink, Funk, Gocd, Gurley, Haugen, Hauger, Hazen, Hendershot, Hinkhcuse, Hinman, Hunt, Huntley, Johnston of Franklin, Klemme, Ladd, Lambert, Loomis, Lowry, McAchran, McDonald, McDowell, Marti, Martin, Merriam, Miller of Warren, Morrison of Grundy, Morrison of Keokuk, Mullin, Nietert, Parker, Perrott, Porter, Potter, Prentis, Putnam, Reed, Scott, Smith, St. John, Thompson, Tibbitts, Van Houten, Voelker, Watters, Wells, Whittier, Williams, Wilson, Mr. Speaker-70.

The nays were:
Messrs. Finch and Whelan-2.
Absent or not voting:
Messrs. Bell, Brighton, Davis,'Garner, Griswold, Grote, Hayes, Jackson, Jay, Johnson of Webster, Lauder, Lavender, McArthur, McNulty, McQuin, Manahan, Mayne, Miller of Buena Vista, Miller of Cherokee, Nolan, Power, Ray, Spaulding, Sullivan, Temple, Weaver, Wheeler, Wood-28.

So the House concurred in the first and second amendments.
The roll was then called on the question of concurrence in the third amendment of the Senate, which was to strike out section 17.

The result was as follows:
On the question, "Shall the House concur?" the yeas were:
Messrs. Allen, Bird, Brighton, Classen, Doubleday, Early, Evans, Huntley, Parker, Porter, Putnam, Voelker, Whelan, Wilson-14.

The nays were:
Messrs. Bailey, Bowen, Brady, Brant, Brinton, Byington, Chapman, Clark, Cook, Cornwall, Crow, Dowell, Early, Edwards, Finch, Frazee, Frink, Funk, Good, Grote, Gurley, Haugen, Hauger, Hazen, Hendershot, Hinkhouse, Hunt, Johnson of Webster, Johnston of Franklin, Klemme, Ladd, Lambert, Loomis, Lowry, McAchran, McDonald, McDowell, Marti, Martin, Merriam, Miller of Warren, Morrison of Grundy, Morrison of Keokuk, Mullin, Nietert, Perrott, Potter, Prentis, Ray, Reed, Scott, Smith, Tibbitts, Van Houten, Watters, Wells, Whittier, Williams, Mr. Speaker-57.

Absent or not voting:
Messrs. Baker, Bell, Davis, Garner, Griswold, Hayes, Hinman, Jackson, Jay, Lauder, Lavender McArthur, McNulty, McQuin, Manahan, Mayne, Miller of Buena Vista, Miller of Cherokee, Nolan, Power, Spaulding, St. John, Sullivan, Temple, Thompson, Weaver, Wheeler, Wood-28.

So the House refused to concur.
House file No. 67, with Senate amendments, was taken up.
Mr. Van Houten moved that the House concur in Senate amendments.

On the question, "Shall the House concur?" the yeas were:
Messrs. Allen, Bailey, Bell, Bird, Bowen, Brady, Brant, Brighton, Brinton, Byington, Chapman, Clark, Classen, Cook, Cornwall, Crow, Doubleday, Dowell, Early, Edwards, Evans, Finch, Frazee, Frink, Funk, Good, Grote, Gurley, Haugen, Hauger, Hazen, Hendershot, Hinkhouse, Hinman, Hunt, Huntley, Johnston of Franklin, Klemme, Ladd, Lambert, Loomis, Lowry, McAchran, McDonald, McDowell, Marti, Martin, Merriam, Miller of Buena Vista, Miller of Warren, Morrison of Grundy, Morrison of Keokuk, Mullin, Nolan, Parker, Perrott, Porter, Potter, Power, Prentis, Putnam, Ray, Reed, Scott, Smith, Sullivan, Thompson, Tibbitts, Van Houten, Voelker, Watters, Wells, Whelan, Whittier, Williams, Wilson, Mr. Speaker-77.

The nays were:
None.

Absent or not voting:
Messrs. Baker, Davis, Garner, Griswold, Hayes, Jackson, Jay, Johnson of Webster, Lauder, Lavender, McArthur, McNulty, McQuin, Manahan, Mayne, Miller of Cherokee, Nietert, Spaulding, St. John, Temple, Weaver, Wheeler, Wood-23.

So the House concurred.
On motion of Mr. Reed, House file No. 63, a bill for an act to revise, amend and codify the statutes in relation to the school fund, with Senate amendments and with report of committee recommending that Senate amendments be concurred in, was taken up and considered.

Mr. Reed moved that House concur in Senate amendments.
On the question, "Shall the House concur ?" the yeas were:
Messrs. Allen, Bailey, Bell, Bird, Bowen, Brant, Brighton, Brinton, Byington, Chapman, Clark, Classen, Cook, Cornwall, Crow, Doubleday, Dowell, Early, Edwards, Evans, Finch, Frazee, Frink, Funk, Good, Griswold, Grote, Gurley, Haugen, Hauger, Hazen, Hendershot, Hinkhouse, Hinman, Hunt, Johnson of Webster, Johnston of Franklin, Klemme, Ladd, Lambert, Loomis, Lowry, McAchran, McDowell, McNulty, McQuin, Marti, Martin, Merriam, Miller of Buena Vista, Miller of Warren, Morrison of Grundy, Morrison of Keokuk, Mullin, Nietert, Nolan, Parker, Perrott, Porter, Potter, Power, Prentis, Putnam, Ray, Reed, Scott, Smith, Spaulding, St. John, Sullivan, Thompson, Van Houten, Voelker, Watters, Wells, Wheeler, Whelan, Whittier, Williams, Wilson, Mr. Speaker-81.

Mr. Huntley voted in the negative.
Absent or not voting:
Messrs. Baker, Brady, Davis, Garner, Hayes, Jackson, Jay, Lauder, Lavender, McArthur, McDonald, Manahan, Mayne, Miller of Cherokee, Temple, Tibbitts, Weaver, Wood-18.

So the House concurred.
REPORT OF COMMITTEE.
Mr. Temple, from the Committee on Code Revision, Division No. 1, submitted the following report:

Mr. Speaker-Your Committee on Code Revision, Division No. 1, to whom was referred House file No. 17, a bill for an act to revise, amend and codify the statutes in relation to agricultural and horticultural societies and stockbreeders' associations, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same do pass with amendments, as follows:

Amend section 7 of chapter 3, page 312, by striking out of line 2 the words "or adjoining counties."

Amend section 13, chapter 3, page 313, by adding at the end thereof the words "or unless the former name is given."

Amend section 21, chapter 3, page 315, by striking out of line 4 the word "awarded" and substituting therefor the word "offer."

Amend section 23, chapter 3, page 315, by inserting in line 3 after the word "year" the following: "Which institute may be adjourned from time to time and place to place in said county."

Amend same section by inserting at the end of line 6 the words "not to exceed."

Amend same section by adding at the end thereof the words: "no officer of any such farmers' institute shall receive any pay, directly or indirectly, from said State fund for services as such officer."

Amend section 24 by adding at the end thereof the words 'in case two or more organizations shall claim recognition as farmers' institutes, the bill shall be audited by the board of supervisors and as nearly as possible divide said State fund equitably, but in no case shall more than three institutes be held in one year in any county under the provisions of this chapter."

Amend section 26, chapter 3, page 315, by striking out of line 4 the words "signal service" and inserting in lieu thereof the words "weather bureau."

Amend section 27, chapter 3, page 316, in line 7 , by substituting the word "three" for the word "one," and by adding at the end of said section the following: "the director shall have advisory power to co-operate with the farmers' institute organizations of the several counties of the State for the purpose of arranging dates and providing speakers or lecturers, with a view to economy of time and travel in attending institutes; institutes to be held as nearly as practicable in circuits and at such dates as will enable speakers to attend two or more such institutes each week."

Amend chapter 3, by adding as section 30 and 31 thereof the following:
"Section 30. The annual proceedings of the Iowa State Dairy Association, including accepted essays and addresses, together with reports of discussions, is hereby authorized and directed to be printed by the State under the supervision of the association as the reports of the agricultural, horticultural and improved stock breeders' associations are now published."
"Section 31. The number of copies so published shall be limited to five] thousand annually, of not to exceed three hundred pages each, five hundred copies to be bound in cloth, the remainder in double-thick paper cover. They shall be distributed as follows: To the Governor, Lieuten-ant-Governor, Secretary of State, State Treasurer, each member of the General Assembly, the State Horticultural Society, the State Agricultural Society, the Iowa Improved Stock Breeders' Association, the State Library, the University and the Agricultural College, each ten copies; to each county auditor, to be kept in his office, to each public library, to each incorporated college in the State, to each president and secretary of each county and district fair two copies each, and each county and district farmers' institute ten copies each; the remainder to be distributed under the direction of the association."
M. L. Temple, Chairman.

House file No. 75, with Senate amendments, was taken up and considered.

On the question, "Shall the House concur in Senate amendments?" the yeas were:

Messrs. Allen, Bailey, Baker, Bell, Bird, Bowen, Brady, Brant, Brighton, Brinton, Byington, Clark, Classen, Cook, Cornwall, Crow, Doubleday, Early, Edwards, Evans, Finch, Frazee, Frink, Funk, Good, Griswold, Grote, Gurley, Hazen, Hinkhouse, Hinman, Hunt, Huntley, Jay, Johnson of Webster, Johnston of Franklin, Klemme, Lambert, Loomis, Lowry, McDonald, McDowell, McQuin, Marti, Martin, Merriam, Miller of Buena Vista, Miller of Warren, Morrison of Grundy, Mullin, Nietert, Nolan, Parker, Perrott, Porter, Potter, Power, Prentis, Putnam, Scott, Smith, Sullivan, Thompson, Van Houten, Voelker, Watters, Wells, Wheeler, Whelan, Whittier, Williams, Wilson, Mr. Speaker-73.

The nays were:
Messrs. Dowell, Hendershot, Ray, Reed-4.
Absent or not voting:
Messrs. Chapman, Davis, Garner, Haugen, Hauger, Hayes, Jackson, Ladd, Lauder, Lavender, McAchran McArthur, McNulty, Manahan, Mayne, Miller of Cherokee, Morrison of Keokuk, Spaulding, St. John, Temple, Tibbitts, Weaver, Wood-23.

So the House concurred.
House file No. 4, with Senate amendments, was taken up and a roll called on the question of concurrence.

On the question, "Shall the House concur?" the yeas were:
Messrs. Allen, Bailey, Baker, Bell, Bird, Bowen, Brady, Brant, Brighton, Brinton, Byington, Chàpman, Clark, Classen, Cook, Cornwall, Crow, Doubleday, Dowell, Early, Edwards, Evans, Finch, Frazee, Frink, Funk, Good, Griswold, Grote, Gurley, Haugen, Hauger, Hazen, Hendershot, Hinkhouse, Hinman, Hunt, Huntley, Jackson, Johnson of Webster, Johnston of Franklin, Klemme, Lambert, Loomis, Lowry, McDonald, McDowell, McQuin, Marti, Martin, Merriam, Miller of Buena Vista, Miller of Warren, Morrison of Grundy, Nolan, Parker, Perrott, Porter, Potter, Power, Prentis, Putnam, Ray, Reed, Scott, Smith, Spaulding, St. John, Sullivan, Thompson, Van Houten, Voelker, Watters, Wells, Wheeler, Whelan, Whittier, Williams, Wilson, Mr. Speaker-80.

Mr. Temple voted in the negative.

Absent or not voting:
Messrs. Davis, Garner, Hayes, Jay, Ladd, Lauder, Lavender, McAchran, McArthur, McNulty, Manahan, Mayne, Miller of Cherokee, Morrison of Keokuk, Mullin, Nietert, Tibbitts, Weaver, Wood-19.

So the House concurred.
House file No. 83, with Senate amendments, was next taken up.
Mr. Power demanded a division on the question of concurrence, and the roll was called on the question of concurring in all of the Senate amendments except the amendment to section 63.

On the question, "Shall the House concur" the yeas were:
Messrs. Allen, Bailey, Baker, Bell, Bird, Bowen, Brady, Brant, Brighton, Brinton, Byington, Chapman, Clark, Classen, Cornwall, Crow, Davis, Doubleday, Dowell, Early, Edwards, Evans, Finch, Frazee, Frink, Funk, Good, Griswold, Grote, Gurley, Hauger, Hayes, Hazen, Hendershot, Hinkhouse, Hinman, Hunt, Huntley, Jackson, Johnson of Webster, Johnston of Franklin, Klemme, Ladd, Lambert, Lauder, Loomis, Lowry, McAchran, McArthur, McDonald, McDowell, McNulty, Martin, Merriam, Miller of Buena Vista, Miller of Warren, Morrison of Grundy, Morrison of Keokuk, Mullin, Nietert, Nolan, Parker, Perrott, Porter, Power, Prentis, Putnam, Ray, Reed, Scott, Smith, Spaulding, St. John, Sullivan, Temple, Thompson, Van Houten, Voelker, Watters, Weaver, Wells, Wheeler, Whelan, Whittier, Williams, Wilson, Wood, Mr. Speaker-88.

The nays were:
None.
Absent or not voting:
Messrs. Cook, Garner, Haugen, Jay, Lavender, McQuin, Manahan, Marti, Mayne, Miller of Cherokee, Potter, Tibbitts - 12.

So the House concurred.
On the question of concurring in the Senate amendment to section 63 the roll-call resulted as follows:

The yeas were:
Messrs. Bowen, Brant, Brinton, Cook, McDonald, Scott, Watters, Mr. Speaker-8.

The nays were:
Messrs. Allen, Bailey, Baker, Bird, Brady, Brighton, Byington, Chapman, Clark, Classen, Cornwall, Crow, Davis, Doubleday, Dowell, Early, Edwards, Evans, Finch, Frazee, Frink, Funk, Good, Griswold, Grote, Gurley, Haugen, Hauger, Hazen,

Hendershot, Hinkhouse, Hinman, Hunt, Huntley, Jackson, Johnston of Franklin, Klemme, Ladd, Lambert, Lauder, Loomis, Lowry, McAchran, McArthur, McDowell, McNulty, Martin, Merriam, Miller of Buena Vista, Miller of Warren, Morrison of Grundy, Morrison of Keokuk, Mullin, Nietert, Parker, Perrott, Porter, Potter, Power, Prentis, Ray, Reed, Smith, Spaulding, St. John, Sullivan, Temple, Thompson, Van Houten, Voelker, Weaver, Wells, Wheeler, Whelan, Whittier, Williams, Wilson, Wood-78.

Absent or not voting:
Messrs. Bell, Garner, Hayes, Jay, Johnson of Webster, Lavender, McQuin, Manahan, Marti. Mayne, Miller of Cherokee, Putnam, Nolan, Tibbitts-14.

So the House refused to concur.
MESSAGES FROM THE SENATE.
The following message was received from the Senate:
Mr. Speaker-I am directed to inform your honorable body that the Senate has passed the following concurrent resolution, in which the concurrence of the House is asked:

Relative to a revision of the rules of the supreme court. CONCURRENT RESOLUTION.
Whereas, The rules of the supreme court have been amended from time to time and it is desirable to have them revised and published with the Code; therefore, be it

Resolved by the Senate, the House concurring, That the judges of the supreme court be and are hereby requested to revise the rules of said court so that the same may be published with the Code.

Geo. A. Newman,
Secretary.
Also:
Mr. Speaker-I am directed to inform your honorable body that the Senate has passed the following bill, in which the concurrence of the House is asked:

The substitute for Senate file No. 82, a bill to exonerate from penalties under the prohibitory law in cities acting under special charters.

Geo. A. Newman, Secretary.
On motion of Mr. Temple, House file No. 17, a bill for an act to revise, amend and codify the statutes in relation to agricultural and horticultural societies and stock-breeders' associations, with report of committee recommending passage with amendments, was taken up and considered.

The committee amendment to section 7 , line 2, was adopted. The committee amendment to section 15 was adopted.
The committee amendment to section 21, line 4, was adopted.

The committee amendments to section 23 were adopted.
The committee amendment to section 24 was adopted.
The committee amendment to section 26 was adopted.
The committee amendment to section 27, line 7, was lost.
The committee amendment to add to section 27 was adopted.
Mr . Ray moved to amend sections 30 and 31 , as proposed by the committee, by striking out of line 2 , the words "five thousand" and inserting "thirty-five hundred;" also, reduce the number of copies to be distributed from ten to five.

Messrs. Nietert and Gurley demanded the yeas and nays on this amendment, which resulted as follows:

On the question, "Shall the amendment prevail?" the yeas were:

Messrs. Bailey, Bell. Bowen, Clark, Cook, Edwards, Evans, Funk, Grote, Gurley, Hendershot, Hinkhouse, Hinman, Hunt, Huntley, Johnson of Webster, McAchran, McNulty, Martin, Miller of Warren, Morrison of Grundy, Morrison of Keokuk, Parker, Porter, Power, Prentis, Ray, Scott. Smith, Sullivan, Tibbitts, Voelker, Watters, Whelan, Williams, Wilson, Wood-37.

The nays were:
Messrs. Allen, Bird, Brady, Brant, Brighton, Brinton, Byington, Classen, Cornwall, Crow, Davis, Doubleday, Early, Finch, Frazee, Frink, Good, Griswold, Hauger, Hazen, Jackson, Johnston of Franklin, Klemme, Ladd, Lauder, Loomis, McArthur, McDonald, McDowell, Marti, Miller of Buena Vista, Mullin, Nietert, Nolan, Perrott, Putnam, Reed. Spaulding, Temple, Thompson, Van Houten, Weaver, Wells, Wheeler, Whittier, Mr. Speaker-44.

Absent or not voting:
Messrs. Baker, Bird, Chapman, Dowell, Garner, Haugen, Hayes, Jay, Lambert, Lavender, Lowry, McArthur, McQuin, Manahan, Mayne, Merriam, Miller of Cherokee, Potter St. John-19.

So the amendment was lost.
Mr. Ray offered the following amendment: Amend section 20, line by striking out the words "five thousand" and in lieu thereof insert the words "thirty five hundred;" also, in the same section, line 4, after the word "and" insert the words "six to."

Lost.
Mr. Ray moved to amend section 22, line 1, by striking out the words "five thousand" and insert the words "thirty-five
hundred;" also, in line 5, strike out the word "twenty" and insert the word "ten."

Adopted.
Mr. McAchran moved to amend as follows: Section 9, line 1, strike out the words "or district;" also, words "composed of one or more counties;" also, amend section 9 by adding thereto "The appropriation mentioned in this section shall only apply to one agricultural society in each county, and it shall be known as the county agricultural society."

Lost.
Mr. Haugen moved to amend section 29, line 2, by striking out the words "seven hundred fifty" and inserting in lieu thereof the words "two hundred;" also, in line 4, by striking out the word "fifteen" and inserting the word "twelve" in lieu thereof.

Adopted.
Mr. Watters moved to add to section 9 the following: "but in case it shall be proven that any society has permitted gambling devices or other violations of State law, they shall not be entitled to such appropriation."

Adopted.
Mr. Martin moved to amend section 7, line 3, by adding after the word "awards" the following: "provided, the price for which publication shall not exceed thirty-three and one-third cents per square."

Adopted.
Mr. Allen in the chair.
Mr. Temple moved that the rule be suspended, and that the bill be considered engrossed and read a third time now, which motion prevailed and the bill was read a third time.

The Speaker resumed the chair.
On the question, "Shall the bill pass?" the yeas were:
Messrs. Allen, Bailey, Bell, Bowen, Brady, Brant, Brighton, Brinton, Byington, Chapman, Clark, Classen, Cook, Cornwall, Cruw, Dowell, Early, Edwards, Evans, Finch, Frazee, Frink, Funk, Good, Griswold, Grote, Gurley, Haugen, Hauger, Hayes, Hazen, Hendershot, Hinkhouse, Hinman, Hunt, Huntley, Jackson, Jay, Johnson of Webster, Johnston of Franklin, Klemme, Ladd, Lambert, Loomis, Lowry, McAchran, McDonald, McDowell, Marti, Martin, Merriam, Miller of Warren, Morrison of Grundy, Morrison of Keokuk, Mullin, Nietert, Nolan, Parker, Perrott, Potter, Power, Prentis, Putnam, Ray, Reed, Scott,

Smith, Spaulding, Sullivan, Temple, Thompson, Tibbitts, Van Houten, Voelker, Watters, Weaver, Wells, Wheeler, Whelan, Whittier, Williams, Wilson, Wood, Mr. Speaker-84.

The nays were:
None.
Absent or not voting:
Messrs. Baker, Bird, Davis, Doubleday, Garner, Lauder, Lavender, McArthur, McNulty, McQuin, Manahan, Mayne, Miller of Buena Vista, Miller of Cherokee, Porter, St. John -16 .

So the bill passed and the title was agreed to.
Mr. Ray called up the motion to reconsider the vote whereby House file No. 61 was lost.

Mr. Reed moved that the motion to reconsider be laid on the table.

Carried.

## SENATE MESSAGES.

Senate file No. 82, a bill for an act to exonerate from penalties under the prohibitory law in cities acting under special charters, was read first and second time.

On motion of Mr. Brant, rule 43 was suspended and the bill taken up for consideration now.

Mr. Brant moved that the rule be suspended, and that the bill be read a third time now, which motion prevailed and the bill was read a third time.

On the question, "Shall the bill pass?" the yeas were:
Messrs. Allen, Bailey, Baker, Bowen, Brady, Brant, Brinton, Byington, Chapman, Clark, Cornwall, Crow, Doubleday, Dowell, Early, Edwards, Finch, Frazee, Good, Griswold, Grote, Gurley, Haugen, Hauger, Hayes, Hazen, Hendershot, Hinkhouse, Jay, Johnson of Webster, Johnston of Franklin, Klemme, Ladd, Lauder, Loomis, Lowry, McDonald, McDowell, McNulty, Marti, Miller of Buena Vista, Morrison of Grundy, Morrison of Keokuk, Mullin, Nietert, Nolan, Porter, Potter, Power, Prentis, Putnam, Smith, Temple, Thompson, Tibbitts, Voelker, Watters, Weaver, Wheeler, Whelan, Whittier, Williams, Wilson, Wood, Mr. Speaker-65.

The nays were:
Messrs. Bell, Cook, Evans, Huntley, McAchran, Miller of Warren, Parker, Reed, Scott, Spaulding, Wells-11.

Absent or not voting:
Messrs. Bird, Brighton, Classen, Davis, Frink, Funk, Garner, Hinman, Hunt, Jackson, Lambert, Lavender, McArthur,

McQuin, Manahan, Martin, Mayne, Merriam, Miller of Cherokee, Perrott, Rzy, St. John, Sullivan, Van Houten-24.

So the bill passed and the title was agreed to.
Mr. Reed called up his joint resolution No. 1, relating to pending pension claims, and asked to have the resolution changed to a concurrent resolution.

Granted.
Mr. Reed moved the adoption of the resolution.
Adopted.
Mr. Funk moved that the investigation of the offices of the State printer and State binder and all printing, binding and other matters pertaining thereto, be referred to the committee appointed to investigate the matter of blank and other miscel. laneous job work.

Carried.
Mr. Merriam called up his motion to reconsider the vote whereby joint resolution No. 3 was laid upon the table.

Messrs. Merriam and Power demanded the yeas and nays, which resulted as follows:

On the question, "Shall the motion to reconsider prevail?" the yeas were:

Messrs. Allen, Baker, Bowen, Brady, Brighton, Brinton, Byington, Chapman, Classen, Cook, Dowell, Early, Edwards, Finch, Frazee, Frink, Funk, Good, Grote, Gurley, Haugen, Hayes, Hazen, Hunt, Jackson, Jay, Johnson of Webster, Johnston of Franklin, Lambert, Lauder, McDowell, McNulty, Marti, Martin, Merriam, Morrison of Grundy, Nietert, Nolan, Porter, Potter, Power, Prentis, Putnam, Reed, Smith, St. John, Sullivan, Thompson, Voelker, Wheeler, Whelan, Wilson-52.

The nays were:
Messrs. Bailey, Bell, Clark, Cornwall, Crow, Davis, Doubleday, Evans, Griswold, Hauger, Hendershot, Hinkhouse, Hinman, Huntley, Klemme, Ladd, $\cdot$ Lavender, Loomis, Lowry, McAchran, McArthur, McDonald, Miller of Buena Vista, Miller of Warren, Morrison of Keokuk, Mullin, Parker, Perrott, Ray, Scott, Spaulding, Temple, Tibbitts, Van Houten, Watters, Weaver, Wells, Whittier, Williams, Wood, Mr. Speaker-41.

Absent or not voting:
Messrs. Bird, Brant, Garner, McQuin, Manahan, Mayne, Miller of Cherokee-7.

So the motion to reconsider prevailed.

The following explanation of vote was filed:
In explanation of my vote, I may say I seconded the motion to reconsider in this case as a matter of accommodation and not as voicing my sentiments.
W. C. Mcarthur.

Mr. Bell moved that this resolution be referred to the Governor.

Messrs. Power and Gurley demanded the yeas and nays, which resulted as follows:

On the question, "Shall the resolution be referred to the Governor?" the yeas were:

Messrs. Bailey, Bell, Clark, Davis, Evans, Frink, Funk, Grote, Hendershot, Hinman, Huntley, Johnson of Webster, Klemme, Lavender, McAchran, McDonald, Miller of Buena Vista, Miller of Warren, Morrison of Keokuk, Parker, Perrott, Potter, Ray, Scott, Spaulding, Watters, Williams, Wood, Mr. Speaker-29.

The nays were:
Messrs. Allen, Baker, Bowen, Brady, Brighton, Brinton, Byington, Chapman, Classen, Cook, Cornwall, Doubleday, Dowell, Early, Edwards, Finch, Frazee, Good, Griswold, Gurley, Haugen, Hayes, Hazen, Hinkhouse, Hunt, Jackson, Jay, Ladd, Lambert, Lauder, Loomis, Lowry, McDowell, McNulty, Marti, Martin, Merriam, Morrison of Grundy, Mullin, Nietert, Nolan, Porter, Power, Prentis, Reed, Smith, St. John, Sullivan, Temple, Thompson, Tibbitts, Van Houten, Voelker, Wells, Wheeler, Whelan, Whittier, Wilson-58.

Absent or not voting:
Messrs. Bird, Brant, Crow, Garner, Hauger, Johnston of Franklin, McArthur, McQuin, Manahan, Mayne, Miller of Cherokee, Putnam, Weaver-13.

So the motion was lost.
On motion of Mr. Crow, the House adjourned till 9 A. m. to-morrow.
$\left.\begin{array}{c}\text { Hall of the Hodse of Representa tives, } \\ \text { Des Moines, Iowa, Friday, February 26, 1897. }\end{array}\right\}$
The House met at 9 A. m., Speaker Byers in the chair. Prayer was offered by Dr. Carlos Martyn of Chicago, Ill.
The Journals of February 24th and 25th were corrected and approved.

REPORT OF JOINT COMMITTEE.
Mr. Hendershot, from the Joint Committee on Joint Rules, submitted the following report:

Mr. Speaker-Your Joint Committee on Joint Rules, to whom was referred the matter of joint rules for the Senate and House of the extraordinary session of the Twenty-sixth General Assembly, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the joint rules of the Twenty-sixth General Assembly be amended as follows:

Add to section 1 the words: "Provided, That either House may make an amendment to an amendment adopted by the other House, in which case the other House shall either concur in or reject such amendment," and when so amended that said rules be adopted.

W. O. Mitchell, Chairman Senate Committee.<br>I. B. Hendershot, Chairman House Committee.

Adopted.
REPOR'T OF COMMITTEE ON ENROLLED BILLS.
Mr. Hauger, from the Committee on Enrolled Bills, submitted the following report:

Mr. Speaker-Your Committee on Enrolled Bills respectfully report that they have examined, and find correatly enrolled, House file No. 68, a tbill for an act to revise, amend and codify the statutes in relation to money of account and interest.

W. E. Hauger, Chairman.

Ordered passed on file.

Also:
Mr. Spraker--Your Committee on Enrolled Bills respectfully report that they have examined, and find correctly enrolled, House file No. 72, a bill for an act to revise, amend and codify the statutes in relation to private seals.

W. E. Hauger, Chairman.

Ordered passed on file.
Also:
Mr. Speaker-Your Committee on Enrolled Bills respectfully report that they have examined, and find correctly enrolled, House file No. 30, a bill for an act to revise, amend and codify the statutes in relation to domestic animals.

W. E. Hauger,<br>Chairman.

Ordered passed on file.
Also:
Mr. Speaker-Your Committee on Enrolled Bills respectfully report that they have examined, and find correctly enrolled, House file No. 56, a bill for an act to revise, amend and codify the statutes in relation to the Industrial School.

W. E. Hauger, Chairman.

Ordered Passed on file.
Also:
Mr. Speaker-Your Committee on Enrolled Bills respectfully report that they have examined, and find correctly enrolled, House file No. 4, a bill for an act to revise, amend and codify the statutes in relation to the sovereignty and jurisdiction of the State.

> W. E. Hauger,
> Chairman.

Ordered passed on file.
Also:
Mr. Speaker-Your Committee on Enrolled Bills respectfully report that they have examined, and find correctly enrolled, House file No. 58, a bill for an act to revise, amend and codify the statutes in relation to the Industrial Home for the Blind.

> W. E. Hauger,
> Chairman.

Ordered passed on file.

## REPORT OF JOINT COMMITTEE ON ENROLLED BILLS.

Mr. Hauger, from the Joint Committee on Enrolled Bills, submitted the following report:

Mr. Speaker-Your Joint Committee on Enrolled Bills respectfully report that they have examined, and find correctly enrolled, House file

No. 72, a bill for an act to revise, amend and codify the statutes in relation to private seals.

G. S. Gilbertson, Chairman Senate Committee<br>W. E. Hauger, Chairman House Committee.

Ordered passed on file.
Also:
Mr. Speaker-Your Joint Committee on Enrolled Bills respectfully report that they have examined, and find correctly enrolled, Senate file No. 83, a bill for an act to legalize acknowledgments of instruments in writing heretofore taken by notaries public.

G. S. Gilbertson, Chairman Senate Committee.<br>W. E. Hauger, Chairman House Committee.

Ordered passed on file.
Also:
Mr. Speaker-Your Joint Committee on Enrolled Bills respectfully report that they have examined, and find correctly enrolled, House file No. 4, a bill for an act to revise, amend and codify the statutes in relation to the sovereignty and jurisdiction of the State.

G. S. Gilbertson, Chairman Senate Committee.<br>W. E. Hauger, Chairman Hotrse Committee.

Ordered passed on file.
Also:
Mr. Speaker-Your Joint Committee on Enrolled Bills respectfully report that they have examined, and find correctly enrolled, House file No. 58, a bill for an act to revise, amend and codify the statutes in relation to the Industrial Home for the Blind.

G. S. Gilbertson, Chairman Senate Committee.<br>W. E. Hauger, Chairman House Committee.

Ordered passed on file.
Also:
Mr. Speaker-Your Joint Committee on Enrolled Bills respectfully report that they have examined, and find correctly enrolled, House file No. 56, a bill for an act to revise, amend and codify the statutes in relation to the Industrial School.

> G. S. Gilbertson, Chairman Senate Committee.
> W. E. Haugrr, Chairman House Committee.

Ordered passed on file.

Also:
Mr. Speaker-Your Joint Committee on Enrolled Bills respectfully report that they have examined, and find correctly enrolled, House file No. 30, a bill for an act to revise, amend and codify the statutes in relation to domestic animals.

G. S. Gilbertson, Chairman Senate Committee.<br>W. E. Hauger, Chairman House Committec.

Ordered passed on file.
Also:
Mr. Speaker-Your Joint Committee on Enrolled Bills respectfully report that they have examined, and find correctly enrolled, House file No. 68, a bill for an act to revise, amend and codify the statutes in relation to money of account and interest.

G. S. Gilbertson, Chairman Senate Committee.<br>W. E. Hauger, Chairman House Committee:

Ordered passed on file.
REPORTS OF STANDING COMMITTEES.
Mr. Potter, from the Committee on Telegraph, Telephone and Express, submitted the following report:

Mr. Speaker-Your Committee on Telegraph, Telephone and Express, to whom was referred House file No. 26, a bill for an act to revise, amend and codify the statutes in relation to the construction and operation of telegraph and telephone lines, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same do pass with the following amendments:

First.--Amend section 1 by striking out the word "charged" at the beginning of line 5 and inserting in lieu thereof the word "changed."

Second.-Amend section 5 by inserting after the word "attorney," in line 4, the following: "or wilfully and wrongfully takes or receives any telegraph or telephone message."

Third.-Add as section 7 the following:
"Section 7. In any action against any telegraph or telephone company for damages caused by the erroneous transmission of a message or by unreasonable delay in the delivery of a message, negligence on the part of the telegraph or telephone company shall be presumed upon proof of erroneous transmission or of unreasonable delay in delivery, and the burden of proof that such error or delay was not due to negligence upon its part shall rest upon such company, but no action for recovery of such damages shall be maintained unless a claim therefor is presented in writing to such company officer or agent thereof within sixty days from the time the cause of action accrues."

> L. F. Potter,
> Chairman.

Ordered passed on file.

Also:
Mr. Speaker-Your Committee on Telegraph, Telephone and Express, to whom was referred chapter 33 of the acts of the Twenty-sixth General Assembly, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same be introduced as a committee bill after amending the title to read as follows:
"A bill for an act to revise, amend and codify the statutes in relation to express companies;" and amending section 1 , by striking out the word "that" in first line and changing the word "hereinafter" in fourth line to "hereafter" and that when so amended the bill do pass.

L. F. Potter,<br>Chairman.

Ordered passed on file.
Mr. Watters, from the Committee on Roads and Highways, submitted the following report:

Mr. Speaker-Your Committee on Roads and Highways, to whom was referred House file No. 15, a bill for an act to revise, amend and codify the statutes in relation to roads, bridges and ferries, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same do pass, with the following amendments:

Page 289, section 30, chapter 1 , amend by adding to the end of said section the following: "The term 'road' as used in this Code means any public highway unless otherwise specified."

Page 290, section 36, strike out section 36 and insert in lieu thereof the following: "If the appeal be taken by the petitioners he shall pay the costs unless the claimant recovers a less amount than was allowed him by the board. In all other cases the taxing of the costs shall rest in the discretion of the court."

Page 290, amend section 40 by prefixing thereto the following: "If the same has not been heretofore done, the county auditor shall cause every road in his county, the legal existence of which is shown by the records and files in his office, to be platted in a book to be obtained and kept for that purpose and known as the 'road plat book.' Each township shall be platted separately on a scale of not less than four inches to the mile, and such auditor shall have all changes in, or additions to the roads legally established, immediately entered upon said plat book with appropriate references to the files in which the papers relating to the same may be found."

Page 291, amend section 41 by striking out all of said section after the word "repair," in line 5.

Page 291, amend section 45 by striking out all after the word "at" in line 2; the words "the regular April," and inserting the word "any," in lieu thereof.

Page 292, section 1, line 3, strike out the word "October" and insert "November."

In the same section, line 11, after the word "road," add the following: "to certify to the board of supervisors the desire for an additional road
tax not to exceed one mill, to be levied in whole or in part by the board of supervisors as hereinafter provided."

In the same section, line 12, strike out the word "shall" and insert the word "may."

Amend section 3, line 1, by striking out the word "shall" and insert the word "may."

In the same section, after the word "determine," in line 5, insert the following: "but they shall expend so much of the county road fund as arises from property within any city or incorporated town to its benefit on the roads immediately adjacent thereto or within such city or incorporated town, under the direction of the city or town council."

In line 6, same section, insert after the word "taxes" the following: "In case the board of supervisors do not make a levy for county road fund, or levy less than one mill for said county road fund, the board of supervisors shall levy such an additional sum for the benefit of such townships as shall have certified a desire for such additional levy, as provided for in section 1 of this chapter."

Page 293, strike out of section 5, after the word "April," in line 1, the words "upon the petition of a majority of the voters of the township."

Page 294, in section 15, line 1, strike out the word "October" and insert "November."

Page 295, amend section 18 by inserting after the word "require" in line 2, the following: "but in no case shall a township trustee sign such bond as surety."

Page 295, section 21, line 2, strike out the word "October'" and insert "November."

Page 296, section 27, line 2, strike out the word "October" and insert "November."

Page 297, amend section $\bar{z} 9$ by adding to said section the following: "but it shall be the duty of the supervisors to use strict diligence in draining the surface waters from the public road in its natural channels, and to this end he may enter upon the enclosed or unenclosed adjoining lands for the purpose of removing obstructions from such natural channels that impede the flow of such water."

Page 298, amend section 35 by striking out of line 1, after the word "or" the word "bull" and insert the words "any other variety of" in lieu thereof.

Page 298, section 36, amend by striking out all of said section after the parenthesis in line 4, and insert the following: "It shall be the duty of every person or corporation so owning, occupying, or controlling lands, lots, or other real property, or any road supervisor or other public officer having charge of any street or road, to cut, burn or otherwise entirely destroy such thistles growing on said premises, right-of-way, road or street, before the same shall bloom or come to maturity, and any person, corporation or public officer neglecting to destroy all such thistles as aforesaid, after receiving notice in writing of their presence, shall be deemed guilty of a misdemeanor and be punished accordingly.
"It shall be the duty of any person knowing of the presence of Russian thistles upon any premises, lands, lots, street, roads or elsewhere, at any time after the first day of July, to give notice in writing to the owner,
occupant, or person or corporation in possession or control thereof, and if not destroyed by such owner or occupant or person in possession in proper time to prevent maturity, to give notice in writing immediately to any member of the board of trustees of the township in which the said thistles are growing; or if within a city or town, then to give notice in writing to the mayor, recorder or clerk thereof, who shall within five days after the receipt of said notice cause their total destruction, the costs thereof, together with the costs of serving notice to be paid out of the county fund upon the certificate of the township trustees or the council as the case may be, to the board of supervisors, which board shall cause the sum so paid to be levied as a special tax against the premises upon which the thistles were growing and against the person or corporation owning or occupying the same, which amount shall be collected by the county treasurer as other taxes and paid into the county fund.
"Where township trustees have received notice as aforesaid of the presence of such thistles upon lands owned by the United States or this State, it shall be their duty to cause their destruction, and the cost thereof, upon proper certificate of the amount, shall be paid out of the county fund."

Page 299, section 39, line 1, strike out the word "October" and insert "November."

In same section, line 3, strike out the word "shall" and insert "may."
Page 300, section 44, strike out all of said section and substitute the following in lieu thereof: 'owners of osage orange, willow or any other hedge fence along the public road, unless the same shall be used as a wind-break for orchards or feed lots, shall keep the same trimmed by cutting back within five feet of the ground at least once in every two years, and burn or remove the trimmings so cut from the road.
"Upon a failure to comply with the foregoing provision, the road supervisor shall immediately serve notice in writing upon the owner of the hedge to trim the same, and if he fails to do so for sixty days thereafter such supervisor shall cause the same to be done at a cost not exceeding forty cents per rod, which shall be paid for out of the road fund, and make return thereof to the township clerk who shall, in certifying the lands upon which the road tax has not been paid, include the lands along which the hedge has been trimmed, together with the amount paid therefor, which shall be collected by the county treasurer in the manner other county taxes are collected."

Page 300, section 45, line 2, strike out the word "not," and in same line, after the word "blown," insert the following: "at suitable intervals as a danger signal to approaching teams."

In line 6, same section, strike out the words "while moving."
Page 302, section 17, line 3, strike out the word "thereof" and insert the words "of competent jurisdiction" in lieu thereof.

H. B. Watters, Chairman.

Ordered passed on file.
Mr. Mayne, from the Committee on State University, submitted the following report:

Mr. Speaker-Your Committee on State University, to whom was referred House file No. 51, a bill for an act to revise, amend and codify the
statutes in relation to the State University, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the House do concur in the Senate amendments thereto.

## Samuel Mayne, <br> Chairman.

## Ordered passed on file.

Mr. Chapman, from the Committee on Suppression of Intemperance, submitted the following report:

Mr. Speaker-Your Committee on Suppression of Intemperance, to whom was referred House file No. 33, a bill for an act to revise, amend and codify the statutes in relation to intoxicating liquors, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same do pass with the following amendments:

Add to section 1 the following:
"But any person, firm or corporation may, in any city or town wherein the written statement of general consent, prescribed in sections 68 and 69 of this chapter, has been duly filed with the county auditor, manufacture liquors named in this section for export, sell the same at wholesale within the State to registered pharmacists holding permits, and to such persons as have complied with the provisions of said section 68, and may sell to any person, firm, or corporation engaged in a business which requires its use, alcohol for pharmaceutical, medical, chemical or mechanical purposes. And it shall be lawful for any common carrier, or other person, to transport and ship any liquors manufactured or sold under the provisions of this act.'

In section 5 strike out "may" and insert in lieu thereof "shall;" same amendment in line 11.

Section 6, line 2, after the word "petition" insert "signed by one-third of the freehold voters of the township, incorporated town, city or ward, or city acting under special charter, in which the permit is to be used;" in line 10, between "the" and "year," insert "two;" change "year" to "years."

Strike out all of section 7 .
In section 9 , line 15, strike out "fifteen."
In section 10, line 13, between?"'shall" and "become," insert "file with the court or clerk a written request for release or."

In section 12, line 4, strike out "the length of time;" in line 5, between "force" and "unless," insert "two years."

In section 19, in lines 5, 14 and 15, strike out "may" and insert "shall" in lieu thereof.

In section 21, strike out "one or more" and insert in lieu thereof "not more than two."

In section 22, line 6, strike out "to exceed ten" and insert in lieu thereof "less than five nor more than twenty-five."

In section 23, line 4, strike out "to the school fund." In line 6, strike out "and one had been given," "and" and "any." Strike out all of line 7 and insert "the amount so collected shall go to the informer and one-half to the school fund of the county."

In section 32, line 1, after the word "nuisance" insert "as defined in this chapter."

Add to section 53 'any assessor wilfully failing to comply with the provisions of this section shall pay a fine of fifty dollars and costs for each offense."

In section 55 strike out all underscored words in lines 2, 3 and 4.
Add to section 59 the following: "When real estate offered at tax sale under this section shall be passed for want of bid covering amount of tax due thereon, it shall be advertised and sold by the treasurer at next semiannual tax sale to the highest bidder."

In section 65, line 4, strike out all after the word "then" and add the following: "The tax so collected from such business shall be apportioned as follows: One-half to the general county fund and the other one-half to the clerk of the township in which such business is conducted. The clerk of the township shall apportion the amount so received by him equally among the road supervisors of the territory of the township outside of the city or town, to be by said road supervisors expended for the improvement of the roads of the districts."

Add to section 67: "But any corporation, firm or person having complied with the provisions hereof, may maintain an action at law for the collection of claims and the enforcement of contracts arising upon sales made in conformity with this chapter."

In section 68, line 1, after "city" insert "including cities acting under special charters." In line 8 strike out "or at a special meeting called for that purpose." In line 14, after "conducted" insert "by any person holding any township, town, city or county office, or."

In section 69, line 1, after "town" insert "or city acting under special charter."

Insert between sections 69 and 70 the following, to be known as section 69:
"Section 69. All statements of general consent, filed with the county auditor as provided in the two preceding sections, shall be publicly canvassed by the board of supervisors, at a regular meeting, at least ten clear days notice of such intended canvass having been previously published by the county auditor, in the official newspapers of the county and its finding as to the result in the city having over five thousand inhabitants, or the county as the case may be, and the various towns and townships therein shall be entered of record.
"If the board shall find the statement sufficient, any citizen of the county may, within thirty days thereafter, file with the clerk of the district court a general denial as to the statement of general consent, or any part thereof, whereupon the county attorney shall cause notice thereof to be served upon the person or persons filing said statement of consent with the county auditor, and said party shall within ten days file with said clerk a bond conditioned to pay the costs of the hearing in the district court in a sum to be fixed by the clerk of said court. If such a bond be filed, then the auditor shall certify the statement of consent and all papers and records to the district court where the matter shall be tried de novo, the county attorney appearing for the State, but if no bond be filed then the order of the board of supervisors finding the statement of general consent
sufficient shall be considered and treated as set aside and null and void. The costs in all cases of appeal shall be taxed against the losing party.
"Should the board of supervisors find the statement of general consent insufficient any party aggrieved may appeal therefrom to the district court by filing within thirty days thereafter, with the clerk of said court, a sufficient bond for the costs. Upon the filing and approval of said bond the auditor shall certify the statement of consent and all papers and records to the district court where the matter shall be tried de novo. All costs shall be taxed against the appellee whether the finding of the board is sustained or reversed, and in such actions the county attorney shall appear and defend the finding of the board.
"Only one statement of general consent from any county, city or town, or city or town acting under special charter, therein entitled to file the same, shall be canvassed by the board of supervisors in any one year."

In section 70, line 2, after "town" insert "or city acting under special charter." In line 4, after "town" insert "or city acting under special charter."

Add to section 73, "The exclusive jurisdiction for punishment of all offenses under this chapter shall be in the county wherein the crime may have been committed."

In section 74, line 2, after "towns," insert "and cities acting under special charters."

Diminish section numbers from section 8 to section 70 inclusive.

> W. B. Chapman, Chairman.

Ordered passed on file.
The Speaker signed in the presence of the House, House file Nos. $68,56,30,58,4$ and 72.

The House took up House file No. 51, relating to State University, with report of committee recommending passage with Senate amendments.

On the question, 'Shall the House concur?" the yeas were: Messrs. Bailey, Baker, Bell, Bird, Bowen, Brady, Brinton, Byington, Chapman, Clark, Classen, Cornwall, Crow, Doubleday, Dowell, Early, Evans, Finch, Frazee, Frink, Funk, Good, Griswold, Grote, Gurley, Hayes, Hazen, Hendershot, Hinkhouse, Hinman, Hunt, Huntley, Jackson, Jay, Johnson of Webster, Johnston of Franklin, Klemme, Ladd, Lambert, Lauder, Lavender, Loomis, Lowry, McAchran, McDonald, McDowell, McNulty, Marti, Martin, Mayne, Merriam, Miller of Buena Vista, Morrison of Grundy, Morrison of Keokuk, Mullin, Nietert, Parker, Perrott, Porter, Potter, Power, Prentis, Putnam, Ray, Reed, Scott, Smith, Spaulding, St. John, Sullivan, Thompson, Tibbitts, Van Houten, Voelker, Watters, Weaver, Wells, Wheeler, Whelan, Whittier, Williams, Wilson, Mr. Speaker-83.

The nays were:
None.
Absent or not voting:
Messrs. Allen, Brant, Brighton, Cook, Davis, Edwards, Garner, Haugen, Hauger, McArthur, McQuin, Manahan, Miller of Cherokee, Miller of Warren, Nolan, Temple, Wood-17.

So the House concurred.
The House took up pending question of yesterday relating to laying resolution calling for investigating committee for State institutions on the table.

On the question" "Shall the resolution be laid on the table?" Messrs. Merriam and Lauder demanded the yeas and nays which resulted as follows:

On the question, "Shall the resolution be laid on the table?" the yeas were:

Messrs. Bailey, Bell, Chapman, Clark, Crow, Davis, Evans, Frink, Griswold, Huntley, Johnson of Webster, Ladd, Lavender, McArthur, McNulty, Mayne, Miller of Buena Vista, Miller of Warren, Morrison of Grundy, Morrison of Keokuk, Mullin, Parker, Ray, Reed, Spaulding, Tibbitts, Watters, Weaver, Wells, Williams, Mr. Speaker-31.

The nays were:
Messrs. Allen, Baker, Bowen, Brady, Brant, Brighton, Brinton, Byington, Classen, Cook, Cornwall, Doubleday, Dowell, Early, Finch, Frazee, Funk, Good, Grote, Gurley, Haugen, Hayes, Hazen, Hendershot, Hinkhouse, Hinman, Hunt, Jackson, Jay, Johnston of Franklin, Lambert, Lauder, Loomıs, Lowry, McAchran, McDonald, McDowell, Marti, Merriam, Nietert, Nolan, Perrott, Porter, Potter, Power, Prentis, Putnam, Scott, Smith, St. John, Sullivan, Temple, Thompson, Van Houten, Voelker, Wheeler, Whelan, Whittier, Wilson-59.

Absent or not voting:
Messrs. Bird, Edwards, Garner, Hauger, Klemme, McQuin, Manahan, Martin, Miller of Cherokee, Wood-10.

So the motion was lost.
Mr. Ladd moved that the resolution be referred to Committee on Retrenchment and Reform.

Mr. Griswold moved that the resolution be indefinitely postponed.

Lost.
Messrs. Smith and Power demanded the yeas and nays on the motion to refer, which resulted as follows:

On the question, "Shall the motion prevail?" the yeas were:
Messrs. Bailey, Bell, Brighton, Chapman, Clark, Crow, Davis, Dowell, Evans, Frink, Funk, Griswold, Grote, Hauger, Hendershot, Hinman, Huntley, Johnson of Webster, Ladd, Lavender, McAchran, McArthur, McNulty, Miller of Buena Vista, Miller of Warren, Morrison of Grundy, Morrison of Keokuk, Mullin, Parker, Perrott, Potter, Prentis, Putnam, Ray, Reed, Temple, Tibbitts, Watters, Weaver, Whittier, Williams, Mr. Speaker-42.

The nays were:
Messrs. Allen, Baker, Bird, Bowen, Brady, Brant, Brinton, Byington, Classen, Cook, Cornwall, Early, Finch, Frazee, Good, Gurley, Haugen, Hayes, Hazen, Hinkhouse, Hunt, Jackson, Jay, Johnston of Franklin, Klemme, Lambert, Lauder, Loomis, Lowry, McDonald, McDowell, Marti, Mayne, Merriam, Nietert, Nolan, Porter, Power, Scott, Smith, Spaulding, St. John, Sullivan, Thompson, Van Houten, Voelker, Wells, Wheeler, Whelan, Wilson-50.

Absent or not voting:
Messrs. Doubleday, Edwards, Garner, McQuin, Manahan, Martin, Miller of Cherokee, Wood-8.

So the motion was lost.
Mr. Haugen moved to substitute the Senate resolution for the resolution before the House, as recommended by the House committee.

Mr. Dowell moved the previous question.
Carried.
Messrs. Crow and Lowry demanded the yeas and nays on the question of substitution, which resulted as follows:

On the question, "Shall the motion to substitute prevail?" the yeas were:

Messrs. Bird, Classen, Haugen, St. John, Temple, Thomp-son-6.

The nays were:
Messrs. Allen, Bailey, Baker, Bell, Bowen, Brady, Brant, Brighton, Brinton, Byington, Chapman, Clark, Cook, Cornwall, Crow, Davis, Doubleday, Dowell, Early, Edwards, Evans, Finch, Frazee, Frink, Funk, Good, Griswold, Grote, Gurley, Hauger, Hayes, Hazen, Hendershot, Hinkhouse, Hinman, Hunt, Huntley, Jackson, Jay, Johnson of Webster, Johnston of Franklin, Klemme, Ladd, Lambert, Lauder, Lavender, Loomis, Lowry, McAchran, McDonald, McDowell,

McNulty, Marti, Martin, Mayne, Merriam, Miller of Buena Vista, Miller of Warren, Morrison of Grundy, Morrison of Keokuk, Mullin, Nietert, Nolan, Parker, Perrott, Porter, Potter, Power, Prentis, Putnam, Ray, Reed, Scott, Smith, Spaulding, Sullivan, Tibbitts, Voelker, Watters, Weaver, Wheeler, Whelan, Whittier, Williams, Wilson, Mr. Speaker -86.

Absent or not voting:
Messrs. Garner, McArthur, McQuin, Manahan, Miller of Cherokee, Porter, Van Houten, Wells-8.

So the motio. to substitute was lost.
Mr. Gurley moved the previous question.
Carried.
On the question, "Shall the joint resolution be adopted?" the jeas were:

Messrs. Allen, Baker, Bird, Bowen, Brady, Brighton, Brinton, Byington, Classen, Cook,Cornwall, Dowell, Early, Edwards, Finch, Frazee, Frink, Funk, Good, Grote, Gurley, Haugen, Hayes, Hazen, Hinkhouse, Hinman, Hunt, Jackson, Jay, Johnston of Franklin, Lambert, Lauder, Loomis, Lowry, McDonald, McDowell, McNulty, Marti, Martin, Merriam, Nietert, Nolan, Porter, Power, Prentis, Scott, Smith, St. John, Sullivan, Thompson, Van Houten, Voelker, Wheeler, Whelan, Wilson $-55$.

The nays were:
Messrs. Bailey, Bell, Brant, Chapman, Clark, Crow, Davis, Doubleday, Evans, Griswold, Hauger, Hendershot, Huntley, Johnson of Webster, Klemme, Ladd, McAchran, McArthur, Mayne, Miller of Buena Vista, Miller of Warren, Morrison of Grundy, Morrison of Keokuk, Mullin, Parker, Perrott, Potter, Putnam, Ray, Reed, Spaulding, Temple, Tibbitts, Watters, Weaver, Wells, Whittier, Williams, Wood, Mr. Speaker-40.

Absent or not voting:
Messrs. Garner, Lavender, McQuin, Manahan, Miller of Cherokee-5.

So the resolution was adopted.
The following explanations of votes were filed:
Mr. Speaker-I vote "no" for the reasons stated by the Speaker on page 6 of the Journal of February 20, and for the further reason that no specific charges have been made on which to base investigation.
L. F. Potter.

Mr. Speaker-I voted "no" for the reason that this resolution does not confer a single duty or power upon the committee which is not already conferred upon the Governor by statutory provision.
W. G. Ladd.

Mr. Speaker-I vote "no" on joint resolution No. 3, for the reason that there is no charge against any State institution, so far as known, and I am opposed to spending money belonging to the State without charges having been made.

Wm. H. Klemme.
Mr. Speaker-I voted "no" because the committee is not authorized to report to this session. J. M. Clark.

## PETITIONS AND MEMORIALS.

Mr. Miller of Buena Vista presented petition of citizens of Buena Vista county, against any reduction in appropriation to the State Horticultural society.

Referred to Committee on Horticulture.
Messrs. Morrison of Keokuk, Prentis, Cornwall, Thompson, Tibbitts and Wood presented remonstrance of citizens of their respective counties, against a manufacturing bill.

Referred to Committee on Domestic Manufactures.
Mr. Weaver presented petition of citizens of Louisa county, asking the passage of a law exempting soldiers and their widows over fifty years of age from taxation when their income does not exceed $\$ 500$ per annum.

Referred to Committee on Ways and Means.
Mr. Crow presented remonstrance of citizens of Wapello county, against the amendment to section 19, chapter 3, on elections.

Referred to Committee on Elections.
Messrs. Gurley and Johnson of Webster presented petitions of citizens of their respective counties, asking passage of a law regulating the practice of medicine.

Referred to Committee on Public Health.

## MESSAGES FROM THE SENATE.

The following message was received from the Senate:
Mr. Speaker-I am directed to inform your henorable body that the Senate insists on its amendment relative to section $1^{77}$ of House file No. 73, and asks for a committee of conference, naming the following as the Senate members of said committee, viz: Senators Ellis, Carpenter, Healy and Blanchard. Geo. A. Newman,

Secretary.
Also:
Mr. Speaker-I am directed to inform your honorable body that the Senate refuses to recede from its amendment to section 9, of House file No. 5, relative to Speaker's clerk and Lieutenant-Governor's clerk, and asks a
committee of conference, naming as the Senate members of said committee, Senators Trewin, Waterman, Funk and Carney.

Geo. A. Newman, Secretary.

Also:
Mr. Speaker-I am directed to inform your honorable body that the Senate has receded from its amendment to section 63 of House file No. 83. Geo. A. Newman, Secretary.

## Also:

Mr. Speaker-1 am directed to inform your honorable body that the Senate has passed the following bill, in which the concurrence of the House is asked:

Senate file No. 76, a bill for an act to revise, amend and codify the statutes in relation to attachments, garnishments, executions and suppression of proceedings.

Geo. A. Newman, Secretary.
The Speaker announced as the conference committee on House file No. 5, Messrs. Bailey, Early, Voelker and Hayes.

Also as conference committee on House file No. 73, Messrs. Cornwall, Clark, McDowell and Lowry.

On motion of Mr. Chapman, House file No. 33, a bill for an act to revise, amend and codify the statutes in relation to intoxicating liquors, with report of committee recommending passage with amendments, was taken up and considered.

Mr. Hayes offered the following as a substitute for the committee amendment to section 11: Amend title XII, chapter 8, page 472 , by adding to the end of section 1 the following: "But in those cities or towns where sales of such liquors may be made by persons paying the mulct tax and the penalties for making sales by them are suspended by the provisions of this chapter, it shall be lawful to manufacture spirituous, malt and vinous liquors, and to sell the same to persons within the State who have complied with the mulct tax provisions, or to ship the same without the State; and it shall be lawful for persons and carriers to transport said liquors, and contracts in relation to the matters herein specified shall not be illegal by reason of any of the provisions of this chapter."

On this substitute Messrs. Baker and Lowry demanded the yeas and nays, which resulted as follows:

On the question, "Shall the substitute be adopted?" the yeas were:

Messrs. Baker, Bowen, Brady, Byington, Dowell, Early, Frazee, Garner, Grote, Gurley, Hayes, Hazen, Hendershot, Hinkhouse, Hunt, Jackson, Jay, Lambert, Lauder, Lowry, McArthur, McDowell, McNulty, Marti, Morrison of Grundy, Nietert, Nolan, Porter, Potter, Power, Sullivan, Tibbitts, Voelker, Wheeler, Whittier, Wilson, Mr. Speaker-37.

The nays were:
Messrs. Allen, Bailey, Bell, Bird, Brant, Brighton, Brinton, Chapman, Clark, Classen, Cook, Cornwall, Crow, Davis, Doubleday, Edwards, Evans, Finch, Frink, Funk, Good, Griswold, Haugen, Hauger, Hinman, Huntley, Johnson of Webster, Johnston of Franklin, Klemme, Ladd, Lavender, Loomis, McAchran, McDonald, Martin, Mayne, Merriam, Miller of Buena Vista, Miller of Warren, Morrison of Keokuk, Mullin, Parker, Perrott, Prentis, Putnam, Ray, Reed, Scott, Smith, Spauiding, Temple, Thompson, Van Houten, Watters, Weaver, Wells, Whelan, Williams, Wood-59.

Absent or not voting:
Messrs. McQuin, Manahan, Miller of Cherokee, St. John-4.
So the substitute was lost.
Mr. Hayes moved toadd to the amendments of the committee the words 'and contracts in relation to the matters herein specified shall not be illegal by reason of any of the provisions of this chapter."

Messrs. Sullivan and Power demanded the yeas and nays which resulted as follows:

On the question, "Shall the amendment prevail?" the yeas were:

Messrs. Bailey, Baker, Brady, Byington, Dowell, Edwards, Frazee, Gurley, Hayes, Hazen, Hinkhouse, Hunt, Jackson, Jay, Lambert, Lauder, Lowry, McArthur, McDowell, McNulty, Marti, Mayne, Morrison of Grundy, Nietert, Nolan, Porter, Potter, Power, Putnam, Sullivan, Tibbitts, Voelker, Wheeler, Whelan, Whittier, Wilson, Mr. Speaker-37.

The nays were:
Messrs. Allen, Bell, Bird, Bowen, Brant, Brighton, Brinton, Chapman, Clark, Classen, Cook, Cornwall, Crow, Davis, Doubleday, Early, Evans, Finch, Frink, Funk, Garner, Good, Griswold, Haugen, Hauger, Hinman, Huntley, Johnson of Webster, Johnston of Franklin, Klemme, Ladd, Lavender, Loomis, McAchran, McDonald, Martin, Merriam, Miller of Buena Vista, Miller of Warren, Morrison of Keokuk, Mullin,

Parker, Perrott, Prentis, Ray, Reed, Scott, Smith, Spaulding, Temple, Thompson, Van Houten, Watters, Weaver, Wells, Williams, Wood-57.

Absent or not voting:
Messrs. Grote, Hendershot, McQuin, Manahan, Miller of Cherokee, St. John-6.

So the amendment was lost.
Mr. Hinman moved to amend the amendment as follows: Insert in line 7 of the committee amendment after the word "purpose" the words "providing that the manufacturers of liquors provided for in this section shall place upon all barrels, casks, bottles or packages of every kind whatsoever containing liquors a formula printed in the English, German and Scandinavian language which shall set forth in plain terms the ingredients of said liquors and the relative proportion of each."

The amendment was adopted by a vote of 44 yeas to 26 nays.
Mr. Hayes moved to amend the committee amendment by striking out the word "alcohol" in line 6 and insert the words "such liquors."

## Lost.

Mr. Early offered the following amendment to the committee amendment: After the word "auditor" in line 3, insert the words "canvassed and found sufficient by the board of supervisors."

Lost.
Mr. Lambert moved that further consideration of this bill be postponed till 9 A. m. to-morrow.

Lost.
Mr. Funk moved that further consideration of this bill be postponed until 9 a. m. Tuesday.

Messrs. Lambert and Baker demanded the roll call on this motion, which resulted as follows:

On the question, "Shall the motion to postpone prevail?" the yeas were:

Messrs. Baker, Byington, Early, Edwards, Frazee, Funk, Hayes, Hazen, Hinkhouse, Hunt, Jackson, Jay, Lambert, Lavender, Lowry, McAchran, McDowell, Marti, Mayne, Miller of Buena Vista, Nolan, Porter, Power, Sullivan, Thompson, Voelker, Wheeler, Wilson-28.

The nays were:
Messrs. Allen, Bailey, Bell, Bird, Bowen, Brady, Brant, Brighton, Brinton, Chapman, Clark, Classen, Cook, Cornwall, Crow,

Davis, Doubleday, Dowell, Evans, Finch, F'rink, Garner, Good, Griswold, Grote, Gurley, Haugen, Hauger, Hendershot, Hinman, Huntley, Johnson of Webster, Johnston of Franklin, Klemme, Ladd, Lauder, Loomis, McArthur, McDonald, McNulty, Martin, Merriam, Miller of Warren, Morrison of Grundy, Morrison of Keokuk, Mullin, Nietert, Parker, Perrott, Potter, Prentis, Putnam, Ray, Reed, Scott, Smith, Spaulding, Temple, Tibbitts, Van Houten, Watters, Weaver, Wells, Whelan, Whittier, Williams, Mr. Speaker-67.

Absent or not voting:
Messrs. McQuin, Manahan, Miller of Cherokee, St. John, Wood-5.

So the motion was lost.
Mr. Gurley moved the previous question on the first amendment of the committee.

Lost by a vote of 41 yeas to 44 nays.
Mr. Early offered the following amendment to line 1 of the committee amendment: Strike out the word "statement" and insert the word "statements;" also, change the word "has" to "have" in line 2.

Adopted.
Messrs. Chapman and Gurley demanded the yeas and nays on the amendment of the committee.

On the question, "Shall the amendmont prevail?" the yeas were:

Messrs. Allen, Bailey, Baker, Bowen, Brady, Brant, Byington, Chapman, Crow, Davis, Doubleday, Dowell, Edwards, Frazee, Garner, Good, Grote, Gurley, Hayes, Hazen, Hendershot, Hinkhouse, Hunt, Jackson, Jay, Klemme, Lambert, Lauder, Lowry, McArthur, McDowell, McNulty, Marti, Morrison of Grundy, Morrison of Keokuk, Nietert, Nolan, Porter, Pot. ter, Power, Putnam, Sullivan, Tibbitts, Voelker, Weaver, Wheeler, Whelan, Whittier, Wilson, Mr. Speaker-50.

The nays were:
Messrs. Bell, Bird, Brighton, Brinton, Clark, Classen. Cook, Cornwall, Early, Evans, Finch, Frink, Funk, Griswold, Haugen, Hauger, Hinman, Huntley, Johnson of Webster, Johnston of Franklin, Ladd, Lavender, Loomis, McAchran, McDonald, Martin, Mayne, Merriam, Miller of Buena Vista, Miller of Warren, Mullin, Parker, Perrott, Prentis, Ray, Reed, Scott, Smith, Spaulding, St. John, Temple, Van Hcuten, Watters, Wells, Williams, Wood-46.

## Absent or not voting:

Messrs. McQuin, Manahan, Miller of Cherokee, Thompson-1.
So the amendment of the committee was adopted.
The following explanations of votes were filed:
Mr. Speaker-Three years' trial and experience have, in my opinion, demonstrated the success of the mulct law, and believing that this or some similar measure is to be the settled rule and policy of the State in dealing with the liquor traffic, I can favor at this time a manufacturing clause along the line of the mulct bill, and therefore vote "aye."
W. S. Allen.

Mr. Speaker-On committee amendment to section 1 I vote "no" because the amendment does not require the petitions of general consent to be declared or found sufficient by the board of supervisors and the House having defeated an amendment to that effect.

Chas. L. Early.
The committee amendment to section 5 was adopted. SENATE MESSAGES.
Senate file No. 76, a bill for an act to revise, amend and codify the statutes in relation to attachments, executions and supplementary proceedings, was read first and second time and referred to Committee on Third Division Code Revison.

On motion of Mr. Gurley, House adjourned till 2 P. M. -

## AFTERNOON SESSION.

The House was called to order at 2 P. m. by the Speaker.
report of joint committee on enrolled bills.
Mr. Hauger, from the Joint Committee on Enrolled Bills, submitted the following report:

Mr. Speaker-Your Joint Committee on Enrolled Bills respectfully report that they have examined, and find correctly enrolled, Senate file No. 82 , a bill for an act to exonerate from penalties under the prohibitory law in cities acting under special charters, and to make valid acts of city councils and boards of supervisors.

G. S. Gilbertson, Chairman Senate Committee.<br>W. E. Hadger, Chairman House Committee.

Ordered passed on file.
The clerk continued the reading of the pending bill, being House file No. 33.

The committee amendment to section 6, line 2, was adopted by a vote of 36 yeas to 22 nays.

The committee amendment to line 10 , section 6 , was adopted.
The committee amendment to strike out.all of section 7 was adopted.

On motion of Mr. Chapman section 9, line 15, was amended by striking out the word "fifteen" and inserting in lieu thereof the words "any number of."

On the committee amendment to section 12, line 4, Messrs. Power and Lowry demanded the yeas and nays, which resulted as follows:

On the question, "Shall the amendment be adopted?" the yeas were:

Messrs. Allen, Bailey, Bell, Brady, Brighton, Brinton, Chapman, Clark, Classen, Cook, Cornwall, Crow, Davis, Doubleday, Evans, Finch, Frink, Funk, Good, Griswold, Gurley, Haugen, Hendershot, Hinman, Huntley, Johnson of Webster, Johnston of Fravklin, Ladd, Lauder, Lavender, Loomis, McAchran, McDonald, Martin, Miller of Warren, Morrison of Keokuk, Mullin, Nietert, Parker, Perrott, Prentis, Putnam, Ray, Reed, Smith, Spaulding, St. John, Temple, Thompson, Van Houten, Watters, Wells, Whelan, Whittier, Williams, Wood-56.

The nays were:
Messrs. Baker, Bird, Bowen, Brant, Byington, Dowell, Early, Edwards, Frazee, Garner, Grote, Hayes, Hazen, Hinkhouse, Hunt, Jackson, Jay, Klemme, Lambert, Lowry, McArthur, McDowell, McNulty, Marti, Mayne, Merriam, Morrison of Grundy, Nolan, Porter, Potter, Power, Sullivan, Tibbitts, Voelker, Weaver, Wheeler, Wilson, Mr. Speaker-38.

Absent or not voting:
Messrs. Hauger, McQuin, Manahan, Miller of Buena Vista, Miller of Cherokee, Scott-6.

So the amendment was adopted.

## MESSAGE FROM THE SENATE.

The following message was received from the Senate:
Mr. Priesident-I am directed to inform your honorable body that the Senate has amended and passed the following bill, in which the concurrence of the House is asked:

Substitute for House file No. 35, a bill for an act to create a bureau of labor statistics.

The committee amendments to section 19, lines 5, 14 and 15 were adoptsd.

The committee amendment to section 21, line 1, was adopted.
The committee amendment to section 22, line 6, to strike out the words "to exceed ten" and insert in lieu thereof the words "less than five nor more than twenty-five" was adopted.

Mr. Chapman moved to strike out of section 23, line 6, the words "and one had been given."

Adopted.
The committee amendment to section 23 , line 4, to strike out the words "to the school fund was adopted."

The committee amendment to strike out all of line 7, section 23, and insert in lieu thereof the words "the amount so collected shall go to the informer and one-half to the scbool fund of the county," was adopted by a vote of 45 yeas to 23 nays.

Mr. Weaver was called to the chair.
The committee amendment to section 32 , line 1 , was adopted.
The committee amendment to add to section 53 the words, 'any assessor wilfully failing to comply with the provisions of this section shall pay a fine of fifty dollars and cost for each offense," was adopted.

The committee amendment to strike out of section 55 all underscored words in lines 2, 3 and 4, was adopted.

The committee amendment to add to section 59 the words: "When real estate offered at tax sale under this section shall be passed for want of bid covering amount of tax due thereon, it shall be advertised and sold by the treasurer at next semiannual tax sale to the highest bidder."

Mr. Chapman moved the adoption of the committee amendment to section 65, line 4:
"The tax so collected from such business shall be apportioned as follows: One-half to the general county fund and the other one-balf to the clerk of the township in which such business is conducted. The clerk of the township shall apportion the amount so received by him equally among the road supervisors of the territory of the township outside of the city or town, to be by said road supervisors expended for the improvement of the roads of the district."

The Speaker resumed the chair.
Mr. Evans offered the following as a substitute for the committee amendment and moved its adoption:

Amend page 492, section 65 of Black Code, line 2, by striking out all after the word "treasury," and also strike out the
amendment made by the committee and insert after "treasury," in line 2, the following: 'and the county treasurer shall turn the whole of the revenue so derived into the State treasury at the same time and in the same manner as provided in reference to taxes collected under the State levg.

Messrs. Evans and Cook demanded the roll call on this substitute, which resulted as follows:

On the question, "Shall the substitute for the committee amendment be adopted?" the yeas were:

Messrs. Brinton, Cook, Evans, Finch, Frink, Hinman, Huntley, Lavender, Loomis, McAchran, Mayne, Parker, Perrott, Prentis, Ray, Reed, Smith, Spaulding, Temple, Van Houten, Watters, Wells, Williams, Wood-24.

The nays were:
Messrs. Allen, Bailey, Baker, Bowen, Brady, Brant, Byington, Chapman, Cornwall, Crow, Davis, Doubleday, Dowell, Early, Edwards, Frazee, Funk, Garner, Good, Griswold, Grote, Gurley, Haugen, Hayes, Hazen, Hendershot, Hinkhouse, Hunt, Jackson, Jay, Klemme, Ladd, Lambert, Lauder, Lowry, McArthur, McDonald, McDowell, McNulty, Marti, Martin, Merriam, Morrison of Grundy, Morrison of Keэkuk, Mullin, Nietert, Nolan, Porter, Potter, Power, Putnam, St. John, Sullivan, Thompson, Tibbitts, Voelker, Weaver, Wheeler, Whelan, Whittier, Wilson, Mr. Speaker-62,

Absent or not voting:
Messrs. Bell, Bird, Brighton, Clark, Classen, Hauger, Johnson of Webster, Johnston of Franklin, McQuin, Manahan, Miller of Buena Vista, Miller of Cherokee, Miller of Warren, Scott-14.

So the substitute was lost.
Messrs. Merriam and Allen demanded the roll call on the adoption of the committee amendment, which resulted as follows:

On the question, "Shall the committee amendment be adopted?" the yeas were:

Messrs. Bailey, Baker, Bowen, Brady, Brant, Brinton, Byington, Chapman, Doubleday, Dowell, Early, Edwards, Frazee, Funk, Good, Grote, Gurley, Haugen, Hayes, Hazen, Hendershot, Hinkhouse, Hinman, Hunt, Jackson, Jay, Johnson of Webster, Klemme, Ladd, Lambert, Lauder, Lowry, McArthur, McDonald, McDowell, McNulty, Marti, Mayne, Morrison of Grundy, Morrison of Keokuk, Mullin, Nietert,

Nolan, Parker, Porter, Potter, Power, Putnam, Sullivan, Temple, Thompson, Tibbitts, Van Houten, Voelker, Weaver, Wheeler, Whelan, Whittier, Wilson, Mr. Speaker-60.

The nays were:
Messrs. Allen, Bird, Brighton, Clark, Cook, Cornwall, Davis, Evans, Finch, Frink, Garner, Hauger, Huntley, Johnston of Franklin, Lavender, Ljomis, McAchran, Merriam, Miller of Warren, Perrott, Prentis, Ray, Reed, Scott, Smith, Watters, Wells, Williams, Wood-29.

Absent or not voting:
Messrs. Bell, Classen, Crow, Griswold, McQuin, Manahan, Martin, Miller of Buena Vista, Miller of Cherokee, Spaulding, St. John-11.

So the amendment was adopted.
Mr. Chapman moved the adoption of committee amendment to add to section 67.

Mr. Hayes moved to amend the amendment by inserting in line 1 thereof after the word "with" the words "or manufactured under."

The committee accepted the amendment.
Mr. Baker moved to amend by striking out the word "hereof" in line 43 and inserting the words "of this chapter."

The committee accepted the amendment and the amendment as amended was adopted.

The committee amendments to section 68 were adopted.
Mr. Morrison of Grundy moved to amend section 68, paragraph 1, by adding the words "as hereinafter provided."

Adopted.
Mr. Early moved to amend section 68 as follows:
Amend section 68, page 493, by striking out lines 5, 6, 7, 8, 9 and 10, and inserting the following: "When at a preceding election at which the proposition of permitting saloons under the provisions of this act was submitted, a majority of all the votes polled in such city at such election was for saloons, and the result of said election has been recorded and proclaimed as provided in this act, it shall be effectual for the purpose herein contemplated until revoked as is provided for in this act."

Amend section 69, page 494, by striking out lines 3 to 10 inclusive and insert: "It must be shown that at a preceding election or elections at which the proposition of permitting saloons under the provisions of this act was submitted, a majority of all the votes polled at such election or elections, in the county outside the limits of any city or cities of said county having a population of five thousand or more inhabitants, and also in the city or town, including the township or townships in which such city or town is located, was for saloons, and that such consent has not been revoked as provided in this act."

Amend section 70, page 494, by striking out the last two words in line 2, and all of lines 3, 4, 5, 6 and 7, and insert: "A majority of all the votes polled at the last preceding election at which the proposition of permitting saloons under the provisions of this act was submitted shall have been against saloons, in any city of five thousand or more inhabitants, or in any county, city, town or township, as the case may be, as shown by the records of the county auditor, then the bar to proceedings as provided in the second preceding section shall cease to operate in such city, county town or township, as the case may be, and the persons engaged in the sale of intoxicating liquors therein shall be liable to all the penalties provided in this chapter."

Amend section 71, page 495, by striking out in line 1, the words "statement of general consent," and insert the word "petition."

Line 3, strike out the word "statement," and insert the word "petition."
Line 6, strike out the words "statement of general consent," and insert the word 'petition."

Line 7, strike out the words "statements of general consent," and insert the word "petitions."

Line 9, strike out the words "statement of general consent," and insert the word "petition."

Amend chapter 6, on page 495, by adding section 75 as follows:
"Section 75. At the general election of the State of Iowa in the year 1898 the proposition of permitting saloons under the provisions of this chapter shall be submitted in the manner provided for submitting public measures, and said proposition may be submitted in any city, county, incorporated town or township not oftener than once in five years thereafter when a petition signed by one-third of all the voters who voted at the last preceding general election in said territory, as shown by the pollbooks, has been filed with the county auditor not less than thirty nor more than forty days preceding the election at which said proposition is to be submitted, and it must be shown that all signatures to said petition have been attached within the thirty days next preceding the filing of the same.
"And when such petition is filed with the auditor he shall cause notice of the same to be published for three consecutive issues in two weekly newspapers published in said territory, if there be two such papers published therein; if but one paper is published in such territory, notice shall be published in it and one other leading paper in said county, and if no paper be published in said territory, then said notice shall be published in the two leading papers of different political parties of the county for three consecutive weeks preceding the day of said election, and the county auditor shall have all tickets to be used in any territory in his county where such proposition is to be submitted, printed in proper form, to vote upon said proposition as is provided for the submitting of public measures, and said vote shall be canvassed, recorded and proclaimed as is provided for in cases of the vote on other public measures, and all law relating to the voting and submitting of amendments to the constitution or public measures shall apply to the vote and submitting of the proposition provided for in this chapter, so far as applicable and not in conflict with the provisions of this act."

Mr . Bell moved to adjourn until 9 A . m. to-morrow.
The motion was lost.
Mr. Chapman moved the previous question on the amendment of Mr. Early.

The motion was carried.
Messrs. Wood and Early demanded a roll call on the motion to adopt the amendment of Mr. Early, which resulted as follows:

On the question, "Shall the amendment be adopted?" the yeas were:

Messrs. Baker, Byington, Early, Frazee, Hayes, Hazen, Hinkhouse, Hunt, Jay, Lambert, Lauder, Lowry, McDowell, McNulty, Marti, Morrison of Keokuk, Nolan, Power, Tibbitts, Voelker, Wheeler, Wilson, Mr. Speaker-23.

The nays were:
Messrs. Allen, Bailey, Bell, Bird, Bowen, Brady, Brant, Brighton, Brinton, Clark, Classen, Cook, Cornwall, Crow, Davis, Doubleday, Dowell, Edwards, Evans, Finch, Frink, Funk, Garner, Good, Griswold, Grote, Gurley, Haugen, Hauger, Hendershot, Hinman, Huntley, Jackson, Johnston of Franklin, Klemme, Ladd, Loomis, McAchran, McDonald, Martin, Mayne, Merriam, Miller of Warren, Morrison of Grundy, Mullin, Nietert, Parker, Perrott, Potter, Prentis, Putnam, Ray, Reed, Scott, Smith, Spaulding, St. John, Temple, Thompson, Van Houten, Watters, Weaver, Wells, Whelan, Whittier, Williams, Wood-67.

Absent or not voting:
Messrs. Chapman, Johnson of Webster, Lavender, McArthur, McQuin, Manahan, Miller of Buena Vista, Miller of Cherokee, Porter, Sullivan-10.

So the amendment was lost.
Mr. Reed moved to adjourn till 9 A. m. to-morrow.
Lost.
The committee amendment to section 69, line 1, to insert after the word "town" the words "or city acting under special charter," was adopted.

Mr. Martin moved to amend by inserting at the end of line 55 of the committee amendment as section 69 after the word record, the words, 'and such findings shall be effectual for the purpose herein contemplated until revoked as hereinafter provided."

Adopted.

The committee amendments to section 70 , lines 2 and 4, were adopted.

The committee amendment to section 73, was adopted.
The committee amendment to section 74, line 2, was adopted.
The committee amendment to diminish the section numbers from sections 8 to 70 inclusive, was adopted, and by the adoption of this amendment changing the section numbers in the original bill; the section numbers in the amendment to section 1 of the bill refers to sections 67 and 68 as the bill passed the House.

Mr. Doubleday offered the following amendment and moved its adoption: Amend the amendment made in line 2, section 6 , page 474 of Black Code, by striking out the words "onethird" and substituting in lieu thereof the words "a majority."

Mr. Funk moved the previous question.
Carried.
The motion of Mr. Doubleday was lost.
Mr. Chapman moved that the rule be suspended, and that the bill be considered engrossed and read a third time now, which motion prevailed and the bill was read a third time.

On the question, "Shall the bill pass?" the yeas were:
Messrs. Allen, Bailey, Baker, Bowen, Brady, Brant, Byington, Chapman, Crow, Davis, Dowell, Edwards, Frazee, Garner, Good, Grote, Gurley, Hayes, Hazen, Hendershot, Hinkhouse, Hunt, Jackson, Jay, Klemme, Ladd, Lambert, Lauder, Lowry, McArthur, McDowell, McNulty, Marti, Mayne, Morrison of Grundy, Morrison of Keokuk, Nietert, Nolan, Porter, Potter, Power, Putnam, Sullivan, Thompson, Tibbitts, Voelker, Weaver, Wheeler, Whelan, Whittier, Wilson, Mr. Speaker-52.

The nays were:
Messrs. Bell, Bird, Brighton, Brinton, Clark, Classen, Cook, Cornwall, Doubleday, Early, Evans, Finch, Frink, Funk, Gris wold, Haugen, Hauger, Hinman, Huntley, Johnson of Webster, Johnston of Franklin, Lavender, Loomis, McAchran, McDonald, Martin, Merriam, Miller of Warren, Mullin, Parker, Perrott, Prentis, Ray, Reed, Scott, Smith, Spaulding, St. John, Temple, Van Houten, Watters, Wells, Williams, Wood-44.

Absent or not voting:
Messrs. McQuin, Manahan, Miller of Buena Vista, Miller of Cherokee-4.

So the bill passed and title was agreed to.

## The following explanations of votes were filed:

Mr. Speaker-I am not at all satisfied with chapter 6, of title 12 , of the proposed Code as it has been amended and stands ready for passage, but I recognize that legislation upon this question, more than any other perhaps, is a matter of compromise.

The bill has some commendable features and future legislation must be depended upon to eliminate the bad. Believing it is the best that can be done at this session, I vote "aye."

A. E. Jackson.

Mr. Speaker-I voted "no" on the amendment which provided for the manufacture of intoxicating liquors, because I am opposed to the same. A majority of the members of the House incorporated this feature into the bill, and as the mulct law was in this bill, the defeat of which might mean the destruction of the mulct law, I vote "aye."

W. G. Ladd.

Mr. Speaker-I am opposed to many of the provisions of House file No. 33, but as it grants the manufacturing of intoxicating liquors to some extent, although not as fully as I desire, I vote for the bill.

John T. P. Powhr.
Mr. Speaker-I voted "aye" for House file No. 33, not because I indorse the mulct feature of the law, but because it makes it possible for our people to manufacture what the mulct law permits to be sold, and while objectionable and anjust in many of its provisions and hypocritical in others, it is a narrow step in the right direction.

J. P. McDowell.

Mr. Speaker-While this bill does not fully meet with my approval, I vote "yea" because it provides for manufacture, and is a step in the right direction and the best thing we can get at this session.
J. L. Wilson.

Mr. Temple offered the following resolution:
Resolved, That when this House adjourns on Saturday, the twentyseventh of February, it adjourn until 10 o'clock A. m. on Tuesday, the second day of March, 1897.

Mr. Ray moved to amend by making it 2 o'clock P. M. Monday.

Lost.
Mr. Reed moved to amend by making it 9 o'clock A. M. Monday.

The amendment was lost by a vote of 42 to 42 .
Mr. Ray moved to amend by making it 10 A. M. Monday.
The motion was lost.
Messrs. Wood and Clark demanded a roll call on the resolution of Mr. Temple, which resulted as follows:

On the question, "Shall the resolution be adopted?" the yeus were:

Messrs. Brinton, Byington, Chapman, Cornwall, Funk, Garner, Gurley, Haugen, Hayes, Hendershot, Hinman, Hunt,

Jackson, Jay, Johnson of Webster, Johnston of Franklin, Ladd, Lambert, Lauder, Lavender, Loomis, McAchran, McArthur, McDonald, McNulty, Marti, Mayne, Merriam, Morrison of Grundy, Morrison of Keokuk, Mullin, Nietert, Nolan, Porter, Power, Putnam, Scott, St. John, Temple, Tibbitts, Voelker, Watters, Whittier-43.

The nays were:
Messrs. Allen, Bailey, Baker, Bell, Bird, Bowen, Brighton, Clark, Classen, Cook, Crow, Davis, Doubleday, Dowell, Early, Evans, Finch, Frazee, Frink, Good, Griswold, Grote, Hauger, Huntley, Klemme, Lowry, McDowell, Martin, Miller of Warren, Parker, Perrott, Prentis, Ray, Reed, Smith, Spaulding, Thompson, Van Houten, Weaver, Wells, Whelan, Williams, Wilson, Wood, Mr. Speaker-45.

## Absent or not voting:

Messrs. Brady, Brant, Edwards, Hazen, Hinkhouse, McQuin, Manahan, Miller of Buena Vista, Miller of Cherokee, Potter, Sullivan, Wheeler-12.

So the resolution was lost.
On motion of Mr. Spaulding, the House adjourned until 9 A. M. to-morrow.
$\left.\begin{array}{l}\text { Hall of the House of Representatives, } \\ \text { Des Moines, Iowa, Saturday, February } 27,1897 .\end{array}\right\}$
House met at 9 A. m., Speaker Byers in the chair.
Prayer by Rev. D. A. W. McMillen of Colfax, Iowa.
The Speaker appointed as committee to investigate cost of printing Code, Messrs. Evans, Hayes and Dowell.

PETITIONS AND MEMORIALS.
Mr. Ladd presented remonstrance of citizens of Butler county, against manufacturing bill.

Referred to Committee on Domestic Manufactures.
Mr. Hauger presented petition of citizens of Black Hawk county, asking a 2 -cent rate on railroads.

Referred to Committee on Railroads and Commerce.
Messrs. Brant, Power and Morrison of Grundy presented remonstrances of citizens of their respective counties, against any increase of tax of receipts of life insurance companies.

Referred to Committee on Ways and Means.
Mr. Wells offered the following resolution and moved its adoption:

[^3]The Speaker declared the resolution out of order because a previous resolution had been adopted ordering the chairmen of the several committees to discharge their clerks as soon as the work of the committee is over.

On motion of Mr. Weaver, House file No. 69, a bill for an act to revise, amend and codify the statutes in relation to notes and bills, with report of committee recommending passage with amendments, was taken up and considered.

Mr. Reed was called to the chair.

Speaker Byers resumed the chair.
On motion of Mr. Weaver, further consideration of this bill was postponed till next Wednesday.

REPORT OF JOINT COMMITtEE ON ENROLLED bills.
Mr. Hauger, from the Joint Committee on Enrolled Bills, submitted the following report:

Mr. Speaker-Your Joint Committee on Enrolled Bills respectfully report that they have examined, and find correctly enrolled, Senate file No. 50 , a bill for an act to revise, amend and codify the statutes in relation to the educational board of examiners.

> G. S. Gilbertson, Chairman Senate Committee.
> W. E. Havaer, Chairman House Committee.

Ordered passed on file.
Mr. Cornwall moved that when this House adjourns, it adjourn till $9 \mathrm{~A} . \mathrm{m}$. Tuesday.

Mr. Smith moved to amend by making it 10 A. m. Monday. Lost.
Mr. Morrison of Grundy moved to amend by making it 2 P . m. Tuesday.

Carried.
The motion as amended was carried.
The Senate concurrent resolution relative to revising the rules of the Supreme Court was taken up and adopted.

The Senate substitute for House file No. 35 was then taken up, read first and second time and referred to the Third Division of Code Revision Committee.

Mr. Bell offered the following resolution and moved its adoption:

Mr. Speaker-I move that a committee of three be appointed to draft suitable resolutions in regard to the life and public services of tHon. John P. Huskins, deceased, who represented Washington county in the Twentieth General Assembly in this House.

Adopted.
The Speaker appointed as such committee, Messrs. Bell, Smith and McDowell.

On motion of Mr. McArthur, the House adjourned till 2. p. m. Tuesday.

# Hall of the House of Representatives, $\}$ <br> Des Moines, Iowa, Tuesday, March 2, 1897. $\}$ 

The House met at 2 P. m. pursuant to adjournment, Speaker Byers in the chair.

Prayer was offered by Rev. A. E. Cory of Boone, Iowa.
Mr. Manahan asked that the Journal show that had it been possible for him to have been present on Friday, he would have voted for the manufacturing bill.

The Journals of Friday and Saturday were corrected and approved.

PETITIONS AND MEMORIALS.
Messrs. Frink, Crow and Wood presented remonstrances of citizens of their respective counties, against the amendments to section 19 of the chapter on elections.

Referred to Committee on Elections.
Mr. Porter presented remonstrance of the Burlington voluntary relief department at Moulton, against the Temple amendment.

Referred to Committee on Railroads and Commerce.
Messrs. Dowell and Wood presented remonstrances of citizens of their respective counties, against a manufacturers' bill.

Referred to Committee on Domestic Manufactures.
Mr. Merriam offered the following petition and asked that it be printed in full in the Journal:

To the Members of the House of Representatives of the State of Iowa-The members of the Northeastern Iowa Press Association, editors and publishers of the weekly newspapers published in the Third and Fourth Congressional districts, do respectfully protest against the passage of the bill recently passed by the Senate, reducing the rates of legal advertising, for the following reasons:

First.-The rate now paid is no more than the rate paid for short time advertisements in the newspaper of average circulation, and if the proposed reduction is made, it will have the unavoidable effect to reduce the advertising rates for commercial work in all newspapers having a circulation of

800 to 1000 or thereabouts. If the proposed reduction is made, it also correspondingly reduces the compensation for publishing the proceedings of the board of supervisors, which is already done without any material profit to the publisher.

Second.-The rate of compensation now allowed for publication of legal notices is not out of proportion with that of court costs, including fees of officers and attorneys taxed by authority of the statute, and in effect it cannot be placed on the same basis as cash business, as the publisher of the newspaper is the only party who does not come directly in contact with the litigant and parties in interest, but is to a great extent at the mercy of the officials of the court and the attorneys, whose fees are naturally always paid first, and further, especially in probate matters, many publication fees never being paid. The argument advanced in the Senate, that many publishers are compelled to divide these legal fees with attorneys or those controlling such publications, is no argument against the justice of the present rate, but rather an instance of the necessities of many publishers.

Third.-The present rate of compensation and standard of co mputation has come to be generally accepted and understood by the community, and is not complained of within the experience of the members of this association by those who pay it. The proposed reduction would tend to confusion and would be of very little material interest to the public generally.

Fourth. -The members of this association protest against being singled out for attack when there is no disposition shown to reduce court expenses, salaries or other fees generally, and we further submit that it must be within the knowledge of your honorable body that within the past few years the cost of publishing country papers has materially increased; that the fast mails and the consequent great number of city dailies taken in our midst have compelled us to use more costly machinery and appliances, and furthermore that the gross amount of legal printing done is and has been for several years decreasing and not increasing, and that there has never been a time within the memory or experience of the oldest members of this association since the war of the rebellion when the business of publishing a country newspaper has been as unremunerative as at the present time. We trust that the proposed reduction in the price paid all legal advertising and in the price paid for the publication of the official ballot will not be made.

Presented and unanimously adopted at the regular meeting of the Northeastern Iowa Press Association held at Independence, Iowa, this 26th day of February, 1897.

> Sam. G. Sloane,
> Secretary.

Mr. Lauder offered the following petition and asked that it be printed in full in the Journal:

Mr. Speaker-At a meeting of the members of the Burlington voluntary relief department held at Creston, Iowa, on Sunday, February 28, 1897, the following resolutions were unaminously adopted:

Resolved, That we regard the Burlington voluntary relief department as of the highest value and usefulness to the employes of the Chicago, Burlington and Quincy railroad company. In experience it has approved itself worthy of the confidence of its members because of the just administration of its affairs, the prompt payment of benefits, the security it affords against disability from sickness or injury and the provision in enables its members to make for their families in case of death.

Resolved, That we respectfully petition our Senator and our Representative to use all of their influence to prevent the passage of the so-called Temple amendment to the railroad laws of this State.

Resolved, That the secretary of this meeting be and he is hereby instructed to send a copy of these resolutions to the Hon. J. W. Lauder and the Hon. Geo. S. Allyn.

Resolved, That we further recommend that our present committee, $\mathbf{S}$. N. Wilkins and F. J. Knox, be returned to Des Moines, if necessary, to protest against the so-called Temple amendment.
(Signed)
G. Goodrich, Secretary.
W. E. McNeil,

Chairman.
S. N. Wileins,
D. J. Slattery, Wm. Noonan, J. M. Ledgerwood, H. E. Maxwell, Committec on Resolutions.

## INTRODUCTION OF BILLS.

By the Committee on Telephone, Telegraph and Express, House file No. 90, a bill for an act to revise, amend and codify the statutes in relation to express companies.

Read first and second time and placed on file.
On motion of Mr. Watters, House file No. 15, a bill for an act to revise, amend and codify the statutes in relation to roads, bridges and ferries, with report of committee recommending passage with amendments, was taken up and considered.

The committee amendment to section 30 , chapter 1 , was adopted.

The committee amendment to section 36, chapter 1, was adopted.

The committee amendment to section 40 , chapter 1 , was adopted.

The committee amendment to section 41, chapter 1, was adopted.

The committee amendment to section 45 , chapter 1, was adopted.

MESSAGES FROM THE SENATE.

## The following message was received from the Senate:

Mr. Speaker-I am directed to inform your honorable body that the Senate has passed thefollowing bill, in which the concurrence of the House is asked:

Senate file No. 86, a bill for an act to amend sections 289 and 290 of the Code of 1873 as amended by chapter 76 of the acts of the Twenty-sixth General Assembly of the State of lowa, relating to the bonding of county indebtedness.

Gro. A. Newman, Secretary.

## Also:

Mr. Speaker-I am directed to inform your honorable body that the Senate has passed the following bill, in which the concurrence of the House is asked:

Senate file No. 30, a bill for an act to revise, amend and codify the statutes in relation to the dairy commissioner and imitations of dairy products.

> Geo. A. Newman, Secretary.

Mr. Frink moved to amend the committee amendment to section 1, chapter 2 , by striking out the word "first" in line 2, of section 1, and inserting the word "third."

Lost by a vote of 10 yeas to 25 nays.
The committee amendment to section 1 , line 3, chapter 2 , was lost by a vote of 22 for to 24 against.

Mr. Morrison of Keokuk moved to substitute for the committee amendment to line 11, section 1 , chapter 2, by striking out the word "four" in line 7, and inserting the word "five."

Mr. Cornwall moved the previous question on the amendment of Mr. Morrison of Keokuk.

Lost.
On motion of Mr. Watters, the House adjourned till 9 A. m. to-morrow.

Hall of the House of Representatives, Des Moines, Iowa, Wednesday, March 3, 1897. \}
The House met pursuant to adjournment, Speaker Byers in the chair.

Prayer was offered by Rev. B. F. W. Cozier of Guthrie Center, Iowa.

Mr. McDowell was granted a leave of absence on account of sickness.

The Journal of yesterday was corrected and approved.
PETITIONS AND MEMORIALS.
Mr. Power presented petition of the joint legislative committee of the railroads brotherhoods of Iowa, in favor of the Temple amendment to the railroad law.

Referred to Committee on Railroads and Commerce.
Mr. Power presented remonstrance of Burlington voluntary relief department of Keokuk, against the Temple amendment to the railroad law.

Referred to Committee on Railroads and Commerce.
Mr. Frink presented petition of citizens of Pagecounty, in favor of the Senate amendment to the election law.

Referred to the Committee on Elections.
Mr. Funk presented remonstrance of citizens of Hardin county, against raising the tax on life insurance companies.

Referred to Committee on Insurance.
Mr. Ray presented the following report:
Mr. Speaker-Your committee to draft resolutions relative to the death of the late A. J. ${ }^{\text {© }}$ Wood, respectfully submit the following report:

Whereas, An all-wise Providence has removed by death the Hon. A. J. Wood, a worthy and respected member of this House from Poweshiek county in the Seventeenth and Eighteenth General Assemblies; therefore, be it

Resolved by the House of Representatives, That in his death Iowa mourns the loss of an upright and cultured citizen, of incorruptible character and pure manhood, one whose sympathies were always with the
toiling masses, whose record as a legislator is without a stain, and whose life is reflected as a rich heritage in the best laws of our State, which in honoring him exalted true citizenship.

Resolved, That we extend our sympathy to the bereaved relatives, and that these resolutions be spread on the House Journal, and a copy forwarded to the widow by a clerk of this House.

> W. G. Ray,
> J. J. Lowby,
> C. C. Dowell.

Adopted unanimously by a rising vote.

## SENATE MESSAGES.

Senate file No. 30, a bill for an act to revise, amend and codify the statutes in relation to the dairy commissioner and imitation of dairy products, was read first and second time and referred to Committee on Agriculture.

## REPORT OF COMMITTEE.

Mr. Funk, from the Committee on Ways and Means, submitted the following report:

Mr. Speaker-Your Committee on Ways and Means, to whom was referred House file No. 14, a bill for an act to revise, amend and codify the statutes in relation to revenue, beg leave to report that they have had the same under consideration and have instructed me to report a substitute to the House with the recommendation that the same do pass.

> J. H. Funk, Chairman.
Substitute read first and second time and passed on file. On motion of Mr. Mayne, one thousand extra copies of this bill were ordered printed.

## INTRODUCTION OF BILLS.

By Mr. Allen, House file No. 91, a bill for an act to revise, amend and codify the statutes in relation to drainage and levees.

Read first and second time and referred to Second Division Code Revision Committee.

By Mr. Allen, House file No. 92, a bill for an act in relation to convict labor.

Read first and second time and referred to Committee on Labor.

The House proceeded to the consideration of the pending bill, being House file No. 15.

The substitute of Mr. Morrison of Keokuk for the committee amendment was put and lost.

The committee amendment to line 11 , section 1, chapter 2 , was adopted.

The committee amendment to line 12 , section 1 , chapter 2 , was adopted.

Mr. Funk was called to the chair.
Upon motion of Mr. Watters, the committee amendment to section 1, chapter 2, to add after the word "road" in line 11, was made "clause 4."

The committee amendment to line 1 , section 3 , chapter 2, was adopted.

The committee amendment to line 5, section 3, chapter 2, was adopted.

The committee amendment to line 6, section 3, chapter 2, was adopted.

Messrs. Spaulding and Klemme demanded the yeas and nays on the committee amendment to section 5, chapter 2 , which resulted as follows:

On the question, "Shall the amendment prevail?" the yeas were:

Messrs. Bell, Brady, Brant, Cook, Cornwall, Davis, Doubleday, Dowell, Early, Frink, Funk, Griswold, Grote, Ladd, Lauder, Loomis, Mayne, Merriam, Miller of Buena Vista, Miller of Cherokee, Miller of Warren, Nietert, Nolan, Perrott, Potter, Ray, Scott, Smith, Thompson, Tibbitts, Van Houten, Watters, Weaver, Wells, Williams, Wilson, Wood-37.

The nays were:
Messrs. Bailey, Baker, Bird, Bowen, Brighton, Byington, Classen, Crow, Evans, Finch, Frazee, Good, Haugen, Hauger, Hayes, Hendershot, Hunt, Huntley, Jackson, Jay, Johnson of Webster, Johnston of Franklin, Klemme, McAchran, McArthur, McDonald, Manahan, Marti, Martin, Morrison of Grundy, Morrison of Keokuk, Mullin, Parker, Porter, Power, Prentis, Putnam, Reed, Spaulding, St. John, Sullivan, Wheeler, Whelan-43.

Absent or not voting:
Messrs. Allen, Brinton, Chapman, Clark, Edwards, Garner, Gurley, Haugen, Hinkhouse, Hinman, Lambert, Levender, Lowry, McDowell, McNulty, McQuin, Temple, Voelker, Whittier, Mr. Speaker-20.

So the amendment was lost.
The following explanation of vote was filed:

Mr. Speaker-I vote "aye" to give the amendment a trial, but I think the principle is wrong.
o. E. Doubleday.

The committee amendment to section 15 , chapter 2 , was lost.

The committee amendment to section 18, chapter 2, was adopted.

The committee amendment to section 27 , chapter 2, was lost.

The committee amendment to section 29 , chapter 2 , was adopted.

The committee amendment to section 32, chapter 2, was adopted.

Mr. McDonald moved to amend section 35, line 4, after the word "therefor" by inserting the words "which in no case shall exceed two dollars per day for such services."

Adopted.
The committee amendment to section 36, chapter 2, was adopted.

The committee amendment to line 1 , section 39 , chapter 2 , was lost.

The committee amendment to line 3 , section 39 , chapter 2 , was adopted.

Mr. Van Houten moved to strike out of committee amendment to section 44 the words "orchards or."

Lost.
The committee amendment to section 44, chapter 2, was adopted.

Mr. Bird moved to amend as follows: Insert after the word "thistle," in line 3 , section 36, the words "or any variety of thistle or noxious weeds."

Lost.
Speaker Byers resumed the chair.
The committee amendment to section 45, chapter 2, line 2, was adopted.

The committee amendment to section 45 , chapter 2 , line 6 , was adopted.

Mr. Cornwall moved to amend section 45 by inserting after the word "road" the words "or plank street crossing in any city or town."

Adopted.

Mr. Van Houten moved to amend section 2, chapter 3, line 1, by inserting after the word "riding" the words "except on bicycle."

Adopted.
Mr. Huntley moved to amend section 1, chapter 3, by striking out the word "sixteen" and inserting in lieu thereof the word "twelve."

Lost.
The following motion to reconsider was filed:
Mr. Speaker-I move to reconsider the vote whereby the amendment to section 5, page 293, was lost.

I second the motion.
D. H. Bowen.
J. R. Wheeler.

On the motion to reconsider, Messrs. Spaulding and Brighton demanded the yeas and nays, which resulted as follows:

On the question, "Shall the motion to reconsider prevail?" the yeas were:

Messrs. Allen, Bailey, Bell, Bowen, Brady, Brant, Classen, Cook, Cornwall, Doubleday, Dowell, Early, Edwards, Frink, Funk, Garner, Griswold, Grote, Johnston of Franklin, Ladd, Lquder, Loomis, McArthur, McDonald, Marti, Martin, Mayne, Miller of Buena Vista, Miller of Cherokee, Miller of Warren, Mullin, Nietert, Nolan, Perrott, Porter, Ray, Scott, Smith, Sullivan, Thompson, Tibbitts, Van Houten, Watters, Weaver, Wells, Williams, Wood, Mr. Speaker-48.

The nays were:
Messrs. Baker, Bird, Brighton, Byington, Crow, Evans, Finch, Frazee, Good, Haugen, Hauger, Hayes, Hendershot, Hunt, Huntley, Johnson of Webster, Klemme, Lambert, McAchran, Manahan, Morrison of Grundy, Morrison of Keokuk, Parker, Potter, Power, Prentis, Reed, Spaulding, Whelan, Wilson-30.

Absent or not voting:
Messrs. Brinton, Chapman, Clark, Davis, Gurley, Hazen, Hinkhouse, Hinman, Jackson, Jay, Lavender, Lowry, McDowell, McNulty, McQuin, Merriam, Putnam, St. John, Temple, Voelker, Wheeler, Whittier-22.

So the motion prevailed.
The amendment of the committee was then again put to a vote and adopted.

The committee amendment to section 17 , chapter 3 , was adopted.

Mr. Watters moved to strike out the word "two" in line 3, section 5, chapter 2, and to insert in lieu thereof the word "three."

Adopted.
Mr. Brant moved to amend section 3, line 3, chapter 2, by inserting after the word "county," the words "including all taxable property in cities and incorporated towns."

Adopted.
Mr. Klemme moved to amend as follows: On page 293, strike out of section 6, after the word "cut" in line 11, the word "twice," and insert the word "once." In same line strike out the words "when necessary." In line 12, same section, after the word "owner" strike out the words "a reasonable" and insert "two dollars."

## Lost.

Mr. Lambert moved to strike out section 35, chapter 3 of this bill, and insert section 1546 of McClain's Code in lieu thereof.

## Adopted.

Mr. Manahan moved to amend section 7, chapter 3, by striking out " 50 " in line 1 and inserting " 25 " in lieu thereof.

Adopted.
Mr. Klemme moved to amend as follows: Add at end of section 33 the words "But no failure of the supervisor to remove such obstruction and to keep open such highways shall be sufficient to enable any party occupying or enclosing any part of a public road to acquire right or title thereto by adverse possession."

## Lost.

Mr. Watters moved that the rule be suspended, and that the bill be considered engrossed and read a third time now, which motion prevailed and the bill was read a third time.

On the question, "Shall the bill pass?" the yeas were:
Messrs. Allen, Bailey, Baker, Bell, Bird, Bowen, Brady, Brant, Byington, Classen, Cook, Cornwall, Crow, Davis, Doubleday, Dowell, Early, Edwards, Evans, Frazee, Frink, Good, Griswold, Grote, Hauger, Hayes, Hendershot, Huntley, Jay, Johnston of Franklin, Ladd, Lambert, Lauder, Loomis, Lowry, McAchran, McDonald, Manahan, Marti, Martin, Mayne, Merriam, Miller of Buena Vista, Miller of Cherokee, Morrison of:

Grundy, Morrison of Keokuk, Mullin, Nietert, Nolan, Parker, Perrott, Potter, Putnam, Scott, Smith, St. John, Sullivan, Temple, Thompson, Tibbitts, Van Houten, Watters, Weaver, Wells, Wheeler, Whelan, Williams, Wilson, Wood, Mr. Speaker-70.

The nays were:
Messrs. Brighton, Finch, Funk, Haugen, Hunt, Jackson, Johnson of Webster, Klemme, McArthur, Power, Prentis, Ray, Reed, Spaulding-14.

Absent or not voting:
Messrs. Brinton, Chapman, Clark, Garner, Gurley, Hazen, Hinkhouse, Hinman, Lavender, McDowell, McNuity, McQuin, Miller of Warren, Porter, Voelker, Whittier-16.

So the bill passed and the title was agreed to.
The House here took up House file No. 69, in relation to bills and notes, which was postponed till to-day.

Mr. Porter offered the following as section 197: "All bills, of exchange, drafts and orders payable within this State, except those drawn payable on demand, shall be entitled to grace."

On motion of Mr. Johnston of Franklin, the House adjourned till 9 A. M. to-morrow.

The House was called to order at 9 A. m., with Speaker Byers in the chair.

Prayer was offered by Rev. Mr. Eddy of Lee county.
The Speaker announced that all clerks of committees having finished their work of the session will be dropped from the pay roll on Tuesday, March 9th.

PETITIONS AND MEMORIALS.
Messrs. Hunt, Potter and Parker presented remonstrances of citizens of their respective counties, against the Temple amendment.

Referred to Committee on Railroads and Commerce.
Mr. Hunt presented petition of suburban farmers of Burlington, Iowa, asking passage of a law to exempt their personal property from taxes for municipal purposes.

Referred to Committee on Municipal Corporations.
Messrs. Jackson and Spaulding presented remonstrances of citizens of their respective counties, against raising the rate of taxes on life insurance companies.

Referred to Committee on Insurance.
Mr. Brant presented petition from F. T. Fox lodge No. 329, brotherhood of railroad trainmen, and resolutions by the Cedar Rapids lodge of the brotherhood of locomotive engineers, favoring the Temple amendment.

Referred to Committee on Railroads and Commerce.
Mr. Williams presented petition of citizens of Fremont county, favoring the Senate amendment to the election laws.

Referred to Committee on Elections.
Mr. Power presented remonstrance of Keokuk Typographical union No. 68, against any reduction in the legal rate for legal advertisements.

Referred to Committee on Printing.

Mr. Potter presented petition of citizens of Pottawattamie county, asking passage of bill to regulate the practice of medicine.

Referred to Committee on Public Health.
Mr. Potter presented petition of brotherhood of railroad trainmen, asking passage of the Temple amendment.

Referred to Committee on Railroads and Commerce.
Mr. Lambert presented petition of LeGrand Byington and others, asking a 2 -cent rate on railroads, a lower legal rate of interest on borrowed money and other legislation.

Referred to Committee on Ways and Means.

## REPORTS OF STANDING COMMITTEES.

Mr. Davis, from the Committee on Pharmacy, submitted the following report:

Mr. Speaker-Your Committee on Pharmacy, to whom was referred Senate file No. 36, a bill for an act to revise, a mend and codify the statutes in relation to the practice of dentistry, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same do pass with the following amendments:

Amend on page 526, section 1, line 6, after the word "secretary" insert the words "and treasurer."

Amend on page 527, section 1, by striking out all after the word "source" in line 17, and insert the following in lieu thereof: "Any sum remaining after the payment of such compensation and expenses shall be paid into the State treasury on or before the first day of August of each year by the treasurer, who shall, on assuming his office, file with the Secretary of State a good and sufficient bond in the penal sum of one thousand dollars. The board shall make report biennially to the Governor of its proceedings, with an account of all money received or disbursed."

> M. J. Davis,

Chairman.
Ordered passed on file.
Mr. Finch, from the Committee on Code Revision, Division No. 3, submitted the following report:

Mr. Spfaker-Your Committee on Code Revision, Division No. 3, to whom was referred House file No. 35, a bill for an act to revise, amend and codify the statutes in relation to the bureau of labor statistics, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the Senate amendments thereto be concurred in.

> P. Finch,
> Chairman.

Ordered passed on file.
Mr. Griswold, from the Committee on Mines and Mining, submitted the following report:

Mr. Speaker-Your Committee on Mines and Mining, to whom was referred House file No. 37, a bill for an act to revise, amend and codify the statutes relating to the State board of geological survey, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same do pass, with the following amendments:

Substitute for section 6, the following:
"Section 6. The members of the board shall be allowed actual expenses incurred in attending to the duties assigned to them by this chapter. Postage, stationery and office expenses of the State geologist shall be paid by the State, as are the expenses of the other State officers, but all other expenses of the survey shall be audited and allowed by the board, and the entire expenses provided for under this chapter, aside from the above exception, relating to office supplies and expenses, and that of the publication and distribution of reports and bulletins, shall not exceed the sum of $\$ 5,000$ per annum, which amount is hereby appropriated annually, to be paid out on warrants of the State Auditor on the presentation of bills duly audited and allowed as provided in this section."

H. J. Griswold,

Chairman.

## Ordered passed on file.

Mr. Allen, from the Committee on Code Revision, Division No. 2, submitted the following report:

Mr. Speaker-Your Committee on Code Revision, Division No. 2, to whom was referred House file No. 91, a bill for an act to revise, amend and codify the statutes in relation to drainage and levees, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same do pass.

Ordered passed on file.

W. S. Allen,<br>Chairman.

Also:
Mr. Speaker-Your Committee on Code Revision, Division No. 2, to whom was referred House file No. 22, a bill for an act to revise, amend and codify the statutes in relation to taking private property for works of internal improvement, with Senate amendment, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the House concur in the Senate amendment to said bill.

> W. S. Allen, Chairman.

Ordered passed on file.
Mr. Lauder, from the Committee on Railroads and Commerce, submitted the following report:

Mr. Speaker-Your Committee on Railroads and Commerce, to whom was referred House file No. 23, chapter 5, title 10, a bill for an aet to revise, amend and codify the statutes in relation to the construction and
operation of railways, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same do pass when amended as follows:

Amend section 2 by striking out the words "statement and oath required by," in lines 1 and 2 , and inserting the words "matters filed under" in lieu thereof.

Amend section 5 by striking out the word 'it," in line 5, and inserting the words "its railway."

Amend section 6 by striking out the words "by this chapter," in lines 1 and 2, and insert the words "by law" after the word "imposed," in line 1 ; also, strike out the words "this chapter" in line 4, and insert the words "by law" in lieu thereof.

Amend section 19 by striking out the word "to" in line 4, and inserting the word "by" in lieu thereof.

Amend section 24, by inserting the word "five" before the word "boards," in line 3.

Amend section 26, by inserting the words "or more" after the word "thousand," in line 4.

Amend section 27, by striking out the word "shall" in line 2, and inserting the word "may" in lieu thereof.

Amend section 40, by inserting the word "hundred" after the word "two," in line 2; also, insert the words "except as otherwise provided in this chapter" after the word "passed," in line 4.

Amend section 52 by striking out the words "at such election the question of taxation shall be submitted. The form of the ballots shall be for taxation and against taxation" and insert the words "the trustees, or council, as the case may be, shall cause to be prepared the form of the proposition torbe submitted. The proposition shall be printed and placed upon the ballots, and the election shall be conducted in the same manner as provided with respect to like or similar propositions in the chapter on elections;" also, strike out the words "for taxation" in line 17 and insert the words "for the adoption of the proposition."

Amend section 54 by inserting the word "same" after the word "pay," in line 10.

Amend section 57 by striking out the words "but the foregoing provisions shall in no manner affect any actions which may be pending for the recovery of any taxes $v$ nted in aid of any railroad," from lines 12 and 13.

Amend section 59 by inserting the words "by service of original notice in the time and manner as provided by law for service of original notices," after the word "defendants," in line 6.

Amend section 61 by inserting the words "their heirs or assigns," after the word "same," in line 4.

Amend section 64 by striking out the words "but the provisions of this chapter shall apply to such railroads only as were constructed prior to the year eighteen hundred and sixty-six" from lines 3,4 and 5 , and substitute a period for the comma after the word "removal" in line 3.

Amend section 77 by inserting the word "two" before the word "preceding," and adding the letter " $s$ " to the word "section" in line 3.
J. W. Lauder, Chairman.

Ordered passed on file.

## Also:

Mr. Speaker-Your Committee on Railroads and Commerce, to whom was referred House file No. 24, chapter 6, Title 10, a bill for an act to revise, amend and codify the statutes in relation to the board of railroad commissioners, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same do pass when amended as follows:

Section 2, after the word "steam" in line 2, insert the words "express companies, car companies, sleeping-car companies, freight or freight-line companies, and of any common carrier engaged in the transportation of passengers or freight by railroad, street railroads excepted."

Strike out the word "railroads," line 2, and insert the word "such" in lieu thereof. After the word "corporation," line 3, insert the words "company, association or common carrier."

Section 4, strike out the word "the" before the word "system," in line 3, and insert the word "such" in lieu thereof. Add the letter " $s$ " to the word "system" in the same line. Strike out the word "its" in the same line and insert the word "their" in lieu there of."
.Section 7, strike out all of section 7 .
Section 8, after the word "the," line 2, insert the words 'rrate of passenger fare or."

Section 9, after the word "this," line 1, insert the words "or the succeeding."

Section 10, strike out all of section 10 and insert the following in lieu thereof:
"Section 10. The district courts of this State shall have jurisdiction to enforce, by proper decrees, injunctions and orders, the rulings, orders and regulations affecting public right, made or to be made by the board of railroad commissioners, such as are now or may hereafter be authorized to be made by them for the future direction and observance of railroads in this State. The proceedings therefor shall be by equitable action in the name of the State of Iowa and shall be instituted by the Attorney-General, whenever advised by the board of railroad commissioners that any railway corporation, or any person operating a line of road in this State is violating and refusing to comply with any rule, order or regulation made by such board of railroad commissioners, and applicable to such railroad or person. It shall be the duty of the court in which such case shall be pending to require the issue to be made up at the first term of the court to which such cause is brought, which shall be the trial term, and to give the same precedence over other civil business.
"If the court shall find that such rule, regulation or order is reasonable and just, and that in refusing compliance therewith said railway company is failing and omitting the performance of any public duty or obligation, the court shall decree a mandatory and perpetual injunction compelling obedience to and compliance with such rule, order or regulation by said railroad company or other person, its officers, agents, servants and employes, and may grant such other relief as may be deemed just and proper.
"All violations of such decree shall render the company, or other person, its officers, agents, servants and employes who are in any manner instrumental in such violations, guilty of contempt of court, and the court may punish such contempt by a fine not exceeding one thousand dollars for each offense, and may imprison the person guilty of contempt until he shall sufficiently purge himself therefrom. And such decree shall continue and remain in effect and be enforced until the rule, order or obligation shall be modified or vacated by the board of railroad commissioners."

> J. W. Lauder,
> Chairman.

Ordered passed on file.
Mr. Cornwall, from the Committee on Judiciary, submitted the following report:

Mr. Speaker--Your Committee on Judiciary, to whom was referred Senate file No. 4, a bill for an act to revise, amend and codify the statutes in relation to procedure in courts of original jurisdiction, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same do pass with the following amendments.

Page 696 of the Black Code, subdivision 3, line 8, insert after the word "reputation" the following: "including injuries to relative rights," and in the same section, line 9, after the word "years" add the following: "And those brought to set aside a will within two years from the time the same is filed in the clerk's office for probate and notice thereof is given."

In the same section, amend by striking out all of subdivision 4, after the word "the" in line 12 , and being the Senate amendment to said subdivision, and insert the following in lieu thereof: "time of filing the statement in the clerk's office."

Page 697, chapter 3, section 2, line 2, strike out the words "be joined" and insert the word "join."

Page 702, section 6, line 2, strike out the word "thereon."
Page 705, chapter 6, section 2 , line 2 , strike out all after the word "term" and insert the following: "the defendant may have the action dismissed."

Page 707, section 16, line 2, insert between the words "company" and "service" the following: "or against any foreign corporation."

Same page, section 18, line 5, insert between the words "the" and "preceding" the word "two," and in the same.line add " $s$ " to the word "section."

Page 709, section 28, line 5, prefix to subdivision $z$ the following: "'By entering an appearance in the appearance docket or judge's calendar or."

Page 709, section 28, line 15, insert after the word "January" the following: "The twenty-second day of February."

Page 711, chapter 8, section 2, line 4, after the word "unless" insert the following: "allowed by the court or the;" also, strike out the word "such" before the word "pleading."

Page 712, section 8 , lines 4,5 and 6 , after the first word "the" in each line insert the word "motion."

Same page, section 9, line 4, strike out the word "five" and. insert the word "ten."

Page 714, section 26, line 3, after the word "petition" add the following: "and with like results attendant upon the ruling thereon."

Page 715, section 30, line 3, after the word "petition" add the following: "and with like results attendant upon the ruling thereon."

Same page, section 31, line 2, after the word "except" insert the words "motions and."

Page 716, section 42, line 2, after the word "introduced' add the following: "in which case they shall be verified as other pleadings."

Page 724, section 14, line 5, after the word "elect" add the following: "'and the provisions of this Code as to appeals from justices' courts shall be applicable, so far as may be, to other appeals contemplated in this section."

Page 726, section 38, line 2, strike out all after the word "sworn" in line 1 up to and including the word "completed" in line 2; also strike out the word "he" in line 1 and insert the words "the jury."

Page 727, insert between sections 46 and 47 of the printed bill the following:

Section 47. When a cause is called for trial and before drawing the jury, either party may require the names of all the jurors in the panel to be called, and an attachment to be issued against those who are absent, but the court may, in its discretion, wait or not for the return of the attachment.

Section 48. The clerk shall prepare separate ballots containing the names of the persons returned as jurors, which shall be folded, each in the same manner, as near as may be, and so that the name thereon shall not be visible, and must deposit them in a box kept for that purpose.

Section 49. Before the name of any juror is drawn, the box must be closed and shaken, so as to intermingle the ballots therein, and the clerk shall draw such ballots from the box, without seeing the names written thereon, through the top of the lid thereof.

Section 50. If a juror is abseqt when his name is drawn, or be set aside or excused from serving on that trial, the ballot containing his name must be folded and returned to the box as soon as the jury is sworn.

Section 51. When a jury is completed, the ballots containing the names of the jurors sworn must be laid aside and kept apart from the ballots containing the names of the other jurors nntil it is discharged, and must then be again folded and returned to the box, and so on as often as a trial is had.

Section 52. If for any reason the regular panel is exhausted without a jury being selected, it shall be completed in the manner provided in the chapter upon selecting, drawing and summoning juries.

Amend chapter 9 of this title by renumbering the sections, consecutively, in the order in which they occur, commencing with section 47 of the printed bill and numbering it 52.

Page 730, strike out section 61 of the Senate bill and insert in lieu thereof section 61 on said page of the Black Code as follows:

Section 61. If after empanelling a jury and before a verdict, a juror becomes sick so as to be unable to perform his duty, he may be discharged. In such case the trial shall proceed with the remaining jurors if the parties consent, which consent shall be entered by the court or shorthand
reporter and become a part of the record, otherwise the jury shall be discharged.

Page 735, section 103, line 18 , insert as subdivision 9 the following: "That the pleadings of the prevailing party do not state facts sufficient to constitute a cause of action or defense, as the case may be, specifying wherein they are defective."

Same page, section 104, line 2 , insert after the word "rendered" the following: "unless for good cause the court extends the time."

Page 749, strike out section 23 of the Senate bill and insert section 33 of the Black Code, as follows: "The fees of shorthand reporters for making transcripts of the notes in any case, or any portion thereof, as directed by any party thereto, shall be taxed as costs, as shall also the fees of the clerk for making any transcript of the record, required on appeal, but such taxation may be revised by the supreme court on motion on the appeal, without any motion in the lower court for the retaxation of costs."
W. W. Cornwall,

Chairman.
Ordered passed on file.
Mr. Finch called up House file No. 35, just reported by the committee, recommending that the House concur in Senate amendments and moved that the report of the committee be adopted.

On the question, "Shall the House concur?" the yeas were: Messrs. Allen, Bailey, Baker, Bell, Bowen, Brady, Brant, Brighton, Byington, Clark, Classen, Cook, Cornwall, Crow, Davis, Doubleday, Dowell, Early, Evans, Finch, Frazee, Frink, Funk, Garner, Good, Griswold, Grote, Haugen, Hauger, Hazen, Hendershot, Hinkhouse, Hinman, Hunt, Huntley, Jackson, Jay, Johnson of Webster, Klemme, Ladd, Lambert, Lauder, Loomis, Lowry, McAchran, McDonald, Manahan, Marti, Martin, Mayne, Merriam, Miller of Buena Vista, Miller of Cherokee, Miller of Warren, Morrison of Grundy, Morrison of Keokuk, Mullin, Nietert, Nolan, Parker, Perrott, Porter, Potter, Power, Prentis, Putnam, Reed, Scott, Smith, St. John, Sullivan, Thompson, Tibbitts, Van Houten, Watters, Weaver, Wells, Wheeler, Whelan, Williams, Wilson, Wood, Mr. Speaker-83.

The nays were:
None.
Absent or not voting:
Messrs. Bird, Brinton, Chapman, Edwards, Gurley, Hayes, Johnston of Franklin, Lavender, McArthur, McDowell, McNulty, McQuin, Ray, Spaulding, Temple, Voelker, Whittier-17.

So the House concurred.

## INTRODUCTION OF BILLS.

By Mr. Hauger, House file No. 98, a bill for an act to amend an act to revise, amend and codify the statutes in relation to the normal school.

Read first and second time.
On motion of Mr. Hauger Rule 40 was suspended and the bill was taken up and considered.

Mr. Hauger moved that the rule be suspended, and that the bill be considered engrossed and read a third time now, which motion prevailed and the bill was read a third time.

On the question, "Shall the bill pass?" the yeas were:
Messrs. Allen, Bailey, Bell, Bird, Bowen, Brady, Brant, Byington, Clark, Classen, Cook, Cornwall, Crow, Davis, Doubleday, Dowell, Early, Evans, Frink, Funk, Garner, Good, Griswold, Grote, Hauger, Huntley, Johnston of Franklin, Klemme, Ladd, Loomis, McAchran, Manahan, Martin, Mayne, Merriam, Miller of Buena Vista, Miller of Cherokee, Miller of Warren, Morrison of Keokuk, Mullin, Nietert, Nolan, Parker, Perrott, Potter, Prentis, Putnam, Ray, Reed, Smith, St. John, Watters, Weaver, Wells, Whelan, Williams, Wood, Mr. Speaker-58.

The nays were:
Messrs. Brighton, Edwards, Finch, Frazee, Hendershot, Jackson, Lauder, McDonald, Marti, Porter, Scott, Spaulding, Thompson, Wheeler-14.

Absent or not voting:
Messrs. Baker, Brinton, Chapman, Gurley, Haugan, Hayes, Hazen, Hinkhouse, Hinman, Hunt, Jay, Johnson of Webster, Lambert, Lavender, Lowry, McArthur, McDowell, McNulty, McQuin, Morrison of Grundy, Power, Sullivan, Temple, Tibbitts, Van Houten, Voelker, Whittier, Wilson-28.

So the bill passed and the title was agreed to.
The following motion to reconsider was filed:
Mr. Spearer-I move a reconsideration of the vote by which House file. No. 15 passed the House.

I second the motion.
O. H. Frink.
J. W. Bird.

The House took up pending business, House file No. 69, with amendment of Mr. Porter before the House.

Amendment of Mr. Porter to add as section 197, "All bills of exchange, drafts, and orders payable within this State, except those drawn payable on demand, shall be entitled to grace," was then put and lost.

Mr. Weaver moved that the report of the committee be adopted.

Mr. Doubleday moved to amend section 20, line 3, by inserting after the word "holder" the words ''by consent of the signer of the note or instrument;" also, amend section 21, line 3 , after the word "therein," by inserting the words "by consent of the signer of the note or instrument."

Lost.
Messrs. Finch and McDonald demanded the yeas and nays. on motion of Mr. Weaver, which resulted as follows:

On the question, "Shall the report of the committee be adopted?" the yeas were:

Messrs. Allen, Bell, Bowen, Brant, Byington, Clark, Crow, Classen, Davis, Doubleday, Early, Frazee, Frink, Funk, Garner, Good, Grote, Hayes, Hazen, Klemme, Lambert, Lauder, Lowry, McAchran, Marti, Martin, Mayne, Merriam, Miller cf Buena Vista, Miller of Warren, Morrison of Keokuk, Mullin, Nietert, Perrott, Porter, Potter, Power, Prentis, Putnam, Smith, Spaulding, St. John, Sullivan, Tibbitts, Watters, Weaver, Wheeler, Whelan, Williams, Wilson, Wood, Mr. Speaker-52.

The nays were:
Messrs. Bailey, Bird, Brady, Byington, Cook, Cornwall, Dowell, Evans, Finch, Griswold, Haugen, Hendershot, Hinkhouse, Hinman, Huntley, Jackson, Johnson of Webster, Johnston of Franklin, McDonald, Manahan, Miller of Cherokee, Morrison of Grundy, Nolan, Parker, Ray, Reed, Scott, Temple, Thompson, Van Houten, Wells-30.

Absent or not voting:
Mesisrs. Baker, Brighton, Brinton, Chapman, Edwards, Gurley, Hauger, Hunt, Jay, Ladd, Lavender, Loomis, McArthur, McDowell, McNulty, McQuin, Voelker, Whittier-18.

So the report of the committee was adopted.
Mr. Byington moved to strike out section 20 of the bill.
Carried.
Mr. Van Houten moved to strike out section 21.
Carried.
Mr. Finch moved to strike out subdivision 5, of section 24. Carried.
Mr. Finch moved to strike out section 29.
Carried.

Mr. Cornwall moved that chapter 3, of title XI, be substituted for the bill reported by the committee and amended upon the fioor.

Messrs. Potter and Porter demanded the yeas and nays which resulted as follows:

On the question, "Shall the motion to substitute prevail?" the yeas were:

Messrs. Bailey, Bird, Brady, Cook, Cornwall, Dowell, Evans, Finch, Garner, Griswold, Haugen, Hauger, Hendershot, Hinkhouse, Hinman, Huntley, Jackson, Johnson of Webster, Johnston of Franklin, Ladd, McAchran. McDonald, Miller of Cherokee, Morrison of Grundy, Parker, Ray, Reed, Scott, Temple, Thompson, Van Houten, Wells, Wheeler, Williams-34.

The nays were:
Messrs. Allen, Baker, Bell, Bowen, Brant, Byington, Clark, Classen, Crow, Davis, Doubleday, Early, Edwards, Frazze, Frink, Funk, Good, Grote, Hayes, Hazen, Hunt, Jay, Klemme, Lambert, Lauder, Loomis, Lowry, Manahan, Marti, Martin, Mayne, Merriam, Miller of Buena Vista, Miller of Warren, Morrison of Keokuls, Mullin, Nietert, Nolan, Perrott, Porter, Potter, Power, Prentis, Putnam, Smith, Spaulding, St. John, Sullivan, Tibbitts, Watters, Weaver, Whelan, Wilson, Wood, Mr. Speaker-55.

Absent or not voting:
Messrs. Brighton, Brinton, Chapman, Gurley, Lavender, McArthur, McDowell, McNulty, McQuin, Voellrer, Whittier-11.

So the motion to substitute was lost.
Mr. Finch moved to strike out subdivision 3, of section 110.
Lost by a vote of 32 yeas to 39 nays.
Mr. Klemme moved to amend section 95: After the word "due" in line 6 of committee report, insert the word "payee." Lost.
Mr. Johnston of Franklin moved to strike out subdivision 2 , of section 12.

Motion lost by a vote of 27 yeas to 39 nays.
Mr. Finch moved to strike out subdivision 5, of section 13. Lost.
Mr. Weaver moved that the rule be suspended, and that the bill be considered engrossed and read a third time now, which motion prevailed and the bill was read a third time.

On the question, "Shall the bill pass?" the yeas were:
Messrs. Allen, Bailey, Baker, Bell, Bowen, Brant, Byington, Clark, Classen, Crow, Davis, Doubleday, Early, Edwards, Frazee, Frink, Good, Griswold, Grote, Hauger, Hayes, Hazen, Klemme, Lambert, Lauder, Loomis, Lowry, McAchran, McArthur, Martin, Mayne, Merriam, Miller of Buena Vista, Miller of Warren, Morrison of Keokuk, Mullin, Nietert, Perrott, Porter, Potter, Power, Prentis, Putnam, Smith, Spaulding, St. John, Sullivan, Tibbitts, Watters, Weaver, Wheeler, Whelan, Wilson, Wood, Mr. Speaker-55.

The nays were:
Messrs. Bird, Brady, Brighton, Cook, Cornwall, Dowell, Evans, Finch, Funk, Garner, Haugen, Hendershot, Hinkhouse, Hinman, Hunt, Huntley, Jackson, Johnson of Webster, Johnston of Franklin, Ladd, McDonald, Manahan, Marti, Miller of Cherokee, Morrison of Grundy, Nolan, Parker, Ray, Reed, Scott, Temple, Thompson, Van Houten, Wells, Williams-35.

Absent or not voting:
Messrs. Brinton, Chapman, Gurley, Jay, Lavender, McDowell, McNulty, McQuin, Voelker, Whittier-10.

So the bill passed and title was agreed to.
On motion of Mr. Potter, House file No. 26, a bill for an act to revise, amend and codify the statutes in relation to the construction and operation of telegraph and telephone lines, with report of committee recommending passage with amendments, was taken up and considered.

The committee amendment to section 1 was adopted.
The committee amendment to section 5 was adopted.
The committee amendment to add as section 7 was adopted.
Mr. Byington moved to amend as follows: Add as section 8 the following: "Section 8. It shall be unlawful for any telephone company doing business in this State to make any extra charge for sending a message across any county line where a message is sent from one county to another within this State. Any telephone company violating any of the provisions of this section, shall for each violation be punished by a fine of twenty-five dollars."

Adopted.
Mr. Porter moved to add to section 6, the following words: "the provisions of any contract to the contrary notwithstanding."

Carried.

Mr. Cornwall moved to insert after the word "therefor" in line 3 , section 1, the words ''and such poles to be set in the line of the highway fence."

Mr. Klemme moved to amend the amendment by striking out the word "in" and insert the words "within one foot of."

Lost.
The amendment of Mr. Cornwall was lost by a vote of 27 for to 65 against.

Mr. Jackson moved to amend section 6 by inserting after the word "employment," in line 2, the words "or for any unreasonable delay in their transmission or delivery."

Adopted.
Mr. Potter moved that the rule be suspended, and that the bill be considered engrossed and read a third time now, which motion prevailed and the bill was read a third time.

On the question, "Shall the bill pass?" the yeas were:
Messrs. Allen, Bailey, Baker, Bell, Bird, Bowen, Brady, Brighton, Byington, Clark, Classen, Cook, Cornwall, Crow, Davis, Doubleday, Dowell, Early, Edwards, Evans, Finch, Frazee, Frink, Funk, Garner, Good, Griswold, Grote, Haugen, Hauger, Hayes, Hazen, Hendershot, Hinkhouse, Hinman, Hunt, Huntley, Jackson, Jay, Johnson of Webster, Johnston of Franklin, Klemme, Ladd, Lambert, Lauder, Loomis, Lowry, McAchran, McArthur, McDonald, Manahan, Marti, Martin, Mayne, Merriam, Miller of Buena Vista, Miller of Cherokee, Morrison of Grundy, Morrison of Keokuk, Mullin, Nietert, Nolan, Parker, Perrott, Porter, Potter, Power, Prentis, Putnam, Ray, Reed, Scott, Smith, Spaulding, St. John, Sullivan, Temple, Thompson, Tibbitts, Van Houten, Watters, Weaver, Wells, Wheeler, Whelan, Williams, Wilson, Wood, Mr. Speaker -89.

The nays were:
None.
Absent or not voting:
Messrs. Brant, Brinton, Chapman, Gurley, Lavender, McDowell, McNulty, McQuin, Miller of Warren, Voelker, Whittier-11.

So the bill passed and the title was agreed to.
On motion of Mr. Potter, House file No. 90, a bill for an act to revise, amend and codify the statutes, in relation to express companies, with report of committee recommending passage with amendments, was taken up, considered and the amendments of the committee adopted.

Mr. Wells moved to strike out of section 2 all after the word "directed" up to and including the word "statute."

Adopted.
Mr. Potter moved that the rule be suspended, and that the bill be considered engrossed and read a third time now, which motion prevailed and the bill was read a third time.

Mr. Hauger in the chair.
On the question, "Shall the bill pass?" the yeas were:
Messrs. Allen, Baker, Bell, Bird, Bowen, Brady, Brant, Brighton, Byington, Clark, Classen, Cook, Cornwall, Davis, Doubleday, Dowell, Early, Edwards, Evans, Finch, Frazee, Frink, Funk, Garner, Good, Griswold, Grote, Haugen, Hauger, Hayes. Hazen, Hendershot, Hinkhouse, Hinman, Hunt, Huntley, Jackson, Johnson of Webster, Johnston of Franklin, Klemme, Ladd, Lambert, Lauder, Loomis, Lowry, McAchran, McArthur, McDonald, Manahan, Marti, Martin, Mayne, Merriam, Miller of Buena Vista, Miller of Cherokee, Miller of Warren, Morrison of Grundy, Morrison of Keokuk, Mullin, Nietert, Nolan, Parker, Perrott, Porter, Potter, Power, Prentis, Putnam, Ray, Reed, Scott, Smith, Spaulding, Thompson, Tibbitts, Van Houten, Watters, Weaver, Wells, Wheeler, Whelan, Williams, Wilson, Wood-84.

The nays were:
None.
Absent or not voting:
Messrs. Bailey, Brinton, Chapman, Crow, Gurley, Jay, Lavender, McDowell, McNulty, McQuin, St. John, Sullivan, Temple, Voelker, Whittier, $\mathrm{M}_{1}$. Speaker-16.

So the bill passed and the title was agreed to.
On motion of Mr. Davis, Senate file No. 36, a bill for an act to revise, amend and codify the statutes in relation to the practice of dentistry, with report of committee recommending passage with amendments, was taken up, considered and the amendments of the committee adopted.

Mr. Davis moved that the rule be suspended, and that the bill be read a third time now, which motion prevailed and the bill was read a third time.

By unanimous consent, Mr. Van Houten moved to strike out of line 1, section 1, the word "five" and insert the word "three."

Adopted.

Also, Mr. Haugen moved to strike out the words "for six months," in line 6, of section 3.

Adopted.
Speaker Byers in the chair.
On the question, "Shall the bill pass?" the yeas were:
Messrs. Allen, Bailey, Baker, Bird, Bowen, Brant, Brighton, Byington, Clark, Cook, Cornwall, Crow, Davis, Doubleday, Dowell, Early, Edwards, Evans, Finch, Frazee, Funk, Garner, Good, Griswold, Grote, Haugen, Hauger, Hayes, Hazen, Hendershot, Hinman, Huncley, Jackson, Jay, Johnson of Webster, Johnston of Franklin, Klemme, Ladd, Lambert, Lauder. Lowry, Marti, Martin, Mayne, Merriam, Miller of Buena Vista, Miller of Cherokee, Miller of Warren, Morrison of Grundy, Morrison of Keokuk, Mullin, Nietert, Nolan, Parker, Perrott, Potter, Power, Prentis, Putnam, Scott, Smith, Spaulding, St. John, Thompson, 'Tibbitts, Van Houten, Wells, Whelan, Williams, Wilson, Wocd, Mr. Speaker-72.

The nays were:
Messrs. Bell, Brady, Frink, Hinkhouse, Hunt, Loomis, McAchran, McArthur, McDonald, Manahan, Porter, Ray, Reєd, Sullivan-15.

Absent or not voting:
Messrs. Brinton, Chapman, Classen, Gurley, Lavender, McDowell, McNulty, McQuin, Temple, Voelker, Weaver, Wheeler, Whittier-13.

So the bill passed and the title was agreed to.
At 11:30 A. M., Mr. Manahan offered the following resolution:
Mr. Speaker-In view of the fact that we have at this hour a new President of the United States; therefore, be it

Resolved, That we, the Representatives of Iowa in session assembled, do most heartily pledge to the new administration our hearty support in upholding all the patriotic principles of our Republic, so dear to every American heart, in respect to foreign policy.

Adopted unanimously by a rising vote.
MESSAGES FROM THE SENATE.
The following message was received from the Senate:
Mr. Speaker-I am directed to inform your honorable body that the Senate has passed the following bill, in which the concurrence of the House is asked:

Senate file No. 19, a bill for an act to revise, amend and codify the statutes in relation to the board of railroad commissioners.

Geo. A. Newman, Secretary.

Read first and second time and referred to Committee on Railroads and Commerce.

Also:
Mr. Speaker-I am directed to inform your honorable body that the Senate has amended and passed the following joint resolution, in whioh the concurrence of the Senate was asked:

A substitute for joint resolution No. 3, providing for the appointment of a joint committee to investigate the reports of trustees, regents, commissioners, etc.

Geo. A. Newman, . Secretary.
SENATE MESSAGES.
Senate file No. 80, a bill for an act to amend sections 289 and 290 of the Code of 1873 , as amended by chapter 76 of the acts of the Twenty-sixth General Assembly of the State of Iowa, relating to the bonding of county indebtedness, was read first and second time and referred to Committee on Judiciary.

The House took up the Senate joint resolution No. 3, with amendments of the Senate to the joint resolution as amended and adopted by the House.

The resolution was referred to the Committee on Compensation of Public Officers.

On motion of Mr. Ladd, House adjourned until 9 A. m. to-morrow.

House called to order at 9 A. m., Speaker Byers in the chair. Prayer by Rev. John Young of Greenfield, Iowa.
Journals of Wednesday and Thursday corrected and approved.

The following motion to reconsider was filed on March 4th:
Mr. Speaker-I move to reconsider the vote by which House file No. 69 passed the House. Thos. Lambert.
I second the motion.
Geo. L. Baker.
REPORTS OF STANDING COMMITTEES.
Mr. Lauder, from the Committee on Railroads and Commerce, submitted the following report:

Mr. Speaker-Your Committee on Railroads and Commerce, to whom was referred Senate file No. 19, a bill for an act to revise, amend and codify the statutes in relation to the board of railroad commissioners, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same do pass with the following amendment:

Section 11, in line 2, after the word "twenty-five" insert the word "hundred."
J. W. Lauder, Chairman.
Ordered passed on file.
Mr. Bailey, from the committee on joint conference, submitted the following report:

Mr. Speaker-Your committee on joint conference, to whom was referred House file No. 5, a bill for an act to revise, amend and codify the statutes in relation to the Lieutenant-Governor's and Speaker's clerks, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the Senate has receded from the action they had taken upon House file No. 5 in regard to retaining the Lieutenant-Governor's and Speaker's elerks.
C. F. Bailey,

Chairman.
Ordered passed on file.
Mr. Merriam, from the Committee on Compensation of Public Officers, submitted the following report:

Mr. Speaker-Your Committee on Compensation of Public Officers, to whom was referred substitute for joint resolution No. 3, providing for the appointment of a joint committee to investigate the reports of trustees, regents and commissioners, etc., beg leave to report that they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the House concur in the Senate amendments.

Frank F. Merriam, Chairman.
Report of committee adopted.
On motion of Mr. Merriam, the House concurred in the Senate amendments.

Mr. Temple, from the Committee on Code Revision, Division No. 1, submitted the following report:

Mr. Speaker-Your Committee on Code Revision, Division No. 1, to whom was referred House file No. 78, a bill for an act to revise, amend and codify the statutes in relation to the estates of decedents, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same do pass with the following amendments:

Amend chapter 3, section 4, by inserting in the second line after the word "thereof" the words "are not subject to the debts of the deceased."

Amend the said section 4 by adding at the end thereof the following: 'The words 'heirs' or 'legal heirs' or other equivalent words used to designate the beneficiaries in any life insurance policy or certificate of membership in any mutual aid or benevolent association, where no contrary intention is expressed in such instrument, shall be construed to include the surviving husband or wife of the insured, and the share of such survivor in the proceeds of such policy or certificate, made payable as aforesaid, shall be the same as that provided by law for the distribution of personal property of intestates."

Amend section 31, chapter 3, page 680, by adding the following thereto: "but the burden of proving that a claim is unpaid shall not rest upon the party filing the claim against the estate, but the executor or administrator may, on the trial of said cause, subject the claimant to an examination on the question of payment, but the estate shall not be concluded or bound thereby."

Amend chapter 4, section 11, in line one by inserting after the word "court" the words "or judge." M. L. Temple,

Ordered passed on file.
On motion of Mr. Davis, House file No. 46 was indefinitely postponed, the corresponding Senate file having already passed the House.

Mr. Frink called up his motion to reconsider the vote on House file No. 15.

Mr. Van Houten moved to lay this motion to reconsider on the table.

Carried.

## PETITIONS AND MEMORIALS.

Mr. Tibbitts presented petition of citizens of Bremer county, asking a law to regulate the practice of medicine.

Referred to Committee on Public Health.
Mr. Weaver presented petition of citizens of Louisa county, asking that salaries of county and State officials be reduced.

Referred to Committee on Ways and Means.
Mr. Cook presented remonstrance of Burlington volunteer relief department of Red Oak, against the Temple amendment.

Referred to Committee on Railroads and Commerce.
Messrs. McAchran and Voelker presented petitions of citizens of their respective counties, against raising the tax on life insurance companies.

Referred to Committee on Insurance.
MESSAGES FROM THE SENATE.
The following message was received from the Senate:
Mr. Speaker-I am directed to inform your honorable body that the Senate recalls Senate file No. 19, in which the concurrence of the House was asked, a bill for an act to revise, amend and codify the statutes in relation to the board of railroad commissioners.

Geo. A. Newman,
Secretary.
Also:
Mr. Speaker-I am directed to inform your honorable body that the Senate asks to recall House file No. 5, a bill for an act to revise, amend and codify the statutes in relation to the General Assembly.

Geo. A. Newman,
Secretary.
Also:
Mr. Speaker-I am directed to inform your honorable body that the Senate has amended and passed the following bill, in which the concur rence of the Senate was asked:

House file No. 29, a bill for an act to revise, amend and codify the statutes in relation to the care of the insane.

Geo. A. Newman, Secretary.
Also:
Mr. Speaker-I am directed to inform your honorable body that the Senate has amended and passed the following bill, in which the concurrence of the Senate was asked:

House file No. 32, a bill for an act to revise, amend and codify the statutes in relation to lost goods. Geo. A. Newman, Secretary.
On motion of Mr. Cornwall, Senate file No. 4, a bill for an act to revise, amend and codify the statutes in relation to
procedure in courts of original jurisdiction, with report of committee recommending passage with amendments, was taken up and considered.

The committee amendment to line 8, subdivision 3, chapter 2, was adopted.

Mr. Martin moved to amend the committee amendment to line 9 by striking out the word "two" and inserting the word "five."

Adopted.
The committee amendment as amended was adopted.
Mr. Finch moved to strike out of subdivision 1, section 1, chapter 2, the words "six months" and insert in lieu thereof the words "three months."

Adopted.
Also, Mr. Finch moved to strike out the words "ninety days" and insert "sixty days."

Adopted.
Mr. Klemme moved to strike out the word "two" and insert the word "four," in line 1, subdivision 4, chapter 2.

Lost.
Committee amendment to subdivision 4, chapter 2, was adopted.

Committee amendment to section 2, chapter 3, was adopted.
Committee amendment to section 6, chapter 4, was adopted.
Committee amendment to section 2, chapter 6, was adopted.
Committee amendment to section 16, chapter 6, was adopted.
Committee amendment to section 18, chapter 6 , was adopted.
Mr. Cornwall moved to strike out the word ' a " in section 19, (new numbering) line 1, chapter 6, and insert in lieu thereof the words "any other."

Adopted.
The committee amendment to section 28 , chapter 6 , line 5, was adopted.

The committee amendment to section 28 , chapter 6 , line 15 , was adopted.

The committee amendment to section 2 , chapter 8 , line 4 , was adopted.

The committee amendment to section 2 , chapter 8 , lines 4,5 and 6, was adopted.

The committee amendment to section 9 , chapter 8 , line 4 , was adopted.

Mr. Cornwall moved to amend section 10, subdivision 2, by restoring the words "at law" as stricken out by the Senate.

Adopted.
Mr. Morrison of Grundy was called to the chair.
The committee amendment to section 26 , chapter 8 , was adopted.

The committee amendment to section 30, chapter 8, was adopted.

The committee amendment to section 31, chapter 8, was adopted.

The committee amendment to section 42 , chapter 8 , was adopted.

The committee amendmenl to section 14 , chapter 9 , was adopted.

Mr. Cornwall moved to add after the word "reporter" in line 17, section 29 , chapter 9 , the words "when demanded by either party."

Adopted.
Speaker Byers resumed the chair.
On motion of Mr. Cornwall, the House adjourned till 2 p. m.

## AFTERNOON SESSION.

House called to order by Speaker Byers.
Pending business, Senate file No. 4.
Committee amendment to insert sections $47,48,49,50,51$, and 52 was adopted.

Mr. Dowell moved to strike out section 52 of chapter 9 , as proposed by the Senate, and restore in lieu thereof section 52, as reported by the Code Commissioners.

Adopted.
Committee amendment to insert as section 61, was adopted.
Committee amendment to subdivision 9 , section 103, chapter 9 , was adopted.

Committee amendment to section 104, chapter 9, was adopted.
Mr. Cornwall moved to strike out the word "sixty" in line 4, section 153, chapter 9 , and insert in lieu thereof the word "thirty."

Adopted.

Also, at the close of said section, after the Senate amendment, to insert the words "by the party aggrieved."

Adopted.
Mr. Cornwall moved to strike out of line 6, section 17, chapter 16, the words "the second day of the term;" also, the word "first" and restore the original wording of the Black Code.

Adopted.
Mr. Potter offered the following as a substitute for section 20, chapter 16: Strike out section 20 and insert as follows: "In every action tried in a court of record by jury, the per diem of such jury shall be taxed as part of the costs, and shall be collected the same as other costs and paid into the county treasury by the clerk, who shall report the same to the board of supervisors at each regular session thereof, who shall cause the same to ba charged to the treasurer; and it is hereby made the duty of the clerk, when a case is tried by jury, to keep a true and correct record of the time occupied by the jury in such case from the time of its being impanelled to the time it is discharged, and to tax in each case the amount of jury fees chargeable to it under the provisions of this section."

Messrs. Potter and McDonald demanded the yeas and nays on the amendment, which resulted as follows:

On the question, "Shall the amendment prevail?" the yeas were:

Messrs. Bailey, Bell, Bird, Brady, Clark, Classen, Cook, Davis, Doubleday, Frazee, Funk, Garner, Good, Griswold, Hauger, Hinman, Jay, Johnson of Webster, Klemme, Ladd, Lauder, McAchran, McDonald, Martin, Miller of Buena Vista, Miller of Cherokee, Miller of Warren, Morrison of Grundy, Morrison of Keokuk, Nietert, Nolan, Parker, Potter, Prentis, Putnam, Reed, Scott, St. John, Thompson, Van Houten, Voelker, Watters, Wells, Whelan, Williams, Mr. Speaker-46.

The nays were:
Messrs. Allen, Baker, Bowen, Brighton, Byington, Chapman, Cornwall, Crow, Dowell, Early, Evans, Finch, Frink, Haugen, Hayes, Hazen, Hendershot, Hinkhouse, Hunt, Huntley, Jackson, Johnston of Franklin, Loomis, Lowry, McDonald, Manahan, Marti, Mayne, Merriam, Mullin, Porter, Power, Ray, Spaulding, Sullivan, Temple, Tibbitts, Weaver, Wilson, Wood -39 .

Absent or not voting:
Messrs. Brant, Brinton, Edwards, Grote, Gurley, Lambert, Lavender, McArthur, McDowell, McNulty, McQuin, Perrott, Smith, Wheeler, Whittier-15.

So the amendment prevailed.
The committee amendment to section 23 , chapter 16 , was adopted.

Mr. Early moved to amend as follows: Add at the end of section 60, chapter 8 , the words: "and where the party interrogated is a corporation the answers and affidavit verifying the same shall be made by the officers or agents of such corporation, who have knowledge of the subjects and matters covered by the interrogatories."

Adopted.
Mr. Hayes moved to amend section 70, chapter 8, by striking out the words: "by its title and the day of its passage," and insert in lieu thereof the words "so as to designate it plainly."

Adopted.
Mr. Miller of Warren moved to amend section 17, page 748, as follows: In line 3 strike out the word "ten" and insert the word "six;" also, in the same line strike out the word "five" and insert the word "three." In line 4 strike out the word "three" and insert the words "one and one-half of one." In line 5 strike out the word "one" and insert the words "onehalf of one."

Lost.
Mr. Cornwall moved that the rule be suspended and that the bill be read a third time now, which motion prevailed and the bill was read a third time.

On the question, "Shall the bill pass?" the yeas were:
Messrs. Allen, Bailey, Baker, Bell, Bird, Bowen, Brady, Brant, Brighton, Byington, Chapman, Clark, Classen, Cook, Cornwall, Crow, Davis, Doubleday, Dowell, Early, Erans, Finch, Frazee, Frink, Funk, Garner, Good, Griswold, Haugen, Hauger, Hayes, Hazen, Hendershot, Hinkhouse, Hinman, Hunt, Huntley, Jackson, Johnson of Webster, Johnston of Franklin, Klemme, Ladd, Lauder, Loomis, Lowry, McAchran, McDonald, Marti, Martin, Mayne, Merriam, Miller of Buena Vista,Miller of Cherokee, Miller of Warren, Morrison of Grundy, Morrison of Keokuk, Mullin, Nietert, Nolan, Parker, Perrott, Potter, Power, Prentis, Putnam, Ray, Reed, Scott, Spaulding, St. John, Sullivan, Thompson, Tibbitts, Van Houten, Voelker,

Watters, Wells, Wheeler, Whelan, Williams Wood, Mr. Speaker-82.

The nays were:
Messrs. Porter, Temple, Weaver, Wilson-4.
Absent or not voting:
Messrs. Brinton, Edwards, Grote, Gurley, Jay, Lambert, Lavender, McArthur, McDowell, McNulty, McQuin, Manahan, Smith, Whittier-14.

So the bill passed and the title was agreed to.
House file No. 32 with Senate amendments to title was taken up and amendments of Senate concurred in.

House file No. 29 with Senate amendments was taken up and referred to the First Division of Code Revision Committee.

On motion of Mr. Allen, House file No. 91, a bill for an act to revise, amend and codify the statutes in relation to drainage and levees, with report of committee recommending passage, was taken up and considered.

Upon motion of Mr. Early, the House adjourned till 9 A. m. to-morrow.

> Hall of the House of Representatives,
> Des Moines, Iowa, Saturday, March 6, 1897. $\}$

The House met at 9 A. M., with Speaker Byers in the chair. Prayer was offered by Rev. E. W. Curtis of Des Moines.
The Journal of yesterday was corrected and approved.
Mr. Miller of Cherokee was granted indefinite leave of absence on account of sickness.

Mr. Morrison of Keokuk offered the following resolution which was laid over under rule 34:

Resolved, That the Speaker appoint a committee of three members of this House to examine the records of the State Auditor's and the State Treaswrer's offices and ascertain and report to this House the amount of money ombezzled out of the Agricultural College endowment funds by Samuel Rankin, a former Treasurer of State.

Second.-Also, the amount realized by the State from property turned over to the State by said Rankin.

Third.-Whether the State has reimbursed the college as required by law, and report to the Honse the amount due said college, principal and interest, to January 1, 1897.

The Speaker appointed as the House members of the joint committee, as provided by the joint resolution of investigation passed on jesterday, Messrs. Merriam and Porter.

## PETITIONS AND MEMORIALS.

Mr. Hinman presented petition of citizens of Hancock ceunty in favor of the Senate amendments to the election law.

Referred to Committee on Elections.
The House proceeded with the consideration of House file No. 91, which was commenced yesterday.

Mr. Allen moved to amend section 4, line 15, by striking out the words "by paragraph three of section 2603, Code of 1873 " and insert in lieu thereof the words "for the service of an original notice;" also, strike out the words "in paragraph two of same section" in line 17, section 4, and insert in lieu thereof the words "for substituted service of an original notice." Adopted.

Mr. Allen moved to amend section 7 by striking out in line . 7 the words "Code of 1873 " and insert in lieu thereof the words "of the Code."

Adopted.
Mr. Allen moved to amend section 11 by striking out of line 4 the words " 1866 of the Code of Iowa" and insert in lieu thereof the figures and words " 15 chapter 2 , title X of the Code."

Adopted.
Mr. Allen moved that the rule be suspended, and that the bill be considered engrossed and read a third time now, which motion prevailed and the bill was read a third time.

On the question, "Shall the bill pass?" the yeas were:
Messrs. Allen, Bailey, Baker, Bird, Bowen, Brady, Brant, Brighton, Byington, Chapman, Clark, Cook, Cornwall, Crow, Davis, Doubleday, Dowell, Early, Evans, Finch, Frazee, Frink, Funk, Garner, Good, Griswold, Grote, Haugen, Hayes, Hazen, Hendershot, Hinkhouse, Hinman, Hunt, Huntley, Johnson of Webster, Klemme, Ladd, Lambert, Loomis, Lowry, McAchran, Marti, Martin, Mayne, Merriam, Miller of Buena Vista, Miller of Cherokee, Miller of Warren, Morrison of Grundy, Morrison of Keokuk, Mullin, Nietert, Nolan, Parker, Porter, Potter, Power, Prentis, Putnam, Ray, Reed, Scott, Smith, Spaulding, St. John, Sullivan, Temple, Tibbitts, Voelker, Watters, Wells, Wheeler, Whelan, Williams, Wilson, Mr. Speaker-77.

The nays were:
None.
Absent or not voting:
Messrs. Bell, Brinton, Classen, Edwards, Gurley, Hauger, Jackson, Jay, Johnston of Franklin, Lauder, Lavender, McArthur, McDonald, McDowell, McNulty, McQuin, Manahan, Perrott, Thompson, Van Houten, Weaver, Whittier, Wood-23.

So the bill passed and the title was agreed to.
On motion of Mr. Griswold, House file No. 37, a bill for an act to revise, amend and codify the statutes in relation to the geological survey, with report of committee recommending passage with amendments, was taken up, considered and the report of the committee adopted.

Mr. Power moved to insert the word "State" before the word "university" in section 1.

Adopted.

Mr. Griswold moved that the rule be suspended, and that the bill be considered engrossed and read a third time now, which motion prevailed and the bill was read a third time.

On the question, "Shall the bill pass?" the yeas were:
Messrs. Allen, Bailey, Baker, Bell, Bird, Bowen, Brady, Brant, Brighton, Byington, Chapman, Clark, Cook, Cornwall, Crow, Davis, Doubleday, Dowell, Early, Evans, Finch, Frazee, Frink, Funk, Garner, Good, Griswold, Grote, Haugen, Hayes, Hazen, Hendershot, Hinman, Hunt, Huntley, Jackson, Johnson of Webster, Johnston of Franklin, Klemme, Ladd Lambert, Loomis, Lowry, McAchran, Marti, Martin, Mayne, Merriam, Miller of Cherokee, Miller of Warren, Morrison of Grundy, Morrison of Keokuk, Mullin, Nietert, Nolan, Parker, Porter, Potter, Power, Prentis, Putnam, Ray, Reed, Scott, Smith, Spaulding, St. John, Sullivan, Temple, Thompson, Van Houten, Voelker, Watters, Wells, Whelan, Williams, Wilson, Mr. Speaker-78.

The nays were:
None.
Absent or not voting:
Messrs. Brinton, Classen, Edwards, Gurley, Hauger, Hinkhouse, Jay, Lauder,Lavender, McArthur, McDonald, McDowell, McNulty, McQuin, Manahan, Miller of Buena Vista, Perrott, Tibbitts, Weaver, Wheeler, Whittier, Wood-22.

So the bill passed and the title was agreed to.
On motion of Mr. Early, House file No. 18, a bill for an act to revise, amend and codify the statutes in relation to insurance, was made a special order for 9 A. M. Thursday, March 11.

On motion of Mr. Allen, House file No. 22, a bill for an act to revise, amend and codify the statutes in relation to taking private property for works of internal improvement, with report of committee recommending that Senate amendments be concurred in, was taken up and considered.

Mr. Allen moved that the House concur in the Senate amendments.

On the question, "Shall the House concur?" the yeas were:
Messrs. Allen, Bird, Bowen, Brady, Brant, Brighton, Byington, Chapman, Clark, Classen, Cornwall, Crow, Davis, Doubleday, Dowell, Evans, Finch, Good, Griswold, Grote, Hayes, Hendershot, Hinkhouse, Hunt, Jackson, Jay, Johnston of Franklin, Klemme, Ladd, Loomis, Lowry, McAchran, Martin, Mayne, Merriam, Miller of Buena Vista, Mullin, Morrison of

Grundy, Nietert, Nolan, Porter, Potter, Power, Prentis, Putnam, Reed, Smith, St. John, Temple, Thompson, Tibbitts, Voelker, Watters, Whelan, Williams, Wood, Mr. Speaker-57.

The nays were:
Messrs. Bailey, Baker, Bell, Frazee, Frink, Funk, Huntley, Hazen, Lambert, Miller of Cherokee, Miller of Warren, Morrison of Keokuk, Parker, Ray, Scott, Spaulding, Sullivan, Van Houten, Wilson-19.

Absent or not voting:
Messrs. Brinton, Cook, Early, Edwards, Garner, Gurley, Haugen, Hauger, Hinman, Johnson of Webster, Lauder, Lavender, McArthur, McDonald, McDowell, McNulty, McQuin, Manahan, Marti, Perrott, Whittier, Weaver, Wells, Wheeler $-24$.

So the House concurred.

## REPORT OF COMMITTEE.

Mr. Finch, from the Committee on Code Revision, Division No. 3, submitted the following report:

Mr. Speaker-Your committee on Code Revision, Division No. 3, to whom was referred Senate file No. 76, a bill for an act to revise, amend and codify the statutes relating to attachments, garnishment, executions and supplementary proceedings, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same do pass with the following amendments:

Page 760, section 53, line 2, strike out the word "sheriff" and insert the word "plaintiff."

Page 768, section 35 , lines 3 and 4, strike out the following words: "In the court from which process issued in the manner provided in garnishment proceedings."

Page 769, section 38, line 4, after the word "him" insert the following: "stating the nature of his interests therein, how, and from whom he acquired the same, and consideration paid therefor."

Page 770, section 44, line 2, between the words "waived" and "by' insert the words "in writing."

Page 772, strike out all of section 65, in chapter 3.
P. Finch, Chairman
Ordered passed on file.
MESSAGES FROM THE SENATE.
The following message was received from the Senate:
Mr. Speaker-I am directed to inform your honorable body that the Senate has amended and passed the following bill, in which the concur-' rence of the House is asked.

Senate file No. 19, a bill for an act to revise, amend and codify the statutes in relation to the board of railroad commissioners.

Geo. A. Newman, Secretary.
Senate file No. 19 was taken up, read first and second time and referred to Committee on Railroads and Commerce.

Also:
Mr. Speaker-I am directed to inform your honorable body that the Senate has receded from its amendments to section 9 , of the following bill, in which the concurrence of the Senate was asked:

House file No. 5 , a bill for an act to revige, amend and codify the stat$u$ tes in relation to the General Assembly.

Geo. A. Newman, Secretary.

## Also:

Mr. Speaker-I am directed to inform your honorable body that the Senate has amended and passed the following bill, in which the concurrence of the Senate was asked:

House file No. 28, a bill for an act to revise, amend and codify the statutes in relation to the settlement and support of the poor.

Geo. A. Newman,
Secretary.
Mr. Klemme offered the following resolution, which was laid over under rule 34:

Resolved, That after the tenth day of this month and to the end of this session, any member who takes leave of absence without first procuring the unanimous consent of this body, shall forfeit the full amount of each day's salary for each and every day he is absent, and the Speaker shall report the names and number of days of members thus being absent to the Auditor of State and the Auditor shall deduct said amount out of their salary.

Mr. Dowell moved that rule 34 be suspended and the resolution of Mr. Klemme be taken up and considered now.

Messrs. Klemme and Spaulding demanded the yeas and nays on this motion, which resulted as follows:

On the question, "Shall the motion prevail?" the yeas were:
Messrs. Allen, Baker, Bell, Bird, Bowen, Brady, Brant, Chapman, Classen, Cook, Cornwall, Davis, Doubleday, Dowell, Early, Evans, Frazee, Frink, Funk, Griswold, Grote, Hayes, Hazen, Hunt, Huntley, Jackson, Jay, Johnston of Franklin, Ladd, Lambert, Lauder, McAchran, Martin, Mayne, Merriam, Miller of Buena Vista, Miller of Cherokee, Miller of Warren, Morrison of Keokuk, Nietert, Nolan, Parker, Porter, Power, Prentis, Putnam, Ray, Reed, Scott, Smith, St. John, Sullivan, Temple,

Thompson, Voelker, Watters, Wells, Wheeler, Williams, Wilson, Wood-61.

The nays were:
Messrs. Brighton, Byington, Clark, Crow, Finch, Good, Johnson of Webster, Klemme, Loomis, Morrison of Grundy, Mullin, Spaulding, Tibbitts, Van Houten, Whelan-14.

Absent or not voting:
Messrs. Bailey, Brinton, Edwards, Garner, Gurley, Haugen, Hauger, Hendershot, Hinkhouse, Hinman, Lavender, Lowry, McArthur, McDonald, McDowell, McNulty, McQuin, Manahan, Marti, Perrott, Potter, Weaver, Whittier, Mr. Speaker-24.

So the motion prevailed.
Mr. Brant raised the point of order that the resolution was out of order, as a member's pay is fixed by statute and that the same cannot be affected by resolution.

The Speaker decided the point of order well taken.
On motion of Mr. Merriam, the House adjourned until $10 \mathrm{~A} . \mathrm{M}$. Monday.

> Hall of the House of Representatives, Des Moines, Iowa, Monday, March 8, 1897.

The House met at 10 A. m., with Speaker Byers in the chair. Prayer was offered by Rev. Wm. E. Wilson of Omaha, Nebraska.

Mr. Morrison of Keokuk offered the following resolution and moved its adoption:

Whereas, The cold blasts of winter have vanished and many signs of spring are present, and reports from the city of Harlan show a satisfactory increase in population, and that our respected Speaker's presence in that town will likely be called for vociferously by his new client, William McKinley Byers, who has taken up his residence in the Speaker's abode; beit

Resolved, That the House extend congratulations to Mr. and Mrs. Speaker Byers on this auspicious occasion.

Mr. Morrison of Keokuk denied the applicability of rule 34 and put the motion, which was unanimously adopted.

MESSAGES FROM THE SENATE.
The following message was received from the Senate:
Mr. Speaker-I am directed to inform your honormble body that the Senate has passed the following bill, in which the concurrence of the House is asked:

Senate file No. 40 , a bill for an act to revise, amend and codify the statutes in relation to the Soldiers' Home.

Geo. A. Newman, Secretary.

## Also:

Mr. Speaker-I am directed to inform your honorable body that the Senate has amended and passed the following bill, in which the concurrence of the Senate was asked:

House file No. 10, a bill for an act to revise, amend and codify the statutes in relation to the judicial department.

> Geo. A. Newman, Secretary.

On motion of Mr. Finch, Senate file No. 76, a bill for an act to revise, amend and codify the statutes in relation to attach. ments, garnishments, executions and supplementary proceedings, with report of committee recommending passage with amendments, was taken up and considered.

Mr. Porter moved to strike out of section 10, chapter 1, the amendment of the Senate, and restore in lieu thereof the reading of the Black Code.

Adopted.
Mr. Hayes was called to the chair.
Speaker Byers in the chair.
Committee amendment to section 53, chapter 1, line 2, was adopted.

Committee amendment to section 35, chapter 3, was adopted.
Committee amendment to section 38, chapter 3, was adopted.
Committee amendment to section 44, chapter 3, was adopted.
Committee amendment to section 65, chapter 3, was adopted.
Mr. Dowell in the chair.
Mr. Morrison of Keokuk moved to strike out section 100, of the Black Code, chapter 3.

Adopted.
Mr. Porter moved to amend as follows: In sections 67 and 70, chapter 3 , insert portion of sections stricken out by the Senate.

Adopted.
Mr. Clark was granted indefinite leave of absence on account of sickness.

On motion of Mr. Parker, the House adjourned until 2 P. M.

## AFTERNOON SESSION.

The House was called to order at 2 P. m., with Mr. Dowell, Speaker pro tem., in the chair.

REPORTS OF COMMITTEES.
Mr. Early, from the Committee on Insurance, submitted the following report:

Mr. Speaker-Your Committee on Insurance, to whom was referred House file No. 18, a bill for an act to revise, amend and codify the statutes in relation to insurance, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same do pass with the following amendments:

TITLE IX.

## CHAPTER 4.

Section 2, line 6, insert after the word "be" the words "approved by the Auditor or."

Section 12, page 318, line 4, insert after the word "filled" the words "if a stock company, or after applications and premiums or premium notes for insurance, if a mutual company, shall have been taken to the extent hereinbefore required," and insert after the word "subscribers" in line 4, the words 'or policy holders, if a mutual company."

Section 15, strike out all of line 4 except the last two words in said line and insert in lieu thereof the word "law."

Section 16, in line 1, page 319, strike out the word "stock."
Section 16, page 319, line 6, insert after the word "law" the words "and it may loan the same upon pledge of like bonds, or notes or bonds secured by mortgage as aforesaid and not otherwise, except that," and also insert in the same line after the word "in" the words "or loaned upon the pledge of."

Section 17, all of that part of section 17, page 319, following the period in line 16 be transposed and inserted following the period in line 10.

Section 17, line 16, page 319, insert after the word "March" the following: "a copy of which certified by the auditor shall be admissible in evidence for or against a company with the same effect as the original."

Section 19, line 3, strike out the word "fifty" and insert "forty."
"Section 20, strike out the semicolon in line 9 after the word "debt" and insert the following: "or obtained by redemption as junior judgment creditor or mortgagee."

Section 23, in line 3, insert before the word "and," the first word in said line, the following: "assess the same against them respectively."

Section 26, in line 5, insert after the word "trust" the words "and to execute as surety any bond or other obligation required or permitted by law to be made, given or filed."

Section 27, in line 2, strike out the word "seven" and insert "six."
Section 30, line 1, strike out the words "may be" and the word "subject" and insert following the word "representative" the words "shall be subject to the provisions of chapter 1, of this title, relative to transfer of shares and."

Section 31, line 21, insert between the words "bonds" and "held" the words "stock and other evidences of indebtedness."

Section 31 $\frac{1}{2}$. "The Auditor of State shall withhold his certificate or permission of authority to do business from any such company neglecting or failing to comply with the provisions of the preceding section."

Section 36, in line 2, insert after the word "organized" the words "or doing business" and by striking out all of said section after the word 'year" in line 4.

Section 37, strike out all of line 6 after the word "mutual" and the first four words in line 7 and insert in lieu thereof "insurance companies or associations specifically organized for the purpose of and insuring a single class of property only."

Section 37, strike out the period at the end of section 37 and add the following: "but such companies organized to insure against personal injury, disablement or death resulting from traveling or general accidents by land
or water exclusively, having an actual paid up capital of one hundred thousand dollars and one hundred thousand dollars cash surplus safely invested exclusive of any assets deposited in other states and territories, for the special benefit or security of the insured therein, shall be deemed to be pessessed of two hundred thousand dollars actual paid up capital within the meaning of this section."

Section 38, in line 3, strike out the words "any agent of such companies in this State", and insert the words "such auditor."

Section 38, in line 5, insert after the word "process" the words 'may be made."

Section 38, in line 5, strike out the words "such agent" and insert the words "the Auditor of State and when so made." In line 7 insert a period () after the word "rervice" and insert: "Such notice or process with a copy thereof may be mailed to the Auditor of State at Des Moines, Iowa, in a registered letter addressed to him by his official title, and he shall immediately upon its receipt acknowledge service thereon on behalf of the defendant foreign insurance company by writing thereon, giving the date thereof, and shall immediately reburn such notice or process in a registered letter to the clerk of the court in which the suit is pending, addressed to him by his official title, and shall also forthwith mail such copy with a copy of his acknowledgment of service written thereon in a registered letter addressed to the person or corporation who shall be named or designated by such company in such writter instrument." In line 7, commence the word "and" with a capital, and after "and" insert "such company shall also file with the auditor." In line 7, strike out "their" and insert "its."

Section 39, line 5, strike out the last word "such" and all of line 6 and insert in lieu thereof "law applicable to them and relating to foreign insurance companies."

Section 43, strike out period at end of section 43 and insert "and except as herein provided anything in the policy, application or a separate agreement to the contrary notwithstanding."
section 44, in line 2, insert after "thereof" the words "or after the suspension of any policy or contract of insurance" and add at the end of said section the following: "and in case of suspension of any policy or contract, the assured shall not be liable for any greater amount than the short rates earned at the date of such suspension and the costs herein provided."

Section 45, in line 2, change the word "section" to "sections" and in line 1 insert between the words "the" and "preceding". the word "two."

Section 46, in line 8, strike out the words "to revive such policy or contract of insurance or" and insert the words "costs of action if any and."

Section 47, in line 9, strike out the second word "such," between "any and "company," and insert between "company" and "are" the words "incorporated in this State."

Section 47, in line 15, strike out the third word 'their" and insert the word "its"

Section 54, in line 6, insert between the words 'association" and 'under'" the words "or deed of settlement."

Section 56, line 1, insert after the word "sball" the words "for the first offense."

Strike out section 57 and insert the following in lieu thereof:
"Sec. 57. All insurance companies or associations shall, upon the issue, or renewal of any policy, attach to such policy, or indorse thereon, a true copy of the conditions of any application or representation of the assured, which, by the terms of such policy, are made a part thereof, or of the contract of insurance, or referred to therein, or which may in any manner affect the validity of such policy. The omission so to do shall not render the policy invalid, but if any company or association neglects to comply with the requirements of this section, it shall forever be precluded from pleading, alleging, or proving any condition of the application or representations or any part thereof not so attached or endorsed or falsity thereof, or any parts thereof, in any action upon such policy and the plaintiff in any such action shall not be required, in order to recover against such company or association, either to plead or prove such application or representation, but may do so at his option."

Section 58, in line 3, insert after the word "show," the third word from the end of the line, "in diminution of the amount of recovery."

Section 59, in line 6, strike out the word "section" and insert "or the preceding section."

Chapter 22 of the acts of the Twenty-sixth General Assembly is added to chapter 4 as sections 69, 70, 71 and 72, and chapter 23 of the acts of the Twenty-sixth General Assembly is added as section 73, as follows:

Sec. 69. It shall be unlawlul for two or more fire insurance companies doing business in this State, or for the officers, agents or employes of such companies, to make or enter into any combination or agreement relating to the rates to be charged for insurance, the amount of commissions to be allowed agents for procuring the same, or the manner of transacting the fire insurance business within this State; and any such company, officer, agent or employe violating this provision shall be guilty of a misdemeanor, and on conviction thereof shall pay a penalty of not less than one hundred dollars nor more than five hundred dollars for each offense, to be recovered in the name of the State for the use of the permanent school fund.

Sec. 70. The Auditor of State is authorized to summon before him for examination under oath, any officer, agent or employe of any such company suspected of violating any of the provisions of the preceding section, and, on complaint to him in writing by two or more residents of this State charging such company under oath upon their knowledge or belief with violating the provisions of the preceding section he shall summon any officer, agent or employe of said company before him for examination under oath; if upon such examination, and that of any other witness produced and examined, he shall determine that such company is guilty of a violation of any of the provisions of the preceding section, or if any such officer, agent or employe after being duly summoned shall fail to appear or submit to exsmination, the Auditor shall forthwith issue an order revoking the authority of such company to transact business within this State, and it shall not thereafter be permitted to do the business of fire insurance in this State at any time within one year therefrom.

Sec. 71. Either party may appeal from the decision of the Auditor made pursuant to the preceding section, to the district court of the county where the same was made within twenty days from the time of the rendition of such decision, by serving a written notice of such appeal on the opposite
party and on the Auditor, and filing with the clerk of said court a good and sufficient bond for the payment of all costs on the appeal in case the decision shull be affirmed. On such appeal said court shall try the case de novo, as equitable causes are tried, and on such evidence as either party may produce, and may reverse, modify or affirm the decision of the Auditor.

Sec. 72. The statements and declarations made or testimony given by any such officer, agent or employe in the investigation before the Auditor, or upon the hearing and trial before the district court as provided in the two preceding sections, shall not be used against the person making the same in any criminal prosecution against him.

Sec. 73. Any policy or contract of insurance authorized by section 26 of this chapter and issued by any company, association, partnership or individual thst has not complied with the insurance laws of the State governing the transaction of such business and the issuing of contracts, shall be void and of no effect and is declared to be an illegal contract, but nothing herein contained shall affect or discharge liability arising under contracts heretofore made.

That the following be substituted for chapter 5, title IX:

$$
\text { CHAPTER } 5 .
$$

OF MUTUAL FIRE, TORNADO AND HAIL STORM ASSESSMENT INSURANCE ASSOCIATIONS.
Section 1. Any number of persons may, without regard to the provisions of the preceding chapter, enter into contracts to and with each other for their insurance from loss or damage from fire, tornadoes, lightning, hail storms, cyclones, or wind storms, but such associations of persons shall in no case insure any property not owned by one of their own number, except such school or church property within the territory in which they do business as may be approved, and the reinsurance of risks of similar associations.

Sec.2. Any association incorporated under the laws of this State, for the purpose of furnishing insurance as provided for in this chapter, doing business only within the county in which is situated the town or city named in its articles of incorporation as its principal place of business, or the counties contiguous thereto, shall, for the purposes of this chapter, be deemed a county mutual assessment insurance association; all other associations operating hereunder shall, for the purposes of this chapter, be deemed State mutual assessment associations.

Sec. 3. No association organized for the purpose of doing business under this chapter shall issue policies until applications for insurance to the amount of one hundred thousand dollars have been made and their articles of incorporation and form of policy submitted to the Auditor of State and a certificate of approval received from him.

Sec. 4. Each association doing business under the provisions of this chapter shall, annually in January, report to the Auditor of State the following facts:

1. Name and objects of company.
2. Place of doing business.
3. Names of president and secretary.
4. Address of president and secretary.
5. Date of commencing business.
6. Amount of risks in force at beginning of year.
7. Amount of risks written during year.
8. Amount of risks expired and cancelled during the year.
9. Amount of risks in force at the end of the year.
10. Amount of losses paid during the year.
11. Amount received by agents for services during the year.
12. Amount received by officers and employes during the year.
13. Amount of other expenses.
14. Total expenses during the year.
15. Amount of losses adjusted but not yet paid.
16. Number and amount of losses resisted or in litigation.
17. Cost per thousand during the year.
18. Cost per thousand for the past five years.
19. The amount of receipts from assessments.
20. Receipts from all other sources.

Sec. 5. The report referred to in the preceding section shall be tabulated by the Auditor, the county companies, the State companies, and the companies doing an exclusive tornado or an exclusive hail storm business, being separately classified and published by him in his annual report on insurance, one copy of which shall be sent by him to each such company.

Sec. 6. Such associations shall pay the same fees for annual reports and annual certificates of authority as are required to be paid by domestic companies organized and doing business under the preceding chapter, which certificate shall expire March 1st of the year following the date of issue.

Sec. 7. Such aseociations may collect policy and survey fees and such assessments as may be provided for in their articles of incorporation and by-laws, and provide for such expenses and losses as may be necessary in the conduct of their business.

Sec. 8. The Auditor of State may address inquiries to any association in relation to its doings and condition, and any association so addressed shall promptly reply, in writing, thereto. And the Auditor of State, whenever he may deem it necessary, may personally, or by some person or persons not officers, agents or stockholders of any insursnce company doing business in the State, to be designated by him, examine the conditions, affairs, character, business methods and books of any State aseociation operating under this chapter, at the home office. If the Auditor appoints eome one not receiving a regular salary in his office to make the examination provided for in this section, he shall be entitled to receive five dollars ( $\$ 5.00$ ) per day for his services, in addition to his actual traveling and hotel expenses, but if a regular employe of his office he shall be paid only his actual traveling and hotel expenses, to be paid by the aasociation examined, or by the State, on the approval of the Executive Council, if the associarion fails to pay the same. If it should appear, to the satisfaction of the Auditor, after due examination, that the affairs of any such association are in an unsound condition, or that it is doing an unauthorized business, he shall revoke its certificate of authority. A continuance in business after the revocation of its certificate, will subject each of the officers of said company or association to a fine not exceeding one thousand dollars, and imprisonment in the county jail not exceeding six months.

Sec. 9. Any State company or association contemplated by this chapter before being authorized to do business in the State shall require its secretary and treasurer to each give bond in such sum as the directors shall deem sufficient, which bond shall be given to the association and shall not be for a less sum than ten thousand dollars ( $\$ 10,000.00$ ), and which bond, after being approved by the president of such company or association and the Auditor of State, shall be deposited with the Auditor of State, to be security for the faithful performance of the duties of the secretary and treasurer in handling the funds of such company or association. Should the Auditor consider the surety on said bonds, or the amount thereof, insufficient, he may require additional security to be furnished or the amount of the bond to be increased, within thirty days after notice has oeen given to the association, and on failure to give such additional surety or increase the bond, the Auditor may revoke its certificate.

## CHAPTER 6.

Title, amend by striking out "premium."
Section 1, line 1, change the word "organization" to "company."
Amend section 1, line 1, by inserting a comma (,) after the word "premium."

Amend section 1, line 1, by inserting the word "the" between the words "or" and "natural."

Amend section 1, by adding at end of said section the words "applicable to such companies."

Section 2, after companies in line 1, insert "organized under the laws of this State."

Section 2, strike out 'not" in line 1 and insert "not'" after the word "have" in the same line.

Section 2, strike out the word then" in line 10 and insert "paid."
Section 3, in line 1, after the word "organized," insert "under the laws of this State."

Section 31 . Insert as section $3 \frac{1}{2}$ the following: "No note shall be accepted as part of the capital of a stock company nor as a premium note for the purpose of organizing a mutual company unless accompanied by a certificate of the clerk of the district court or other court of record, of the county in which the person executing it resides, to the effect that the person making it is in his opinion pecuniarily good and responsible therefor in property not exempt from execution."

Section 4, in line 3, strike out the word "vested" and insert the word "invested."

Section 4, after the word "amount" in line 6, insert the word "loaned." Section 4, in line 7, strike out "security" and insert "securities."
Section 5, in line 3, after "statement," insert "of its affairs for the year terminating on the 31st day of December preceding."

Section 5, in line 10, strike out " $a$ " and insert 'the."
Section 5, in line 14, strike out "in" and insert "of."
Section 5, in line 18, strike out the two words "aud" and insert a comma (,) and after "secured," strike out semicolon (;) and add "and the rate of interest."

Section 6, in line 9, strike out all of the line after the word "valuation" and lines $10,11,12$ and 13, preceding the period, and insert "in the securities specified in section 8 , chapter 8 of this title."

Section 7, in line 2, after the word "annually" insert "by the first day of March."

Section 8, in line 1, insert after "company," "organized under the laws of this state."

Section 8, in line 3, strike out after the word "of" the words "a domestic" and insert "such."

Section 8, strike out of lines 3 and 4 "or an agency of a foreign company."

Section 9, in line 3, strike out "they" and insert "the person so authorized."

Section 9, line 6, insert after the word "advise" the words "communicate the facts to."

Section 9, line 7, insert after the word "county" the words "or any judge thereof."

Section 9, in line 9, after "due," strike out period and insert "until further hearing, and for the appointment of a receiver, and if a domestic company, for the dissolution of the corporation."

Section 9, after "decree" in line 11, insert "subject to the provisions of the following section."

Section 10, line 1, after 'company," insert 'or a company against which proceedings are pending under the preceding section."

Section 10, line 3, after "court," insert "upon the final hearing;' change "upon," in line 2, to "by;" line 4, insert between the words "or" and "be"' the words "at any time."

Section 12, after "for," line 4, insert "by the auditor."
Section 14, strike out the word "insurers" in line 2, and insert "persons insured."

Section 14, after "amount," line 2, strike out "ot" and insert "or."
Section 15, strike out " $s$ " in the word "courts" at end of line 4.

## CHAPTER 7.

Amend title to read as follows: "Of stipulated premium and assessment life insurance associations."

Section 1, line 1, insert before the word "assessment" the words, "stipulated premium plans or."

Section 1, add at end of section "and any corporation doing business under this chapter which provides for the payment of policy claims, accumulation of a reserve or emergency fund, the expense of management and prosecution of the business by payment of stipulated premiums, assessments or periodical calls, as provided in the contracts, and wherein the liability of the insured to contribute to the payment of policy claims is not limited to a fixed amount, shall be deemed to be engaged in the business of life insurance upon the stipulated premium plan, or assessment plan, and shall be subject to the provisiors of this chapter, and chapter 8 , of title 9."

Section 2, insert at the beginning "certificates of membership" or "certificate" when used in this chapter with respect to the insurance of the members shall be taken to mean and include policy of insurance.

Section 2, line 3, insert before the word "chapter" the word "title" and after the word "chapter" the words "and of law."

Section 4, line 5, after the word "application" insert "and certificate or policy issued thereon."

Section 5, strike out entire section.
Section 6, change section 6 to section 5 .
Section 7 , change section 7 to section 6 and amend line 3 by inserting after the word "heir" the word "creditor," and add at the end of said section the words "as may be provided for in the articles or by-laws, but no certificate issued for the benefit of a wife or children shall be thus changed so as to become payable to the creditors."

Section 8 becomes section 7, and is amended in line 1 by inserting after the word "association" the words "organized under the laws of this State."

Section 8 is a new section and is as follows: "Any association accumulating any moneys to be held in trust for the purpose of the fulfillment of its policy or certificate, contract, or otherwise, shall invest such accumulations in the securities provided in section 8 , chapter 8 , of this title, and deposit the same with the Auditor of State, as therein provided. But such association may invest in real estate in Lowa, such a portion of said accumulation as is necessary for its accommodation in the transaction of its business to be owned by said association, and in the erection of any building for such purpose may add thereto rooms for rental."

Section 9, line 2, strike out the word "he" and insert "auditor."
Section 10, in line 1, strike out the first word "he" and insert "the auditor."

Section 11, line 6, insert before the word "officers" the word "proper."
Section 11, line 19, insert after the word "section" the words "and of section 10 , chapter 8 , of this title."

Section 11, line 21, strike out the words "after it bas," and all of lines $22,23,24$ and 25 , preceding the period.

Section 12, line 1, before the word "chapter" insert the words "title and."

Section 12, line 5, strike out the last four words.
Section 12, line 9, after the word "court" insert "or judge."
Section 13, strike out section 13 .
Section 14, line 9 , after the word "association," insert "once a week."
Section 14, line 10, after the word "circulation," insert the word "published."

Section 15, strike out the first word "no," and insert "any."
Section 15, line 2, strike out all after the word "members."
Section 15, line 3, strike out all before the word "for," and insert "or stipulated premium plan may provide."

Strike out all of sections 16 and 17.

## CHAPTER 8.

Substitute Senate amendments for sections 1 and 2, as follows:
"Section 1. Every company or association organized under the laws of any other State or country and doing business in this State shall annually, by the first dey of March, file with the Auditor of state a statement of its affairs for the year terminating on the thirty-first day of December preceding, in the same manner and form provided for similar companies or associations organized in this State. The auditor may amend the form of the annual statement required to be made by companies or associations doing business in this state, and propose and require such additional matter to
be covered therein as he may think necessary to elicit a full exhibit of the standing of any such company or association.
"Sec. 2. No person shall, directly or indirectly, act within this state as agent or otherwise, in receiving or procuring applications for insurance, or in doing or transacting any kind of life insurance business for any company or association contemplated in the two chapters preceding, except for the purpose of taking applications for organizations, unless the company or association for which he is acting has received a certificate from the Auditor of State authorizing it to transact business therein, nor until he shall have received from said Auditor a certificate showing that such company or association has complied with the provisions of law and that such person is authorized to act for it."

Amend section 3, line 6, by striking out the words "by law" and insert in lieu thereof "in the preceding section."

Amend section 5, page 344, line 9, by inserting after the word "it" the following: "or obtained by redemption as junior judgment creditor or mortgagee."

Amend section 8, page 344, line 1, by striking out the last two words "life insurance," and in line 2, between the words "associations" and "and," insert "contemplated in the two chapters preceding."

Amend section 8, page 345, line 21, by inserting the word "solvent" before the words "national bank."

Amend section 8 by striking out of line 23 the words "if a level premium company," and insert in line 24, after the word "reserve," the words "or advance insurance fund."

Strike out all of section 10, and substitute in lieu thereof the following: "Every life insurance company and association organized under the laws of another state or country, shall before receiving a certificate to do business in this State or any renewal thereof, file in the office of the Auditor of State an agreement in writing that thereafter service of notice of process of any kind may be made on the Auditor of State, and when so made shall be as valid, binding and effective for all purposes as if served upon the company according to the laws of this or any other state and waiving all claim or right of error by reason of such acknowledgment of service. Such notice or process with a copy thereof may be mailed to the Auditor of State at Des Moines, Iowa, in a registered letter addressed to him by his official title and he shall immediately upon its receipt acknowledge service thereon on behulf of the defendant foreign insurance company by writing thereon giving the date thereof and shall immediately return such notice or process in a registered letter to the clerk of the court in which the suit is pending, addressed to him by his official title and shall also forthwith mail such copy with a copy of his acknowledgment of service written thereon in a registered letter addressed to the person or corporation who shall be named or designated by such company in such written instrument."

Strike out all of section 11, in chapter 8.
Amend section 12, in line 1, by striking out the word "two" and insert. in lieu thereof "provisions of the" and strike out the " s " after the word "sections" making it "section."

Amend section 13, page 346, by adding at end of said section: 'and it shall be unlawful for the Auditor of State to impose upon Iowa companies
or associations any rules, regulations, requirements or limitations that sball not be imposed with equal force upon companies or associations from other states doing a like business in this State."

Amend section 14, page 346, by adding at end of said section the following: "and that such agent knew of the existence of such policy or certificate."

Amend section 15, line 6, page 346, by inserting after the word "issuance" the words "or delivery."

Amend section 15 by striking out all of line 7 after the word "assured" and all of line 8.

Amend section 16, page 347, line 4, by inserting after the word "any" the words "with interest."

Amend section 16, page 347, by striking out the last three words in line 6, and all the balance of the section and insert in lieu thereof the following: ' pay upon the policy or certificate the amount that the premium received actually paid for according to its rates for the actual age of the assured and no other defense or deduction shall be permitted after the death of the person assured on account thereof "

Amend sections 17 and 18 by substituting Senate amendments:
"Sec. 17. No answer to any interrogatory made by any applicant whether made a warranty or not shall bar the right to recover upon any policy or certificate issued thereon, or be used in evidence upon any trial to recover upon the same, unless it is clearly proved that such answer iswilfully false and was fraudulently made, that it is material and induced the company or association to issue such policy or certificate, and that but for such answer the policy or certificate would not have been issued; and, moreover, that the agent or company or association had no knowledge of the falsity or fraud of such answer.
"Sec. 18. All companies, after having received three annual premiums on any policy and all associations after any certificate of membership shall have been in continuous force for three years from its date, are estopped, in any suit brought on such policy or certificate of membership, from defending upon other ground than fraud, against any claim arising upon such policy or certificate by reason of any errors, omissions or misstatements. of the assured in any application on which such policy or certificate was issued, except with respect to age."

Amend section 19, page 347, by striking out all of lines 1. 2, 3, 4, 5, 6, 7, 8,9 , and all of line 10 , down to the word "shall" and substitute as follows: "Any officer, manager or agent of any life insurance company or association, who, with knowledge that it is doing business in an unlawful manner or is insolvent, solicits insurance with said company or associations, or receives applications therefor or does any other act or thing towards procuring or receiving any new business for such company or association."

In line 11, page 348, strike out the word "five" and insert "one."
In line 14 strike out the word "or" before "new business" and insert the word "of."

In line 15 strike out the word "such" and insert "the."
In line 16, between the words "premium" and "advanced," insert "orassessments."

In line 17 the first word "or" change to "of."

Strike out section 20, page 348, and substitute as follows: 'The provisions of sections 57 and 65 , of chapter 4, of this title, shall apply to life insurance companies and associations."

Amend section 21, line 2, between the words "procure" and "from" insert"or assist in procuring."

Amend section 23 by inserting as line $5 \frac{1}{2}$ the following: "For each agent's certificate $\$ 2.00$."

Insert as chapter $8 \frac{1}{2}$, following chapter 8, chapter 21, of the laws of the Twenty-sixth General Assembly (Barrie bill), as follows:

## CHAPTER $8 \frac{1}{2}$

of fraternal beneficiary societies, orders or associations.
Section 1. A fraternal beneficiary association is hereby declared to be a corporation, society, or voluntary association, formed or organized and carried on for the sole benefit of its members and their beneficiaries, and not for profit, and having a lodge system, with ritualistic form of work and representative form of government.

Such association shall make provision for the payment of benefits in case of death, and may make provision for the payment of benefits in case of sickness, temporary or permanent physical disability, either as a result of disease, accident, or old age, provided the period of life at which payment of physical disability benefits on account of old age commences shall not be under seventy years, subject to the compliance by members with its constitution and laws. Provided, that this act shall not be construed to include fraternal orders which only provide for sick and funeral benefits.

Sec. 2. The fund from which the payment of such benefits shall be made, and the expenses of such association defrayed, shall be derived from beneficiary calls, assessments, or dues collected from its members.

Sec. 3. No fraternal association created or organized under the provisions of this act shall issue any certificate of membership to any person under the age of fifteen years, nor over the age of sixty-five years, nor unless the beneficiary under said certificate shall be the husband, wife, relative, legal representative, heir, or legatee of such member.

Sec. 4. Such associations shall be governed by this act and shall be exempt from the provisions of the statutes of this State relating to life insurance companies except as hereinafter provided.

Sec. 5. All such associations shall, upon the issue or renewal of any beneficiary certificate, attach to such certificate or endorse thereon, a true copy of any application or representation of the member which by the terms of such certificate are made a part thereof. The omission so to do shall not render the certificate invalid, but if any such association neglects to comply with the requirements of this section it shall not plead or prove the falsity of any such certificate or representation or any part thereof in any action upon such certificate, and the plaintiff in any such action in order to recover against such association shall not be required to either plead or prove such application or representation.

Sec. 6. Such association may be sued in any county in which is kept their principal place of business or in which the beneficiary contract was made or in which the death of the member occurred; but actions to recover
old age, sick, or accident benefits may, at the option of the beneficiary, be brought in the county of his residence.

Sec. 7. The proceeds of any beneficiary certificate issued by any such association and of any claims for benefits shall be exempt from execution and attachment to the same extent as the proceeds of any policy of life or endowment insurance as is now or may hereafter be provided by the laws of this State.

Sec. 8. All such associations organized under the laws of this or any other state, territory or province, and now doing business in this State, may continue such business, provided they hereafter comply with the provisions of this act.

Sec. 9. Any such association organized under the laws of any other state, and not now doing business in this State, shall be permitted to do business within this State when it shall have filed with the Auditor of this

- State a duly certified copy of its charter and articles of association, and a copy of its constitution or laws, certified to by its secretary or corresponding officer, together with an appointment of the Auditor of this State as a person upon whom process may be served as hereinafter provided; and provided, that such aesociation shall be shown to be authorized to do business in the state in which it is incorporated or organized. The Auditor of State may personally, or by some person to be designated by him, examine into the condition, affairs, character, and business methods, accounts, books, and investments of such association at its home office, which examination shall be at the expense of such association, and shall be made within thirty days after demand therefor, and the expense of such examination shall be limited to $\$ 5$ per day and the necessary expenses of travel and for hotel bill. If the Auditor, after such examination, is of the opinion that no permit should be granted to such association he may refuse to issue the same.

Sec. 10. Every such association doing business in this State shall, on or before the first day of March of each year, make, and file with the Auditor of State, a report for the year ending on the 31st day of December immediately preceding. All reports shall be upon blank forms to be provided by the Auditor of State, or may be printed in pamphlet form, and shall be verified under oath by the authorized officers of such association, and shall be published, or the substance thereof, in the annual report of the Auditor of State under the separate title, "Fraternal Beneficiary Associations," and shall contain answers to the following questions:

1. Number of certificates issued during the year, or members admitted.
2. A mount of indemnity effected thereby.
3. Number of losses or benefit liabilities incurred.
4. Number of losses or benefit liabilities paid.
5. The amount received from each assessment for the year.
6. Total amount paid members, beneficiaries, legal representatives, or heirs.
7. Number and kind of claims for which assessments have been made.
8. Number and kind of claims compromised or resisted and brief statement of reasons.
9. Does association charge annual or other periodical dues or admission fees?
10. How much on each one thousand dollars annually, or per capita, as the case may be?
11. Total amount received, from what source, and the disposition thereof.
12. Total amount of salaries, fees, per diem, mileage, expenses paid to officers, showing amount paid to each.
13. Does the association guarantee, in its certificates fixed amounte to be paid regardless of amount realized from assessments, dues, admission fees and donations?
14. If so, state amount guaranteed, and the security of such guarantee.
15. Has the association a reserve or emergency fund?
16. If so, how is it created, and for what purpose, the amount thereof, and how invested?
17. Has the association more than one class?
18. If so, how many, and amount of indemnity in each?
19. Number of members in each class?
20. If voluntary, so state, and give date of organization.
21. If organized under the laws of this State, under what law and at what time, giving chapter and year and date of passage of the act
22. If organized under the laws of any other state, territory or province, state such fact and the date of organization, giving chapter and year and date of passage of the act.
23. Number of certificates of beneficiary membership lapsed during the year.
24. Number in force at beginning and end of year; if more than one class, number in each class.
25. Names and addresses of its presidents, secretary, and treasurer, or corresponding officers.

The Auditor of State is empowered to make any additional inguiries of any such association relative to the business contemplated by this act, and such officer of such association as the Auditor of State may require shall promptly reply in writing, under oath, to all such inquiries.

Sec. 11. Any such association permitted to do business within this State and not having its principal office within this State, and not organized under the laws of this State, shall appoint, in writing, the Auditor of State to be attorney in fact on whom all process in any action or proceeding against it shall be served, and in such writing shall agree that any process against it which is served on said attorney in fact shall be of the same validity as if served upon the association, and that the authority shall continue in force so long as any liability remains outstanding in this State. Copies of such certificate, certified by said Auditor of State, shall be deemed sufficient evidence thereof, and shall be admitted in evidence with the same force and effect as the original. Service upon such attorney shall be deemed sufficient service upon such association. When legal process against any such association is served upon said Auditor of State, he shall immediately notify the association of such service by letter, postage prepaid, directed and mailed to its secretary or corresponding officer, and shall within two days after such service forward in the same manner a copy of the process served on him to such officer. The Auditor of State
shall keep a record of all processes served upon him, which record shall show the day and hour when such service was made.

Sec. 12. The Auditor of State shall, upon the application of any such association, issue to it a permit in writing, authorizing it to do business within this State, for a period of one year from April 1st of the year of its issue, for which certificate and all proceedings in connection therewith such association shall pay to said Auditor the fee of twenty-five dollars, and for each annual renewal thereof a like sum shall be paid.

Sec. 13. Such association shall not employ paid agents in soliciting or procuring members, except in the organization or building up of subordinate bodies or granting members inducements to procure new members.

Sec. 14. No contract between a member and his beneficiary that the beneficiary or any person for him shall pay such member's assessments and dues, or either of them, shall deprive the member of the right to change the name of the beneficiary.

Sec. 15 Any such association, organized under the laws of this State, may provide for the meetings of its legislative or governing body in any other state, territory or province wherein such association shall have subordinate bodies, and all business transacted at such meetings shall be valid, in all respects, as if such meetings were held within this State; and where the laws of any such association provide for the election of its officers by votes to be cast in its subordinate bodies the votes so cast in its subordinate bodies in any other state, territory or province shall be valid, as if cast within this State.

Sec. 16. Any such association refusing or neglecting to make the report as provided in this act shall be excluded from doing business within this State. The Auditor of State must, within sixty days after failure to make such report, or in case any such association shall exceed its powers, or shall conduct its business fraudulently, or shall fail to comply with any of the provisions of this act, give notice in writing to the AttorneyGeneral, who shall immediately commence an action against such association to enjoin the same from carrying on any business. No association so enjoined shall have authority to continue business until such report shall be made, or overt act or violation complained of shall have been corrected, nor until the costs of such action be paid by it, provided the court shall find that such association was in default, as charged, whereupon the Auditor of State shall reinstate such association, and not until then shall such absociation be allowed to again do business in this State.

Any officer, agent, or person acting for any such association or subordinate body thereof within this State, while such association shall be so enjoined or prohibited from doing business pursuant to this act, shall be deemed guilty of a misdemeanor, and, on conviction thereof, shall be punished by a fine of not less than twenty-five dollars, nor more than two hundred dollars, or by imprisonment in the county jail not less than thirty days nor more than one year, or by both such fine and imprisonment, in the discretion of the court.

Sec. 17. Any person who shall act within this State as an officer, agent, or otherwise, for any such association which has failed, neglected or refused to comply with, or which has violated any of the provisions of this act, or shall bave failed or neglected to procure from the Auditor of

State, proper certificate of authority to transact business as provided for by this act, shall be subject to the penalty provided in the last preceding section for the misdemeanor therein specified.

Sec. 18. Any officer, agent, or member of such association, who shall obtain any money or property belonging thereto, by any false or fraudulent representation, shall be fined not more than $\$ 500$ and costs and stand committed until such fine and costs are paid, or may be imprisoned in the county jail not more than six months.

Sec. 19. Every applicant for membership in any association organized in this State shall first be examined by a physician holding a certificate from the State board of medical examiners.

> Chas. L. Early,
> Chairman

Ordered passed on file.
Mr. Bell, from the Committee on Military, submitted the following report:

Mr. Speaker-Your Committee on Military, to whom was referred Senate file No. 15, a bill for an act to revise, amend and codify the statutes in relation to the militia, beg leave to report that they have had the same under consideration and have instructed me to report to the House a substitute with the recommendation that the same do pass.

> W. B. Bell,
> Chairman.

The substitute was read first and second time and passed on file.

Upon motion of Mr. Bell, 200 copies of the bill were ordered printed.

Mr. Martin, from the Committee on Building and Loan, submitted the following report:

Mr. Speaker-Your Committee on Building and Loan, to whom was referred House flle No. 20, being chapter 12, title IX, of the Code Committee report, a bill for an act to revise, amend and codify the statutes in relation to building and loan ansociations, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that chapter 85 of the acts of the Twenty-sixth General Assembly be substituted for said chapter 12 and amended as follows:

FUrst.-Insert in section 24 the word "annual" between'the words "each" and "renewal," in the fifth line from the end of said section.

Second -Strike out section 34.
Third.-Strike out the word "act" wherever it appears in the said chapter 85 , and insert in lieu thereof the word "chapter."

And when so amended that it do pass.

> W. B. Martis, Chairman.

Ordered passed on file and made a special order for Tuesday, March 17, at 9 A. M., upon motion of Mr. Haugen.

The clerk resumed the reading of Senate file No. 76, which was pending upon adjournment this morning.

Mr. Finch moved to insert the word "or" before the word "upon," in line 3, section 37, chapter 1.

Adopted.
Mr. Johnston of Franklin moved to restore section 15 of chapter 2 of the Black Code which has been stricken out by the Senate.

## Adopted.

Mr. Finch moved to strike out all marginal references; also, to renumber all sections of the bill which require to be renumbered.

Adopted.
Leave was granted to Special Investigating Committee, consisting of Messrs. Funk, Davis, Lauder, Baker and Voelker to sit during the session of the House.

Mr. Finch moved that the rule be suspended, and that the bill be read a third time now, which motion prevailed and the bill was read a third time.

On the question, "Shall the bill pass?" the yeas were:
Messrs. Allen, Bailey, Bell, Bowen, Brady, Brant, Brighton, Byington, Chapman, Cook, Cornwall, Crow, Doubleday, Dowell, Early, Edwards, Finch, Frazee, Frink, Garner, Griswold, Grote, Haugen, Hazen, Hinkhouse, Hinman, Huntley, Jay, Johnson of Webster, Johnston of Franklin, Klemme, Ladd, Lambert, Lowry, McAchran, McArthur, McNulty, Marti, Martin, Mayne, Merriam, Miller of Buena Vista, Miller of Warren, Morrison of Keokuk, Mullin, Nietert, Nolan, Parker, Perrott, Porter, Potter, Power, Prentis, Putnam, Ray, Reed, Scott, Smith, St. John, Sullivan, Temple, Van Houten, Watters, Wells, Whelan, Wilson, Wood-67.

The nays were:
None.
Absent or not voting:
Messrs. Baker, Bird, Brinton, Clark, Classen, Davis, Evans, Funk, Good, Gurley, Hauger, Hayes, Hendershot, Hunt, Jackson, Lauder, Lavender, Loomis, McDonald, McDowell, McQuin, Manahan, Miller of Cherokee, Morrison of Grundy, Spaulding, Thompson, Tibbitts, Voelker, Weaver, Wheeler, Whittier, Williams, Mr. Speaker-33.

So the bill passed and the title was agreed to.

## SENATE MESSAGES.

Senate file No. 40, a bill for an act to revise, amend and codify the statutes in relation to the Soldiers' Home, was read first and second time and referred to Committee on Military.

House file No. 28, with Senate amendments, was taken up and referred to the Third Division of Code Revision Committee.

Mr. Lambert offered the following resolution and moved its adoption:

Wherfas, The Chief Clerk of the House has refused to sign subpenas in blank for the committee appointed to investigate certain matters pertaining to the offices of the State printer and the State binder after the same have been duly signed by the Speaker of the House; and,

Wherfas, It is frequently essential that the committee should have it within its powers to summon legally a witness when there is neither time nor opportunity to secure the signature of the Speaker or Clerk or both of them, it being understood that the committee alone is the judge of the advisability of calling any individual witness, or the competency of his evidence; and,

Whereas, It is the prevailing custom in such cases, as well as in district, police, justice and other courts, to sign subpœenas in blank, when requested so to do; therefore, be it

Resolved, That the Clerk of this House be instructed to sign in blank such subpœnas for witnesses as may be presented by the chairman of either of the investigating committees, after the same have been signed by the Speaker of the House.

Mr. Allen moved that further consideration of this resolution be deferred until Wednesday, owing to the absence of the Speaker.

Mr. Van Houten moved a substitute that rule 34 be suspended and the resolution be taken up now.

Lost by a vote of 34 yeas to 25 nays, it requiring a twothirds vote to suspend the rules.

Mr. Van Houten moved to amend the motion of Mr. Allen by deferring the consideration of this resolution until to-morrow morning.

Carried.
On motion of Mr. Cornwall, the House adjourned until 9 A. m. to morrow.

# Hall of the House of Representatives, Des Moines, Iowa, Tuesday, March 9, 1897. 

The House met at 9 a. m., with Mr. Dowell, Speaker pro tem., in the chair.

Prayer was offered by Rev. H. J. Everly of Ames, Iowa.
Mr. Lambert called up his resolution in reference to the Clerk signing subpœnas in blank for the investigating committee and moved that the resolution be indefinitely postponed, as the subpœonas had been signed in blank.

Carried.

## REPORTS OF COMMITTEES.

Mr. Cornwall, from the Committee on Judiciary, submitted the following report:

Mr. Speaker-Your Committee on Judiciary, to whom was referred Senate file No. 86, a bill for an act to amend sections 289 and 290 of the Code of 1873 , as amended by chapter 76 , acts of the Twenty-sixth General Assembly, relating to the bonding of county indebtedness, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same do pass.

> W. W. Cornwall, Chairman.

Ordered passed on file.
Mr. Finch, from the Committee on Code Revision, Division No. 3, submitted the following report:

Mr. Speaker-Your Committee on Code Revision, Division No. 8, to whom was referred House file No. 28, a bill for an act to revise, amend and codify the statutes relating to the settlement and support of the poor, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the House concur in the Senate amendment which adds to section 1 the following: "But no such relative shall be so liable until notice in writing has been given him by said trustees and an opportunity afforded to furnish such poor person with proper relief or support." Senate Journal, March 4, 1897.

Refuse to concur in striking out of section 15 at the end of line 8 , the following: "They may require any able bodied person to labor faithfully
on the streets and highways at the rate of five cents per hour in payment for and as a condition of granting relief; said labor shall be performed by the direction of the officers having charge of working streets and highways." Senate Journal, March 4th, page 10. House Journal, January 23d, page 2.

Concur in Senate amendment to section 16, which is as follows: Strike out of line 1 to the first "or" and insert in lieu thereof: "no person who has served in the army or navy of the United States;" also, in said section 16 after the word "relief," in line 1 , insert the word "shall." Senate Journal, March 4th, page 10.

Concur in Senate amendments which strike out sections 19 and 20 , Black Code, and substitute therefor sections 19 and 20, found in Senate Journal of March 4th, on pages 10 and 11, being sections 2152-2153 McLain's Code.

Concur in Senate amendment to section 32, which strikes out the word "house" in line 1.

Nonconcur in Senate amendment which strikes out section 37.
Concur in striking out all marginal figures, numbers, words, characters and the brackets at the end of each section containing said numbers and all underscoring.
P. Finch,

Chairman.
Ordered passed on file.
On motion of Mr. Cornwall, Senate file No. 86, with report of committee recommending passage, was taken up, considered and the report of the committee adopted.

Mr. Cornwall moved that the rule be suspended, and that the bill be read a third time now, which motion prevailed and the bill was read a third time.

On the question, "Shall the bill pass?" the yeas were:
Messrs. Allen, Baker, Bell, Bowen, Brady, Brant, Brighton, Byington, Chapman, Cook, Cornwall, Doubleday, Dowell, Early, Edwards, Evans, Finch, Frazee, Frink, Funk, Garner, Good, Haugen, Hauger, Hayes, Hazen, Hendershot, Hinkhouse, Hinman, Huntley, Jackson, Jay, Johnson of Webster, Johnston of Franklin, Klemme, Lambert, Lauder, Lavender, Loomis, Lowry, McNulty, Manahan, Martin, Merriam, Miller of Buena Vista, Miller of Warren, Morrison of Keokuk, Mullin, Nietert, Nolan, Parker, Perrott, Potter, Power, Prentis, Putnam, Ray, Reed, Scott, Smith, Spaulding, St. John, Sullivan, Tibbitts, Van Houten, Voelker, Watters, Wells, Whelan, Whittier, Williams, Wilson, Wood-73.

The nays were:
None.

Absent or not voting:
Messrs. Bailey, Bird, Brinton, Clark, Classen, Crow, Davis, Griswold, Grote, Gurley, Hunt, Ladd, McAchran, McArthur, McDonald, McDowell, McQuin, Marti, Mayne, Miller of Cherokee, Morrison of Grundy, Porter, Temple, Thompson, Weaver, Wheeler, Mr. Speaker-27.

So the bill passed and the title was agreed to.
House file No. 10, with Senate amendments, was taken up and on motion of Mr. Power was referred to FirstDivision Code Revision Committee.

Journals of Saturday, March 6, and Monday, March 8, corrected and approved.

On motion of Mr. Johnston of Franklin, House adjourned till 9 A. M. to-morrow.

- House met at 9 A. m., Speaker Byers in the chair. Prayer by Rev. J. C. Pike of Oakland, Iowa. Journal of yesterday corrected and approved.

MESSAGES FROM THE SENATE.

## The following message was received from the Senate:

Mr. Speaker-I am directed to inform your honorable body that the Senate has passed the following bill, in which the concurrence of the House is asked:

Senate file No. 88, a bill for an act to provide for the payment of the mileage of the committee appointed to visit the Institution for Feeble Minded at Glenwood.

Geo. A. Newman, Secretary.

## Also:

Mr. Speaker-I am directed to inform your honorable body that the Senate has passed the following bill, in which the concurrence of the House is asked:

Senate file No. 89, a bill for an act authorizing the Executive Council to purchase or condemn a site on which to erect a memorial, historical and art building, to procure plans and specifications therefor and take other preliminary steps toward its construction, and making an appropriation therefor, and to repeal chapter 115, Laws of the Twenty-sixth General Assembly regular session.

Geo. A. Newman,
Secretary.
Also:
Mr. Speaker-I am directed to inform your honorable body that the Senate has passed the following bill, in which the concurrence of the House is asked:

Senate file No. 84, a bill for an act to amend section 3756 of the Code of 1873 as amended by chapter 118 and chapter 125, acts of the Twenty-first General Assembly, relative to collection of fees by the Secretary of State. Geo. a. Newman, Secretary.

## Also:

Mr. Speaker-I am directed to inform your honorable body that the Senate has concurred in the following resolution, in which the concurrence of the Senate was asked:

Relative to evidence in support of pension claims.
Geo. A. Newman, Secretary.
Also:
Mr. Speaker-I am directed to inform your honorable body that the Senate has amended and passed the following bill, in which the concurrence of the House is asked:

House file No. 54, a bill for an act to revise, amend and codify the statutes in relation to the Orphans' Home and Home for Destitute Children.

Geo. A. Newman,

Secretary.
Also:
Mr. Speaker-I am directed to inform your honorable body that the Senate has amended and passed the following bill, in which the concurrence of the Senate was asked:

House file No. 59, a bill for an act to revise, amend and codify the statutes in relation to the School for the Deaf.

> Geo. A. Newman, Secretary.

Also:
Mr. Speaker-I am directed to inform your honorable body that the Senate has amended and passed the following bill, in which the concurrence of the Senate was asked:

House file No. 37, a bill for an act to revise, amend and codify the statutes in relation to the geological survey.

Geo. A. Newman, Secretary.

## Also:

Mr. Speaker-I am directed to inform your honorable body that the Senate has amended and passed the following bill, in which the concurrence of the Senate was asked:

House file No. 84, a bill for an act to revise, amend and codify the statutes in relation to evidence.

Geo. A. Newman,
Secretary.
Also:
Mr. Speaker-I am directed to inform your honorable body that the Senate has amended and passed the following bill, in which the concurrence of the Senate was asked:

House file No. 1, a bill for an act making a special appropriation for the Institution for Feeble Minded at Glenwood, Iowa.

Geo. A. Newman, Secretary.

## Also:

Mr. Speaker-I am directed to inform your honorable body that the Senate has amended and passed the following bill, in which the concurrence of the Senate was asked:

House file No. 43, a bill for an act to revise, amend and codify the statutes in relation to the State board of health.

Geo. A. Newman, Secretary.

Mr. Prentis introduced the following petition against section 3 of proposed revenue law, which was referred to Committee on Ways and Means:

Resolved, That we, the electors of Middleford township, Ringgold county, in session assembled, hereby express our disapproval of the bill pending before the General Assembly in relation to assessing all property at one-third its cash value: Because, it will lower the assessment on money, security, stocks, etc., while it will raise the assessment on land, thereby working a hardship on the farming community; and the secretary is directed to send a copy of these resolutions to our representatives at Des Moines.

March 8, 1897.
D. F. Hoffman,

Secretary.
PETITIONS AND MEMORIALS.
Mr. Johnson of Webster presented petition of order of railway conductors of Fort Dodge, division No. 93, asking passage of the Temple amendment.

Referred to Committee on Railroads and Commerce.
Mr. Lavender presented remonstrance of citizens of Calhoun county, against the manufacturing bill.

Referred to Committee on Domestic Manufactures.

## REPORTS OF COMMITTEES.

Mr. Griswold, from the Committee on Mines and Mining, submitted the following report:

Mr. Speaker - Your Committee on Mines and Mining, to whom was referred House file No. 38, a bill for an act to revise, amend and codify the statutes in relation to the inspection of petroleum products, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same do pass with the following amedments:

Page 506, section 2, in the first line insert between the words "the" and "board" the word "State."

Section 3, line 4, insert between the words "tests" and "used" the following words: "and any other instruments."

At the end of said section add the words "For the purposes of this act, naphtha, benzine and gasoline shall be deemed illuminating oils."

Section 5, lines 9 and 10, strike out the words "paraffine or other" and insert in lieu thereof the word "any."

In line 29, strike out the words "one thousand" and insert in lieu thereof the words "five hundred."

In section 7, line 1, strike out the words "two thousand" and insert "fifteen hundred."

> H. J. Gbiswold, Chairman.

Ordered passed on file.
Mr. St. John, from the Committee on Agriculture, submitted the following report:

Mr. Speaker-Your Committee on Agriculture, to whom was referred Senate file No. 30 , a bill for an act to revise, amend and codify the statutes in relation to the dairy commissioner and the imitation of dairy products, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same do pass as amended:

Section 3, line 1, after the word "not" insert the words "having a yellow color." After the word "imitation" strike out the word "thereof" and insert the words "of butter and cheese."

Section 7, line 1, "A," insert after the word "dealer" the words "or every person furnishing milk or cream to such dealer."

Section 9, line 6, after the word "commissioner" insert the words "for each factory so operated;" also, strike out the words "and used," in line 7, and at the first of line 8 strike out the word "of" and insert the words "and used by." After the word "testing," in the same line, strike out the word "and" and insert the word "or." After the word "verifying," in the same line, strike out the words "the tests" and insert the words "test tubes or bottles and milk measures or pipettes used."

Section 11, line 1, strike out the words "no person." Insert before the word "shall" the following: "Any person or corporation who shall sell milk or cream from a wagon, depot or store, or sell or deliver milk or cream to a hotel, restaurant, boarding house, or any public place in any such city, shall be considered a city milk dealer. No such city milk dealer." After the word "milk," in line 1, insert "or cream." In line 3 insert the following after the word "year:" "and no permit shall be issued for less than one dollar."

Section 12 , line 1, after the word "milk" insert the words 'or cream.'
Section 14, line 1, after the word "shall" insert the words "be allowed necessary postage, stationery and office supplies, and shall."
R. T. St. Jonn,

Chairman.
Ordered passed on file.
Mr. Johnston, from the Committee on Elections, submitted the following report:

Mr. Speaker-Your Committee on Elections, to whom was referred Senate file No. 10, a bill for an act to revise, amend and codify the statutes in relation to elections and officers, beg leave to report that they have had the same under consideration and have instructed me to report the
same back to the House with the recommendation that the same be amended, and when so amended that the same do pass:

Amend chapter 2, section 2, page 4 of the Senate bill by adding to register of votes after "name" the word "age."

A mend chapter 3, section 6, page 9 of Senate bill by striking out all in said section after the word "chapter" in line 19.

Amend chapter 3, section 19, page 12 of Senate bill by striking out the first word "or" in line 12, and inserting "or petition" after the first word "caucus" in same line.

Also, amend said section 19 by inserting in line 15 after the word "shall" the words "in writing duly verified."

Amend said section, line 16, by inserting after the word "ticket" the following: 'and said candidate duly withdraws as provided for in this chapter from other nominations than the one he selects."

Amend chapter 3, section 23, page 15, of Senate bill, by adding the following at the end of said section: 'provided, that for general elections the supply of ballots so retained shall only equal the number provided for the precinct casting the largest vote at the preceding election, and shall include only the portions of the various lickets to be voted for throughout the entire county, with blank spaces in which the names of candidates omitted may be written by the voter."

Amend chapter 3, section 28, page 16 of Senate bill by striking out in line 6 the following words: "administer to and."

Amend chapter 3, section 33, page 18 of Senate bill by inserting after the first word "circle" in line 3, the following: "the making of a cross in the square of another ticket than the one marked in the circle shall not affect the validity of the ballot except as to the office for which the person opposite whose name such cross was made is a candidate, and as to that office the vote shall not be counted."

Also, same section, line 9 , after the word "candidates" place a period, and commence next sentence with capital "I."

Amend chapter 7, section 20, page 36, Senate bill, in line 4, by striking out the word 'is'" and insert the word "if."

Amend chapter 10, section 8, page 44, Senate bill, by striking out the word "us" and inserting the word "as" in lieu thereof.

Amend chapter 12, section 5, page 47, Senate bill, by striking out in line 3 , the words "seventy-five cents" and inserting in lieu thereof "one dollar;" also, in same line by striking out the words "thirty-seven and onehalf" and insert "fifty."

And when so amended it do pass.
C. F. Jounston,

Chairman.

## Ordered passed on file.

Mr. McArthur, from the Committee on Public Libraries, submitted the following report:

Mr. Speaker-Your Committee on Public Libraries, to whom was referred House fle No. 64, a bill for an act to revise, amend and codify the statutes in relation to the state library, beg leave to report that they have
had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same do pass with the following amendments:

Amend section 1, line 3, by striking out the words "A librarian and" after the word "appoint."

Amend section 2, line 6, by adding thereto "except as hereinafter provided."

Amend section 3, line 1, by striking out the word "librarian" and inserting in lieu thereof the following: "State library shall be in the custody of the librarian, who shall be appointed by the Governor and who."

Amend section 3, line 4, by inserting after the word "dollars" and before the word "conditioned" the words "in such form as the Governor shall approve"

Amend section 3, line 5, by striking out the word "and" after the word "with."

Amend section 3, line 6, by striking out the words "approved by."
After section 10 insert the following as section 11 (chapter 49 acts of Twenty-sixth Géneral Assembly):
'Sec. 11. From and after the first day of July, eighteen hundred and ninety-six, any public, incorporated school or college library in the State, may upon compliance with the provisions of the rules prescribed by the board of trustee of the State library, become an 'associate library' with the State library, and be entitled to all the privileges accorded by this act to associate libraries. It shall be the duty of the State librarian to issue to any eligible library complying with such rules a certificate of association showing that such library has become an 'associate library.' The associate relationship may be terminated at any time by a surrender of said certificate, and the return of all books and other property belonging to the State library, whereupon the State librarian shall return to such associate library any bonds ordeposit held for the security of said books or other property. The associate relationship may also be terminated by a violation of such rules as may be prescribed by said board of trustees for the regulation and management of said associate libraries.
"The librarian, committee, or other persons having the management and control of said associate library, shall make an annual report to the State librarian of the names of its officers, trustees or managers, the number of volumes contained in such library, the number of volumes drawn therefrom during the preceding year, and such other facts and statistics regarding the same as may be required by said State librarian. Such report shall be made at such time as may be fixed by the State librarian. Such associate librarian, committee, or other person aforesaid, shall also report at once any changes made in the officers, trustees, or management of such associate library during the year.
"Under such reasonable rules and regulations as may be prescribed therefor by said board of trustees and the State librarian, said State librarian, upon the requisition of such associate library, may lend to such associate library books, or collections of books, from the duplicate department of said State library, or from books especially procured for such purpose, or any book in the State library; but this section shall not authorize
the removal of such books, pamphlets, papers, maps, or documents as in the discretion of said board of trustees and the State librarian cannot, consistent with the best interests of the State library, be allowed to be taken therefrom; provided, that all expense of trausportation shall in all cases be paid by the associate library borrowing such book or other property.
"The officers, directors, managers, or librarian of any such associate library shall be entitled to ask from the State librarian any needed advice or instruction as to buildings, furniture, equipment, management, service, rules for readers, selections of books, buying, cataloguing, shelving, binding books, or other matter pertaining to the establishment, organization, or administration of a public library. It shall be the duty of the State librarian to impart such advice or instruction, whenever so requested, consistent with her other duties.
"If the responsible officers or managers of any associate library shall disregard, violate or refuse to comply with such rules and regulations as may be made under the provisions of this act, such associate library shall be debarred the privileges herein granted.
"The State librarian shall keep a complete record of such associate libraries, and of the transactions therewith, and shall include in her annual report a summary of the facts of public interest and value in relation thereto. It shall also be the duty of the State librarian to provide lists of the books, or collections of books, which may be thus available for such purposes, which shall be furnished upon application, together with such requisites, rules and regulations as may be prescribed for the obtaining and management of the same.
"Where no such library exists, and whenever twenty-five resident taxpayers petition therefor, such books, or collections of books, may be lent to any college, school, university, extension center, Chautauqua circle, literary society, reading course, study club or other association, approved by the rules prescribed by said board of trustees of the State library, under such rules, securities^and guaranties for the preservation, care, control and management of the same as may be prescribed by said board of trustees.
"The books and equipment of collections of books to be lent under the provisions of this act shall be designated as 'Iowa Traveling Libraries.'" Change the numbering of the subsequent sections.

> Wm. C. McArthur,
> Chairman.

Ordered passed on file.
Mr. Finch, from the Committee on Code Revision, Division No. 3, submitted the following report:

Mr. Speaker-Your Committee on Code Revision, Division No.3, to whom was referred House file No. 29, a bill for an act to revise, amend and codify the statutes relating to the care of the insane, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the House nonconcur in Senate amendments to section 5, pages 444 and 445.

Amend Senate amendments to section 6, page 445, by striking out " $\$ 2,500.00$ " and insert in lieu thereof " $\$ 3,000.00$ salary."

Concur in all other amendments. (See Senate Journals February 18 and 27 and March 1 and 4.)

> P. Finch, Chairman.

Ordered passed on file.
Mr. Allen asked that the Journal show that on January 27th, House files No. 24 and 25 were transferred from the Committee on Cod 9 Revision, Second Division, to Committee on Railroads and Commerce.

House file No. 1, with Senate amendments, was taken up.
Mr. Wood moved that the House concur in the Senate amendments.

On the question, "Shall the House concur?" the yeas were:
Messrs. Allen, Bailey, Baker, Bell, Bowen, Brady, Brant, Brighton, Brinton, Byington, Chapman, Clark, Cook, Cornwall, Crow, Doubleday, Dowell, Early, Edwards, Evans, Finch, Frazee, Frink, Funk, Garner, Good, Griswold, Haugen, Hauger, Hayes, Hazen, Hendershot, Hinkhouse, Hinman, Hunt, Huntley, Jay, Johnston of Franklin, Klemme, Ladd, Lambert, Lauder, Lavender, Loomis, Lowry, McAchran, McArthur, McDonald, McDowell, McNulty, McQuin, Manahan, Marti, Martin, Mayne, Merriam, Miller of Buena Vista, Miller of Cherokee, Miller of Warren, Morrison of Grundy, Morrison of Keokuk, Mullin, Nietert, Nolan, Parker, Perrott, Porter, Potter, Power, Prentis, Putnam, Ray, Reed, Scott, Smith, Spaulding, St. John, Sullivan, Temple, Thompson, Tibbitts, Van Houten, Voelker, Weaver, Wheeler, Whelan, Whittier, Williams, Wilson, Wood, Mr. Speaker-91.

The nays were:
None.
Absent or not voting:
Messrs. Bird, Classen, Davis, Grote, Gurley, Jackson, Johnson of Webster, Watters, Wells-9.

So the House concurred.
House file No. 43, with Senate amendments, was taken up, and on motion of Mr. Bowen was referred to Committee on Public Health.

House file No. 54, with Senate amendments, was taken up and considered.

On the question, "Shall the House concur?" the yeas were:
Messrs. Allen, Bailey, Baker, Bell, Brant, Brighton, Brinton, Byington, Chapman, Clark, Cornwall, Doubleday, Dowell, Early, Edwards, Evans, Finch, Frazee, Frink, Funk, Garner, Good, Griswold, Haugen, Hauger, Hendershot, Hinkhouse, Hinman, Hunt, Huntley, Jay, Johnston of Franklin, Klemme, Ladd, Lambert, Lavender, Loomis, Lowry, McAchran, McArthur, McDonald, McDowell, McNulty, McQuin, Manahan, Marti, Martin, Mayne, Merriam, Miller of Buena Vista, Miller of Cherokee, Miller of Warren, Morrison of Grundy, Morrison of Keokuk, Mullin, Nolan, Parker, Porter, Potter, Power, Prentis, Putnam, Ray, Reed, Scott, Smith, Spaulding, St. John, Sullivan, Temple, Thompson, Tibbitts, Van Houten, Voelker, Watters, Weaver, Wells, Wheeler, Whelan, Whittier, Williams, Wilson, Wood-83.

The nays were:
None.
Absent or not voting:
Messrs. Bird, Bowen, Brady, Classen, Cook, Crow, Davis, Grote, Gurley, Hayes, Hazen, Jackson, Johnson of Webster, Lauder, Nietert, Perrott, Mr. Speaker-17.

So the House concurred.
report of committee on enrolled bills.
Mr. Hauger, from Committee on Enrolled Bills, submitted the following report:

Mr. Speaker-Your Committee on Enrolled Bills respectfully report that they have this day sent to the Governor for his approval:

House file No. 4, a bill for an act to revise, amend and codify the statutes in relation to the sovereignty and jurisdiction of the State.

Also:
House file No. 68, a bill for an act to revise, amend and codify the statutes in relation to money of accounts and interest.

Also:
House file No. 56, a bill for an act to revise, amend and codify the statutes in relation to the Industrial School.

Also:
House file No. 72, a bill for an act to revise, amend and codify the statutes in relation to private seals.

Also:
House file No. 30, a bill for an act to revise, amend and codify the statutes in relation to domestic animals.

## Also:

House file No. 58, a bill for an act to revise, amend and codify the statutes in relation to the Industrial Home for the Blind.
W. E. Hauger,

Chairman.
March 10, 1897.
House file No. 84, with Senate amendments thereto, was taken up and referred to the Committee on Judiciary.

House file No. 37, with Senate amendments thereto, was taken up and considered.

Mr. Griswold moved that the House concur in the Senate amendments.

On the question, "Shall the House concur in the Senate amendments?" the yeas were:

Messrs. Allen, Bailey, Buker, Bell, Bowen, Brady, Brant, Brighton, Brinton, Byington, Chapman, Clark, Cook, Cornwall, Crow, Davis, Doubleday, Dowell, Early, Edwards, Evans, Finch, Frazee, Frink, Funk, Garner, Good, Griswold, Haugen, Hauger, Hayes, Hazen, Hendershot, Hinkhouse, Hinman, Hunt, Huntley, Jay, Johnson of Webster, Johnston of Franklin, Ladd, Lambert, Lauder, Lavender, Loomis, McAchran, McArthur, McDowell, McNulty, McQuin, Manahan, Marti, Martin, Mayne, Merriam, Miller of Buena Vista, Miller of Cherokee, Miller of Warren, Morrison of Keokuk, Mullin, Nietert, Nolan, Parke1, Porter, Potter, Power, Prentis, Putnam, Ray, Reed, Smith, Spaulding, St. John, Temple, Thompson, Tibbitts, Van Houten, Voelker, Watters, Weaver, Wells, Wheeler, Whelan, Whittier, Williams, Wilson, Wood, Mr. Speaker-88.

The najs were:
Messrs. Lowry, McDonald, Scott-3.
Absent or not voting:
Messrs. Bird, Classen, Grote, Gurley, Jackson, Klemme, Morrison of Grundy, Perrott, Sullivan-9.

So the House concurred.
House file No. 59, with Senate amendments, was taken up and considered.

Mr. Martin moved to amend the Senate amendments by striking out the period after the word "president" and inserting the word 'and;" insert a period after the word "secretary."

Adopted.
On motion of Mr. Finch, House file No. 28, a bill for an act to revise, amend and codify the statutes in relation to the
settlement and support of the poor, with Senate amendments, was taken up and considered.

On the question, "Shall the House concur in the Senate amendment to section 1 ?" which was to add to section 1 the following: "But no such relative shall be so liable until notice in writing has been given him by said trustees and an opportunity afforded to furnish such poor person with proper relief or support," the yeas were:

Messrs. Allen, Bailey, Bowen, Brant, Brighton, Clark, Cook, Early, Edwards, Evans, Finch, Frink, Griswold, Grote, Hayes, Hinkhouse, Huntley, Johnson of Webster, Klemme, Lauder, Lavender, Loomis, Lowry, McArthur, McDowell, McNulty, Martin, Mullin, Perrott, Porter, Power, Spaulding, Watters, Whelan, Williams, Wilson, Wood, Mr. Speaker-38.

The nays were:
Messrs. Baker, Bell, Brady, Brinton, Byington, Chapman, Cornwall, Crow, Davis, Doubleday, Dowell, Frazee, Funk, Garner, Good, Hazen, Hendershot, Hinman, Hunt, Jay, Johnston of Franklin, Ladd, Lambert, McAchran, McDonald, McQuin, Manahan, Marti, Mayne, Merriam, Miller of Buena Vista, Miller of Cherokee, Miller of Warren, Morrison of Grundy, Morrison of Keokuk, Nietert, Nolan, Parker, Prentis, Putnam, Ray, Reed, Scott, Smith, St. John, Sullivan, Thompson, Tibbitts, Van Houten, Voelker, Wells, Wheeler-52.

Absent or not voting:
Messrs. Bird, Classen, Gurley, Haugen, Hauger, Jackson, Potter, Temple, Weaver, Whittier-10.

So the House refused to concur.
On motion of Mr. Finch, the House refused to concur in the Senate amendments to section 15 and to section 37.

On the question, "Shall the House concur in all of the remaining amendments?" the yeas were:

Messrs. Allen, Bailey, Baker, Bell, Bowen, Brady, Brant, Brighton, Brinton, Byington, Chapman, Clark, Cook, Cornwall, Crow, Davis, Doubleday, Dowell, Early, Edwards, Evans, Frazee, Frink, Funk, Garner, Good, Griswold, Grote, Hayes, Hazen, Hendershot, Hinkhouse, Hinman, Hunt, Huntley, Jackson, Jay, Johnson of Webster, Johnston of Franklin, Klemme, Ladd, Lambert, Lauder, Lavender, Loomis, Lowry, Mc Achran, McArthur, McDonald, McDowell, McNulty, McQuin, Manahan, Marti, Martin, Merriam, Miller of Buena Vista, Miller of Cherokee, Morrison of Grundy, Morrison of Keokuk, Mullin

Nietert, Nolan, Parker, Perrott, Porter, Power, Prentis, Putnam, Ray, Reed, Scott, Smith, Spaulding, St. John, Sullivan, Thompson, Tibbitts, Van Houten, Voelker, Watters, Wheeler, Whelan, Williams, Wilson, Wood, Mr. Speaker-87.

The nays were:
None.
Absent or not voting:
Messrs. Bird, Classen, Finch, Gurley, Haugen, Hauger, Mayne, Miller of Warren, Potter, Temple, Weaver, Wells, Whittier-13.

So the House concurred.
On motion of Mr. St. John, Senate file No. 30, a bill for an act to revise, amend and codify the statutes, in relation to the dairy commissioner and imitation dairy products, with report of committee recommending passage with amendments, was taken up and considered.

The committee amendment to section 3 was adopted.
The committee amendment to section 8 was adopted.
The committee amendments to section 9 were adopted.
The committee amendments to section 11 were adopted.
The committee amendment to section 12 was adopted.
The committee amendment to section 14 was adopted.
Mr. Haugen moved to amend section 14 by striking out the word "fifteen" and inserting the word "twelve" in lieu thereof.

Messrs. Haugen and Brighton demanded the yeas and nays, which resulted as follows:

On the question, "Shall the amendment prevail?" the yeas were:

Messrs. Bell, Brighton, Chapman, Clark, Cook, Edwards, Evans, Finch, Frazee, Funk, Garner, Haugen, Hayes, Hazen, Hinkhouse, Hinman, Hunt, Huntley, Jay, Johnson of Webster, Klemme, Lambert, McAchran, McArthur, McDonald, McDowell, Manahan, Marti, Miller of Buena Vista, Miller of Cherokee, Niller of Warren, Morrison of Keokuk, Mullin, Nolan, Parker, Perrott, Porter, Power, Scott, Spaulding, Thompson, Van Houten, Voelker, Wheeler, Whelan, Williams, Wilson-46.

The nays were:
Messrs. Allen, Bowen, Brady, Brant, Brinton, Byington, Cornwall, Crow, Davis, Doubleday, Dowell, Early, Frink, Good, Griswold, Hauger, Hendershot, Jackson, Ladd, Lauder, Loomis, Lowry, McNulty, McQuin, Martin, Mayne, Merriam, Morrison of Grundy, Nietert, Potter, Prentis, Putnam, Ray,

Reed, Smith, St. John, Sullivan, Temple, Weaver, Wells, Whittier, Wood, Mr. Speaker-43.

Absent or not voting:
Messrs. Bailey, Baker, Bird, Classen, Grote, Gurley, Johnston of Franklin, Lavender, Potter, Tibbitts, Watters-11.

So the amendment prevailed.
Mr . Klemme moved to amend section 14 (new numbering) by adding after the word "expenses" the words "which shall not exceed two thousand dollars per year."

Mr . Bell moved to amend the amendment by striking out the words "two thousand" and inserting in lieu thereof the words "three thousand."

The amendment was adopted by a vote of 52 yeas to 29 nays.
The amendment as amended was adopted.
Mr. Van Houten moved to amend as follows: In section 14 (new numbering), line 2, insert after the word "him" the words "and when examined and approved by the Executive Council, to be paid upon a warrant of the State Auditor drawn upon the State Treasurer."

Adopted.
Mr. St. John moved that the rule be suspended, and that the bill be read a third time now, which motion prevailed and the bill was read a third time.

On the question, "Shall the bill pass?" the yeas were:
Messrs. Baker, Bell, Bowen, Brady, Brant, Brighton, Brinton, Byington, Chapman, Clark, Cook, Cornwall, Crow, Davis, Doubleday, Dowell, Early, Evans, Finch, Frazee, Frink, Funk, Garner, Good, Haugen, Hayes, Hazen, Hinkhouse, Hinman, Hunt, Huntley, Johnson of Webster, Klemme, Lambert, Lavender, Lowry, McAchran, McArthur, McDowell, McNulty, Manahan, Martin, Mayne, Miller of Buena Vista, Miller of Cherokee, Miller of Warren, Morrison of Grundy, Morrison of Keokuk, Mullin, Nolan, Parker, Perrott, Porter, Power, Spaulding, Thompson, Van Houten, Voelker, Wheeler, Whelan, Whittier, Williams, Wilson, Mr. Speaker-64.

The nays were:
Messrs. Allen, Edwards, Griswold, Grote, Hendershot, Jackson, Jay, Ladd, Loomis, McDonald, McQuin, Merriam, Nietert, Potter, Prentis, Putnam, Ray, Reed, Scott, Smith, St. John, Sullivan, Temple, Tibbitts, Weaver, Wells, Wood -27.

Absent or not voting:
Messrs. Bailey, Bird, Classen, Gurley, Hauger, Johnston of Franklin, Lauder, Marti, Watters-9.

So the bill passed and the title was agreed to.
The following explanations of vote were filed:
Mr. Speaker-I vote "no" because the salary of the dairy commissioner under the provisions of this bill is reduced from fifteen hundred to twelve hundred dollars per annum.

W. S. Allen.

Mr. Speaker-I vote "no" for the reason that I believe the cutting down of the dairy commissioner's salary, and necessary expenses of his office, will hinder the efficient and good work of his office and prove detrimental to the best interests of the dairy industry of our State.

H. J. Nietert.

## MESSAGE FROM THE SENATE.

The following message was received from the Senate:
Mr. Spfakmb-I am directed to inform your honorable body that the Senate has passed the following bill, in which the concurrence of the House is asked:

Senate file No. 72, a bill for an act to revise, amend and codify the statutes in relation to the estates of decedents.

> Grio. A. Newman, Secretary.

## REPORT OF COMMITTEE ON ENROLLED BILLS.

Mr. Hauger, from the Committee on Enrolled Bills, submitted the following report:

Mr. Speaker-Your Committee on Enrolled Bills respectfully report that they have examined, and find correctly enrolled, House file No. 1, a bill for an act making a special appropriation for the Institution for Feeble Minded at Glenwood, Lowa.

> W. E. HAUGER, Chairman.

Ordered passed on tile.
REPORT OF JOINT COMMITTEE ON ENROLLED BILLS.
Mr. Hauger, from the Joint Committee on Enrolled Bills, submitted the following report:

Mr. Speaker-Your Joint Committee on Enrolled Bills respectfully report that they have examined, and find correctly enrolled, House file No. 1, a bill for an act making a special appropriation for the Institution for Feeble Minded at Glenwood, Iowa.

> G. S. Gilbertson, Chairman Senate Committee.
> W. E. Hauger, Chairman House Committee.

The Speaker signed in the presence of the House, House file No. 1.

On motion of Mr. McArthur, House file No. 64, a bill for an act to revise, amend and codify the statutes in relation to the State library, with report of committee recommending passage with amendments, was taken up and considered.

The committee amendment to section 1 was adopted.
The committee amendment to section 2 was adopted.
The committee amendment to section 3, line 1 , was adopted.
The committee amendment to section 3 , line 4 , was adopted.
The committee amendment to section 3, line 5, was adopted.
The committee amendment to section 3 , line 6 , was adopted.
The committee amendments to add as section 11 and to renumber were adopted.

Mr. McArthur moved to strike out of line 1, section 16 (new numbering), the words "of the library."

Adopted.
Mr. Reed moved to amend section 18 (new numbering), line 1, by striking out the words "twelve hundred dollars" and insert the words "one thousand dollars."

Messrs. Reed and Funk demanded the yeas and nays on the amendment, which resulted as follows:

On the question, "Shall the amendment prevail?" the yeas were:

Messrs. Allen, Bailey, Baker, Bell, Bowen, Brady, Chapman, Cook, Doubleday, Finch, Frazee, Funk, Garner, Good, Grote, Haugen, Hayes, Hazen, Hendershot, Hinkhouse, Hinman, Hunt, Johnson of Webster, Klemme, Lowry, McAchran, McDowell, Manahan, Miller of Buena Vista, Miller of Cherokee, Miller of Warren, Morrison of Keokuk, Mullin, Nolan, Parker, Perrott, Power, Ray, Reed, Scott, Spaulding, Sullivan, Thompson, Van Houten, Voelker, Wells, Wheeler, Whelan, Williams, Wilson-50.

The nays were:
Messrs. Brant, Brinton, Byington, Clark, Cornwall, Crow, Dowell, Early, Erans, Griswold, Hauger, Jackson, Johnston of Franklin, Lambert, Lauder, Loomis, McArthur, McDonald, McNulty, McQuin, Martin, Mayne, Merriam, Morrison of Grundy, Nietert, Potter, Prentis, Putnam, Smith, St. John, Tibbitts, Weaver, Whitiier, Wood, Mr. Speaker-35.

Absent or not voting:
Messrs. Bird, Brighton, Classen, Davis, Edwards, Frink, Gurley, Huntley, Jay, Ladd, Lavender, Marti, Porter, Temple, Watters-15.

So the amendment prevailed.
Mr. Klemme moved to add to section 18 (new numbering) the words "and expenses not to exceed $\$ 3,000$."

Lost.
Mr. McArthur moved that the rule be suspended, and that the bill be considered engrossed and read a third time now, which motion prevailed and the bill was read a third time.

On the question, "Shall the bill pass?" the yeas were:
Messrs. Allen, Bailey, Baker, Bell, Bowen, Brady, Brant, Brighton, Brinton, Byington, Chapman, Clark, Cook, Cornwall, Crow, Doubleday, Dowell, Early, Edwards, Evans, Finch, Frazee, Funk, Garner, Good, Griswold, Grote, Haugen, Hauger, Hayes, Hazen, Hendershot, Hinkhouse, Hinman, Hunt, Jackson, Jay, Johnson of Webster, Johnston of Franklin, Lambert, Lauder, Loomis, Lowry, McAchran, McArthur, McDonald, McDowell, McNulty, McQuin, Manahan, Martin, Mayne, Merriam, Miller of Buena Vista, Miller of Cherokee, Miller of Warren, Morrison of Grundy, Morrison of Keokuk, Mullin, Nietert, Nolan, Parker, Perrott, Potter, Power, Prentis, Putnam, Ray, Reed, Scott, Smith, St. John, Sullivan, Thompson, Tibbitts, Van Houten, Voelker, Weaver, Wells, Wheeler, Whelan, Whittier, Williams, Wilson, Wood, Mr. Speaker-86.

Mr. Klemme voted in the negative.
Absent or voting:
Messrs. Bird, Classen, Davis, Frink, Gurley, Huntley, Ladd, Lavender, Marti, Porter, Spaulding, Temple, Watters-13.

So the bill passed and the title was agreed to.
report of committee on enrolled bills.
Mr. Hauger, from the Committee on Enrolled Bills, submitted the following report:

Mr. Speaker-Your Committee on Enrolled Bills respectfully report that they have this day sent to the Governor for his approval:

House fle No. 1, a bill for an act making a special appropriation for the Institution for Feeble Minded at Glenwood, Iowa.
W. E. Hauger,

Chairman.
Ordered passed on file.
Mr. McArthur offered the following petition and asked that it be printed in the Journal:

Burlington, Iowa, March 9, 1897.
Hon. W. O. McArthur, Representative, Des Moines:
Dear Sir-As a railroad employe and a citizen I desire to enter an earnest protest against the passage in the Legislature of the Temple amendment to the railroad laws of our State, the object of the same being to do away with the relief department of the C., B. \& Q. Company.

I have been a member of this department ever since its organization and believe it to be a good thing. I have as yet failed to draw any benefits, as I have been fortunate enough to escape disease and accident thus far. I have never known of any employe being coerced into joining the department, nor have I ever known of a man to be deprived of his benefits when he was entitled to them.

I know men who were admitted into the "relief" at the time it was organized, who at that time were over 45 years of age. Some of them are old and feeble now and their working days are about over. The insurance due them in this department is all that their families will have when these men die. If the relief is killed this insurance of course will be stopped, and as they are too old now to get into any organization or insurance company you can readily see that a great injustice would be done these men.

Among all the men I know who belong to this department I have failed to find a solitary one who would wish to see it "knocked out" in this State. This, I am sure, is sufficient to show that it is all right. In the interest of justice and equal rights for all, I trust you will use your influence to defeat the Temple amendment in the Senate, since it has passed the House.

Yours respectfully, W. J. Turner.

## SENATE MESSAGES.

Senate file No. 72, a bill for an act to revise, amend and codify the statutes in relation to the estates of decedents, was read first and second time and referred to First Division Code Revision Committee.

Senate file No. 89, a bill for an act authorizing the Executive Council to purchase or condemn a site on which to erect a memorial, historical and art building, to procure plans, specifications, etc., therefor, and to take other preliminary steps toward its construction, and making an appropriation therefor, and to repeal chapter 115 laws of the Twenty-sixth General Assembly, regular session, was read first and second time and referred to Committee on Judiciary.

Senate file No. 88, a bill for an act to provide for the payment of mileage to the committee appointed to visit the Institution for Feeble Minded at Glenwood, was read first and second time and referred to Committee on Appropriations.

Senate file No. 84, a bill for an act to amend section 3756 of Code of 1873, as amended by chapters 118 and 125, acts of the Twenty-first General Assembly, relating to the collection of
fees by the Secretary of State, was read first and second time and referred to Committee on Judiciary.

Mr. Ladd asked that the Journal show that had it been possible for him to have been present when the roll was called on the amendment reducing the salary of the State librarian he would have voted "no."

On motion of Mr. Byington the House adjourned until 2 р. м.

## AFTERNOON SESSION.

The House met at 2 P. m., with Speaker Byers in the chair.
Mr. Dowell moved to reconsider the vote whereby House file No. 64 passed the House.

Carried.
Mr. Allen moved to reconsider the vote whereby the bill had passed to its third reading.

Lost by a vote of 26 yeas to 32 nays.
On the question, "Shall the bill pass?" the yeas were:
Messrs. Bailey, Baker, Bell, Bowen, Byington, Chapman, Cook, Cornwall, Evans, Finch, Frazee, Funk, Garner, Good, Hazen, Hinkhouse, Hinman, Huntley, Jay, Johnson of Webster, Johnston of Franklin, Klemme, Lambert, Loomis, Lowry, McAchran, McDowell, Manahan, Marti, Mayne, Merriam, Miller of Buena Vista, Miller of Cherokee, Miller of Warren, Morrison of Grundy, Morrison of Keokuk, Mullin, Nolan, Parker, Power, Ray, Scott, Spaulding, Sullivan, Voelker, Watters, Whelan, Williams, Wilson-49.

The nays were:
Messrs. Allen, Brant, Brinton, Clark, Davis, Doubleday, Dowell, Early, Griswold, Hauger, Hendershot, Jackson, Ladd, Lauder, McArthur, McNulty, Nietert, Perrott, Prentis, Putnam, Reed, Smith, St. John, Tibbitts, Weaver, Wells, Whittier, Wood, Mr. Speaker-29.

Absent or not voting:
Messrs. Bird, Brady, Brighton, Classen, Crow, Edwards, Frink, Grote, Gurley, Haugen, Hayes, Hunt, Lavender,

McDonald, McQuin, Martin, Porter, Potter, Temple, Thompson, Van Houten, Wheeler-22.

So the bill having failed to receive a constitutional majority was lost.

Mr. Lambert, seconded by Mr. McArthur, moved to reconsider the vote whereby Senate file No. 30, passed the House.

Mr. Haugen moved that this motion be indefinitely postponed.

Messrs. Brant and Haugen demanded the yeas and nays, which resulted as follows.

On the question, "Shall the motion be indefinitely postponed?" the yeas were:

Messrs. Bell, Chapman, Clark, Cook, Cornwall, Crow, Evans, Finch, Funk, Garner, Haugen, Hayes, Hazen, Hinkhouse, Hinman, Huntley, Johnson of Webster, Johnston of Franklin, Klemme, McAchran, Manahan, Mayne, Miller of Buena Vista, Miller of Cherokee, Miller of Warren, Morrison of Keokuk, Parker, Power, Scott, Spaulding, Van Houten, Weaver, Whelan, Williams, Wilson-35.

The nays were:
Messrs. Allen, Bailey, Baker, Brady, Brant, Brinton, Byington, Davis, Doubleday, Dowell, Early, Frazee, Good, Griswold, Hauger, Hendershot, Hunt, Jackson, Jay, Ladd, Lambert, Lauder, Lavender, Loomis, Lowry, McArthur, McDowell, McNulty, McQuin, Marti, Merriam, Morrison of Grundy, Mullin, Nietert, Nolan, Perrott, Potter, Prentis, Putnam, Ray, Reed, Smith, St. John, Sullivan, Temple, Tibbitts, Voelker, Wells, Wheeler, Whittier, Wood, Mr. Speaker-52.

Absent or not voting:
Messrs. Bird, Bowen, Brighton, Classen, Edwards, Frink, Grote, Gurley, McDonald, Martin, Porter, Thompson, Watters -13.

So the motion was lost.
Motion to reconsider was carried by a vote of 48 yeas to 33 nays.

Mr. Dowell moved to reconsider the vote whereby the bill passed to its third reading.

Mr. Haugen moved to lay this motion on the table.
Lost by a vote of 37 yeas to 50 nays.
The motion of Mr. Dowell prevailed.
Mr. Lambert moved to reconsider the vote whereby the salary of the dairy commissioner, in section 14, was reduced from fifteen hundred dollars to twelve hundred dollars.

Messrs. Klemme and Brant demanded the yeas and nays, which resulted as follows:

On the question, "Shall the motion to reconsider prevail?" the yeas were:

Messrs. Allen, Bailey, Baker, Brant, Brinton, Byington, Crow, Davis, Doubleday, Dowell, Early, Frazee, Frink, Good, Griswold, Grote, Hauger, Hazen, Hendershot, Hunt, Jackson, Jay, Ladd, Lambert, Lauder, Lavender, Loomis, Lowry, McArthur, McNulty, McQuin, Marti, Mayne, Merriam, Morrison of Grundy, Mullin, Nietert, Nolan, Perrott, Potter, Prentis, Putnam, Ray, Reed, Smith, St. John, Sullivan, Temple, Thompson, Tibbitts, Voelker, Weaver, Wells, Whittier, Wood, Mr. Speaker-56.

The nays were:
Messrs. Bell, Brady, Chapman, Clark. Ccok, Cornwall, Edwards, Evans, Finch, Funk, Garner, Haugen, Hayes, Hinkhouse, Hinman, Huntley, Johnson of Webster, Johnston of Franklin, Klemme, McAchran, McDowell, Manahan, Miller of Buena Vista, Miller of Cherokee, Miller of Warren, Morrison of Keokuk, Parker, Porter, Power, Scott, Spaulding, Van Houten, Wheeler, Whelan, Williams, Wilson-36.

Absent or not voting:
Messrs. Bird, Bowen, Brighton, Classen, Gurley, McDonald, Martin, Watters-8.

So the motion to reconsider prevailed.
On the question, 'Shall the amendment reducing the salary of dairy commissioner from $\$ 1,500$ to $\$ 1,200$, in section 14 , be adopted?" Messrs. Haugen and Klemme demanded the ayes and nays, which resulted as follows:

On the question, "Shall the amendment prevail?" the yeas were:

Messrs. Bell, Brady, Chapman, Cook, Edwards, Evans, Finch, Funk, Garner, Haugen, Hayes, Hinkhouse, Hinman, Huntley, Johnson of Webster, Johnston of Franklin, Klemme, McAchran, McDowell, Miller of Buena Vista, Miller of Cherokee, Miller of Warren, Morrison of Keokuk, Nolan, Parker, Porter, Power, Scott, Spaulding, Thompson, Van Houten, Wheeler, Whelan, Williams, Wilson-35.

The nays were:
Messrs. Allen, Bailey, Baker, Brant, Brinton, Byington, Clark, Cornwall, Crow, Davis, Doubleday, Dowell, Early, Frazee, Frink, Good, Griswold, Grote, Hauger, Hazen, Hendershot,

Hunt, Jackson, Jay, Ladd, Lambert, Lauder, Lavender, Loomis, Lowry, McArthur, McNulty, McQuin, Manahan, Marti, Mayne, Merriam, Morrison of Grundy, Mullin, Nietert, Perrott, Potter, Prentis, Putnam, Ray, Reed, Smith, St. John, Sullivan, Temple, Tibbitts, Voelker, Watters, Weaver, Wells, Whittier, Wood, Mr. Speaker-58.

Absent or not voting:
Messrs. Bịd, Bowen, Brighton, Classen, Gurley, McDonald, Martin-7.

So the amendment was lost.
The question of passing the bill to its third reading was then put and carried.

On the question, "Shall the bill pass?" the yeas were:
Messrs. Allen, Bailey, Baker, Bell, Brady, Brant, Brinton, Byington, Cornwall, Crow, Davis, Doubleday, Dowell, Early, Frazee, Frink, Good, Griswold, Grote, Hauger, Hayes, Hazen, Hendershot, Hunt, Jackson, Jay, Ladd, Lambert, Lauder, Lavender, Loomis, Lowry, McAchran, McArthur, McNulty, McQuin, Manahan, Marti, Mayne, Merriam, Miller of Cherokee, Morrison of Grundy, Morrison of Keokuk, Mullin, Nietert, Nolan, Perrott, Potter, Prentis, Putnam, Ray, Reed, Smith, St. John, Sullivan, Temple, Thompson, Tibbitts, Voelker, Watters, Weaver, Wells, Whittier, Wood, Mr. Speaker-65.

## The nays were:

Messrs. Chapman, Clark, Cook, Edwards, Evans, Finch, Funk, Garner, Haugen, Hinkhouse, Hinman, Huntley, Johnson of Webster, Johnston of Franklin, Klemme, McDowell, Miller of Buena Vista, Miller of Warren, Parker, Porter, Power, Scott, Spaulding, Van Houten, Whelan, Williams, Wilson-27.

Absent or not voting:
Messrs. Bird, Bowen, Brighton, Classen, Gurley, McDonald, Martin, Wheeler-8.

So the bill passed and the title was agreed to.
On motion of Mr. Griswold, House file No. 38, a bill for an act to revise, amend and codify the statutes in relation to the inspection of petroleum products, with report of committee recommending passage with amendments, was taken up and considered.

The committee amendment to section 2 was adopted.
The committee amendment to section 3 , line 4 , was adopted.

Mr. Morrison of Grundy moved to strike out in line 5, section 3, the words "the one" and insert "those:"

Adopted.
The committee amendment to add to section 3 was adopted.
The committee amendment to section 5 , lines 9 and 10, was adopted.

The committee amendment to section 5 , line 29 , was adopted.
The committee amendment to section 7 , line 1 was adopted.
Mr. Prentis moved to amend as follows: In section 5, line 4, strike out the words "as approved."

Adopted.
Mr. Manahan moved to strike out of the bill all after the enacting clause.

Lost.
Mr. Griswold moved that the rule be suspended, and that the bill be considered engrossed and read a third time now, which motion prevailed and the bill was read a third time.

On the question, "Shall the bill pass?" the yeas were:
Messrs. Allen, Bailey, Bell, Bowen, Brady, Brinton, Byington, Chapman, Clark, Cook, Cornwall, Crow, Doubleday, Dowell, Early, Evans, Finch, Frazee, Frink, Funk, Good, Griswold, Grote, Haugen, Hauger, Hayes, Hendershot, Hinkhouse, Huntley, Johnson of Webster, Johnston of Franklin, Klemme, Ladd, Lauder, Loomis, Lowry, McAchran, McArthur, McDonald, McDowell, McQuin, Marti, Mayne, Merriam, Miller of Buena Vista, Miller of Warren, Morrison of Grundy, Morrison of Keokuk, Mullin, Nietert, Nolan, Potter, Prentis, Putnam, Ray, Reed, Smith, Thompson, Tibbitts, Voelker, Watters, Weaver, Wells, Whittier, Williams, Wood, Mr. Speaker-67.

The nays were:
Messrs, Baker, Edwards, Garner, Hazen, Hunt, Lambert, Manahan, Parker, Porter, Power, Scott, Sullivan, Van Houten, Wheeler, Whelan, Wilson-16.

Absent or not voting:
Messrs. Bird, Brant, Brighton, Classen, Davis, Gurley, Hinman, Jackson, Jay, Lavender, McNulty, Martin, Miller of Cherokee, Perrott, Spaulding, St. John, Temple-17.

So the bill passed and the title was agreed to.
On motion of Mr. Finch, House file No. 29, a bill for an act to revise, amend and codify the statutes in relation to the care
of the insane, with Senate amendments, was taken up and considered.

Mr. Allen moved that further consideration of this bill be deferred until to-morrow.

Carried.
On motion of Mr. Finch, the House adjourned until 9 A. m. to-morrow.

Hall of the House of Rfprehsentatives, $\}$ Des Mornes, Iowa, Thursday, March 11, 1897. $\}$

The House was called to order at 9 A. M., with Speaker Byers in the chair.

Prayer was offered by Rev. R. K. Colloway of Sanborn, Iowa.

The following communication was read by the Clerk:
Dies Moines, Lowa, March 10, 1897.
Hon. H. W. Byers, Speaker House of Representatives, Des Moines, Iowa:
Dear Sir-Crocker Post No. 12, Department of Iowa, G. A. R., extends a most cordial invitation to the members of the House of Representatives to attend a campfire to be held at our hall, in the new Odd Fellow Temple, near Sixth and Locust streets, March 20, 1897.

Very respectfully,

> H. C. Murphy, Commander.
C. W. Greine,

Adjutant.
REPORTS OF COMMITTEES.
Mr. Bowen, from the Committee on Public Health, submitted the following report:

Mr. Speaker-Your Committee on Pablic Health, to whom was referred House file No. 43, a bill for an act to revise, amend and codify the statutes in relation to the State board of health, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the House concur in the Senate amendments.

Ordered passed on file.

> D. H. Bowen, Chairman.

Mr. Cornwall, from the Committee on Judiciary, submitted the following report:

Mr. Speaker-Your Committee on Judiciary, to whom was referred Senate file No. 84, a bill for an act to amend section 3756 of the Code of 1873, as amended by chapter 118 and 125 of the acts of the Twenty-first General Assembly, relative to collection of fees by the Secretary of

State, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same do pass.

W. W. Cornwall,<br>Chairman.

Mr. Temple, from the Committee on Code Revision, Division No. 1, submitted the following report:

Mr. Speaker-Your Committee on Code Revision, Division No. 1, to whom was referred Senate file No. 72, a bill for an act to revise, amend and codify the statutes in relation to the estates of decedents, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same do pass with amendments:

Amend the same by striking out section 2, chapter 1, page 669, and inserting in lieu thereof section 2, chapter 1 of title 17 of the Code as proponed by the Code commissioners.

Amend by striking out all of section 17, being the section providing for the proof of loat wills.

Amend by striking out of the latter part of section 1, chapter 3, beginning with the word "so," being all that part of the section in printing.

Amend section 3, chapter 3, by inserting in the third line thereof after the word "property" the words "unless otherwise disposed of by will."

Amend section 4, chapter 3, by inserting in the second line after the word "thereof" the words "are not subject to the debts of the deceased."

Amend the said section 4, by adding at the end thereof, the following: "the words heirs or legal heirs or other equivalent words used to designate the beneficiaries in any life insurance policy or certificate of membership in any mutual aid or benevolent association, or where no contrary intention is'expressed in such instrument, shall be constructed to include the surviving husband or wife of the insured and share of such survivor in the proceeds of such policy or certificate, made payable as aforesaid, shall be the same as that provided by law for the distribution of the personal property of intestates."

Farther amend section 4, by striking out of the latter part of said section, beginning with the words "the words heirs or legal heirs," down to and including the word "intestate," at the end of said section."

Amend chapter 4, section 6, by striking out of said section and inserting in lieu thereof section 6 of chapter 4 of the report of the proposed Code of the Code commissioners, as found on page 683 thereof.

> M. L. Temple,
> Chairman.

Ordered passed on file.
On motion of Mr. Cornwall, Senate file No. 84, with report of committee recommending passage, was taken up, considered and the report of the committee adopted.

Mr. Cornwall moved that the rule be suspended, and that the bill be read a third time now, which motion prevailed and the bill was read a third time.

On the question, "Shall the bill pass?" the yeas were:
Messrs. Allen, Bailey, Baker, Bell, Bird, Bowen, Brant, Brighton, Brinton, Byington, Chapman, Clark, Classen, Cook, Cornwall, Crow, Davis, Doubleday, Early, Edwards, Evans, Frazee, Frink, Funk, Good, Griswold, Hazen, Hendershot, Hinkhouse, Hinman, Huntley, Jay, Johnson of Webster, Johnston of Franklin, Klemme, Ladd, Lambert, Loomis, Lowry, McAchran, McArthur, McDonald, McDowell, Manahan, Marti, Martin, Mayne, Miller of Buena Vista, Miller of Cherokee, Morrison of Grundy, Mullin, Nietert, Nolan, Parker, Porter, Power, Prentis, Reed, Scott, Smith, Spaulding, Temple, Thompson, Van Houten, Watters, Weaver, Wells, Wheeler, Whelan, Whittier, Williams, Wilson, Wood, Mr. Speaker-74.

The nays were:
Messrs. Finch, McNulty, McQuin, Merriam, Potter, Ray, Sullivan, Tibbitts-8.

Absent or not voting:
Messrs. Brady, Dowell, Garner, Grote, Gurley, Haugen, Hauger, Hayes, Hunt, Jackson, Lauder, Lavender, Miller of Warren, Morrison of Keokuk, Perrott, Putnam, St. John, Voelker-18.

So the bill passed and the title was agreed to.
Journal of yesterday corrected and approved.
The Speaker signed in the presence of the House Senate file No. 50.

Special order for 9 A. m., House file No. 18, a bill for an act to revise, amend and and codify the statutes in relation to insurance, with report of committee recommending passage with amendments, was taken up and considered:

Committee amendment to section 2 was adopted.
Committee amendment to section 12 was adopted.
Committee amendment to section 15 was adopted.
Committee amendment to section 16, line 1, was adopted.
Committee amendment to section 16, line 6, was adopted.
Committee amendments to section 17 were adopted.
Committee amendment to section 19 was adopted.
Committee amendment to section 20 was adopted.
Committee amendment to section 23 was adopted.
Mr. Morrison of Keokuk moved to amend section 24, line 1, by inserting between the words "by" and "letter" the word "registered."

Adopted.

The committee amendment to section 26 was adopted.
The committee amendment to section 27 was adopted.
The committee amendment to section 30 was adopted.
Mr. Temple moved to amend section 26 by adding to said section the words "The insurance contemplated in the second subdivision of this section shall only be engaged in by stock companies;" also, amend subdivision 2 of section 26, by adding thereto the words "except bonds required in criminal cases."

Adopted.
Committee amendment to section 31 was adopted.
Committee amendment to insert as section $31 \frac{1}{2}$ was adopted.
Mr. McArthur moved to strike out of section $31 \frac{1}{2}$ the words "the preceding section" and insert the words "this chapter."

Adopted.
Mr. Dowell in the chair.
Committee amendment to section 36 was adopted.
Committee amendment to section 37, line 6, was adopted.
Mr. Early moved to amend the committee amendment to add to section 37 by striking out the words "strike out the period at the end of section 37 and" and insert after the word "add" in the report the words "to section 37."

Adopted.
Amendment as amended adopted.
Committee amendments to section 38 were adopted.
Committee amendment to section 39 was adopted.
Speaker Byers in the chair.
Committee amendment to section 43 was adopted.
Committee amendment to section 44 was adopted.
Committee amendment to section 45 was adopted.
Mr. Early moved to amend section 45, in line 2, by striking out the words "said section" and insert the words "this chapter."

Adopted.
Mr. Finch moved to amend as follows: Section 45, line 1, between the words "prepare" and "a" insert the words "and publish;" also, add at the end of said section the words "a copy of said short rates shall be printed on and attached to each policy."

Adopted.
The committee amendment to section 46 was adopted.
The committee amendments to section 47 were adopted.
The committee amendment to section 54 was adopted.

The committee amendment to section 56 was adopted.
Mr. Allen moved to amend the committee substitute for section 57 by striking out of line 1 thereof the words "or renewal."

Lost.
Mr. Merriam moved to amend the committee substitute for section 57 by inserting after the word "policy" where it first occurs, the words "where a new policy is issued on account of such renewal."

Lost.
Mr. Finch moved to substitute section $17 B 3$ of McClain's Code for the committee substitute.

Adopted by a vote of 49 yeas to 29 nays.
The committee substitute for section 57, as amended, was adopted.

Mr. Ray moved to amend section 58 by inserting in line 6, after the word "insurer," the words "or its agent."

Adopted.
The committee amendment to section 58 was adopted.
Mr. Morrison of Keokuk moved to amend section 58 by adding to said section the following: "That any conditions on the back of said policy voiding the same shall not prevent a recovery unless it can be shown that said conditions contributed to the loss."

Mr. Martin moved to amend amendment by striking out the words "on back of" and insert the word "in."

Adopted.
On motion of Mr. Funk, the House adjourned until 2 P. M.

## AFTERNOON SESSION.

The House was called to order at 2 P. M. by Speaker Byers.
The pending business being the consideration of House file No. 18, was taken up.

Mr. Johnston of Franklin offered the following as a substitute for the pending amendment of Mr. Morrison of Keokuk to section 58: Add to section 58 the words "'such conditions shall not void the policy when it is shown that they did not contribute to the loss."

Mr. Reed moved the previous question on the amendment of Mr. Johnston of Franklin.

Carried.
Substitute of Mr. Johnston lost by a vote of 23 yeas to 69 nays.

Mr. Martin moved to amend the amendment of Mr. Morrison of Keokuk, by inserting between "that" and "said" the words "the violation of."

Carried.
Mr. Prentis moved to strike out first word "that."
Carried.
Messrs. Chapman and Wood demanded the yeas and nays on the amendment of Mr. Morrison of Keokuk, as amended, which resulted as follows:

On the question, "Shall the amendment prevail?" the yeas were:

Messrs. Allen, Bailey, Bell, Bird, Brady, Brighton, Brinton, Byington, Chapman, Clark, Classen, Cook, Crow, Davis, Doubleday, Dowell, Edwards, Evans, Finch, Frazee, Frink, Funk, Garner, Good, Griswold, Grote, Gurley, Haugen, Hauger, Hayes, Hendershot, Hinkhouse, Hinman, Hunt, Huntley, Jackson, Jay, Johnson of Webster, Klemme, Ladd, Lambert, Lavender, Lowry, McAchran, McArthur, McDonald, McDowell, McNulty, McQuin, Manahan, Martin, Mayne, Merriam, Miller of Buena Vista, Miller of Cherokee, Miller of Warren, Morrison of Grundy, Morrison of Keokuk, Mullin, Parker, Perrott, Porter, Prentis, Putnam, Ray, Scott, Smith, Spaulding, St. John, Sullivan, Thompson, Tibbitts, Van Houten, Watters, Weaver, Whelan, Whittier, Williams, Wilson, Wood, Mr. Speaker-81.

The nays were:
Messrs. Baker, Bowen, Brant, Cornwall, Early, Hazen, Marti, Nietert, Nolan, Power, Reed, Voelker-12.

Absent or not voting:
Messrs. Johnston of Franklin, Lquder, Loomis, Potter, Temple, Wells, Wheeler-7.

So the amendment prevailed:
Mr. Hayes moved to strike out the words "can be" and insert the word "is" in section 58, near the close of said section.

Adopted.
Mr. McAchran moved to amend by striking out all after the word 'policy" in line 3 and all of line 4; section 58.

Messrs. McAchran and Mayne demanded the yeas and nays on this amendment, which resulted as follows:

On the question, "Shall the amendment be adopted?" the yeas were:

Messrs. Allen, Bailey, Bell, Brady, Byington, Chapman, Clark, Cook, Crow, Davis, Doubleday, Dowell, Edwards, Evans, Finch, Frazee, Frink, Funk, Garner, Good, Griswold, Gurley, Haugen, Hauger, Hayes, Hendershot, Hinkhouse, Hinman, Huntley, Jay, Johnson of Webster, Lavender, McAchran, McDonald, McDowell, Manahan, Martin, Miller of Buena Vista, Miller of Cherokee, Miller of Warren, Morrison of Grundy, Morrison of Keokuk, Mullin, Parker, Perrott, Prentis, Putnam, Ray, Reed, Scott, Smith, Spaulding, St. John, Sullivan, Thompson, Tibbitts, Van Houten, Weaver, Wells, Wheeler, Whelan, Whittier, Williams, Wilson, Wood-65.

The nays were:
Messrs. Baker, Bird, Bowen, Brant, Brighton, Brinton, Classen, Cornwall, Early, Grote, Hazen, Hunt, Jackson, Johnston of Franklin, Klemme, Ladd, Loomis, Lowry, McArthur, McNulty, McQuin, Marti, Mayne, Merriam, Nietert, Nolan, Porter, Potter, Power, Voelker, Watters, Mr. Speaker-32.

Absent or not voting:
Messrs. Lambert, Lauder, Temple-3.
So the amendment was adopted.
Mr. Ray moved to amend as follows: Strike out of section 58, lines 6 and 7, the words 'accompanied by an affidavit."

Adopted.
Mr. Byington moved to insert in line 2, section 58, between the words "be" and "presumed" the word "conclusively."

Adopted.
Mr. Reed moved to strike out the word "policy" in line 3, section 58, and insert the word "loss."

Lost.
Mr. Finch moved to substitute in lieu of committee amendment to section 59, as follows: Strike out word "section" and insert words "and two preceding sections."

Adopted.
Mr. Porter moved to amend as follows: Strike out the words "one year" in line 4, section 59, and insert in lieu thereof the words "two years."

Adopted.

Mr. Finch moved to strike out the word "ninety" and insert "forty" in section 59, line 3.

Adopted.
Mr. Ray moved to amend section 59, by striking out words in line 1, "and proofs thereof;" also, line 3, strike out the words "and proofs;" also, line 3, strike out the word "have" and insert the word "has."

Adopted.
Mr. Evans moved to amend as follows: Add to section 59 the words 'and if the insurer does not pay the loss within forty days after notice has been given, as provided in this chapter, the insured or person entitled to recover, if action is commenced, shall recover in addition to the amount of the loss an attorney's fee on amount recovered, to be taxed as part of the costs, the following: On the first two bundred dollars or fraction thereof, ten per cent; on the excess of two hundred dollars to five hundred dollars, five per cent; on the excess of five hundred dollars to one thousand dollars, three per cent; and on all sums in excess of one thousand dollars, one per cent. If paid after action is commenced, but before return day, only one-half of above attorney's fee shall be recovered."

Adopted.
Mr. Nietert moved to add to section 62 as follows: "Any officer, manager or agent of any insurance company or association who, with knowledge that it is doing business in an unlawful manner, or is insolvent, solicits insurance with said company or association, or receives applications therefor, or does any other act or thing towards procuring or receiving any new business for such company or association, shall be guilty of a misdemeanor and for every such act, on conviction thereof, shall be adjudged to pay a fine of not less than one hundred dollars nor more than one thousand dollars, or be imprisoned in the county jail not exceeding one year, or be punished by both such fine and imprisonment."

Adopted.
Mr. Martin was called to the chair.
Mr. Finch moved to amend as follows: Strike out all after the word "State," in line 3, section 65, and insert in lieu thereof "any officer, agent or representative of an insurance company doing business in this State who may solicit insurance, procure applications, issue policies, adjust losses or transact the business generally of such companies, shall be held to be the agent
of such insurance company with authority to transact all business within the scope of his employment, anything in the application, policy, contract, by-laws or articles of incorporation of such company to the contrary notwithstanding."

Adopted.
The Speaker resumed the chair.
MESSAGE FROM THE SENATE.
The following message was received from the Senate:
Mr. Speaker-I am directed to inform your honorable body that the Senate has amended and passed the following bill, in which the concurrence of the Senate was asked:

House file No. 57, a bill for an act to revise, amend and codify the statutes in relation to the College for the Blind.

Geo. A. Newman, Secretary.
On motion of Mr. Weaver, the House adjourned until 9 A. m. to morrow.

## Hall of the House of Refrehenntatives, $\}$ <br> Des Monese, Iowa, Friday, March 12, 1897. $\}$

House met at 9 A. M., Speaker Byers in the chair.
Prayer by Rev. I. N. McCash of Des Moines.
Mr. Johnston of Franklin moved that Senate file No. 10, relative to elections, be made a special order for Thursday, March 18 th, at 9 A. M.

Carried.
PETITIONS AND MEMORIALS.
Mr. Gurley presented petition of citizens of Decatur county, asking a bill regulating the practice of medicine.

Referred to Committee on Public Health.
Mr. Brant presented petition of brotherhood of locomotive firemen 293 of Marion, Iowa, favoring passage of the Temple amendment.

Referred to Committee on Railroads and Commerce.
Mr. Allen presented petition of citizens of Van Buren county, asking repeal of sections 2 and 3 of chapter 68, acts of the Twenty-fourth General Assembly.

Referred to Committee on Roads and Highways.
Mr. Williams offered the following and asked that it be printed in the Journal:

## Office of the Fremont County Horticultural Socikty. <br> Memorial to the Iowa Legislature in the matter therein set forth:

Whereas, Horticulture, though in its infancy in this State, is becoming a large and important industry in this commonwealth; and,

Whereas, We believe it toobe for the best interests of all the people that this industry be encouraged and enlarged; and,

Whereas, The great expense and outlay necessary in beginning fruit orchards, before any returns can be realized therefrom, deter the proper development of that industry:

Resolved, That we believe it to be the duty of the present Legislature to lend its encouragement to the horticultural interests of this State by re-enacting the present law, relating to exemptions from taxation on account of fruit trees, and incorporating the same in the new Code.

Resolved, That a copy of this memorial be sent to the members of the present Legislature from this county and senatorial district, with the request that they urge such action as the importance of the matter demands.

The undersigned president and secretary of the Fremont county horticultural society, certify that the foregoing memorial was by a unanimous vote passed at the regular meeting of said society, held in March, 1897.

A. E. Simons, President.

S. C. Retes, Secretary.

REPORTS OF COMMITTEES.
Mr. Cornwall, from the Committee on Judiciary, submitted the following report:

Mr. Speakrr-Your Committee on Judiciary, to whom was referred House file No. 84, a bill for an act to revise, amend and codify the statutes in relation to evidence, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the following action be taken by the House on Senate amendments thereto:

Concur in amendments as follows:
Amendment to section 12.
Amendment to section 13.
Amendment to section 23, line 2.
Amendment to section 25, line 2.
Amendment to section 25, subdivision 3, line 8.
Amendment to section 33, line 1.
Amendment to section 37, line 3.
Amendment to section 43, line 1.
Amendment to section 45, line 2.
Amendment to section 53, line 1.
Amendment to section 58, line 4.
Amendment making section 62 number 63, and re-numbering all sections thereafter.

Amendment to section 88.
Amendment on page 860, inserting after section 91, a new section as number 92.

Amendment to section 97.
Amendment to section 98, line 2.
Amendment to section 100.
Amendment to section 120, line 2.
Nonconcurrence in the following amendments:
Amendment to section 8; also, same section line 5.
Amendment to section 15.
Amendment to section 30, lines 3 and 4.
A mendment to section 31 .
Amendment to section 41, line 1.
Amendment to section 62, line 1.

Amendment to section 63, line 2.
Amendment to section 83.

W. W. Cornwall,<br>Chairman.

Ordered passed on file.
Mr. Temple, from the Committee on Code Revision, Division No. 1, submitted the following report:

Mr. Speaker-Your Committee on Code Revision, Division No. 1, to whom was referred House file No. 10, a bill for an act to revise, amend and codify the statutes in relation to the judicial department, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same do pass with amendments:

They recommend that the House do not concur in Senate amendment to section 10 of chapter 1 , as found on page 46.

They recommend that the House do not concur in the Senate amendment to sections 2 and 3 of chapter 2.

They recommend that the House do concur in amendments to sections 1 and 2 of chapter 3.

They recommend that the House do concur with the amendment in the Senate substitute for section 4, chapter 3, and that the same be amended by consolidating sections 4 and 5 , as proposed by the Senate.

They recommend that the House do not concur in the first amendment to section 1, chapter 5, striking out all after the word "provided" in the eighth line thereof, and that the House do concur in the second amendment, relating to the care and jurisdiction of the records of the circuit courts.

They recommend that the House do concur in amendments to section 3 of chapter 5.

They recommend that the House concur in the Senate amendments to section 21 of chapter 5 .

They recommend that the House do not concur in Senate amendment to section 23 of chapter 5.

They recommend that the House concur in the Senate amendment to section 27 of chapter 5 , and amend the same by adding to the Senate smendment the words "within one year."

They recommend that the House concur in Senate amendments to sections 28 and 30 of chapter 5.

They recommend that the House do not concur in amendments to sections 1 and 4 , in chapter 6 .

They recommend that the House concur in amendments to sections 14, 15 and 16 of chapter 6.

They recommend that the House do not concur in Senate amendment to section 22 of chapter 6.

They recommend that the House concur in Senate amendment to section 9 , chapter 8.

They recommend that the House concur in Senate amendment to section 10 , chapter 8.

They recommend that the House concur in Senate amendment and substitute for section 11, chapter 8.

They recommend that the House concur in Senate amendment and substitute for section 12, same chapter, and amend the same by striking out the word "five" in the nineteenth line thereof and inserting the word "three" in lieu thereof.

They recommend that the House concur in the Senate amendments to sections $2,5,7$ and 8 , chapter 9 .

They recommend that the House concur in all amendments made by the Senate to chapter 11.

They recommend that the House concur in all amendments made by the Senate to chapter 12.

They recommend that the House concur in the Senate amendments to chapter 13.

They recommend that the House especially concur in all the erasures of marginal references and the numeral lines showing the line of the separate sections; that however convenient they might be for reference in consideration of the bill, it is impracticable to restore them.

> M. L. Temple, Chairman.

Ordered passed on file.

## REPORT OF COMMITTEE ON ENKOLLED BILLS.

Mr. Hauger, from the Committee on Enrolled Bills, submitted the following report:

Mr. Speaker-Your Committee on Enrolled Bills respectfully report that they have examined, and find correctly enrolled, House file No. 55, a bill for an act to revise, amend and codify the statutes in relation to the Institution for Feeble Minded Children.

W. E. Hauger, Chairman.

Ordered passed on file.

## Also:

Mr. Speaker-Your Committee on Enrolled Bills respectfully report that they have examined, and find correctly enrolled, House file No. 67, a bill for an act to revise, amend and codify the statutes in relation to weights, measures and inspection.

W. E. Hauger, Chairman.

Ordered passed on file.
Also:
Mr. Spaaker-Your Committee on Enrolled Bills respectfully report that they have examined, and find correctly enrolled, House file No. 75, a bill for an act to revise, amend and codify the statutes in relation to limited partnership.

W. E. Hauger, Chairman.

Also:
Mr. Speaker-Your Committee on Enrolled Bills respectfully report that they have examined, and find correctly enrolled, House file No. 51, a bill for an act to revise, amend and codify the statutes in relation to the State University.

Ordered passed on file.

W. E. Hauger, Chairman.

Also:
Mr. Speaker-Your Committee on Enrolled Bills respectfully report that they have examined, and find correctly enrolled, House file No. 76, a bill for an act to revise, amend and codify the statutes in relation to warehousemen, carriers, hotel keepers, livery stable keepers and herders.

> W. E. Havger, Chairman.

Ordered passed on file.
REPORT OF JOINT COMMITTEE ON ENROLLED BILLS.
Mr. Hauger, from the Joint Committee on Enrolled Bills, submitted the following roport:

Mr. Speaker-Your Joint Committee on Enrolled Bills respectfully report that they have examined, and find correctly enrolled, House file No. 55, a bill for an act to revise, amend and codify the statutes in relation to the Institution for Feeble Minded Children.

> G. S. Gilbertson, Chairman Senate Committee.
> W. E. Havarr, Chairman House Committee.

Ordered passed on file.
Also:
Mr. Speaker-Your Joint Committee on Enrolled Bills respectfully report that they have examined, and find correctly enrolled, House file No. 76, a bill for an act to revise, amend and codify the statutes in relation to warehousemen, carriers, hotel keepers, livery stable keepers and herders.

> G. S. Gilbertson,

Chairman Senate Committee.
W. E. Hauger, Chairman House Committee.
Ordered passed on file.
Also:
Mr. Speaker-Your Joint Committee on Enrolled Bills respectfully report that they have examined, and find correctly enrolled, House file No. 67, a bill for an act to revise, amend and codify the statutes in relation to weights, measures and inspection.

> G. S. Gilbertson, Chairmen Senate Committee.
> W. E. Ha UGer.
> Chairman House Committee.

Ordered passed on file.


#### Abstract

Also: Mr. Speaker-Your Joint Committee on Enrolled Bills respeetfully report that they have examined, and find correctly enrolled, House file No. 75 , a bill for an act to revise, amend and codify the statutes in relation to limited partnership.

G. S. Gilbertson, Chairman Senate Committee.<br>W. E. Hauger, Chairman House Committee.


Ordered passed on file.
Also:
Mr. Speaker-Your Joint Committee on Enrolled Bills respectfully report that they have examined, and find correctly enrolled, House file No. 51, a bill for an act to revise, amend and codify the statutes in relation to the State University.
> G. S. Gilbertson, Chairman Senate Committee.
> W. E. Hauger, Chairman House Committee.

Ordered passed on file.
The Journal of yesterday was corrected and approved.
Pending business House file No. 18.
The committee amendment to add to chapter 4 as sections 69, 70, 71 and 72, being chapter 22, acts Twenty-sixth General Assembly; also, to add as section 73, chapter 23, acts Twentysixth General Assembly, was taken up for consideration.

Mr. Tibbitts moved to amend section 69, as follows: Insert in line 4, section 69, after the word "companies" the words "or any person or persons to issue, print or furnish said companies or its agents with any combination rates or rate book or."

Adopted.
Mr. Finch moved to amend as follows: Strike out all after the word "State" in line 7, section 69, and insert "and any com pany having entered into such combination or agreement or into any agreement which would in any manner fix or regulate the rates of insurance and issuing policies or receiving premiums thereafter shall be deemed to have received the same unlawfully, and any person paying such premium to such company may recover the same from said company at any time within five years after payment thereof in an ordinary action in the county where any part of the property insured in said policy was situated at the time said policy was issued."

Adopted.
Section 69 as amended was adopted.
Sections 70, 71 and 72 were adopted.

Mr. Brant moved to amend section 73 by adding to said section the words: "nor shall this section apply to any policy or contract for insurance when this tax of two and a half per cent upon the gross premiums has been paid into the State treasury."

Mr. Brant moved that this section with proposed amendment be referred to a special committee of five to rewrite and report

- on the section before the consideration of the bill has been completed.

Carried.
Mr. Morrison of Keokuk moved to reconsider the vote whereby the committee amendment to section 19 , line 3, was adopted.

Lost.
Mr. Frink moved to amend section 3 of chapter 5, of the proposed committee substitute for chapter 5 of the bill, by inserting the words "if the same be a State mutual assessment association, and fifty thousand dollars if the same be a county mutual assessment association."

Mr. Power moved to amend the amendment by striking out "fifty thousand dollars" and inserting "twenty-five thousand dollars."

Lost.
Amendment of Mr. Frink adopted.
Mr. Martin moved to strike oul of section 8 the figures " $\$ 100,000$ " and " $\$ 50,000$ " and insert the words 'one hundred thousand dollars" and "fifty thousand dollars."

Adopted.
Mr. Bird moved to amend section 8 by inserting between the words "in" and "business" the words "receiving new" in line 15 of said section.

Adopted.
Mr. Hinkhouse moved to amend section 8 by striking out the word "five" in line 8 and inserting the word "four;" also, strike out the words "and hotel" in lines 9 and 10.

Lost.
Mr. Jackson was called to the chair.
Speaker Byers resumed the chair.
Mr. Bird moved to strike out the words "a continuance" in line 14, section 8.

Adopted.

Mr. Brant moved to strike out of line 12, section 8, the words "fails to pay the same" and insert the words "is insolvent."

Lost.
Mr. Hinman moved to amend line 7 , section 8 , by striking out the word "if" and insert the word "shall" after the word "Auditor;" also, strike out all after the word "appoint" up to and including the word "if," in line 9 ; also, strike out the word "he" and insert the word "who" after the word "office," line 10; also, strike out the word "appoints" and insert the word "appoint."

Adopted.
Committee amendment offering a substitute for chapter 5 of the bill which substitute has just been amended was adopted.

Committee amendment to title of chapter 6 was adopted.
Committee amendments to section 1 were adopted.
The Speaker signed in the presence of the House, House files Nos. 55, 76, 67, 75 and 51.

REPORT OF JOINT COMMITTEE ON ENROLLED BILLS.
Mr. Hauger, from the Joint Committee on Enrolled Bills, submitted the following report:

Mr. Speaker-Your Joint Committee on Enrolled Bills respectfully report that they have examined, and find correctly enrolled, joint resolution No. 3, providing for the appointment of a joint committee to investigate the reports of trustees, regents, commissioners or other officers of State institutions, and the books and records of such institutions, for the payment of expenses of such investigation, and defining the powers of the committee.

G. S. Gilbertson, Chairman Senate Committee.<br>W. E. hauger, Chairman House Committee.

Ordered passed on file.
Also:
Mr. Speaker-Your Joint Committee on Enrolled Bills respectfully report that they have examined, and find correctly enrolled, Senate file No. 84, an act to amend section 3756 of the Code of 1873 as amended by chapter 118 and chapter 125, acts of the Twenty-first General Assembly, relative to the collection of fees by the Secretary of State.
G. S. Gilbertson, Chairman Senate Committee.
W. E. Hauger, Chairman House Committee.
Ordered passed on file.

Also:
Mr. Speaker-Your Joint Committee on Enrolled Bills respectfully report that they have examined, and find correctly enrolled, Senate file No. 86, an act to amend sections 289 and 290, of the code of 1873 , as amended by chapter 76 of the acts of the Twenty-sixth General Assembly of the State of Iowa, relating to the bonding of county indebtedness.
G. S. Gilbertson,

Chairman Senate Committee.
W. E. Havger, Chairman House Committee.
Ordered passed on file.

## REPORT OF COMMITTEE ON ENROLLED BILLS.

Mr. Hauger, from the Committee on Enrolled Bills, submitted the following report:

Mr. Speaker-Your Committee on Enrolled Bills respectfully report that they have this day sent to the Governor for his approval:

House file No. 55, a bill for an act to revise, amend and codify the statutes in relation to the Institution for Feele Minded Children.

Also:
House file No. 67, a bill for an act to revise, amend and codify the statutes in relation to weights, measures and inspection.

Also:
House file No. 76, a bill for an act to revise, amend and codify the statutes in relation to 'warehousemen, carriers, hotel keepers, livery stable keepers and herders.

Also:
House file No. 75, a bill for an act to revise, amend and codify the statutes in relation to limited partnership.

## Also:

House file No. 51, a bill for an act to revise, amend and codify the statutes in relation to the State University.

March 12, 1897.

W. E. Hauger,<br>Chairman.

## REPORT OF COMMITTEE.

Mr. Lauder, from the Committee on Railroads and Com. merce, submitted the following report:

Mr. Speaker-Ypur Committee on Railroads and Commerce, to whom was referred Senate file No. 19, a bill for an act to revise, amend and codify the statutes in relation to the board of railroad commissioners, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same do pass with the following amendments:

Strike out the words "twenty-five hundred" in line 2 of last section and insert in lieu thereof the words "three thousand."

> J. W. Lavder,
> Chairman.

Ordered passed on file.
The committee amendments to section 2 were adopted.
The Speaker appointed as the committee to rewrite and arrange section 73: Messrs. Brant, Brinton, Martin, Frazee and Whelan.

Mr. Ray moved to amend chapter 6, section 3, by striking out the words "one thousand" and insert the words 'four hundred."

Lost.
The committee amendment to insert as section $3 \frac{1}{2}$ was adopted.

The committee amendments to section 4 were adopted.
The committee amendments to section 5 were adopted.
Mr. Hayes moved to amend subdivision 17 of section 5 by inserting the words "the amount of" before the word "all." Adopted.
Mr. Hayes moved to amend subdivision 26, section 5, by inserting the words "the amount of" before the word "all."

Adopted.
Mr. Merriam offered the following amendment: Amend section 6, in line 4, after the word "interest" by inserting the words "in all companies organized under the laws of this State," and also in same section, line 7, after the word "any" by inserting the word "such."

Adopted.
Mr. Dowell moved to amend as follows: Section 8, amend by adding after the lastword in the section the following: "and their right to transact further business in this State shall immediately cease until the requirements of this chapter have been fully complied with."

Adopted.
The following motion to reconsider was filed:
Mr. Speaker-l move to reconsider the vote of the House by which the amendment to section 37, chapter 4, was passed.

> H. O. Whaver.

I second the motion.
David Brant.
Committee amendment to section 6 was adopted.
Committee amendment to section 7 was adopted.

Committee amendments to section 8 were adopted.
Committee amendments to section 9 were adopted.
Committee amendments to section 10 were adopted.
Committee amendment to section 12 was adopted.
Committee amendments to section 14 were adopted.
Committee amendment to section 15 was adopted.
Mr. Mayne moved to amend section 14 by inserting after the word 'allow" in line 6, the words "directly or indirectly."

Adopted.
Mr. Merriam moved that a committee of three be appointed by the Speaker to consider and report to the House some methcd to hasten the enrollment of bills.

Adopted.
On motion of Mr. Hinman, House adjourned till 2 P. M.

## AFTERNOON SESSION.

House called to order by Speaker Byers.
The Speaker appointed as the committee to report in reference to the motion of Mr. Merriam, adopted this morning, Messrs. Loomis, Smith and Wilson.

On pending bill, House file No. 18, committee amendment to title of chapter 7 was adopted.

Mr. Morrison of Grundy moved to amend title and the committee amendment to section 1 , line 1 , by striking out the word "stipulated" wherever it cccurs and insert in lieu thereof the word "flexible."

## Lost.

Committee amendment to section 1, line 1, was adopted.
The committee amendment to add to section 1 was adopted.
Mr. Early moved as a substitute for the committee amendment to section 2 the following: Insert at the beginning of section 2 the following: "Sec. 2. 'Certificates of membership,' or 'certificate,' when used in this chapter with respect to the insurance of the members, shall be taken to mean and include policy of insurance."

The committee amendment to section 2, line 3, was adopted.
The committee amendment to section 4 was adopted.

The committee amendment to strike out section 5 was adopted.

The committee amendment to renumber sections 6, 7 and 8 was adopted.

The committee amendment to section 7 (old numbering) was adopted.

The committee amendment to section 7 (new numbering) was adopted.

The committee amendment to insert as section 8 was. adopted.

Mr. Early moved to insert the word "the" before the word "auditor" in the committee amendment to section 9.

Adopted.
Committee amendment to section 9 was adopted.
Committee amendment to section 10 was adopted.
Committee amendments to section 11 were adopted.
Committee amendments to section 12 were adopted.
Mr. Early moved to amend line 4, section 11, by inserting the words "stipulated premium plan or" between the words "the" and "assessment."

Adopted.
Committee recommendation to strike out section 13, was adopted.

Committee amendments to section 14 were adopted.
Mr. Spaulding in the chair.
Committee amendments to section 15 were adopted.
Committee recommendation to strike out sections 16 and 17 was adopted.

Mr. Martin moved to amend section 14, chapter 7, line 7, by striking the word "chapter" and inserting the word "title."

Adopted.
Mr. Early moved to amend line 1, section 14, chapter 7, by inserting the words "or title" after the word "chapter."

Adopted.
Mr. Early moved that all sections of chapter 7 be renumbered to come in consecutive order.

Adopted.
Speaker Byers in the chair.
Committee recommendation offering substitutes for sections 1 and 2 of chapter 8 prevailed and the substitutes were adopted.

Mr. Ladd moved to add to section 2 of chapter 8, as recommended by the committee, the following: "Nor shall any such company or association nor any other company, association, or organization issue a policy or certificate of insurance on the life of any person under the age of 15 years or over sixty-five."

Lost by a vote of 24 yeas to 33 nays.
The following motion to reconsider was filed:
Mr. Speaker-I move to reconsider the vote by which the a mendment offored by the gentleman from Wright to section 8 of committe substitute for chapter 5 , Title IX, was adopted.

Thos. Lambert.
I second the motion.
J. F. Grote.

The committee amendment to section 3 was adopted.
The committee amendment to section 5 was adopted.
The committee amendment to chapter 8, striking out section 11, was adopted.

The committee amendments to section 8 were adopted.
The committee amendment to section 12 was adopted.
Mr. Hayes moved the following as a substitute for the committee amendment to section 13: Add to section 13 the words "And it shall be unlawful for the Auditor of State to impose upon assessment or stipulated premium plan associations organized under the laws of this State any rules or regulations, requirements or limitations, that shall not be imposed with equal force upon assessment associations or like associations from other states doing a like business in this State."

The amendment and substitute were laid over upon request of Mr. Haugen.

Committee amendment to section 14 was adopted.
Committee amendments to section 15 were adopted.
Committee amendments to section 16 were adopted.
Mr. Hayes offered the following as a substitute for section 17 as recommended by the committee: 'no answer to any interrogatory made by any applicant whether made a warranty or not, shall bar the right to recover upon any policy or certificate issued thereon, unless it is material and induced the company or association to issue such policy or certificate."

Amendments of committee together with substitute laid over till to-morrow upon the request of Mr. Finch.

The committee amendments to section 19 were adopted.
The committee amendment to section 20 was adopted.

Upon motion of Mr. Early, the section numbers in section 20 referring to chapter 4 were ordered corrected according to the new numbering of said chapter.

The committee amendment to section 21 was adopted.
The committee amendment to section 23, was adopted.
Mr. Hayes offered the following as section 24, which was laid over until to-morrow: Amend chapter 8, title IX, by adding thereto as a new section as follows: "Sec. 24. All life insurance companies or associations organized or doing business in this State, under the provisions of the preceding chapters shall, upon the issue of any policy, attach to such policy, or endorse thereon, a true copy of the conditions of any application or representation of the assured which by the terms of such policy are made a part thereof, or of the contract of insurance, or referred to therein, or which may in any manner affect the validity of such policy, or upon reinstatement of a lapsed policy, shall attach to the renewal receipt a true copy of all representations upon which the renewal or reinstatement is made. The omission so to do shall not render the policy invalid, but if any company or association neglects to comply with the requirements of this section, it shall forever be precluded from pleading, alleging, or proving any condition of the application or representations or any part thereof, not so attached or endorsed or the falsity thereof, or any part thereof, in any action upon such policy, and the plaintiff in any such action shall not be required, in order to recover against such company or association, either to plead or prove such application or representation, but may do so at his option."

Mr. Allen offered the following amendment to add to committee amendment at end of section 44, chapter 1: "Provided that in case a judgment is rendered upon any premium, note or installments, after the policy is suspended or cancelled for the non-payment of same, the company shall satisfy said judgment upon payment of the short rates to the time the policy is suspended or cancelled, with interest and costs of suit and upon the payment or tender of such sums the judgment shall thereafter be void."

Laid over on request of Mr. Allen.
Mr. Merriam offered the following amendment and asked that it be laid over: Amend chapter 6, section 4, line 3 by inserting after the word "State" the words "or if it be a mutual company, of surplus equal in amount thereto."

The following motion to reconsider was filed:
Mr. Speaker-I move to reconsider the vote by which the amendment to section 16, page 347, was adopted.
W. C. Mcarthur.

I second the motion.
H. O. Weaver.

On motion of Mr. McArthur, the House adjourned until 9 A. M. to-morrow.

House met at 9 a. m., Speaker Byers in the chair. Prayer was offered by Rev. Chas. J. English of Colfax, Iowa.

Mr. Bell offered the following report:
MR. Speaker-Your committee to draft resolutions relating to the death of the late John P. Huskins respectfully submit the following report:

Whereas, An all-wise Providence has removed by death Hon. John P. Huskins, a respected member of this House from Washington county, who served in the Twentieth General Assembly; therefore, be it

Resolved, That in his death we lament the loss of an upright and useful citizen, faithful and pure in his public and private life; quiet and unassuming, he was loved by his friends and respected by all. A good man has gone from our midst.

Resolved, That we extend our sympathy to the bereaved relatives and that these resolutions be spread upon the House Journal, and a copy forwarded to the widow by the Clerk of the House.

> W. B. Bell,
> P. A. Smith, J. P. McDowhle, Committec.

Adopted unanimously by a rising vote.

## REPORT OF COMMITTEE.

Mr. Cornwall, from the Committee on Judiciary, submitted the following report:

Mr. Speaker-Your Committee on Judiciary, to whom was referred Senate file No. 89 , a bill for an act to authorize the Executive Council to purchase or condemn a site on which to erect a memorial, historical and art building and to take other steps in relation thereto, and to repeal chapter 115, acts of the Twenty-fifth General Assembly, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same be referred to the Committee on Appropriations.
W. W. Cornwall, Chairman.
So ordered.

Mr. Reed called up the motion to reconsider the vote on House file No. 52.

Mr. Dowell moved to lay the motion on the table.
Carried.
Mr. Miller of Cherokee was granted indefinite leave of absence on account of sickness.

Mr. Manahan was granted leave of absence on account of sickness.

PETITIONS AND MEMORIALS.
Mr. Cook presented petition of citizens of Montgomery county, asking a law to regulate the practice of medicine.

Referred to Committee on Public Health.
Pending bill, House file No. 18.
Mr. Early moved to amend chapter 7 of the bill by restoring section 16 of the Black Code, having stricken out of said section the words "secret or fraternal society or" in line 1.

Adopted.
Mr. Weaver in the chair.
The Speaker resumed the chair.
Committee recommendation to insert as chapter $8 \frac{1}{2}$ was adopted.

Mr. Finch moved to amend as follows: Add to section 10 chapter 8 , "But such service shall not be deemed exclusive and notice may be served upon said company in any other manner as provided for service on foreign corporations."

Adopted.
Mr. Brant submitted the following report:
Mr. Speaker-Your committee to whom was referred section 73, chapter 4 , title 9 , and pending amendments, beg leave to report the following substitute and recommend its adoption:
"Section 73. No action shall be maintained in any court in the State upon any policy or contract of fire insurance issued upon any property situated in the State by any company, association, partnership, individual or individuals that have not been authorized by the auditor of State to transact such insurance business, unless it shall be shown that the insurer or insured, within six months after the issuing of such policy or contract of insurance, has paid into the State treasury two and one-half per cent of the gross premiums paid or agreed to be paid for such policy or contract of insurance."

From information received your committee is convinced that a large aggregate of insurance is done in the State upon which no tax is paid, and that by subjecting the same to the same rate of taxation as is now paid by
foreign companies doing business under the laws of the State, the revenues of the State would be increased at least $\$ 20,000$.

> David Brant, M. K. Whelan,
> W. D. Martin, M. H. Brinton, John Frazee, Committee.

Committee substitute for section 10, chapter 8, as amended by Mr. Finch, was adopted.

Committee recommendation to strike out section 11 of chapter 8 was adopted.

Mr. Early moved to strike out section 17, as recommended by the committee, in line 1, the word "whether" and insert the word "unless;" line 2, strike out the words "or not;" line 6, strike out the words "agent or."

Lost.
Substitute offered by Mr. Hayes for section 17, chapter 8, and laid over from yesterday, was then put and lost.

Committee recommendation to insert substitutes for sections 17 and 18 of the Black Code was lost by a vote of 15 yeas to 35 nays.

Substitute of Mr. Hayes for committee amendment to section 13 , chapter 8, was lost.

Committee amendment to section 13 was adopted.
Amendment of Mr. Merriam to chapter 6, section 4, which was laid over from yesterday, was taken up and adopted.

Mr. Early offered the following as a substitute for the amendment of Mr. Allen, pending yesterday, and which shall take the place of committee amendment to said section: Amend section 44, line 2, chapter 1, by inserting after the word "thereof," "or after the suspension, forfeiture or cancellation of any policy or contract of issuance;" and add at the end of said section the words "and in case of suspension, forfeiture, or cancellation of any policy or contract of issuance, the assured shall not be liable for any greater amount than the short rates earned at the date of such suspension, forfeiture or cancellation and the costs herein provided."

Adopted by unanimous consent.
Mr. Finch moved to amend the amendment of Mr. Hayes to add as section 24 to chapter 8 by striking out the words "the conditions of" before the word "application."

Carried.

Amendment of Mr. Hayes as amended adopted.
The Speaker signed in the presence of the House, Senate files Nos. 84 and 86; also, Senate joint resolution No. 3.

Substitute for section 73, as recommended by the special committee appointed for that purpose, was taken up.

Mr. McAchran moved the previous question on the substitute for section 73.

Carried.
Messrs. Brant and McArthur demanded the yeas and nays on this amendment of the special committee which resulted as follows:

On the question, "Shall the substitute prevail?" the yeas were:

Messrs. Bailey, Bird, Bowen, Brady, Brant, Brighton, Brinton, Byington, Clark, Classen, Cornwall, Crow, Davis, Doubleday, Dowell, Early, Edwards, Frazee, Frink, Funk, Garner, Good, Griswold, Gurley, Hayes, Hazen, Hendershot, Huntley, Johnston of Franklin, Ladd, Lambert, Lauder, Loomis, Lowry, McAchran, McDowell, McQuin, Martin, Mayne, Merriam, Miller of Buena Vista, Miller of Warren, Morrison of Grundy, Nietert, Nolan, Parker, Perrott, Porter, Prentis, Putnam, Ray, Scott, Smith, Temple, Thompson, Tibbitts, Voelker, Watters, Whelan, Whittier, Williams, Mr. Speaker-62.

The nays were:
Messrs. Baker, Bell, Finch, Haugen, Hunt, Johnson of Webster, Klemme, Lavender, McArthur, McNulty, Morrison of Keokuk, Reed, Weaver, Wood-14.

Absent or not voting:
Messrs. Allen, Chapman, Cook, Evans, Grote, Hauger, Hinkhouse, Hinman, Jackson, Jay, McDonald, Manahan, Marti, Miller of Cherokee, Mullin, Potter, Power, Spaulding, St. John, Sullivan, Van Houten, Wells, Wheeler, Wilson-24.

So the amendment was adopted.

## MESSAGE FROM THE SENATE.

The following message was received from the Senate:
Mr. Speaker-I am directed to inform your honorable body that the Senate has refused to concur in House amendments to Senate file No. 3, in which the concurrence of the Senate was asked, a bill for an act to revise, amend and codify the statutes in relation to township and county government:

First -Section 2, page 90, adding certain words after the word "over."
Second.-Section 32, line 15, page 97.
Third.—Section 33, page 97.

Fourth.--Section 1, chapter 4, page 104.
Fifth.-Section 10, chapter 4, line 10, page 106.
Sixth.-Section 10, chapter 6, line 4, page 108.
Seventh.-Section 11, chapter 6, page 109, Senate refuses to concur in House amendment adding the words "provided total receipts and," etc., to Senate amendments.

Senate further amends House amendments to section 11, chapter 6, page 108, by striking out figures " 1,000 ," " 2,000 ," " 2,500 " and " 2,800 ," and insert the words "one thousand," "two thousand," "twenty-five hundred" and "twenty-eight hundred."

Geo. A. Newman,
Secretary.
Mr. Morrison of Grundy moved to reconsider the vote whereby the committee amendment to section 14 , chapter 8 , was adopted.

Carried.
By unanimous consent the chairman of the committee, Mr. Early, was granted permission to withdraw said committee amendment.

Mr. Early moved to amend section 18, chapter 8 , by striking out of line 4 the words "were known" and all of line 5 .

Also, in line 8, strike out the words "reputable life insurance companies and associations" and insert the words "such life insurance company or association."

REPORT OF COMMITTEE.
Mr. Cornwall, from the committee on conference, submitted the following report:

Mr. Speaker-Your committee on conference, to whom was referred section 17, chapter 7, of House file No. 73, a bill for an act to revise, amend and codify the statutes in relation to trade and and commerce, section 17 of chapter 17, page 635, Black Code, beg leave to report that they have had the same under consideration and have instructed us to report the same back to both Houses with the recommendation that the following substitute for the above section be agreed upon:
"Section 17. Any judge of the district court in vacation shall have power in cases under this chapter to issue citation and attachments under the sale of personal or real property and approve sales and deeds thereof."

Your committee recommends further the adoption of the above substitute. L. A. Ellis, Thos. D. Healy,
C. A. Carpenter,
L. C. Blanchard, Senate Committee.
W. W. Cornwall, J. P. McDowell, J. J. Lowry, James Clark, House Committee.

Mr. Early moved that the report of the conference committee recommending a substitute for section 17 to House file No. 73 be adopted.

On the question, "Shall the motion prevail and substitute be adopted?" the yeas were:

Messrs. Bailey, Baker, Bell, Bird, Bowen, Brant, Brighton, Brinton, Byington, Clark, Classen, Cornwall, Crow, Davis, Doubleday, Dowell, Early, Edwards, Finch, Frazee, Frink, Funk, Garner, Good, Griswold, Gurley, Haugen, Hauger, Hayes, Hazen, Hendershot, Hunt, Huntley, Jackson, Jay, Johnson of Webster, Johnston of Franklin, Klemme, Ladd, Lauder, Lavender, Loomis, Lowry, McAchran, McArthur, McDowell, McNulty, McQuin, Martin, Mayne, Merriam, Miller of Warren, Morrison of Grundy, Morrison of Keokuk, Nietert, Nolan, Parker, Perrott, Porter, Prentis, Putnam, Ray, Reed, Scott, Smith, Temple, Thompson, Tibbitts, Voelker, Watters, Weaver, Wells, Whelan, Whittier, Williams, Wood, Mr. Speaker-77.

The nays were:
None.
Absent or not voting:
Messrs. Allen, Brady, Chapman, Cook, Evans, Grote, Hinkhouse, Hinman, Lambert, McDonald, Manahan, Marti, Miller of Buena Vista, Miller of Cherokee, Mullin, Potter, Power, Spaulding, St. John, Sullivan, Van Houten, Wheeler, Wilson $-23$.

So the report was adopted.
Further consideration of House file No. 18 was deferred till Tuesday, on motion of Mr. Hayes.

The following motion to reconsider was filed:
Mr. Speaker-I move to reconsider the vote by which the motion of the gentleman from Grundy, to amend the amendment to section 1, line 1 , by striking out the word "stipulated" and inserting the word "flexible," was lost.
J. H. Funk.

I second the motion.
Z. H. Gurley.

On motion of Mr. McArthur, the House adjourned until 10 A. M. Monday.

Hall of the House of Repregentatives, Des Moines, Lowa, Monday, March 15, 1897.
The House met at $10 \mathrm{~A} . \mathrm{m}$. , Speaker Byers in the chair.
Prayer by Rev. J. D. Forsyihe.
Mr. Morrison of Keokuk moved that a call of the House be made.

Lost.
REPORT OF COMMITTEE ON ENROLLED bills.
Mr. Hauger, from the Committee on Enrolled Bills, submitted the following report:

Mr. Speaker-Your Committee on Enrolled Bills respectfully report that they have examined, and find correctly enrolled, House file No. 63, a bill for an act to revise, amend and codify the statutes in relation to the school fund.

W. E. Hauger,<br>Chairman.

Ordered passed on file.
Also:
Mr. Speaker-Your Committee on Enrolled Bills respectfully report that they have examined, and find correctly enrolled, House file No. 83, a bill for an act to revise, amend and codify the statutes in relation to justices. of the peace and their courts.

> W. E. HaUGER,
> Chairman.

Ordered passed on file.

> REPORT OF JOINT COMMITTEE ON ENROLLED BILLS.

Mr. Hauger, from the Joint Committee on Enrolled Bills, submitted the following report:

Mr. Speaker-Your Joint Committee on Enrolled Bills respectfully report that they have examined, and find correctly enrolled, House file No. 63 , a bill for an act to revise, amend and codify the statutes in relation to the school fund.
G. S. Gilbertson, Chairman Senate Committee.
W. E. Hauger, Chairman House Committee.
Ordered passed on file.

Also:
Mr. Speaker-Your Joint Committee on Enrolled Bills respectfully report that they have examined, and find correctly enrolled, House file No. 83; a bill for an act to revise, amend and codify the statutes in relation to justices of the peace and their courts.

> G. S. GILBERTSON, Chairman Senate Committee.
> W. E. HAUGER, Chairman House Committee.

Ordered passed on file.
Mr. Speaker signed in the presence of the House, House files Nos. 83 and 63.

REPORT OF COMMITTEE ON ENROLLED BILLS.
Mr. Hauger, from Committee on Enrolled Bills, submitted the following report:

Mr. Speaker-Your Committee on Enrolled Bills respectfully report that they have this day sent to the Governor for his approval:

House file No. 63, a bill for an act to revise, amend and codify the statutes in relation to the school fund.

Also:
House file No. 83, a bill for an act to revise, amend and codify the statutes in relation to justices of the peace and their courts.
W. E. Hadger,

Chairman.
March 15, 1897.
MESSAGE FROM THE SENATE.
The following message was received from the Serate:
Mr. Speaker-I am directed to inform your honorable body that the Senate has amended and passed the following bill, in which the concurrence of the Senate was asked:

House file No. 31, a bill for an act to revise, amend and codify the statutes in relation to fences.

Geo. A. Newman, Secretary.

House file No. 31, with Senate amendments, was taken up and referred to the Committee on Agriculture.

House file No. 43, with Senate amendments, was taken up and considered.

Mr. Bowen moved that House concur in Senate amendments. On the question, "Shall the House concur?" the yeas were:
Messrs. Bailey, Baker, Bell, Bird, Bowen, Brighton, Clark, Classen, Crow, Davis, Doubleday, Early, Edwards, Finch, Frazee, Frink, Funk, Good, Grote, Gurley, Haugen, Hauger, Hazen, Johnson of Webster, Johnston of Franklin, Klemme, Ladd, Loomis, Lowry, McAchran, McDowell, McQuin, Martin,

Mayne, Miller of Warren, Morrison of Keokuk, Nietert, Nolan, Parker, Porter, Power, Prentis, Putnam, Reed, Smith, Watters, Weaver, Whelan, Whittier, Williams, Wood, Mr. Speaker $-52$.

The nays were:
Messrs. Dowell, McArthur, Merriam, Perrott, Ray-5.
Absent or not voting:
Messrs. Allen, Brady, Brant, Brinton, Byington, Chapman, Cook, Cornwall, Evans, Garner, Griswold, Hayes, Hendershot, Hinkhouse, Hinman, Hunt, Huntley, Jackson, Jay, Lambert, Lauder, Lavender, McDonald, McNulty, Manahan, Marti, Miller of Buena Vista, Miller of Cherokee, Morrison of Grundy, Mullin, Potter, Scott, Spaulding, St. John, Sullivan, Temple, Thompson, Tibbitts, Van Houten, Voelker, Wells, Wheeler, Wilson-43.

So the House concurred.
The House here took up Senate file No. 72, a bill for an act to revise, amend and codify the statutes in relation to estates of decedents, with report of committee recommending passage with amendments.

On motion of Mr. Loomis, House adjourned till 2 P. m.

## AFTERNOON SESSION.

The House was called to order at 2 p. m. by the Speaker.
The Journals of Friday, March 12, and Saturday, March 13, were corrected and approved.

By the following vote the Speaker was authorized to dispense with committee clerks as rapidly as is consistent with a proper dispatch of the work before the House.

Mr. Dowell was called to the chair.
Those in favor of delegating the authority to the Speaker were:

Messrs. Bailey, Baker, Bell, Bird, Bowen, Brant, Brighton, Brinton, Clark, Classen, Crow, Davis, Doubleday, Dowell, Early, Edwards, Finch, Frazee, Frink, Funk, Good, Gurley, Haugen, Hauger, Hazen, Hendershot, Hinman, Johnson of

Webster, Johnston of Franklin, Klemme, Ladd, Loomis, Lowry, McAchran, McDowell, McQuin, Mayne, Merriam, Miller of Warren, Morrison of Grundy, Morrison of Keokuk, Nietert, Nolan, Parker, Perrott, Porter, Power, Prentis, Putnam, Reed, Scott, Smith, Temple, Thompson, Watters, Weaver, Whelan, Whittier, Williams, Wood-60.

Those opposed were:
None.
Absent or not voting:
Messrs. Allen, Brady, Byington, Chapman, Cook, Cornwall, Evans, Garner, Griswold, Grote, Hayes, Hinkhouse, Hunt, Huntley, Jackson, Jay, Lambert, Lauder, Lavender, McArthur, McDonald, McNulty, Manahan, Marti, Martin, Miller of Buena Vista, Miller of Cherokee, Mullin, Potter, Ray, Spaulding, St. John, Sullivan, Tibbitts, Van Houten, Voelker, Wells, Wheeler, Wilson, Mr. Speaker-40.

So the motion prevailed.

## PETITIONS AND MEMORIALS.

Mr. Hinman presented petition of farmers of Wright county, asking that no change be made in present tax laws except that indebtedness be taken from value of property assessed; also, that salary of county and State officers be lowered one-third and that they pay their own clerk hire.

Referred to Committee on Ways and Means.
Mr. Weaver presented petition of citizens of Louisa county, asking that salaries of State and county officers be reduced.

Referred to Committee on Ways and Means.
The pending business, Senate file No. 72, was here taken up for consideration.

The committee amendment to section 2, chapter 1, was adopted.

The committee amendment to strike out section 17, chapter 2, as inserted by the Senate, was adopted.

The committee amendment to section 1, chapter 3, was lost.
The committee amendment to section 3 , chapter 3 , was lost.
The committee amendment to section 4, chapter 3, was adopted.

The committee amendment to add to section 4, chapter 3, was adopted.

The committee amendment to strike out of section 4, chapter 3 , was adopted.

The committee amendment to section 6, chapter 4, was adopted.

Mr. Power moved to amend section 4, chapter 3, line 2, by inserting before the word "except" the word "and."

Adopted.
Mr. Weaver offered the following as section 40, chapter 2: "A last will and testament, executed without this State in the mode prescribed by the law, either of the place where executed or of the testator's domicile, shall be deemed to be legally executed and shall be of the same force and effect as if executed in the mode prescribed by the laws of this State, provided said last will and testament is in writing and subscribed by the testator."

Adopted.
Speaker Byers in the chair.
Mr. Temple moved that the rule be suspended, and that the bill be read a third time now, which motion prevailed and the bill was read a third time.

On the question, "Shall the bill pass?" the yeas were:
Messrs. Bailey, Baker, Bell, Bird, Bowen, Brant, Brinton, Clark, Classen, Crow, Davis, Doubleday, Dowell, Early, Edwards, Finch, Frazee, Frink, Funk, Good, Grote, Gurley, Haugen, Hauger, Hazen, Hendershot, Hinman, Johnson of Webster, Johnston of Franklin, Klemme, Ladd, Lauder, Lavender, Loomis, Lowry, McDowell, McQuin, Mayne, Merriam, Miller of Warren, Morrison of Grundy, Morrison of Keokuk, Nietert, Nolan, Parker, Perrott, Porter, Power, Prentis, Putnam, Ray, Reed, Scott, Smith, Temple, Thompson, Watters, Weaver, Whelan, Whittier, Williams, Wood, Mr. Speaker-63.

Mr. McAchran voted in the negative.
Absent or not voting:
Messrs. Allen, Brady, Brighton, Byington, Chapman, Cook, Cornwall, Evans, Garner, Griswold, Hayes, Hinkhouse, Hunt, Huntley, Jackson, Jay, Lambert, McArthur, McDonald, McNulty, Manahan, Marti, Martin, Miller of Buena Vista, Miller of Cherokee, Mullin, Potter, Spaulding, St. John, Sullivan, Tibbitts, Van Houten, Voelker, Wells, Wheeler, Wilson-36.

So the bill passed and the title was agreed to.
House file No. 84, with Senate amendments and House committee report, was taken up and considered.

Upon motion of Mr. Bell, House refused to concur in Senate amendment to section 12.

Mr. Temple moved that the House do not concur in Senate amendments to section 8 .

Carried.
On motion of Mr. Finch, the House refused to concur in Senate amendments to section 15.

On motion of Mr. Temple, the House refused to concur in Senate amendments to sections 30, 31, 62, 63 and 83.

On motion of Mr. Mayne, the House refused to concur in Senate amendments to sections 41 and 42.

On the question, "Shall the House concur in the Senate amendments to sections $13,23,25$ (line 2), 25 (subdivision 3 , line 8 ), $33,37,43,45,53,58,88,97,98,100,120$; also, to renumber section 62 and all sections thereafter; also, to add as section 92, and to renumber all sections thereafter?" the yeas were:

Messrs. Bailey, Baker, Bell, Bird, Bowen, Brant, Brighton, Brinton, Classen, Crow, Davis, Doubleday, Dowell, Early, Edwards, Finch, Frazee, Frink, Funk, Good, Grote, Gurley, Hauger, Hazen, Hendershot, Hinman, Johnson of Webster, Johnston of Franklin, Klemme, Ladd, Lauder, Lavender, Loomis, McAchran, McDowell, McQuin, Mayne, Merriam, Miller of Warren, Morrison of Grundy, Morrison of Keokuk, Mullin, Nietert, Nolan, Parker, Perrott, Porter, Power, Prentis, Putnam, Ray, Reed, Scott, Smith, Temple, Thompson, Watters, Weaver, Whelan, Williams, Wood, Mr. Speaker-62.

The nays were:
Messrs. Clark and Lowry-2.
Absent or not voting:
Messrs. Allen, Brady, Byington, Chapman, Cook, Cornwall, Evans, Garner, Griswold, Haugen, Hayes, Hinkhouse, Hunt, Huntley, Jackson, Jay, Lambert, Mc.Arthur, McDonald, McNulty, Manahan, Marti, Martin, Miller of Buena Vista, Miller of Cherokee, Potter, Spaulding, St. John, Sullivan, Tibbitts, Van Houten, Voelker, Wells, Wheeler, Whittier, Wil-son-36.

So the House concurred.
House file No. 78 was indefinitely postponed by unanimous consent, the corresponding Senate file having already passed the House.

Senate file No. 3, relative to county and township government, was taken up and referred to Committee on County and Township Organization.

On motion of Mr. Finch, the House adjourned till 9 A. m. to-morrow.

Hall of the House of Representatives, Des Moines, Iowa, Tuesday, March 16, 1897.
The House met at 9 A. m., Ewith Speaker Byers in the chair. Prayer was offered by Rev. J. H. Hard of Bagley, Iowa.

REPORT OF COMMITTEE ON ENROLLED BILLS.
Mr. Hauger, from the Committee on Enrolled Bills, submitted the following report:

Mr. Speaker-Your Committee on Enrolled Bills respectfully report that they have examined, and find correctlyoenrolled, House file No. 5, a bill for an act tocrevise, amend and codify the statutes in relation to the General Assembly.

W. E. HaUGER,<br>Chairman.

Ordered passed on file.
Also:
Mr. Speaker-Your Committee on Enrolled ${ }^{\mathbf{3}}$ Bills respectfully report that they have examined, and find correctly enrolled, House file No. 54, a bill for an act to revise, amend and codify the statutes in relation to the Orphans' Home and Home for Destitute Children.

W. E. Hadger,<br>Chairman.

Ordered passed on.file.
Also:
Mr. Speaker-Your Committee on Enrolled Bills respectfully report that they have examined, and find correctly enrolled, House file No. 37, a bill for an act to frevise, amend and codify the statutes in relation to the geological survey.
W. E. Hadger,

Chairman.
Ordered passed on file.
Also:
Mr. Speaker-Your Committee on Enrolled Bills respectfully report hat they have examined, and find correctly enrolled, House file No. 32, a bill for an act to revise, amend and codify the statutes in relation to lost goods.
W. E. Hauger, Chairman.
Ordered passed on file.

## REPORT OF JOINT COMMITTEE ON ENROLLED BILLS.

Mr. Hauger, from the Joint Committee on Enrolled Bills, submitted the following report:

Mr. Speaker-Your Joint Committee on Enrolled Bills respectfully report that they have examined, and find correctly enrolled, House flle No. 5, a bill for an act to revise, amend and codify the statutes in relation to the General Assembly.

G. S. Gilbertson, Chairman Senate Committee.<br>W. E. Hauger, Chairman House Committee.

Ordered passed on file.
Also:
Mr. Speaker-Your Joint Committee on Enrolled Bills respectfully report that they have examined, and find correctly enrolled, House file No. 54 , a bill for an act to revise, amend and codify the statutes in relation to the Orphans' Home and Home for Destitute Children.

G. S. Gilbertson, Chairman Senate Committee. W. E. Hauger, Chairman House Committee.

Ordered passed on file.
Also:
Mr. Speaker-Your Joint Committee on Enrolled Bills respectfully report that they have examined, and find correctly enrolled, House file No. 37 , a bill for an act to $r \in v i s e$, amend and codify the statutes in relation to the geological survey.

G. S. Gilbertion, Chairman Senate Committee.<br>W. E. HaUger, Chairman House Committee.

Ordered passed on file.
Also:
Mr. Speaker-Yourr.Joint Committee on Enrolled Bills respectfully report that they have examined, and find correctly enrolled, House file No. 32, a bill for an act to revise, amend and codify the statutes in relation to lost goods.

> G. S. GILBERTSON, Chairman Senate Committee.
> W. E. HAUGER, Chairman House Committee.

Ordered passed on file.
Also:
Mr. Speaker-Your Joint Committee on Enrolled Bills respectfully report that they have examined, and find correctly enrolled, Senate file

No. 36, a bill for an act to revise, amend and codify the statutes in relation to the practice of dentistry.

> G. S. GILBERTSON, Chairman Senate Committee. W. E. HaUGER, Chairman House Committee.

Ordered passed on file.
The Speaker signed in the presence of the House, House files Nos. 32, 37, 5 and 54.

Mr. Allen was excused until to-morrow.
On motion of Mr. Bell, Senate file No. 15, a bill for an act to revise, amend and codify the statutes in relation to the militia, with report of committee recommending a substitute and that the substitute do pass, was taken up and considered.

Mr. McDowell moved to amend section 1 by adding thereto the following: 'But no person having conscientious scruples against bearing arms shall be compelled to do military duty in time of peace."

Adopted.
Mr. Smith moved to strike out of section 8 the last word "captain" and insert the word "colonel" in lieu thereof.

Adopted.
Mr. Bell moved to strike out the words "other than" and insert the word "except" in lieu thereof in line 19, section 15; also, in line 20, to add after the word "department" the words "aids to the commander-in-chief."

Adopted.
Mr. Van Houten moved to strike out section 34 of the printed bill.

Lost.
Mr. Porter moved to strike out the figures wherever used to represent dollars and insert words.

Adopted.
Mr. Bell moved that the rule be suspended, and that the bill be read a third time now, which motion prevailed and the bill was read a third tume.

On the question, "Shall the bill pass?" the yeas were:
Messrs. Bailey, Bell, Bird, Bowen, Brant, Brighton, Brinton, Byington, Clark, Classen, Cook, Cornwall, Crow, Davis, Doubleday, Dowell, Early, Edwards, Finch, Frazee, Frink, Funk, Garner, Good, Griswold, Grote, Gurley, Haugen, Hauger, Hazen, Hendershot, Hinman, Hunt, Jay, Johnson of Webster, Johnston of Franklin, Klemme, Ladd, Lambert, Lauder, Lavender, Loomis, Lowry, McAchran, McArthur, McDonald,

McDowell. McNulty, McQuin, Marti, Martin, Mayne, Merriam, Miller of Buena Vista, Miller of Warren, Morrison of Grundy, Morrison of Keokuk, Nietert, Nolan, Parker, Perrott, Porter, Potter, Power, Prentis, Putnam, Ray, Reed, Scott, Smith, Temple, Thompson, Tibbitts, Voelker, Watters, Weaver, Wheeler, Whittier, Williams, Wilson, Mr. Speaker-81.

The nays were:
Messrs. Van Houten and Whelan-2.

- Absent or not voting:

Messrs. Allen, Baker, Brady, Chapman, Evans, Hayes, Hinkhouse, Huntley, Jackson, Manahan, Miller of Cherokee, Mullin, Spaulding, St. John, Sullivan, Wells, Wood-17.

So the bill passed and the title was agreed to.
Mr. Lambert called up the motion to reconsider the vote whereby House file No. 69 was passed, and moved that the motion to reconsider be tabled.

Carried.
Senate file No. 3, in which the Senate refused to concur in a part of the House amendments thereto, was taken up and considered.

On the question, "Shall the House insist on the House amendments in which the Senate refused to concur to Senate file No. 3?" the yeas and nays were demanded by Messrs Doubleday and Nolan, which resulted as follows:

On the question, "Shall the House insist on the House amendments to Senate file No. 3?" the yeas were:

Messrs. Bailey, Bell, Bird, Brady, Brant, Brinton, Clark, Classen, Cornwall, Crow, Davis, Doubleday, Dowell, Early, Edwards, Finch, Frazee, Frink, Funk, Garner, Good, Griswold, Gurley, Hauger, Hinkhouse, Hinman, Hunt, Jackson, Johnson of Webster, Johnston of Franklin, Klemme, Ladd, Lauder, Loomis, Lowry, McAchran, McDonald, McDowell, McQuin, Marti, Martin, Merriam, Miller of Buena Vista, Miller of Warren, Morrison of Grundy, Morrison of Keokuk, Nietert, Nolan, Parker, Perrott, Potter, Prentis, Putnam, Ray, Reed, Scott, Smith, Temple, Thompson, Van Houten, Watters, Wheeler, Whelan, Whittier, Williams, Wilson-66.

The nays were:
Messrs. Baker, Byington, Grote, Haugen, Hazen, Hendershot, Jay, Lambert, McNulty, Mayne, Porter, Power, Voelker, Mr. Speaker-14.

Absent or not voting:
Messrs. Allen, Bowen, Brighton, Chapman, Cook, Evans, Hayes, Huntley, Lavender, McArthur, Manahan, Miller of Cherokee, Mullin, Spaulding, St. John, Sullivan, Tibbitts, Weaver, Wells, Wood-20.

So the House insists on those amendments in which the Senate refused to concur.

Mr. Frink moved that the House agree to Senate amendment to House amendment to section 11, chapter 6, Senate file No. 3.•

On the question, "Shall the House agree?" the yeas were:
Messrs. Bailey, Baker, Bird, Bowen, Brady, Brant, Brighton, Brinton, Byington, Clark, Classen, Cook, Cornwall, Davis, Doubleday, Dowell, Early, Edwards, Finch, Frink, Funk, Garner, Good, Griswold, Grote, Haugen, Hauger, Hazen, Hendershot, Hinkhouse, Hinman, Hunt, Jackson, Jay, Johnson of Webster, Johnston of Franklin, Klemme, Ladd, Lambert, Lauder, Lavender, Loomis, Lowry, McAchran, McArthur, McDonald, McDowell, McNulty, McQuin, Marti, Martin, Mayne, Merriam, Miller of Buena Vista, Miller of Warren, Morrison of Grundy, Morrison of Keokuk, Nietert, Nolan, Parker, Perrott, Porter, Potter, Power, Prentis, Putnam, Ray, Reed, Scott, Smith, Temple, Thompson, Tibbitts, Van Houten, Voelker, Watters, Weaver, Wheeler, Whelan, Whittier, Williams, Wilson, Mr. Speaker-83.

The nays were:
None.
Absent or not voting:
Messrs. Allen, Bell, Chapman, Crow, Evans, Frazee, Gurley, Hayes, Huntley, Manahan, Miller of Cherokee, Mullin, Spaulding, St. John, Sullivan, Wells, Wood-17.

So the House agreed.
MESSAGE FROM THE SENATE.
The following message was received from the Senate:
Mr. Speaker-I am directed to inform your honorable body that the Senate has adopted the report of the conference committee on House file No. 73, a bill for an act to revise, amend and codify the statutes in relation to assignments for creditors.

> GEO. A. NEWMAN, Secretary.

The House here took up House file No. 18, relative to insurance.

The pending amendment offered on Saturday by Mr. Early, proposing to amend section 18, chapter 8, was taken up and lost.

Mr. Gurley moved to amend section 13, chapter 8, as follows: Amend the last paragraph of section 13 as amended by the committee so that it will read as follows: "and it shall be unlawful for the Auditor of State to impose upon assessment companies or associations organized under the laws of this State any rules or regulation, requirements or limitations that shall not be imposed with equal force upon assessment companies or associations from other states doing a like business in this State."

Adopted.
Mr. Early moved to amend section 18 , chapter 8, by striking out the words "were known," in line 4, and all of line 5 and insert in lieu thereof the words "and fraudulent."

Lost.
Mr. Martin moved to amend as follows: Amend section 24, chapter 8 , by striking out the words "any conditions of the" after the word "proving" and insert the word "such" in lieu thereof; also, strike" out the words "not so attached or endorsed" after the words "part thereof."

## Adopted.

Mr. Hayes moved to amend section 24 by inserting after the word "assured" the words "except formal parts."

Lost.
Mr. Hayes moved to add to section 24, the words "the provisions of this section shall be so construed as to do even and exact justice between the parties."

Lost.
Mr. Bird moved to amend chapter 6, section 5, by inserting as line $34 \frac{1}{2}$ the following: "The amount paid to each officer as salary in excess of twenty-five hundred dollars."

Mr. Early moved to amend the amendment of Mr. Bird to read as follows: "All mutual companies shall state the amount of salary paid to each officer in excess of twenty-five hundred dollars per annum."

Messrs. Early and Nietert demanded the yeas and nays on the amendment to the amendment which resulted as follows:

On the question, "Shall the amendment prevail?" the yeas were:

Messrs. Brady, Byington, Early, Hunt, Johnson of Webster, Lambert, McAchran, Mayne, Merriam, Miller of Buena Vista, Nietert, Nolan, Perrott, Porter, Tibbitts, Wheeler-16.

The nays were:
Messrs. Bailey, Baker, Bell, Bird, Bowen, Brighton, Brinton, Clark, Classen, Cook, Crow, Doubleday, Finch, Frazee, Frink, Garner, Griswold, Haugen, Hauger, Hayes, Hazen, Hendershot, Hinkhouse, Hinman, Huntley, Klemme, Ladd, Lauder, Lavender, Lowry, McArthur, McDonald, McDowell, McNulty, McQuin, Marti, Martin, Miller of Warren, Morrison of Grundy, Morrison of Keokuk, Parker, Power, Prentis, Ray, Reed, Scott, Smith, St. John, Temple, Thompson, Van Houten, Voelker, Watters, Weaver, Whelan, Whittier, Williams, Wilson, Wood, Mr. Speaker-60..

Absent or not voting:
Messrs. Allen, Brant, Chapman, Cornwall, Davis, Dowell, Edwards, Evans, Funk, Good, Grote, Gurley, Jackson, Jay, Johnston of Franklin, Loomis, Manahan, Miller of Cherokee, Mullin, Potter, Putnam, Spaulding, Sullivan, Wells-24.

So the amendment was lost.
On the amendment of Mr. Bird, Messrs. Bird and Early demanded the yeas and nays, which resulted as follows:

On the question, "Shall the amendment be adopted?" the yeas were:

Messrs. Bailey, Bell, Bird, Brant, Brighton, Brinton, Byington, Classen, Cook, Crow, Doubleday, Finch, Frazee, Frink, Garner, Good, Griswold, Grote, Haugen, Hauger, Hendershot, Hinman, Huntley, Johnson of Webster, Klemme, Lambert, Lavender, McDonald, McDowell, McNulty, Martin, Merriam, Miller of Buena Vista, Miller of Warren, Morrison of Grundy, Morrison of Keokuk, Nolan, Parker, Prentis, Putnam, Ray, Smith, St. John, Van Houten, Watters, Whelan, Williams, Wilson, Wood-49.

The nays were:
Messrs. Baker, Clark, Early, Hazen, Hinkhouse, Ladd, Lauder, Lowry, McAchran, McQuin, Marti, Perrott, Power, Reed, Scott, Temple, Thompson, Tibbitts, Voelker, Weaver, Whittier, Mr. Speaker-22.

Absent or not voting:
Messrs. Allen, Bowen, Brady, Chapman, Cornwall, Davis, Dowell, Edwards, Evans, Funk, Gurley, Hayes, Hunt, Jackson, Jay, Johnston of Franklin, Loomis, McArthur, Manahan,

Mayne, Miller of Cherokee, Mullin, Nietert, Porter, Potter, Spaulding, Sullivan, Wells, Wheeler-29.

So the amendment was adopted.
Mr. Power moved to amend section 31, chapter 1, by striking out the word "fifty" in line 35, and inserting the word "forty."

Adopted.
Mr. Morrison of Keokuk moved the previous question.
Carried by a vote of 42 yeas to 34 nays.
The motion to reconsider the vote whereby the last amendment to section 37, chapter 1, was adopted was then put and carried.

The last amendment to section 37, chapter 1, was then put and lost.

Motion to reconsider the vote whereby the motion of Mr. Morrison of Grundy to strike out the word "stipulated" and insert the word "flexible" wherever it may occur, both in the title and in the bill, was lost, was then put and carried.

Amendment of Mr. Morrison of Grundy was then adopted.
Motion to reconsider the vote whereby the second amendment to section 16, chapter 8, was adopted, was then put and carried.

Amendment of committee was then put and lost.
The question that the rule be suspended, and that the bill be considered engrossed and read a third time now, was then put, which motion prevailed and the bill was read a third time.

On the question, "Shall the bill pass?" the yeas were:
Messrs, Bell, Bird, Bowen, Brady, Clark, Classen, Cook, Cornwall, Crow, Davis, Doubleday, Dowell, Early, Finch, Frazee, Frink, Funk, Garner, Good, Griswold, Grote, Gurley, Haugen, Hauger, Hendershot, Huntley, Johnson of Webster, Johnston of Franklin, Ladd, Lauder, Lavender, Loomis, McAchran, McDonald, Martin, Mayne, Merriam, Miller of Buena Vista, Miller of Warren, Morrison of Grundy, Morrison of Keokuk, Nietert, Porter, Prentis, Putnam, Ray, Reed, Smith, Tibbitts, Van Houten, Watters, Whelan, Whittier, Williams, Wood, Mr. Speaker-56.

The nays were:
Messrs. Bailey, Baker, Brighton, Brinton, Edwards, Hayes, Hazen, Hinkhouse, Hinman, Hunt, Jackson, Jay, Klemme, Lambert, Lowry, McArthur, McDowell, McNulty, McQuin, Marti, Nolan, Parker, Perrott, Potter, Power, Scott, St. John,

Temple, Thompson, Voelker, Weaver, Wheeler, Wilson-33.
Absent or not voting:
Messrs. Allen, Brant, Byington, Chapman, Evans, Manahan, Miller of Cherokee, Mullin, Spaulding, Sullivan, Wells-11.

So the bill passed and the title was agreed to. report of committee on enrolled bills.
Mr. Hauger, from the Committee on Enrolled Bills, submitted the following report:

Mr. Speaker-Your Committee on Enrolled Bills respectfully report that they have examined, and find correctly enrolled, House file No. 5, a bill for an act to revise, amend and codify the statutes in relation to the General Assembly.

W. E. Hauger, Chairman.

Ordered passed on file.
Also:
Mr. Speaker-Your Committee on Enrolled Bills respectfully report that they have examined, and find correctly enrolled, House file No. 37, a bill for an act to revise, amend and codify the statutes in relation to the geological survey.

W. E. Hauger, Chairman.

Ordered passed on file. .
Also:
Mr. Speaker-Your Committee on Enrolled Bills respectfully report that they have examined, and find correctly enrolled, House file No. 32, a bill for an act to revise, amend a codify the statutes in relation to lost goods.

W. E. Hauger,<br>Chairman.

Ordered passed on file.
Also:
Mr. Speaker-Your Committee on Enrolled Bills respectfully report that they have examined, and find correctly enrolled, House file No. 54, a bill for an act to revise, amend and codify the statutes in relation to the Orphans' Home and Home for Destitute Children.

> W. E. HavGer, Chairman.

Ordered passed on file.
On motion of Mr. Hauger, the House adjourned till 2 p. m.

## AFTERNOON SESSION.

The House was called to order by Speaker Byers at 2 P. M., pursuant to adjournment.

Mr. Morrison of Grundy moved to reconsider the vote whereby House file No. 18 passed the House.

Mr. Funk moved to table this motion.
Carried.
On motion of Mr. Finch, House file No. 29, a bill for an act to revise, amend and codify the statutes in relation to the care of insane, with Senate amendments, with report of committee recommending concurrence in all Senate amendments except one, and that section 6 be amended, was taken up and considered.

On the question, "Shall the House nonconcur in the Senate amendment to section 5?" the yeas were:

Messrs. Bailey, Baker, Bell, Bird, Bowen, Brady, Brinton, Byington, Clark, Classen, Cook, Crow, Davis, Doubleday, Finch, Frazee, Garner, Grote, Gurley, Haugen, Hauger, Hayes, Hazen, Hendershot, Hinkhouse, Hinman, Huntley, Jackson, Jay; Johnson of Webster, Klemme, Ladd, Lambert, Lavender, Lowry, McAchran, McDonald, McDowell, McNulty, Martin, Mayne, Morrison of Grundy, Morrison of Keokuk, Nietert, Nolan, Parker, Perrott, Porter, Power, Ray, Scott, Smith, Voelker, Whelan, Whittier, Williams, Wilson-57.

The nays were:
Messrs. Brant, Brighton, Dowell, Early, Edwards, Frink, Funk, Good, Griswold, Hunt, Johnston of Franklin, Lauder, Loomis, McArthur, McQuin, Marti, Merriam, Miller of Buena Vista, Miller of Warren, Potter, Prentis, Putnam, Reed, St. John, Temple, Thompson, Tibbitts, Van Houten, Watters, Weaver, Wood, Mr. Speaker- 32.

Absent or not voting:
Messrs. Allen, Chapman, Cornwall, Evans, Manahan, Miller of Cherokee, Mullin, Spaulding, Sullivan, Wells, Wheeler-11.

So the House refused to concur.

The committee report recommending an amendment to the Senate amendment to section 6 was taken and considered.

Mr. Haugen moved that the House concur in the Senate amendment to section 6.

Mr. Johnston of Franklin was called to the chair.
Mr. Potter moved the previous question on the pending question.

Carried by a vote of 47 yeas to 30 nays.
Messrs. Morrison of Grundy and Wood demanded the yeas and nays on the motion of Mr. Haugen, which resulted as follows:

On the question, "Shall the House concur?" the yeas were:
Messrs. Baker, Brady, Clark, Cook, Cornwall, Doubleday, Edwards, Finch, Frazee, Gurley, Haugen, Hazen, Hinman, Hunt, Johnson of Webster, Lambert, Lavender, McDonald, McDowell, Morrison of Grundy, Nolan, Parker, Perrott, Power, Reed, Scott, Smith, Sullivan, Van Houten, Voelker, Wheeler, Whelan, Williams, Wilson-33.

The nays were:
Messrs. Bailey, Bell, Bird, Bowen, Brant, Brinton, Byington, Classen, Crow, Davis, Dowell, Early, Frink, Funk, Good, Griswold, Grote, Hauger, Hayes, Hendershot, Hinkhouse, Huntley, Jackson, Johnston of Franklin, Klemme, Ladd, Lauder, Loomis, Lowry, McAchran, McArthur, McNulty, McQuin, Marti, Martin, Mayne, Merriam, Miller of Buena Vista, Miller of Warren, Morrison of Keokuk, Nietert, Porter, Potter, Prentis, Putnam, Ray, St. John, Sullivan, Temple, Thompson, Tibbitts, Watters, Weaver, Whittier, Wood, Mr. Speaker- 56.

Absent or not voting:
Messrs. Allen, Brighton, Chapman, Evans, Garner, Jay, Manahan, Miller of Cherokee, Mullin, Spaulding, Wells-11.

So the House refused to concur.
Mr. Brant moved to reconsider the vote just taken.
Carried.
Mr. Brant moved to reconsider the vote whereby the previous question was ordered.

Carried.
Mr. Potter, by unanimous consent, withdrew his motion for the previous question.

Mr. Merriam moved as a substitute to the motion of Mr. Haugen that the report of committee on section 6, recommending an amendment to Senate amendment, be adopted.

Mr. Haugen accepted the substitute.
Mr. Morrison of Grundy and Mr. Wood demanded the yeas and nays on this motion, which resulted as follows.

On the question, "Shall the motion prevail?" the yeas were:
Messrs. Bailey, Bell, Bird, B Jwen, Brant, Brighton, Brinton, Byington, Clark, Classen, Cornwall, Crow, Davis, Dowell, Early, Edwards, Finch, Frazee, Frink, Fank, Garner, Good, Griswold, Grote, Haugen, Hauger, Hayes, Hazen, Hendershot, Hinkhouse, Hunt, Huntley, Jay, Johnson of Webster, Johnston of Franklin, Klemme, Ladd, Lauder, Lavender, Loomis, Lowry, McAchran, McNulty, McQuin, Martin, Mayne, Merriam, Miller of Buena Vista, Miller of Warren, Morrison of Grundy, Morrison of Keokuk, Nietert, Perrott, Potter, Power, Prentis, Putnam, Ray, Reed, Smith, St. John, Temple, Thompson, Tibbitts, Watters, Whittier, Wood-67.

The nays were:
Messrs. Baker, Brady, Cook, Doubleday, Gurley, Hinman, Lambert, McArthur, McDonald, McDowell, Marti, Nolan, Parker, Porter, Scott, Van Houten, Voelker, Weaver, Wheeler, Whelan, Williams, Wilson, Mr. Speaker-23.

Absent or not voting:
Messrs. Allen, Chapman, Ezans, Jackson, Manahan, Miller of Cherokee, Mullin, Spaulding, Suliivan, Wells-10.

So the committee amendment to the amendment of the Senate was adopted.

Mr. Griswold moved that the House refuse to concur in Senate amendment to section 4.

Carried by a vote of 48 yeas to 22 nays.
Mr. Finch moved that the House concur in all other Senate amendments to this bill.

On the question, "Shall the House concur?" the yeas were:
Messrs. Bailey, Bell, Bird, Bowen, Brady, Brant, Brighton, Brinton, Byington, Classen, Cornwall, Crow, Davis, Doubleday, Dowell, Early, Edwards, Finch, Frazee, Frink, Funk, Garner, Good, Griswold, Grote, Gurley, Hauger, Hayes, Hazen, Hendershot, Hinkhouse, Hinman, Hunt, Huntley, Jay, Johnson of Webster, Johnston of Franklin, Klemme, Ladd, Lambert, Lauder, Lavender, Loomis, Lowry, McAchran, McDonald, McDowell, McNulty, McQain, Marti, Martin, Mayne, Merriam, Miller of Buena Vista, Miller of Warren, Morrison of Grundy, Morrison of Keokuk, Nietert, Parker, Perrott, Porter, Potter, Power, Prentis, Putnam, Ray, Reed, Scott, Smith, St. John,

Temple, Thompson, Tibbitts, Voelker, Watters, Weaver, Wheeler, Whelan, Whittier, Williams, Wilson, Wood, Mr. Speaker-84.

Mr. Van Houten voted in the negative.
Absent or not voting:
Messrs. Allen, Baker, Chapman, Clark, Cook, Evans, Haugen, Jackson, McArthur, Manahan, Miller of Cherokee, Mullin, Nolan, Spaulding Sullivan, Wells-15.

So the House concurred.
The following motion to reconsider was filed:
Mr. Speaker-l move to reconsider the vote by which the Senate amendments to House file No. 29 were concurred in.
F. McNulty.

I second the motion.
S. Williams.

The Speaker appointed as conference committee on the part of the House reference to Senate file No. 3, Messrs. Classen, Haugen, Baker and Hunt.

The Committees on Pardons, Federal Relations, Claims, Fish and Game, Roads and Highways, Penitentiaries, Public Library, Telegraph, Telephone and Express, and Police Regulations, having practically completed the work before them, and there being no objection on the part of any member of the House, the Speaker directed that the names of the following clerks attached to the various committees be stricken from the pay roll: H. Whittier, David Shean, Z. R. Gurley, H. B. Watters, Mary McAchran, Olive Conger, M. J. Potter, J. J. Dunkelberry and B. J. Clark.

On motion of Mr. Ladd, the House adjourned till 9 A. M. to-morrow.

> Hall of the House of Representatives, Des Moines, Iowa, Wednesday, March 17, 1897. $\}$

House met at 9 A. m., Speaker Byers in the chair.
Prayer by Rev. C. C. Morrison of Perry, Iowa.
Upon motion of Mr. Finch, Senate file No. 76 was ordered recalled from the Senate.

PETITIONS AND MEMORIALS.
Mr. Cornwall presented petition of citizens of Clay county, asking for a law to legalize the use of "Welsbach incandescent gasoline lamps."

Referred to Committee on Public Health.
Mr. Nolan presented memorial of Julien Division No. 347, O. R. C., asking the passage of the Temple amendment to railroad laws.

Referred to Committee on Railroads and Commerce.
Mr. Hauger presented memorial of citizens of Dunkerton, Iowa, proposing a substitute for section 5, chapter 85, acts of the Twenty-sixth General Assembly.

Referred to Committee on Building and Loan Associations.
Mr . Bell offered the following resolution, which was laid over under rule 34:

Mr. Speaker-I move that four door keepers, two cloak room janitors, and four pages-the Speaker's page excepted-be dropped from the rolls of this House, and that the names of those to be dropped be determined by lot under the supervision of the sergeant-at-arms and the Chief Clerk of the House.
W. B. Bell.

The Journal of Monday was corrected and approved. REPORT OF COMMITTEE.

Mr. Nietert, from the Committee on Banks and Banking, submitted the following report:

Mr. Speaker-Your Committee on Banks and Banking, to whom was referred House file No. 19, abbill for an act to revise, amend and codify the
statutes in relation to banks and banking institutions, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the House with the committee substitute for chapters 9,10 and 11, title 9 of the Black Code, as House file No. 19, with the recommendation that said substitute do pass.

## COMMITTEE SUBSTITUTE FOR HOUSE FILE NO. 19.

A bill for an act to revise, amend and codify the statutes in relation to banks and banking institutions.

Be it enacted by the General Assembly of the State of lowa:
CHAPTER 9 (OF TITLE IX).
OF SAVINGS BANKS.
Section 1. Corporations, designated savings banks, may be formed by not less than five persons of lawful age, a majority of whom shall be citizens of the State, and must be organized under the provisions of this chapter.

Sec. 2. Savings banks may receive on deposit the savings and funds of others, preserve and invest the same, pay interest or dividends thereon, and transact the usual business of such institutions, but shall not have power to issue bank notes, bills or other evidences of debt for circulation as money.

Sec. 3. The articles of incorporation of a savings bank shall be signed and acknowledged by the corporators before some officer authorized to take acknowledgment of deeds, and give the corporate name, the object for which it is formed, the amount of capital, the time of its existence which shall not exceed fifty years, the number of its directors, the names and postoffice addresses of those who shall manage its affairs until the first election, and the name of the city, town, or village, and the county, in which the principal place of business is to be located. Such articles shall be filed and recorded in the office of the recorder of deeds of the county of the principal place of business and in the office of the Secretary of State. Notice of its incorporation shall be given by publication in some newspaper published in the county wherein the bank is located, for four consecutive weeks, which notice shall state in substance the matters required to be given in the articles of incorporation.

Sec. 4. The paid up capital of any savings bank shall not be less than ten thousand dollars in cities, towns or villages having a population of ten thousand or less, nor less than fifty thousand dollars in cities having a greater population. The corporation may commence business when its first directors or officers named in its recorded articles of incorporation shall have furnished the Auditor of State proof under oath that the required capital has been paid in and is held in good faith by said bank, and he has satisfied himself of such fact, for which purpose he may make a personal examination or cause it to be made at the expense of such bank, and he is also satisfied that the preceding sections of this chapter have been complied with, and has issued a certificate to that effect, naming therein its first board of directors, notice of which certificate shall be given by the publication thereof for four consecutive weeks in some newspaper printed in the county where its articles are recorded, at the expense of such bank,
and proof of such publication by the oath of the publisher or his foreman filed with such Auditor.

Sec. 5. The corporators and their successors shall be a body corporate with the right of succession for the period limited, and shall have power:

1. To sue and be sued;

2 To have a corporate seal and alter it at pleasure;
3. To purchase, hold, sell, convey and release from trust or mortgage such real and personal estate as provided for in this chapter;
4. To appoint such officers, agents, employes and servants as the business of the corporation shall require, to define their powers, prescribe their duties, fix their compensation, and to require of them such security as may be proper for the performance of their duties;
5. To loan and invest the funds of the corporation, to receive deposits of money, to loan and invest the same as provided in this chapter, and to repay such deposits without interest, or with such interest as the by-laws or articles may provide:
6. To make by-laws for the management and regulation of the corporation, its property and affairs, prescribing the condition on which the deposits will be received and interest paid thereon, and the time and manner of dividing the profits, and for carrying on all business within its power.

Sec. 6. The business and property of such banks shall be managed by a board of directors of not less than five nor more than nine, all of whom shall be shareholders and at least three-fourths of the directors must be citizens of the State. Each director must own in his own right at least five shares of the capital of the bank, and each of whom shall take an oath diligently, faithfully and impartially to perform the duties imposed upon him by law, that he will not knowingly violate or willingly permit to be violated any of its provisions, that he is the bona fide owner in his own right of a number of shares of stock required to be owned by him as provided in this chapter, that the same is not hypothecated nor in any manner pledged as security for any loan obtained or debt owing by him, which oath shall be signed by each director and certified by the officer before whom it is taken, and filed with and preserved in the office of the Auditor of State.

The call for the first meeting of the directors or trustees shall be signed by one or more persons named in the Auditor's certificate, stating the time and place of meeting, and be delivered personally to each director or published at least ten days in some newspaper in the county wherein the principal place of business of the corporation is located.

At their first meeting, and as often thereafter as the by-laws require, they shall elect from their number a president and one or more vice-presidents for the ensuing year, and appoint a treasurer or cashier and such other officers and employes as may be required, who shall hold their office during the pleasure of the board, and give such security for the faithful performance of their duties as may be required of them by the by-laws.

Sec. 7. All vacancies in the board of directors shall be filled at its next regular meeting after such vacancy shall arise from among the stockholders, and the person receiving the majority of the votes of the whole number of directors shall be duly elected to fill such vacancy. The directors to succeed those named in the Auditor's certificate shall be elected at
the first annual meeting thereafter, at such time and place, in such manner, and upon such notice as shall be provided by the by-laws, and shall hold office until their successors are elected and qualified, which shall be annually thereafter. All such elections shall be by ballot, and the persons receiving the greater number of votes cast shall be directors. If an election of directors shall not be held on the day designated, it may be held on any other day after giving the notice required by the by-laws. A majority of directors shall constitute a quorum for the transaction of business, but in no case shall a measure be declared carried unless receiving three affirmative votes.

Sec. 8. At all stockholders' meetings, and all elections held thereat, each share of stock shall be entitled to one vote. Any stcckholder may vote upon his shares in person or by proxy in writing; shares belonging to an estate may in like manner be voted by the administrator thereof, and shares belonging to incorporation, association or society, may be voted by any person authorized by its board of directors to do so, but no stockholder shall be entitled to vote who owes the bank any past due indebtedness.

Sec. 9. All savings banks organized under this chapter may receive on deposit money equal to ten timea the amount of its paid up capital, and no greater amount of deposits shall be received without a corresponding increase of paid up capital, which shall be a guaranty fund for the better security of depositors, and invested in safe and available securities. The deposits so received shall be paid to such depositor or his representative when requested, with such interest and under such regulations as the board of directors shall, from time to time, prescribe, not inconsistent with the provisions of this chapter, which shall be printed and conspicuously exposed in the business office of the bank in some place accessible and visible to all; and no alteration which may at any time be made in such rules and regulations shall effect the rights of depositors acquired previously thereto in respect to deposits or interest thereon. Savings banks may require sixty days' written notice of the withdrawal of deposits, but when there are sufficient funds on hand the officers thereof may, in their discretion, waive this requirement. They may close any account upon such written notice as may be provided for in the by-laws directing a depositor to withdraw his deposits, after which it shall cease to draw interest. But nothing in this chapter shall prevent such banks, in their discretion, issuing certificates of deposits payable upon demand.

Sec. 10. All accounts upon which no deposit or drafts shall be made for a period of ten years in succession shall be so far closed that neither the sum deposited, nor the interest that shall have accrued thereon, shall be entitled to any interest after the expiration of the ten years from the date of the last deposit or draft. This provision, however, shall not apply to endowments for children, to trust estates, nor to other cases where special provision is made therefor at the time of the deposit thereof.

Sec. 11. Each savings bank shall invest its funds or capital, all moneys deposited therein and all its gains and profits, only as follows:

1. In bonds or interest bearing notes or certificates of the United States;
2. In bonds or evidences of debt of this State, bearing interest;
3. In bonds or warrants of any city, town, county, or echool district of this State issued pursuant to the authority of law, but not exceeding
twenty-five per cent of the assets of the bank shall consist of such bonds or warrants;
4. In notes or bonds secured by mortgage or deed of trust upon unencumbered real estate in this State, worth at least twice the amount as loaned thereon.
5. It may discount, purchase, sell and make loans upon commercial paper, notes, bills of exchange, drafts, or any other personal or public security, but shall not purchase, hold, or make loans upon the shares of its capital stock.
6. In all cases of loans upon real estate all the expenses of searches, examination, and certificates of title, or the inspection of property, sppraisals of value, and of drawing, perfecting and recording papers shall be paid by such borrowers; if buildings are included in the valuation of real estate upon which a loan shall bs made, they shall be insured by the mortgagor for at least two thirds of their value in some solvent company, and the loss, if any, under the policy of insurance shall be made payable to the bank or its assigns, as its intereste may appear. When the mortgagor neglects to procure the insuranceas above provided the mortgagee may procure the same in the mortgagor's name for its benefit, and the premium so paid therefor shall be added to the mortgage debt.

Sec. 12. A savings bank may purchase, hold, and convey real estate only as follows:

1. The lot and building in which its business is carried on;
2. Such as shall have been purehased at sales upon foreclosure of mortgages owned by it, or upon judgments or decrees obtained or rendered for debts due it, or such as shall be conveyed to it in satisfaction of debts previously contracted in the course of its dealings, or such as it may obtain by redemption as junior mortgagee or judgment creditor and which shall be sold by said bank within ten years after the title shall be vested in it.

Sec. 13. No divide nd shall be declared or paid to stockholders save out of the surplus on hands after paying or setting apart sums sufficient for the payment of all expenses in operating the bank and of interest to depositors according to the rate fixed therefor by the board of directors from time to time. The bank shall pay interest to the depositors when due upon presentation of deposit book or certificate.

Sec. 14. The capital of savings bank shall be divided into shares of one hundred dollars each, issued or acquired only upon full payment of the sums represented by them, transferable on the books of the corporation in such manner as shall be prescribed by law, and in its by-laws. Stock owned by any corporation, associstion or society may be transferred by any person authorized to do so by its board of directors or trustees.

Sec. 15. Deposits made by a person as executor, administrator, or in any other official capacity, shall be payable to him as such official; if personally made by a minor to him, although he may have no guardian, or his guardian sball not have authorized such payment, and the check, receipt, or acquittance of the minor therefor, shall be valid and binding.

If a deposit be made in her own name by a woman, then or afterwards married, payment shall be made to her upon her check or receipt; if made by any corporation, association or society, to any person authorized by its board of directors or trustees to receive the same.

Sec. 16. No savings bank, its directors or trustees, shall contract any debt or liability against the bank for any purpose whatever, except for deposits and the necessary expenses of managing and transacting its business, and to pay obligations incurred for the purpose of obtaining money with which to pay deposits.

Sec. 17. The capital of savings banks thay be increased by an affirmative vote of two-thirds of the shares thereof, at a stockholders' meeting, called upon a notice signed by the officers of the bank and a majority of its directors, specifying the object of the meeting, its time and place, and the amount of the proposed increase, published once a week for four consecutive weeks before the time fixed, in some newspaper of the county where the bank is located. If at such meeting the required vote is given, a certificate of the proceedings showing compliance with the foregoing provisions, the amount of capital paid in, the amount to which it is to be increased, and the manner thereof, shall be signed and verified by the affidavit of the chairman and sacretary of the meeting, certified to by a majority of the board of directors, and filed and recorded in the office of the recorder of deeds of the proper county, and with the Secretary of State, and a certificate shall thereupon be issued by him in the manner required in the original organization of the bank. When this is done, the stock shall be increased to the amount stated in the certificate.

Sec. 18. Savings banks may be dissolved prior to the period fixed in the certificate of incorporation, by the affrmative votes of thestockholders holding three-fourths of the capital, at a meeting of stockholders to be called for this purpose in the manner and after publication of notice as required in case of the increase of its capital. In case of dissolution of the bank or proceedings to close the same as authorized in this chapter, no receiver appointed thereunder shall be allowed to sell the assets thereof at forced sale, but he shall collect the same with all diligence and make distribution of the proceeds from time to time to those entitled thereto.

Sec. 19. Any bank existing under any law of the State may bereorganized under the provisions of this chapter by filing with the recorder of deeds of the county in which the business is to be conducted, articles of incorporation as required for the organization of savings banks, or such amendment of its articles as will comply with the provisions of this ohapter, but such articles or amendment shall be slgned by a majority of the directors of such bank, acknowledged before some officer authorized to take the acknowledgment of deeds and recorded in the office of the proper recorder of deeds and Secretary of State, as if the original articles, whereupon the Auditor of State shall issue his certificate as in case of the original organization of savings banks which, when received and published as in such cases required, shall authorize it to transact business, and all the provisions relating to savings banks shall apply to banks thus reorganized, and all its securities, real estate, or property may be then transferred to such new organization; but such organization shall not discharge the original bank, its directors, or stockholders, from any liability to its depositors or any other person; and such new savings bank shall be liable for every claim or demand existing against such former organization.

Sec. 20. Any bank, banking association, private banker or person not incorporated under the provisions of this chapter, or any officer, agent, servant, or employe thereof, who shall advertise, issue, or circulate any
card or other paper, or exhibit any sign as a savings bank or savings instidution, and any savings bank advertising in any way a greater amount of capital than it has actually paid in, shall forfeit and pay one hundred dollars for each day the offense is continued, to be recovered in a suit brought in the name of the State, by the county attorney, of and for the use of the school fund of the county where such bank is located, and in addition thereto, shall be guilty of a misdemeanor for each day the same is done or continued.

Sec. 21. Savings banks doing a commercial business located in towns having a population of less than two thousand inhabitants shall at all times keep a cash reserve fund equal to fifteen per cent of their deposits, and all such banks located in cities and towns having a population of two thousand or over shall at all times keep a cash reserve fund equal to twenty per cent of their deposits. Savings banks doing an exclusive savings bank business shall at all times keep a cash fund equal to ten per cent of their deposits. Two-thirds of such reserve fund provided for in this section may be kept on deposit, subject to call, with other banks organized under State or national laws.

## CHAPTER 10 (OF TITLE IX).

## OF STATE BANKS.

Section 1. Associations organized under the gereral incorporation laws of this State, for transacting a banking business, buying, or selling exchange, receiving deposits, disccunting notes and bills other than savings banks, shall be designated state banks, and sball have the word "State" incorporated in and made a part of the name of such corporation, and no such corporation shall be authorized to transact business unless the provisions of this Code have been complied with.

Sec. 2. No partnership, individual, or unincorporated association engaged in buying or selling exchange, receiving deposits, discounting notes and bills, or other banking business, shall incorporate or embrace the word "State" in its name, but this section shall not apply to associations organized under the laws of the United States.

Sec. 3. State banks may be formed by not less than five persons of lawful age, who shall enter into articles of incorporation, which shall specify in general terms the object for which the association is formed, and may contain any other provisions, not inconsistent with law, which the association may see fit to adopt for the regulation of its business and conduct of its affiairs.

Sec. 4. No State bank shall be crganized under the provisions of this chapter with a less amount of paid up capital than fifty thousand dollars, except in cities or towns having a population not exceeding three thousand, where such an association may be organized with a paid up capital of not less than twenty-five thousand dollars. But no such association shall have the right to commence business until its officers, or its stockholders, shall have furnish $\in d$ to the Auditor of State a sworn statement of the paid up capital, ard, when the Auditor of State is satisficd as to that fact, he shall issue to such asscciation a certificate authorizing it to commence business, and it shall cause soid certificate to be published in some weekly newspaper printed in the city or town where the asscciation is
located, for at least four weeks, or, if no newspaper is published in such city or town, then in a weekly newspaper published nearest thereto in the county.

Sec. 5. The capital of State banks hereafter organized shall be divided into shares of one hundred dollars each, issued or required only upon full payment of the sum represented by them.

Sec. 6. The business and property of each State bank shall be managed by a board of directors of not less than five, all of whom shall be shareholders. Each director must during his whole term of service own in his own right at least ten shares of the capital stock, and each shall take an oath that he is the bona fide owner in his own right of the number of shares of stock required in this chapter; that the same is not hypothecated nor in any manaer pledged as security for any loan or debt, which oath shall be signed by each director and certified by the officer before whom it is taken, and filed with and preserved in the office of the Auditor of State.

Sec. 7. All State banks located in towns having a population of less than two thousand inhabitants shall at all times maintain a reserve of not less than fifteen per cent of their total deposits; and all such banks located in cities and towns having a population of two thousand or more shall at all times maintain a reserve of not less than twenty per cent of their total deposits, two-thirds of said reserve may be kept on deposit subject to call with other banks organized under State or national laws.

CHAPTER 11 (OF TITLE IX).

## OF BANKS.

Section 1. The misnomer of any savings or State bank in any instrument shall not violate or impair the same if such bank be sufficiently described to ascertain the intention of the parties.

Sec. 2. Officers of savings and State banks may receive for their services a reasonable compensation to be fixed from time to time in the by-laws or by vote of the board of directors, but no director as such shall be paid for his services. No officer, director or employe of the bank shall in any manner, directly or indirectly, use its funds or deposits or any part thereof except for the regular business transactions of the bank, and no loan shall be made by it to them except upon the express order of the board of directors, made in the absence of the applicant, duly entered in the record of the board proceedings, and only upon the same security as required of others.

Sec. 3. The total liabilities of any savings or State bank, of any person, corporation, company, or firm, for money borrowed, including in the liabilities of a company or firm the liabllities of the several members thereof, shall at no time exceed twenty per cent of the actually paid up capital of such bank, but the discount of bona fide bills of exchange drawn against actually existing value and the discount of commercial or business paper actually owned by the person or persons, corporation, company, or firm negotiating the same shall not be considered money so borrowed.

Sec. 4. The board of directors of each savings and State bank shall at its annual meeting appoint from its members an examining committee of not less than two, which shall examine the condition of the bank at least every quarter, and report the same in writing duly signed, to the board,
who shall cause said report to be recorded in the director's minute book of the bank.

Sec. 5. All savings and State banks shall make a full, clear, and accurate statement of the condition of the bank, verified by the oath of the president, or vice-president and cashier, or assistant cashier, and attested by the signatures of at least two of the directors, which statement shall contain:

1. The amount of capital actually paid in;
2. The amount of debts of every kind due to banks, bankers or persons other than regular depositors;
3. The amount due depositors, including sight and time deposits;
4. The amount subject to be drawn at sight then remaining on deposit with solvent banks or bankers of the country, specifying each city and town and the amount deposited in each and belonging to such bank;
5. The amount of gold and silver coin and bullion belonging to such bank at the time of making such statement;
6. The amount then on hand of legal tender and national bank notes and subsidiary coin;
7. The amount of drafts and checks on other solvent banks and other cash items not dishonored then on hand and belonging to such bank;
8. The amount of bills, bonds and other evidences of debt, discounted or purchased by such bank, and then belonging to the same; (the last half of subdivision 7, section 6, in Black Code, left out.)
9. The value of real or personal property owned by such bank, specifying the amount of each;
10. The amount of undivided profits, if any, then on hand;
11. The total amount of liabilities to such association on the part of the directors thereof; which statement shall be transmitted to the Auditor of State within ten days after the receipt of a request or requisition therefor from him, and by him filed in his office.

Sec. 6. The Auditor of State may at any time he may see proper, make, or cause to be made, an examination of any savings or State bank, or he shall call upon it for a report of its condition, upon any given day which has past, as often as four times each year; this report shall contain the information under the preceding section, and the Auditor shall cause it to be published in one regular issue in some daily or weekly newspaper in the city or town where such bank is located, or if there be none in such city or town, then in one regular issue of some daily or weekly newspaper printed in said county, and the expense of such publication shall be paid by the bank.

Sec. 7. The Auditor of State shall also have power to call for special reports from savings and State banks whenever in his judgment the same are necessary in order to obtain a full and complete knowledge of its condition, which report shall be verified and attested in the same manner as required in section six of this chapter.

Sec. 8. The Auditor of State may appoint one or more bank examiners, to hold office at his pleasure, who shall give bond to the State, conditioned for the faithful discharge of their duties in the sum of two thousand dollars, which shall be filed with and the sureties therein approved by said Auditor.

Sec. 9. Each of such banks shall pay the expense of its examination, which, when made by the Auditor of State, shall be his necessary expenses only; when such examination is made by an examiner, he shall receive from banks having a paid up capital of fifty thousand dollars or under, the sum of fifteen dollars; from banks possessing a paid up capital of more than fifty thousand and under one hundred thousand dollars, twenty dollars; from banks possessing a paid up capital of one hundred thousand and under two hundred thousand dollars, twenty-five dollars; and from banks possessing a paid up capital of two hundred thousand dollars or over, thirty dollars.

Sec. 10. When it shall appear to the Auditor of State that any savings or State bank, has refused to pay its deposits in accordance with the terms on which such deposits were received, or has become insolvent, or that its capital has become impaired, or has violated the law, or is conducting its business in an unsafe manner, he shall by an order addressed to such bank direct a discontinuance of such illegal or unsafe practices, and require conformity with the law. The Auditor of State may appoint an examiner to investigate the affairs of any savings or State bank, who shall have power to administer oaths to any person whose testimony may be required on such examination, and to compel his attendance for the purpose thereof by subpcena or attachment in the manner now authorized in respect to witnesses in the courts in the State, and all books and papers which it may be found necessary to inspect on the examination $¢ 0$ ordered shall be produced and their production may be compelled in like manner; all expenses thereof shall be paid by the banks examined in such amount as the Auditor of State shall certify to be just and reasonable, but costs taxed as such shall not exceed those allowed for like services in the district court. If any such bank shall fail or refuse to comply with the demands made by the Auditor of State, or if the Auditor of State shall become satisfied that any such bank is in an insolvent or unsafe condition, or that the interests of creditors require the closing of any such bank, he may authorize a bank examiner appointed by him to take possession of any such bank, whereupon the right of levy, of execution, or attachment against such bank or its assets shall be suspended, and the Auditor of State may, forthwith, with the assent of the Attorney-General, apply to the district court or judge thereof for the appointment of a receiver for such bank, and the winding up of its affairs under the direction of the court. The Auditor of State with the assent of the Attorney-General, shall have exclusive authority to apply for the appointment of receivers of savings and State banks, and no assignment for the benefit of creditors or otherwise shall be of any validity.

Sec. 11. Should the capital stock of any state or savings bank become impaired by losses or otherwise, the Auditor of State may require an assessment upon the stockholders and shall address an order to the several members of the board of directors of such bank, fixing the amount of assessment $r \in q u i r e d$, and the board of directors shall, within thirty days after the receipt of such order, cause such deficiency to be made good by a ratable assessment upon the stockholders for the amount of stock held by them, by giving such stockholders notice in writing, signed by the president or vice-president, attested by the cashier or secretary of the bank under its seal, if it have one, and deposited in the postoffice, addressed to the last known residence of the stockholders, proof thereof to be made by the
affidavit of the person so making the deposit, which notice shall state the entire sum to be raised and the amount due from the addressed stockholder.

Sec. 12. Should any stockholder neglect or refuse to pay his assessment within ninety days from the date of mailing notice thereof, the board of directors shall cause a sufficient amount of the capital stock held by such stockholder to be sold at public auction to make good the deflciency, after giving thirty days' notice thereof by posting the same in the bank, nnd publishing it in some newspaper of the county in which the bank is located, which notice shall recite the assessment made, the amount due thereunder from the stockholder, and the time and place of sale, proof of all which may be made in the manner provided in the preceding section. After such deficiency is made good the balance of the proeeeds of said sale, if any, shall be paid to the delinquent stockholder.

Sec. 13. Should the board of directors of such bank having an impaired capital neglect or refuse to proceed as above provided for a period of thirty days after receipt of such order from the Auditor of State, they shall become severally liable for any deficiency, which liability way be enforced at law by any creditor of or stockholder in the bank, or receiver appointed to wind up its affairs.

Sec. 14. It shall be the duty of the Auditor of State to communicate to the Governor in his biennial report a statement of the condition of every bank from which reports have been received for the preceding year, and to suggest any amendments in the law relative thereto which in his judgment may be necessary or proper to increase the security of depositors.

Sec. 15. All stockholders of savings and State banks shall be individually liable to the creditors of such corporations of which they are stockholders over and above the amount of stock by them beld therein, and any amount paid thereon, to an amount equal to their respective shares, for all its liabilities accruing while they remain such stockholders, and should any such association or corporation become insolvent, its stockholders may be severally compelled to pay such deficiency in proportion to the amount of stock owned by each, not to exceed the extent of the additional liability hereby created.

Sec. 16. Should the whole amount for which the stockholders are made individually responsible, as provided by the preceding section, be found in any case to be inadequate to the payment of all the debts of any such association or corporatios after the application of its assets to the payment of such debts, then the amount due from such stockholders on account of their individual liability created by said section, as such, shall be distributed equally among all the creditors of such corporation in proportion to the several sums due them.

Sec. 17. No savings, State or private bank, banking house, exchange broker, depcsit office, firm, company, corporation, or party engaged in the banking, brokerage, exchange or deposit business, shall, when insolvent, accept or receive on deposit, with or without interest, any money, bank bills, bank notes, United States treasury notes, currency or other notes, bills, checks or drafts. Any owner, partner, officer, director, cashier, manager, member or party who shall knowingly violate the provisions of this section, shall be punished by a fine not exceeding ten thousand dollars or by imprisonment in the penitentiary for a term of not more than ten
jears, or by imprisonment in the county jail not exceeding one year, or by both fine and imprisonment.

Sec. 18. Any officer or officers whose duty it is to make statement of the condition of its bank, and make publication of same, or any director or directors whose duty it is to appoint an examining committee, or any member of an examining committee who shall wilfully neglect or refuse to perform the duties imposed upon them or either of them by this chapter, shall be deemed guilty of a misdemeanor, and, on conviction thereof, shall be punished by a fine of not less than one hundred dollars nor more than one thousand dollars, or by imprisonment not less than three months nor more: than three years in the penitentiary.

Sec. 19. Any owner, director, officer, agent, employe or clerk of any bank who shall knowingly subscribe or make any false statements or false entries in the books thereof, or knowingly subscribe or exhibit false papers. with intent to deceive any person authorized to examine its condition, or shall knowingly subscribe and make false reports, or shall knowingly divert the funds of the bank to other objects than those authorized by law, shall be punished by a fine not exceeding ten thousand dollars, and be imprisoned in the penitentiary not less than two nor more than five years, and be forever after incapable of holding any office created by this chapter.

Sec. 20. Any owner, director, officer, agent, employe, or clerk of any bank who is guilty of intentional fraud or of deceiving the public or individuals in relation to the means or liabilities of such bank, or who aids, assists, or consents to the payment of dividends which leave insufficient. funds with which to meet the liabilities of the bank, shall be punished by a fine of not less than five hundred dollars, or imprisonment of not less than one year, or both such fine and imprisonment at the discretion of the court, and such act shall cause a forfeiture of all the privileges of said bank and the court may proceed to close the same in the manner prescribed by law.

Sec. 21. The president and cashier of every savings and State bank shall cause to be kept at all times a full and correct list of the names and residences of the officers, directors, examining committee, and of all the stockholders in the bank, and the number of shares held by each, in the office where its business is transacted. Said list shall be subject to the inspection of all the stockholders and creditors of the bank during business hours of each day in whfch business may be legally transacted. A copy of such list verified by the oath of the president or cashier shall be transmitted to the Auditor of State within ten days after each annual: meeting.

## H. J. Nietert, Chairman.

Substitute read first and second time and passed on file.
The special order, being the substitute for House file No. 20, a bill for an act to revise, amend and codify the statutes in relation to building and loan associations, as reported by the committee, was read first and second time.

The Clerk then proceeded to read the bill for consideration. and amendment.

The committee amendment to strike out the word "act" wherever it occurs and to insert the word "chapter" was adopted.

Mr. Allen offered the following as a substitute for section 5: 'Section 5. Such articles of incorporation with the by-laws of the association shall be presented to the Executive Council, and if it finds they are in conformity with this act it shall attach thereto its certificate of that fact, and thereupon such articles and by-laws shall be filed in the office of the Auditor of State, who shall issue a certificate authorizing the association to transact business. Amendments to such articles may be made from time to time at any regular or special meeting of the stockholders, which shall in like manner be submitted to and acted upon by the Executive Council. Said Executive Council shall keep a record of its proceedings with reference to said associations, and any association aggrieved by any decision of the Executive Council as contemplated by this act, shall have the right within thirty days to appeal to the district court of Polk county, Iowa, by serving ten days notice thereof upon the Secretary of State and the Attorney-General, and by filing with the Secretary of State a bond in the sum of $\$ 500.00$, with security to be approved by him, conditioned that said association shall pay all costs of said appeal. Upon the filing of such bond the secretary of the Executive Council shall within five days thereafter prepare, certify and file in said district court a full and complete transcript of the original papers filed with or presented to said council, relating to the subject matter, and application for a certificate of authority to do business, together with a complete transcript of all records, entries made and kept by said Executive Council in respect thereto, and the hearing before the said district court shall be had upon this transcript. Said case shall be entered on the equity docket in the said district court, in the name of the appellant as plaintiff and the Executive Council as defendant, and said court shall, if then in session, immediately proceed to hear and determine said case de novo on the transcript of the papers and proceedings before the Executive Council, and its judgment and decree shall in all respects be of the same force and effect as the certificate of the Executive Council, and an appeal of either party shall lie to the supreme court of Iowa from the judgment of said district court. If any member of the Executive Council is an officer or director in a building and
loan or savings and loan association in the State of Iowa it shall be illegal for such member to sit in the council while the articles and by-laws of any building and loan or savings and loan association are being considered or acted upon, and he shall have no vote thereon."

Mr. Jackson was called to the chair.
Speaker Byers resumed the chair.
Mr. McNulty moved to amend the substitute of Mr. Allen by striking out of the substitute for section 5 all after the words "district court," being the last six lines of said substitute.

Messrs. Allen and McQuin demanded the yeas and nays on the amendment of Mr. McNulty, which resulted as follows:

On the question, "Shall the amendment be adopted?" the yeas were:

Messrs. Bell, Brant, Davis, Good, McNulty, Nolan, Tibbitts, Van Houten-8.

The nays were:
Messrs. Allen, Bailey, Baker, Bird, Bowen, Brighton, Brinton, Byington, Chapman, Clark, Classen, Cook, Cornwall, Crow, Dowell, Early, Edwards, Finch, Frazee, Frink, Funk, Garner, Griswold, Grote, Gurley, Haugen, Hauger, Hayes, Hazen, Hendershot, Hinkhouse, Hinman, Hunt, Huntley, Jackson, Jay, Johnson of Webster, Klemme, Ladd, Lambert, Loomis, McAchran, McArthur, McDowell, McQuin, Marti, Martin, Mayne, Merriam, Miller of Buena Vista, Miller of Warren, Morrison of Grundy, Morrison of Keokuk, Mullin, Nietert, Parker, Perrott, Porter, Potter, Power, Prentis, Putnam, Ray, Reed, Scott, Smith, Spaulding, Sullivan, Temple, Thompson, Watters, Wells, Wheeler, Whelan, Whittier, Williams, Wilson, Wood, Mr. Speaker-79.

Absent or not voting:
Messrs. Brady, Doubleday, Evans, Johnston of Franklin, Lauder, Lavender, Lowry, McDonald, Manahan, Miller of Cherokee, St. John, Voelker, Weaver-13.

So the amendment was lost.
Mr. Dowell moved to amend the substitute of Mr. Allen so it will read as follows: "Section 5. Such articles of incorporation with the by-laws of the association shall be presented to the Executive Council, and if it finds they are in conformity with this chapter it shall attach thereto its certificate of that fact, and shall thereupon issue a certifcate authorizing the association to transact business. Amendments to such articles may be made from time to time at any regular
or special meeting of the stockholders, which shall in like manner be submitted to the Executive Council and approved by it. If any member of the Executive Council is an officer or director in a building and loan or savings and loan association in the State of Iowa, it shall be illegal for such member to sit. in the Council while the articles and by-laws of any building and loan or savings and loan association are being considered or acted upon, and he shall have no vote thereon."

## REPORT OF COMMITTEE ON ENROLLED BILLS.

Mr. Hauger, from the Committee on Enrolled Bills, sub. mitted the following report:

Mr. Speaker-Your Committee on Enrolled Bills respectfully reportthat they have examined, and find correctly enrolled, House file No. 35, a bill for an act to revise, amend and codify the statutes in relation to the bureau of labor statistics.

W. E. Hauger, Chairman.

Ordered passed on file.
Also:
Mr. Speaker-Your Committee on Enrolled Bills respectfully report that they have examined, and find correctly enrolled, House file No. 22, a bill for an act to revise, amend and codify the statutes in relation to taking private property for works of internal improvement.
W. E. Hauger,

Chairman.
Ordered passed on file.
REPORT OF JOINT COMMITTEE ON ENROLLED BILLS.
Mr. Hauger, from the Joint Committee on Enrolled Bills, submitted the following report:

Mr. Speaker-Your Joint Committee on Enrolled Bills respectfully report that they have examined, and find correctly enrolled, House file No. 35 , a bill for an act to revise, amend and codify the statutes in relation to the bureau of labor statistics.

G. S. Gilbertson, Chairman Senate Committee.<br>W. E. Hauger, Chairman House Committee.

Ordered passed on file.
Also:
Mr. Speaker-Your Joint Committee on Enrolled Bills respectfully report that they have examined, and find correctly enrolled, House file No

22, a bill for an act to revise, amend and codify the statutes in relation to taking private property for works of internal improvement.

> G. S. Gilbertison, Chairman Senate Committee.
W. E. HaUGER, Chairman House Committee.
Ordered passed on file.
The Speaker signed in the presence of the House, House file Nos. 35 and 32.

Mr. Lambertarose to speak upon the question in reference to amendment of Mr. Dowell, and after preliminary remarks, stated that inasmuch as documentary evidence seemed to be admissible, since the gentleman from Adair had submitted a letter, that he also had some documentary evidence in his possession, and proceeded to read extracts from a lobby committee report showing the expenditures of a so called corruption fund connected with the building and loan legislation during the last session of the Twenty-sixth General Assembly.

Speaker Byers requested that the entire communication be read.

Mr. Lambert stated that the matter was such that he did not care to use all of it at this time.

Mr. Speaker requested that the document be sent to the desk to be read by the Clerk.

Mr. Lambert stated that while he would be pleased to have the entire matter appear in print, under the circumstances in which he received it, be preferred that it be taken from him by regular process of the House.

Mr. Brant moved that the communication be sent to the Clerk's desk and be read in full.

Carried.
Mr. Lambert then delivered the documents to the sergeant-at-arms who delivered them to the Clerk.

The clerk then read the communication, which was as follows:

Des Moines, Iowa, A pril 1, 1896.
Dear Sir-I enclose you herewith a report of the doings of the subcommittee of the executive committee in relation to legislative matters up to and including March 27 th. I am led to mail this report to you by reason of the fact that I have consulted with a number of the members of the federation, and their judgment is that it would not be wise at this time to call a meeting of the federation. My idea was that we had better have a meeting and hear this report read and answer any questions about it that might be asked, but I was overruled in my opinion, hence I send it in its
present form It does not go into detail, but as every association in the State has had a representative here at some time during the session of the Legislature with whom either Mr. Quimby or myself have talked freely and discussed the situation, I did not deem it necessary to enter into all the minutia in this report. I have marked the report confidential, as you will observe, and I hope they will be so considered and the general public not be taken into our confidence in relation to ways and means and methods. Kindly acknowledge receipt of the report and also write me as to what your idea would be as to the best time to call the meeting of the federation this summer, as that is in the hands of the executive committee, as you know. T would suggest as this law goes into effect the first of July, that shortly before or shortly after would be an excellent time. Let me hear from you in relation to the matter.

Yours truly,
Oce. B. Jackman.

## CONFIDENTIAL.

## To the Officers and Managers of the Iowa Federation of Building and Loan Managers:

It becomes my duty as well as my pleasure at this time to make a report to you of the doings of your executive committee during the past few months. I apprehend the majority of you are fully aware of the fact that Mr. Quimby and myself, of the executive committee, have been entrusted by the other members of the committee with exclusive control of legislative affairs this winter, and I also apprehend that you are in a general way cognizant of the work that has so far been done. Briefly, I will say that Mr. Quimby and myself have given almost our entire time and attention from the 15th of November to this date towards securing legislation on building and loan. It would be a long, tedious report to give in detail the steps by which this legislation was secured. Suffice it to say that I know I speak advisably when I say that we have given every attention day and night and Sundays to this matter, and often at the risk of our health and frequently when we should have been home attending to other affairs.

The work of getting a good bill on building and loan commenced before the Speaker of the House was elected to that position, long before any of the subordinate officers were selected and long before the Legislature convened. Every effort was used by the building and loan men so far as they could be controlled to have the present Speaker elected and the result was an excellent building and loan committee in the House. A good committee was also named in the Senate, and after a number of weeks of effort and work a bill was reported by the building and loan committee of the House and passed by that body. Another bill very similar to the House bill was reported by the Senate committee and passed by the Senate, this resulted in a conference committee composed of three members of each committee who made and agreed upon a conference bill, which was introduced in both the House and Senate. The Senate first reached it, passed it with very few amendments and it was messaged to the House, made a special order, ${ }^{\text {p passed the House with two amendments, messaged }}$ back to the Senate and the Senate concurred in the amendments unanimously. The result is that at this writing the bill is enrolled and awaits the Governor's signature to become a law.

We wish to say, however, without any boasting, that it is a remarkable thing in the history of legislation in Iowa to put upon the statute books of the State an organic law of thirty-four sections on a subject little understood by the legislators and have as excellent a law as the one passed, and then have only two negative votes on its final passage of the one hundred and fifty men composing the Legislature of the State of Iowa. That every building and loan association in Iowa has been benefited thousands of dollars, and that every shareholder in the State is safer in his investment to-day than he ever was before, goes without saying, and we hope that our efforts in behalf of the associations of the State will meet your hearty approval and that we may receive the old-time commendation, well done, thou good and faithful servant. In this connection I wish to append a report of the receipts and disbursements of the executive committee as handed me by the treasurer of said committee, Mr. Quimby.

## CASH RECEIVED.




Hawkeye savings and loan association ................................................. 5000






Iowa savings and loan association.---.-............................................... 400.00
Iowa central building and loan association.-.................................. 400.00
Northwestern building and loan association................................ $\quad 50.00$

Keokuk local associations.-............................................................. 2500


DISBURSEMENTS.
Paid O. B. Jackman, expenses (see statement)-.-..-................... $\$ 255.00$






G. A. Quimby, expenses (see statement)






B. W. Blanchard, portraits and advertising.................................. $\quad 75.00$
H. M. Belvel, advertising ..... \$ 10.00
Sundries ..... 845.00
Total paid out to March 27, 1896 ..... \$2,454.00
2,395.00
Leaving a deficit on this date of ..... $\$ \quad 59.00$Respectfully submitted,
Chairman of Executive Committee.
EXPENSES OF O. B. JACKMAN.
Typewriting ..... \$ 37.75
Postage ..... 25.25
Street car fare ..... 6.95
Telegrams ..... 5.75
Cigars ..... 29.00
Railroad fare ..... 25.65
Hotel bills ..... 29.10
Entertainment ..... 43.00
Sundries ..... 9.90
Kenyon Printing Co., printing ..... 9.00
State Printing Company, printing ..... 3.00
Bus fare ..... 1.50
Expenses I. M. Trainor, C. O. McLain, etc. ..... 20.00
Show tickets ..... 5.00
Papers, and held in sending out pamphlets ..... 3.15
Total ..... \$ 255.00
EXPENSES OF GEORGE A. QUIMBY.
Railroad fare ..... \$ 25.65
Hotel bills ..... 28.5 C
Seven boxes of cigars at $\$ 4.25$ ..... 29.75
Six boxes cigars at $\$ 3.50$ ..... 21.00
Newspaper puffs ..... 10.00
Newspaper silence ..... 16.00
Bus fare ..... 1.50
Telegrams ..... 2.25
Typewriter ..... 300
Street car tickets ..... 7.05
Sundry treats and lunches ..... 5.30
Total\$ 150.00
Mr. Morrison of Keokuk, in the chair.
Mr. Byers then offered the following concurrent resolution:Resolved by the House, the Senate concurring, That a committee of threefrom the House and three from the Senate be appointed to investigate thereports regarding the enactment of a building and loan law.
Adopted.

Mr. Funk offered the following resolution:
Whereas, Speaker Byers by his manly statement in this matter has shown the same nobleness of nature and integrity of purpose that has characterized all his official acts; therefore, be it

Resolved. That this House resents any intimation that in the slightest manner reflects on his personal or official integrity and hereby expresses its confidence in him as a fair and honest presiding officer and an incorruptible offlicial.

Mr. Lambert asked the privilege of moving the adoption of this resolution, inasmuch as he had been the cause of precipitating the matter.

Mr. Hinman seconded the motion.
The resolution was unanimously adopted.

## report of committee on enrolled bills.

Mr. Hauger, from the Committee on Enrolled Bills, submitted the following report:

Mr. Speaker-Your Committee on Enrolled Bills respectfully report that they have this day sent to the Governor for his approval:

House file No. 35, a bill for an act to revise, amend and codify the statutes in relation to the bureau of labor statistics.

Also:
House file No. 22, a bill for an act to reviee, amend and codify the statutes in relation to the taking of private property for works of internal improvement.

March 17, 1897.
W. E. Hauger,

On motion of Mr. Brant, the House adjourned till 2 P. M.

## AFTERNOON SESSION.

House met at 2 P. m., called to order by Chief Clerk Rowen. Mr. Morrison of Keokuk was called to the chair.
Mr. Morrison of Keokuk appointed as the House members of the committee to investigate building and loan legislation as per the resolution of Mr. Byers, Messrs. Weaver, Temple and Byington.

REPORT OF SPECIAL COMMItTEE.
Mr. Loomis submitted the following report:

Mr. Speaker-Your committee appointed to look after the work of the House and report the progress thereof and make such recommendations as it, in its judgment, believes will expedite said work, respectfully sabmit the following:

The following bills have passed both Houses and are enrolled: Nos. 4, $5,8,22,30,32,35,37,39,41,49,51,53,54,55,56,58,60,63,67,68,70,71,72$, $75,76,77$ and 83 , House files, and Nos. $36,66,86,43,49,50,82,58,83$ and 84 , Senate files, making a total of thirty eight bills, twenty-eight House files and ten Senate files, covering 127 pages of the Black Code, ninety-nine pages passed by the House and twenty-eight pages passed by the Senate.

The following bills have passed both Houses and are pending with amendments: Nos. $10,11,23,28,29,31,40,43,52,57,59,73,78,79,80$ and 84 , covering 253 pages of the Black Code.

The following bills have passed the House only: Nos. 6, 7, 9, 15, 17, 18, $21,26,33,34,38,45,65,66,69,74,82,85$, and 87 , covering 286 pages of the Black Code.

The following bills have passed the Senate only: Nos. 13, 24, 27, 36, 64 and 81 , covering 86 pages of the Black Code.

Bill No. 14, covering 40 pages of the Black Code, is now on its passage in the Senate.

The following bills are now in the hands of the committees and have not passed either house: Nos. 12, 19, 20, 25, 42, 44, 48, 62, and 86; these bills cover 214 pages of the Black Code.

Your committee would therefore recommend that titles, chapters and parts of the Code having passed both'Houses, with pending amendments, have the precedence in order to be enrolled, so as not to delay adjournment.

Your committee would further recommend that a joint supervisory committee of six be appointed, three by the Speaker of the House and three by the President of the Senate, whose business it shall be to supervise the work of the House and the Senate, keeping track of the progress made and report from time to time as may be required.
A. M. Loomis,
-
P. A. Smith,
J. L. Wilson.

Adopted.

## MESSAGE FROM THE SENATE.

The following message was received from the Senate:
Mr. Speaker-I am directed to inform your honorable body that the Senate herewith returns the following bill:

Senate file No. 76, a bill for an act to revise, amend and codify the statutes in relation to attachments, garnishments, executions, and supplementary proceedings.

Geo. A. Newman, Secretary.

Mr. Dowell asked permission to withdraw his substitute to the amendment to section 5 as offered by Mr. Allen.

Granted.

Mr. Dowell offered the following resolution and moved its adoption:

Whereas, A paper has been read before the House which contains the suggestion that the building and loan associations of this State had something to do with the election of the Speaker of the House and influenced the selection of the Committee on Building and Loan Associations; and,

Whereas, The Speaker has demanded an immediate and thorough investigation of the charge or suggestion; it is therefore

Resolved, That a committee of five be appointed to investigate forthwith the said charges and report to the House at the earliest practicable moment, and the committee is authorized to send for persons and papers.

Adopted.
Mr. Bell moved that Mr. Finch be made a member of that committee as called for by the resolution of Mr. Dowell.

Carried.
Mr. Finch asked to be excused from serving, whereupon Mr. Van Houten moved that Mr. Finch be excused from serving on said committee.

Carried.
Mr. Brant moved that the present member of the House in the chair be authorized to appoint said committee, and that no member of the Building and Loan Committee be appointed as a member of that committee.

Carried.
The temporary speaker, Mr. Morrison of Keokuk, appointed the following gentlemen as the committee: Messrs. Weaver, Temple, Haugen, Byington, McDowell.

Mr. Martin moved to amend the amendment of Mr. Allen to section 5 as follows: Add to said amendment the words "No judge of the district court of Polk county nor any judge of the supreme court shall be authorized to hear or determine an appeal if members of any building and loan or savings and loan associations."

Lost.
Mr. Haugen moved the previous question on the amendment of Mr. Allen to section 5 .

Carried by a vote of 48 for to 34 against.
Messrs. Allen and Reed demanded the yeas and nays on the amendment of Mr. Allen, which resulted as follows:

On the question, "Shall the substitute be adopted?" the yeas were:

Messrs. Allen, Baker, Bird, Bowen, Brighton, Brinton, Byington, Chapman, Clark, Classen, Cook, Crow, Doubleday,

Dowell, Frazee, Garner, Griswold, Grote, Gurley, Haugen, Hauger, Hazen, Hendershot, Hinkhouse, Hunt, Jay, Klemme, Ladd, Lambert, Lauder, Lowry, McAchran, McArthur, McDowell, McQuin, Marti, Merriam, Morrison of Grundy, Morrison of Keokuk, Nietert, Nolan, Porter, Power, Prentis, Ray, Reed, Scott, Smith, Sullivan, Thompson, Tibbitts, Wheeler, Whelan, Williams, Wilson, Wood-56.

The nays were:
Messrs. Bailey, Bell, Brady, Brant, Cornwall, Davis, Early, Edwards, Finch, Frink, Good, Hinman, Huntley, Jackson, Johnson of Webster, Johnston of Franklin, Lavender, Loomis, McDonald, McNulty, Martin, Mayne, Miller of Buena Vista, Miller of Warren, Parker, Potter, Putnam, Spaulding, St. John, Temple, Van Houten, Watters, Wells, Whittier-34.

Absent or not voting:
Messrs. Evans, Funk, Hayes, Manahan, Mullin, Miller of Cherokee, Perrott, Voelker, Weaver, Mr. Speaker-10.

So the substitute was adopted
Mr. Hauger moved a reconsideration of the vote just taken.
Mr. McDonald seconded the motion.
Mr. Merriam moved to lay this motion on the table.
Carried.
Mr. Baker offered the following resolution:
Whereas, Certain papers and documents, the private property of Representative Lambert, were taken from his possession by the sergeant-at-arms, acting under the directions of the House, for the purpose of reading the same in open session; and,

Whereas, Said papers which were delivered in accordance with said request have been read in open session and copied in the House Journal and become a part thereof; therefore, be it

Resolved, That the original papers and documents be returned to the said Representative Lambert, they being his private property.

Laid over under rule 34.
On motion of Mr. Brant, the House adjourned until 9 A. m.

$$
\left.\begin{array}{c}
\text { Hall of the House of Representatives, } \\
\text { Des Moines, Iowa, Thursday, March } 18,1897 .
\end{array}\right\}
$$

The house met at 9 A. m. and was called to order by Speaker Byers.

Prayer was offered by Rev. O. H. L. Mason of Marshalltown, Iowa.

The pending business, being House file No. 20, in relation to building and loan associations, was here taken up.

The Clerk continued the reading of the bill.
Mr. Ladd moved to amend section 9 by inserting after the word "thereof" the following: "It shall be the duty of the secretary of every association doing business in this State to prepare and mail to every shareholder a verified statement, before the first day of January of each year, showing the book value and the withdrawal value of shares of stock held by such shareholders."

Adopted.
MESSAGE FROM THE SENATE.
The following message was received from the Senate:
Mr. Speaker-I am directed to inform your honorable body that the Senate has concurred in the following resolution, in which the concurrence of the Senate was asked:

Relative to the appointment of a joint committee to investigate the reports regarding the enactment of a building and loan law.

Geo. A. Newman,
Secretary.
Mr. Garner offered the following amendment: Amend section 9 by adding thereto the words, "Provided that judgment shall not be rendered for a greater amount than if a loan had been made at 8 per cent annual interest, with amounts equal to those annually paid into the loan fund applied as annual payments in discharge of the principal."

Mr. Dowell was called to the chair.

Mr. Morrison of Keokuk offered the following substitute for the amendment of Mr. Garner: Add to section 9 the words: "No officer or agent of such corporation or association, whether organized under the laws of Iowa or not, shall charge or receive under any form as premium a greater rate of interest than nine per cent per annum; and for violation of this section shall incur all the penalties for usury that other institutions or persons suffer. Provided, that this provision shall not relate to purely local associations doing business exclusively within the city or town in which they are organized."

Speaker Byers resumed the chair.
Mr. Klemme moved the previous question on the amendment of Mr. Morrison of Keokuk.

## Lost.

The amendment of Mr. Morrison of Keokuk was lost by a vote of 20 yeas to 38 nays.

Mr. Haugen moved to amend the amendment of Mr. Garner by striking out the words "eight per cent" and inserting in lieu thereof the words "nine per cent."

Carried.
On the question, "Sball the amendment of Mr. Garner be adopted?" Messrs. Garner and Ray demanded the yeas and nays, which resulted as follows:

On the question, "Shall the amendment prevail?" the jeas were:

Messrs. Chapman, Clark, Crow, Doubleday, Early, Finch, Frazee, Funk, Garner, Griswold, Gurley, Haugen, Hinman, Johnston of Franklin, Klemme, Ladd, Lowry, McAchran, McDowell, McNulty, McQuin, Morrison of Keokuk, Mullin, Prentis, Ray, Reed, Scott, Spaulding, St. John, Sullivan, Thompson, Tibbitts, Van Houten, Wells, Whelan, Williams, Wilson, Wood, Mr. Speaker-40.

## The nays were:

Messrs. Baker, Bell, Bird, Brady, Brant, Brighton, Brinton, Byington, Classen, Cook, Cornwall, Davis, Dowell, Edwards, Frink, Good, Grote, Hauger, Hazen, Hendershot, Huntley, Jackson, Jay, Johnson of Webster, Lavender, McArthur, McDonald, Marti, Martin; Mayne, Miller of Buena Vista, Miller of Cherokee, Miller of Warren, Nietert, Nolan, Perrott, Porter, Power, Putnam, Smith, Temple, Voelker, Watters, Wheeler, Whittier-44.

Absent or not veting:
Messrs. Allen, Bailey, Bowen, Evans, Hayes, Hinkhouse, Hunt, Lambert, Lauder, Loomis, McArthur, Manahan, Merriam, Morrison of Grundy, Parker, Potter, Weaver-16.

So the amendment was lost.
Mr. Gurley moved to amend section 9 by inserting after the word "provide" in line 15, page 82, laws of the Twenty-sixth General Assembly, the words "Provided, that after one year, such withdrawal shall in no case be less than the whole amount of money paid to the association by the stockholder less the membership fee."

Mr. Merriam moved a substitute for the amendment of Mr . Gurley as follows: Insert after the word "provide," in section 9 , the words "but after one year's membership no withdrawing member shall be paid an amount less than the actual amount paid in by said member less the membership fee and the amount set aside for expenses for the period his stock was in force."

Lost.
The amendment of Mr. Gurley was adopted by a vote of 37 for to 35 against.

Mr. Haugen offered the following amendment to section 9, line 12: After the word "usurious" insert the words "Provided that such dues, membership fees, fines, premiums and interest on loans shall not exceed eight per cent per annum."

Messrs. Haugen and Whelan demanded the yeas and nays on the amendment just proposed, which resulted as follows:

On the question, "Shall the amendment prevail?" the yeas were:

Messrs. Bird, Bowen, Brady, Brinton, Chapman, Clark, Cornwall, Crow, Doubleday, Early, Finch, Frazee, Funk, Garner, Gurley, Haugen, Hinman, Hunt, Johnston of Franklin, Klemme, Ladd, Lowry, McAchran, McDowell, Miller of Cherokee, Morrison of Keokuk, Mullin, Prentis, Ray, Reed, Smith, Spaulding, Sullivan, Thompson, Van Houten, Whelan, Williams, Wilson, Wood, Mr. Speaker-40.

The nays were:
Messrs. Allen, Bell, Brant, Brighton, Classen, Cook, Davis, Dowell, Edwards, Frink, Good, Griswold, Grote, Hauger, Hendershot, Jackson, Jay, Johnson of Webster, Lauder, Lavender, McDonald, McNulty, Martin, Mayne, Merriam, Miller of Buena Vista, Miller of Warren, Nolan, Perrott, Porter, Potter, Power, Putnam, Scott, St. John, Temple, Voelker, Watters, Wheeler, Whittier-40.

Absent or not voting:
Messrs. Bailey, Baker, Byington, Evans, Hayes, Hinkhouse, Huntley, Lambert, Loomis, McArthur, McQuin, Manahan, Marti, Morrison of Grundy, Nietert, Parker, Tibbitts, Weaver, Wells-20.

So the amendment was lost.
Mr. Merriam moved to amend section 9 by inserting after the words "membership fee" the words "and the amount set aside for expenses for the period his stock was in force."

Lost.
Mr. Haugen moved to amend section 9 by inserting after the word "usurious" the words "Provided that such fines, premiums and interest do not exceed twelve per cent per annum."

Messrs. Haugen and Prentis demanded the yeas and nays on this amendment, which resulted as follows:

On the question, "Shall the amendment prevail?" the yeas were:

Messrs. Allen, Bailey, Bell, Bird, Brady, Brinton, Byington, Chapman, Clark, Cornwall, Doubleday, Dowell, Early, Gurley, Haugen, Hauger, Hazen, Hunt, Jay, Klemme, Ladd, Lauder, McAchran, McDonald, McDowell, McQuin, Merriam, Miller of Warren, Morrison of Grundy, Morrison of Keokuk, Mullin, Prentis, Putnam, Ray, Scott, Smith, Sullivan, Thompson, Tibbitts, Van Houten, Watters, Wheeler, Whelan, Williams, Wood-46.

The nays were:
Messrs. Davis, Frink, Garner, Grote, Hendershot, Jackson, Johnson of Webster, Lambert, Loomis, Nietert, Nolan, Reed, Spaulding, Voelker, Wells, Wilson, Mr. Speaker-17.

Absent or not voting:
Messrs. Baker, Bowen, Brant, Brighton, Classen, Cook, Crow, Edwards, Evans, Finch, Frazee, Funk, Good, Griswold, Hayes, Hinkhouse, Hinman, Huntley, Johnston of Franklin, Lavender, Lowry, McArthur, Martin, McNulty, Manahan, Marti, Mayne, Miller of Buena Vista, Miller of Cherokee, Parker, Perrott, Porter, Potter, Power, St. John, Temple, Weaver, Whittier-38.

So the amendment was adopted.
Mr. Jackson in the chair.
Mr. Haugen moved to amend section 13 by striking out all after the word "exceed," in line 3, and all of lines 4, 5, 6 and 7, on page 83, of acts of the Twenty-sixth General Assembly,
and insert in lieu thereof the words "eight per cent on money paid in."

Messrs. Haugen and Wood demanded the yeas and nays to the amendment, which resulted as follows:

On the question, "Shall the amendment be adopted?" the yeas were:

Messrs. Bird, Byington, Chapman, Clark, Early, Finch, Frazee, Funk, Gurley, Haugen, Hinman, Klemme, Ladd, McAchran, McDonald, McDowell, Morrison of Grundy, Morrison of Keokuk, Mullin, Power, Prentis, Spaulding, Thompson, Van Houten, Wells, Whelan, Williams, Wilson, Wood-29.

The nays were:
Messrs. Bailey, Baker, Bell, Bowen, Brady, Brant, Brighton, Brinton, Classen, Cook, Davis, Doubleday, Dowell, Edwards, Frink, Good, Griswold, Grote, Hauger, Hazen, Hendershot, Jackson, Jay, Johnson of Webster, Lauder, Lavender, Loomis, McNulty, McQuin, Marti, Martin, Mayne, Merriam, Miller of Buena Vista, Miller of Cherokee, Nietert, Nolan, Porter, Putnam, Reed, Smith, Sullivan, Temple, Tibbitts, Voelker, Watters, Wheeler, Whittier-48.

Absent or not voting:
Messrs. Allen, Cornwall, Crow, Evans, Garner, Hъyes, Hinkhouse, Hunt, Huntley, Johnston of Franklin, Lambert, Lowry, McArthur, Manahan, Miller of Warren, Parker, Perrott, Potter, Ray, Scott, St. John, Weaver, Mr. Speaker-23.

So the amendment was lost.
Mr. Haugen moved to amend section 13 by striking out all after the word "exceed" down to and including the word "stock" and insert in lieu thereof the words "ten per cent on money paid in."

Mr. Haugen moved to adjourn.
Lost.
Mr. Haugen moved that further consideration of this amendment be deferred till 2 P. M.

Carried by a vote of 32 for to 30 against.

## petitions and memorials.

Mr. Hauger presented remonstrance of citizens of La Porte, Iowa, against passage of the manufacturing bill.

Referred to Committee on Domestic Manufactures.
On motion of Mr. Wood, the House adjourned till 2 P. m.

## AFTERNOON SESSION.

The House met at 2 P. m., and was called. to order by Speaker Byers.

The pending business, being House file No. 20, in relation to building and loan associations, was again taken up for consideration.

Mr. Garner offered the following as a substitute for the amendment of Mr. Haugen, which was laid over until 2 P. m: Amend section 13 by striking out all after the word "exceed" up to and including the word "period" and insert in lieu thereof the words "eight cents per month while in force, provided that the total expense shall not exceed eight dollars for the maturing of every one hundred dollars of installment stock."

Lost.
Messrs. Haugen and Prentis demanded the yeas and nays on the amendment of Mr. Haugen, which resulted as follows:

On the question, "Shall the amendment prevail?" the yeas were:

Messrs. Bell, Bird, Byington, Chapman, Clark, Crow, Doubleday, Early, Finch, Frazee, Funk, Grote, Gurley, Haugen, Hinman, Hunt, Johnston of Franklin, Klemme, Ladd, Lowry, McAchran, McDonald, McDowell, McQuin, Morrison of Grundy, Morrison of Keokuk, Mullin, Potter, Ray, Reed, Spaulding, St. John, Sullivan, Thompson, Tibbitts, Van Houten, Wells, Whelan, Williams, Wilson, Wood, Mr. Speaker -43 .

The nays were:
Messrs. Bailey, Baker, Brady, Brant, Brighton, Brinton, Classen, Davis, Dowell, Edwards, Frink, Garner, Good, Griswold, Hazen, Jay, Johnson of Webster, Lauder. Lavender, Loomis, Marti, Martin, Mayne, Merriam, Miller of Buena Vista, Miller of Warren, Nietert, Nolan, Perrott, Porter, Putnam, Scott, Temple, Voelker, Watters, Wheeler, Whittier- $\mathrm{B7}$.

Absent or not voting:
Messrs. Allen, Bowen, Cook, Cornwall, Evans, Hauger, Hayes, Hendershot, Hinkhouse, Huntley, Jackson, Lambert,

McArthur, McNulty, Manahan, Miller of Cherokee, Parker, Power, Smith, Weaver-20.

So the amendment was adopted.
The committee amendment to section 24 was adopted.
Mr. Mayne moved to amend section 24 as follows: Insert. between the words "filed" and "amount" the words "if the same."

Adopted.
Mr. Early moved to amend section 24 by inserting in the fifth line from the end of said section, after the words "authority and" the words "a like sum for."

Adopted.
Mr. Ladd moved to amend section 25, subdivision 7, by inserting after the words "paid to" the words "each of;" also, strike out the word "salaries" and insert the word "salary" in lieu thereof.

Adopted.
Mr. Early moved to amend section 24 by inserting between the words "authority" and "and" the words "fifty dollars" in line 5, page 86, acts Twenty-sixth General Assembly.

Adopted.
Mr. Martin moved to strike out sections 30 and 31.
Adopted.
Mr. Early moved to strike out section 27.
Lost.
Mr. Martin offered the following as a substitute to section 32: Strike out section 32 and insert as section 30: "All building and loan or savings and loan associations having heretofore transacted business in this State, that have not incorporated as provided in this chapter, shall have the right to close up their business and fulfill their contracts entered into prior to the taking effect of the acts of the Twenty-sixth General Assembly, governing building and loan and savings and loan associations."

Adopted.
Mr. Martin moved that section 33 be numbered section 31 .
Carried.
The committee amendment recommending that section 34 be stricken out was adopted.

Mr. Garner moved to amend section 13 by adding to amendment of Mx. Haugen, adopted this afternoon, the words "as dues" following the words "ten per cent on money paid in."

## Adopted.

Mr. Parker excused on account of sickness.

Mr. Martin moved that the rule be suspended, and that the bill be considered engrossed and read a third time now, which motion prevailed and the bill was read a third time.

On the question, "Shall the bill pass?" the yeas were:
Messrs. Allen, Bird, Chapman, Classen, Doubleday, Dowell, Frazee, Funk, Grote, Gurley, Haugen, Hayes, Hazen, Jay, Johnston of Franklin, Klemme, Ladd, Lauder, Lowry, McAchran, McDowell, McQuin, Mayne, Miller of Cherokee, Mullin, Potter, Prentis, Ray, Reed, Smith, Sullivan, Thompson, Tibbitts, Van Houten, Whelan, Williams, Wilson, Wood, Mr. Speaker-39.

The nays were:
Messrs. Bailey, Baker, Bell, Brady, Brant, Brighton, Brinton, Byington, Clark, Cook, Cornwall, Crow, Davis, Early, Edwards, Frink, Garner, Good, Griswold, Hauger, Hendershot, Huntley, Jackson, Johnson of Webster, Lambert, Lavender, Loomis, McDonald, Marti, Martin, Merriam, Miller of Buena Vista, Miller of Warren, Morrison of Grundy, Morrison of Keokuk, Nolan, Perrott, Porter, Power, Putnam, Scott, Spaulding, St. John, Temple, Voelker, Watters, Weaver, Wells, Wheeler, Whittier-50.

Absent or not voting:
Messrs. Bowen, Evans, Finch, Hinkhouse, Hinman, Hunt, McArthur, McNulty, Manahan, Nietert, Parker-11.

So the bill was lost.
The following motion to reconsider was filed:
Mr. Speaker-I move to reconsider the vote by which House file No. 20 was lost; and also the vote by which it was ordered to its third reading. J. D. Morrison.

I second the motion.
Henry h. Brighton.
The Speaker instructed the Clerk in open session of the House to return to Mr. Lambert certain papers which were his private property and which were taken from him by the House on yesterday.

The Clerk delivered the papers in question to Mr. Lambert.
Mr. Baker was granted permission to withdraw his resolution offered on yesterday, which had been laid over under the rules.

Mr. Brighton presented remonstrance of citizens of Batavia, Iowa, against the manufacturing bill.

Referred to Committee on Domestic Manufactures.
On motion of Mr. Allen, the House adjourned till 9 A. M. to-morrow.

The House was called to order at 9 a. m. by Speaker Byers. Prayer was offered by Rev. W. D. King of Moorland, Iowa. Mr. Huntley offered the following and moved its adoption:
Mr. Speaker-I move that a committee of three be appointed to draft suitable resolutions in regard to the life and public services of Hon. S. D. Wheeler, deceased, who represented Lucas county in the Twelfth General Assembly in this House.

Adopted.
The Speaker appointed as such committee, Messrs. Huntley, Clark and Sullivan.

## REPORTS OF COMMITTEES.

Mr. Bell, from the Committee on Military, submitted the following report:

Mr. Speaker-Your Committee on Military, to whom was referred Senate file No. 40, a bill for an act to revise, amend and codify the statutes in relation to the Soldiers' Home, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same do pase with following amendment:

Amend section 1 by inserting after the word "trustee" in line 7 the words "The members of the board shall hold their offices for the term of five years or until their successors shall be appointed and qualified.
"The compensation allowed shall be four dollars per day for the time necessarily employed, and mileage at the rate of five cents per mile each way over the nearest traveled route."

> W. B. Bell,
> Chairman.

Ordered passed on file.
Mr. Wood, from the Committee on Appropriations, submitted the following report:

Mr. Speaker-Your Committee on Appropriations, to whom was referred House file No. 88, a bill for an act to provide for the payment of the four paper folders, and the file clerk of the Twenty-sizth General Assembly for three days'labor performed after the adjournment of the
regular session of the Twenty-sixth General Assembly, beg leave to report that they have had the same under consideration and have instructed me to report a substitute back to the House with the recommendation that the same do pass.

## A. L. WOOD, <br> Chairman.

Substitute read first and second time and passed on file.
Also:
Mr. Sphaker-Your Committee on Appropriations, to whom was referred Senate file No. 85 , a bill for an act to provide for the payment of the mileage of the committee appointed to visit the Institution for Feeble Minded at Glenwood, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same do pass.

A. L. Wood, Chairman.

Ordered passed on file.
Also:
Mr. Speakmr-Your Committee on Appropriations, to whom was referred Senate file No. 89, a bill for an aet to authorize the Executive Council to purchase or condemn a site on which to erect a memorial, historical and art building, to take other steps in relation thereto, and to repeal chapter 115, acts of the Twenty-sixth General Assembly, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same do pass.
A. L. Wood,

Chairman.
Ordered passed on file.
House file No. 57, a bill for an act to revise, amend and codify the statutes in relation to the College for the Blind, with Senate amendments, was taken up and considered.

Mr. Brinton moved that the House concur in the Senate amendments.

Mr. Lambert moved to strike out of Senate amendments the words "shall be resident of Benton county, but not," and insert in lieu thereof the words "shall not be."

Lost by a vote of 30 yeas to 50 nays.
On the question, "Shall the House concur in Senate amendments to House file No. 57?" the yeas were:

Messrs. Allen, Bailey, Baker, Bell, Bird, Bowen, Brady, Brant, Brighton, Brinton, Byington, Chapman, Clark, Classen, Cook, Cornwall, Crow, Davis, Doubleday, Dowell, Early, Edwards, Finch, Frazee, Frink, Funk, Garner, Good, Griswold,

Gurley, Haugen, Hauger, Hayes, Hazen, Hendershot, Hinkhouse, Hinman, Hunt, Huntley, Jackson, Jay, Johnson of Webster, Johnston of Franklin, Klemme, Ladd, Lambert, Lauder, Lavender, Loomis, Lowry, McAchran, McArthur, McDonald, McNulty, McQuin, Manahan, Marti, Martin, Merriam, Miller of Buena Vista, Miller of Cherokee, Miller of Warren, Morrison of Grundy, Morrison of Keokuk, Mullin, Nietert, Porter, Potter, Power, Prentis, Putnam, Ray, Reed, Scott, Spaulding, St. John, Sullivan, Thompson, Tibbitts, Van Houten, Voelker, Watters, Wells, Wheeler, Whelan, Whittier, Williams, Wilson, Wood, Mr. Speaker-90.

Mr. Nolan voted in the negative.
Absent or not voting:
Messrs. Evans, Grote, McDowell, Mayne, Parker, Perrott, Smith, Temple, Weaver-9.

So the House concurred.
Mr. Funk was called to the chair.
The Journal of Tuesday, March 16th, was corrected and approved.

On motion of Mr. Johnston of Franklín, Senate file No. 10, a bill for an act to revise, amend and codify the statutes in relation to elections and officers, with report of committee recommending passage with amendments, was taken up and considered.

The committee amendment to section 2, chapter 2, was adopted.

The committee amendment to section 6, chapter 3, was adopted.

The committee amendment to section 19, chapter 3 , line 12 , was adopted.

The committee amendment to section 19 , chapter 3 , line 15 , was adopted.

The committee amendment to section 19 , chapter 3 , line 16 , was adopted.

The committee amendment to section 23 , chapter 3, was adopted.

The committee amendment to section 28 , chapter 3 , was adopted.

The committee amendment to section 33, chapter 3, line 3, was adopted.

The committee amendment to section 33 , chapter 3 , line 9 , was adopted.

## MESSAGES FROM THE SENATE.

## The following message was received from the Senate:

Mr. Speaker - I am directed to inform your honorable body that the Senate has concurred in the following concurrent resolution, in which the concurrence of the Senate was asked:

Relative to a joint supervisory committee on condition of Code work. Geo. A. Newman, Secretary.

Also:
Mr. Speaker-I am directed to inform your honorable body that the Senate has passed the following bill, in which the concurrence of the House is asked:

Senate file No. 8, a bill for an act to revise, amend and codify the statutes in relation to the revenue.

Geo. A. Newman,
Secretary.
Also:
Mr. SPEAKER-I am directed to inform your honorable body that the Senate has taken up House file No. 84, a bill for an act to revise, amend and codify the statutes in relation to evidence, and recedes from Senate amendment to section 8 , line 1, page 850; also, recedes from Senate amendment to section 41, chapter 1, page 854 ; also, recedes from Senate amendment to section 63, chapter 1 , page $85 \%$.

Senate insists on amendment to section 12 , chapter 1 , page 850 ; also, section 15 , chapter 1 , page 850 ; also, section 30 , chapter 1 , page 852 ; also, section 83 , chapter 1 , page 859.

Geo. A. Newman, Secretary.
Also:
Mr. Speaker-I am directed to inform your honorable body that the Senate refuses to concur in all House amendments to Senate file No. 72, a bill for an act to revise, amend and codify the statutes in relation to estates of decedents

The Senate refuses to concur in all the House amendments as follows: Section 2, chapter 1, page 669; section 17 , chapter 2 , page 672 ; section 41 , chapter 2, page 676; section 4, chapter 3, page 676; second amendment to section 4, chapter 3, page 676; section 6, chapter 4, page 683.

Geo. A. Newman,
Secretary.
Also:
Mr. Speaker:-I am directed to inform your honorable body that the Senate refuses concurrence in the following House amendments to Senate file No. 4, a bill for an act to revise, amend and codify the statutes in relation to procedure in courts of original jurisdiction:

First.-Page 698, subdivision No. 4.
Second.-Page 697, section 2, line 2, chapter 3.
Third.-Page 711, section 2, line 4, chapter 6.
Fourth.-Page 712, section 8, lines 4, 5 and 6 ,
Frfth.-Page 712, section 10, subdivision 2, line 2.
Sixth.-Page 715, section 31, line 2.
Seventh.-Page 726, section 38, line 1.
Eighth.-Page 728, section 52.
Nirth.-Page 735, section 103, line 18.
Tenth.-Page 749, section 20, chapter 16.
Geo. A. Newman,
Secretary.
SENATE MESSAGES.
Senate file No. 8, a bill for an act to revise, amend and codify the statutes in relation to the revenue, was read first and second time and referred to the Committee on Ways and Means.

On motion of Mr. Putnam, the House adjourned till 2 p. m.

## AFTERNOON SESSION.

The House met at 2 P. M., and was called to order by Speaker Byers.

The clerk proceeded with the reading of Senate file No. 10, relative to elections and officers.

The Speaker signed in the presence of the House, Senate file No. 36.

Mr. Johnston of Franklin moved to strike out of line 5, section 13, chapter 6 of Senate file No. 10 the word "this" and insert the word "the."

Adopted.
Committee amendment to section 20, chapter 7, was adopted.
Mr. Dowell in the chair.
Committee amendment to section 8 , chapter 10 , was adopted.
Ccmmittee amendment to section 5, chapter 12, was adopted.
Speaker Byers resumed the chair.

## MESSAGE FROM THE SENATE.

## The following message was received from the Senate:

Mr. Speaker-I am directed to inform your honorable body that the Senate asks for a conference committee on House file No. 84, a bill for an act to revise, amend and codify the statutes in relation to evidence, and
appoints as its members of that committee Senators Carpenter, Pusey, Trewin and Junkin.

> Geo. A. Newman, Secretary.

Mr. Johnston of Franklin, moved that the further consideration of this bill be deferred till Wednesday, March 24th, and that it be made a special order for that day.

Carried.
On motion of Mr. Bell, Senate file No. 40, a bill for an act to revise, amend and codify the statutes in relation to the Soldier's Home, with report of committee recommending passage with amendments, was taken up and considered.

The committee amendment to section 1 was adopted.
Mr. Griswold moved to amend section 3, line 2, by striking out the words "and treasurer" and insert in lieu thereof the words "and shall elect a treasurer who shall not be a member of the board and shall serve without compensation."

Adopted.
On the question, "Shall the bill pass?" the yeas were:
Messrs. Bailey, Baker, Bell, Bird, Bowen, Brady, Brant, Brighton, Brinton, Byington, Chapman, Clark, Classen, Cook, Cornwall, Crow, Davis, Doubleday, Dowell, Early, Edwards, Evans, Frazee, Frink, Funk, Good, Griswold, Grote, Gurley, Hauger, Hayes, Hazen, Hendershot, Hinman, Huntley, Jackson, Jay, Johnson of Webster, Johnston of Franklin, Ladd, Lambert, Lauder, Lavender, Loomis, McAchran, McArthur, McDonald, McDowell, McNulty, McQuin, Manahan, Marti, Martin, Mayne, Merriam, Miller of Buena Vista, Miller of Cherokee, Morrison of Grundy, Morrison of Keokuk, Mullin, Nietert, Nolan, Perrott, Porter, Power, Prentis, Putnam, Ray, Reed, Scott, Smith, Spaulding, St. John, Sullivan, Temple, Thompson, Tibbitts, Voelker, Watters, Wells, Wheeler, Whelan, Whittier, Williams, Wilson, Wood, Mr. Speaker-87.

The nays were:
None.
Absent or not voting:
Messrs. Allen, Finch, Garner, Haugen, Hinkhouse, Hunt, Klemme, Lowry, Miller of Warren, Parker, Potter, Van Houten, Weaver-13.

So the bill passed and the title was agreed to.
On motion of Mr. Bell, House file No. 47, relative to same subject, was indefinitely postponed.

The Speaker appointed as House members of the conference committee on House file No. 84, Messrs. Temple, Finch, Martin and Clark.

Senate file No. 72, in which the Senate refuses to concur in any of the House amendments, was taken up.

Mr. Temple moved that the House insists on all of its amendments to Senate file No. 72.

Carried.
The Speaker appointed as House members of the conference committee on Senate file No. 72, Messrs. Cornwall, Mayne, Power and Hayes.

Senate file No. 4, with certain House amendments in which the Senate refused to concur, was now taken up.

Mr. Cornwall moved that the House insist on all its amendments to this bill in which the Senate refused to concur.

Carried.
The Speaker appointed as House members of a conference committee on this bill Messrs. Cornwall, McArthur, Porter and McNulty.

On motion of Mr. Dowell, House adjourned till 9 A. m. to-morrow.

# Hall of the House of Representatives. Des Moines, Iowa, Saturday, March 20, 1897. 

House met at 9 A. M., Speaker Byers in the chair. Prayer by Rev. Frank L. Johnston.

## PETITIONS AND MEMORIALS.

Mr. Morrison of Keokuk presented memorial of F. L. Goeldner, relating to witnesses in district court.

Referred to Committee on Judiciary.
Mr. Hazen presented petition of citizens of Franklin, Iowa, in reference to granting permits to sell liquors by doctors and druggists.

Referred to Committee on Judiciary.

## REPORT OF COMMITTEE.

Mr. St. John, from the Committee on Agriculture, submitted the following report:

Mr. Speaker-Your Committee on Agriculture, to whom was referred House file No. 31, a bill for an act to amend chapter 4 of title 12, in relation to fences, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House with the recommendation that the same do pass with non-concurrence in Senate amendments to sections 2,4 and 8 ; and concurrence in all other Senate amendments.

> R. T. St. John,
> Chairman.

Mr. St. John moved that report of committee recommending that House refuse to concur in Senate amendment to sections 2, 4 and 8 of House file No. 31 be adopted.

Carried and the House refused to concur.
On the question, "Shall the House concur in all other Senate amendments to House file No. 31?" the yeas were:

Messrs. Allen, Bailey, Bell, Bowen, Brady, Brant, Brighton, Brinton, Byington, Chapman, Clark, Cook, Cornwall, Crow, Doubleday, Early, Finch, Frazee, Frink, Garner, Good, Griswold, Gurley, Hauger, Hazen, Hendershot, Hinkhouse, Hinman,

Johnson of Webster, Klemme, Ladd, Lambert, Lauder, Lavender, Loomis, McAchran, McArthur, McNulty, Manahan, Marti, Merriam, Mullin, Miller of Buena Vista, Miller of Cherokee, Miller of Warren, Morrison of Grundy, Morrison of Keokuk, Nolan, Perrott, Porter, Potter, Power, Prentis, Putnam, Ray, Reed, Smith, Spaulding, St. John, Sullivan, Tibbitts, Van Houten, Voelker, Watters, Wells, Whelan, Whittier, Williams, Mr. Speaker-69.

The nays were:
None.
Absent or not voting:
Messrs. Baker, Bird, Classen, Davis, Dowell, Edwards, Evans, Funk, Grote, Haugen, Hayes, Hunt, Huntley, Jackson, Jay, Johnston of Franklin; Lowry, McDonald, McDowell, McQuin, Martin, Mayne, Nietert, Parker, Scott, Temple, Thompson, Weaver, Wheeler, Wilson, Wood-31.

So the House concurred.

## REPORT OF COMMITTEE.

Mr. Lauder, from the Committee on Railroads and Commerce, submitted the following report:

Mr. Speaker-Your Committee on Railroads and Commerce, to whom was referred House file No. 25, a bill for an act to revise, amend and codify the statutes in relation to the regulation of carriers by railway, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same do pass with the following amendments:

Amend section 9, line 5, by inserting after the word "court" the words on "appeal or otherwise."

Amend section 15, line 10 , by inserting after the word "done" the words "in compliance with the report and notice of the board or."

Amend section 16, by inserting the word "injunction" after the word "mandamus" in lines 17, 19 and 21.

Amend section 17, line 8, by inserting the following after the word "law:" "The board shall give notice of its intention to revisa or change such schedules by publishing a notice thereof in two weekly newspapers published at the seat of government, for two consecutive weeks, and the last publication of such notice shall be at least ten days before the time fixed for considering the matter, and such notice shall contain, in general terms, a statement of the matters the board proposes to consider and the date when and the place where the matter will be taken up, and shall be addressed to all persons interested therein "

Further amend section 17, line 12, by inserting after the word "posted" the words "by such carrier."

Amend section 19, line 2, by inserting after the word "investigation" the words "and the burden of proof shall not be upon the person or persons making the complaint."

Amend section 26 by inserting at the end of the section the following: "such fine to be imposed in a criminal prosecution by indictment, or shall be subject to the liability prescribed in the next succeeding section, to be recovered as therein provided."

Amend section 29, line 5, by inserting after the word "rates" the words "to the quartermaster-general of Iowa, for the transportation of officers or enlisted men of the Iowa National Guard when traveling under the orders of the commander-in-chief, or."

Strike out all of section 31 and renumber sections consecutively from and after section 30

Strike out all marginal, page and reference figures, and underscoring.
J. W. Lauder, Chairman.
Ordered passed on file.
The journals of March $17 \mathrm{th}, 18 \mathrm{~h}$ and 19 th ware corrected and approved.

The Speaker appointed as the committee of three from the House on the Joint Supervisory Committee relative to the progress of the work of the House and the Senate, Messrs. Loomis, Smith and Wilson.

On motion of Mr. Lauder, House file No. 25, a bill for an act to revise, amend and codify the statutes in relation to the regulation of carriers by railways, with report of committee recommending passage with amendments, was taken up and considered.

Committee amendment to section 9 , line 5, was adopted.
Committee amendment to section 15 was adopted.
Committee amendment to section 16 was adopted.
Committee amendment to section 17, line 8, was adopted.
Mr. Power in the chair.
Committee amendment to section 17, line 12, was adopted.
Committee amendment to section 19 was adopted.
Committee amendment to section 26 was adopted.
Committee amendment to section 29 was adopted.
Committee amendment to strike out section 31, and renumbar the succeeding sections was adopted.

Also all marginal and other references were ordered stricken out.

Mr. Van Houten moved to strike out section 16 and insert section 2064 of McClain's Code.

Further action on this bill was deferred till Tuesday, on motion of Mr. Finch.

## MESSAGES FROM THE SENATE.

The following message was received from the Senate:
Mr. SPEAKER-I am directed to inform your honorable body that the Senate has amended and passed the following bill in which the concurrence of the Senate was asked:

House file No. 17, a bill for an act to revise, amend, and codify the statutes in relation to agricultural and horticultural societies, and stockbreeders associations.

Geo. A. Newman,
Secretary.
Also:
Mr. Speaker-I am directed to inform your honorable body that the Senate has passed the following concurrent resolution, in which the concurrence of the House is asked:

Relative to a request of the Governor to return Senate file No. 36, an act to revise, amend and codify the statutes in relation to the practice of dentistry.
concurrent resolution.
Resolved by the Senate, the House of Representatives Concurring, That the Governor be and is hereby requested to return to the House in which it originated Senate file No. 36, an act to revise, amend and codify the statutes in relation to the practice of dentistry.

Geo. a. Newman,
Secretary.
House file No. 17, with Senate amendments, was taken up and referred to Code Revision Committee No. 1.

The concurrent resolution in reference to recalling Senate file No. 36 from the Governor, was taken up and adopted.

On motion of Mr. Merriam, Senate file No. 89, a bill for an act to authorize the Executive Council to purchase or condemn a site on which to erect a memorial, historical and art building, and to take other steps in relation thereto, and to repeal chapter 115, acts of the Twenty-sixth General Assembly, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Mr. Merriam moved that the rule be suspended and that the bill be read a third time now, which motion prevailed, and the bill was read a third time.

On the question, "Shall the bill pass?" the yeas were:
Messrs. Allen, Bailey, Bell, Bowen, Brady, Brighton, Brinton, Byington, Chapman, Cornwall, Crow, Davis, Doubleday, Dowell, Early, Edwards, Evans, Frink, Garner, Good, Griswold, Grote, Hauger, Hayes, Hendershot, Huntley, Jay, Ladd, Lambert, Lauder, Lavender, Loomis, McAchran, McArthur, McNulty, Manahan, Mayne, Merriam, Miller of Buena Vista,

Miller of Cherokee, Miller of Warren, Morrison of Grundy, Morrison of Keokuk, Mullin, Perrott, Porter, Potter, Prentis, Putnam, Ray, Reed, Scott, Smith, Spaulding, St. John, Sullivan, Temple, Thompson, Van Houten, Voelker, Watters, Weaver, Wells, Whelan, Whittier, Williams, Wilson, Mr. Speaker-68.

The nays were:
Messrs. Clark, Cook, Hazen, Hinman, Johnson of Webster, Klemme, Lowry, McDowell, Nolan, Power, Tibbitts-11.

Absent or not voting:
Messrs. Baker, Bird, Brant, Classen, Finch, Frazee, Funk, Gurley, Haugen, Hinkhouse, Hunt, Jackson, Johnston of Franklin, McDonald, McQuin, Marti, Martin, Nietert, Parker, Wheeler, Wood-21.

So the bill passed and the title was agreed to.
On motion of Mr. Merriam, House file No. 88, a bill for an act to provide for the payment of the four paper folders and file clerk of the Twenty-sixth General Assembly for three days' labor performed after the adjournment of the regular session of the Twenty-sixth General Assembly, with report of committee recommending passage of a substitute therefor, was taken up, considered, and the report of the committee adopted.

Mr. Merriam moved that the rule be suspended, and that the bill be considered engrossed and read a third time now, which motion prevailed, and the bill was read a third time.

On the question, "Shall the bill pass?" the yeas were:
Messrs. Allen, Bailey, Bell, Bowen, Brady, Brighton, Brinton, Byington, Chapman, Clark, Cook, Cornwall, Crow, Davis, Doubleday, Dowell, Edwards, Evans, Frazee, Frink, Garner, Good, Griswold, Grote, Gurley, Hauger, Hayes, Hazen, Hendershot, Hinkhouse, Hinman, Jackson, Jay, Johnson of Webster, Klemme, Lambert, Lauder, Lavender, Loomis, Lowry, McAchran, McDowell, McNulty, Manahan, Mayne, Merriam, Miller of Buena Vista, Miller of Cherokee, Miller of Warren, Morrison of Grundy, Morrison of Keokuk, Mullin, Nolan, Perrott, Porter, Potter, Power, Prentis, Putnam, Ray, Reed, Scott, Smith, Spaulding, Sullivan, Temple, Thompson, Tibbitts, Van Houten, Voelker, Watters, Whelan, Whittier, Williams, Wilson, Mr. Speaker-76.

The nays were:
Messrs. Ladd, McArthur, Wells-3.

Absent or not voting:
Messrs. Baker, Bird, Brant, Classen, Early, Finch, Funk, Haugen, Hunt, Huntley, Johnston of Franklin, McDonald, McQuin, Marti, Martin, Nietert, Parker, St. John, Weaver, Wheeler, Wood-21.

So the bill passed and title was agreed to.
On motion of Mr. Merriam Senate file No. 88, a bill for an act to provide for the payment of the mileage of the committee appointed to visit the Institution for Feeble Minded at Glenwood, Iowa, with report of committee recommending passage was taken up, considered, and the report of the committee adopted.

Mr. Merriam moved that the rule be suspended, and that the bill be read a third time now, which motion prevailed, and the bill was read a third time.

On the question, "Shall the bill pass?" the yeas were:
Messrs. Allen, Bxiley, Bowan, Brady, Brighton, Brinton, Byington, Chapman, Clark, Cornwall, Crow, Davis, Doubleday, Dowell, Early, Edwards, Evans, Finch, Frazee, Garner, Good, Griswold, Grote, Gurley, Hauger, Hayes, Hazon, Hendershot, Hinkhouse, Hinman, Huntley, Jackson, Jay, Ladd, Lambert, Lavender, Loomis, Lowry, McAchran, McArthur, McDuwell, McNulty, Manahan, Mayne, Merriam, Miller of Buena Vista, Miller of Cherokee, Miller of Warren, Morrison of Grundy, Morrison of Kookuk, Mullin, Nolan, Perrott, Porter, Potter, Power, Prentis, Putnam, Ray, Rэed, Scott, Smith, Spaulding, St. John, Sullivan, Thompson, Tibbitts, Van Houten, Voelker, Watters, Wells, Whelan, Whittier, Williams, Wilson, Mr. Speaker-76.

The nays were:
None.
Absent or not voting:
Messrs. Baker, Bell, Bird, Brant, Classen, Cook, Frink, Funk, Haugen, Hunt,Johnson of Webster, Johnston of Franklin, Klemme, Lauder, McD Jnald, McQuin, Marti, Martin, Nietert, Parker, Temple, Weaver, Wheeler, Wood-24.

So the bill passed and the title was agreed to.
Mr. Miller, of Cherokee, granted indefinite leave of absence on account of sickness.

Mr. Cornwall, from the Committee on Judiciary, asked that Senate file No. 78, now in the hands of the Third Division Code Revision Committee, be referred to Committee on Judiciary. So ordered.
On motion of Mr. Dowell, House adjourned till 2 P. M. Monday.

$$
\left.\begin{array}{c}
\text { Hall of the House of Representatives, } \\
\text { Des Moines, Iowa, Monday, March } 22,1897 .\}
\end{array}\right\}
$$

The House met at 2 p. m., and was called to order by Speaker Byers.

Prayer was offered by Rev. Thomas M. Evans of Delphos, Iowa.

The Journal of Saturday, March 20, was corrected and approved.

PETITIONS AND MEMORIALS.
Mr. Hauger presented a remonstrance of citizens of Black Hawk county, against increasing the tax on the receipts of life insurance companies.

Referred to Committee on Insurance.
Mr. Mullin offered the following motion and moved its adoption:

Mr. Speaker-I move that a committee of three be appointed to draft resolutions in regard to the public services of Hon. S. L. Steel, deceased, who represented Henry county in the Twenty-second and Twenty-third General Assemblies in this House.

Adopted.
The Speaker appointed as such committee, Messrs. Mullin, Good and Sullivan.

REPORTS OF COMMITTEES.
Mr. Griswold, from the Committee on Mines and Mining, submitted the following report:

Mr. Speaker-Your Committee on Mines and Mining, to whom was referred Senate file No. 29, a bill for an act to revise, amend and codify the statutes in relation to mines and mining, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same do pass as amended by the Senate.
H. J. Griswold,

Chairman.
Ordered passed on file.
Mr. Whelan, from the Committee on Fish and Game, submitted the following report:

Mr. Speaker-Your Committee on Fish and Game, to whom was referred House file No. 42, a bill for an act to revise, amend and codify the statutes in relation to fish and game, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the House with a substitute therefor and the recommendation that the same do pass, it having been agreed to by the Committees on Fish and Game of both Houses in joint meeting.

> M. K. Whelan, Chairman.

Substitute read first and second time and passed on file.
Mr. Cornwall, from the Committee on Judiciary, submitted the following report:

Mr. Sphaker-Your Committee on Judiciary, to whom was referred Senate file No. 78, a bill for an act to revise, amend and codify the statutes in relation to procedure to vacate or modify judgments beg leave to report that they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same do pass when amended as follows: Page 787, section 8, insert in line 5, between "the" and "or" the words "shorthand reporter." Page 787, section 11, strike out all after the word "shall" in the fourth line, up to and including the word "court" in the sixth line, and insert in lieu thereof the words "during the term in which judgment is entered, certify that the cause is one in which the appeal should be allowed, and upon such certificate being filed, the same shall be appealable regardless of the amount in controversy."

Also, add to said section the words: "Nor shall the right of appeal be affected by the remission of any part of the verdict or judgment returned or rendered."

Page 791, section 37, strike out all after the word "form" in line 2 up to and including the word "stated" in line 4.

Page 782, section 50, add to the first sentence in said section the words: "or within such time as the court may by rule prescribe."
W. W. Cornwall, Chairman.

## Ordered passed on file.

## REPORT OF COMMITTEE ON ENROLLED BILLS.

Mr. Hauger, from the Committee on Enrolled Bills, submitted the following report:

Mr. Speaker-Your Committee on Enrolled Bills respectfully report that they have examined and find correctly enrolled House file No. 73, a bill for an act to revise, amend and codify the statutes in relation to assignments for creditors.

W. E. Hauger,<br>Chairman.

Ordered passed on file.
Also:
Mr. Speaker-Your Committee on Enrolled Bills respectfully report that they have examined, and find correctly enrolled, House file No. 57, a
bill for an act to revise, amend and codify the statutes in relation to the College for the Blind.

W. E. hauger, Chairman.

Ordered passed on file.
REPORT OF JOINT COMMITTEE ON ENROLLED BILLS.
Mr. Hauger, from the Joint Committee on Enrolled Bills, submitted the following report:

Mr. Speaker-Your Joint Committee on Enrolled Bills respectfully report that they have examined, and find correctly enrolled, House file No. 57, a bill for an act to revise, amend and codify the statutes in relation to the College for the Blind.

G. S. Gilbertson, Chairman Senate Committee.<br>W. E. Hauger, Chairman House Committee.

Ordered passed on file.
Also:
Mr. Speaker-Your Joint Committee on Enrolled Bills respectfully report that they have examined, and find correctly enrolled, House file No. 73, a bill for an act to revise, amend and codify the statutes in relation to assignments for creditors.

G. S. Gilbertson, Chairman Senate Committee.<br>W. E. Haveer, Chairman House Committee.

Ordered passed on file.
Also:
Mr. Speaker-Your Joint Committee on Enrolled Bills respectfully report that they have examined, and find correctly enrolled, Senate file No. 30, a bill for an act to revise, amend and codify the statutes in relation to the Dairy Commissioner and imitation dairy products.

> G. S. Gilbertson, Chairman Senate Committee.
> W. E. Hacger, Chairman House Committee.

Ordered passed on file.
Mr. Huntley submitted the following report:
Whereas, An all-wise Providence, in His infinite mercy, has seen fit to remove by death the Hon. Samuel D. Wheeler, of Lucas county, a member of the Twelfth General Assembly,

Be it Resolved by the House of Representatives, That in his death the State has lost an honored, efficient and upright citizen; a man of noble purposeand of pure heart; incorruptible in State, and unfaltering in church; a kind husband and a tender father. His sympathies and energies were ever on the side of right and virtue, making his life a rich legacy to his State and to the nation; therefore

Be it Resolved, That a copy of these resolutions be spread upon the Journal of the House and a copy sent by the Clerk to the bereaved widow.
L. S. Huntley,
J. M. Clark,
T. J. Sullivan, Committce.
Unanimously adopted by a rising vote.
Mr. Finch asked the unanimous consent of the House to move that the vote whereby Senate file No. 76 passed the House be reconsidered.

Granted.
The motion was put and carried.
Mr. Finch, also by unanimous consent, moved to reconsider the vote whereby the above bill had passed to its third reading.

Carried.
Mr. Finch offered the following amendment: Add to section 24 , page 756 , the words, "The grantee of the real estate conveyed in fraud of creditors shall as to such creditors be deemed the equitable owner thereof, and such interest may be attached as above provided where the petition alleges such fraudulent conveyance, and the holder of the legal title is made party to the action."

Adopted.
Mr. Finch then moved to substitute section 16, of the Black Code, for section 16 in the Senate bill on page 781.

Adopted.
The motion to pass the bill to its third reading was then carried.

On the question, "Shall the bill pass?" the yeas were:
Messrs. Allen, Bailey, Baker, Bell, Bowen, Brady, Brant, Brighton, Brinton, Chapman, Clark, Cook, Cornwall, Crow, Davis, Doubleday, Dowell, Early, Edwards, Evans, Finch, Frazee, Frink, Funk, Garner, Good, Griswold, Gurley, Hayes, Hazen, Hendershot, Hinkhouse, Hinman, Huntley, Jackson, Jay, Johnson of Webster, Johnston of Franklin, Klemme, Ladd, Lambert, Lauder, McNulty, Manahan, Marti, Merriam, Miller of Warren, Morrison of Grundy, Morrison of Keokuk, Mullin, Nolan, Perrott, Porter, Potter, Prentis, Putnam, Ray, Reed, Scott, Smith, Spaulding, St. John, Sullivan, Thompson, Tibbitts, Van Houten, Wells, Whelan, Whittier, Williams, Wilson, Wood, Mr. Speaker-73.

The nays were:
None.

Absent or not voting:
Messrs. Bird, Byington, Classen, Grote, Haugen, Hauger, Hunt, Lavender, Loomis, Lowry, McAchran, McArthur, McDonald, McDowell, McQuin, Martin, Mayne, Miller of Buena Vista, Miller of Cherokee, Nietert, Parker, Power, Temple, Voelker, Watters, Weaver, Wheeler-27.

So the bill passed and the title was agreed to.
The Speaker signed in the presence of the House, House files Nos. 57 and 73.

On motion of Mr. Griswold, Senate file No. 29, a bill for an act to revise, amend and codify the statutes in relation to mines and mining, with report of committee recommending passage, was taken up, considered and the report of the committee adopted.

Mr. Johnston of Franklin was called to the chair.
Speaker Byers resumed the chair.
Mr. Morrison of Keokuk moved to amend as follows: Insert after the word "showing," in section 8, line 2, the word "all;" in line 8, strike out the word "may" and insert "shall" in lieu thereof; in line 9, after the word "mine," insert the words 'and said map shall be subject to public inspection;" in line 10, after the word "owner," insert the words "in the vicinity of said mine;" in line 13, add after the end of said line the words "and the extent of excavation of same on all of his land, if any;" in line 16 , strike out the word "knowingly."

Adopted.
Mr. Porter moved to amend as follows: Amend section 14 by striking out of line 10 the first word "or" and inserting in lieu thereof the word "and"; also strike out all of the sentence after the word "dollars" up to and including the word " court."

Adopted.
Mr. Klemme moved to amend section 6, as follows: Add to section 6, page 500, the words, "clerk hire, including all expenses, shall not exceed fifteen hundred dollars."

Lost by a vote of 15 yeas to 22 nays.
Mr. Griswold moved that the rule be suspended and that the bill be read a third time now, which motion prevailed and the bill was read a third time

On the question, "Shall the bill pass?" the yeas were:
Messrs. Allen, Bailey, Baker, Bell, Bowen, Brady, Brighton, Brinton, Byington, Chapman, Clark, Cook, Cornwall, Crow, Davis, Doubleday, Dowell, Early, Edwards, Evans, Finch,

Frazee, Frink, Funk, Garner, Good, Griswold, Gurley, Hauger, Hazen, Hendershot, Hinkhouse, Jackson, Jay, Johnston of Franklin, Lambert, Lauder, McDowell, McNulty, Marti, Morrison of Grundy, Morrison of Keokuk, Mullin, Nolan, Perrott, Porter, Potter, Prentis, Putnam, Ray, Reed, Scott, Smith, St. John Sullivan, Thompson, Tibbitts, Van Houten, Wells, Whel lan, Whittier, Williams, Wilson, Mr. Speaker-64.

The nays were:
None.
Absent or not voting:
Messrs. Bird, Brant, Classen, Grote, Haugen, Hayes, Hinman, Hunt, Huntley, Johnson of Webster, Klemme, Ladd, Lavender, Loomis, Lowry, McAchran, McArthur, McDonald, Mc Quin, Manahan, Martin, Mayne, Merriam, Miller of Buena Vista, Miller of Cherokee, Miller of Warren, Nietert, Parker, Power, Spaulding, Temple, Voelker, Watters, Weaver, Wheeler, Wood-36.

So the bill passed and the title was agreed to.
report of committee on enrolled bills.
Mr. Hauger, from Committee on Enrolled Bills, submitted the following report:

Mr. Speaker-Your Committee on Enrolled Bills, respectfully report that they have this day sent to the Governor for his approval: House file No. 73, a bill for an act to revise, amend and codify the statutes in relation to assignments for creditors.

House file No. 57 , a bill for an act to revise, amend and codify the statutes in relation to the College for the Blind.

March 22, 1897.

> W. E. Hauger, Chairman.

On motion of Mr. Cornwall Senate file No. 78, a bill for an act to revise, amend and codify the statutes in relation to procedure to vacate or modify judgments, with report of committee recommending passage with amendments, was taken up and considered.

Mr. Dowell was called to the chair.
The committee amendment to section 8 was adopted.
The committee amendment to section 11 , line 4 , was adopted.
The committee amendment to add to section 11 was adopted.
The committee amendment to section 37 was adopted.
The committee amendment to section 50 was adopted.
Mr. Cornwall moved that the rule be suspended and that the bill be read a third time now, which motion prevailed and the bill was read a third time.

On the question, "Shall the bill pass?" the yeas were:
Messrs. Allen, Bailey, Baker, Bell, Bowen, Brady, Brant, Brighton, Brinton, Byington, Chapman, Clark, Cornwall, Crow, Davis, Doubleday, Dowell, Early, Edwards, Evans, Finch, Frazee, Frink, Funk, Garner, Good, Griswold, Gurley, Hauger, Hayes, Hazen, Hendershot, Hinkhouse, Hinman, Huntley, Jackson, Jay, Johnson of Webster, Klemme, Ladd, Lambert, Lauder, McDowell, Marti, Miller of Warren, Morrison of Grundy, Morrison of Keokuk, Mullin, Nolan, Porter, Potter, Prentis, Putnam, Ray, Reed, Scott, Smith, Sullivan, Temple, Thompson, Tibbitts, Van Houten, Weaver, Wells, Whelan, Whittier, Williams, Wilson, Wood-69.

The nays were:
None.
Absent or not voting:
Messrs. Bird, Classen, Cook, Grote, Haugen, Hunt, Johnston of Franklin, Lavender, Loomis, Lowry, McAchran, McArthur, McDonald, McNulty, McQuin, Manahan, Martin, Mayne, Merriam, Miller of Buena Vista, Miller of Cherokee, Nietert, Parker, Perrott, Power, Spaulding, St. John, Voelker, Watters, Wheeler, Mr. Speaker-31.

So the bill passed and the title was agreed to.

## REPORTS OF COMMITTEES.

Mr. Cornwall, from the Committee on Judiciary, submitted the following report:

Mr. Speaker-Your Committee on Judiciary, to whom was referred House file No. 86, a bill for an act to revise, amend and ccd'fy the statutes in relation to criminal procedure, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the House with the recommendation tatat he same do pass when amended as follows:

Page 925, title 25, chapter 1, substitute for section 5 the following: "Section 5. All defendants are bailable both before and after conviction by sufficient security, except when charged with treason or an offense punishable with death where the proof is evident or the presumption great, except after conviction of murder in the first degree.

Page 929, chapter 5, section 4, line 2, insert between the words "morning" and "and" the words "unless bail be given."

Page 931, chapter 5, substitute for section 19 the following: "Section 19. The board of supervisors shall at any regular or special session fix the compensation to be allowed the officers in each case under this chapter; to the trial magistrate not exceeding one dollar; to the peace officer for all services not more than one dollar and mileage as now allowed by law.

Same page, section 25, line 1, insert between "or" and "bodies" the words "join with" and strike out of same line "twenty" and insert "ten;"
same section, line 5, insert between "into" and "such" the words "or join with;" same section. line 7, insert between "into" and "such" the words "or induce them to join with."

Page 936, chaper 9, section 6, strike out of the section all after the word "premises," in line 5, and insert as follows: "Unless under the laws of the State he is not entitled to bail."

Page 940, chapter 11, section 7, strike out of line 6, the words, "Show the warrant if required and" and insert the following: "If demanded show the warrant when."

Page 946 add to chapter 12, as section 24, the following: "Section 24. The defendant may waive the examination provided in this chapter, but such waiver shall not preclude the County Attorney in examinations of which he has personal charge, from examining the witnesses for the State, and having their evidence taken in writing and certified by the magistrate and returned with the other papers in the case."

Page 954, chapter 16, section 15, strike out of line 2, the words "by its title and the day of its approval," and insert "so as to plainly designate it."

Page 957, chapter 18, section 3, line 4, insert between "for" and "arrest," the word "his."

Page 958, chapter 18, strike out section 5 of the Black Code, and insert as follows: "Section 5. An attorney appointed by the court to defend a person indicted for any offense shall discharge the duties imposed upon him by the court to the best of his ability without compensation. Such attorney need not follow the case into another county or into the supreme court."

Page 959, chapter 19, add to section 7, the following: "If a resubmission has been ordered."

Page 961, chapter 20, section 12, line 2, strike out the words "replication or." Same page, section 15, add to said section the following: "If a resubmission has been ordered."

Page 963, chapter 22, amend chapter 22 by striking out sections 1, 2, 3, 4 and 5, and insert in lieu thereof as section 1 the following: "Section 1. The rules for drawing the jury shall be the same as those provided in civil procedure." Also number section 6, "section 2."

Page 964, section 2, add to section 2, the following: "in cases in which such penalty may be inflicted."

Page 966, section 3, strike out all of line 14 after the word "argument;" all of line 15 and the first three words of line 16 , and insert the following: "the court shall not limit the argument of counsel."

Page 971, chapter 26, section 5 , strike out the last four words of line 3.
Same page, section 10 , line 2, strike out the word "Severally."
Page 980, chapter 33, section 10, line 5, strike out the words 'Reporters and."

Page 983, chapter 35, section 2, line 8, strike out the word "he" and insert "bail." Same line, strike out words "duly admitted to bail" and insert "duly fixed." In line 10 strike out the words "submit to" and isert "abide."

Page 984, section 3, line 2, strike out "If requested."

Same page, section 6, line 8, strike out "he having been duly admitted to bail," and insert "bail having been duly fixed." Same section. line 10, strike out "submit to" and insert "'abide."

Page 991, section 5, line 4, insert after the first word "at Anamosa." W. W. Cornwall, Chairman.
Ordered passed on file.
Mr. Weaver submitted the following report:
To the Speaker and Members of the House of Representatives of the General Assembly of the State of Iowa:
Your committee appointed by your honorable body March 17, 1897, to investigate the charges made in a letter and "confidential" report produced by Hon. Thomas Lambert and read in open session on that date, insinuating that the building and loan associations of the State were instrumental in the election of H. W. Byers as Speaker of the House, and that after the said selection of Mr. Byers as Speaker he used his influence in the appointment of a committee on building and loan favorable to their own interests, beg leave to report that they have caused Mr Oce B. Jackman, the author of said letter and "confidential" communication, to appear before this committee, and all other persons in any manner connected with said communication, also the members of the Building and Loan Committee and other members of the House. All of these witnesses have been thoroughly examined and their testimony carefully scrutinized.

As a result of this examination your committee finds that the said Oce B. Jackman was chajrman of the extcutive committee of an organization known as the Iowa State Federation of Building and Loan Associations, the object of which ccmmittee was to promote certain legislation affecting building and loan aseociations in this state. The letter and attending document was mailed to each association in the State forming the State Federation.

We further find that a few letters were written by the said Jackman and one George A. Quimby, another member of the said committee, and were sent to their friends over the State rfquesting their supp rt for $H$. W. Byers for Speaker of the Twenty sixth General Assembly. That they were prompted to write said letters because Mr. Byers had shown himself, in the previous session, to be familiar with building and loan law. It does not appear that Mr Byers rought or kad any knowledge of such assistance, nor dces it appear that this assistance materially afficted the action of the House in the election of a Speaker. There is not the slighest inference that the influence of the Speaker or any member of the Legislature, was sought by members of these associations, by their directors, agents or employes, with a promise to receive any bentit, remuneration, future favors or reward.

It does not appear to your committee that the Iowa State Federation of Building and Loan Asscciations was formed for any wrong purpose or that it sought to promote legislation at variance with public policy. This federation, representing many millions of dollars, sought the enactment of a law regulating investments and protecting the savings of their shareholders.

The facts show that a law, regulating building and loan associations, was demanded. This demand came from thousands of men and women asking that their investments be protected, most of whom belonged to the wage-earning classes. Some disagreement arose as to the details of this legislation, but all the members of this General Assembly were agreed as to the main features of the law which was finally enacted. It received the support of practically all, there being but two votes recorded against its passage. It is a law similar to that enacted in other states and the law would have passed, as a result of State advancement, had no lobbyists been in existence. Yet it appears to your committee that certain men, representing themselves as promoters of this legislation, solicited or extorted contributions from the various building and loan associations of the State on the theory that it was necessary to have funds to aid in passing a law, which the interests of the people demanded, and to which there was, practically, no opposition.

In this connection your committee feels constrained to call attention to the fact, more or less clearly developed in this investigation, that many men, known as lobbyists, have soticited, or even extorted it may be, money from individuals and corporations affected by legislation, alleging that they could influence or had influenced in a measure, the actions of the General Assembly; and while these men have not been able to influence legislation to any degree, they have, by their claims and allegations, cast suspicion on this law-making body. Many of these men are mere traffickers of influence which they do not possess.

We believe the statement made by Oce B. Jackman, in his "confidential" communication, which might be construed as a reflection on the selection of H. W. Byers as Speaker or which might cast suspicion on the work of this General Assembly, was animated by a desire to exaggerate his own influence and services rendered by him and to procure money necessary to pay the expenses, legitimate or otherwise, incurred by him and his associates. We believe that this body should condemn in the severest terms his actions and statements which tend to reflect upon the integrity of the members of the present General Assembly. Your committee believes that this body should denounce in the most severe manner the means of promoting legislation suggested in this "confidential" communication; and such condemation ought to be the more pronounced because the authors of this "confidential" communication have endeavored to achieve their own ends by casting distrust and dishonor upon the entire General Assembly.

A copy of this report, together with the testimony of the witnesses who appeared before this committee, has been filed with the Secretary of State. Respectfully submitted,
H. O. Weaver,
M. L. Temple,
G. N. Haugen,
o. A. Byington,
J. P. McDowell.

Mr. Weaver moved that the report of the committee be adopted and demander a roll call on the question of its adoption.

Mr. Gurley seconded the demand.

On the question, "Shall the report of the committee be adopted?" the yeas were:

Messrs. Allen, Bailey, Baker, Bell, Bowen, Brady, Brant, Brighton, Brinten, Byington, Chapman, Clark, Cornwall, Crow, Davis, Doubleday, Dowell, Early, Edwards, Evans, Finch, Frazee, Frink, Funk, Garner, Good, Griswold, Grote, Gurley, Hauger, Hayes, Hazen, Hendershot, Hinkhouse, Hinman, Huntley, Jackson, Jay, Johnson of Webster, Johnston of Franklin, Klemme, Ladd, Lambert, Lauder, McDowell, Marti, Mayne, Miller of Warren, Morrison of Grundy, Morrison of Keokuk, Mullin, Nolan, Perrott, Porter, Potter, Prentis, Putnam, Ray, Reed, Scott, Smith, Spaulding, St. John, Sullivan, Temple, Thompson, Tibbitts, Van Houten, Weaver, Wells, Whelan, Whittier, Williams, Wilson, Wood-75

The nays were:
None.
Absent or not voting:
Messrs. Bird, Classen, Cook, Haugen, Hunt, Lavender, Loomis, Lowry, McAchran, McArthur, McDonald, McNulty, McQuin, Manahan, Martin, Merriam, Miller of Buena Vista, Miller of Cherokfe, Nietert, Parker, Power, Voelker, Watters, Wheeler, Mr. Speaker-25.

So the report was adopted.

## INTRODUCTION OF BILLS.

By Mr. Reed, House file No. 94, a bill for an act to revise, amend and codify the statutes in relation to the uniformity, purchase and loan of text-books.

Read first and second time and passed on file.
On the correction of the journal the following members asked to have the journal show that had it been possible for them to be present, would have voted "aye" when this roll was called: Messrs. McArthur, Watters, Nietert, Classen, Martin, McDonald, Miller of Buena Vista, Miller of Cherokee, Power, Hunt, Bird, Loomis, Merriam, McQuin, Haugen, Voelker, McNulty, Lowry.

On motion of Mr. Wood, the House adjourned till 9 A. M. to-morrow.

## Hall of the House of Representativies, Des Moines, Iowa, Tuesday, March 23, 1897.

The Heuse met at 9 A. m., pursuant to adjournment, and was called to order by Speaker Byers.

Prayer was offered by Rev. Clinton Douglass of Des Moines.
Mr. Potter was granted indefinite leave of absence on account of sickness.

PETITIONS AND MEMORIALS.
Mr. Voelker presented a message from citizens of Dubuque, Iowa, protesting against any change in the present railroad laws.

Referred to Committee on Railroads and Commerce.
Mr. Baker presented ten messages from business firms of Davenport in reference to the same subject.

Referred to Committee on Railroads and Commerce.
Mr. Johnson, of Webster, presented six messages from business men of Fort Dodge in reference to the same subject.

Referred to Committee on Railroads and Commerce.
Mr. Byington presented a message from George Hummer Mercantile Company, of Iowa City, in reference to the same subject.

Referred to Committee on Railroads and Commerce.
Mr. Brant presented five messages from business firms of Cedar Rapids in reference to the same subject.

Referred to Committee on Railroads and Commerce.
Mr. Nolan presented a message from Myers, Cox \& Co., and forty four other business firms of Dubuque in reference to he same subject.
Referred to Committee on Railroads and Commerce.
Mr. Putnam pretented a petition of Groneweg \& Schoentgen, of Council Bluffs, in reference to the same subject.

Referred to Committee on Railroads and Commerce.
Mr. Prentis presented petition of citizens of Beaconsfield favoring the passage of a law reducing the population neces. sary to constitute an independent school district.

Referred to Committee on School and Text Books.

Mr. Nolan offered the following resolution which was laid over under rule 34:

Whereas, bills for the legalizing of certain acts of cities, towns, school districts, etc., have been in the hands of members since the commencement of this extra session, the passage of which would be a relief to the parties and interests concerned; therefore be it

Resolved, that from this day to the end of the session such bills will be admissable for the consideration of this Assembly.

The House here took up for consideration House file No. 25, which was deferred from Saturday till to-day.

The amendment of Mr. Van Houten, to strike out section 16 and insert section 2064 of McClain's Code, was then put and carried.

Mr. Finch moved to amend section 3, line 7, by inserting between the words "discrimination" and "but" the words "which is hereby prohibited and declared to be unlawful." Adopted.

- Mr. Finch moved to strike out of section 4, the word "no" in line 1, and to insert in lieu thereof the words "It shall be unlawful for any." Also strike out the word "shall" and insert in lieu thereof the word "to."

Adopted.
Mr. Finch moved to amend section 5 by striking out the word "no" in line 1, and to insert in lieu thereof the words "It shall be unlawful for any;" also strike out the word "shall" and substitute therefor the word "to."

Mr. Finch moved to amend section 6, line 1, by striking out the word ' no " and substituting therefor the words "It shall be unlawful for any;" also strike out the word "shall" and insert in lieu thereof the word "to."

Adopted.
Mr. Finch moved to amend section 8, line 1, by striking out the word "no" and substituting therefor the words "It shall be unlawful for any;" also strike out the word "shall" and insert the word "to."

Adopted.
Mr. Finch moved to amend section 17, line 12, by inserting between the words "posted" and "in" the words "by said common carrier."

Adopted.
Mr. Van Houten moved to amend section 21 by adding thereto the words "and every commissioner shall have the
right to administer oaths and affirmations in every proceeding pending before said board."

Lost by a vote of 38 yeas to 39 nays.
Mr. Morrison of Grundy moved to amend as follows: Page 420 , section 33, line 4, amend by inserting after the word "direct" the words "and any railway corporation operating a railway in this State, intersecting or crossing any other line of railway of the same gauge, operated by any other company, shall, by means of a wye, or other suitable and proper means, be made to connect with such other railway so intersected or crossed; and railway companies where railroads shall be so connected shall draw over their respective roads the cars of such connecting railway; and also those of any other railway or railways connected with said roads made to connect as aforesaid, and also the cars of transportation companies or persons, at reasonable terms and for a compensation not exceeding their ordinary rates. The duty herein imposed is absolute and not conditioned upon order of Board of Railway Commissioners, but may be enforced by said board as provided in this chapter."

Messrs. Van Houten and Whelan demanded the yeas and nays on this amendment which resulted as follows:

On the question, "Shall the amendment be adopted?" the yeas were:

Messrs. Baker, Brady, Chapman, Cook, Doubleday, Finch, Frazee, Frink, Good, Grote, Hauger, Hinman, Hunt, Johnson of Webster, Lambert, McDonald, MeDowell, Morrison of Grundy, Morrison of Keokuk, Porter, Punnam, Scott, Smith, Spaulding, Thompson, Van Houten, Voelker, Whelan, Williams -29.

The nays were:
Messrs. Allen, Bailey, Bell, Bird, Brant, Brighton, Brinton, Byington, Clark, Classon, Cornwall, Crow, Davis, Early, Edwards, Evans, Funk, Griswold, Gurley, Haugen, Hayes, Hazen, Hendershot, Huntley, Jackson, Jay, Johnston of Franklin, Klemme, Ladd, Lzuder, McAchran, McArthur, McNulty, Marti, Martin, Mayne, Merriam, Miller of Buena Vita, Miller of Cherokee, Miller of Warren, Mullin, Nietert, Perrott, Power, Prentis, Ray, Reed, St. John, Sullivan, Temple, Tibbitts, Weaver, Wells, Wheeler, Wilson, Mr. Speaker-56.

Absent or not voting:
Messrs. Bowen, Duwell, Garner, Hinkhouse, Lavender, Loomis, Lowry, McQuin, Manahan, Nolan, Parker, Potter, Watters, Whittier, Wood-15.

So the amendment was lost.
Mr. Van Houten moved to insert after the word "direct," in line 4, section 32 (new numbering), section 1987 of McClain's Code.

Lost.
Mr. Lauder moved that the rule be suspended and that the bill be considered engrossed and read a third time now, which motion prevailed and the bill was read a third time.

On the question, "Shall the bill pass?" the yeas were:
Messrs. Allen, Bailey, Baker, Bird, Brady, Brant, Brighton, Brinton, Byington, Chapman, Clark, Classen, Cook, Cornwall, Crow, Davis, Doubleday, Dowell, Early, Edwards, Evans, Finch, Frazee, Frink, Funk, Garner, Good, Griswold, Grote, Gurley, Haugen, Hauger, Hayes, Hazen, Hendershot, Hinkhouse, Hinman, Hunt, Huntley, Jackson, Jay, Johnson of Webster, Johnston of Franklin, Klemme, Ladd, Lambert, Lauder, Lavender, McAchran, McArthur, McDonald, McDowell, McNulty, Marti, Martin, Mayne, Merriam, Miller of Buena Vista, Miller of Cherokee, Miller of Warren, Morrison of Grundy, Morrison of Keokuk, Mullin, Nietert, Nolan, Perrott, Porter, Power, Prentis, Putnam, Ray, Reed, Scott, Smith, Spaulding, St. John, Sullivan, Temple, Thompson, Tibbitts, Van Houten, Voelker, Weaver, Wells, Wheeler', Whelan, Whittier, Williams, Wilson, Mr. Speaker-90.

The nays were:
None.
Absent or not voting:
Messrs. Bell, Bowen, Loomis, Lowry, McQuin, Manahan, Parker, Potter, Watters, Wood-10.

So the bill passed and the title was agreed to.
The House here took up the motion to reconsider the vote whereby House file No. 20, being a bill in reference to building and loan associations, was lost.

The motion to reconsider was carried.
The motion to reconsider the vote whereby the bill was passed to a third reading was then put and carried.

Mr. Merriam moved to refer the bill to the Committee on Building and Loan Associations.

Lost.

Mr. Brant moved to substitute chapter 85, acts of the Twen-ty-sixth General Assembly for the pending bill.

A roll call was demanded on this motion, which resulted as follows:

On the question "Shall the motion to substitute prevail?" the yeas were:

Messrs. Bailey, Brant, Brinton, Clark, Classen, Cook, Cornwall, Davis, Early, Edwards, Evans, Finch, Frink, Funk, Good, Griswold, Hauger, Hendershot, Hinman, Jackson, Jay, Johnson of Webster, Johnston of Franklin, Lauder, Lavender, McArthur, McDonald, McNulty, Martin, Mayne, Merriam, Miller of Buena Vista, Miller of Cherokee, Morrison of Grundy, Mullin, Nietert, Nolan, Perrott, Porter, Putnam, Scott, Temple, Tibbitts, Voelker, Wells, Wheeler, Whittier, Wilson, Mr. Speaker-49.

The nays were:
Messrs. Allen, Baker, Bird, Brighton, Byington, Chapman, Crow, Doubleday, Dowell, Frazee, Garner, Grote, Gurley, Haugen, Hayes, Hazen, Hinkhouse, Hunt, Huntley, Klemme, Ladd, Lambert, McAchran, McDowell, Marti, Miller of Warren, Morrison of Keokuk, Power, Prentis, Ray, Reed, Smith, Spaulding, St. John, Sullivan, Thompson, Van Houten, Whelan, Williams-39.

Absent or not voting:
Messrs. Bell, Bowen, Brady, Loomis, Lowry, McQuin, Manahan, Parker, Potter, Watters, Weaver, Wood-12.

So the motion prevailed.
Mr. Brant moved to substitute the following in lieu of section 5 of the bill: "Section 5. Such articles of incorporation with the by-laws of the association shall be presented to the Executive Council, and if it finds they are in conformity with this act it shall attach thereto its certificate of that fact, and thereupon such articles and by-laws shall be filed in the office of the Auditor of State, who shall issue a certificate authorizing the association to transact business. Amendments to such articles may be made from time to time at any regular or special meeting of the stockholders, which shall in like manner be submitted to and acted upon by the Executive Council. Said Executive Council shall keep a record of its proceedings with reference to said associations, and any association aggrieved by any decision of the Executive Council as contemplated by this act, shall have the right within thirty days to appeal to the district court of Polk county, Iowa, by serving ten days' notice thereof upon the

Secretary of State and the Attorney-General, and by filing with the Secretary of State a bond in the sum of $\$ 500$, with security to be approved by him, conditioned that said association shall pay all costs of said appeal. Upon the filing of such bond the secretary of the Executive Council shall within five days thereafter prepare, certify and file in said district court a full and complete transcript of the original papers filed with or presented to said council, relating to the subject matter and application for a certificate of authority to do business, together with a complete transcript of all records, entries made and kept by said Executive Council in respect thereto, and the hearing before the said district court shall be had upon this transcript. Said case shall be entered on the equity docket in the said district court, in the name of the appellant as plaintiff and the Executive Council as defendant, and said court shall, if then in session, immediately proceed to hear and determine said case de novo on the transcript of the papers and proceedings before the Executive Council, and its judgment and decree shall in all respects be of the same force and effect as the certificate of the Executive Council, and an appeal of either party shall lie to the supreme court of Iowa from the judgment of said district court."

Mr. Allen moved to amend the substitute of Mr. Brant by adding to the end of said substitute the words: "If any member of the Executive Council is an officer or director in a building and loan, or savings and loan association in the State of Iowa, it shall be illegal for such member to sit in the council while the articles and by-laws of any building and loan, or savings and loan association are being considered or acted upon, and he shall have no vote thereon."

The amendment of Mr. Allen was adopted by a vote of 49 yeas to 33 nays.

Mr. Early moved to strike out of the substitute as amended by Mr. Allen all of said substitute up to and including the words 'district court" in line 37 of the amendment as printed in the Journal of March 17th.

Lost by a vote of 28 yeas to 51 nays.
The substitute of Mr. Brant as amended was adopted.
Mr. Haugen moved to amend section 9, line 12, page 82, acts of the Twenty-sixth General Assembly, by inserting after the
word "usurious" the words "provided, that such dues, membership fees, fines, premiums and interests and loans shall not exceed ten per cent per annum."

Mr. Jackson moved the previous question.
Carried.
Messrs. Haugen and Prentis demanded the yeas and nays on the amendment of Mr. Haugen, which resulted as follows:

On the question, "Shall the amendment be adopted?" the yeas were:

Messrs. Bailey, Bird, Byington, Chapman, Cook, Crow, Doubleday, Dowell, Early, Evans, Finch, Frazee, Funk, Grote, Gurley, Haugen, Hayes, Hinman, Huntley, Johnston of Franklin, Klemme, Ladd, Lambert, Lauder, Lavender, McAchran, McArthur, McDonald, McDowell, McNulty, Morrison of Keokuk, Mullin, Prentis, Ray, Scott, Smith, Spaulding, Sullivan, Thompson, Van Houten, Weaver, Wells, Whelan, Mr. Speaker $-44$.

The nays were:
Messrs. Allen, Baker, Bell, Brady, Brant, Brighton, Brinton, Clark, Classen, Cornwall, Davis, Edwards, Frink, Good, Griswold, Hauger, Hazen, Hendershot, Hinkhouse, Hunt, Jackson, Jay, Johnson of Webster, Marti, Martin, Mayne, Merriam, Miller of Buena Vista, Miller of Cherokee, Miller of Warren, Nietert, Nolan, Perrott, Porter, Power, Putnam, Reed, Temple, Tibbitts, Voelker, Wheeler, Whittier, Williams, Wilson-44.

Absent or not voting:
Messrs. Bowen, Garner, Loomis, Lowry, McQuin, Manahan, Morrison of Grundy, Parker, Potter, St. John, Watters, Wood $-12$

So the amendment was lost.
The questiop that the rule be suspended, and that the bill be considered engrossed and read a third time now, was then put, which motion prevailed, and the bill was read a third time.

On the question, "Shall the bill pass?" the yeas were:
Messrs. Allen, Baker, Bell, Brady, Brant, Brighton, Brinton, Chapman, Clark, Classen, Cook, Cornwall, Crow, Davis, Doubleday, Dowell, Edwards, Evans, Finch, Frazee, Frink, Funk, Good, Griswold, Grote, Hauger, Hayes, Hazen, Hendershot, Hinkhouse, Hinman, Hunt, Jackson, Jay, Johnson of Webster, Johnston of Franklin, Lauder, Lavender, McArthur, Marti, Martin, Mayne, Merriam, Miller of Buena Vista, Miller of Cherokee, Miller of Warren, Mullin, Nietert, Nolan, Porter,

Power, Putnam, Reed, Scott, Sullivan, Temple, Tibbitts, Van Houten, Voelker, Wheeler, Whittier, Williams, Wilson, Mr. Speaker-64.

The nays were:
Messrs. Builey, Bird, Byington, Early, Garner, Gurley, Haugen, Huntley, Klemme, Ladd, Lambert, McAchran, McDonald, McDowell, McNulty, Morrison of Keokuk, Perrott, Prentis, Ray, Smith, Spaulding, Thompson, Weaver, Wells, Whelan-25.

Absent or not voting:
Messrs. Bowen, Loomis, McQuin, Manahan, Morrison of Grundy, Parker, Potter, St. John, Watters, Wood-11.

So the bill passed and the title was agreed to.
The following explanation of vote was filed:
I vote "no" on House file No. 20 for the reason that the poorer class of people who are members of these associations are not properly protected, but may in the hour of misfortune be forced to submit to legalized robbery. Under the general pressure at the last session for the passage of some kind of a law regulating these associations. I reluctantly consented to support it, and so stated at the time. With this law now secure upon the statute books, it should be amended to secure some degree of justice to those, who in the voluntary exercise of their rights or by misfortune cease to be members, but as it seems impossible under the most favorable circumstances to secure any such changes, I can not longer consent by my vote to give these associations a legal existence.

> J. A. Garner.

Mr. Temple moved to reconsider the vote just taken.
Mr. Cornwail moved to lay this motion on the table.
This motion was carried by a vote of 45 yeas to 23 nays.
On motion of Mr. Reed, House file No. 94, a bill for an act to revise, amend and codify the statutes in relation to the uniformity, purchase and loan of text-books, with.report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Mr. Dowell was called to the chair.
Speaker Byers resumed the chair.
Mr. Reed moved to amend section 7, line 5, by striking out the word "auditor" and inserting in lieu thereof the word "superintendent."

Adopted.
Mr. Reed moved that the rule be suspended and that the bill be considered engrossed and read a third time now, which motion prevailed, and the bill was read a third time.

On the question, "Shall the bill pass?" the yeas were:
Messrs. Allen, Bailey, Bell, Brady, Brighton, Byington, Chapman, Clark, Classen, Cornwall, Crow, Davis, Doubleday, Dowell, Early, Edwards, Evans, Frazee, Frink, Garner, Good, Griswold, Grote, Gurley, Haugen, Hauger, Hazen, Hendershot, Hinkhouse, Hinman, Hunt, Huntley, Jackson, Johnson of Webster, Johnston of Franklin, Klemme, Lambert, Lauder, McAchran, McDonald, McDowell, Marti, Martin, Merriam, Miller of Buena Vista, Miller of Cherokee, Miller of Warren, Morrison of Grundy, Morrison of Keokuk, Mullin, Nietert, Nolan, Perrott, Porter, Prentis, Putnam, Ray, Reed, Scott, Smith, Spaulding, Sullivan, Temple, Thompson, Van Houten, Voelker, Weaver, Wells, Wheeler, Whelan, Whittier, Williams, Wilson, Mr. Speaker-74.

Mr. McArthur voted in the negative.
Absent or not voting:
Messrs. Baker, Bird, Bowen, Brant, Brinton, Cook, Finch, Funk, Hayes, Jay, Ladd, Lavender, Loomis, Lowry, McNulty, McQuin, Manahan, Mayne, Parker, Potter, Power, St. John, Tibbitts, Watters, Wood-25.

So the bill was passed and the title agreed to.
Mr. Weaver offered the following motion to reconsider, in lieu of the motion filed by Mr. McNulty on page 13 of the House Journal of March 16th:

> Mr. Speaker-I move to reconsider the vote by which the Senate amendment to section 5, House file No. 29 , was non-concurred in.
H. O. Weaver.

I second the motion.

## S. Williams.

Mr. Weaver stated that the intent of the movers of the original motion was the same, but that the motion was indefinite and he offered the new one as a correction.

Mr. Lambert raised the point of order that such corrected motion to reconsider was not filed within the time limit required on motions to reconsider.

The Speaker ruled that a correction to a motion to reconsider is in order at any time before such motion is taken up and acted upon.

The motion to reconsider was then carried.
On the question "Shall the House concur in the Senate amendment to section 5?" the yeas were:

Messrs. Allen, Bailey, Bell, Bird, Brady, Brant, Brighton, Clark, Classen, Cornwall, Davis, Doubleday, Dowell, Early,

Edwards, Frink, Furk, Good, Griswold, Grote, Hayes, Hazen, Johnston of Franklin, Lauder, McAchran, McArthur, McNulty, Mayne, Merriam, Miller of Buena Vista, Miller of Cherokee, Miller of Warren, Mullin, Prentis, Putnam, Scott, Sullivan, Temple, Thompson, Van Houten, Weaver, Wells, Whelan, Whittier, Williams, Wood, Mr. Speaker-47.

The nays were:
Messrs. Baker, Brinton, Byington, Crow, Evans, Finch, Frazee, Garner, Gurley, Haugen, Hendershot, Hinkhouse, Hinman, Huntley, Jacks n, Johnson of Webster, Klemme, Ladd, Lambert, Lavender, McDonald, McDowell, Marti, Martin, Morrison of Grundy, Morsison of Keokuk, Nietert, Nolan, Porter, Power, Ray, Reed, Smith, Spaulding, Voelker, Wheeler, Wil-son-37.

Absent or not voting:
Messrs. Bowen, Chapman, Cook, Hauger, Hunt, Jay, Loomis, Lowry, McQuin, Manahan, Parker, Perrott, Potter, St. John, Tibbitts, Watters-16.

So the Senate amendment to section 5, having failed to receive a constitutional majority was declared non-concurred in.

## MESSAGES FROM THE SENATE.

## The following message was received from the Senate:

Mr. Speaker-I am directed to inform your honorable body that the Senate has passed the following bill, in which the concurrence of the House is asked:

Senate file No. 91, a bill for an act to revise, amend and codify the statutes in relation to public printing.

Geo. A. Newman, Secretary.

## Also:

Mr. Speaker-I am dirceted to inform your honorable body that the Senate has passed the following bill, in which the concurrence of the House is asked:

Senate file No. 77, a bill for an act to ravise, amend and codify the statutes in relation to criminal procecdure.

Geo. A. Newman,
Secretary.
Also.
Mr. SPEAKER-I am directed to inform your honorable body that the Senate has receded from its amendments to sections 1, 15 and 37 of House file No. 28, a bill for an act to revise, amend and codify the statutes in relation to the settlement and support of the poor.

Geo. A. Newman,

On motion of Mr. Lauder, Senate file No. 19, a bill for an act to revise, amend and codify the statutes in relation to the Board of Railroad Commissioners, with report of committee recommending passage with amendments, was taken up and considered.

Mr. Mayne was called to the chair.
Speaker Byers resumed the chair.
Mr. Smith moved to amend section 1, line 8, by inserting after the word "no" the words "attorney or other."

Mr. McArthur moved to amend the amendment by inserting after the word "attorney" the word "editor."

Lost by a vote of 26 yeas to 54 nays.
On motion of Mr. Brant, the House adjourned till 2 p. m.

## AFTERNOON SESSION.

The House met at 2 P. m. with Speaker Byers in the chair.
The pending business, being Senate file No. 19, was here taken up.

Mr. Smith asked leave to withdraw his amendment to section 1 , line 8.

Granted.
Mr. Funk moved to amend the committee amendment to section 11 (new numbering), by striking out of said amendment the words "three thousand" and inserting in lieu thereof the words "two thousand."

A roll call was demanded on this amendment, resulting as follows:

On the question, "Shall the amendment be adopted?" the yeas were:

Messrs. Baker, Brighton, Chapman, Clark, Evans, Finch, Frazee, Funk, Garner, Gurley, Haugen, Hazen, Hinkhouse, Hunt, Johnson of Webster, Klemme, Lambert, McAchran, McDonald, McDowell, Mullin, Porter, Power, Smith, Spaulding, Van Houten, Voelker, Watters, Wells, Whelan, Wilson -31 .

The nays were:
Messrs. Allen, Bailey, Brady, Brant, Byington, Classen, Cornwall, Crow, Davis, Doubleday, Dowell, Griswold, Grote, 36

Hauger, Hendershot, Huntly, Jackson, Johnston of Franklin, Ladd, Lauder, Lavender, Loomis, McArthur, McNulty, McQuin, Marti, Mayne, Merriam, Miller of Buena Vista, Miller of Cherokee, Miller of Warren, Morrison of Grundy, Morrison of Keokuk, Nietert, Perrott, Prentis, Putnam, Ray, Reed, St. John, Sullivan, Temple, Thompson, Tibbitts, Weaver, Whittier, Williams, Wood, Mr. Speaker-49.

Absent or not voting:
Messrs. Bell, Bird, Bowen, Brinton, Cook, Early, Edwards, Frink, Good, Hayes, Hinman, Jay, Lowry, Manahan, Martin, Nolan, Parker, Potter, Scott, Wheeler-20.

So the amendment was lost.
Mr. Brighton moved to amend the committee amendment by striking out of said committee report the words "three thousand" and insert in lieu thereof the words "twenty-two hundred."

A roll call was demanded on this amendment which resulted as follows:

On the question, "Shall the amendment be adopted?" the yeas were:

Messrs. Baker, Bell, Brady, Brighton, Brinton, Byington, Chapman, Clark, Doubleday, Evans, Finch, Frazee, Frink, Funk, Garner, Good, Gurley, Haugen, Hazen, Hinkhouse, Hunt, Johnson of Webster, Klemme, Lambert, Lavender, McAchran, McDonald, McDowell, Miller of Cherokee, Miller of Warren, Morrison of Grundy, Mullin, Nolan, Porter, Power, Scott, Smith, Spaulding, Van Houten, Voelker, Watters, Wells, Whelan, Whittier, Williams, Wilson, Mr. Speaker-47.

## The nays were:

Messrs. Bailey, Bird, Brant, Classen, Cornwall, Crow, Davis, Dowell, Early, Griswold, Grote, Hauger, Hayes, Hendershot, Hinman, Huntley, Jackson, Johnston of Franklin, Ladd, Lauder, Loomis, McArthur, McNulty, McQuin, Marti, Martin, Mayne, Merriam, Miller of Buena Vista, Morrison of Keokuk, Nietert, Perrott, Prentis, Putnam, Ray, Reed, St. John, Sullivan, Temple, Thompson, Tibbitts, Weaver, Wood -43.

Absent or not voting:
Messrs. Allen, Bowen, Cook, Edwards, Jay, Lowry, Manahan, Parker, Potter, Wheeler-10.

So the amendment was adopted.
The committee amendment as amended was adopted.

Mr. Van Houten moved to strike out the word "fifteen" and insert in lieu thereof the word "uighteen," in line 3, section 11, (new numbering).

A roll call was demanded on this question, which resulted as follows:

On the question, "Shall the amendment be adopted?" the yeas were:

Messrs. Baker, Bird, Brady, Brant, Brinton, Byington, Davis, Garner, Haugen, Jackson, Marti, Morrison of Grundy, Prentis, Van Houten, Voelker, Whelan-16.

The nays were:
Messrs. Allen, Bailey, Bell, Brighton, Chapman, Clark, Classen, Cornwall, Crow, Doubleday, Dowell, Early, Evans, Finch, Frazee, Frink, Funk, Good, Griswold, Grote, Gurley, I auger, Hayes, Hazen, Hendershot, Hinkhouse, Hinman, L-v.nt, Huntley, Jay, Johnson of Webster, Johnston of Frankliv, Klemme, Ladd, Lambert, Lauder, Lavender, Loomis, Lowry, McAchran, McArthur, McDonald, McDowell, McNulty, McQuin, Martin, Mayne, Merriam, Miller of Buena Vista, Miller of Cherokee, Miller of Warren, Morrison of Keokuk, Mullin, Nietert, Nolan, Perrott, Porter, Power, Putnam, Ray, Reed, Scott, Smith, Spaulding, St. John, Sullivan, Temple, Thompson, Tibbitts, Watters, Weaver, Wells, Whittier, Williams, Wilson, Wood, Mr. Speaker-77.

Absent or not voting:
Messrs. Bowen, Cook, Edwards, Manahan, Parker, Potter, Wheeler-7.

So the amendment was lost.
Mr. Morrison, of Keokuk, offered the following amendment as section 7 of the bill and moved that the succeeding sections be renumbered: "Sec. 7. Upon the occurrence of any serious accident upon any railroad in this State, the corporation operating the same shall give immediate notice to the Board, whose duty it shall be, if it thinks necessary, to investigate the same. And every company or corporation operating a railroad in the State shall report to the Board annually the number of accidents on their line or lines, the cause, whether from defective material or faulty construction or carelessness of employes, the extent of injury to life, limb or person, and the Board shall give a tabulated statement in their report of these accidents and make any recommendations which in their opinion will lessen the same."

Adopted.

Mr. Klemme moved to amend as follows: Add after the word "year," in line 2, section 12, page 407, the words, "and the expenses in all not to exceed three thousand dollars a year."

Mr. Ladd moved the previous question.
Carried.
The amendment of Mr. Klemme was lost.
The question that the rule be suspended, and that the bill be read a third time now, was then put, which motion prevailed, and the bill was read a third time.

On the question, "Shall the bill pass?" the yeas were:
Messrs. Allen, Baker, Bell, Bird, Brady, Brant, Brighton, Brinton, Byington, Chapman, Clark, Classen, Cornwall, Crow, Davis, Doubleday, Dowell, Early, Evans, Finch, Frazee, Frink, Funk, Garner, Good, Griswold, Grote, Gurley, Haugen, Hauger, Hayes, Hazen, Hendershot, Hinkhouse, Hunt, Huntley, Jackson, Jay, Johnson of Webster, Johnston of Franklin, Klemme, Lambert, Lauder, Lavender, Loomis, Lowry, McAchran, McDonald, McDowell, McQuin, Marti, Martin, Mayne, Merriam, Miller of Buena Vista, Miller of Cherokee, Miller of Warren, Morrison of Grundy, Morrison of Keokuk, Mullin, Nietert, Nolan, Perrott, Porter, Power, Prentis, Putnam, Ray, Reed, Scott, Smith, Spaulding, St. John, Sullivan, Temple, Thompson, Van Houten, Voelker, Watters, Weaver, Wells, Whelan, Whittier, Williams, Wilson, Wood, Mr. Speaker-87.

The nays were:
Messrs. Ladd, McArthur, McNulty, Tibbitts-4.
Absent or not voting:
Messrs. Bailey, Bowen, Cook, Edwards, Hinman, Manahan, Parker, Potter, Wheeler-9.

So the bill passed and the title was agreed to.
The Speaker signed, in the presence of the House, Senate file No. 30.

## SENATE MESSAGES.

Senate file No. 77, a bill for an act to revise, amend and codify the statutes in relation to criminal procedure, was read first and second time.

By unanimous consent Senate file No. 77 was taken up for consideration and the Clerk proceeded to read the bill for information and amendment.

Mr. Dowell was called to the Chair.

Mr. Cornwall moved to amend chapter 5, section 4, line 2, by inserting between the words "morning" and "and" the words, "unless bail be given."

Adopted.

```
MESSAGES FROM THE SENATE.
```

The following message was received from the Senate:
Mr. Speaker-I am directed to inform your honorable body that the Senate has amended and passed the following bill, in which the concurrence of the Senate was asked:

House file No. 94, a bill for an act to revise, amend and codify the statutes in relation to the uniformity, loaning and purchasing of text-books.

Geo. A. Newman, Secretary.
Also:
Mr. Speaker-I am directed to inform your honorable body that the Senate desires to recall Senate file No. 91, a bill for an act to revise, amend and codify the statutes in relation to public printing.

Geo. A. Newman, Secretary.
Also:
Mr. Speaker-I am directed to inform your honorable body that the Senate has amended and passed the following bill in which the concurrence of the Senate was asked:

House file No. 45, a bill for an act to revise, amend and codify the statutes in relation to the practice of pharmacy.

Geo. A. Newman, Secretary.
Mr. Gurley moved that the vote whereby Senate file No. 19 was passed be reconsidered.

Mr. Funk moved to lay this motion on the table.
Carried.
The Committees on Public Health, Military, Suppression of Intemperance, Insurance, Mines and Mining, and Private Corporations, having practically completed their work of this session, the following clerks were dropped from the pay roll: Sidney Bowen, Cora Bell, Gilbert Chapman, Phillip Waddell, W. E. Griswold, A. L. W. Moore.

On motion of Mr. Merriam the House adjourned till 9 A. M. to-morrow.

Hall of the House of Representatives, \} Des Moines, Iowa, Wednesday, March 24, 1897.)
House met at 9 A. m., Speaker Byers in the chair. Prayer by Rev. Jesse Cole, of Sioux county.

PETITIONS AND MEMORIALS.
Mr. Miller, of Beuna Vista presented petition of business men of Marathon, Iowa, asking passage of bill to legalize the use of the Wellsbach gasoline lamp.

Referred to Committee on Public Health,
The pending business, Senate file No. 77, was here taken up.
Mr. Cornwall, from the Committee on Judiciary, moved to amend section 19, chapter 5, by inserting in lieu of said section the following: "Section 19. The board of supervisors shall at any regular or special session fix the compensation to be allowed the officers in each case under this chapter; to the trial magistrate, not exceeding one dollar; to the peace officer for all services, not more than one dollar and mileage as now allowed by law."

Adopted.
Mr. Cornwall moved to amend as follows: Restore section 25, as found in the Black Code; line 1, insert between "or" and "bodies" the words "join with" and strike out of same line "twenty" and insert "ten;" same section, line 5, insert between "into" and "such" the words "or join with;" same section, line 7, insert between "into" and "such" the words "or induce them to join with."

Messrs. Porter and Nolan demanded the yeas and nays on this motion which resulted as follows:

On the question, "Shall the amendment prevail?" the yeas were:

Messrs. Allen, Bailey, Bell, Bird, Bowen, Brant, Brighton, Clark, Cornwall, Davis, Doubleday, Early, Edwards, Evans, Finch, Frink, Funk, Good, Griswold, Gurley, Hauger, Hendershot, Huntley, Jackson, Johnson of Webster, Klemme,

Ladd, Lavender, Loomis, McAchran, McArthur, McNulty, Martin, Mayne, Merriam, Miller of Buena Vista, Miller of Cherokee, Miller of Warren, Morrison of Grundy, Morrison of Keokuk, Mullin, Perrott, Potter, Prentis, Putnam, Scott, Smith, Temple, Tibbitts, Van Houten, Watters, Weaver, Wheeler, Whittier, Williams, Wood-56.

The nays were:
Messrs. Baker, Brady, Byington, Chapman, Classen, Crow, Dowell, Frazee, Garner, Hazen, Hinkhouse, Hinman, Jay, Lambert, Lowry, McDowell, Marti, Nietert, Nolan, Porter, Power, Ray, Spaulding, Sullivan, Thompson, Voelker, Wells, Whelan, Wilson, Mr. Speaker-30.

Absent or not voting:
Messrs. Brinton, Cook, Grote, Haugen, Hayes, Hunt, Lauder, McDonald, McQuin, Manahan, Parker, Johnston of Franklin, Reed, St. John-14.

So the amendment was adopted.
Mr. Mayne in the Chair.
Mr. Cornwall moved to amend as follows: Page 946, add to chapter 12, as section 24, the following, "Section 24. The defendant may waive the examination provided in this chapter, but such waiver shall not preclude the county attorney in examinations of which he has personal charge from examining the witnesses for the state, and having their evidence taken in writing and certified by the magistrate and returned with the other papers in the case."

Adopted.
Mr. Klemme moved to amend to amendment, section 23, line 4 , of chapter 12, by striking out the words ' in his discretion may" and insert in lieu the word "shall."

Lost by a vote of 16 yeas to 20 nays.
Mr. Cornwall moved to amend as follows: Page 954, chapter 16 , section 15 , strike out of line 2 , the words "by its title and the day of its approval," and insert "so as to plainly designate it."

Adopted.
Mr. Brant moved to reconsider the vote whereby the amendment to section 25 , chapter 5 , was adopted.

A roll call was demanded on the question of reconsideration which resulted as follows:

Mr. Byers resumed the Chair.

On the question, "Shall the vote be reconsidered?" the yeas were:

Messrs. Allen, Baker, Bird, Brady, Brant, Byington, Chapman, Clark, Crow, Dowell, Evans, Frazee, Garner, Haugen, Hauger, Hazen, Hunt, Ladd, Lambert, Lauder, Loomis, Lowry, McDonald, McDowell, Martin, Nietert, Nolan, Porter, Powers, Prentis, Ray, Reed, Spaulding, Sullivan, Thompson, Voelker, Watters, Weaver, Wells, Whelan, Wilson, Mr. Speaker-42.

The nays were:
Messrs. Bailey Bell, Brighton, Classen, Cook, Cornwall, Davis, Doubleday, Early, Finch, Frink, Funk, Good, Griswold, Grote, Gurley, Hendershot, Hinman, Huntley, Jackson, Johnson of Webster, Johnstion of Franklin, Klemme, Lavender, McAchran, McNulty, McQuinn, Mayne, Merriam, Miller of Buena Vista, Miller of Cherokee, Miller of Warren, Morrison of Grundy, Morrison of Keokuk, Mullin, Perrott, Potter, Putnam, Scott, Smith, Temple, Tibbitts, Wheeler, Whittier, Williams, Wood-46.

Absent or not voting:
Messrs. Bowen, Brinton, Edwards, Hayes, Hinkhouse, Jay, McArthur, Manaban, Marti, Parker, St. John, Van Houten-12.

So the motion was lost.
Mr. Cornwall moved to amend by adding to chapter 17 of the Senate bill, section 8 as it appears in the Black Code.

Adopted.
Mr. Cornwall moved to amend line 4, section 3, chapter 18, by inserting between the words "for" and "arrest" the word 'his."

Adopted.
Mr. Cornwall moved to amend chapter 18 by striking out section 5 and inserting in lieu thereof the following as section 5: "Section 5. An attorney appointed by the court to defend a person indicted for any offense shall discharge the duties imposed upon him by the court to the best of his ability without compensation. Such attorney need not follow the case into another county or into the supreme court."

Adopted.
Mr. Cornwall moved to strike out the words 'replication or," in line 2, section 12, chapter 20.

Adopted.
Mr. Cornwall moved to add to the end of section 15, chapter 20, the words "it a resubmission has been ordered;" also, add
to end of section 7, chapter 19, the words "if a resubmission has been ordered."

Adopted.
Mr. Cornwall moved to amend chapter 26, section 5, line 3, by striking out the words "if punishable by indictment."

Adopted.
Mr. Cornwall moved to strike out the word "severally" in line 2, section 10, chapter 26.

Adopted.
House file No. 94, with Senate amendments to said bill was taken up.

On the question, "Shall the House concur?" the yeas were:
Messrs. Bailey, Baker, Bird, Bowen, Brady, Brant, Brinton, Byington, Clark, Classen, Cornwall, Crow, Davis, Doubleday, Dowell, Early, Edwards, Evans, Finch, Frazee, Frink, Funk, Good, Griswold, Grote, Haugen, Hauger, Hayes, Hazen, Hendershot, Hinkhouse, Hinman, Hunt, Huntley, Jackson, Johnson of Webster, Johnston of Franklin, Klemme, Lambert, Lauder, Loomis, McAchran, McArthur, McDonald, Marti, Martin, Mayne, Merriam, Miller of Buena Vista, Miller of Cherokee, Miller of Warren, Morrison of Grundy, Morrison of Keokuk, Mullin, Nietert, Nolan, Perrott, Potter, Power, Prentis, Putnam, Ray, Reed, Scott, Smith, St. John, Sullivan, Tibbitts, Van Houten, Voelker, Watters, Wells, Wheeler, Whelan, Whittier, Williams, Wilson, Wood, Mr. Speaker-79.

The nays were:
None.
Absent or not voting:
Messrs. Allen, Bell, Brighton, Chapman, Cook, Garner, Gurley, Jay, Ladd, Lavender, Lowry, McDowell, McNulty, McQuin, Manahan, Parker, Porter, Spaulding, Temple, Thompson, Weaver-21.

So the House concurred.
On motion of Mr. Cornwall, the House adjourned until 2 P. m.

## AFTERNOON SESSION.

House called to order at 2 P. m. by Speaker pro tem. Dowell.
The Clerk proceeded with the reading of the pending bill, Senate file No. 77.

Mr. Finch moved to amend chapter 32 by resworing section 14 of said chapter, which was stricken out by the Senate; also to renumber the succeeding sections.

Adopted.
Speaker Byers in the chair.
Mr. Cornwall, from the Committee on Judiciary, moved to amend section 10 , chapter 33 , in subdivision 3 , line 1, by striking out the words "reporters and."

Adopted.
Mr. Cornwall moved to amend as follows: Page 988, chapter 35, section 2, line 8, strike out the word "he" and insert "bail." Same line strike out words "duly admitted to bail" and insert "duly fixed." In line 10 strike out the words "submit to" and insert "abide."

Adopted.
Mr. Cornwall moved to strike out words "if requested," in line 2 , section 3, chapter 35 .

Adopte二.
Mr. Cornwall moved to amend as follows: Chapter 35, section 6 , line 8 , strike out "he having been duly admitted to bail" and insert "bail having been duly fixed." Same section, line 10, strike out "submit to" and insert "abide."

Adopted.
Mr. Cornwall moved to insert after word "insane" in section 5, line 4, chapter 44 the words 'at Anamosa."

Adopted.
Mr. Cornwall moved to amend as follows: Amend chapter 22 by striking out sections $1,2,3,4$ and 5 , and insert in lieu thereof as section 1, the following, "Section 1. The rules for drawing the jury shall be the same as those provided in civil precedure." Also number section 6, "section 2."

Adopted.
Mr. Watters moved to amend chapter 11 by adding as section 24 at the end of said chapter, "Section 24 . In all cases con templated in this chapter whereupon trial thereof costs are taxed to the county, and where the county attorney has not been first consulted upon the merits thereof, the board of supervisors shall not allow the costs so taxed."

## Lost.

Mr. Cornwall moved that the rule be suspended, and that the bill be read a third time now, which motion prevailed, and the bill was read a third time.

On the question, 'Shall the bill pass?"' the yeas were:
Messrs. Allen, Bailey, Baker, Bell, Bird, Bowen, Brant, Brighton, Brinton, Byington, Clark, Classen, Cornwall, Crow, Davis, Doubleday, Dowell, Early, Edwards, Evans, Finch, Frazee, Frink, Funk, Garner, Good, Griswold, Grote, Gurley, Haugen, Hauger, Hazen, Hendershot, Hinkhouse, Hinman, Hunt, Huntley, Johnson of Webster, Johnston of Franklin, Klemme, Ladd, Lambert, Lauder, Loomis; McAchran, McArthur, McDonald, McDowell, McQuin, Marti, Martin, Mayne, Merriam, Miller of Buena Vista, Miller of Cherokee, Morrison of Grundy, Morrison of Keokuk, Mullin, Nietert, Nolan, Perrott, Porter, Potter, Power, Prentis, Putnam, Ray, Reed, Scott, Smith, Spaulding, St. John, Sullivan, Temple, Thompson, Tibbitts, Van Houten, Voelker, Watters, Weaver, Wells, Wheeler, Whelan, Whittier, Williams, Wilson, Wood, Mr. Speaker-88.

The nays were:
None.
Absent or not voting:
Messrs. Brady, Chapman, Cook, Hayes, Jackson, Jay, Lavender, Lowry, McNulty Manahan, Miller of Warren, Parker -12 .

So the bill passed and the title was agreed to.
The Journals of Monday, March 22, and Tuesday, March 23, were corrected and approved.

## MESSAGE FROM THE SENATE.

The following message was received from the Senate:
Mr. Speaker-I am directed to inform your honorable body that the Conference Committee on Senate file No. 3, a bill for an act to revise, amend and codify the statutes in relation to township and county government, has agreed on the accompanying report which has been adopted by the Senate, and the concurrence of the House is asked.
Geo. a. Newman,
Secretary.

Mr. President-The conference committee appointed by the House and the Senate on amendments to Senate file No. 3, beg leave to report that they have had the same under consideration and report the same back with the following recommendations:

That the Senate recede from its amendment to section 2, chapter 2, page 90, and that the said section 2, chapter 2, page 90 , be amended as follows: By adding after the word "over" in line $\boldsymbol{Z}$ of said section the words "except that in counties having seven supervisors elected at large and having therein a township embracing an entire city of thirty-five thousand inhabitants or over, he may be a resident of the same township; but no more than one supervisor shall be elected from such township in any
one year, and in no case shall there be more than three supervisors from each towhship."

Also strike out in line 3 the words "and who" and insert in lieu thereof the words "such supervisors."

That the Senate concur in the second amendment, in line 15, section 32, chapter 2, page 97, striking out the word "may" and inserting "shall."

That the Senate concur in the House amendment to section 33, chapter 2, page 97.

That the House recede from its amendment to section 1, chapter 4, page 104.

That the House recede from the first amendment to line 10 , section 10 , chapter 4, strixing out the word "shall" and inserting "may."

That the Senate concur in the House amendment to section 10, chapter 6, line 4, page 108.

That the House recede from its amendment to section 11, chapter 6, page 109, adding at the end of the section the words "provided the total receipts of his office exceed fifteen hundred dollars."
J. B. Classen,
G. N. Haugen, Geo. T. Baker, W. B. Hunt, Committee for the House.
C. A. Carpenter,
F. O. Ellison,
J. H. Trewin,
T. G. Harper,

March 24, 1897. Committee for the Senate.
On motion of Mr. Finch House file No. 34, a bill for an act to revise, amend and codify the statutes in relation to fire companies, was taken up and considered.

Mr. Finch moved that the rule be suspended and that the bill be considered engrossed and read a third time now, which motion prevailed and the bill was read a third time.

On the question, "Shall the bill pass?" the yeas were:
Messrs. Allen, Bailey, Baker, Bell, Bird, Bowen, Brady, Brant, Brighton, Brinton, Byington, Chapman, Clark, Classen, Cornwall, Crow, Davis, Doubleday, Dowell, Early, Edwards, Evans, Finch, Frazee, Frink, Funk, Good, Griswold, Grote, Gurley, Haugen, Hauger, Hazen, Hendershot, Hinkhouse, Hin. man, Hunt, Huntly, Johnson of Webster, Johnston of Franklin, Klemme, Lambert, Lauder, Loomis, Lowry, McAchran, McArthur, McDonald, McDowell, McQuin, Marti, Martin, Merriam, Miller of Buena Vista, Miller of Cherokee, Morrison of Grundy, Morrison of Keokuk, Mullin, Nietert, Nolan, Perrott, Porter, Potter, Power, Prentis, Putnam, Ray, Reed, Scott, Smith, Spaulding, St. John, Sullivan, Temple, Thompson, Tibbitts, Van Houten, Voelker, Watters, Wells, Wheeler, Whelan, Whittier, Williams, Wilson, Wood, Mr. Speaker-87.

The nays were:
None.
Absent or not voting:
Messrs. Cook, Garner, Hayes, Jackson, Jay, Ladd, Lavender, McNulty, Manahan, Mayne, Miller of Warren, Parker, Weaver-13.

So the bill passed and the title was agreed to.
Mr. Classen called up the report of the Conference Committee on Senate file No. 3 just messaged from the Senate, and moved that the report of the committee be adopted.

Mr. Nolan objected to that part of the report which concerns section 2 of chapter 2 , and asked that the committee recommendation on said section 2 be voted on separately.

The speaker granted the request, whereupon Messrs. Nolan and McDonald demanded the yeas and nays on this question, which resulted as follows.

On the question, "Shall the report of the committee in reference to section 2, chapter 2, be adopted?" the yeas were:

Messrs. Allen, Baker, Bell, Bowen, Brant, Brighton, Byington, Classen, Cornwall, Davis, Dowell, Early, Funk, Grote, Gurley, Haugen, Hayes, Hendershot, Hunt, Huntley, Jackson, Johnson of Webster, Johnston of Franklin, Klemme, Lauder, Loomis, McArthur, Martin, Mayne, Merriam, Reed, Temple, Thompson, Tibbits, Voelker, Weaver, Wheeler, Williams, Mr. Speaker-39.

The nays were:
Messrs. Bailey, Bird, Brady, Brinton, Chapman, Clark, Crow, Doubleday, Edwards, Finch, Frazee, Frink, Good, Griswold, Hazen, Hinkhouse, Lowry, McAchran, McDonald, McDowell, McQuin, Miller of Buena Vista, Miller of Cherokee, Morrison of Grundy, Morrison of Keokuk, Mullin, Nietert, Nolan, Perrott, Potter, Power, Prentis, Putnam, Ray, Scott, Smith, Spaulding, St. John, Watters, Wells, Whelan, Whittier, Wilson, Wood-44.

Absent or not voting:
Messrs. Cook, Evans, Garner, Hauger, Hinman, Jay, Ladd, Lambert, Lavender, McNulty, Manahan, Marti, Miller of Warren, Parker, Porter, Sullivan, Van Houten-17.

So the report of the committee in reference to section 2, chapter 2, was rejected.

On motion of Mr. Haugen House adjourned till 9 A. M. to-morrow.

Hall of the House of Representatives, Ders Moines, Lowa, Thursday, March 25, 1897.
The House met at 9 A. m., Speaker Byers in the chair. Prayer was offered by Rev. Jesse Cole of Ireton, Iowa.

PETITIONS AND MEMORIALS.
Mr. Brant presented petition of brotherhood of R. C. A. of Cedar Rapids, favoring the Temple amendment to the railroad laws.

Referred to Committee on Railroads and Commerce.
Mr. McAchran offered the following resolution and moved its adoption:

Resolved, That the Speaker appoint a committee of three to draft resolutions relative to the death of Hon. D. C. Greenleaf, who was a member of the Fifth General Assembly.

Adopted.
The Speaker appointed as such committee Messrs. McAchran, McDowell and Early.

Pending business.
Senate file No. 3 with report of conference committee on said bill.

Mr. Nietert moved to reconsider the vote whereby the House rejected that part of the conference committee which referred to section 2, chapter 2.

Carried.
Senate file No. 10, a bill for an act to revise, amend and codify the statutes in relation to elections and officers was taken up and considered.

Mr. Cook moved to amend section 32, chapter 3, line 2, of the Senate substitute, by striking out all after the word "vote," all of line 3 , and all of line 4 up to and including the word "ticket," and strike out the remainder of this section after the word 'thereto" in line 5; also, in section 33, line 2, strike out all after the word "squares," all of lines 3 and 4 , up to and including the word "rejected;" strike out the words "'whether
the circle is marked or not," in line 6, same section; in section 34 , strike out the words "circle or," in line 1 ; in section 19 , strike out the $O$ in the printed form of the ballot; also, in section 22, strike out all after the word "height" in line 3, up to and including the word "printed," in line 4.

Messrs. Power and Byington demanded the yeas and nays on this amendment, which resulted as follows:

On the question, "Shall the amendment be adopted?" the yeas were:

Messrs. Baker, Brant, Byington, Chapman, Cook, Dowell, Frazee, Frink, Garner, Hayes, Hazen, Hinkhouse, Hinman, Hunt, Jackson, Jay, Ladd, Lambert, Lowry, McDowell, Manahan, Marti, Mayne, Morrison of Grundy, Morrison of Keokuk, Nolan, Perrott, Potter, Power, Ray, Scott, Sullivan, Thompson, Van Houten, Voelkers, Watters, Wheeler, Williams, Wil-son-39.

The nays were:
Messrs. Allen, Bailey, Bell, Bird, Bowen, Brady, Brighton, Brinton, Clark, Classen, Cornwall, Crow, Davis, Doubleday, Early, Edwards, Evans, Finch, Funk, Good, Griswold, Grote, Gurley, Haugen, Hauger, Hendershot, Huntley, Johnson of Webster, Johnston of Franklin, Klemme, Lavender, Loomis, McAchran, McArthur, McDonald, McNulty, McQuin, Martin, Merriam, Miller of Buena Vista, Miller of Warren, Mullin, Nietert, Porter, Prentis, Putnam, Reed, Smith, Spaulding, St. John, Temple, Tibbitts, Weaver, Wells, Whelan, Whittier, Mr. Speaker.-57.

Absent or not voting:
Messrs. Lauder, Miller of Cherokee, Parker, Wood-4.
So the amendment was lost.

```
MESSAGE FROM THE SENATE.
```

The following message was received from the Senate:
Mr. Sphaker-I am directed to inform your honorable body that the Senate has refused to concur in the House amendments to Senate file No. 19 , in which the concurrence of the Senate was asked, a bill for an act to revise, amend and codify the statutes in relation to the board of railroad commissioners.

Gro. A. Newman, Secretary.
Mr. Clark moved to amend section 20, chapter 3, by inserting after the word "candidates" in line 3, "but any ticket certified to him in conformity to law shall be deemed sufficient, if in every other respect it complies with this act, if instead of
the candidate's name being printed thereon the space therefor is left blank allowing the voter to write whatever name as candidate for that particular office, so left blank, as he may choose, designating the choice of such candidate by a cross either in the circle at the head of the ticket, or a special designation of the candidate in the square opposite the written name."

Lost.

## MESSAGES FROM THE SENATE.

## The following message was received from the Senate:

Mr. SPEAKER-I am directed to inform your honorable body that the Senate asks to recall Senate file No. 3, a bill for an act to revise, amend and codify the statutes in relation to county and township organizations. Geo. A, Newman,

Secretary.
Also:
Mr. Speaker-I an directed to inform your honorable body that the Senate asks to recall Senate file No. 19, a bill for an act to revise, amend and codify the statutes in relation to the board of railroad commissioners. Geo. A. Newman, Secretary.

## Also:

Mr. Speaker-I am directed to inform your honorable body that the Senate has passed the following bill in which the concurrence of the House is asked:

Senate file No. 37 , a bill for an act to revise, amend and codify the statutes in relation to the practice of medicine.

> Geo. A. Newman, Secretary.

## Also:

Mr. Speaker-I am directed to inform your honorable body that the Senate has passed the following bill, in which the concurrence of the House is asked:

Senate flle No. 35, a bill for an act to revise, amend and codify the statutes in relation to the care and propagation of fish.

Geo. A. Newman, Secretary.
Also:
Mr. Speaker-I am directed to inform your honorable body that the Senate has passed the following bill, in which the concurrence of the House is asked:

Senate file No. 90 , a bill for an act to revise, amend and codify the statutes in relation to the school for the deaf.

Geo. A. Newman, Secretary.

Mr. Garner moved to amend as follows: Strike out sections 5, 6 and 7 of chapter 1 and insert in lieu thereof as section 5 the following: "Before any special election ordered by the Governor he shall issue his proclamation designating the offices to be filled and the time when such special election shall be held, and shall transmit a copy thereof to the sheriff of each county in which such election is to be held, who shall cause a copy of such proclamation to be published prior to the day of election in two newspapers in the county, if there be so many published in such county, selecting if possible papers representing the political parties which cast at the preceding general election the largest number and the next largest number of votes." Decrease the section numbers by two throughout chapter 1 , beginning with section 8 .

Lost.
Mr. Nolan moved to strike out section 19 of chapter 3, as passed by the Senate, and restore section 19 of the Black Code.

Mr . Whelan moved the previous question on section 19.
Carried.
Messrs. Byington and Hayes demanded the yeas and nays on the amendment of Mr. Nolan which resulted as follows:

On the question, "Shall the amendment be adopted?" the yeas were:

Messrs. Baker, Brant, Byington, Chapman, Cook, Dowell, Finch, Frazee, Hayes, Hazen, Hinkhouse, Hinman, Hunt, Jackson, Jay, Lambert, Lauder, Lowry, McArthur, McDowell, Manahan, Marti, Morrison of Keokuk, Nolan, Parker, Porter, Power, Ray, Spaulding, Sullivan, Voelker, Weaver, Wheeler, Whelan, Williams, Wilson-36.

The nays were:
Messrs. Allen, Bailey, Bell, Bird, Bowen, Brady, Brinton, Clark, Classen, Cornwall, Crow, Davis, Doubleday, Early, Edwards, Evans, Frink, Funk, Good, Griswold, Grote, Gurley, Haugen, Hauger, Hendershot, Huntley, Johnston of Franklin, Klemme, Ladd, Lavender, Loomis, McAchran, McDonald, McNulty, McQuin, Mariin, Mayne, Merriam, Miller of Buena Vista, Miller of Cherokee, Miller of Warren, Morrison of Grundy, Mullin, Nietert, Perrott, Potter, Prentis, Putnam, Reed, Scott, Smith, St. John, Temple, Thompson, Tibbitts, Watters, Wells, Whittier, Wood, Mr. Speaker-60.

Absent or not voting:
Messrs. Brighton, Garner, Johnson of Webster, Van Hou-ten-4.

So the amendment was lost.
Mr. Byington moved to amend section 1, chapter 2, by striking out the words "thirty-five hundred" in line 1, and inserting in lieu thereof the words "five thousand."

Adopted.
Mr. Finch moved to amend as follows: Add to section 9, chapter 3, the words "But may be held open until eight o'clock in the evening, provided a proclamation was so made at the time of opening the polls."

Messrs. Finch and Frazee demanded the yeas and nays on this amendment which resulted as follows:

On the question, "Shall the amendment be adopted?" the yeas were:

Messrs. Allen, Bird, Brady, Brinton, Byington, Chapman, Cornwall, Doubleday, Dowell, Evans, Finch, Frazee, Garner, Grote, Haugen, Hauger, Hayes, Hazen, Hendershot, Hinkhouse, Hinman, Huntley, Jay, Johnson of Webster, Ladd, Lambert, Lavender, Lowry, McArthur, McDowell, Marti, Martin, Mayne, Morrison of Keokuk, Nolan, Perrott, Porter, Power, Prentis, Putnam, Scott, Spaulding, Whelan, Wilson-45.

The nays were:
Messrs. Bailey, Bell, Bowen, Brant, Clark, Classen, Cook, Crow, Davis, Early, Edwards, Frink, Funk, Good, Griswold, Gurley, Hunt, Jackson, Johnston of Franklin, Klemme, Lauder, Loomis, McAchran, McDonald, McNulty, McQuin, Manahan, Merriam, Miller of Buena Vista, Miller of Cherokee, Miller of Warren, Morrison of Grundy, Mullin, Nietert, Parker, Potter, Ray, Reed, Smith, St. John, Sullivan, Temple, Thompson, Tibbitts, Voelker, Watters, Weaver, Wells, Wheeler, Whittier, Williams, Wood, Mr. Speaker-52.

Absent or not voting:
Messrs. Baker, Brighton, Van Houten-3.
So the amendment was lost.
Mr. McArthur moved to amend chapter 3, section 9, by changing numeral 8 to word "eight," and the numeral 7 to the word "seven," and the numeral 6 , in line 4 , to word "six."

Adopted.
Mr. Porter moved to amend chapter 3, section 17, by inserting after the word "made," in line 8, the words: "which objections in the case of candidates for State, congressional, judicial
and legislative offices where elected by the electors of more than one county, must be filed not later than fifteen days before the day of election, and in the case of officers to be elected by the electors of one county, not less than eight days before the day of election, except when nominations have been made to fill vacancies after said line."

Adopted.
Mr. McNulty moved to amend section 9, chapter 3, by striking out of line 4 the word "six" and inserting in lieu thereof the word 'seven.'

Adopted by a vote of 43 yeas to 42 nays.
Mr. Martin moved to amend section 9, chapter 3, by striking out of said section all after the word "forenoon" in line 1 of Senate bill up to and including the word "case" in line 3 and to insert the word "or."

Adopted.
Mr. Perrott moved to amend as follows: Amend section 38, line 1, page 19 of Senate bill, by striking out the word "shall" and inserting in lieu thereof the word "may."

Lost.
Mr. Manahan moved to amend as follows: Amend section 7 , chapter 6 , by adding to said section the words "and the sureties on such bond shall be liable for all money or public property that may come into the hands of such officer at any time during his possession of such office."

Adopted.
Mr. Cook moved to amend section 18, line 1, chapter 1, by inserting after the words "who shall" the words "not be a resident of any incorporeted town or city, and who shall." Section 19, line 2, insert after the word "clerk" the words "who shall not be a resident of any incorporated town or city."

Mr. Merriam in the chair.
Mr . Brinton demanded a division of the question.
The amendment to section 18 was lost.
Messrs. Brinton and Reed demanded the roll call on the amendment to section 19, which resulted as follows:

On the question, "Shall the amendment to section 19 be adopted?" the yeas were:

Messrs. Brinton, Classen, Cook, Frink, Hinkhouse, Huntley, Jackson, Lowry, McDowell, Marti, Merriam, Parker, Potter, Reed, Scott, Williams, Wilson-17.

The nays were:
Messrs. Allen, Bailey, Baker, Bird, Bowen, Brady, Brant, Byington, Clark, Cornwall, Crow, Davis, Doubleday, Dowell, Early, Edwards, Evans, Finch, Frazee, Garner, Griswold, Grote, Gurley, Havgen, Hauger, Hazen, Héndershot, Hinman, Hunt, Jay, Johnson of Webster, Johnston of Franklin, Klemme, Ladd, Lambert, Lauder, Lavender Loomis, McAchran, McArthur, McDonald, McNulty, McQuin, Manahan, Martin, Mayne, Miller of Buena Vista, Miller of Cherokee, Miller of Warren, Morrison of Keokuk, Mullin, Nietert, Nolan, Perrott, Power, Prentis, Putnam, Ray, Smith, St. John, Sullivan, Temple, Thompson, Tibbitts, Watters, Weaver, Wells, Wheeler, Whelan, Whittier, Wood-71.

Absent or not voting:
Messrs. Bell, Brighton, Chapman, Funk, Good, Hayes, Morrison of Grundy, Porter, Spaulding, Van Houten, Voelker, Mr. Speaker-12.

So the amendment was lost.
Mr. Brant moved to add to section 14, chapter 3, the words: "In case of a special election to fill vacancies in office, such withdrawal papers shall be filed with the Secretary of State seven days and with the proper auditor or clerk four days before the day of such special election."

Adopted.
Mr. Brant moved to add to section 20, chapter 4, the follow. ing: "Abstracts of votes castat special elections to fill vacancies in office shall be forwarded as soon as canvassed."

Adopted.
Mr. Brant moved to add to section 24, chapter 4, the words "Returns of elections to fill vacancies in office shall be canvassed as soon as received."

Adopted.
Mr. Brant moved to strike out section 8, chapter 2, and insert the following in lieu thereof: "Section 8. The registrars, prior to each election, except presidential elections, and after completing their registration, shall certify the names of all persons by them registered to the registrars of the ward or precinct of the same city which the registration shows such persons gave as their last place of residence, and the names of such persons so certified shall be stricken from the registry lists of the ward or precinct in which they last resided, if found thereon."

Adopted by a vote of 28 yeas to 11 nays.
Mr. Finch moved to amend as follows: Strike out section 16, chapter 3, and insert as follows: "Sec. 16. All objections or other questions arising in relation to a certificate of nomination, or nomination papers in case of nomination of State, congressional, judicial or legislative office, shall be considered by the Secretary and Auditor of State and Attorney-General, unless a person holding one of said offices is a candidate and certified as such and objections be made to his certificate of nomination, in which case the Treasurer of State with the other two State officers, shall consider such objections, and a majority decision shall be final. Such objections or questions arising in the case of a nomination for an officer to be elected to a county or township office, shall be considered by the county auditor, clerk of the district court and counly attorney, unless one of said county officers is a candidate and certified as such and objection be made to his certificate of nomination, in which case the other two county officers, with the county treasurer, shall consider such objection, and a majority decision shall be final. Objections or questions arising in case of nomination to municipal office, shall be considered by the mayor and clerk of a city, or recorder of an incorporated town, and one councilman chosen by them by lot, unless one of such municipal officers is a candidate and certified as such, in which case objections to his certificate of nomination shall be considered by the other two municipal officers above named and the third chosen from the city or town council by said two by lot, and a majority decision shall be final. When any of the above objections are made, notice shall forthwith be given to the candidates affected thereby, addressed to their places of residence as given in the certificates or nomination papers, stating that objections have been made to his certificate of nomination, also stating the time and place such objections will be considered."

Adopted.
Mr. Cook moved to add to section 18, chapter 1, the words "But not more than one of said trustees shall be a resident of any incorporated city or town."

Lost.
Speaker Byers resumed the chair.
Mr. Gurley moved to amend section 25, chapter 3, by striking out all after the word 'polls" in line 7; also, in section 5,
page 47, strike out all after the word "width" in line 5 up to and including the word "newspapers" in line 10.

House file No. 45, with senate amendments, was taken up and referred to the Committee on Pharmacy.

On motion of Mr. Morrison, of Grundy, the House adjourned till 2 p. м.

## AFTERNOON SESSION.

House called to order by Speaker Byers at 2 p. m.
SENATE MESSAGES.
Senate file No. 37, a bill for an act to revise, amend and codify the statutes in relation to the practice of medicine, was read first and second time and referred to Committee on Public Health.

Senate file No. 90, a bill for an act to revise, amend and codify the statutes in relation to the School for the Deaf, was read first and second time and referred to Fourth Division Code Revision Committee.

Senate file No. 35, a bill for an act to revise, amend and codify the statutes in relation to the care and propagation of fish, was read first and second time and referred to Committee on Fish and Game.

Pending business, Senate file No. 10.
On the amendment of Mr. Gurley which was pending upon adjournment.

Messrs. Merriam and Wood demanded the yeas and nays, which resulted as follows:

On the question, "Shall the amendment prevail?" the yeas were:

Messrs. Byington, Chapman, Frazee, Garner, Gurley, Hazen, Hinkhouse, Hunt, McDonald, McDowell, Scott, Smith, Van Houten, Williams-14.

The nays were:
Messrs. Bailey, Baker, Bird, Bowen, Brady, Brant, Brighton, Brinton, Clark, Classen, Cornwall, Crow, Davis, Doubleday, Dowell, Early, Edwards, Evans, Frink, Funk, Good,

Griswold, Haugen, Hauger, Hendershot, Huntley, Jackson, Jay, Johnson of Webster, Johnston of Franklin, Klemme, Ladd, Lauder, Lavender, Loomis, McAchran, McNulty, McQuin, Manahan, Marti, Mayne, Merriam, Miller of Buena Vista, Miller of Cherokee, Miller of Warren, Morrison of Grundy, Morrison of Keokuk, Mullin, Nietert, Nolan, Parker, Perrott, Porter, Potter, Power, Prentis, Putnam, Ray, Reed, Spaulding, St. John, Sullivan, Thompson, Tibbitts, Voelker, Watters, Weaver, Wells, Wheeler, Whelan, Whittier, Wilson, Wood, Mr. Speaker-74.

Absent or not voting:
Messrs. Allen, Bell, Cook, Finch, Grote, Hayes, Hinman, Lambert, Lowry, McArthur, Martin, Temple-12.

So the amendment was lost.
Mr. Porter moved to add to section 16, as substituted by Mr. Finch, the following: "All objections in the case of candidates for State, congressional, judicial and legislative offices, when elected by the electors of more than one county, shall be filed not later than fifteen days before the day of election, and in the case of officers to be elected by the electors of one county not less than eight days before the day of election, except that objections to nominations made to fill vacancies after said time, or in cases of nomination made to be voted on at special elections shall be filed within three days after the filing of said certificates of election."

Adopted.
Mr. Porter stated that this amendment covered the same ground as his amendment offered this morning to section 17, line 8 , chapter 3 , and asked unanimous consent to withdraw said amendment to section 17 .

Granted.
The amendment was withdrawn.
Mr. Cornwall moved to reconsider the vote whereby the amendment to chapter 2, section 1, striking out the words "thirty-five hundred" and inserting the words "five thousand" was adopted.

Carried.
The above amendment to chapter 2, section 1, was then put and lost.

Mr. Cornwall moved to reconsider the vote whereby the amendment of Mr. Cook to add to section 18 was lost.

Carried by a vote of 40 yeas to 30 nays.

The amendment of Mr. Cook to add to section 18, the words 'of which no more than one of said trustees shall be a resident of any incorporated town or city," was then put and lost by a vote of 37 yeas to 38 nays.

Mr. Parker moved to amend section 28, page 17, line 12, by inserting after the word "resident" the words "of the township or ward in any city where registration is not required, ten days."

## Lost.

Mr. Finch moved to strike out sections 32 and 33 of the Senate bill and restore sections 32 and 33 of the Black Code.

Carried by a vote of 46 yeas to 45 nays.
Mr. Whelan moved to strike out of the last line of section 19, chapter 3, the character ( X ) and insert X .

Carried.
Mr. Gurley moved the previous question.
Carried.
The question, that the rule be suspended, and that the bill be considered engrossed and read a third time now was then put, which motion prevailed, and the bill was read a third time.

On the question, "Shall the bill pass?" the yeas were:
Messrs. Allen, Bailey, Bell, Bird, Bowen, Brady, Brighton, Brinton, Clark, Classen, Cornwall, Crow, Davis, Doubleday, Early, Edwards, Evans, Finch, Frink, Funk, Good, Griswold, Grote, Gurley, Haugen, Hauger, Hendershot, Hinman, Huntley, Johnston of Franklin, Ladd, Lavender, Loomis, McAchran, McDonald, McNulty, McQuin, Martin, Mayne, Miller of Buena Vista, Miller of Cherokee, Miller of Warren, Morrison of Grundy, Mullin, Nietert, Parker, Perrott, Potter, Putnam, Reed, Scott, Smith, St. John, Temple, Thompson, Tibbitts, Watters, Weaver, Wells, Whittier, Williams, Wood, Mr. Speaker-63.

The nays were:
Messrs. Baker, Byington, Chapman, Dowell, Frazee, Hazen, Hinkhouse, Hunt, Jackson, Jay, Johnson of Webster, Klemme, Lambert, Lauder, Lowry, McArthur, McDowell, Manahan, Marti, Merriam, Morrison of Keokuk, Nolan, Porter, Power, Prentis, Ray, Spaulding, Sullivan, Van Houten, Voelker, Wheeler, Whelan, Wilson-33.

Absent or not voting:
Messrs. Brant, Cook, Garner, Hayes-4.
So the bill passed and the title was agreed to.

The following explanation of vote was filed:
Mr. Speaker-I feel compelled to vote "no" on this bill for the reason that I consider amendment by Senate to section 19, chapter 3, known as the antifusion amendment, is arbitrary, unrepublican and unconstitu"tional, so I vote "no" on the bill.

Thos. F. Nolan.

## MESSAGE FROM THE SENATE.

The following message was received from the Senate.
Mr. Speaker-I am directed to inform your honorable body that the Senate herewith returns Senate file No. 3, a bill for an act to revise amend and codify the statutes in relation to township and county government with a modified report of the conference committee, which the Senate has adopted, and in which the concurrence of the House is asked.

Geo. A. Newman,
Secretary.

## REPORT OF CONFERENCE COMMITTEE.

Mir. Sphaker-The Conference Committee appointed by the House and the Senate on amendments to Senate file No. 3, beg leave to submit this modified report of our report made on March 24, 1897, as follows;

Substitute for the Conference Committee substitute to section 2, chapter 2, page 90 , the words:
"Except that in counties having seven supervisors and having therein a township embracing an entire city of thirty-five thousand inhabitants or over he may be a resident of the same township, and in no case shall there be more than two supervisors for such township."
C. A. Carpenter,
F. O. Ellison,
T. G. Harper,
J. H. Trewin, Committee for the Senate.
J. B. Classen, G. N. Haugen, Geo. T. Baker, W. B. Hunt. Committee for the House.

MESSAGES FROM THE SENATE.

## The following message was received from the Senate:

Mr. Speaker-I am directed to inform your honorable body that the Senate herewith returns Senate file No. 19, a bill for an act to revise, amend and codify the statutes in relation to the board of railroad commissioners, having concurred in the House amendment to section 11 and refusing to concur in House amendment to section 7.

Geo. A. Newman,
Secretary.
Also:
Mr. Speaker-I am directed to inform your honorable body that the Senate has passed the following bill in which the concurrence of the House is asked:

Senate file No. 91, a bill for an act to revise, amend and codify the statutes in relation to public printing.

> Geo. A. Newman, Secretary.

Also:
Mr. Speaker-I am directed to inform your honorable body that the Senate has amended and passed the following bill, in which the concurrence of the Senate was asked:

House file No. 74, a bill for an act to revise, amend and codify the statutes in relation to mechanics' liens.

Geo. A. Newman, Secretary.
House file No. 74, with Senate amendments, was then taken up and considered.

Mr. Weaver moved that House concur in Senate amendments to House file No. 74.

On the question, "Shall the House concur?" the yeas were:
Messrs. Allen, Bailey, Baker, Bell, Bowen, Brady, Brant, Brighton, Brinton, Byington, Chapman, Clark, Cornwall, Crow, Davis, Doubleday, Dowell, Early, Edwards, Evans, Finch, Frazee, Frink, Funk, Garner, Good, Griswold, Grote, Gurley, Haugen, Hauger, Hazen, Hinkhouse, Hunt, Huntley, Jackson, Jay, Johnson of Webster, Johnston of Franklin, Klemme, Lauder, Lavender, Loomis, Lowry, McAchran, McArthur, McDonald, McDowell, McNulty, McQuin, Manahan, Martin, Mayne, Merriam, Miller of Buena Vista, Miller of Cherokee, Miller of Warren, Morrison of Grundy, Morrison of Keokuk, Mullin, Nietert, Parker, Porter, Potter, Power Prentis, Putnam, Ray, Reed, Scott, Smith, Spaulding, St. John, Sullivan, Temple, Thompson, Tibbitts, Van Houten, Voelker, Watters, Weaver, Wells, Wheeler, Whelan, Whittier, Williams, Wilson, Wood, Mr. Speaker-89.

Mr. Nolan voted in the negative.
Absent or not voting:
Messrs. Bird, Classen, Cook, Hayes, Hendershot, Hinman, Ladd, Lambert, Marti, Perrott-10.

So the House concurred.
Senate file No. 19, in which the Senate refused to concur in the House amendment to section 7, was taken up and considered.

Mr. Morrison of Keokuk moved that the House insist on its amendment to section 7.

Lost by a vote of 34 yeas to 38 nays.

So the House receded from the amendment to section 7. SENATE MESSAGES.

Senate file No. 91, a bill for an act to revise, amend and codify the statutes in relation to public printing, was read first and second time and referred to Committee on Printing.

Report of conference committee on Senate file No. 3, with modified report of that committee, substituting for report on chapter 2, section 2, another report for said section, was taken up and considered.

The new report on chapter 2, section 2, was ordered substituted in the original report in lieu of the report on said section as it now stands.

On the question, "Shall the report of the Conference Committee be adopted?" the yeas were:

Messrs. Allen, Bailey, Baker, Bird, Bowen, Brady, Brant, Brighton, Brinton, Byington, Chapman, Classen, Cook, Cornwall, Crow, Doubleday, Dowell, Early, Edwards, Finch, Frazee, Frink, Funk, Garner, Grote, Haugen, Hazen, Hendershot, Hunt, Huntley, Jackson, Jay, Johnson of Webster, Johnston of Franklin, Klemme, Ladd, Lambert, Lauder, Lavender, Loomis, Lowry, McAchran, McArthur, McDonald, McDowell, McNulty, McQuin, Marti, Mayne, Merriam, Miller of Cherokee, Miller of Warren, Morrison of Grundy, Morrison of Keokuk, Mullin, Nietert, Nolan, Parker, Perrott, Porter, Potter, Power, Prentis, Putnam, Ray, Reed, Smith, Spaulding, St. John, Sullivan, Temple, Thompson, Tibbitts, Van Houten, Voelker, Watters, Wells, Wheeler, Whelan, Whittier, Williams, Wilson, Wood, Mr. Speaker-84.

The nays were:
None.
Absent or not voting:
Messrs. Bell, Clark, Davis, Evans, Good, Griswold, Gurley, Hauger, Hayes, Hinkhouse, Hinman, Manahan, Martin, Miller of Buena Vista, Scott, Weaver-16.

So the report of the committee was adopted.
Mr. Lambert submitted the report of the committee to investigate State printing and binding, and asked that the report be printed in the Journal.

Mr. Temple stated that a minority report of the committee would be filed and asked that the report offered by Mr .

Lambert be held by the clerk and not printed in the Journal until said minority report is also submitted.

The Speaker granted the request.
On motion of Mr. Funk, the House adjourned until 9 A. m. to morrow.

Hall of the House of Representatives, Des Mones, Iowa, Friday, March 26, 1897.$\}$
The House was called to order at 9 A. M., Speaker Byers in: the chair.

Prayer was offered by Rev. T. Reeves of Des Moines, Iowa. petitions and memorials.
Mr. Frink presented petition of citizens of Page county, asking the enactment of a law for regulation of practice of medicine.

Referred to Committee on Public Health.
REPORT OF COMMITTEE.
Mr. Bowen, from the Committee on Public Health, submitted the following report:

Mr. Speaker-Your Committee on Public Health, to whom was referred Senate file No. 37, a bill for an act to revise, amend and codify the statutes in relation to the public health, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same do pass.
D. H. Bowen,

Chairman.
Ordered passed on file.
The Journals of Wednesday and Thursday, March 24 and 25, were corrected and approved.

Senate file No. 37, a bill for an act to revise, amend and codify the statutes in relation to the practice of medicine, with report of committee recommending passage was taken up, considered and the report of the committee adopted.

Mr. Power offered the following amendment: In line 11, section 5 of the Black Code, strike out the word "the" and insert in lieu thereof the words "to the advertising and."

Adopted.
Mr. Power offered the following amendment and moved its adoption: Amend section 6 by inserting after the word "immorality" the words "but a person who goes from house to house or place to place selling and advertising patent or proprietary medicines who makes no profession of being a physician or to make a diagnosis of diseases or to prescribe for the sick, is not an itinerant physician."

Mr. Klemme demanded a roll call on the adoption of this amendment, which resulted as follows:

On the question, "Shall the amendment be adopted?" the yeas were:

Messrs. Allen, Baker, Brady, Brighton, Byington, Chapman, Classen, Cook, Crow, Edwards, Frazee, Frink, Garner, Good, Gurley, Hazen, Hendershot, Hinkhouse, Hunt, Huntley, Jackson, Lambert, McDowell, McQuin, Manahan, Marti, Miller of Cherokee, Morrison of Grundy, Morrison of Keokuk, Nietert, Nolan, Porter, Power, Putnam, Scott, Spaulding, St. John, Van Houten, Williams, Wilson-40.

## The nays were:

Messrs. Bailey, Bell, Bird, Bowen, Clark, Cornwall, Davis, Doubleday, Dowell, Evans, Finch, Funk, Grote, Haugen, Hinman, Jay, Johnson of Webster, Johnston of Franklin, Klemme, Ladd, Lauder, Lavender, Loomis, Lowry, McAchran, McArthur, McDonald, McNulty, Martin, Mayne, Merriam, Miller of Buena Vista, Mullin, Parker, Perrott, Potter, Prentis, Ray, Reed, Smith, Sullivan, Thompson, Tibbitts, Weaver, Wells, Wheeler, Whelan, Wood, Mr. Speaker-49.

Absent or not voting:
Messrs. Brant, Brinton, Early, Griswold, Hauger, Hayes, Miller of Warren, Temple, Voelker, Watters, Whittier-11.

So the amendment was lost.
Mr. Morrison of Keokuk offered the following amendment and moved its adoption: Amend section 6 of Senate bill, line 10, by striking out the words "to secretary of said board for the use of said board" and insert in lieu thereof the words "to the Treasurer of State for use of the State of Iowa."

Adopted.
Mr. Allen moved to amend section 6 of Senate bill by striking out the words "two hundred and fifty", and substitute therefor the words "one hundred."

Messrs. Allen and Mayne called for the yeas and nays on this amendment, which resulted as follows:

On the question, "Shall the amendment be adopted?" the yeas were:

Messrs. Allen, Baker, Brighton, Chapman, Crow, Edwards, Garner, Gurley, Hazen, Hinkhouse, Hunt, Huntley, Jackson, McDonald, McDowell, McQuin, Perrott, Scott, Spaulding, St. John, Williams-21.

The nays were:
Messrs. Bailey, Bell, Bowen, Brady, Byington, Clark, Classen, Cook, Cornwall, Davis, Doubleday, Dowell, Early, Evans, Frink, Funk, Griswold, Grote, Haugen, Hauger, Hendershot, Hinman, Jay, Johnston of Franklin, Klemme, Ladd, Lauder, Lavender, Lowry, McAchran, McNulty, Manahan, Marti, Martin, Mayne, Merriam, Miller of Buena Vista, Miller of Cherokee, Miller of Warren, Morrison of Grundy, Morrison of Keokuk, Mullin, Nietert, Parker, Porter, Potter, Prentis, Putnam, Ray, Reed, Smith, Sullivan, Thompson, Tibbitts, Van Houten, Watters, Weaver, Wells, Wheeler, Whelan, Wilson, Wood, Mr. Speaker-63.

Absent or not voting:
Messrs. Bird, Brant, Brinton, Finch, Frazee, Good, Hayes, Johnson of Webster, Lambert, Loomis, McArthur, Nolan, Power, Temple, Voelker, Whittier-16.

So the amendment was lost.
Mr. Funk moved to amend section 7, line 3, by striking out the word "section" and substiuting therefor the word "chapter."

Adopted.
Mr. Jackson offered the following amendment and moved its adoption: Amend section 6 of the Senate bill by adding: "Nor to the representatives of any infirmary, sanitarium, or hospital located in this State, and whose staff or medical officers are legally qualified and licensed physicians and residents of the State."

Lost.
Mr. Porter offered the following amendment and moved its adoption: Amend section 7, as adopted by the Senate, by striking out the words "and in addition thereto" and insert the word "or" in lieu thereof.

Lost.
Mr. McDowell moved to amend line 2, section 8, of the Senate bill, striking out the word "eight" and inserting in lieu thereof the word "five."

The yeas and nays were demanded, resulting as follows:
On the question, "Shall the amendment prevail?" the yeas were:

Messrs. Bell, Bird, Brighton, Chapman, Clark, Doubleday, Frazee, Hazen, Hinkhouse, Hinman, Hunt, Jackson, Klemme, McDonald, McDowell, McQuin, Manahan, Marti, Scott, Smith, Tibbitts, Van Houten, Watters, Weaver, Wilson-25.

The nays were:
Messrs. Allen, Bailey, Bowen, Brady, Brinton, Classen, Cook, Cornwall, Davis, Dowell, Evans, Frink, Funk, Good, Griswold, Grote, Hauger, Hendershot, Jay, Johnson of Webster, Johnston of Franklin, Ladd, Lauder, Lavender, Loomis, Lowry, McAchran, McArthur, McNulty, Martin, Mayne, Merriam, Miller of Buena Vista, Miller of Cherokee, Miller of Warren, Morrison of Grundy, Morrison of Keokuk, Mullin, Nietert, Parker, Potter, Prentis, Putnam, Ray, Reed, St. John, Sullivan, Temple, Thompson, Wells, Wheeler, Whelan, Williams, Wood, Mr. Speaker-55.

Absent or not voting:
Messrs. Baker, Brant, Byington, Crow, Early, Edwards, Finch, Garner, Gurley, Haugen, Hayes, Huntley, Lambert, Nolan, Perrott, Porter, Power, Spaulding, Voelker, Whittier -20.

So the amendment was lost.
Mr. Garner moved the adoption of the following amendment: Amend section 7, page 523, by striking out all after the word "board," in line 4, up to and including the word "capitol" and insert the following: 'and the secretary shall receive his necessary expenses incurred for services which cannot be performed at the capitol."

Adopted.
Mr. McDonald moved the previous question which was put and carried.

Mr. Bowen moved that the rule be suspended, and that the bill be considered engrossed and read a third time now, which motion prevailed, and the bill was read a third time.

On the question, "Shall the bill pass?" the yeas were:
Messrs. Allen, Bailey, Bell, Bird, Bowen, Brady, Brighton, Brinton, Byington, Chapman, Clark, Classen, Cook, Cornwall, Davis, Doubleday, Dowell, Evans, Finch, Frink, Funk, Garner, Good, Griswold, Grote, Haugen, Hauger, Hendershot, Hinkhouse, Hinman, Hunt, Jackson, Jay, Johnson of Webster, Johnston of Franklin, Klemme, Ladd, Lambert, Lauder, Lavender, Loomis, McAchran, McArthur, McDonald, McDowell, McNulty, McQuin, Manahan, Marti, Martin, Mayne, Merriam, Miller of Buena Vista, Miller of Cherokee, Miller of Warren, Morrison of Grundy, Morrison of Keokuk, Mullin, Nietert, Nolan, Parker, Perrott, Porter, Potter, Prentis, Putnam, Ray, Reed, Scott, Smith, Spaulding, St. John, Sullivan,

Thompson, Tibbitts, Van Houten, Voelker, Watters, Wells Wheeler, Whelan, Williams, Wilson, Wood, Mr. Speaker-85.

The nays were:
Messrs. Edwards, Frazee, Hazen, Huntley, Puwer-5.
Absent or not voting:
Messrs. Baker, Brant, Crow, Early, Gurley, Hayes, Luwry, Temple, Weaver, Whittier-10.

So the bill passed and the title was agreed to.
The following motion to reconsider was filed:
Mr. Speaker-I move to reconsider the vote by which the motion to insist on the House amendment to Senate file No. 19, inserting as section 7, was lost.

> J. F. Reed.

I second the motion.
Chas. L. Early.
Without objection Sinate file No. 19 was recalled from the Senate for the further consideration of the House.

MESSAGE FROM THE SENATE.
The following message was received from the Senate:
Mr. Speaker-I am directed to inform your honorable body that the Senate herewith returns Senate file No. 19, a bill for an act to revise, amend and codify the statutes in relation to the board of railroad commissioners.

> Geo. A. Newman, Secretary.

The Speaker signed in the presence of the House, Senate files Nos. 88 and 89.

On motion of Mr. Nietert, the committee substitute for House file No. 19, a bill for an act to revise, amend and codify the statutes in relation to banks and banking institutions, with report of committee recommending passage, was taken up, considered and the report of the committee adopted.

Mr. Johnston of Franklin was called to the chair.
Mr. Weaver moved that further Consideration of this bill be deferred until Tuesday.

The Speaker resumed the chair.
Mr. Cornwall moved as a substitute for the motion of Mr. Weaver that further consideration of the bill be deferred until 2 P. м.

The substitute was adopted.
Mr. Clark was excused until Tuesday on account of sickness.

## REPORT OF SPECIAL COMMITTEE.

## Mr. Loomis submitted the following report:

Mr. Spharer-We, your joint committee appointed to investigate the amount of work completed and unfinished, beg leave to submit the following report:

Senate files, 16 bills, 277 pages, passed both houses.
House files, 37 bills, 187 pages, passed both houses.
Total, 53 bills, 464 pages, passed both houses.
Passed Senate only, Senate files 7, 119 pages.
Passed House only, House files 23, 305 pages.
Total, 424 pages.
Senate files indefinitely postponed, 21; 158 pages.
House files indefinitely postponed, 8; 45 pages.
Total, 203 pages.
Senate files enrolled, 7; 39 pages.
House files enrolled, 27; 99 pages
Total, 138 pages.
E. M. Sargent,
G. S. Gilbertson,
A. С. Нотснкiss,

Senate Committee.
A. M. Loomis,
P. A. Smith,
J. L. Wilson,

House Committee.
And further, we the House committee, find that the House has passed 769 pages of the Black Code and House files Nos. 1, 69, 88, 89, 90, 91, 93 and 94, and Senate files Nos. 88 and 89.

A. M. Loomis,<br>Chairman.

Mr. Ray offered the following resolution and moved its adoption.

Whereas, It has pleased an all wise Providence to remove from life the Hon. P. G. C. Merrill, member of this House during the Twelfth General Assembly, Be it

Resolved, That a committee of three be appointed to submit to this body fitting resolutions commemorating the life and character of the deceased.

Adopted.
The Speaker appointed as such committee Messrs. Ray, Dowell and Byington.

REPORT OF CONFERENCE COMMITTEE.
Mr. Cornwall offered the following report of the conference committee on Senate file No. 4:

Mr. Sphaker-Your committee on conference on Senate file No. 4, a bill for an act to revise, amend and codify the statutes in relation to procedure in courts of original jurisdiction, beg leave to submit the following report:

We recommend that the House recede from its amendment to subdivision 4 of section 1, chapter 2, page 696.

That the Senate concur in House amendment to section 2, line 2, chapter 3, page 697.

That the House recede from its amendment to line 4, section 2, chapter 8, page 711.

That the Senate concur in the House amendment to lines 4, 5 and 6, section 8 , chapter 8 , page 712.

That the Senate concur in the House amendment to line 4, section 10, chapter 8, page 712.

That the Senate concur in the House amendment to line 2, section 31, chapter 8, page 715.

That the following be adopted as a substitute for section 38 , chapter 9 , page 726, and amendments of the House and Senate:

Strike out in line 1 the word "he" and insert the words "the jury," and make a period after the word "sworn;" also, strike out all after the word "sworn" and insert in lieu thereof the following: "Upon the trial of a challenge the juror challenged shall be sworn, if demanded by either party, and examined as a witness and must answer every question pertinent to the inquiry thereon, but his answers shall not afterwards be testimony against him."

That the House recede from its amendment to section 52, page 728.
That the Senate concur in the House amendment to section 103, lines 18 and 19, page 735.

That the House recede from its amendment to section 20, chapter 16, page 749.

The committee further recommends that section 42, chapter 9, page 727, be amended by inserting after the word "elient" in line 8 the following: "or the client of any attorney engaged in the cause."
L. C. Blanchard,
C. A. Carpenter,
W. H. Berry, C. S. RaNCK,

Senate Committce.
W. W. Cornwall,
W. C. McArthur, F. MgNulty, C. R. Porter,

House Committee.
Ordered passed on file.

## MESSAGES FROM THE SENATE.

## The following message was received from the Senate:

Mr. Spafker-I am directed to inform your honorable body that the President of the Senate has appointed the following conference committee on the part of the Senate, on Senate file No. 4, a bill for an act to revise, amend and codify the statutes in relation to procedure in courts of original jurisdiction, viz: Senators Blanchard, Carpenter, Berry and Ranck. Geo. A. Newman, Secretary.


#### Abstract

Also: Mr. Speaker - I am directed to inform your honorable body that the President of the Senate has appointed the following conference committee on the part of the Senate, on Senate file No. 72, a bill for an act to revise, amend and codify the statutes in relation to estates of decedents, viz: Senators Carpenter, Perry, Trewin and Carney.


Geo. A. Newman,
Secretary.


#### Abstract

Also: Mr. Speaker-I am directed to inform your honorable body that the President of the Senate has appointed the following conference committee on the part of the Senate on House file No. 84, a bill tor an act to revise, amend and codify the statutes in relation to evidence, viz: Senators Pusey, Junkin, Hobart and Lothrop.


Geo. a. Newman,
Secretary.
On motion of Mr. Klemme, the House adjourned until 2 P. M.

## AFTERNOON SESSION.

The House was called to order at 2 P. m., Speaker Byers in the chair.

The pending bill, the substitute for House file No. 19, was again taken up for consideration.

Mr. Nietert offered the following amendment and moved its adoption: Amend page 2, section 6, chapter 9 of the bill in line 4, by inserting between the words "oath" and "diligently" the words, "that he will," and by striking out the word "to" in line 5.

Adopted.
Mr. Nietert moved to amend page 6, section 19, line 12, by prefixing the syllable "re" to the second word, "organization."

Adopted.
Mr. Nietert moved to amend section 21, page 7, of the bill, in line 3 , by inserting between the words "their" and "deposits" the words "commercial deposits and eight per cent of their savings;" also, amend the same section by inserting between the words "their" and "deposits," in line 5, the words "commercial deposits and eight per cent of their savings."

Mr. Martin moved to amend the amendments by striking out all except the words "commercial" in each.

Lost.
The amendment of Mr. Nietert was then adopted.
Mr. Nietert moved to amend as follows: Amend page 7, section 1, by inserting between the word 'have," at the end of line 5 , and the word "complied" in line 6 , the word "been;" also, change the chapter number on page 8 from ' 2 " to " 11 ;" also, strike out the word "violate" in section 1, line 1, page 8, and insert the word "vitiate" in lieu thereof; also, strike out of line 1 , section 3, page 8 , the word "of" and substitute therefor the word "to."

Adopted.
Mr. Nietert moved to amend page 9, section 5, subdivision 8 , by striking out all of line 2 after the word "same," including line 3 , and changing the semicolon to a period.

Adopted.
Mr. Nietert moved to amend page 12, section 15, line 4, by adding to the word "remain" the suffix "ed."

Adopted.
Mr. Nietert moved to amend page 12, section 18, line 4, by striking out the word "the," between the words "perform" and "duties," and insert in lieu thereof the word "such;" also, in the same line strike out the last three words.

Adopted.
Mr. Martin moved to amend as follows: Amend section 6, line 3, page 8 of substitute by striking out the word "ten" and insert the word "five."

Lost by a vote of 28 for to 30 against.
Mr. Neitert moved to amend section 21, line 6, by striking out the word "ten" and inserting the word "eight."

Adopted.
Mr. Early offered the following amendment and moved its adoption: Amend by substituting chapter 11, page 355 of the Black Ccde, for chapter 11 of the pending bill.

Mr. McNulty moved to amend the substitute as follows: Insert after the second word "banks," in line 1, section 6, the words "and private banks."

On the discussion of this amendment, Mr. Merriam yielded his time to Mr. Klemme.

Mr. Brinton yielded his time to Mr. Martin.
Mr. Wood yielded his time to Mr. Nietert.

Mr. Baker moved the previous question on the amendment. Lost.
A roll call was demanded on the adoption of the amendment of Mr. McNulty, which resulted as follows:

On the question, "Shall the amendment be adopted?" the yeas were:

Messrs. Bailey, Baker, Bird, Brady, Brant, Cornwall, Davis, Evans, Frink, Good, Grote, Gurley, Haugen, Hazen, Hendershot, Hinkhouse, Hunt, Huntley, Jackson, Jay, Johnson of Webster, Johnston of Franklin, Klemme, Ladd, Lauder, Lavender, Loomis, McNulty, McQuin, Marti, Mayne, Merriam, Miller of Buena Vista, Miller of Cherokee, Miller of Warren, Mullin, Nietert, Nolan, Porter, Power, Prentis, Ray, Reed, Sullivan, Temple, Thompson, Tibbitts, Voelker, Wheeler, Whittier, Williams, Wood-52.

The nays were:
Messrs. Bell, Bowen, Brinton, Byington, Chapman, Classen, Cook, Crow, Doubleday, Dowell, Early, Edwards, Finch, Frazee, Griswold, Hauger, Hinman, Lowry, McAchran, McArthur, McDonald, McDowell, Manahan, Martin, Morrison of Grundy, Morrison of Keokuk, Parker, Perrott, Potter, Scott, St. John, Watters, Weaver, Wells, Whelan, Mr. Speaker-36.

Absent or not voting:
Messrs. Allen, Brighton, Clark, Funk, Garner, Hayes, Lambert, Putnam, Smith, Spaulding, Van Houten, Wilson-12.

So the amendment was adopted.
The substitute of Mr. Early, as amended by Mr. McNulty, was then put and lost.

## MESSAGES FROM THE SENATE.

The fullowing message was received from the Senate:
Mr. Speaker-I am directed to inform your honorable body that the Senate has amended and passed the following bill, in which the concurrence of the Senate was asked:

House file No. 15, a bill for an act to revise, amend and codify the statutes in relation to roads, bridges and ferries.

Geo. A. Newman,<br>Secretary.

Also:
Mr. Speaker-I am directed to inform your honorable body that the Senate insists on its amendments to House file No. 31, a bill for an act to revise, amend and codify the statutes in relation to fences, and that the

President appoint as a conference committee thereon, on the part of the Senate, Senators Mitchell, Henderson, Everall and Palmer.

Geo. A. Newman, Secretary.
Also:
Mr. Speaker-I am directed to inform your honorable body that the Senate has passed the following bill, in which the concurrence of the Senate was asked:

House file No. 93, a bill for an act to revise, amend and codify the statutes in relation to the Normal School.

Geio. A. Newman,
Secretary.
SENATE MESSAGES.
House file No. 15, a bill for an act to revise, amend and codify the statutes in relation to roads, bridges and ferries, with Senate amendments thereto, was referred to Committee on Roads and Highways.

REPORT OF COMMITTEE ON ENROLLED BILLS.
Mr. Hauger, from the Committee on Enrolled Bills, submitted the following report:

Mr. Speaker-Your Committee on Enrolled Bills respectfully report that they have examined, and find correctly enrolled, House file No 94, a bill for an act to revise, amend and codify the statutes in relation to the uniformity, purchase and loaning of text books.
W. E. Hauger,

Chairman.
Ordered passed on file.
Also:
Mr. Speaker-Your Committee on Enrolled Bills respectfully report that they have examined, and find correctly enrolled, House fle No. 52, a bill for an act to revise, amend and codify the statutes in relation to the State College of Agriculture and Mechanics' Arts.

W. E. Hauger,<br>Chairman.

Ordered passed on file.
Also:
Mr. Speaker-Your Committee on Enrolled Bills respectfully report that they have examined, and find correctly enrolled, House file No. 43, a bill for an act to revise, amend and codify the statutes in relation to the state board of health.

> W. E. Hauger, Chairman.

Ordered passed on file.

REPORT OF JOINT COMMITTEE ON ENROLLED BILLS.
Mr. Hauger, from the Joint Committee on Enrolled Bills, submitted the following report:

Mr. Spfakfr-Your Joint Committee on Enrolled Bills respectfully report that they have examined, and find correctly enrolled, House file No. 94, a bill for an act to revise, amend and codify the statutes in relation to the uniformity, purchase and loaning of text-books.
G. S. Gilbertson, Chairman Senate Committee.
W. E. Hauger,

Chairman House Committee.
Ordered passed on file.
Also:
Mr. Speaker-Your Joint Committee on Enrolled Bills respectfully report that they have examined, and find correctly enrolled, House file No. 52, a bill for an act to revise, amend and codify the statutes in relation to the State College of Agriculture and Mechanics Arts.
G. S. Gilbertson,

> Chairman Senate Committee.
> W. E. Havaer, Chairman House Committee.

Ordered passed on file.

## Also:

Mr. Speaker-Your Joint Committee on Enrolled Bills respectfully report that they have examined, and find correctly enrolled, House fle No. 43, a bill for an act to revise, amend and codify the statutes in relation to the State board of health.

G. S. Gilbertson, Chairman Senate Committee. W. E. Hauger, Chairman House Committee.

Ordered passed on file.

## Also:

Mr. Speaker-Your Joint Committee on Enrolled Bills respectfully report that they have examined, and find correctly enrolled, Senate file No. 84, for an act authorizing the Executive Council to purchase or condemn a site on which to erect a memorial, historical and art building, to procure plans and specifications therefor, and take other preliminary steps toward its construction, and making an appropriation therefor, and to repeal chapter 115, laws of the Twenty•sixth General Assembly, regular session.

G. S. Gilbertson, Chairman Senate Committee.<br>W. E. Hauger, Chairman House Committee.

Ordered passed on file.

Also:
Mr. Speaker-Your Joint Committee on Enrolled Bills, respectfully report that they have examined, and find correctly enrolled, Senate file No. 88 , an act to provide for the payment of the mileage of the committee appointed to visit the Institution for Feeble Minded at Glenwood.
G. S. Gilbertson,

Chairman Senate Committee.
W. E. Hauger, Chairman House Committee.
Ordered passed on file.
The Speaker signed in the presence of the House the following bills, viz: House files Nos. 94, 43 and 52.

MESSAGES FROM THE SENATE.

## The following message was received from the Senate:

Mr. Speaker -I am directed to inform your honorable body that the Senate has adopted the accompanying report of the conference committee on Senate file No. 72, a bill for an act to revise, amend and codify the statutes in relation to estates of decedents.

> Geo. A. Newman, Secretary.

## Also:

Mr. Speaker-I am directed to inform your honorable body that the Senate has adopted the accompanying report of the conference committee on Senate file No. 4, a bill for an act to revise, amend and codify the statutes in relation to procedure in courts of original jurisdiction.

Geo. A. Newman, Secretary.
The following motion to reconsider was filed:
Mr. Speaker-I move to reconsider the vote by which Mr. Martin's amendment to section 6, page 8, line 3, was lost.

Frank F. Merriam.
I second the motion.
H. O. Weaver.

Mr. Van Houten was excused indefinitely on account of si ckness.

Mr. Early moved that the House adjourn until $\mathcal{G}$ A. m. to-morrow.

Lost by a vote of 33 to 55 .
Mr. Hauger moved the previous question.
Carried by a vote of 52 to 33 .
Mr. Brighton moved to adjourn until 9 A. M. to-morrow.
The motion was carried and the House adjourned.

## Hall of the House of Representatives, Des Moines, Iowa, Saturday, March 27, 1897. \}

The House met at 9 A. m. and was called to order by Mr. Dowell, Speaker, pro tem.

Prayer was offered by Rev. H. F. Moore, of Webster City.

## PETITIONS AND MEMORIALS.

Mr. Haugen presented petition of citizens of Worth county, asking passage of proposed substitute for section 5, chapter 85, acts of Twenty-sixth General Assembly.

Referred to Committee on Building and Loan Associations.
Mr. McDonald presented petition of citizens of Guthrie county, against passage of a manufacturing bill.

Referred to Committee on Domestic Manufactures.
Mr. Cornwall called up the report of the conference committee on amendments to Senate file No. 72, and moved its adoption.

The roll was called on the adoption of the report, which resulted as follows:

On the question, "Shall the report be adopted?" the yeas were:

Messrs. Allen, Bailey, Bird, Brady, Brant, Brighton, Brinton, Cook, Cornwall, Crow, Doubleday, Dowell, Edwards, Evans, Finch, Frazee, Frink, Funk, Garner, Good, Grote, Haugen, Hazen, Hendershot, Hinkhouse, Hunt, Huntley, Jackson, Johnson of Webster, Johnston of Franklin, Klemme, Ladd, Lauder, Loomis, Lowry, McAchran, McDonald, McDowell, McQuin, Manahan, Martin, Mayne, Merriam, Miller of Buena Vista, Miller of Cherokee, Miller of Warren, Morrison of Grundy, Morrison of Keokuk, Mullin, Nietert, Nolan, Parker, Perrott, Porter, Potter, Prentis, Putnam, Ray, Smith, Spaulding, Sullivan, Tibbitts, Voelker, Watters, Weaver, Wheeler, Whelan, Whittier, Williams-69.

The nays were:
None.

Absent or not voting:
Messrs. Baker, Bell, Bowen, Byington, Chapman, Clark, Classen, Davis, Early, Griswold, Gurley, Hauger, Hayes, Hinman, Jay, Lambert, Lavender, McArthur, McNulty, Marti, Power, Reed, Scott, St. John, Temple, Thompson, Van Houten, Wells, Wilson, Wood, Mr. Speaker-31.

So the report was adopted.
report of committee.
Mr. Brinton, from the Committee on Code Revision, Fourth Division, submitted the following report:

Mr. Speaker-Your Committee on Code Revision, Fourth Division, to whom was referred Senate file No. 90, a bill for an act to revise, amend and codify the statutes in relation to the school for the deaf, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same do pass.

> M. H. Brinton, Chairman.

Ordered passed on file.
The Journal of yesterday was corrected and approved.
The House here took up the pending bill, the substitute for House file No. 19.

Mr. Weaver moved to reconsider the vote whereby the previous question was carried on yesterday.

Carried.
The motion for the previous question was then put and lost.
Mr. Spaulding moved to amend section 4, line 1, by striking out the word "ten" and inserting in lieu thereof the word "five."

The amendment of Mr. Spaulding was adopted.
Mr. Morrison of Keokuk, moved to amend as follows: Amend section 6, page 2, line 4, by striking out the word "five" and insert the word "one" and drop the letter "s" from the word "shares;" also, in the same section in line 5, after the word "law," insert the words "That he will attend every meeting of the board of directors unless prevented by sickness."

Adopted.
Mr. Merriam called up his motion to reconsider the vote by which Mr. Martin's amendment was lost.

The motion to reconsider was carried.
Mr. Martin withdrew his amendment offered on yesterday and offered the following: Amend section 6, line 3, page 8, of substitute by striking out the word "ten" and inserting the word "one" in lieu thereof and to change the word "shaies" to "share."

Adopted.

Mr. Jackson moved to amend as follows: Strike out in section 6, the words "number of" at end of line 4, and "shares of" at beginning of line 5 .

Adopted.
Mr. Hinman moved to amend as follows: By inserting after the word "law," in fifth line of section 19, chapter 2 , the following: "or shall loan no funds in a manner prohibited by law."

Lost.
Mr. Ray was called to the chair.
Speaker pro tem. Dowell resumed the chair.
Mr. Finch offered the following amendment and moved its adoption: Add as section 22 of chapter 11, of the committee substitute, the following: "Sec. 22. Any individual, partnership or joint stock association that now or hereafter makes use of any office sign at the place where business is transacted having thereon any artificial or corporate name or other word or words indicating that such place is the place or office of a bank, or now or hereafter advertises by means of or makes use of or circulates any written or printed, or partly written or printed paper whatever having thereon any artificial or corporate name or any other word or words indicating that the business transacted by such parties is the business of a bank shall be known as a private banker, and shall make to the State Auditor the same reports, as near as may be, that are now or shall hereafter be required by law, of savings and State banlis, (and shall, in the conduct and settlement of the affairs of said private banks, be subject to the same control, supervision, inspection and examination as provided for said State and savings banks). No privata bank shall do business unless one or more of the owners thereof is a resident of the State of Iowa, and all reports as provided in the preceding section shall be duly verified by at least two of the persons concerned in the ownership or management of the said kusiness; provided that the provisions of this section shall not be operative until January 1, 1899."

Mr. Merriam offered the following amendment to the amendment of Mr. Finch and moved its adoption: Strike out after the word "banks" the words "and shall, in the conduct and settlement of the affairs of said private banks, be subject to the same control, supervision, inspection and examination as provided for said State and savings banks."

Mr. Finch accepted the amendment of Mr. Merriam.

Mr. Wood moved that the further consideration of this matter be postponed until Tuesday.

The motion was carried.
The following motion to reconsider was filed:
Mr. Spanker-I mpve to reconsider the vote by which Senate file No. 37 passed the House.

I second the motion.
B. M. MoQuin.
M. McDonald.

Mr. Miller of Cherokee was excused indefinitely on account of sickness.

Mr. Bell was granted leave of absence until Monday.
Mr. Cornwall called up the report of the conference committee on the amendments to Senate file No. 4, and moved its adoption.

The roll call on the question, resulted as follows:
On the question, "Shall the report of the conference committee be adopted?" the yeas were:

Messrs. Allen, Bailey, Bird, Bowen, Brady, Brighton, Brinton, Cook, Cornwall, Crow, Doubleday, Dowell, Edwards, Evans, Finch, Frazee, Frink, Funk, Garner, Good, Grote, Haugen, Hazen, Hendershot, Hinkhouse, Huntley, Johnson of Webster, Klemme, Ladd, Lauder, Lavender, Luomis, Lowry, McArthur, McDowell, McNulty, McQuin, Martin, Mayne, Merriam, Miller of Buena Vista, Miller of Cherokee, Miller of Warren, Morrison of Grundy, Morcison of Keokuk, Mullin, Parker, Perrott, Porier, Prentis, Ray, Reed, Scott, Smith, Sullivan, Temple, Tibbits, Voelker, Watters, Weaver, Wheeler, Whelan, Whittier, Williams, Wood-65.

The nays were:
Messrs. McAchran, McDonald, Potter, Putnam-4.
Absent or not voting:
Messrs. Biker, Bell, Brant, Byington, Chapman, Clark, Classen, Davis, Early, Griswold, Gusley, Hauger, Hayes, Hinman, Hunt, Jackson, Jay, Johnston of Franklin, Lambert, Manahan, Marti, Nietert, Nolan, Power, Spaulding, St. John, Thompson, Van Houten, Wells, Wilson, Mr. Speaker-31.

So the report was adopted.
On motion of Mr. Brinton, Senate file No. 90, a bill for an act to revise, amend and codify the statutes in relation to the School for the Deaf, with report of committee recommending passage, was taken up and considered.

Mr. Brinton moved that the rule be suspended, and that the bill be considered engrossed and read a third time now, which motion prevailed, and the bill was read a third time.

On the question, "Shall the bill pass?" the yeas were:
Messrs. Allen, Bailey, Bird, Bowen, Brady, Brighton, Brinton, Cook, Cornwall, Crow, Doubleday, ${ }^{\circ}$ Dowell, Edwards, Evans, Finch, Frink, Funk, Garner, Haugen, Hendershot, Huntley, Johnson of Webster, Klemme, Lauder, Lavender, Loomis, McAchran, McArthur, McDonald, McNulty, McQuin, Martin, Mayne, Merriam, Miller of Buena Vista, Miller of Cherokee, Miller of Warren, Morrison of Grundy, Morrison of Keckuk, Mullin, Nietert, Parker, Perrott, Potter, Prentis, Putnam, Ray, Reed, Scott, Spaulding, Tibbitts, Voelker, Watters, Whelan, Whittier, Williams, Wood-57.

The nays were:
Messrs. Frazee, Grote, Hazen, Hinkhouse, Jackson, Lowry, McDowell-7.

Absent or not voting:
Messrs. Baker, Bell, Brant, Byington, Chapman, Clark, Classen, Davis, Early, Good, Griswold, Gurley, Hauger, Hayes, Hinman, Hunt, Jay, Johnston of Franklin, Ladd, Lambert, Maraban, Marti, Nolan, Porter, Power, Smith, St. John, Sul livan, Temple, Thompson, Van Houten, Weaver, Wells, Wheeler, Wilson, Mr. Speaker-36.

So the bill passed and the title was agreed to.
Mr. Temple presented a report from the minority of the committee to investigate State printing and binding, and moved that the majority and minority reports be read in full.

The motion for a reading of the report was lost by a vote of 26 for to 29 against.

Mr. Temple asked that both the majority and the minority reports of the committee to investigate State printing and binding be printed in the Journal and that consideration thereof be deferred until next Tuesday.

Granted.
The following are the reports of the committee to investigate State printing and binding:

## MAJORITY REPORT.

## To the Speaker and Members of the House of Representatives of the General Assembly of the State of Iowa:

Your committee, appointed on the 8th day of February, 1897, to investigate matters pertaining to the printing of blanks and other miscellaneous job work done by the State Printer, would respectfully submit the following report:

The committee has summoned before it workmen well versed in their trades and well qualifled by extensive experience to give testimony as experts on matters pertaining to printing and binding, to aid the comraittee in making its deductions and to arrive at a conclusion as to fair and legitimate compensation for the work, as well as to a reasonable construction of the law in certain matters. In making this report, the committee has kept entirely within the evidence and existing facts, and endeavors to report simply the condition as it is found. The committee has labored at a little disadvantage by being unable to find many blanks and other jobs of printing, as the supply appears to have been exhausted and the samples presented with the bills were not kept on file. They bave, however, found and examined hundreds of forms of blanks and other miscellaneous work, and so far as possible, compared said work with the bills on file in the Auditor's office. In many instances, however, there is absolutely nothing to connect any particular job with the charge made for the same, so that an accurate checking cannot be made, and it is the opinion of your committee that a system of numbering forms and blanks similar to that in vogue with express, railday and telegraph companies, should be adopted for all State printing, and the items designated in the bills by both the name and number of the blank.

The prices charged for both composition and press work on various kinds of blanks has been exorbitant in the extreme, varying from two to twenty times as much as expert printers have testified that the work could be donefor in open competition, and in the opinion of your committee there are more than a hundred instances where these charges have been entirely unwarranted under the law and the bills should not have been paid. The law provides that for press work in printing blanks on faper smaller than folio post ( $17 \times 22$ inches), the price shall be $\$ 2$ for the first 100 impressions, and 50 cents for each additional 100 up to 500 , and each additional 100,30 cents. In order to get the benefit of these prices, everything has been construed a blank upon which there is a single line or small part of a line which is to be filled with pen or pencil. There are bundreds of small jobs upon which a fair and remunerative price for press work would have been $\$ 1.25$ per thousand, yet by the above construction of the law the State printer has charged and been paid $\$ 2$ for the first 100 , $\$ 4$ if there was 500 , and $\$ 5.50$ per thousand. For printing postal and other small cards with a blank line on them, the charge has been $\$ 5.50$ per thousand for the press work on one side, and $\$ 11$ for both sides, and in the opinion of experts these jobs cannot be called blanks under the provisions of the law.

The prices paid for the composition or typesetting on blanks have also been outrageous in the extreme, and on nearly all of the legitimate work, unjustified under the law, which provides that when a blank contains over 1,000 ems, the regular price for composition may be charged, but the
printer shall be allowed only for "type actually set up and composed." Notwithstanding the latter provision, the manner of measuring blanks has been as follows: Where there is a number of words or subheadings across the top of the blank and a column of figures numbering the line down the left hand margin, with the word "total" at the bottom, the paper sometimes being more than $16 \times 26$ inches, the entire surface of the blank has been measured solid composition, and 30 per cent added to the regular price for adjustment to ruled lines. Or if there is a line or two of type across the top of the blank and the same at the bottom, the entire surface of the blank is computed as solid composition as above. In the evidence of thoroughly competent printers, a reasonable price for the composition on said blanks would vary from $\$ 1$ to $\$ 5$ each, allowing the full union scale for wages and a legitimate business margin in addition, yet the State has paid prices varying from $\$ 20$ to $\$ 50$ each for many of them, the latter price having been made on a blank where $\$ 250$ would have been a reasonable compensation.

Another job that has claimed the attention of the committee is the supreme court docket, which for the January, 1897, term contained but 53 pages, yet the price paid for typesetting and press work alone was $\$ 515.46$, and similar charges have prevailed on every docket printed. Expert printers testify that $\$ 90$ would have been a fair price for the work, and leave a legitimate margin above the union scale of wages, from which it appears that about $\$ 1,200$ per year can be saved on the supreme court docket alone, by letting the work on competitive bids. The supreme court brief work costs the State from $\$ 120$ to $\$ 1.30$ a page, while competitive bids would reduce it to 80 cents or less.

Still another provision of the law that has been totally disregarded is that which provides that where both sides of a blank can be printed at once, the paper being turned and cut after being printed, only one impression can be charged for. Your committee has not found a single instance in which this provision of the law has been complied with, and so far as we have been able to ascertain from evidence introduced, press work has been charged on each side, and the bill thus made double what the law contemplates. While the excessive charges cited above, allowed by law or otherwise, may not be of great magnitude in any one instance, when the fact is taken into consideration that your committee checked over 700 different jobs, it will be seen that the aggregate would be a large sum. As a further comparison of prices, we find that a few State officers who have had their work done by outside job offices in the city have secured it at prices from 25 to 75 per cent less than the law as it has been construed would have allowed the State printer for the same

Some idea of the volume of blank and miscellaneous job work done for the State is shown by the statement that the cost therefor was $\$ 29,052.01$ during the years 1895 and 1896, according to the items as separated from the bill by a State official for the use of the committee

In the matter of the general investigation of the work of the State printer and the $S t a t e$ binder, done during the past biennial period, as referred to this committee by the House on Eebruary 25, we would respectfully report as follows:

In the examination of various reports, books and documents, the committee finds that the law which provides that all extracts, reports and
papers submitted with a State official's report shall be set solid, and that all tables shall be set in as compact a form as possible, has been grossly violated, and that there are thousands of pages in the documents and reports printed in 1895 and 1896 that do not in any manner conform with said law. There are hundreds of pages of rule and flgure work, the class of composition for which the State pays the highest price, 90 cents per thousand ems, that had been quadded between the lines and the headings so padded that the cost to the State has been practically double what it should have been, for both composition, press work and paper. Your committee is unable to state whether these flagrant violations of the law attached to the State printer or to the officials who ordered the work, but their existence is a fact, and the State has paid the bills.

Another leak, and one of large proportions, is in the haphazard and careless manner in which most of the reports and documents have been edited. Many of the voluminous volumes are cumbered with matter that is of no interest to the people at large, and that should never have been printed at the State's expense. This is notably true of the census report, in the compiling and printing of which thousands of dollars might have been saved without detracting materially from the merits of the work.

It is also apparent that the number of most of the reports and documents printed is very much larger than is commensurate with the wants of the people, and in many instances the number can be cut from onethird to one-half and still have an ample supply to mett all legitimate demands.

In the matter of furnishing paper to the State printer there appears to be absolutely no check upon said official. He gets whatever he calls for, and simply gives a receipt for a certain number of bundles of paper, without the slightest indication of what it is to be used for, so that there could be a checking up so as to ascertain how much of it was returned to the State. For the biennial period previous to the one for which your committee was appointed to investigate, the water mark "Iowa" was run in every sheet of State paper, without a cent of additional cost, and that would prevent the paper from being used for any other than State purposes, but for some reason unknown to the committee this water mark was left out of the paper furnished under the contract for the last biennial period. In the opinion of the committee the running of the water mark should be made a requirement in all future contracts, and the receipts taken from the State printer for paper should specify what such paper was to be used for, and when the work is returned it should be checked with the paper taken. There is at the present time about seven tons of fine book paper stored in the basement of the Capitol that has been there, according to the evidence, about $t$ wo years. It is double the size ordinarily used in book work, and was ordered on the express and repeated solicitations of the State printer, who conceived the idea that he could print thirty-two pages at a time instead of sixteen and thus make double pay for press work; but it did not prove a practical scheme, was abandoned, and the paper is still on hand because there is no cutter in the city large enough to cut it. The State printer should be required to have said paper cut at his own expense and use the same on State work.

In the matter of State binding your committee finds, on the evidences of thoroughly expert and competent binders, that a material known in binding parlance as "skiver," of a poor quality, has been used on the documents and reports bound for the State during the period we were appointed to investigate, and that the same material was used on the census report bound previous to the naming of this committee, whereas the law provides that the work shall be done in "sheep" in the following terms:
"For folding, sewing and binding in half sheep, with gilt letters for title same style as Iowa documents for 1886." Now, the experts were unanimous in testifying that "skiver" is split sheep skin, an article inferior to and in the amount of surface it will cover, cheaper than sheep skin, and that binding done in full "skiver" would not comply with the law or contract providing that it should be done in sheep. Expert and practical binders have certified their willingness to duplicate the binding of the census reports at less than one-half the price paid under the law, and under prices obtained in many states where the contract system prevails there would be a material decrease in the prices allowed at present on all other binding.

In order to ascertain the manner in which the public printing and binding is done in other states, and as far as possible the prices paid therefor, the committee entered into correspondence with the secretary of state of every state in the union and have the following to report thereon:

Alabama, let by contract every two years.
Arkansas, let both printing and binding by contract.
California owns its own printing office and publishes text-books for her schools as well as doing all other public printing.

Colorado has contract system
Connecticut, printing for general assembly needed for use before it is acted upon is done by one office at regular commercial prices. All other work is done on contract system.

Delaware lets printing by contract and it is generally divided among several offices.

Florida lets both printing and binding on contract.
Georgia lets printing by contract every two years.
Idaho has contract system.
Illinois has contract system.
Indiana has contract system.
Kansas, public printing and binding done by State printer at prices fixed by statute.

Kentucky has contract system.
Louisiana has contract system.
Maine has State printer with prices fixed by law.
Maryland has contract system.
Massachusetts has contract system.
Michigan has contract system.
Mississippi has contract system.
Minnesota has an expert State printer and work let by contract.
Missouri lets contract for public printing every six years.
Montana has contract system.
Nebraska has contract system.

New Hampshire has a State printer and prices are fized by statute.
Nevada owns its own printing offlee.
New Jersey has contract system.
New York has contract system.
North Carolina has contract system.
North Dakota lets contract every two years.
Ohio has contract system.
Oregon has a State printer with fees regulated by statute.
Pennsylvania, contract for State printing and binding let every four years.

Rhode Island, State printing and binding let by contract every five years.

South Carolina, state printer with prices fixed by statute.
South Dakota has contract system for all but miscellaneous officers, which is done under the supervision of the heads of the different departments.

Tennessee has contract system.
Texas has contract system.
Utah has contract system.
Vermont has contract system.
Virginia, printing and binding done by contract.
Washington has a State printer.
West Virginia, State printing and binding done by contract.
Wisconsin lets by contract every two years.
Wyoming has contract system.
Territory of Oklahoma, let to lowest bidder.
From the above list it appears that two states own their printing offices and control the work, seven including Iowa, havea state printer with fees fixed by law, and thirty-six the work by contract to the lowest responsible bidder. The committee was unable to procure a schedule of the prices paid for contract work in all the states, but of those secured nearly all are materially below the prices paid by Iowa, some of them being less than one-half as much.

Your committee finds that there has been expended for printing and binding during the past biennial period the following sum:

| State printing 1895 | \$59,675.36 |
| :---: | :---: |
| State printing 1896 | 42,631.36 |
| Total |  |
| State binding 1895 | \$32,977.70 |
| State binding 1896 | 30,075.55 |


Making a grand total of $\$ 165,359.97$ for the two years, or an average of $\$ 82,679.98$ per year. Taking for the purpose of comparison a general average of the prices paid in states where the contract syatem prevails the prices paid for blank and miscellaneous job work, book work and binding, when let on competitive bids to the regular offices in the city of Des Moines, as shown by evidence introduced and a proper editing of the documents, it is the opinion of your committee that more than $\$ 30,000$
could have been saved each year had the work been let by contract to the lowest responsible bidder.

All of which is respectfully submitted.

> Thos. Lambert,
> P. A. Smith,
> J. T. Jay,
> Committee.

MINORITY REPORT.
To the Speaker and Members of the House of Representatives of the General Assembly of the State of Iowa:
The undersigned, being a minority of your committee appointed on the 8th day of February, 1897, to investigate pertaining to the work of printing and binding as done for the State of Iowa, under a resolution of the House, beg leave to submit the following minority report and recommendations:

We respectfully represent and show that the investigation as conducted, is incomplete and partial, limited in its scope, both as to matters investigated and as to the witnesses called before the committee.

That our information upon the subject matter is insufficient, and that without further investigation and knowledge of the facts we are unprepared to make a finding of facts which would be just to this House and which would constitute a safe basis of action.

We respectfully show that the investigation was summarily closed by the action of the majority before the testimony of expert and competent witnesses whom we desired had been taken and before witnesses whose evidence had been taken in part had finished their testimony.

That this committee understood the object of the investigation as ordered by the House to be for the purpose of obtaining information on which to base the work of preparing a revision of or substitute for chapter 5, of title II of the Code of Iowa.

That the undersigned insist that it was not part of the duty of this committee to construe the law, nor to make findings of law upon the facts, and we most respectifully dissent from all conclusions of law as contained in the majority report.

The minority find that the number of blanks used for convenience and dispatch of business, has increased largely since the enactment of the law now in force, by reason of the larger scope of state control of various branches of business in the State.

That the law of 1888 failed to provide strictly enough for the prices to be paid for the printing of such blanks, leaving too much to inference and analogy, and subject to interpretation.

That the officers whose duty it is to provide said necessary blanks and to fix the compensation for the same, have been compelled to depend upon analogies, and in some cases to call in expert printers, in order to determine the methods of measuring the work, and may in some instances have been misled.

We believe that this matter ought to be remedied in the law which may be enacted at this session, and that a more complete schedule should be contained therein, and that some direction for measuring work in the matter of blanks should be provided by law.

We concur in the majority recommendation as to a system of numbering forms and blanks, and preserving the samples of the same with the cost thereof

We believe that the price paid for a certain portion of the blanks in use has for many years been disproportionately high, and certainly much higher than this class of work could have been procured to be done if procured at competitive rates, but the amount of such work has been a small percentage of the printing done for the State.

The custom of measuring blanks as solid where top and bottom or the top and one side contains printed matter has been the custom ever since the present law was enacted, and has been brought about by an effort to conform to the terms of an obscure law, aided by advice of experts who were called to the aid of the officials charged with the duty of measuring up the work.

We dissent from the statement made on page three (3) of the majority report, that another provision of the law has been totally disregarded which provides that where both sides of a blank can be printed at once, the paper being turned over and cut after printing, only one impression should be charged for. There is no evidence before the committee that any such work had been done, and that any apportunity had been offered to do such work under the provisions of the law. We further dissent from the statement on page four (4) of the majority report as misleading and calculated to convey an erroneous impression. The statement is as follows: "Some idea of the volume of blank and miscellaneons job work done for the State is shown by the statement that the cost therefor was $\$ 29,052$. 01 during the years 1895 and 1896 , according to items as separated from the bills by a State official for the use of the committee." The miscellaneous job work referred to in the report outside of the blanks does not appear to be open to criticism, and the total amount of the blanks printed during the two (2) years is only about $\$ 9,500.00$. The remainder of the item is made up of job work done at book rates in which the law appears to have been strictly complied with.

We respectfully dissent from the conclusions of the majority as found on page five (5) of their report. We find no evidence of the statement that there are hundreds of pages of rule and figure work printed in flagrant violation of the law. While we do not believe it our duty to construe the law we feel it incumbent upon us when we quote the law to quote it correctly. The majority have attempted to quote a paragraph of section 124 of MeClain's Code as follows: "And all tables shall be set in as compact a form as possible" The paragraph correctly quoted is as follows: "No tables of any character shall be leaded, and all tables shall be set in as compact a form as practicable." In order to make certain valuable table work practicable some of the officials, furnishing material to the State printer for reports, have directed that the work be set in open form, in order that the eye may more nearly follow the lines, and this manner of doing the work has prevailed for many years past. The amount of such work done during the years 1895 and 1896 is comparatively very small, and the order to the State printer for the doing of the work in this form was presented before the committee. We are unable in this matter to find any flagrant violation of the law, but we state as a matter of fact that we
believe such work to be done under a reasonable eonstruction of the law, and for the purpose of making the work practicable and useful. We concur heartily in the opinion of the majority that too large a volume of reports and documents has heretofore been printed, and that much of the matter printed in the necessary volumes might be omitted without materially diminishing the value of the work.

We concur in the recommendation of the majority that a more accurate method be used in furnishing paper to the State printer, and that the work be checked up on its return. We find no evidence justifying any suspicion that any of the paper furnished by the State has been diverted to any other use than that of the state work. We do not believe that there is any evidence justifying any reference to the omission of the water mark "Iowa" from the State paper. It was never found in the paper used by the State except in the purchase made in 1893, when it was placed there by the company furnishing paper as a gratuity, and there was no purpose nor intent in having it placed upon the paper.

We find that the book paper of double size referred to in the majority report is being used by the State printer, and we find from the evidence no facts which justify any allusion to it in this report. We most respectfully dissent from the use of all euphonious adjectives such as "outrageous," "flagrant," and other like terms, as being unwarranted by any evidence submitted to the committee.

In the matter of State binding we find from the evidence and by personal inspection of the documents and reports on file in the document room and the various departments that the quality of law-sheep known as "skiver" has been used in the public binding, where sheep was used at all, for a period of thirty ( 30 ) years or more. We find as a matter of fact that sheep-binding leathers are known to the trade by the technical terms distinguiehing between larger, thicker and more matured skins and those that are smaller and less matured. The latter are dressed and prepared for use of the natural thickness, while the larger skins require dressing down to a uniform thickness. These are passed through a machine which splits off the inner surface, leaving the outside of the required thickness, and are called "skivers" or "skivered skins." The outside or skin proper is used for book binding, while the inside is surfaced and dressed for use where very light binding may answer the purpose. Skiver and skivered skins are graded according to the quality, and the price of each depends upon the grade. We have been unable to get the testimony of manufacturers or dealers as to their comparative cost and value, but from the tertimony we have been able to obtain, we conclude that "skivered skins" cost the same or more than unskivered skins, and if of good quality are fully as valuable for the purposes of binding. The law of 1888, which is now in force, prescribes as follows: "For folding, sewing and binding in one-half sheep, with gold letters for the title, same style as Iowa documents for 1886, etc." We find that the documents of 1886 prescribed as the standard were bound in skivered leather, as has been all the work for the past thirty years, and while we refrain from construing the law, we believe it was the legislative intent to continue the style of work theretofore in use, and that the present State binder has in good faith complied with the law in both its letter and spirit.

We find from the testimony that the work done within the past biennial period is a good average in work done for the State during any ten years of its existence. We find no evidence justifying any insinuation that the quality of the work done by the State binder has been in any manner changed since the naming of this committee. The minority has not had access to the evidence referred to by the majority in relation to the cost of work in other States. Referring to the conclusions as to cost and expense found on page twelve (12) of the majority report, we desire to call attention to a simple fact. The cost of State printing for 1895 is given in the majority report at $\$ 59,675.36$, while the evidence is that this sum was the total cost of the State printing for the biennial period beginning June 30, 1893, and ending on June 30, 1895, making an annual cost for the biennial period of $\$ 29,837.68$. The cost of printing for the year 1896 is given at $\$ 42,631.36$ and is largely above the average for the reason that it comprises the printing for a session of the General Assembly, and the printing of the State census, making an extraordinary amount of printing during that year, and an amount which would not be necessary until 1906 were the present method of taking the census continued. The same erroneous statement is made in reference to the State binding, the cost for 1895 being given as $\$ 32,977.70$, when in fact said figures represent the cost of the biennial period from June 30, 1893, to June 30, 1895, showing an annual average expenditure for State binding during the biennial period of $\$ 16,48885$. The total error in the conclusions of the majority amounts to $\$ 46,376.53$, which trifling error ought to be corrected for the information of the General Assembly before it can draw from the report safe conclusions.

We beg leave to call attention to the cost of public printing and binding for a series of biennial periodsas follows: The total cost for printing from June 30 , 1889, to June 30 , 1891, was $\$ 48,957.27$ or an annual average of $\$ 24,428.63$; the cost from June 30,1891 , to June 30 , 1893 , was $\$ 56,690$ 82, or an annual average of $\$ 28,345.41$; the cost of the biennial period from June 30, 1893, to June 30, 1895, has been given, and in this connection we desire to call the attention of the General Assembly to the fact that in this aggregate is embraced the item of the preparation of the blanks and other necessary stationery for the taking of the census of 1895 . The cost of the State binding from June 30, 1889, to June 30, 1891, was $\$ 27,74634$ or an annual average cost of $\$ 13,87317$. The cost of State binding from June 30, 1891, to June 30, 1893, was $\$ 30,047.24$, or an annual average cost of $\$ 15,023$ 62. The cost of State binding from June 30, 1893, to June 30, 1895, was $\$ 32,977.70$, or an annual cost of $\$ 16,468.85$. The cost of the State binding for 1896 is correctly given in the majority report, but it embraces the great addition made by the binding of the census, and the work of the Code Commission and the regular work of the session of the Twenty-sixth General Assembly.

It will be observed that the cost of both printing and binding has gradually increased during the three biennial periods compared, but the increase has been by reason of the largely increased amount of work undertaken by the State.

We call attention to the fact that while the majority have strenuously insisted that the investigation was confined to two gears, to-wit: 1895 and 1896, they have in their summary and conclusion given the figures for the
biennial period commencing July 1, 1893, and ending June 30, 1895, as the cost of printing and binding for the calendar year 1895, embracing eighteen months of the time of former officials and have omitted all reference to the period of six months, from July 1, 1895, to January 1, 1896.

We would call the attention of the house to the testimony taken. This committee was appointed on February 8, and its first meeting to take testimony was held March 3, at which time the testimony of F. R. Conaway, State printer, and his partner, A. B. Shaw, was taken.

March 4 S . N. Spotts, formerly in the employ of Mr. Young in the Capital office, and Lieutenant-Governor Parrott were examined. On the following day P. C. Kenyon and Walter F. Tregae, of Des Moines testifed. The next meeting was held March 9, when Otto Nelson, formerly State binder, and Mr. Larsen appeared before the committee. No meeting was held from that time until March 20, when Secretary of State Dobson, Ex-Deputy Secretary of State Byrkit and Will K. Swander were examined. The last meeting was held on March 22, when J. B. Carl testified.

This makes a total of thirteen witnesses who have been before the committee. Of these, Conaway, Shaw and Young are subjects of investigation. S. N. Spotts admits in his testimony that personally he knows nothing about practical binding. The testimony of the Secretary of State has little bearing on the investigation and Mr. Byrkit gave no testimony relating to the quality of binding or the prices paid. This leaves only seven witnesses who can in any manner be termed experts. Lieut. Gov. Parrott testified only relating to the printing of blanks, and although for many years he has been the proprietor of one of the largest printing and binding houses in the State and was for several years State binder he was not asked a single question in regard to the binder.

Walter F. Tregea is foreman of the Register job printing department. He testified in regard to the printing of blanks, and although he stated that the prices paid for composition on reports and other work where straight composition is required is reasonable, no reference is made to his testimony by the majority of the committee. He admits in one part of his testimony that he knows little about binding. In the latter part of his testimony he qualified at least four of his answers in regard to the quality of binding and material used with the expression, "but I am not an expert," yet these "qualifications to his answers do not appear in the transcribed testimony. He also testified that none of the offices in the city could do the printing required by the State, yet the majority report in no manner makes any reference to this part of his testimony nor does it draw any conclusion therefrom.

In proof of our assertion we quote the following from his testimony:
Q. In your opinion if the work were let in open competition, what would be the price of the class of work shown in the Iowa documents? Make three statements; one on plain composition; one when there are three on more justifications; one on rule and figure work.
A. There are very few job offices that are fixed to handle this kind of work at any time. Plain composition ought to be fifty cents.
Q. You think there is no office that would underbid the present prices in Iowa?
A. I would not say that.
Q. In your opinion you would not reduce the price?
A. No sir.
Q. Do you consider that the first table in census report could be set so that space could be saved?
A. I do not see how it could.

From the close of Mr. Tregea's testimony the chairman of the committee seems to have had all the evidence wanted concerning the cost of printing, outside of the blanks, for no other witness was asked a question regarding the subject.

Mr. Spotts stated in his testimony that he had no personal knowledge concerning the binding business, yet his testimony occupies more space on the transcripts than that of any other witness. He is permitted to testify regarding the quality of the work, the nature of material, and the cost of binding, when nearly every answer is qualified by the statement that he speaks only from information given him by an ex-binder and other binders. He assumes to enlighten the committee concerning the expenses of operating the State binder's office, and names from memory $\$ 13,400$ as the total amount of all expenses including material. He admits that he made no memoranda and had not seen the books for some time previous to giving his testimony. He says that he recalls from memory bills and expenses which he paid while in the employ of Mr. Young, in 1895 , amounting to $\$ 13,400$, which he thinks covers all the expenses. He testified that the profls of the State bindery for 1895 were $\$ 17,600$. The absurdity of his testimony will be observed when the fact is considered that the cost of binding for 1895 was $\$ 16,244.08$, or $\$ 1,155.92$ less than the alleged profits, according to information furnished us by the State Auditor.

Otto Nelson, who was State binder for two terms preceding Mr. Young, testified that the binding of the documents of 1896 and the census is poor, regarding workmanship, and that the leather used is the very poorest quality of skiver. He says that the use of skiver is in direct violation of the law, and yet reliable witnesses testify that Mr. Nelson, when State binder, used only skiver where any kind of leather was required. Every material part of his testimony is directly contradicted by at least two of the otber witnesses, and he is not materially sustained by any other testimony.

Will H. Swander is foreman for the printing house of Carter \& Hussey. He tessified that he does not know the difference between skiver and sheep and has no practical knowledge of binding. His testimony is confined entirely to the blanks.

G A. Larsen testified that he is a practical binder, and although he did not say so in his evidence, it is understood that be was at one time employed in the State bindery. His testimony relates entirely to definitions and descriptions of skiver and the quality of the material used in the binding of the documents, the House and Senate Journals of 1896 and the census. His testimony is also contradicted in several material points by other witnesses.
P. C. Kenyon of Des Moines, who has been a practical printer for thirty-four years, and for a number of years has been engaged in the general printing and binding business, was before the committee. His
testimony so far as the printing is concerned was confined entirely to blanks. Mr. Kenyon appeared on March 6, and was the first practical binder before the committee. He was shown samples of other binding than the bound documents and census. He testified that forty-five cents per volume would be a fair price for the horticultural and agricultural reports for which the State pays thirty-three cents per volume. He also stated that the State price for binding the Treasurer of State's and similar reports is reasonable. The following questions and answers are taken from the evidence:
Q. What would you consider a legitimate compensation for the composition on the 53 pages of the supreme court docket?
A. (Is to answer after looking up.)
Q. At what price would you bind 20,000 copies of the census report of Iowa, the same style and material as that used in the sample we submit?
A. (Will have to take time to look that up?)

Mr. Kenyon took with him by direction of the committee a sample page of the court docket and a copy of the census, with instructions to make the necessary computations to supply answers to questions quoted above, but he was never recalled.

The chairman of the committee evidently did not want to hear anything more in regard to the binding of official reports, reports of the Horticultural and Agricultural societies, etc. Mr. Kenyon was the only witness questioned concerning them.
J. B. Curl, foreman of the bindery department of Carter \& Hussey, testified that he had been in the bindery business for twenty-eight to thirty years. He stated that he was thoroughly familiar with all kinds of material entering into binding. He was connected with the State bindery about 1874. He said that the Code of 1873 was bound in skiver and that since 1874 skiver had been used on all of the State documents. The chairman of the committee questioned Mr. Curl only regarding the bound documents of 1896 and the census. At the conclusion of his testimony the minority of the committee insisted that Mr. Curl should go to the document room and make a general examination of the documents of 1896 and also the binding done by the present State binder. To this the chairman of the committee most strenuously objected. He referred to the section of the Code which provides that the documents shall be bound in half sheep and lettered after the manner of the documents of 1886, claiming that the law required that the documents should conform to those of 1886 only so far as lettering is concerned. Considering that the chairman had asked every witness to compare the leather of the documents of 1896 with the leather found on the documents of 1886 , your minority regarded the position taken by the chairman a most remarkable one. However, when the matter was insisted upon, the chairman yielded and the committee accompanied Mr. Curl to the document room. Any fair minded man who will examine the documents of 1886 , found in the document room, and compare them with the two samples which the chairman of the committee procured and used as samples to show to witnesses, will easily be convinced that it would require a most diligent search to find anything in the document room from the 1886 binding with leather equal to that on the books used in the committee room as samples.

Mr. Curl made a thorough examination of the documents and after doing so gave his conclusion to the committee. The clerk was not present and no stenographer's report was made of his findings. In substance he stated that he found the binding done by Mr. Young was fully equal in general workmanship and in quality of material to that of 1886, and that as compared with many other documents they were superior. It was agreed by the committee that the findings of Mr. Curl should appear as a part of his evidence, but for reasons which your minority has no means of explaining, that portion of his testimony is omitted.

We would respectfully submit that this is a fair review of the scope of the testimony that has been taken by your committee. It is our understanding that this committee was to make a thorough investigation of the printing and binding business done by the State printer and the State binder.

The printing and binding for the State is a most important part of the State service. It involves a vast amount and a great variety of work, costing the State many thousands of dollars. The work has been greatly increased recently by the publication of the Black Code and the State census. In ordinary years the printing consists of a limited number of blanks, a considerable amount of miscellaneous job work and a vast amount of reports, public documents, Senate and House Journals, bills, etc. Of the binding there are 1,500 copies, consisting of four and sometimes five volumes, which the law requires to be bound in half sheep, after the style of 1886. There are more than one hundred thousand volumes of documents biennially which the law requires shall be bound in cloth or paper. There are also vast quantities of small reports, House Journals, bills, etc., which are required to be stitched by the State binder.

We would call attention that no witness appearing before the committee was questioned as to the cost of binding in paper or by stitching. Only one witness was asked concerning the price of binding in cloth. There is no evidence before the committee regarding the general-character or quality of the binding of any of the State work except that of the 1500 copies of the bound documents and there is practically no testimony concerning the character or quality of the binding of these documents aside from one material, the leather. No witness has been asked a question concerning the quality of the cloth used, except a reference to the Geological report, nor has there been any investigation of the character of the board covers.

Of the printing the investigation, with the exception of two or three lines relating to composition on documents, has been confined entirely to blanks. There has been no investigation of the costs of press work on documents, of the quality of the press work nor in fact of anything that gives your minority any information upon which we could base an intelligent or fair report concerning the general character of the work.

It is our opinion that fully nine-tenths of the work done in any year by the State printer and binder has practically received no attention at the hands of your committee. Neither do we think that the evidence concerning the work which has been investigated is sufficient to warrant any just conclusion. From the start there appeared to be a differense between the chairman of the committee and your minority concerning the
scope and extent of the investigation that should be made. We have in no manner interfered with the investigation conducted under the direction of the chairman of the committee. He had the investigation in his own hands from the eighth day of February to the twenty-second day of March, a total of forty-two days. It will be seen that in that time but seven meetings were held at which evidence was taken, and at which thirteen witnesses were examined, only seven of whom, as we stated before, could $n$ any manner be considered as expert witnesses.

It has never been our intention to make a report until a thorough investigation along the lines directed by the House had been made. It was to that end that we insisted upon Mr. Curl giving specific testimony concerning the work in general, and the only reason that we are obliged to make this minority report to the House without having evidence upon which to arrive at a satisfactory conclusion, is because the majority of the committee refused to permit us to subpeena witnesses or to bring in testimony.

We submit that the questions, as shown by the testimony recorded, as well as their scope, would warrant the conclusion that the chairman was acting more as a prosecutor determined to convict than to arrive at conclusions based upon a thorough and impartial investigation.

We would respectfully call the attention of the House that the majority report contains a positive declaration that the law, in a number of particulars, has been flagrantly and grossly violated, and that the State has been wronged out of large sums of money. The majority report without any evasion, charges that State officials have been parties to such flagrant and gross violations of law and have participated in a great wrong against the State. While we do not believe that the testimony warrants any such conclusions, yet we would call attention that under the report of the majority of the committee, which becomes a part of the records of the State, a serious charge is made against the State printer and binder and against officers high in official position. It is a fact that whatever disregard of law may now exist has been the rule for a long term of years, therefore the majority report involves the good name, not only of present State officials, but of others who have gone from office, and even including honored citizens of the State whose tongues have been silenced in death and whose families and friends are thereby involved in these serious charges.

We do not think that this House will for a moment permit these charges of criminal doings to stand against men whose lives have been examples of honorable action and high regard for personal and official integrity without ordering an investigation that will fasten whatever wrong doing there may be, or may have been, upon the guilty persons and thus free from suspicion those who are innocent.

Believing that the investigation has been limited in scope, partial and unfair in its manner of conduct, and that as stated in the majority report, has arrived at no conclusions as to who are guilty, if any, we therefore ask the House to order your committee to make a speedy and thorough investigation of the subjects referred to in these reports, and to that end we ask that full authority be given to employ a competent court stenographer, send for necessary witnesses and papers and that the
committee be clothed with such other power as the House in its wisdom may deem proper.

All of which is respectfully submitted.
M. L. Temple.

David Brant.

## MESSAGE FROM THE SENATE.

The following message was received from the Senate:
Mr. Speaker-I am dircted to inform your honorable body that the Senate asks to recall Senate file No. 4, a bill for an act to revise, amend and codify the statutes in relation to procedure in courts of original jurisdiction.

> Geo. A. Newman,
> Secretary.

Mr. McArthur moved to adjourn until 2 P. m. Monday.
Mr. Merriam moved to amend by making it 2 P. M. to-day.
A roll call was demanded on the amendment of Mr. Merriam and resulted as follows:

On the question, "Shall the amendment be adopted?" the yeas were:

Messrs. Brant, Crow, Doubleday, Grote, Haugen, Hazen, Huntley. Johnson of Webster, McAchran, McDowell, Merriam, Nolan, Potter, Ray, Spaulding, Voelker, Whelan, Williams-18.

The nays were:
Messrs. Allen, Bailey, Bird, Brady, Brinton, Cook, Cornwall, Dowell, Edwards, Evans, Finch, Frazee Funk, Garner, Good, Hendershot, Hinkhouse, Jackson, Ladd, Lauder, Lavender, Lowry, McArthur, McDonald, McNulty, McQuin, Mayne, Miller of Buena Vista, Miller of Cherokee, Miller of Warren, Nietert, Parker, Perrott, Porter, Prentis, Putnam, Reed, Scott, Smith, Sullivan, Temple, Tibbitts, Watters, Whittier, Wood-45.

Absent or not voting:
Messrs. Baker, Bell, Bowen, Brighton, Chapman, Clark, Classen, Davis, Early, Frink, Griswold, Gurley, Hauger, Hayes, Hinman, Hunt, Jay, Johnston of Franklin, Klemme, Lambert, Loomis, Manahan, Marti, Martin, Morrison of Grundy, Morrison of Keokuk, Mullin, Power, St. John, Thompson, Van Houten, Weaver, Wells, Wheeler, Wilson, Mr. Speaker-37.

So the amendment was lost.
The original motion to adjourn was then carried, and the House adjourned till 2 p. M. Monday.

## The House met at 2 P. M., pursuant to adjournment, Speaker

 Byers in the chair.Prayer was offered by Rev. Levi Jarvis of Moulton, Iowa. reports of committees.
Mr. Funk, from the Committee on Ways and Means, submitted the following report:

Mr. Speaker-Your Committee on Ways and Means, to whom was referred substitute for Senate file No. 8, a bill for an act to revise, amend and codify the statutes in relation to the revenue, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the house with the recommendation that the same do pass with the following amendments:

Page 1, chapter 1, section 1, line 5, after the word "revenue" insert the words "including support of the poor."

Page 5, section 9, line 3, after the word "amount" insert the word "of."
Page 6, section 16, line 13, all is stricken out after the word "assessment" to the end of the section.

Page 8, section 21, all is stricken out down to and including the word "assessed" in line 9 and the following inserted in lieu thereof:
"The shares of stock of any corporation organized under the laws of this State, except those which are not organized for pecuniary profit, and except corporations otherwise provided for in this chapter, shall be assessed to the owner thereof, at the place where its principal business is transacted; the assessment to be on the value of such shares on the first day of January of each year, but in arriving at the total value of the shares of stock of such corporations, the amount of their capital actually invested in real estate, chattels, moneys and credits owned by them, shall be assessed in the assessment district, in or without the State where located or held, and shall be deducted from the real value of such shares, and such real estate, chattels, moneys and credits, shall not be otherwise assessed."

Page 16, section 45, line 8, after the word "navy," change the word "or" to "nor."

Page 23, section 69, line 6, after the word "board," all is stricken out down to and including the word "town" in line 7 .

Page 24, section 70, line 14, insert at the end of the section the following: "and any taxpayer taking such appeal shall file a bond for costs."

Page 24, section 71, line 12, strike out the figures " 50 " and insert the word "fifty."

Page 29, section 97, line 6, strike out all after the word "vendee" to the end of the section.

Page 30, section 6, line 9, after the word "sale," insert the words "or should no collector be appointed or should he fail to institute proceedings to collect said delinquent taxes the treasurer shall."

Page 45, chapter 4, section 1, line 10, change the word "donor" to "donee."
Page 45, section 1, line 6, after the word "wife," insert the words "brother, sister."

Page 45, section 3, line 3, after the word "value," insert the following: "After deducting debts for which the estate is liable."

Page 45, section 3, line 5, after the word "appraisement" insert the words "unless a longer period is fixed by the court."

Page 45, section 4, line 3, after the word "wife" insert "brother, sister."
Page 47, section 9, line 3, strike out the words "one year" where they occur and insert "fifteen months."

Page 47, section 9, line 4, after the word "trustee" insert the words "unless a longer period is fixed by the court."

Strike out all of section 11, page 47, and insert the following in lieu thereof: "It is hereby made the duty of all executors, administrators or trustees charged with the management or settlement of any estate subject to the tax provided for in this chapter, to collect and pay to the Treasurer of State the amount of the tax due from any devisee, grantee or donee of the decedent, except in the cases falling under the provisions of sections 4 and 5 hereof, in which case the Treasurer of State shall collect the same. Applications may be made to the district court by such executor, administrator, trustee or State Treasurer to sell the real estate subject to said tax in an equitable action, or if made to the court having charge of the settlement of said estate, the proceedings shall conform as nearly as may be to those for the sale of the real estate of a decedent for the settlement of his debts."

## J. H. Funk, <br> Chairman.

Ordered passed on file.
Mr. Watters, from the Committee on Roads and Highways, submitted the following report:

Mr. Speaker--Your Committee on Roads and Highways, to whom was referred House file No. 15, a bill for an act to revise, amend, and codify the statutes relating to roads, bridges and ferries, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the House concur in all Senate amendments except Senate amendment to section 26, line 1, chapter 2, by striking out the word "two" and inserting "one and one half" in lieu thereof; also, nonconcurrence in Senate amendment to section 35, by striking out the words "or any other variety of thistles;" also, by striking out of line 4 the words "which in no case shall exceed two dollars per day for such services;" also, nonconcurrence in Senate amendments to section 45 , by adding to said section 45 the words "and in no case shall the county be liable for damages;" also, nonconcurrence in Senate amendments to section 2, chapter 3, by inserting after the word
"charge," in line 2, the words "or toll bridges over the rivers constituting the boundary lines of this State, excepting the operating of street cars." H. B. Watters, Chairman.
Ordered passed on file.
Mr. Temple, from the Committee on Code Revision, Division No. 1, submitted the following report:

Mr. Speaker - Your Committee on Code Revision, Division No. 1, to whom was referred House file No. 17, a bill for an act to revise, amend and codify the statutes in relation to the Agricultural Society, etc., beg leave to report that they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the House concur in all Senate amendments except the amendment to section 19, which your committee recommends to be stricken out of section 19 and inserted in section 4 after the word "societs" at the end of the fifth line, and that it be modified to read as follows: "There shall be printed thirty-five hundred copies of the report, one-half of which shall be bound in muslin covers in style uniform with the Horticultural Report, and the balance in board covers similar in style to the acts of the General Assembly "

M. L. Temple,<br>Chairman.

Ordered passed on file.

## MESSAGES FROM THE SENATE.

The following message was received from the Senate.
Mr. Speaker-I am directed to inform your honorable body that the Senate has refused to concur in House amendments to section 11, chapter 2, page 787; section 8, chapter 2, page 787; section 37, chapter 3, page 791; Senate file No. 78, a bill for an act to revise, amend and codify the statutes in relation to procedure to revise, vacate, or modify judgments.

Geo. A. Newman, Secretary.

## Also:

Mr. Speaker-I am directed to inform your honorable body that the Senate has refused to concur in House amendments to Senate file No. 36, a bill for an act to revise, amend and codify the statutes in relation to the practice of dentistry.

Geo. A. Newman, Secretary.
Also:
Mr. Speaker-I am directed to inform your honorable body that the Senate has amended and passed the following bill, in which the concurrence of the Senate was asked:

House file No. 21, a bill for an act to revise, amend and codify the statutes in relation to internal improvements.

Gho. A. Newman, Secretary.

Also:
Mr. Speaker-I am directed to inform your honorable body that the Senate has passed the following bill in which the concurrence of the House is asked:

Senate file No. 48 , a bill for an act to revise, amend and codify the statutes in relation to the State library and historical collections.

Geo. A. Newman, Secretary.
Mr. Bowen moved that House file No. 44 be indefinitely postponed as Senate file No. 37 covers the same ground.

Carried.
Mr. Merriam moved that the House insist on its second and third amendments to Senate file No. 36, and recede from its first and fourth amendments to the same bill.

On the question, "Shall the motion prevail?" the yeas were:
Messrs. Allen, Bailey, Bell, Bird, Brant, Brighton, Brinton, Cook, Crow, Doubleday, Dowell, Evans, Finch, Frazee, Funk, Good, Griswold, Grote, Hazen, Hendershot, Hinkhouse, Hunt, Huntley, Jay, Johnson of Webster, Johnston of Franklin, Klemme, Ladd, Lauder, Lowry, McDowell, McQuin, Martin, Merriam, Miller of Buena Vista, Miller of Warren, Morrison of Grundy, Nietert, Nolan, Parker, Perrott, Porter, Potter, Power, Prentis, Ray, Smith, Sullivan, Temple, Voelker, Watters, Wells, Whelan, Whittier, Williams, Wood, Mr. Speaker-57.

The nays were:
Messrs. Classen, McNulty, Morrison of Keokuk, Putnam, Reed, Scott, Spaulding-7

Absent or not voting:
Messrs. Baker, Bowen, Brady, Byington, Chapman, Clark, Cornwall, Davis, Early, Edwards, Frink, Garner, Gurley, Haugen, Hauger, Hayes, Hinman, Jackson, Lambert, Lavender, Loomis, McAchran, McArthur, McDonald, Manahan, Marti, Mayne, Miller of Cherokee, Mullin, St. John, Thompson, Tibbitts, Van Houten, Weaver, Wheeler, Wilson-36.

So the motion prevailed.

## SENATE MESSAGES.

Senate file No. 48, a bill for an act to revise, amend and codify the statutes in relation to the State library and historical collections, was read first and second time and referred to Committee on Public Libraries.

The Journal of Saturday was corrected and approved.

The Speaker appointed as conference committee on House file No. B1, Messrs. St. John, Spaulding, Frazee and McDowell.

Senate file No. 78 was taken up and considered.
Mr. Finch moved that the House insist on its amendments to the above bill.

On the question, "Shall the House insiston its amendments?" the yeas were:

Messrs. Allen, Bell, Bird, Brighton, Brinton, Classen, Cook, Crow, Doubleday, Dowell, Erans, Finch, Frazee, Funk, Good, Griswold, Hazen, Hunt, Huntley, Johnson of Webster, Johnston of Franklin, Klemme, Ladd, Lauder, Lavender, Lowry, McDowell, McNulty, McQuin, Martin, Merriam, Miller of Buena Vista, Miller of Warren, Morrison of Grundy, Morrison of Keokuk, Nietret, Nolan, Perrott, Porter, Power, Prentis, Ray, Reed, Scott, Spaulding, Sullivan, Watters, Whittier, Williams, Wood, Mr. Speaker-51.

The nays were:
Messrs. Bailey, Bowen, Edwards, Grote, Hendershot, Hinkhouse, Jackson, Parker, Potter, Putnam, Whelan, Wison-11.

Absent or not voting:
Messrs. Baker, Brady, Brant, Byington, Chapman, Clark, Cornwall, Davis, Early, Frink, Garner, Gurley, Haugen, Hauger, Hayes, Hinman, Jay, Lambert, Loomis, McAchran, McArthur, McDonald, Manahan, Marti, Mayne, Miller of Cherokee, Mullin, Smith, St. John, Temple, Thompson, Tibbitts, Van Houten, Voelker, Weaver, Wells, Wheeler-38.

So the motion prevailed.
House file No. 21, with Senate amendments thereto, was referred to the Second Division Code Revision Committee.

The Speaker appointed the following conference committee on Senate file No. 78: Messrs. Evans, Johnston of Franklin, Powers and Hayes. On Senate file No. 36, Messrs. Prentis, Davis, Bowen and Lowry.

House file No. 15 with report of committee recommending concurrence in all Senate amendments thereto except the Senate amendment to section 26, line 1, chapter 2, the amendments to section 35 , the amendments to section 45 , and the amendment to section 2 , chapter 3 , in which they recommend non-concurrence, was taken up and considered.

The report of the committee recommending non-concurrence in Senate amendments to sections 35 and 45 , chapter 2, and section 2, chapter 3, was adopted.

On the question, "Shall the House concur in the Senate amendments as recommended by the committee?" the yeas were:

Messrs. Allen, Bailey, Bell, Bird, Bowen, Brighton, Brinton, Classen, Cook, Crow, Dowell, Edwards, Evans, Finch, Frazee, Good, Griswold, Grote, Hazen, Hendershot, Hinkhouse, Hunt, Jackson, Jay, Johnson of Webster, Johnston of Franklin, Klemme, Ladd, Lauder, Lavender, Lowry, McDowell, McNulty, McQuin, Martin, Merriam, Miller of Buena Vista, Miller of Warren, Morrison of Grundy: Morrison of Keokuk, Nietert, Nolan, Parker, Perrott, Potter, Prentis, Putnam, Ray, Reed, Scott, Smith, Spaulding, Temple, Voelker, Watters, Wells, Whelan, Whittier, Williams, Wuod, Mr. Speaker-61.

The nays were:
Messrs. Doubleday, Huntley, Porter, Power, Sullivan-5.
Absent or not voting:
Messrs. Baker, Brady, Brant, Byington, Chapman, Clark, Cornwall, Davis, Early, Frink, Funls, Garner, Gurley, Haugen, Hauger, Hayes, Hinman, Lambert, Loomis, McAchran, McArthur, McDonald, Manahan, Marti, Mayne, Miller of Cherokee, Mullin, St. John, Thompson, Tibbitts, Van Houten, Weaver, Wheeler, Wilson-34.

So the House concurred.
House file No. 17, a bill for an act to revise, amend and codify the statutes in relation to the Agricultural Society, etc., with report of committee recommending concurrence in all Senate amendments thereto except the amendment to section 19, and that the Senate amendment to this section be inserted in section 4 was taken up and considered.

On the question, "Shall the recommendation of the committee be adopted?" the yeas were:

Messrs. Bailey, Bell, Bird, Bowen, Brighton, Brinton, Classen, Crow, Doubleday, Dowell, Edwards, Evans, Finch, Frazee, Good, Griswold, Grote, Hazen, Hendershot, Hinkhouse, Hunt, Huntley, Jackson, Jay, Johnston of Franklin, Ladd, Lauder, Lavender, Lowry, McDowell, McNulty, McQuin, Martin, Merriam, Miller of Buena Vista, Miller of Warren, Morrison of Grundy, Morrison of Keokuk, Nietert, Nolan, Parker, Perrott, Potter, Power, Prentis, Putnam, Ray, Reed, Scoot, Spaulding, Sullivan, Voelker, Watters, Wells, Whelan, Whittier, Williams, Wood, Mr. Speaker-59.

The nays were:
Messrs. Johnson of Webster, Klemme, Porter-3.
Absent or not voting:
Messrs. Allen, Baker, Brady, Brant, Byington, Chapman, Clark, Cook, Cornwall, Davis, Early, Frink, Funk, Garner, Gurley, Haugen, Hauger, Hayes, Hinman, Lambert, Loomis, McAchran, McArthur, McDonald, Manahan, Marti, Mayne, Miller of Cherokee, Mullin, Smith, St. John, Temple, Thompson, Tibbitts, Van, Houten, Weaver, Wheeler, Wilson-38.

So the recommendation of the committee was adopted.
House file No. 86 was taken up and by unanimous consent was indefinitely postponed.

House file No. 42 was taken up and by unanimous consent was indefinitely postponed.

The following motion to reconsider was filed:
Mr. Speaker-I move to reconsider the vote by which the House concurred in the conference report to Senate file No. 4.
W. W. Cornwall.

I second the motion.
F. McNulty.

Mr. Classen was excused on account of sickness.
Mr. Doubleday moved that the House adjourn until 9 A. m. to-morrow.

Carried.

The House met at 9 A. M. with Speaker Byers in the chair. Prayer was offered by Rev. John Cox Hall, of Fontanelle, Iowa.

PETITIONS AND MEMORIALS.
Mr. Lambert presented petition of citizens of Jackson county, asking for a two-cent rate on railroads.

Referred to Committee on Railroads and Commerce.
Mr. Williams presented a petition of citizens of Fremont county, against the Temple amendment.

Referred to Committee on Railroads and Commerce.
Mr. Hauger presented petition of citizens of Black Hawk county, asking equal political privileges for women.

Referred to Committee on Constitutional Amendments. REPORT OF COMMITTEE ON ENROLLED BILLS.
Mr. Hauger, from Committee on Enrolled Bills, submitted the following report:

Mr. Speaker-Your Committee on Enrolled Bills respectfully report that they have this day sent to the Governor for his approval:

House file No. 94, a bill for an act to revise, amend and codify the statutes in relation to the uniformity, purchase and loaning of text-books.

Also:
House file No. 52, a bill for an act to revise, amend and codify the statutes in relation to the State College of Agriculture and Mechanic Arts.

Also:
House file No. 43, a bill for an act to revise, amend and codify the statutes in relation to the State Board of Health.

> W. E. HaUGER, Chairman.

Orderer passed on file.
Mr. Reed called up his motion to reconsider the vcte whereby the House receded from its amendments to section 7 of Senate file No. 19.

The motion to reconsider carried.
On the question, "Shall the House insist upon its amendments?" the yeas were:

Messrs. Brighton, Clark, Cook, Crow, Finch, Frazee, Grote, Hauger, Hazen, Lavender, McArthur, Martin, Morrison of

Grundy, Morrison of Keokuk, Power, Ray, Reed, Spaulding, Whelan, Wood-20.

The nays were:
Messrs. Allen, Bailey, Baker, Bell, Bird, Bowen, Brant, Brinton, Cornwall, Doubleday, Dowell, Early, Edwards, Evans, Funk, Good, Griswold, Haugen, Hendershot, Hunt, Huntley, Jay, Johnson of Webster, Johnston of Franklin, Klemme, Ladd, Lauder, Loomis, Lowry, McDonald, McDowell, McNulty, McQuin, Marti, Merriam, Miller of Buena Vista, Miller of Warren, Mullin, Nietert, Parker, Perrott, Porter, Prentis, Putnam, Scott, Smith, Sullivan, Watters, Wells, Wheeler, Whittier, Williams, Wilson, Mr. Speaker-54.

Absent or not voting:
Messrs. Brady, Byington, Chapman, Classen, Davis, Frink, Garner, Gurley, Hayes, Hinkhouse, Hinman, Jackson, Lambert, McAchran, Manahan, Mayne, Miller of Cherokee, Nolan, Potter, St. John, Temple, Thompson, Tibbitts, Van Houten, Voelker, Weaver-26.

So the House recedes from its amendments to section 7, Senate file No. 19.

The Speaker ordered that the exhibits and testimony taken and all the original and transcribed notes pertaining to the investigation of the State printing and binding now in the hands of the committee be filed with the Sergeant-at-Arms, or at the Clerk's desk, they being the property of the House.

Mr. Lambert, chairman of the committee, objected to this order on the ground that the matter referred to belonged to that committee until said committee had been discharged. He also stated that very much of the investigation and findings of the committee were not obtained from the witnesses subpœnaed, and hence was in no condition to be filed. Mr. Lambert said he considered the order arbitrary but would abide by the ruling of the chair.

The Speaker then stated that the order had been given and the chairman could use his own judgment in the matter, but if the exhibits and testimony called for were not filed in a reasonable length of time he would adopt other methods of enforcing the order, as the matter in question became the property of the House when the report of the committee was filed, and should have accompanied said report.

The pending business, House file No. 19, relative to banks and banking, was again taken up for consideration.

Mr. Doubleday moved to add as section 22, chapter 9, on page 6 of the substitute for House file No. 19, as follows: 'Sec. 22. All corporations or private persons doing a banking business in this State shall place or cause to be placed over the door of their place of business the words 'National bank,' 'State bank,' 'savings bank,' or 'private bank,' so as to designate plainly what class of banks they belong to. Any person or corporation failing to comply with the provisions of this section shall be guilty of a misdemeanor."

Lost.
The amendment of Mr. Finch to add as section 22, to chapter 11, which was pending Saturday, was then taken up, and Mr . Finch demanded a roll call on this amendment.

Mr. Early seconded the demand.
On the question, "Shall the amendment prevail?" the yeas were:

Messrs. Bell, Bowen, Brinton, Clark, Cook, Doubleday, Dowell, Early, Edwards, Finch, Frazee, Griswold, Hauger, Hinman, McDonald, McDowell, Martin, Merriam, Miller of Warren, Morrison of Grundy, Morrison of Keokuk, Parker, Potter, Putnam, Ray, Scott, Watters, Wells, Whelan, Mr. Speaker-30.

The nays were:
Messrs. Bailey, Baker, Bird, Brady, Brant, Cornwall, Davis, Good, Grote, Gurley, Haugen, Hazen, Hendershot, Hunt, Huntley, Jackson, Johnson of Webster, Johnston of Franklin, Klemme, Ladd, Lauder, Lavender, Loomis, Lowry, McNulty, McQuin, Manahan, Marti, Miller of Buena Vista, Mullin, Nietert, Porter, Power, Prentis, Reed, Temple, Tibbitts, Whittier, Williams, Wilson, Wood-41.

Absent or not voting:
Messrs. Allen, Brighton, Byington, Chapman, Classen, Crow, Evans, Frink, Funk, Garner, Hayes, Hinkhouse, Jay, Lambert, McAchran, McArthur, Mayne, Miller of Cherokee, Nolan, Perrott, Smith, Spaulding, St. John, Sullivan, Thompson, Van Houten, Voelker, Weaver, Wheeler-29.

So the amendment was lost.
Mr . Gurley moved the previous question.
Carried.
The question that the rule be suspended, and that the bill be considered engrossed and read a third time now was then put, which motion prevailed, and the bill was read a third time.

On the question, "Shall the bill pass?" the yeas were:
Messrs. Allen, Bailey, Baker, Bell, Bird, Bowen, Brady, Brant, Brighton, Clark, Cook, Cornwall, Davis, Doubleday, Dowell, Early, Edwards, Evans, Funk, Good, Griswold, Grote, Gurley, Haugen, Hauger, Hayes, Hazen, Hendershot, Hunt, Huntley, Jackson, Jay, Johnson of Webster, Johnston of Franklin, Klemme, Ladd, Lauder, Lavender, Loomis, Lowry, McAchran, McArthur, McDonald, McDowell, McQuin, Manahan, Marti, Merriam, Miller of Buena Vista, Miller of Warren, Morrison of Keokuk, Mullin, Nietert, Nolan, Porter, Power, Prentis, Ray, Reed, Scott, Spaulding, Sullivan, Temple, Tibbitts, Voelker, Wells, Whelan, Whittier, Williams, Wilson, Wood, Mr. Speaker-72.

The nays were:
Messrs. Brinton, Finch, Frazee, McNulty, Martin, Morrison of Grundy, Parker, Potter, Watters-9.

Absent or not voting:
Messrs. Byington, Chapman, Classen, Crow, Frink, Garner, Hinkhouse, Hinman, Lambert, Mayne, Miller of Cherokee, Perrott, Putnam, Smith, St. John, Thompson, Van Houten, Weaver, Wheeler-19.

So the bill passed and the title was agreed to.
Mr. Haugen moved to reconsider the vote just taken.
Mr. Klemme moved to lay the motion on the table.
Carried.
The House took up House file No. 10, relating to the judicial department with reports of the committee on Senate amendments to said bill.

The report recommending that the House do not concur in Senate amendments to section 10, chapter 1; also to sections 2 and 3, chapter 2, was adopted.

On the question, "Shall the House concur in the Senate amendments to sections 1 and 2, of chapter 3?" the yeas were:

Messrs. Allen, Bailey, Baker, Bell, Bowen, Brighton, Brinton, Clark, Cornwall, Crow, Davis, Doubleday, Early, Edwards, Evans, Finch, Frazee, Funk, Good, Griswold, Grote, Gurley, Hayes, Hazen, Hendershot, Hinman, Hunt, Huntley, Jackson, Jay, Johnson of Webster, Johnston of Franklin, Klemme, Ladd, Loomis, Lowry, McAchran, McDonald, McDowell, McQuin, Marti, Martin, Miller of Buena Vista, Miller of Warren, Morrison of Grundy, Morrison of Keokuk, Mullin, Nietert, Parker, Porter, Potter, Power, Prentis, Putnam, Ray,

Reed, Scott, Spaulding, Sullivan, Temple, Tibbitts, Voelker, Watters, Whelan, Whittier, Williams, Mr. Speaker-67.

The nays were:
Messrs. McArthur and Merriam.
Absent or not voting:
Messrs. Bird, Brady, Brant, Byington, Chapman, Classen, Cook, Dowell, Frink, Garner, Haugen, Hauger, Hinkhouse, Lambert, Lauder, Lavender, McNulty, Manahan, Mayne, Miller of Cherokee, Nolan, Perrott, Smith, St. John, Thompson, Van Houten, Weaver, Wells, Wheeler, Wilson, Wood-31.

So the House concurred.
On the question, "Shall the House concur in the Senate amendments, offering a substitute to section 4 and consolidating sections 4 and 5 of chapter 3 ?" the yeas were:

Messrs. Allen, Bailey, Bowen, Brinton, Cornwall, Crow, Dowell, Early, Evans, Finch, Funk, Griswold, Grote, Hayes, Hazen, Hendershot, Johnson of Webster, Johnston of Franklin, Ladd, Lauder, Loomis, McAchran, McDonald, McQuin, Merriam, Morrison of Grundy, Morrison of Keokuk, Mullin, Nietert, Potter, Power, Prentis, Putnam, Reed, Sullivan, Temple, Watters, Wells, Whelan, Whittier, Williams, Wood-42.

The nays were:
Messrs. Baker, Bell, Brighton, Clark, Cook, Davis, Doubleday, Edwards, Frazee, Gurley, Haugen, Hinman, Hunt, Huntley, Jackson, Jay, Klemme, Lambert, Lowry, McArthur, McDowell, Marti, Martin, Miller of Buena Vista, Miller of Warren, Nolan, Parker, Perrott, Porter, Ray, Scott, Spaulding, Tibbitts, Voelker, Mr. Speaker-36.

Absent or not voting:
Messrs. Bird, Brady, Brant, Byington, Chapman, Classen, Frink, Garner, Hauger, Hinkhouse, Lavender, McNulty, Manahan, Mayne, Miller of Cherokee, Smith, St. John, Thompson, Van Houten, Weaver, Wheeler, Wilson-22.

So the House refused to concur, there not being a constitutional majority.

Mr. Power moved that report of committee recommending that the House do not concur in the first Senate amendment to section 1, chapter 5, be adopted.

Carried.
On the question "Shall the House concur in second Senate amendments to section 1, chapter 5 ?" the yeas were:

Messrs. Allen, Bailey, Baker, Bell, Bowen, Brant, Brinton, Cornwall, Crow, Davis, Doubleday, Dowell, Early, Edwards,

Evans, Finch, Frazee, Frink, Funk, Good, Griswold, Grote, Gurley, Hauger, Hazen, Hendershot, Hinman, Hunt, Huntley, Jackson, Jay, Johnson of Webster, Johnston of Franklin, Klemme, Ladd, Lambert, Lauder, Lavender, Loomis, Lowry, McAchran, McArthur, McDowell, McNulty, McQuin, Marti, Martin, Miller of Buena Vista, Morrison of Grundy, Nietert, Nolan, Parker, Perrott, Potter, Power, Prentis, Putnam, Ray, Reed, Scott, Sullivan, Tibbitts, . Voelker, Watters, Wells, Whelan, Whittier, Williams, Wood, Mr. Speaker-70.

The nays were:
None.
Absent or not voting:
Messrs. Bird, Brady, Brighton, Byington, Chapman, Clark, Classen, Cook, Garner, Haugen, Hayes, Hinkhouse, McDonald, Manahan, Mayne, Merriam, Miller of Cherokee, Miller of Warren, Morrison of Keokuk, Mullin, Porter, Smith, Spaulding, St. John, Temple, Thompson, Van Houten, Weaver, Wheeler, Wilson-30.

So the House concurred.
Mr . Allen was called to the chair.
On the question, "Shall the House concur in Senate amendments to section 3, chapter 5?" the yeas were:

Messrs. Allen, Bailey, Bowen, Brighton, Brinton, Clark, Cornwall, Crow, Davis, Doubleday, Dowell, Early, Edwards, Evans, Finch, Frink, Funk, Good, Griswold, Grote, Gurley, Hauger, Hendershot, Hinman, Johnson of Webster, Johnston of Franklin, Klemme, Ladd, Lauder, Lavender, Loomis, McAchran, McArthur, McNulty, McQuin, Martin, Merriam, Miller of Buena Vista, Morrison of Grundy, Morrison of Keokuk, Mullin, Nietert, Parker, Perrott, Potter, Prentis, Putnam, Ray, Reed, Scott, Spaulding, Temple, Tibbitts, Watters, Wells, Whelan, Whittier, Williams, Wood-59.

The nays were:
Messrs. Frazee, Hazen, Hunt, Jackson, Lambert, Lowry, McDowell, Marti, Nolan, Porter, Power, Sullivan, Voelker-13.

Absent or not voting:
Messrs. Baker, Bell, Bird, Brady, Brant, Byington, Chapman, Classen, Cook, Garner, Haugen, Hayes, Hinkhouse, Huntley, Jay, McDonald, Manahan, Mayne, Miller of Cherokee, Miller of Warren, Smith, St. John, Thompson, Van Houten, Weaver, Wheeler, Wilson, Mr. Speaker-28.

So the House concurred.

On the question, 'Shall the House concur in Senate amendments to section 21, chapter 5?" the yeas were:

Messrs. Allen, Bailey, Bell, Bowen, Brant, Brinton, Clark, Cornwall, Crow, Doubleday, Dowell, Early, Edwards, Evans, Finch, Frink, Funk, Good, Griswold, Grote, Hayes, Hazen, Hendershot, Hinman, Huntley, Jackson, Johnson of Webster, Johnston of Franklin, Klemme, Ladd, Lauder, Lavender, Loomis, Lowry, McAchran, McDowell, McNulty, McQuin, Marti, Miller of Buena Vista, Morrison of Grundy, Morrison of Keokuk, Mullin, Nietert,Parker, Perrott, Porter, Potter, Power, Prentis, Putnam, Reed, Scott, Smith, Spaulding, Sullivan, Temple, Watters, Wells, Whelan, Whittier, Williams, Wilson, Wood-64.

The nays were:
Messrs. Martin, Merriam, Nolan, Ray, Voelker-5.
Absent or not voting:
Messrs. Baker, Bird, Brady, Brinton, Byington, Chapman, Classen, Cook, Davis, Frazee, Garuer, Gurley, Haugen, Hauger, Hinkhouse, Hunt, Jay, Lambert, McArthur, McDonald, Manahan, Mayne, Miller of Cherokee, Miller of Warren, St. John, Thompson, Tibbitts, Van Houten, Weaver, Wheeler, Mr. Speaker-31.

So the House concurred.
The Speaker resumed the chair.
On the question, "Shall the report of committee on section 23, chapter 5, be adopted?" the yeas were:

Messrs. Allen, Bailey, Bell, Bowen, Brady, Brant, Brig ton, Brinton, Clark, Cornwall, Crow, Dowell, Early, Edwards, Evans, Finch, Frink, Funk, Good, Griswold, Hauger, Ha es, Hazen, Hendershot, Hinman, Huntley, Johnson of Webster, Johnston of Franklin, Klemme, Ladd, Lauder, Lavender, Loomis, Lowry, McAchran, McArthur, McDowell, McNulty, McQuin, Marti, Martin, Merriam, Miller of Buena Vista, Miller of Warren, Morrison of Grundy, Morrison of Keokuk, Mullin, Nietert, Nolan, Parker, Perrott, Porter, Power, Prentis, Putnam, Ray, Reed, Scott, Smith, Sullivan, Temple, Voelker, Watters, Wells, Whelan, Whittier, Williams, Wilson, Wood, Mr. Speaker-70.

Mr. Doubleday voted in the negative.
Absent or not voting:
Messrs. Baker, Bird, Byington, Chapman, Classen, Cook, Davis, Frazee, Garner, Grote, Gurley, Haugen, Hinkhouse, Hunt, Jackson, Jay, Lambert, McDonald, Manahan, Mayne,

Miller of Cherokee, Potter, Spaulding, St. John, Thompson, Tibbitts, Van Houten, Weaver, Wheeler-29.

So the House refused to concur.
On the question, "Shall the report of committee on section 27 , chapter 5, recommending concurrence in Senate amendment as amended by the committee be adopted?" the yeas were:

Messrs. Allen, Bailey, Bell, Bowen, Brady, Brant, Brighton, Brinton, Cook, Cornwall, Crow, Dowell, Early, Edwards, Evans, Finch, Frazee, Frink, Funk, Good, Griswold, Gurley, Hauger, Hayes, Hendershot, Hinman, Huntley, Johnson of Webster, Johnston of Franklin, Klemme, Ladd, Lauder, Lavender, Loomis, Lowry, McAchran, McArthur, McDowell, McNulty, Marti, Martin, Merriam, Miller of Buena Vista, Miller of Warren, Morrison of Grundy, Morrison of Keokuk, Mullin, Nietert, Nolan, Parker, Perrott, Potter, Power, Prentis, Putnam, Reed, Scott, Sullivan, Tibbitts, Voelker, Watters, Wells, Whelan, Whittier, Williams, Wilson, Wood, Mr. Speaker -68.

The nays were:
None.
Absent or not voting:
Messrs. Baker, Bird, Byington, Chapman, Clark, Classen, Davis, Doubleday, Garner, Grote, Haugen, Hazen, Hinkhouse, Hunt, Jackson, Jay, Lambert, McDonald, McQuin, Manahan, Mayne, Miller of Cherokee, Porter, Ray, Smith, Spaulding, St. John, Temple, Thompson, Van Houten, Weaver, Wheeler -32.

So the House concurred in section 27, chapter 5, as amended.
On the question, "Shall the House concur in Senate amendments to section 28, chapter 5?" the yeas were:

Messrs. Allen, Bailey, Bell, Bowen, Brady, Brant, Brighton, Clark, Cornwall, Crow, Doubleday, Dowell, Evans, Finch, Frazee, Funk, Good, Griswold, Hayes, Hazen, Hendershot, Huntley, Johnson of Webster, Johnston of Franklin, Klemme, Ladd, Lauder, Lavender, Loomis, Lowry, McArthur, McDowell, McNulty, McQuin, Marti, Martin, Merriam, Miller of Buena Vista, Miller of Warren, Morrison of Grundy, Morrison of Keokuk, Mullin, Nietert, Nolan, Parker, Perrott, Porter, Potter, Power, Prentis, Putnam, Ray, Reed, Scott, Smith, Spaulding, Sullivan, Temple, Tibbitts, Voelker, Watters, Wells, Whelan, Whittier, Williams, Wilson, Wood, Mr. Speaker-68.

The nays were:
None.
Absent or not voting:
Messrs. Baker, Bird, Brinton, Byington, Chapman, Classen, Cook, Davis, Early, Edwards, Frink, Garner, Grote, Gurley, Haugen, Hauger, Hinkhouse, Hinman, Hunt, Jackson, Jay, Lambert, McAchran, McDonald, Manahan, Mayne, Miller of Cherokee, St. John, Thompson, Van Houten, Weaver, Wheeler-32.

So the House concurred.
Mr. Temple moved that the House refuse to concur in the Senate amendments to section 30, chapter 5; also, to sections 1 and 4, chapter 6.

Carried.
On the question, "Shall the House concur in Senate amendments to sections 14,15 and 16 , chapter 6 ?" the yeas were:

Messrs. Allen, Bailey, Baker, Bell, Bowen, Brady, Brighton, Brinton, Byington, Clark, Cook, Cornwall, Crow, Davis, Doubleday, Dowell, Early, Edwards, Evans, Finch, Frink, Funk, Good, Haugen, Hauger, Hayes, Hazen, Hendershot, Hinman, Huntley, Jackson, Johnston of Franklin, Klemme, Lauder, Lavender, Loomis, McAchran, McArthur, McDowell, McNulty, Marti, Martin, Merriam, Miller of Buena Vista, Miller of Warren, Morrison of Keokuk, Mullin, Nietert, Nolan, Parker, Perrott, Power, Prentis, Putnam, Reed, Scott, Smith, Spaulding, Sullivan, Temple, Tibbitts, Voelker, Watters, Weaver, Whelan, Whittier, Williams, Wilson, Mr. Speaker-69.

Mr. Brant voted in the negative.
Absent or not voting:
Messrs. Bird, Chapman, Classen, Frazee, Garner, Griswold, Grote, Gurley, Hinkhouse, Hunt, Jay, Johnson of Webster, Ladd, Lambert, Lowry, McDonald, McQuin, Manahan, Mayne, Miller of Cherokee, Morrison of Grundy, Porter, Potter, Ray, St. John, Thompson, Van Houten, Wells, Wheeler, Wood-30.

So the House concurred.
Mr. Temple moved that the House refuse to concur in the Senate amendments to section 22, chapter 6 .

Carried.
On the question, "Shall the House concur in the Senate amendments to section 9 , chapter 8 , andito section 10 , chapter 8?" the yeas were:

Messrs. Allen, Bailey, Baker, Bell, Bowen, Brady, Brant, Brighton, Byington, Clark, Cook, Cornwall, Crow, Davis, Dowell, Evans, Finch, Frink, Funk, Good, Gurley, Haugen, Hauger, Hayes, Hazen, Hendershot, Hinman, Johnson of Webster, Johnston of Franklin, Klemme, Ladd, Lauder, Lavender, Loomis, McAchran, McArthur, McDowell, McNulty, McQuin, Marti, Martin, Merriam, Miller of Buena Vista, Miller of Warren, Morrison of Grundy, Morrison of Keokuk, Mullin, Nietert, Nolan, Perrott, Porter, Potter, Power, Prentis, Putnam, Ray, Reed, Scott, Spaulding, Sullivan, Temple, Tibbitts, Voelker, Watters, Weaver, Wells, Whelan, Whittier, Williams, Wilson, Wood, Mr. Speaker-72.

Mr. Doubleday voted in the negative.
Absent or not voting:
Messrs. Bird, Brinton, Chapman, Classen, Early, Edwards, Frazee, Garner, Griswold, Grote, Hinkhouse, Hunt, Huntley, Jackson, Jay, Lambert, Lowry, McDonald, Manahan, Mayne, Miller of Cherokee, Parker, Smith, St. John, Thompson, Van Houten, Wheeler-27.

So the House concurred.
On motion of Mr. Crow the House adjourned till 2 p. m.

## AFTERNOON SESSION.

The House was called to order at 2 p. m. by Speaker Byers.
The pending business, House file No. 10, with the report of the committee on Senate amendments thereto, was resumed.

Mr. Haugen moved to amend Senate amendment to section 11, chapter 8, as follows: Line 11, of report, strike out the word "ten" and insert in lieu thereof the word "fifteen;" also, strike out the word "eleven" in line 12, and insert the word "thirteen;" also, strike out all of lines 14 and 15.

Lost.
On the question, "Shall the House concur in the Senate amendments to section 11, chapter 8?" the yeas were:

Messrs. Allen, Bailey, Bell, Bird, Bowen, Brant, Brighton, Byington, Clark, Cook, Crow, Dowell, Early, Edwards, Evans, Finch, Frink, Funk, Griswold, Grote, Hauger, I azen, Hendershot, Hunt, Huntley, Jackson, Jay, Johnson of Webster, Johns. ton of Franklin, Ladd, Lambert, Lauder, Lavender, Loomis,

McAchran, McArthur, McDonald, McNulty, McQuin, Martin, Miller of Buena Vista, Miller of Warren, Morrison of Grundy, Murrison of Keokuk, Nietert, Nolan, Perrott, Porter, Potter, Power, Prentis, Putnam, Ray, Reed, Scott, Smith, Sullivan, Temple, Tibbitts, Voelker, Watters, Weaver, Wells, Whelan, Whittier, Williams, Wood-67.

The nays were:
Messrs. Brady, Doubleday, Frazee, Haugen, Klemme, Merriam, Parker, Spatiding, Wilson, Mr. Speaker-10.

Absent or not voting:
Messrs. Baker, Brinton, Chapman, Classen, Cornwall, Davis, Garner, Good, Gurley, Hayes, Hinkhouse, Hinman, Lowry, McDowell, Manahan, Marti, Mayne, Miller of Cherokee, Mullin, St. John, Thompson, Van Houten, Wheeler-23.

So the House concurred.
The following explanations of votes were filed:
Mr. Speaker-I vote "no" for the reason that the bill raises the clerk's salary in my county.

Jno. Parker.
Mr. Speaker-I wish to explain my reason for voting "no;" on the Senate amendment to section 11 I vote "no" because the court expenses of the different counties are very great, therefore I think the clerk of the court's salary should have been left to the approval of the board of county supervisors.

Oliver E. Doubleday.
Mr. Temple moved that the report of the committee recommending concurrence in Senate amendment to section 12, chapter 8 , when amended, be adopted.

Oh the question, "Shall the report be adopted on section 12 ?" the yeas were:

Messrs. Allen, Bailey, Baker, Bell, Bird, Bowen, Brady, Brant, Brighton, Byington, Clark, Cook, Doubleday, Dowell, Early, Edwards, Evans, Funk, Griswold, Grote, Haugen, Hauger, Hazen, Hendershot, Hunt, Huntley, Jaskson, Jay, Johnson of Webster, Johnston of Franklin, Klemme, Ladd, Lambert, Lauder, Lavender, Loomis, McAchran, McArthur, McDonald, McNulty, McQuin, Martin, Merriam, Miller of Buena Vista, Miller of Warren, Morrison of Grundy, Morrisoa of Kejkuk, Mullin, Nietert, Nolan, Parker, Perrott, Porter, Potter, Power, Prentis, Putnam, Ray, Reed, Scott, Smith, Spaulding, Sullivan, Temple, Tibbitts, Voelker, Watters, Weaver, Wells, Whelan, Whittier, Williams, Wilson, Wood, Mr. Speaker-75.

The nays were:
None.
Absent or not voting:
Messrs. Brinton, Chapman, Classen, Cornwall, Crow, Davis, Finch, Frazee, Frink, Garner, Good, Gurley, Hayes, Hinkhouse, Hinman, Lowry, McDowell, Manahan, Marti, Mayne, Miller of Cherokee, St. John, Thompson, Van Houten, Wheeler-25.

So the House concurred in section 12 as amended by the committee.

On the question, "Shall the House concur in Senate amendments to sections 2, 5, 7 and 8 , of chapter 9 ; in all amendments made by the Senate to chapter 11 ; in all amendments made by the Senate to chapter 12, and in all amendments made by the Senate to chapter 13, and also in the striking out of all marginal references, etc?" the yeas were:

Messrs. Allen, Bailey, Baker, Bell, Bird, Bowen, Brady, Brant, Brighton, Byington, Clark, Cook, Cornwall, Crow, Davis, Doubleday, Dowell, Early. Edwards, Evans, Funk, Griswold, Grote, Hauger, Hayes, Hazen, Hendershot, Hinman, Hunt, Huntley, Jackson, Jay, Johnson of Webster, Johnston of Franklin, Klemme, Ladd, Lambert, Lavender, Loomis, Lowry, McAchran, McDonald, McDowell, McNulty, Martin, Merriam, Miller of Buena Vista, Miller of Warren, Morrison of Grundy, Morrison of Keokuk, Mullin, Nietert, Nolan, Parker, Porter, Potter, Power, Prentis, Putnam, Ray, Reed, Scott, Smith, Spaulding, Temple, Voelker, Watters, Weaver, Wells, Whelan, Whittier, Williams, Wilson, Wood, Mr. Speaker-75.

The nays were:
Messrs. McArthur and Sullivan-2.
Absent or not voting:
Messrs. Brinton, Chapman, Classen, Finch, Frazee, Frink, Garner, Good, Gurley, Haugen, Hinkhouse, Lauder, McQuin, Manahan, Marti, Mayne, Miller of Cherokee, Perrott, St. John, Thompson, Tibbitts, Van Houten, Wheeler-23.

So the House concurred.
Mr. McAchran moved that the House reconsider the vote on section 4 , chapter 3 , taken this morning.

Mr. Cook moved to lay this motion on the table.
Lost.
The motion to reconsider was carried.

Mr. Porter moved to amend the Senate amendment to section 4, chapter 3, by striking out the words "four thousand" and inserting the words "three thousand" in lieu thereof.

Messrs. Cook and Spaulding demanded the yeas and nays on this amendment, which resulted as follows:

On the question, "Shall the amendment be adopted?" the yeas were:

Messrs. Baker, Bell, Bird, Bowen, Brady, Clark, Cook, Doubleday, Frazee, Frink, Good, Gurley, Hazen, Hinman, Hunt, Huntley, Jackson, Jay, Lambert, Lowry, McAchran, McDonald, McDowell, Marti, Nolan, Parker, Porter, Power, Putnam, Scott, Spaulding, Tibbitts, Voelker, Weaver, Wilson -35 .

The nays were:
Messrs. Bailey, Brant, Brinton, Byington, Cornwall, Crow, Davis, Dowell, Edwards, Evans, Funk, Garner, Griswold, Grote, Hauger, Hendershot, Johnston of Franklin, Klemme, Ladd, Lauder, Loomis, McArthur, McNulty, McQuin, Martin, Merriam, Miller of Buena Vista, Miller of Warren, Morrison of Grundy, Morrison of Keokuk, Mullin, Nietert, Perrott, Potter, Prentis, Reed, Sullivan, Temple, Watters, Wells, Whelan, Whittier, Williams, Wood, Mr. Spaaker-45.

Absent or not voting:
Messrs. Allen, Brighton, Chapman, Classen, Early, Finch, Haugen, Hayes, Hinkhouse, Johnson of Webster, Lavender, Manahan, Mayne, Miller of Cherokee, Ray, Smith, St. John, Thompson, Van Houten, Wheeler-20.

So the amendment was lost.
Mr. Morrison of Keokuk, moved to strike out of the Senate amendment to section 4, chapter 3, the words "four thousand" and insert the words "twenty-five hundred."

Messrs. Haugen and Morrison of Keokuk, demanded the yeas and nays, which resulted as follows:

On the question, "Shall the motion prevail?" the yeas were:
Messrs. Bell, Brighton, Clark, Cook, Doubleday, Early, Frink, Good, Gurley, Haugen, Hendershot, Hinman, Huntley, Lambert, McArthur, McDonald, Martin, Morrison of Keokuk, Nolan, Parker, Scott, Spaulding, Voelker, Watters, Wells, Whittier, Williams, Wilson-27.

The nays were:
Messrs. Allen, Brady, Brant, Byington, Cornwall, Crow, Davis, Dowell, Edwards, Evans, Funk, Griswold, Grote,

Hauger, Hazen, Jackson, Jay, Johnston of Franklin, Klemme, Ladd, Lauder, Lavender, Loomis, Lowry, McAchran, McNulty, McQuin, Merriam, Miller of Buena Vista, Miller of Warren, Morrison of Grundy, Mullin, Nietert, Perrott, Porter, Potter, Power, Prentis, Putnam, Ray, Reed, Smith, Sullivan, Temple, Weaver, Whelan, Wood, Mr. Speaker-49.

Absent or not voting:
Messrs. Bailey, Baker, Bird, Bowen, Brinton, Chapman, Classen, Finch, Frazee, Garner, Hayes, Hinkhouse, Hunt, Johnson of Webster, McDowell, Manahan, Marti, Mayne, Miller of Cherokee, St. John, Thompson, Tibbitts, Van Houten, Wheeler-24.

So the amendment was lost.
On the question, "Shall the House concur in Senate amendment to section 4, chapter 3?" the yeas were:

Messrs. Allen, Bailey, Bird, Bowen, Brant, Brinton, Byington, Cornwall, Crow, Davis, Dowell, Early, Evans, Finch, Funk, Griswold, Grote, Hauger, L'ayes, Hendershot, Johnston of Franklin, Klemme, Ladd, Lauder, Lavender, Loomis, McAchran, McNulty, McQuin, Martin, Merriam, Miller of Buena Vista, Morrison of Grundy, Mullin, Nietert, Potter, Prentis, oReed, Smith, Sullivan, Temple, Watters, Wells, Whelan, Wood-45.

The nays were:
Messrs. Baker, Bell, Brady, Brighton, Clark, Cook, Doubleday, Edwards, Frazee, Frink, Good, Gurley, Haugen, Hazen, Hinman, Hunt, Huntley, Jackson, Jay, Lambert, Lowry, McArthur, McDonald, McDowell, Marti, Miller of Warren, Morrison of Keokuk, Nolan, Parker, Perrott, Porter, Power, Putnam, Ray, Scott, Spaulding, Tibbitts, Voelker, Weaver, Whittier, Williams, Wilson, Mr. Speaker-43.

Absent or not voting:
Messrs. Chapman, Classen, Garner, Hinkhouse, Johnson of Webster, Mahahan, Mayne, Miller of Cherokee, St. John, Thompson, Van Houten, Wheeler-12.

So the House refused to concur, there not being a constitutional majority.

## REPORT OF COMMITTEE.

The Conference Committee on House file No. 84, submitted the following report:

Mr. Speaker-Your Committee on Conference, to whom was referred House file No. 84, a bill for an act to revise, amend and codify the statutes in relation to evidence, beg leave to report that they have had the same
under consideration and unanimously recommend that the House coneur in Senate amendments to sections 30 and 83, and also in Senate amendments to section 15, with the following amendment thereto:

In the second line of said amendment insert the word "conversation" after the word "declaration," and in the fifth line of the amendment insert the word "conversation" after the word "declaration," and your committee recommend concurrence in the amendment to section 12 , modified to read as follows:
"But in prosecutions against gaming, betting, lotteries, dealing in options, and keeping gambling houses or rooms for illegal use or disposal of intoxicating liquors, no witness shall be excused from giving testimony upon the ground that his testimony would tend to render him criminally liable or expose him to public ignominy; but any matter so elicited shall not be used against him, and said witness shall not be prosecuted for any crime connected with or growing out of the act on which the prosecution is based in the cause in which his evidence is used for the State under the provisions of this section."
M. L. Temple,
W. B. Martin,
P. Finch.
J. M. Clare,
Committee for the House.
W. M. Pusky,
A. C. Hobart,
J. L. Lothrop,
J. M. Junkin,
Committee for the Senate.
Cenate.

## MESSAGES FROM THE SENATE.

## The following message was received from the Sanate:

Mr. Spaner-I am directed to inform your honorable body that the Senate has passed the following bill, in which the concurrence of the House is asked:

Senate file No. 41, a bill for an act to revise, amend and codify the statutes in relation to regents and trustees of State institutions.

Geo. A. Newman, Secretary.
Also:
Mr. Speaker-I am directed to inform your honorable body that the Senate has amended and passed the following bill in which the concurrence of the Senate was asked:

House file No. 25, a bill for an act to revise, amend and codify the statutes in relation to the regulation of carriers by railway.

Geo. A. Newman,
Secretary.
Also:
Mr. Speaker-I am directed to inform your honorable body that the Senate has passed the following concurrent resolution, in which the concurrence of the House is asked:

Relative to a joint convention on the beet sugar industry.
Geo. A. Newman, Secretary.

Resolved by the Senate, the House concurring, That the Senate and House meet in joint convention in the House chamber at 4 o'clock $P$. m, to-day for the purpose of hearing Mr. J. S. Emery and others in the interest of the beet sugar industry.

The concurrent resolution just messaged was taken up and on motion of Mr. Morrison of Grundy, was adopted.

Mr. Lambert, in response to the order of the Speaker, submitted the original notes and transcribed evidence of the committee to investigate State printing and binding, with the following explanation:
To the Speaker and Members of the Twenty-sixth General Assembly:
In submitting the original notes and transcribed evidence hereto attached the committee desires to set forth the following facts:

That said notes and testimony show but a very small portion of the facts and evidence upon which the report of the majority of the committee is based. The nature of the investigation was such that it became necessary for the committee to visit various State offices, check and examine bills, reports, documents and other matters connected with the work in hand, and more time of the committee was devoted to that line of investigation than to the examination of witnesses, the committee believing that they were competent to pass upon matters with which they were entirely familiar without putting the State to the unnecessary expense of witness fees.

It was impossible to do all of this work within the committee room as some of the papers could not be taken there for examination, but a majority of the committee were present and took part in all work and checkings. And a majority of your committee respectfully submit that in consideration of the fact that more than thirty meetings of said committee were held, at only a few of which written testimony was taken, and of the further fact that one of the gentlemen who signed the minority report attended but one of said meetings, aside from the one of preliminary organization, and the other attended but a part of four meetings, that neither the written evidence submitted herewith nor the minority report of the members of the committee, who assisted so little in the work of the committee, can convey the facts upon which the majority report was based.

Respectfully submitted, Thomas Lambert, P. A. Smith, J. T. Jay,

Committee.
The matter referred to consisted of 64 pages of type written matter of transcribed evidence marked "exhibit A;" also, a stenographer's note book containing 82 leaves, or 164 pages of original notes marked "exhibit B."

## SENATE MESSAGES.

Senate file No. 41, a bill for an act to revise, amend and codify the statutes in relation to regents and trustees of State institutions, was read first and second time and referred to Committee on Code Revision, Third Division.

Mr. Ladd moved that a committee of three be appointed to notify the Senate that the House is in readiness to receive them in joint convention.

Carried.
The Speaker appointed as such committee, Messrs. Ladd, Spaulding and Hayes.

The Speaker ordered the west side of. the hall of the House vacated for the use of the honorable body of the Senate.

The committee appointed to notify the Senate appeared, reported duty performed, and were discharged.

The door-keeper announced the arrival of the honorable body of the Senate.

JOINT CONVENTION.
The joint convention was called to order by Speaker Byers, who stated that the object of this call for a joint convention was to hear J. S. Emery and others on the beet sugar industry.

Mr. Ainsworth, secretary of the Board of Railroad Commissioners, was called upon by Mr. Potter to read the section of the Iowa statutes relating to special reduced freight rates within the state for the purpose of encouraging new industries.

Mr. Ainsworth read section 25 of chapter 28 , acts of the Twenty-second General Assembly.

The Speaker then introduced Mr. Emery, who addressed the convention.

Mr. H. T. Jul. Fuehrman was next intrcduced, who addressed the convention.

Prof. C. F. Curtis, of Ames, was next introduced, who addressed the convention.

On motion of Senator Henderson, the joint convention was dissolved.

The House resumed its session and then, upon motion of Mr. Merriam, adjourned till 9 A. M. to-morrow.

$$
\left.\begin{array}{c}
\text { Hall of the House of Repreerentatives, } \\
\text { Des Moines, Iowa, Wednesday, March 31, 1897. }
\end{array}\right\}
$$

The House was called to order at 9 A. m. by, Speaker Byers. Prayer was offered by Rev. Elias Handy, of Newton, Iowa. House file No. 25, with Senate amendments thereto, was taken up.

Mr. Lauder moved that the House concur in the Senate amendments to sections 10 and 12.

On the question, "Shall the House concur?" the yeas were:
Messrs. Allen, Baker, Bell, Brighton, Brinton, Byington, Chapman, Clark, Cornwall, Crow, Davis, Doubleday, Dowell, Early, Evans, Finch, Frazee, Frink, Funk, Good, Griswold, Grote, Gurley, Haugen, Hauger, Hazen, Hendershot, Huntley, Jay, Klemme, Ladd, Lambert, Lauder, Loomis, Lowry, McAchran, McArthur, McDonald, McDowell, McQuin, Marti, Martin, Miller of Buena Vista, Miller of Cherokee, Miller of Warren, Morrison of Grundy, Mullin, Nietert, Nolan, Parker, Perrott, Porter, Potter, Power, Prentis, Putnam, Ray, Reed, Scott, Smith, Spaulding, St. John, Thompson, Tibbitts, Van Houten, Voelker, Watters, Wells, Wheeler, Whelan, Whittier, Williams, Wilson, Wood, Mr. Speaker-75.

Mr. Cook voted in the negative.
Absent or not voting:
Messrs. Bailey, Bird, Bowen, Brady, Brant, Classen, Edwards, Garner, Hayes, Hinkhouse, Hinman, Hunt, Jackson, Johnson of Webster, Johnston of Franklin, Lavender, McNulty, Manahan, Mayne, Merriam, Morrison of Keokuk, Sullivan, Temple, Weaver-24.

So the House concurred.
On the question, "Shall the House concur in all the remaining Senate amendments to House file No. 25?" the yeas were:

Messrs. Allen, Bailey, Baker, Bell, Bird, Brant, Brighton, Brinton, Clark, Cook, Cornwall, Crow, Davis, Doubleday, Dowell, Early, Edwards, Evans, Finch, Frink, Funk, Garner,

Good, Griswold, Grote, Gurley, Hauger, Hayes, Hazen, Hendershot, Hinman, Hunt, Huntley, Jackson, Jay, Klemme, Ladd, Lauder, Lavender, Loomis, Lowry, McAchran, McArthur, McDonald, McDowell, McQuin, Marti, Martin, Merriam, Miller of Buena Vista, Miller of Cherokee, Miller of Warren, Morrison of Grundy, Morrison of Keokuk, Mullin, Nietert, Nolan, Parker, Perrott, Porter, Potter, Power, Prentis, Putnam, Ray, Reed, Scott, Smith, Spaulding, St. John, Sullivan, Thompson, Tibbitts, Van Houten, Voelker, Watters, Wells, Wheeler, Whelan, Whittier, Williams, Wilson, Wood, Mr. Speaker-84.

The nays were:
None.
Absent or not voting:
Messrs. Bowen, Brady, Byington, Chapman, Classen, Frazee, Haugen, Hinkhouse, Johnson of Webster, Johnston of Franklin, Lambert, McNulty, Manahan, Mayne, Temple, Weaver-16.

So the House concurred and the amendments to the title were agreed to.

House file No. 24, relating to railroad commissioners, was indefinitely postponed, on motion of Mr. Lauder, as the Senate file covering the same ground had already passed the House.

On motion of Mr. Funk, substitute for Senate file No. 8, a bill for an act to revise, amend and codify the statutes in relation to the revenue, with report of committee recommending passage with amendments, was taken up and considered.

Committee amendment to section 1 , chapter 1, line 5, was adopted.

Committee amendment to section 9 , chapter 1 , line 3 , was adopted.

Committee amendment to section 21, chapter 1, was adopted. Committee amendment to section 11, chapter 1, was adopted.
Mr. Prentis in the chair.
The following amendments to this bill were filed and ordered printed in the Journal, to be taken up later on in the order in which they were filed:

By Mr. Early, No. 1.-Amendment to revenue bill:
Strike out sections $27,28,29,30,38,39,43$ and 44 of chapter 1 of the bill, and insert as sections $27,28,29,30,31,32,33,34,35,36,37,38$ and 39 of the bill the following, and when so inserted that the remaining sections of the chapter be properly renumbered.

Sec. 27. Every company engaged in transmitting to, from, through, in or across the State of Iowa, telegraphic messages, shall be deemed and held to be a telegraph company, and every such telegraph company shall annually, between the first day of February and the first day of March, make out and deliver to the Auditor of State a statement, verified by oath of an officer or agent of such company making such statement with reference to the first day of January next preceding, showing:

First - The principal place of business.
Second.-The total capital stock of such company.
Third -The number of shares of capital stock issued and outstanding, and the par or face value of each share.

Fourth.-The market value of said shares of stock on the first day of January next preceding, and if such shares have no market value, then the actual value thereof; and in case no shares of stock have been issued, state the market value, or the actual value in case no market value, of the capital thereof, and the manner in which the same is divided.

Fifth.-The rea] estate, structures, machinery, fixtures and appliances owned by said company and subject to local taxation within the State, and the location and actual value thereof in each county, township or district where the same is assessed for local taxation.

Sixth.-The specific real estate, together with the permanent improvements thereon, owned by such company, situated outside the State of Iowa, and not directly used in the conduct of the business, with a specific description of each piece, where located, the purpose for which the same is used and the actual value thereof in the locality where situated.

Seventh.-All mortgages upon the whole or any part of its property, together with the dates and amounts thereof.

Eighth.-(a) The total length of the lines of said company.
(b) The total length of its lines outside the State of Iowa.
(c) The length of its lines within each of the counties, townships and assessment districts within the State of Lowa.

Sec. 28. No telegraph line shall be assessed which is owned and operated by any railroad company exclusively for the transaction of its business and which has been duly reported as such in its annual report under the laws providing for the taxation of railroad property.

Sec. 29. Every company doing a telephone business in this State, shall annually, between the first day of February and the first day of March, make out and deliver to the Auditor of State a statement, verified by the oath of an officer or agent of such company making such statement, with reference to the first day of January next preceding, showing:

First.-Its principal place of business.
Second.-The total capital stock of such company.
Third.-The number of shares of capital stock issued and outstanding, and the par or face value of each share.

Fourth.-The market value of said shares of stock on the first day of January next preceding, and if such shares have no market value, then the actual value thereof; and in case no shares of stock have been issued, state the market value, or the actual value in case no market value, of the capital thereof, and the manner in which the same is divided.

Fufth. -The real estate, structures, machinery, fixtures and appliances owned by said company, and subject to local taxation within the State,
and the location and actual value thereof in each county, township or assessment district where the same is assessed for local taxation.

Sixth.-The specific real estate, together with the permanent improvements thereon, owned by such company, situated outside the State of Iowa, and not used directly in the conduct of the business, with a specific description of each piece, where located, the purpose for which the same is used, and the actual value thereof in the locality where situated.

Seventh-All mortgages upon the whole or any part of its property, together with the dates and amounts thereof.

Eighth.-(a) The total length of lines of said company.
(b) The total length of its lines outside the State of Iowa.
(c) The length of its lines within each of the counties, townships and assessment districts within the State of Iowa.

Sec. 30. Every company engaged in conveying to, from, through, in or across this State, or any part thereof, money, packages, gold, silver, plate, merchandise, freight, or any other articles, under contract, express or implied, with any railroad company, or the managers, lessees, agents or receivers, provided, such company is not a railroad company, shall be deemed and held to be an express company within the meaning of this act, and every such express company shall annually, between the first day of February and the first day of March, make out and deliver to the Auditor of the State a statement verified by the oath of an officer or agent of such company, making such statement, with reference to the first day of January next preceding, showing:

First.-The principal place of business.
Second -The total capital stock of said company.
Third.-The number of shares of capital stock issued and outstanding and the par or face value of each share, and in case no shares of capital stock are issued, in what manner the capital stock thereof is divided and in what manner such holdings are evidenced.

Fourth.-The market value of said shares of stock on the first day of January next preceding, and if such shares have no market value, then the actual value thereof; and in case no shares of stock have been issued, state the market value, or the actual value in case no market value, of the capital thereof, and the manner in which the same is divided.

Fifth.-The real estate, structures, machinery, fixtures and appliances, owned by said company, and subject to local taxation within the State of Iowa, and the location and actual value thereof in the county, township or district where the same is assessed for local taxation.

Sixth -The specific real estate, together with the improvements thereon, owned by said company, situated outside the State of Iowa, and not used directly in the conduct of the business, with a specific description of each piece, where located, the purpose for which the same is used, and the actual value thereof in the locality where situated.

Seventh -All mortgages upon the whole or any part of its property, together with the dates and amounts thereof.

Eighth -(a) The total length of lines or routes over which said company transports such merchandise, freight or express matter.
(b) The total length of such lines or routes as are outside the State of Iowa.
(c) The length of such lines or routes within each of the counties, townships and assessment districts within the State of Iowa.

Sec. 31. Every company conveying to, from, through, in or across this State or any part thereof, passengers or travelers in palace cars, drawing room cars, sleeping cars, dining cars or chair cars, under any contract, express or implied, with any railroad company, or the managers, lessees, agents or receivers, shall be deemed and held to be a sleeping car company for the purposes of this act; and every such sleeping car company doing business in this State, shall, annually, between the first day of February and the first day of March, make out and deliver to the Auditor of State a statement, verified by the oath of an officer or agent of such company making such statement, with reference to the first day of January preceding, showing:

First.-The principal place of business.
Second.-The total capital stock of such company.
Third.-The number of shares of capital stock issued and outstanding, and the par or face value of each share.

Fourth. -The market value of said shares of stock on the first day of January next preceding, and if such shares have no market value, then the actual value thereof; and in case no shares of stock have been issued, state the market value, or the actual value in case no market value, of the capital there $f$, and the manner in which the same is divided.

Fifth.-The real estate, structures, machinery, fixtures and appliances owned by said company, and subject to local taxation, within the State, and the location and actual value thereof in each county, township or district where the same is assessed for local taxation.

Sixth.-The specified real estate, together with the permanent improvements thereon owned by such company, situated outside the State of Iowa, and not used directly in the conduct of the business, with a specific description of each such piece, where located, the purpose for which the same is used, and the actual value thereof in the locality where situated.

Seventh.-All mortgages upon the whole or any part of its property, together with the franchises and amounts thereof.

Eighth.-(a) The total length of the main lines of all railroad companies. over which said cars are run.
(b) The total length of the main lines of the railroad companids over which said cars are run outside the State of Iowa.
(c) The length of the lines of said railroad companies over which said cars are run within each of the counties, townships or assessment districts. within the State of Iowa; provided, thet where the railroads, over which said lines run, have double tracks, or a greater number of tracks than a single track, the statement shall only give the mileage as though such tracks were buta single track, and in case the Auditor of State shall requireit, such statement shall show in detail the number of miles of each or any particular railroad system or division.

Sec. 32. Upon the filing of such statements the Auditor of State shall examine each of them, and if he shall deem the same insufficient, or in case he shall deem that other information is requisite, he shall require such officer or agent to make such other and further statements as said Auditor of State may call for. In case of the failure or refusal of any company to make out and deliver to the Auditor of State any statement or statements.
required by this chapter, such company shall forfeit and pay to the State of Iowa one bundred ( $\$ 100.00$ ) dollars for each day such report is delayed beyond the first day of March, to be sued and recovered in any proper form of action in the name of the State of Iowa, on the relation of the Auditor of State, and such penalty when collected shall be paid into the general fund of the State.

Sec. 33. Upon the meeting of the Executive Council on the first Monday in March of each year, said Auditor of State shall lay such statements, with such information as may have been furnished him, before said Executive Council, and it shall thereupon value and assess the property of such company, in the manner hereinafter set forth, after examining such statements, and after ascertaining the actual value of the property of such company therefrom, and from such other information as it may have or obtain. For that•purpose the Executive Council may require such company, by its agents or officers, to appear before said Council with such books, papers or statements as the Council may require, or it may require such additional statements to be made by such company, and may compel the attendance of witnesses, in case said Council shall deem it necessary, to enable it to ascertain the actual value of such property.

Sec. 34. The Executive Council shall first ascertain the actual value of the entire property owned by said company, from said statements or otherwise, for that purpose taking the aggregate value of all shares of capital stock, in case said shares have a market value, and in case they have none, taking the actual value thereof or of the capital of said company, in whatever manner the same is divided, in case no shares of capital stock have been issued. Provided, however, that in case the whole or any portion of the property of such company, shall be incumbered by a mortgage or mortgages, such council shall ascertain the actual value of such property by adding to the market value of the aggregate shares of stock or to the value of the capital, in case there shall be no such shares, the aggregate amounts of such mortgage or mortgages, and the result shall be deemed and treated as the actual value of the property of such company.

The Executive Council shall, for the purpose of ascertaining the actual value of the property within the State of Iowa, next ascertain from such statements or otherwise, the actual value in localities where the same is situated, of the several pieces of real estate, situated without the State of Iowa and not specifically used in the general business of such company, which said actual values shall be by the Executive Council deducted from the gross actual value of the property as above ascertained.

The Executive Council shall next ascertain the actual value of the property of such company, in the State of Iowa, by taking the proportion of the whole aggregate value of said company, as above ascertained, after deducting the actual value of such real estate without the State, which the length of the lines of said company, in case of a telegraph or telephone company, within the State of Iowa, bears to the total length of the lines thereof; and in case of palace, drawing room, sleeping, dining or chair car companies, the proportion shall be the proportion of such aggregate value, after such deductions, which the length of the lines within the State, over which said cars are run, bears to the length of the whole lines over which said cars are run; and in case of an express company, the proportion
shall be the proportion of the aggregate value after such aeductions, which the length of the lines or routes within the State of Lowa, bears to the whole length of the lines or routes of such companies, and such amount, so ascertained, shall be deemed and held as the entire actual value of the property of said companies, within the State of Iowa.

From the entire actual value of the property within the State so ascertained, there shall be deducted by the said council the actual value of all the real estate, structures, machinery and appliances within the State and subject to local taxation in the counties, townships and other assessment districts, as hereinbefore described in the fifth item of sections 27 , 29, 30 and 31 of this chapter, and one-third of the residue of such actual value so ascertained, after deducting therefrom the actual value of such local properties shall be by the Executive Council assessed to said company, and such valuation and assessment shall be in the same ratio as that of the property of individuals.

Sec. 35. The Executive Council shall thereupon ascertain the value per mile of tie property within the State by dividing the total value, as above ascertained after deducting the specific properties locally assessed within the State by the number of miles within the State, and the result shall be deemed and held as the actual value per mile of the property of such company, within the State of Iowa.

Sec. 36. Said Executive Council shall thereupon, for the purpose of determining what amount shall be assessed by it to said company, in each county of the State, through, across, into or over which the line of said company extends, multiply the value per mile as above ascertained by the number of miles in each of such counties as reported in said statements, or as otherwise ascertained, and the result thereof shall be by said council certified to the Auditor of State, who shall thereupon certify the same to the auditors respectively of the several counties through, into, over and across which the lines or routes of said company extend, together with a statement of the length of lines in each township and assessment district in each county.

Sec. 37. At the first meeting of the board of supervisors held after said statement is received by the county auditor, it shall cause the same to be entered on its minute book, and make and enter therein an order stating the length of the lines or routes and the assessed value of each in each city, town, township or other assessment district in its county, through or into which said lines or routes extend, as fixed by the council, which shall constitute the taxable value of said property for taxing purposes; and the taxes on said property, when collected by the county treasurer, shall be disposed of as other taxes. The county auditor shall transmit a copy of said order to the councils of cities or towns or to the trustees of the townships. The county auditors shall also add to the value so apportioned, the assessed valuation of the real estate, structures, machinery, fixtures and appliances situated in any township or assessment district as returned by the assessors thereof, and extend the taxes thereon upon the tax lists as in other cases. All such property shall be taxable upon said assessment, at the same rates, by the same cfficers, and for the same purposes as the property of individuals within such counties, townships or assessment districts.

Sec. 38. In case any such company shall fail or refuse to pay any taxes. assessed against it in any county, township or assessment district in the State, in addition to other remedies provided by law for the collection of taxes, an action may be prosecuted in the name of the State of Iowa by the county attorneys of the different counties of the State, on the relation of the auditors of the different counties of this State, and judgment in such action shall include a penalty of fifty per cent of the amount of taxes. so assessed and unpaid together with reasonable attorney's fees for the prosecution of such action, which action may be prosecuted in any countyinto, through, over or across which the line or route of any such company shall extend, or in any sounty where such company shall have an office or agent for the transaction of business.

In case such company shall have refused to pay the whole of the taxes. assessed against it by said Executive Council, or in case such company, shall have refused to pay the taxes, or any portion thereof, assessed to it in any particular county or counties, township or assessment district, such action may include the whole or any portion of the taxes so unpaid in any county or counties, township or assessment district, but the AttorneyGeneral may, at his option, unite in one action the entire amount of tax due, or may bring separate actions in each separate county, or join counties, as he may prefer.

All collection of taxes for or on account of any particular county made in any such suit or suits, shall be by said Auditor of State accounted for as a credit to the respective counties for and on account of which such collections were made by said Auditor of State, at the next ensuing settlement with such county, but the penalty so collected shall be credited to the general fund of the State; and upon such settlement being made, the treasurers of the several counties shall, at their next settlements, enter credits upon the proper books in their offices, and at the next settlement with such county, report the amount so received by him in his settlement with the State, and proper entries shall be made with reference thereto; provided, however, that in any such action the amount of the assessment fixed by said Executive Council and apportioned to such county, or apportioned by the county auditor to any particular township or assessment district, shall not be controverted.

Sec. 39. The word "company" as used in the ten preceding sections, shall be deemed and construed to mean and include any person, co-partnership, association, corporation, syndicate or trust, that may own or operate, or be engaged in operating any telegraph or telephone lines or express. routes, or sleeping car company, as therein defined, whether formed or organized under the laws of this State, any other State or territory, or of any foreign country.

By Mr. Prentis, No. 2.-Amend section 3, page 3, by strik. ing out the figures " $33 \frac{1}{3}$ " in line 2, and inserting the words "twenty-five."

By Mr. Hauger, No. 3́.-Amend section 2 of chapter 1 by adding thereto as subdivision 8, the following: 8-All real estate mortgages and bills receivable, secured by real estate mortgages, bearing a rate of interest not exceeding 5 per cent
per annum, including commissions, fees, premiums, and all other charges, whether directly or indirectly made.

By Mr. Hinman, No. 4.-Amend section 10, page 5, by striking out all after the word "demand," in line 9, and insert the following: "But all real estate under mortgage shall be exempt for valuation to the amount of said mortgage."

By Mr. McArthur, No. 5.-Amend chapter 1, section 3, page 3, by striking out the words "thirty-three and one-third" and insert in lieu thereof the words "twenty-five."

By Mr. Spaulding, No. 6.-Add to section 6, chapter 1, the following: "Mortgages of real estate given after the taking effect of this act for the purpose of taxation are declared to be real estate and must be entered in the county auditor's office for taxation before recording. The auditor shall furnish to the several assessors of their respective counties the amount of mortgages due on each parcel of real estate as furnished him. annually for the first of January under oath of the several mortgages. The assessor shall list such mortgages with the real estate to which they belong, and the mortgagor and the mortgagee shall pay the tax on the mortgaged property as such interest in equity appears. Notes secured by real estate mortgages to be taxed no other place. Either party paying the whole tax shall have a first lien against the other party for his just share of said tax, agreements to the contrary notwith. standing.

By Mr. Ladd, No. 7.-Every insurance company or association, incorporated by or under any law of this State, except companies and associations doing business upon the purely mutual plan without any capital stock or accumulated reserve, and purely fraternal beneficiary associations, whose funds for the benefits of members, their families or heirs, are made up entirely of monthly or periodical contributions of the members, shall at the time of making the annual statement as required by law, pay into the State treasury a tax of eight mills upon the dollar, upon the gross amount of premiums and assessments from business transacted within this State during the preceding year, whether said premiums and assessments were received in money, or in the form of notes, credits, or any other substitutes for money. Every such company or association shall take duplicate receipts therefor, one of which shall be filed with the Auditor of State, and upon the filing of said receipts, and not till then, the said Auditor shall issue the
annual certificate as provided by law, and said tax shall be in full for all taxes, State and local, except taxes on real estate and special assessments.

By Mr. Crow, No. 8.-Amend section 11, chapter 1, by adding thereto the following: First.-All mortgages or part of mortgages in this State on the first day of January of each year, shall be listed for taxation by the assessor and taxed at their true valuation the same as other property is taxed, and it shall be prima facie evidence that such mortgages are not paid when it appears by the records that they remain unsatisfied.

Second.-All mortgages shall be filed for record within twenty days from the date of acknowledgment of such mortgage. All mortgages presented for record in any county in the State, the same shall be indexed and given to the county auditor of said county, who shall list said mortgages for taxation without unnecessary delay, and return the same to the recorder, who shall place it in the records in the county where such mortgage is presented.

Third.-Any person or persons or any firm or agents doing business in this State, and having in their possession any of the property described in this section, who shall conceal or evade the listing of any such property shall pay fifty per cent additional tax as a penalty for the violation of this act.

By Mr. Morrison of Keokuk, No. 9.-Page 23, substitute for Senate file No. 8, add to section 68: 'at such meetings it shall be the duty of the assessors to read each and every taxpayer's name and assessment on the assessor's books and if the assessment is approved pass to next name. After checking the same the board shall then take up the unchecked names in alphabetical order and raise or lower the same as in their opinion will be just, checking off each taxpayer as the same is adjusted."

By Mr. Morrison of Keokuk, No. 10.—Add to section 59, commencing at the end of sentence in line 12 , as follows: "The assessor shall furnish each person, partnership, corporation or association referred to in this section, suitable and sufficient blanks, upon which such person, partnership, corporation or association shall list in such detail, as will fully describe each kind of all moneys and credits, giving both the nominal and actual value thereof, belonging to such person, partnership, corporation or association; and also all liabilities. The aggregate amount of each of the several kinds of moneys and credits
and liabilities shall be the same as are shown on the assessment roll, form No. 2, as made out and returned by the person, partnership, corporation or association assessed. These detailed statements shall be sworn to and filed with the assessor, who shall duly certify the same and return them to the county auditor, who shall file and preserve the same, in the same manner as is provided in this chapter for the preservation of schedules No. 2; and they shall not be open for public inspection except on order of a court of record for cause shown. The assessed, or any subsequent owner of any item in said list shall be entitled to and receive, upon request, a certificate from the auditor, showing that, the given item is contained in said list; and after the 4th day of July, 1898, no suits shall be brought to enforce the collection of any indebtedness required to be listed under this section, unless the plaintiff shall allege and prove that the subject matter of the action has been duly listed and returned for taxation, as required by this section, at the assessment next preceding the commencement of thejaction. The assessor, if so requested at the time of the assessment, shall duly certify a duplicate of such detailed statement, which may be retained by the assessed and be used as evidence that each of the several items named therein have been returned for taxation."

By Mr. Hauger, No. 11.-Amend section 19, page 7, subdivision 3, by striking out in line 10 the words "and interest due and unpaid" and insert a period after the word "receivable."

By Mr. Ladd, No. 12.-Add the following to section 24: "Any shareholder who with intent to avoid taxation fraudulently transfers a share of corporate stock, or fraudulently causes or procures a certificate of a share to be issued to any person other than himself, or in any name other than his own; or refuses to inform or wilfully misinforms the corporation respecting his name or residence; or having changed his residence to another city or town in the commonwealth, wilfully omits to give notice thereof to any corporation in the commonwealth in which he is a shareholder, shall forfeit one-half of the par value of the shares so transferred, issued or owned by him in the stock of such corporation, to be recovered by an action of tort to the use of the city or town in which he resides."

By Mr. Ladd, No. 13.-Substitute for section 56. Whoever with intent to defeat or evade the provisions of law in relation to the assessment or payment of taxes, delivers or discloses to an assessor or assistant assessor a false or fraudulent
list, return or schedule of property, as and for a true list of his estates not exempted from taxation, shall be punished by fine not exceeding one thousand dollars or imprisonment in the county jail not exceeding one year.

By Mr. Ladd, No. 14.-Substitute for section 25. '"The stockholders of every building and loan or savings and loan associations exclusively engaged in such business, whether such associations are organized under the laws of this State or any other state or territory of the United States, shall list for taxation with the local assessor where such stockholders reside, the number of shares of stock of such association owned by them respectively, and the actual value thereof on the first day of January of each year, and the same shall be assessed against such stockholders and the taxes collected thereon in the same manner as on the other personal property. Provided, that in making up the amount of stock and the actual value thereof, which any person is required to list for himself, he shall be entitled to deduct therefrom any indebtedness for money borrowed upon shares of stock and secured by mortgage upon real estate listed for taxation, but such indebtedness shall not be deducted from any other credits which any stockholder may have, and which is required by law to be listed for taxation. When domestic or domestic local associations maintain a reserve, expense or other fund, or its equivalent, the same shall be subject to taxation at the principal place of business of the association and shall be assessed against, and paid by the association as other personal property."

The Speaker resumed the chair.
By Mr. Martin, No. 15.-Amend chapter 1, section 12, line 2, by inserting after the words "to sell" the words "and persons having in their possession property belonging to another subject to taxation in the assessment district where said property is found."

By Mr. Martin, No. 16.-Amend chapter 1, section 13, line 2, by inserting after the word "business" the words: "In estimating the amount of capital so used, there shall be taken into consideration the increase and decrease of the value of grain held in store."

By Mr. Martin, No. 17.-Amend chapter 1, section 18, line 3, by inserting after the word "using" the words "or holding;" also, insert in line 4 after the word "profit" the words "for himself or the owner."

By Mr. Garner, No. 18.-Substitute for section 46: "Sec. 46. Such license may be obtained from the auditor of the county upon paying the proper tax to the treasurer thereof and may issue for a less period than one year for the proportionate amount of tax and all such licenses shall state the date of expiration of the same, and any person so peddling without a license or after the expiration of his license is guilty of a misdemeanor, and the person actually peddling is liable, whether he be the owner of the goods or not. Upon conviction of peddling without a license, as aforesaid, the offender shall forfeit and pay to the county treasurer, in addition to the fine imposed upon him for the misdemeanor, double the amount of the license for one year as fixed by the preceding section."

By Mr. Wells, No. 19.-Amend section 9, chapter 1, line 1, by inserting after the word "credits" the words "and real estate to be listed and assessed."

By Mr. Wells, No. 20.-Amend section 11, chapter 1, line 2, by inserting after the word "except" the words "notes secured by mortgages on real estate shall be taxed where the mortgage is recorded."

Leave was granted to the Committee on the Annotation of the Code, consisting of Messrs Evans, Dowell and Hayes, to sit during the session of the House.

Committee amendment to section 45, chapter 1, was adopted.
Committee amendment to section 69, chapter 1, was adopted.
Committee amendment to section 70, chapter 1, was adopted.
Committee amendment to section 71, chapter 1, was adopted.
Committee amendment to section 97, chapter 1, was adopted.
Mr. Prentis moved to amend committee amendment to chapter 2 , page 30 , section 6 , line 9 , by striking out the word "he" and insert in lieu thereof the words' "the collector."

Adopted.
Committee amendment to section 6, chapter 2, as amended, was adopted.

## MESSAGES FROM THE SENATE.

The following message was received from the Senate:
Mr. Speaker-I am directed to inform your honorable body that the Senate has passed the following bill, in which the concurrence of the Senate waf asked:

House file No. 34, a bill for an act to revise, amend and codify the statutes in relation to fire companies.

Also:
Mr. Sphaker-I am directed to inform your honorable body that the Senate has adopted the report of the conference committee on Senate file No. 4, a bill for an act to revise, amend and codify the statutes in relation to procedure in courts of original jurisdiction•

Geo. A. Newman, Secretary.
Mr. Dowell moved that 1000 copies of the report of the Committee on Cities and Towns, be ordered printed.

Carried.
The Conference Committee report on Senate file No. 4, was taken up and considered.

Mr. Cornwall moved that the report of the Conference Committee be adopted.

On the question, "Shall the repert of the Conference Committee be adopted?" the yeas were:

Messrs. Allen, Bailey, Baker, Bell, Bird, Bowen, Brady, Brant, Brighton, Brinton, Byington, Chapman, Clark, Cook, Cornwall, Crow, Davis, Doubleday, Early, Finch, Frazee, Frink, Funk, Garner, Good, Griswold, Grote, Gurley, Haugen, Hauger, Hazen, Hendershot, Hinman, Hunt, Huntley, Johnson of Webster, Johnston of Franklin, Ladd, Lambert, Lauder, Loomis, Lowry, McAchran, McArthur, McDonald, McĐowell, McNulty, McQuin, Marti, Martin, Merriam, Miller of Buena Vista, Miller of Cherokee, Morrison of Grundy, Morrison of Keokuk, Mullin, Nietert, Nolan, Parker, Perrott, Porter, Potter, Power, Prentis, Putnam, Reed, Scott, Smith, Spaulding, St. John, Sullivan, Temple, Thompson, Tibbitts, Van Houten, Voelker, Watters, Weaver, Wheeler, Whelan, Whittier, Williams, Wilson, Mr. Speaker-84.

The nays were:
None.
Absent or not voting:
Messrs. Classen, Dowell, Edwards, Evans, Hayes, Hinkhouse, Jackson, Jay, Klemme, Lavender, Manahan, Mayne, Miller of Warren, Ray, Wells, Wood-16.

So the report was adopted.
On motion of Mr. Bird, the House adjourned until 2 P. m.

## AFTERNOON SESSION.

House met at 2 P. m., called to order by Speaker Byers.
Pending business, Senate file No. 8, relating to the revenue.
The Clerk resumed the reading of the bill.
The following amendments to Senate file No. 8 were filed:
By Mr. Miller of Cherokee, No. 21.-Amend section 2, subdivision 3, in line 22, by striking out the words "one hundred chickens."

By Mr. Doubleday, No. 22.-Amend subdivision 3, section 19, page 7, by inserting between the words "others" and "and" in line 1 , the words "distinguishing between the sight and the time deposits," so that subdivision 3 would read as follows: "3. The amount of all deposits made with them by others, distinguishing between sight and time deposits, and also the amount of bills payable."

By Mr. Weaver, No. 23.-Insert in section 20 the words "State and savings," after the word "National" in line 1; also, strike out all after the word "located" in line 2, up to the word "at" in line 3; also, strike out the word "National" in line 4, and insert the word "such."

Mr. Frink moved to amend section 18, chapter 2, in line 6, by inserting the word "immediately" before the word "post. ing;" also, after the words "a copy" insert the words "of the first publication."

Adopted.
Mr. Haugen was called to the chair.
By Mr. Morrison of Grundy, amendment No. 24.-Amend section 71 , line 2, page 24, strike out the word "may" and insert in lieu thereof the words "shall, when apprised thereof;" also, in line 9 , strike out all after the word "interest" up to and including the word "brought" and insert in lieu thereof the words: "He shall cause an action to be brought."

Speaker resumed the chair.
By Mr. Morrison of Grundy, No. 25.-Insert in section 71, chapter 1, line 5, the words "or of the heirs, administrators or assigns thereof" after the word "assessed."

Committee amendment to section 1, chapter 4, line 6, was adopted.

Committee amendment to section 1, chapter 4, line 10, was adopted.

Committee amendment to section 3, chapter 4, line 3, was adopted.

Committee amendment to section 3, chapter 4, line 5, was adopted.

Committee amendment to section 4, chapter 4, was adopted.
Committee amendment to section 9 , chapter 4, line 3, was adopted.

Committee amendment to section 9 , chapter 4, line 4, was adopted.

Committee amendment to strike out section 11, chapter 4, and insert a substitute therefor, was adopted.

Mr. Funk moved to amend the Senate amendment to section 15, chapter 1, by striking out the first word 'properties" and inserting the words "personalties, moneys," also in line 9 of section 15, after the word "said" insert the word "branch."

Adopted.
By Mr. Byington, amendment No. 26.-Amend page 2, section 7, line 39, by striking out all after the word "sailor" in line 39, and insert in lieu thereof the words "who has not remarried."

By Mr. Frink, No. 27.-Section 16, page 22, amend by striking out the word "May" in line 6, and inserting the word "April" in lieu thereof, also add after the word "township" the word "clerk," also strike out in line 7, the words "city or town clerk as the case may be" and insert "and to the city or town clerk not later than the tenth day of May," so that it will read, "and not later than the tenth day of April return one of such books to the township clerk, and to the city or town clerk not later than the tenth day of May."

By Mr. Van Houten, No. 28.-Amend section 45, chapter 1, line 8, by striking out after the word "production" the words either by themselves or employes."

By Mr. Klemme, No. 29.-Amend subdivision 7, section 2, page 2, by adding after the word "homestead," in line 1, as follows: "or other real or personal property;" also, strike out of same line the word "eight" and insert the word "fifteen;" also, strike out all after the word "sailor" in line 41, section 2, all of lines 42 and 43 , down to and including the word "homestead."

By Mr. Finch, No. 30.-Amend section 40, page 38, as follows: Strike out of line 10 all after word "served," all of lines 11 and 12 and first three words of line 13, and insert in lieu thereof the following: "but any such non-resident may, in writing, appoint a resident of the county in which said land is situated an agent upon whom said notice shall be served, stating in said appointment the name and residence of said agent, the date of sale and description of the property sold, and file said appointment with the treasurer, who shall forthwith make an entry on the margin of the tax sale register opposite the entry of said sale, after which said notice shall be served upon said agent in the same manner as an original notice."

House file No. 14, was indefinitely postponed since it covers the same ground as the Senate file now under consideration.

The conference committee report on House file No. 84, was taken up and considered.

Mr. Temple moved that the House adopt the report of the committee.

On the question, "Shall the report of the committee be adopted? the yeas were:

Messrs. Allen, Bailey, Bell, Bird, Bowen, Brady, Brant, Brighton, Brinton, Chapman, Clark, Cook, Cornwall, Crow, Davis, Doubleday, Dowell, Edwards, Finch, Frink, Funk, Garner, Good, Griswold, Grote, Gurley, Hauger, Hendershot, Hinman, Huntley, Johnson of Webster, Johnston of Franklin, Klemme, Lauder, Lavender, Loomis, McAchran, McArthur, McDonald, McNulty, McQuin, Manahan, Martin, Merriam, Miller of Buena Vista, Miller of Cherokee, Miller of Warren, Morrison of Grundy, Morrison of Keokuk, Mullin, Nietert, Nolan, Parker, Perrott, Potter, Prentis, Putnam, Ray, Reed, Scott, Smith, Spaulding, St. John, Temple, Thompson, Van Houten, Watters, Weaver, Wells, Whelan, Williams, Wood, Mr. Speaker-73.

The nays were:
Messrs. Baker, Byington, Frazee, Hazen, Hunt, Jay, Lambert, Lowry, McDowell, Power, Sullivan, Tibbitts, Voelker, Wheeler, Wilson-15.

Absent or not voting:
Messrs. Classen, Early, Evans, Haugen, Hayes, Hinkhouse, Jackson, Ladd, Marti, Mayne, Porter, Whittier-12.

So the report was adopted.
Journal of yesterday corrected and approved.
On motion of Mr. Cornwall, House adjourned till $9 \mathrm{~A} . \mathrm{m}$. to-morrow.

Hall of the House of Representatives, \} Des Moines, Iowa, Thursday, April 1, 1897.
House met at 9 A. m., Speaker Byers in the chair. Prayer by Rev. N. F. Douglass of Eagle Grove, Iowa.

## PETITIONS AND MEMORIALS.

Mr. Power presented petition of citizens of Keokuk, Iowa, protesting against the passage of the Temple amendment.

Referred to Committee on Railroads and Commerce.
Mr. Lambert offered the following resolution, which was laid over under Rule 34.

Whereas, The written evidence taken before the committee to investigate matters pertaining to the offices of State printer and State binder is now in the possession of this House, and

Whereas, It is neither convenient nor practicable for all of the members to read and examine said evidence in its present form, and

Whereas, Many of the members of the House are desirous of reading said evidence in full as it was transcribed from the notes of the stenographer, therefore, be it

Resolved, That said transcribed evidence be printed in full in the Journal of the House in order that it may become a part of the records in fact, and the members be thereby enabled to read the same at leisure and from their own deductions and conclusions form an opinion as to its true bearing and value in and upon the portions of the investigations therein covered.

REPORT OF SPECIAL COMMITTEE.
Mr . Weaver, from the committee appointed to investigate reports regarding the enactment of the building and loan law, submitted the following report:
To the Speaker of the House of Representatives, the President of the Senate, and the members of the Twenty-sixth General Assembly of the State of Iowa:
Your committee appointed by a concurrent resolution and adopted March 17, 1897, to investigate the reports regarding the enactment of the building and loan law of the Twenty-sixth General Assembly, beg leave to report that they have caused Oce B. Jackman and George A. Quimby, the authors of the letter and "confidential" communication, produced in the House by the Hon. Thomas Lambert, to appear before your committee, as
well as all other persons who were in any way connected with the said report or had any knowledge of the said matters.

Your committee finds that the said Oce B. Jackson and George A. Quimby were members of the executive committee of an association known as the Iowa Federation of Building and Loan Associations. As members of the executive committee of said federation they received, from the various associations, the sum of twenty-three hundred and ninety-five dollars. 'That the said Jackman and Quimby have, as shown by their statements and evidence, disbursed the sum of fourteen hundred and fifty dollars and the balance is not accounted for, except under the head of "Sundries" which they attempt to account for in small expenses. They refuse to make specific statements on the claim that they were not of record and had escaped their memory.

Your committee finds there is not the slightest evidence or intimation that any member of the General Assembly was offered or received any money or was improperly influenced in any manner by the said Jackman and Quimby or by the use of any of the funds in their hands. The evidence of all witnesses examined emphatically denies that any money or thing of value was given or offered directly or indirectly to any member of the General Assembly.

Your committee finds that the contributions made by the various building and loan associations were not given for the use of any illegal purposes, and there is no evidence that this association asked for a law not in the interests of the people. It is clearly shown that the said Jackman and Quimby, in their statements, have endeavored to account for money expended, and in so doing have sought to raise themselves in the estimation of their employers by claiming the credit of passing a law which the interests of the people demanded and which would have been passed had no funds been contributed whatever.

Upon a review of the whole testimony we find that beyond all question the letter and report of Oce B. Jackman, in so far as it may be construed to reflect on members of the General Assembly, is without foundation and such fact was well known to him. We find that the letter and report can only be accounted for on one of the two grounds. Either that the committee of the federation was filled with a reckless vain-glory and sought by false insinuations to exploit their own importance at the expense of innocent men, or that in a spirit of boasting they made a bombastic statement without weighing the language used. In either case, they have wronged the members of the General Assembly and have forfeited the privileges usually accorded to those who desire to confer with members as to proposed legislation.

Your committee unanimously endorses the report made by the House investigation committee, found in the Journal of the House, March 22d, and all that is therein said, with reference to so-called lobbyists and promoters of legislation.

A copy of this report together with the evidence taken in this investigation has been deposited with the Secretary of State.

Respectfully submitted,

h. O. Weaver,<br>M. L. Temple,<br>O. A. Byington,<br>Committee for the House.<br>W. O. Mitchell, Wm. B. Perrin, T. G. Harper, Committee for the Senate.

Ordered passed on file.

## MESSAGES FROM THE SENATE.

The following message was received from the Senate:
Mr. Speaker-I am directed to inform your honorable body that the Senate has amended and passed the following bill, in which the concurrence of the Senate was asked:

House file No. 9, a bill for an act to revise, amend and codify the statutes in relation to the Executive Department.

Geo. A. Newman, Secretary.
Also:
Mr. Speaker-I am directed to inform your honorable body that the Senate has concurred in the House amendment transferring the Senate amendment to section 19 to section 4 of House file No. 17, a bill for an act to revise, amend and codify the statutes in relation to agricultural and horticultural societies.

Geo. A. Newman, Secretary.
Mr. Prentis called up the motion to reconsider the vote whereby Senate file No. 37 passed the House, and moved to lay this motion on the table.

Lost by a vote of 34 yeas to 43 nays.
REPORT OF COMMITTEE.
Mr. Allen, from the Committee on Code Revision, Second Division, submitted the following report:

Mr. Speaker-Your Committee on Code Revision, Second Division, to whom was referred House file No. 21, a bill for an act to revise, amend and codify the statutes in relation to internal improvements, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the House do concur in the Senate amendments thereto.

> W. S. Allen, Chairman.

Ordered passed on file.

The pending business, House file No. 8, relating to the Revenue, was taken up for further consideration.

The following amendments were filed to this bill.
By Mr. McNulty, No. 31.-Amend section 1, line 8, by striking out the word "one" at the end of said line, and inserting in lieu thereof the word "three."

By Mr. McNulty, No. 32.-Amend section 1, line 6, by adding after the word "sister" the words "nephew or niece."

By Mr. McNulty, No. 33.-Amend section 4, line 3, by adding after the word "sister" the words "nephew or niece."

By Mr. McNulty, No. 34.-Amend section 1, line 7, by adding after the word "decedent" the words "or person to whom the decedent in his or her lifetime has provided for as a child."

By Mr. Wood, No. 35.-Amend section 2, chapter 11, by inserting at the end of said section 2, the words, "Provided that the board of supervisors may pay from the county fund for the support of the schools and roads, in the township in which the county poor farm is located, a sum equivalent to the taxes which would accrue against said property if regularly assessed."

By Mr. Jackson, No. 36.—Amend section 19, chapter 1, by substituting the following therefor: "Section 19. Private banks, or any persons other than corporations hereinafter specified, a part of whose business is the receiving of deposits, loaning money, buying or discounting notes, or the selling of exchange, shall furnish to the assessor a sworn statement of the amount of capital, surplus, and undivided profits actually employed in such business and not invested in real estate, personal property, or in bonds or stocks, exempt or otherwise taxed in this State, which amount shall be assessed to such banks or persons as moneys and credits. All real estate or other taxable property belonging to or owned by such banks or persons shall be specially listed and valuod by the usual description thereof and assessed to such banks or persons."

## report of committee on enrolled bills.

Mr. Hauger, from the Committee on Enrolled Bills, submitted the following report:

Mr. Speaker-Your Committee on Enrolled Bills respectfully report that they have examined, and find correctly enrolled, House file No. 65, a bill for an act to revise, amend and codify the statutes in relation to the State historical society.
W. E. Hauger, Chairman.
Ordered passed on file.

Also:
Mr. Speakir-Your Committee on Enrolled Bills respectfully report that they have examined, and find correctly enrolled, House file No. 74, a bill for an act to revise, amend and codify the statutes in relation to. mechanics' liens.

W. E. hauger, Chairman.

Ordered passed on file.
Also:
Mr. Speaker-Your Committee on Enrolled Bills respectfully report that they have examined, and find correctly enrolled, House file No. 93, a bill for an act to revise, amend and codify the statutes in relation to the Normal School, approved February 26, 1897.

W. E. Hauger, Chairman.

Ordered passed on file.
REPORT OF JOINT COMMITTEE ON ENROLLED BILLS:
Mr. Hauger, from the Joint Committee on Enrolled Bills, submitted the following report:

Mr. Speaker-Your Joint Committee on Enrolled Bills respectfully report that they have examined, and find correctly enrolled, House file No. 28, a bill for an act to revise, amend and codify the statutes in relation to the settlement and support of the poor.

> G. S. Gilbertson, Chairman Senate Committee.
> W. E. HavGer, Chairman House Committee.

Ordered passed on file.

## Also:

Mr. Spieaker-Your Joint Committee on Enrolled Bills respectfully report that they have examined, and find correctly enrolled, Senate file No. 90 , a bill for an act to revise, amend and codify the statutes in relation to the School for the Deaf.

> G. S. Gilbertson, Chairman Senate Committee.
> W. E. HaUger, Chairman House Committee.

Ordered passed on file.
Also:
Mr. Speaker-Your Joint Committee on Enrolled Bills respectfully report that they have examined, and find correctly enrolled, House file No. 65, a bill for an act to revise, amend and codify the statutes in relation to the State historical society.

G. S. Gilbertson, Chairman Senate Committee.<br>W. E. Hauger, Charman House Committee.

## Also:

Mr. Speaker-Your Joint Committee on Enrolled Bills respectfully report that they have examined, and find correctly enrolled, House file No. 74, a bill for an act to revise, amend and codify the statutes in relation to mechanic's liens.

G. S. Gilbertson, Chairman Senate Committee.<br>W. E. Hauger,<br>Chairman House Committee.

Ordered passed on file.
Also:
Mr. Speaker-Your Joint Committee on Enrolled Bills respectfully report that they have examined, and find correctly enrolled, House file No. 93, a bill for an act to revise, amend and codify the statutes in relation to the Normal School, approved February 26, 1897.
G. S. Gilbertson.

> Chairman Senate Committee.
> W. E. Havarz, Chairman House Committee.

Ordered passed on file.
Also:
Mr. Speaker-Your Joint Committee on Enrolled Bills respectfully report that they have examined, and find correctly enrolled, House file No. 28, a bill for an act to revise, amend and codify the statutes in relation to the settlement and support of the poor.

G. S. Gilbertson, Chairman Senate Committee.<br>W. E. Haugrr, Chairman House Committee.

Ordered passed on file.
Also:
Mr. Speaker-Your Joint Committee on Enrolled Bills respectfully report that they have examined, and find correctly enrolled, Senate file No. 19, a bill for an act to revise, amend and codify the statutes in relation to the board of railroad commissioners.

G. S. Gilbertson, Chairman Senaie Committee.<br>W. E. Hauger, Chairman House Committee.

Ordered passed on file.
Also:
Mr. Speaker-Your Joint Committee on Enrolled Bills respectfully report that they have examined, and find correctly enrolled, Senate file No. 40, a bill for an act to revise, amend and codify the statutes in relation to the Soldiers' Home.

G. S. Gilbertson, Chairman Senate Committee.<br>W. E. Haughr, Chairman House Committee.

Ordered passed on file.

Mr. Cornwall was called to the chair.
The House took up amendment No. 1 to the revenue bill, by Mr. Early.

The speaker resumed the chair.
Mr. McArthur moved that the rule limiting debate on this first amendment to ten minutes be suspended.

The vote was lost by a vote of 40 yeas to 33 nays, a twothird vote being necessary to suspend the rules.

Mr. Brant moved that further consideration of this amendment be deferred till to-morrow.

Lost by a vote of 35 yeas to 35 nays.
Mr. Lauder moved that further consideration of the amendments to these sections be deferred till the balance of the bill shall have been considered.

Lost by a vote of 36 yeas to 38 nays.
On motion of Mr. Power, House adjourned till 2 P. M.

## AFTERNOON SESSION.

House met at 2 P. m., Speaker Byers in"the chair.
Mr. Funk moved the previous question on the amendment of Mr. Early.

Lost by a vote of 24 yeas to 43 nays.
Mr. Temple offered the following resolution and moved its adoption:

Mr. Spraker-I move that the substitute for amendments to the revenue bill be referred to a committee of seven members whose duty it shall be to report as to its advisability, with power to recommend changes, and that said committee report to this House the decisions of the courts of last resort of states having the same or a similar law, and the decisions, if any, of the supreme court of the United States on this subject. That said committee report at as early a date as practicable and that the consideration of said amendments and the report of the committee be made a special order for Tuesday, April 6, at 9 o'clock a. m.

M. L. Temple.

Lost.

Mr. Tibbitts moved to amend section 34, of the amendment of Mr. Early, by striking out the word "without," in line 31, page 5, and insert "within."

Lost.
Messrs. Dowell and Evans demanded the yeas and nays on the amendment of Mr. Early, which resulted as follows:

On the question, "Shall the amendment be adopted?" the yeas were:

Messrs. Bailey, Baker, Bell, Bird, Bowen, Brady, Brant, Brighton, Brinton, Clark, Cook, Cornwall, Dowell, Early, Evans, Finch, Frazee, Frink, Garner, Good, Griswold, Hauger, Hazen, Hunt, Huntley, Jay, Johnson of Webster, Klemme, Ladd, Lambert, Lavender, Lowry, McAchran, McArthur, McDowell, McQuin, Manahan, Marti, Martin, Mayne, Miller of Buena Vista, Miller of Cherokee, Miller of Warren, Morrison of Grundy, Nietert, Nolan, Parker, Perrott, Porter, Power, Prentis, Ray, Scott, Smith, Sullivan, Thompson, Van Houten, Watters, Weaver, Wells, Wheeler, Whittier, Williams, Wilson, Mr. Speaker-65.

The nays were:
Messrs. Allen, Byington, Chapman, Crow, Davis, Edwards, Funk, Gurley, Hendershot, Hinman, Johnston of Franklin, Lauder, Loomis, McDonald, McNulty, Merriam, Morrison of Keokuk, Mullin, Potter, Putnam, Reed, Spaulding, St. John, Temple, Tibbitts, Voelker, Whelan, Wood-28.

Absent or not voting:
Messrs. Classen, Doubleday, Grote, Haugen, Hayes, Hinkhouse, Jackson-7.

So the amendment was adopted.
The following explanations of votes were filed:
Mr. Speaker-I vote "no"-first, because an amendment of such importance ought to have been carefully considered in committee. Second, because the House refused to grant time to investigate the question. Third, because I deem it wise to relegate the question to the next General Assembly, by which time it can be thoroughly discussed and understood. O. A. Byington.

Mr. Speaker-I am not sure that the Early amendment will be more effective than that proposed by the Ways and Means Committee, and as same has not been before that committee for consideration, and its constitutionality has been seriously questioned, I vote "no."
C. F. Johnston.

Amendment No. 2, by Prentis, was called up and action upon it deferred till to-morrow.

Amendment No. 3, by Hauger, was next taken up and a roll call demanded on the question of its adoption, which resulted as follows:

On the question, "Shall the amendment be adopted?" the yeas were:

Messrs. Bailey, Brant, Cook, Frink, Hauger, Hazen, Hendershot, Huntley, Johnson of Webster, Ladd, McArthur, McNulty, McQuin, Martin, Mullin, Prentis, Spaulding, Tibbitts, Watters, Wheeler-20.

The nays were:
Messrs. Baker, Bell, Bird, Bowen, Brady, Brinton, Byington, Chapman, Clark, Cornwall, Crow, Davis, Dowell, Early, Edwards, Evans, Frazee, Funk, Griswold, Grote, Haugen, Hinman, Hunt, Jay, Johnston of Franklin, Klemme, Lauder, Loomis, Lowry, McAchran, McDonald, McDowell, Manahan, Mayne, Merriam, Miller of Buena Vista, Miller of Cherokee, Miller of Warren, Morrison of Grundy, Morrison of Keokuk, Nietert, Parker, Porter, Potter, Power, Putnam, Reed, Scott, Smith, St. John, Sullivan, Temple, Thompson, Van Houten, Voclker, Weaver, Wells, Whelan, Whittier, Williams, Wilson, Wood, Mr. Speaker-63.

Absent or not voting:
Messrs. Allen, Brighton, Classen, Doubleday, Finch, Garner, Good, Gurley, Hayes, Hinkhouse, Jackson, Lambert, Lavender, Marti, Nolan, Perrott, Ray-17

So the amendment was lost.

- Amendment No. 4, by Mr. Hinman, was next taken up.

Messrs. Hinman and Cook demanded the yeas and nays, which resulted as follows:

On the question, "Shall the amendment prevail?" the yeas were:

Messrs. Bailey, Brighton, Chapman, Clark, Cook, Doubleaay, Frazee, Griswold, Hazen, Hendershot, Hinman, Jay, McAchran, Miller of Warren, Morrison of Grundy, Mullin, Nolan, Parker, Reed, Spaulding, St. John, Thompson, Tibbitts, Van Houten, Watters, Wells, Wheeler, Whelan, Williams, Wilson, Wood-31.

The nays were:
Messrs. Allen, Baker, Bell, Brant, Brinton, Byington, Cornwall, Crow, Dowell, Early, Edwards, Evans, Funk, Grote, Hunt, Lambert, Lauder, Lowry, McDonald, McNulty, McQuin, Marti, Martin, Mayne, Merriam, Miller of Buena Vista, Miller
of Cherokee, Morrison of Keokuk, Nietert, Porter, Power, Prentis, Ray, Sullivan, Temple, Weaver, Whittier, Mr. Speaker -38.

Absent or not voting:
Messrs. Bird, Bowen, Brady, Classen, Davis, Finch, Frink, Garner, Good, Gurley, Haugen, Hauger, Hayes, Hinkhouse, Huntley, Jackson, Johnson of Webster, Johnston of Franklin, Klemme, Ladd, Lavender, Loomis, McArthur, McDowell, Manahan, Perrott, Potter, Putnam, Scott, Smith, Voelker-31.

So the amendment was lost.
Mr. Morrison of Grundy, moved to adjourn until 9 A. m. to-morrow.

Lost by a vote of 33 yeas to 38 nays.
The following amendment to this bill was filed:
By Mr. Lauder, No. 37.-Amend section 1, paragraph 4, by striking out all of said paragraph after the word "dollar" in line 1.

Amendments Nos. 5, 6, 7 and 8 were passed to be taken up to-morrow.

Amendment No. 9, by Mr. Morrison of Keokuk, was taken up and adopted.

On motion of Mr. Funk, the House adjourned till 9 a. m. to-morrow.

## Hald of the House of Representatives, Des Moines, Iowa, Friday, April 2, 1897. $\}$

The House met at 9 A. m., with Speaker Byers in the chair. Prayer was offered by the Rev. D. M. Helmick, of Altoona, Iowa.

## REPORT OF SPECLAL COMMITTEE.

Mr. McAchran submitted the following report:
Mr. Speaker-Your committee appointed to draft a memorial to the memory of the Hon. D. C. Greenleaf, would report:

When our country in 1845 called for volunteers to settle our difficulty with Mexico, he tendered his services and followed the flag under General Taylor to the end of the war. In 1850 he came to the State of Iowa, and in 1855 was elected a member of this House and was instrumental in locating the capital at Des Moines.

As a physician he stood at the head of the profession, and when President Lincoln called for volunteers to suppress the rebellion, he responded to that call and was made surgeon of the Fourth Iowa Infantry, and by his skill in medicine and surgery, during that long struggle he ministered to the sick and stayed the life blood of many a patriot who fell bleeding upon the battlefield.

He was with Sherman on his march to the sea and after that terrific struggle was over he returned to his home broken down in health, and year by year his afflictions grew worse until he died on March 17, 1897.

In view of his services to the State in times of peace and his patriotic sacrifice for our common country in time of war, be it

Resolved, That in the death of Hon. D. C. Greenleaf the State has lost an upright and worthy citizen and our common country a patriotic hero. Be it further

Resolved, That this memorial be spread upon the records of this House and a copy of the same be sent to the bereaved family.

W. H. Mcachran, J. P. McDowell,<br>Chas. L. Early, Committee.

Adopted unanimously by a rising vote. PETITIONS AND MEMORIALS.
Mr. Marti presented petition of business men of Davenport, Iowa, against section 25 of the revenue bill.

Placed on file.

The Speaker signed in the presence of the House, Senate files Nos. 19,40 and 90.

## MESSAGE FROM THE SENATE.

The following message was received from the Senate:
Mr. Speaker-I am directed to inform your honorable body that the Senate has amended the following bill, in which the concurrence of the Senate was asked:

House file No. 66, a bill for an act to revise, amend and codify the statutes in relation to the rights of property.

Geo. A. Newman, Secretary.
The Journal of yesterday was corrected and approved.
The resolution of Mr. Lambert which was laid over on yesterday, relative to printing in the Journal the transcribed evidence filed by the committee appointed to investigate State printing and binding was taken up and Mr. Lambert moved that the resolution be adopted.

Mr. Wood offered the following substitute to the resolution of Mr. Lambert, and moved its adoption:

Whereas, The committee appointed to investigate the matter of State printing and binding have filed majority and minority reports concerning their findings, which reports are greatly at variance with each other, making it impossible for the members of this House to form an intelligent opinion as to the matters in question, and,

Whereas, The majority report makes charges which, if true, deserve serious and careful consideration, and the minority report questions the accuracy of the same, and charges that the majority report is partial, incomplete and overdrawn, as shown by the evidence and exhibits in the hands of the committee, and,

Whereas, It seems perfectly evident that the investigeting committee cannot agree upon a report adequate to the importance of the matter in its present condition, therefore be it

Resolved, That both reports, together with all the evidence, exhibits, stenographic notes, etc., be referred to the Committee on Printing, which committee is authorized to continue the inpestigation and report their findings to this House at the earliest moment practical, and be empowered to employ a competent stenographer, subpœna witnesses and send for papers, documents and reports.

Resolved, That for the purpose of this investigation, the Printing Committee be enlarged by adding thereto Representatives Ray and Van Houten, who are competent newspaper men, and members of the special investigating committee who are not already members.

Mr. Lambert arose to oppose the substitute, claiming that the majority report had in no way, by expression, intent, or reference, cast any reflection whatever upon the minority, and
objected to the statement that the majority report was partial, incomplete and overdrawn.

Mr. Speaker: Does the chairman of this committee insist that the majority report is correct?

Mr. Lambert: No, sir, I do not. There is one error which has crept in which we will correct in a supplementary report, and hope to show that the error was an honest one. The error was in some figures made by overlooking the length of the period through which such figures ran.

Mr. Speaker: What is the amount of this error?
Mr. Lambert: I cannot state.
Mr. Speaker: Can the Chairman state in round numbers the amount of said error?

Mr. Lambert: No, sir, but we hope to show that it was an honest mistake. We admit mistakes are apt to occur, and that we may have made more, though we know only of the one error stated, which we will correct in a supplementary report.

Mr. Speaker: The Chair has examined the transcript purporting to be the evidence set forth before the committee. Is the evidence set forth in the transcript exactly as the witnesses stated before the committee?

Mr. Lambert: Our stenographer took everything in shorthand, and the transcribed matter is, so far as I can know, exactly in accordance with the original notes.

Mr. Speaker: The gentleman does not understand. Is there anything in the transcribed evidence besides the actual testimony of the witnesses?

Mr. Lambert: Do you refer to the figures?
Mr. Speaker: Yes, Sir.
Mr. Lambert: Those figures were taken from the exhibits of job work before the committee. When the witness was asked what a fair price for any kind of job work would be, the answer was used in a comparison with the price on similar job work in the exhibits.

Mr. Smith also opposed the substitute, stating it looked like an effort to cover up the whole affair and bring in whitewashed reports. Mr. Smith admitted that there had been an error made in the majority report.

Mr. Speaker: Can you state the amount of said error?
Mr. Smith: I can; it was a mistake of $\$ 46,376.53$.
After further discussion Messrs. Power and Wood demanded the yeas and nays on the substitute of Mr. Wood, which resulted as follows:

On the question, "Shall the substitute be adopted?" the yeas were:

Messrs. Allen, Bailey, Bird, Bowen, Brady, Brant, Brighton, Brinton, Clark, Classen, Cook, Cornwall, Crow, Davis, Doubleday, Dowell, Early, Edwards, Evans, Finch, Frink, Griswold, Grote, Haugen, Hauger, Hendershot, Hinman, Huntley, Johnson of Webster, Johnston of Franklin, Ladd, Lauder, Lavender, Loomis, McAchran, McDonald, McNulty, McQuin, Martin, Mayne, Merriam, Miller of Buena Vista, Miller of Warren, Mor rison of Grundy, Morrison of Keokuk, Mullin, Nietert, Parker, Perrott, Potter, Prentis, Reed, Spaulding, Temple, Thompson, Tibbitts, Watters, Wells, Whelan, Whittier, Williams, Wood, Mr. Speaker-63.

The nays were:
Messrs. Baker, Bell, Byington, Chapman, Frazee, Garrer, Good, Gurley, Hayes, Hunt, Jay, Lambert, Lowry, McArthur, McDowell, Marti, Miller of Cherokee, Nolan, Porter, Power, Scott, Smith, Sullivan, Voelker, Weaver, Wheeler, Wilson-27.

Absent or not voting:
Messrs. Funk, Hazen, Hinkhouse, Jackson, Klemme, Manahan, Putnam, Ray, St. John, Van Houten-10.

So the substitute was adopted.
Mr. Klemme filed the following:
Mr. Speaker-Being that I am a member on Committee on Printing, and being that this substitute to the resolution seeks to have both the majority and minority reports be submitted to the standing Committee on Printing, I therefore decline to vote.

Wm. H. Klemme.

Mr. Van Houten moved that his name be stricken from the substitute and another name substituted by the Speaker.

Lost.
On motion of Mr. Loomis the House adjourned till 2 P. M.

## AFTERNOON SESSION.

House met at 2 p. m., Speaker Byers in the chair. REPORT OF COMMITTEE.
Mr. Reed, from the Committee on School and Text Books, submitted the following report.

Mr. Speaker-Your Committee on School and Text Books, to whom was referred Senate file No. 45, a bill for an act to revise, amend and codify the statutes in relation to the system of common schools, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the House with a substitute therefor adopted by Joint Committee on Schools, and with the recommendation that the substitute do pass.

## J. F. Reed, <br> Chairman.

Substitute read first and second time and passed on file.
Mr. Allen called up House file No. 21, with Senate amendments thereto, and moved that the House concur in these amendments.

On the question, "Shall the House concur?" the yeas were:
Messrs. Allen, Bird, Brady, Brant, Byington, Clark, Classen, Cornwall, Crow, Davis, Doubleday, Dowell, Early, Edwards, Evans, Finch, Frazee, Frink, Funk, Garner, Good, Griswold, Grote, Gurley, Haugen, Hauger, Hinman, Hunt, Huntley, Johnson of Webster, Johnston of Franklin, Klemme, Ladd, Lauder, Loomis, McAchran, McArthur, McDowell, McNulty, Marti, Martin, Mayne, Merriam, Miller of Cherokee, Miller of Warren, Morrison of Grundy, Morrison of Keokuk, Mullin, Nietert, Nolan, Parker, Potter, Power, Prentis, Putnam, Ray, Reed, Spaulding, Sullivan, Temple, Thompson, Tibbitts, Watters, Weaver, Wells, Wheeler, Whittier, Williams, Wilson, Wood, Mr. Speaker-71.

Mr. Whelan voted in the negative.
Absent or not voting:
Messrs. Bailey, Baker, Bell, Bowen, Brighton, Brinton, Chapman, Cook, Hayes, Hazen, Hendershot, Hinkhouse, Jackson, Jay, Lambert, Lavender, Lowry, McDonald, McQuin, Manahan, Miller of Buena Vista, Perrott, Porter, Scott, Smith, St. John, Van Houten, Voelker-28.

So the House concurred.
House file No. 9, with Senate amendments thereto, was referred to First Division Code Revision Committee.

House file No. 66, with amendments thereto, was taken up and referred to Fifth Division Code Revision Committee.

Pending business, Senate file No. 8.
The House proceeded to the consideration of amendment No. 2, by Mr. Prentis.

Messrs. Gurley and Prentis demanded the yeas and nays on this amendment which resulted as follows:

On the question, "Shall the amendment be adopted?" the yeas were:

Messrs. Allen, Baker, Bird, Bowen, Brady, Brant, Brighton, Brinton, Byington, Chapman, Clark, Classen, Cornwall, Davis, Doubleday, Dowell, Early, Evans, Finch, Frazee, Garner, Good, Griswold, Grote, Hauger, Hendershot, Hinman, Hunt, Johnson of Webster, Klemme, Ladd, Lauder, Lavender, Loomis, McAchran, McArthur, McDowell, McNulty, McQuin, Martin, Mayne, Merriam, Miller of Buena Vista, Miller of Cherokee, Miller of Warren, Morrison of Grundy, Mullin, Nietert, Nolan, Parker, Porter, Power, Prentis, Ray, Reed, Scott, Spaulding, Sullivan, Thompson, Tibbitts, Watters, Weaver, Wells, Wheeler, Whittier, Williams, Wilson, Wood, Mr. Speaker-69.

The nays were:
Messrs. Bell, Cook, Crow, Edwards, Frink, Funk, Gurley, Huntley, Johnston of Franklin, McDonald, Marti, Morrison of Keokuk, Potter, Putnam, Temple Voelker, Whelan-17.

Absent or not voting:
Messrs. Bailey, Haugen, Hayes, Hazen, Hinkhouse, Jackson, Jay, Lambert, Lowry, Manahan, Perrott, Smith, St. John, Van Houten-14.

So the amendment was adopted.
Mr. Evans was excused from futher attendance during afternoon to complete a committee report.

Amendment No. 6, by Mr. Spaulding, was called up.
Mr. Spaulding moved to amend this amendment by striking out the words "due on," after the word "mortgages" and insert in lieu thereof the word "against."

Adopted.
A roll call was demanded on the amendment which resulted as follows:

On the question, "Shall the amendment be adopted?" the yeas were:

Messrs. Bailey, Bird, Clark, Classen, Doubleday, Edwards, Frazee, Frink, Griswold, Hinman, Huntley, Klemme, Ladd, McArthur, McDonald, McDowell, Marti, Miller of Cherokee, Miller of Warren, Morrison of Grundy, Mullin, Nolan, Parker, Porter, Prentis, Putnam, Ray, Reed, Scott, Spaulding, Sullivan, Voelker, Watters, Wells, Whelan, Whittier, Williams, Wilson, Wood-39.

The nays were:
Messrs. Allen, Bell, Brinton, Byington, Cook, Cornwall, Davis, Dowell, Early, Finch, Funk, Garner, Gurley, Haugen, Hayes, Hendershot, Hunt, Jay, Johnson of Webster, Johnston of Franklin, Lauder, Lavender, Loomis, McAchran, McNulty, Martin, Mayne, Merriam, Miller of Buena Vista, Morrison of Keokuk, Nietert, Perrott, Potter, Power, Temple, Thompson, Tibbitts, Weaver, Wheeler, Mr. Speaker-40.

Absent or not voting:
Messrs. Baker, Bowen, Brady, Brant, Brighton, Chapman, Crow, Evans, Good, Grote, Hauger, Hazen, Hinkhouse, Jackson, Lambert, Lowry, McQuin, Manahan, Smith, St. John, Van Houten-21.

So the amendment was lost.
The Speaker signed in the presence of the House, Senate file No. 76.
report of joint committee on enrolled bills.
Mr. Hauger, from the Joint Committee on Enrolled Bills, submitted the following report:

Mr. Speaker-Your Joint Committee on Enrolled Bills respectfully report that they have examined, and find correctly enrolled, Senate file No. 76, a bill for an act to revise, amend and codify the statutes in relation to attachments, garnishments, executions and supplementary proceedings. G. S. Gilbertson, Chairman Senate Committec. W. E. Hauger, Chairman House Committee.
Ordered passed on file.
Amendment No. 8, by Mr. Crow, was called up.
A roll call was demanded on this amendment which resulted as follows:

On the question, "Shall the amendment be adopted?" the yeas were:

Messrs. Bailey, Brighton, Crow, Doubleday, Griswold, Grote, Hendershot, Hinman, Klemme, McAchran, McDonald, McDowell, Miller of Cherokee, Miller of Warren, Mullin, Nolan, Parker, Porter, Prentis, Reed, Scott, Spaulding, Thompson, Voelker, Watters, Weaver, Wells, Whelan, Williams, Wood-30.

The nays were:
Messrs. Baker, Bird, Brinton, Byington, Clark, Cook, Corn. wall, Davis, Dowell, Early, Gurley, Hauger, Hayes, Hunt, Jay, Johnson of Webster, Johnston of Franklin, Lauder, Lavender,

Loomis, McArthur, McNultv, Marti, Martin, Mayne, Merriam, Miller of Buena Vista, Nietert, Perrott, Potter, Power, Sullivan, Temple, Tibbitts, Wheeler, Whittier, Mr. Speaker-37.

Absent or not voting:
Messrs. Allen, Bell, Bowen, Brady, Brant, Chapman, Classen, Edwards, Evans, Finch, Frazee, Frink, Funk, Garner, Good, Haugen, Hazen, Hinkhouse, Huntley, Jackson, Ladd, Lambert, Lowry, McQuin, Manahan, Morrison of Grundy, Morrison of Keokuk, Putnam, Ray, Smith, St. John, Van Houten, Wilson-33.

So the amendment was lost.
Amendment No. 10, by Mr. Morrison of Keokuk, was called up.

Mr. Hauger was called to the chair.
Mr. Van Houten moved to amend amendment No. 10 as follows: After the word "action" insert the words "or show good cause why such listing for assessment was not made."

Speaker Byers resumed the chair.
Mr. Hinman moved the previous question on amendment of Mr. Van Houten.

Carried.
The amendment of Mr. Van Houten was lost.
Mr. Morrison of Grundy moved to insert in line 1 of amendment No. 10, the word "also."

Carried.
A roll call was demanded on this amendment which resulted as follows:

On the question, "Shall the amendment be adopted?" the Jeas were:

Messrs. Bailey, Bell, Bird, Brady, Clark, Crow, Garner, Hendershot, Ladd, McDonald, Martin, Miller of Cherokee, Miller of Warren, Morrison of Grundy, Morrison of Keokuk, Mullin, Nolan, Parker, Perrott, Ray, Scott, Watters, Wells, Wilson-24.

## The nays were:

Messrs. Allen, Bowen, Brighton, Brinton, Byington, Chapman, Classen, Cook, Cornwall, Davis, Doubleday, Dowell, Early, Edwards, Finch, Frazee, Frink, Funk, Good, Griswold, Gurley, Haugen, Hauger, Hayes, Hinman, Hunt, Jay, Johnson of Webster, Johnston of Franklin, Klemme, Loomis, McAchran, McArthur, McDowell, McNulty, Mayne, Merriam, Miller of Buena Vista, Nietert, Porter, Potter, Power, Prentis, Putnam,

Reed, Sullivan, Temple, Thompson, Tibbitts, Voelker, Wheeler, Whelan, Whittier, Williams, Wood, Mr. Speaker-56. Absent or not voting:
Messrs. Baker, Brant, Evans, Grote, Hazen, Hinikhouse, Huntley, Jackson, Lambert, Lauder, Lavender, Lowry, McQuin, Manahan, Marti, Smith, Spaulding, St. John, Van Houten, Weaver-20.

So the amendment was lost.
Amendment No. 11, by Mr. Hauger, was withdrawn.
Further consideration of this bill was deferred till 9 A. м. Wednesday, on motion of Mr. Funk.

The following amendments were filed:
By Mr. Allen, Amendment No. 38.-Amend by inserting the words "title bond" between the words "deed" and "mortgage," in line 3 , section 7 , of chapter 1.

By Mr. Prentis, Amendment No. 39.-Amend chapter 1, section 19, page 7, by striking out of line 21, the figures " $33 \frac{1}{3}$ " and insert the words "twenty-five."

By Mr. Porter, No. 40.-Amend chapter 1, section 1, subdivision 1, by adding at the end thereof the words "but in no case shall exceed two and one-half mills on the dollar.

The following motion to reconsider was filed:
Mr. Speaker-I move to reconsider the vote whereby the House amendments to sections 16 and 21, of chapter 1, of Senate file No. 8, passed this House.
J. H. Funk.

I second the above.

W. B. Chapman.

## REPORT OF SPECIAL COMMITTEE.

Mr. Evans, from the Committee on annotating the Code, submitted the following report:

Mr Speaker-Your committee, to whom was referred the joint resolution to investigate and report in regard to printing and annotating the new Code, have had the matter under consideration and report as follows:

Your committee have obtained information and reached conclusions which can be expressed generally, so as to contain answers to the several questions propounded.

We conclude, for various reasons, that it is desirable to furnish an Annotated Code.

If a Code without annotations is published by the State it would be immediately superseded by an annotated Code published by private enterprise, and the unannotated Codes would be thrown aside and become valueless.

According to the practice hitherto obtaining in this State, it will require an edition of 7000 copies for gratuitous distribution to State, county and township officers, judges of federal courts and public institutions.

On the supposition that these could be furnished for $\$ 2.00$ a copy or $\$ 14,000$, that would be the extent of the immediate expenditure on the part of the State, but they would be of no utility except for that one purpose of supplying public officers with a book that would be unsatisfactory, and which would soon be thrown aside and the county supervisors and State officials importuned to supply such public officers with copies of an Annotated Code. This demand would hardly be resisted, and then would come the expense of Annotated Codes purchased by the State and county officers from private individuals at extravagant prices, the same experience that the State and the respective counties have had in the past few years. This additional expense is difficult to estimate, but it might not be less than $\$ 20,000$ and might even exceed that sum, which added to the cost of the unannotated Code would make a cost to the State of \$34,000 without any return or revenue to the State.

The publication of an annotated Code by the State in the first instance, will enable the State to supply the market for codes to the legal profession and business men of the State, and elsewhere.

It is estimated by your committee that it would take 15,000 copies for free distribution and the immediate supply to purchasers. The immediate demand by purchasers would not probably exceed seven or eight thousand; but on the supposition that there will not be another revision within twenty-five years, another edition of 7,000 would in the near future be required; there would be some loss and destruction of the books, and additional lawyers would be constantly swelling the ranks of the profession as well as other business men, who would purchase the Codes. Your committee estimate that the Codes purchased from the State would ultimately yield a revenue of about $\$ 80,000$ of which $\$ 50,000$ will be profit.

Instead then of the States' sacrificing $\$ 34,000$ for these books, it would be the recipient of revenue therefrom making a difference of nearly. $\$ 84,000$ to the advantage of the State by its publishing an annotated Code, and being the absolute proprietor of the same.

Your committee has been interviewed by private parties, publishers and editors, with reference to furnishing this Code to the State with or without annotations, and their propositions constitute the data upon which we arrive at the foregoing difference in results to the State depending upon its publishing an annotated Code or omitting so to do, and either publishing an unannotated Code, as a State enterprise, or buying of private publisher.

The foregoing estimates are made upon the hypothesis that the State can control the market and supply the Code to the purchasers at $\$ 5.00$ a volume. We believe the State can accomplish such results.

In accordance with the suggestions in the matters referred to us for investigation, we have obtained the opinion of the Attorney-General.

From this opinion and our independent examination of the cases decided by our supreme court, we are of the opinion that the State can copyright the Code as a book, or complete work, including annotations, indexing, arrangement, numbering in sections, references and notes, and catchwords, while at the same time the State might not be able to interdict the publication of the laws in some other form by private enterprise.

This, however, is a mooted question as will be seen in the citation of cases in the exhaustive opinion of the Attorney-General, which is submitted herewith.

The right of publication of the acts of parliament was held by the English courts to belong to the King. The colonists bringing the English law with them exercised the privilege of copyright in the same manner.

It has been suggested that the exercise of this right was among the powers granted to the general government by the colonies, and that the law of congress is the only law in force in the United States in respect to copyright. But we believe there is no decision of our courts of last resort denying the right to the State when the State has by statute authorized the copyrighting of its laws or decisions of its courts of last resort.

It has been contended that it is against public policy to in any manner restrict the publication of the laws but the premise does not exist and this contention is without force when the State provides for their general distribution.

As the State, or inhabitants thereof in their aggregate capacity, are subject to all the expense of making the laws, they may rightfully enjoy the advantage of such revenue as can be derived from their sale beyond what is necessary for free distribution.

To save further remarks upon this subject, we refer to the opinion of the Attorney-General.

Your committee further report that the inherent power which the State has is such that without a copyright by the enactment of a law, making the publication of the Code the official edition, no private publisher would find it to his advantage to enter into competition with the State.

It is necessarily the custodian of its work until published to the world by its own authority. If it is then published by the State with careful and reliable annotations it can regulate their market price so as to make the publication thereof by foreign houses or private persons, for private gain, undesirable.

The State can prevent any publication previous to its own, and because of the importance to the people of having accurate information of the laws that govern them can prohibit their unauthorized publication. It can enact that no other publication of the laws shall be used in the administration of public affairs either in the courts or elsewhere, and that no other shall be cited in the reports of decisions.

Your committee have no doubt of the ability of the State to supply the public with Annotated Codes superior to any former publication of like character and thereby control the market.

To accomplish this undertaking so as to have the Annotated Codes published and ready for distribution by the 1st of October, A. D. 1897, your committee believe it will be necessary to employ an editor and three competent members of the bar to annotate, dividing the different portions. between them, so that each will be engaged on different titles and chapters.

To prevent any laches or failure or unsatisfactory work either in the mechanical execution or composition, we believe it is necessary for a supervising committee of two from the Senate and three from the House, to be appointed, who shall act without compensation, to make the contracts for the work herein contemplated, and see that they are promptly and
properly performed by the first day of October, next, and to have general supervision of the work.

Your committee have received propositions to do the work of printing and binding this Code from the State printer and binder and other persons, and it is upon the basis of the lowest proposition that we have arrived at the conclusion of realizing such considerable revenue to the State.

From the price for the work of printing and binding as stated in the bill and careful estimates made of the expense of editing and annotating the Code, including all incidental expenses, we are satisfied that the entire cost of fifteen thousand copies of the Code published as provided for in the bill submitted, will not exceed $\$ 2.25$ per volume, and that future editions can be published at about $\$ 1.25$ per volume.

Unless regard be had to the lowest prices at which good work can be procured, the revenue and saving to the State would be greatly diminished.

We therefore recommend that the duty of employing persons to perform all these contracts should devolve upon the supervising committee, the legislature by statute limiting the aggregate of expenditure for the entire work, and making appropriations therefor.

Our further recommendation will be found in the bill for an act herewith submitted as a part of our report, which we offer as a substitute for Senate file No. 1, offered by Senator Trewin.

We are further of the opinion that a final adjournment of the special session can take place at the conclusion of the work of passing the bills on which we are now engaged, and that it will be unnecessary to reconvene for the purpose of fixing a time when the Code of 1897 shall go into effect, and all prior laws stand repealed; and in support of this conclusion we submit herewith the opinion of the Attorney General.

> L. A. Elilis,
> J. H. Triwin,

On part of the Senate.
H. K. Evans,
C. C. Dowell,

Walter I. Hayes, On part of the House.

OPINION OF ATTORNEY GENERAL.
Des Moines, Iowa, March 5, 1897.
Hon. H. K. Evans, Secretary Joint Committee, Des Moines, Iowa.
Dear Sir-In compliance with the request of the Joint Committee of the Senate and the House of Representatives, of which you are Secretary, I submit to you herewith my opinion upon the following questions propounded:
"Has the State a right to copyright the proposed Code, with annotations of the same, and how far will such copyright protect from private competition in its sale; also as to the right of the State to pass a copyright law."

It has been held a copyright cannot be sustained as a right existing at common law, but as it exists in the United States, it depends wholly upon the legislation of congress.

Wheaton v. Peter, 8 Peter, 591;
Banks v. Manchester, 128, U. S., 244.
There are ia number of decisions of the federal courts holding that to secure a copyright one must bring himself strictly within the provisions of the act of congress, which is found in section 4952 of the revised statutes of the United States. Some of the decisions are justly subject to the criticism that too narrow and illiberal a view is taken in holding that to secure the benefit of a copyright, one must comply literally and technically with every provision of the statute.

A doubt has been suggested in Banks v. Manchester, 128 U. S., 244, as to whether the State can be the holder of a copyright, by the use of the following language: "The State cannot properly be called a citizen of the United States or a resident therein, nor could it ever be in a condition to fall within the description in section 4952 or 4954 . The copyright claimed to have been taken out by Mr. DeWit in the present case being a copyright 'for the State,' is to be regarded as if it had been a copyright taken out in the name of the State. Whether the State can take out a copyright for itself, or could enjoy the benefit of one taken out by an individual for it as the assignee of a citizen of the United States or a resident therein, whoshould be the author of a book, is a question not involved in the present case and we refrain from considering it."

The question raised, but not decided, in this manner has not been since passed upon by the supreme court. Technically speaking, the State is not a citizen of the United States. Neither is a county, nor any municipal or political corporation. A corporation organized under the laws of a state, technically speaking, is not a citizen of the State or the United States, yet all of these have been treated and considered ascitizens of the State for the purpose of bringing an action against them, or maintaining an action in the federal courts.

The State, in its sovereign capacity, may own property, real, personal or incorporeal; it can be the assignee of a right; it may maintain an action in the courts of the State or the federal courts as a person, and before the law stands as an individual. I can conceive of no good argument why the State may not become the assignee of a copyright, and may not own the same, or why it may not be the proprietor of any book which has been copyrighted, nor why, for the purpose of obtaining a copyright, it should not be considered a citizen of the United States as readily as a corporation created by the authority of the State. The suggestion that it may not obtain a copyright because it lacks the element of citizenship, with all due deference to the high authority which raises the query, does not commend itself to my judgment, and I cannot rid myself of the feeling that such a construction of the statute would be too technical and too narrow to ever become the settled law of the land.

If it should be held that the State cannot, because of the lack of citizenship, obtain a copyright in the first instance, I have too much respect for the learning, ability and exalted character of the supreme court of the United States to imagine for one moment that it would hold that the State could not become the assignee of a copyright duly obtained by a citizen of the United States.

An annotated Code embraces the statutes enacted by the Legislature, also references to the decisions of the supreme court construing or affecting different sections, a table of cases, indexes, and notes prepared by the editor. A serious question has been raised whether the acts of the Legislature can be copyrighted. Drone on Law of Copyright, 164, says "Statutes are within the same principle that govern judicial decisions. They are the property of the government, which employs and pays those who make them. The government, if it chooses, may have them copyrighted, and only the government, or some person deriving title from it, has this right."

The court decisions to sustain the text are wholly English. I have found no American case holding in direct language that statutes may be copyrighted. Judge Brewer, in Banks v. West Publishing Co., 27 Fed. Rep., 50, concedes that the concensus of the English authorities are all in favor of the doctrine that the government may copyright its laws, but expresses his own view that it should not be done. The theory upon which it is contended that the statutes of a State and the decisions of the supreme court cannot be copyrighted is stated by Justice Blatchford in Banks $v$. Manchester, 128 U. S., 244-253: "Judges, as is well understood, receive their pay from the treasury, 一a stated, annual salary fixed by the law, and cannot themselves have any pecuniary interest or proprietorship as against the public at large in the fruits of their judicial labor. This extends to whatever labor they perform in their capacity as judges, as well as to the statement of cases and head notes prepared by them as much as to the opinions and decisions themselves. The question is one of public policy, and there has always been a judicial concensus from the time of the decision in Wheaton v. Peter, 8 Peter, 591, that no copyright could, under the statute passed by congress, be secured on the products of the labor done by the judicial officers in the discharge of their judicial duties. The whole work done by the judges constitutes an authentic exposition and interpretation of the law, which, binding every citizen, is free for publication to all, whether it be a declaration of unwritten law, or the interpretation of a constitution or a statute."

This is in accord with the opinion of Justice Sage in the same case reported in 23 Fed. Rep., 143, in which he says: "It is in accordance with sound public policy in a commonwealth where every citizen is presumed to know the law, to regard the authentic expositions of the law by the regularly constituted judicial tribunals, as public property to be published freely by any one who may choose to publish them."

It is said in Davidson, et al, v. Wheelock, et al, 27 Fed. Rep, 61: "They (the complainants) obtained no exclusive right to print and publish and sell the laws of the State of Minnesota, or any part of the Legislative acts. The materials for such publication are open to the world. They are public records subject to inspection by everyone under such rules and restrictions as will secure their preservation. They may be digested or compiled by anyone, and it is is true such compilation may be so original as to entitle the author to a copyright on account of the skill and judgment displayed in the compilation and analysis, but such compiler can obtain no copyright for the publication of the laws only; neither could the Legislature confer any euch exclusive privilege upon him."

The learned Judge cites no authority for the last clause above quoted, and I find none that will sustain it, save and except that quoted above from Banks v. Manchester.

I have observed that the cases which seem to hold that the decisions of the supreme court cannot be copyrighted, are based upon the fact that the acts of the Legislature do not expressly authorize the statutes of the State to be copyrighted, or by statute indicate that the laws should not be free to any publisher.

The case of Wheaton $v$. Peters related to the reports of the supreme court of the United States. The right of the reporter to a copyright on his work was recognized, but it was held that the legislation of congress did not authorize the reporter to copyright the opinions filed by the court, and it was said that the members of the court, being in the employ of the government, had no proprietary interest in their decisions, and could not authorize the reporter to copyright the same. All of the decisions which have used language from which it is implied that the decisions of the court or statutes could not be copyrighted, are based upon the fact that there was no statute authorizing the same to be copyrighted.

Judge Blatchford, in Callaghan v. Myers, 128 U. S., 617, says:
"But although there can be no copyright of the opinions of the judges or the work done by them in their official capacity as judges, yet there is no ground of public policy in which a reporter who prepares a volume of law reports of the character of those in this case, can, in the absence of a prohibitory statute, be debarred from obtaining a copyright for the volume which will cover the matter which is the result of his intellectual labor, * * * even though the reporter may be a sworn public officer, appointed by the authority of the court of which he is made the reporter, and even though he may be paid a fixed salary for his labors; yet in the absence of any inhibition forbidding him to take a copyright for that which is the lawful subject of copyright in him, or reserving a copyright to the government as the assignee of his work, he is not debarred of the privilege of taking out a copyright which would otherwise exist."

The sole reason, then, for making a distinction between copyrighting the fruits of the labor of a judge paid by the State, and of a reporter paid by the State, is an undefined public policy. Under the English authorities, the State has a proprietary interest in the fruits of the labors of its officers. I doubt very much whether this doctrine of public policy will stand the test of reason, and strange it is that it should bs announced and asserted by the courts of the United States with reference to the publication of the decisions or laws of a State. Were not this doctrine announced by such high authority, I would have believed that the Legislature of a State, were the sole judge of what should be the policy of the State, or what should be for the best interest of its citizens.

Surely the right to determine the policy of the State in promulgating and publishing its own laws was not granted by the Federal constitution to congress, or to the courts created by the acts of congress, and were it not for the high character of the court, I would have said such rights were reserved to the State. I still think the better doctrine is that the State may determine for itself how and by whom its laws shall be published, whether statutory laws or the decisions of the courts.

In this connection, the language of the court in Gould v. Banks, 53 Conn., 415, is pertinent. 'It is for the State to say when and in what manner it shall publish these reports, and the taking of a copyright in no sense offends the rule that judicial proceedings shall be public. The courts and their records are open to all."

Judge Story, in Folsom v. Marsh, 2 Story Reports, 100, 113, says, with reference to the letters of Washington: "But assuming the right of the government to publish such official letters and papers under its own sanction for public purposes, I am not prepared to admit that any private persons have the right to publish the same letters and papers without the sanction of the government for their own private profit and advantage. * * * Congress have indeed authorized the purchase of these manuscripts from the owner and possessor thereof and paid the liberal price of $\$ 25,000$ therefor, and they have thus become national property. But itis an entirely inadmissible conclusion that therefore every private person has a right to use them and publish them."

This was a recognition of a right of the government, so fully recognized by the English authorities, to control the publication of any matter in which it has a proprietary interest, and this I believe to be the true principle.

Upon the question whether there may be a copyright of the annotations, indexes, notes, arrangement, etc., of the editor, I do not think there can be any difference of opinion. While there is doubt in regard to the right to copyright the statutes only, there can be none that that part of the Annotated Code which is the product of the labor, skill and research of the editor may be copyrighted. The copyrighting of the reports by the reporter has secured to him or his assignee the exclusive right to publish the reports in that form, and to whatever has been added by his research and labor to the opinions of the court. This doctrine is so well recognized that I do not think it necessary to cite the authorities.

I am of the opinion, therefore, that the Annotated Code, arranged and prepared by an editor in the employ of the State, can be copyrighted by him for the State, and such copyright would probibit its reproduction by private parties in that form. The fruits of the labor, skill and learning of the editor would be certainly protected thereby. I doubt very much, because of the utterance of the supreme court, in Banks v. Manchester, whether the laws themselves can be copyrighted. The State must bring itself into a condition to be able to comply with the provision of the copyright law of Congress. This I have doubts as to its ability to do, because of the views of the supreme court as foreshadowed in Banks v. Manchester.

The question, however, has never to my knowledge been fairly presented to the supreme court of the United States. In Banks v. Manchester, the circuit court found that the laws of Ohio did not authorize the reporter to copyright the opinions of the judges. This was a sufficient ground upon which to base the final decision of the case. If the court intended to commend the policy of the State of Ohio in leaving the opinions of the court free for publication to any one, as sound policy, and to limit the language used to the facts of that case, then no insuperable barrier to copyrighting the laws and opinions of the court is presented, if the legislature, by statute, directs it to be done. In Wheaton v. Peters, 8 Peters, 591, it was said: "No reporter has or can have any copyright in the
written opinions delivered by this court; and that the judges thereof cannot confer on any reporter any such right." Why? Because the fruits of the labor of the judges belong to the government, and no act of congress authorizes the judges to give to the reporter the property of the government.

This is very different from holding that the government, State or national, has no power to protect its proprietary interest in the laws or opinions of its judges against piracy.

I think on principle and authority a State has this power, and also that the copyright law of congress should be broad enough (if it is not now), to enable the State to obtain a national copyright of its laws, judicial opinions and documents; but I frankly say the trend of the United States courts decisions seems to be against the right of the State to do so under existing laws.

But if the statutes themselves may be published by other parties with annotations thereof which are made by the independent labor of such other person, the publication for the State, however, would have the advantage, because it would be received as evidence of the law in all courts, and most likely be put upon the market at a lower price than one published by private parties for the profit of such publication.

In regard to your last question, has the State a right to pass a copyright law, I will say that prior to the adoption of the federal constitution, the states had such a right. Massachusetts and Connecticut enacted such laws. The inability, however, of the several states to secure to authors and inventors a natural right to the fruits of the mental labors was recognized, and a clause was inserted in the constitution giving power to congress "to promote the progress of science and the useful arts by securing for limited times to authors and inventors the exclusive right to their respective writings and discoveries." This clause was not in the first draft of the constitution. Curtis, in his History of the Constitution, vol. 2, page 339, says the power to legislate on these subjects was surrendered by the states to the general government. Judge Story, however, (Story on constitution, sec. 1154), does not clearly express himself whether this power is exclusive or concurrent with that of the states. In Livingston v. Van Ingham, 9 Johnson, 507, the supreme court of New York inclined to the view that the power given to congress relates solely to authors and inventors, and not to those who introduce new inventions. The reasoning was based upon the idea that congress did not have exclusive powers, but the power of congress was concurrent with that of the states.

I do not think so, however. By the rules of interpretation of the powers of congress laid down in 1 Story on Constitution, chap. 5 (See sec. 447 especially), which are abundantly sustained by the decisions of the Supreme court, I am of the opinion that the grant of the power to copyright and patent, confers upon congress the exclusive right to enact laws upon this subject. From the nature of the case, such laws must be national in their effect, and in my opinion, the State has no right to pass a copyright law. To refer to the authorities and the reasoning which leads me to this conclusion, would unduly extend this opinion, already too long.

The State, however, has a proprietary interest in its laws, and it may prescribe rules and regulations for the publication thereof. I am not prepared to say that it may not prohibit the sale, within the State, of any
publication of laws unless the same bears the stamp and authentication of the properly constituted officer of the State. It could prohibit counties or townships buying any other than the publication of the State. It could refuse to make other publications receivable in courts as evidence of what the law is.

The inherent power which the State has is such that without a copyright law of its own, by the enactment of suitable laws with that end in view, no private publisber would find it to his advantage to enter into competition with the State.

Yours respectfully,
Milton Remley, Attorney General.

## Des Moines, Iowa, March 31, 1897.

## Hon. H. K. Evans, Secretary Joint Committee:

Dear Sir-I received in due time your favor of the 26 th inst., in which you, in behalf of your committee, ask my opinion upon the following question:
"Can the extra session of the Twenty-sixth General Assembly, by legislative act, fix the time of the taking effect of the laws enacted thereat, or must the laws go into effect ninety days after the final adjournment of the session?"

This involves the interpretation of section 26 , article 3, of the censtitution of this State, which is as follows:
"No law of the General Assembly, 'passed at a regular session, of a public nature, shall take effect until the fourth day of July next after the passage thereof. Laws passed at a special session shall take effect ninety days after the adjournment of the general assembly by which they were passed. If the general assembly shall deem any law of immediate importance, they may provide that the same shall take effect by publication in newspapers in the state."

A careful examination has failed to disclose any case wherein the exact question was determined. It is stated generallyiby the writers on constitutional law, that the power to enact laws includes the power, subject to constitutional restrictions, to provide when, in the future, and upon what conditions or event, they shall take effect. (Sutherland on statutory construction, section 107. Cooley on constitutional limitations, 188.) But no case stated as authority for the text is decisive of the question under consideration. We are, therefore, left almost entirely to the language of the constitution, and recognized rules of construing the same.

It has been repeatedly held that the constitution of a state is a limitation upon the power of the General Assembly, and not a grant; that the General Assembly, as representatives of the people of the State, has full and complete power to enact any law which its judgment dictates unless prohibited by the constitution of the State or the constitution of the United States. Unless, then, the language of the section above quoted, by a fair interpretation or necessary implication, prohibits the legislature from providing that the laws passed at this extra session shall take effect more than ninety days after the adjournment, it has such powers.

The rules for construing statutes are applicable to considering a constitution. The supreme court of Pennsylvania said it is not to be presumed that those who draft the laws have a perfect knowledge of the use of language or grammar. This is well recognized, and courts have considered "will" to mean "shall," "shall" to mean "will," "may" as "shall," etc. The true object is to get at the real intention of the legislature, or those adopting the constitution.

A casual perusal of the second sentence of section 26 under consideration might lead to the idea that it was intended to make it obligatory that all laws passed at a special session shall take effect ninety days after the adjournment of the General Assembly, and at no other time, but I do not think a careful analysis of the language necessarily leads to that conclusion. There is no direct prohibition or limitation on the power of the General Assembly contained in the second sentence.

I will not enter into a discussion of the distinction between "shall" and "will," which has been taken up by philologists and grammarians, further than to eay the grammars used about the time of the adoption of the constitution generally stated that shall or will was the sign of the future indicative. The use of the words "shall take" as they occur in the second sentence, does not necessarily mean more than the future form of the verb "take." In connection with what precedes and follows, it does not appear to be imperative. The supreme court of Illinois in Wheeler v. Chicago, 24 Ill., 105, says: "The word 'shall' may be held to be merely directory when no advantage is lost, when no right is destroyed, when no benefit is sacrificed, either to the public or to any individual, by giving it that construction; but if any right to any one depends upon giving the word an imperative construction, the presumption is that the word is used with reference to such right or benefit. But where no right or benefit to anyone depends upon the imperative use of the word, it may be held to be directory merely." No right is imperiled, no principle is involved which requires the giving of an imperative meaning to the words.

The last sentence of the section is: "If the General Assembly shall deem any law of immediate importance, they may provide that the same shall take effect by publication in newspapers in the State." This does not explicitly say that by publication, the laws of a special session shall take effect before the expiration of ninety days after the adjournment, yet the evident intent is that it is left to the judgment of the Legislature to determine whether or not they shall take effect immediately upon publication. Such has been the construction placed upon it by the previous extra sessions.

If the second sentence of the said section is to be considered as inflexibly imperative, then there is nothing in the last sentence to construe the language strictly which abrogates that rule. Laws may take effect by publication ninety days after the adjournment, and thus comply with the terms of both sentences.

Applying certain rules of construction to the first sentence, a strong argument could be made to show that the naming of the 4th day of July as the time at which laws of a public nature shall take effect, would exclude any other day than the 4th of July. In fact, the Nebraska supreme court in an c pinion paraphrases the following language of the Nebraska Constitution: "No act shall take effect until three calendar months after the adjournment of the session at which it is passed," into "All acts shall take effect
upon the expiration of three callendar months after the adjournment of the Legislature." No doubt, however, has seemed to have arisen in the mind of any General Assembly as to its right and power to provide that laws passed at a regular session shall take effect any time in the future that it may designate.

There is suggested to my mind no reason, in the nature of things, why a special session should be limited in its power. No good reason can be given for a construction which would thus limit the power of a special session. The discussion in the constitutional convention upon the proposition to limit the power of an extra session to legislate on the subjects which are named in the Governor's proclamation, shows that it was the intention of the convention that an extra session should bave the same powers in all respects to legislate that were given to the regular session.

The supreme court of this State in the recent case of White v. Green, 70 N. W. R., 182, says: 'It is well settled that in construing statutes, courts should not only consider the mischief of the old law and the remedy intended to meet it, but all parts of a statute relating to cognate matters should be considered as well, and that construction adopted which will give effect to and harmonize the provisions." The rule thus stated has received the sanction of courts everywhere. Let us, then, examine into the mischief to be remedied by the adoption of section 26

Under the common law, the acts of parliament took effect on the first day of the session at which they were enacted.

The accepted doctrine, however, in America, was that statutes took effect from and after their enactment by the Legislature, some courts holding that they took effect on the same day at the same instant they were signed and approved by the Governor; other courts excluded that day.

The constitution of this State of 1846 provided that "no law of the General Assembly of a public nature shall take effect until the same shall be published and circulated in the several counties of the State by authority. If the General Assembly shall deem any law of immediate importance, they may provide that the same shall take effect by publication in newspapers of the State." This left the matter of the taking effect of the law too uncertain. Those subject to the law could not tell when the law would take effect. The discussion of this section in the constitutional convention of 1857 (see I Vol. Con. Debates, pp. 530 and 551), shows that the sole thought of the convention was to provide a general rule by which time was given for the publication of the law, and its circulation among the people. It was proposed to make the laws take effect ninety days after the adjournment of the General Assembly. Mr. James F. Wilson said: "I think judging from the past history of the State, that that time would not be sufficient. The General Assembly usually adjourns about the first of February, and yet we scarcely ever receive the laws in cur county before May or June. It seems to me that ninety days would not be sufficient time, and we ought at least to say four months after the adjournment of the Legislature." With that in mind, the committee of the whole inserted the 4 th of July, and on the final action, an amendment was made on the floor without discussion, inserting the second sentence of section 26 , making the language as it appears in said section.

I think no one familiar with the history of the wrongs done by haviog retro-active laws enacted, or laws take effect before those subject to the
law could possibly have knowledge thereof, and then read the constitutional debate, can doubt for a moment that the sole object of the convention was to fix a time for the taking effect of laws not deemed of immediate importance, so as to give the people of the State a knowledge of the law before it affected their interests. There is no suggestion anywhere that it was intended to limit the power of the Legislature to provide that a law should take effect at any time in the future beyond the date or period named.

There is in the constitution no suggestion that there shall be a difference between the power of a regular session and a special or extra session. As suggested above, the convention expressly refused to make a difference between the two in the matter of legislation. If this section is so construed as to make a distinction in the powers of a regular session and a special session, it is the only instance, and is out of harmony with the entire constitution.

In determining a constitutional question, it is right to consider the construction placed upon it by the different departments of the government and the previous legislatures. I have no doubt that the Legislature which enacted the Code of 1873 would come under the term "special session." "A board or court, legislative body or tribunal may be said to hold a special session when it meets at an unusual time or between its appointed or ordinary times of convening." (Abbott's Law Dictionary, page 492.) A session is defined to be "a sitting; sometimes used for the time during which a body of persons or a tribunal is organized competent for the transaction of business. In another connection, the time during which it is convened and actually engaged in business.

It has been held that when a legislative body disperses, the members going to their ordinary private business, that the session is closed. An adjourned session is not a regular session. It is a special session. An extra session convened by the Governor is likewise a special session. The special session of 1873 adjourned February 20th. It provided that the Code adopted should take effect on the lst day of September, 1873,-more than six months after the adjournment of the general assembly. The validity of the Code was never questioned on that account, and could not have been successfully assailed. It is no uncommon thing for a special session to enact laws which become operative more than ninety days after the adjournment. Some such have been pending before this session of this general Assembly. I have never heard of such laws being assailed on that account, and do not think they can be, as the evident purpose of the constitution is that laws not deemed of immediate importance shall not take effect until time has been given (at least ninety days,) for their publication and circulation.

If any differ from the conclusion expressed that an adjourned session is a special session, I would suggest that the present session fthen, by the same reasoning, would not be embraced within the term "special session;" so, upon that theory, this extra session would not be affected or controlled by the constitutional provision made with reference to a special session.

Another consideration; a distinction is sometimes made by the courts between a law going into effect, and becoming operative. Laws which are duly enacted become the law of the land, but do not necessarily become operative upon the subjects until the happening of a future event. Our
statute books are full of such laws. The case of Hopkins v. Scott, 38 Neb., 661, in discussing a similar constitutional question, says: 'The act as an act did go into effect under the constitutional provision referred to. It became the law of the State from that time, but the class of persons to whom it applied only came into existence upon the expiration of the then current terms of office. Until three months after the adjournment of the legislature, the act could not have taken effect, even though terms of treasurers might have expired during the interval. After the constitutional period for the act to take effect had expired, it became the law, and as fast as the terms of treasurers expired, became operative. It was the law from that time, although it may have been without practical effect for want of subject matter to act upon."

So an act passed by this Legislature repealing all statutes of a general nature embraced within the new Code when the new Code shall take effect, and fixing the time by the happening of some event or the lapse of a stated time when the new Code shall become operative, becomes a completed statute when duly enacted and approved at the expiration of ninety days after the adjournment. It becomes the law and lacks nothing to put it in force upon the arrival of the time that it is to become operative. The provisions of the law must not necessarily be carried out the moment the law goes into effect or becomes the law, but the provisions of the law become operative at the time and in the manner that the law provides.

There is no doubt in my mind that the extra session of the Twentysixth General Assembly can, by legislative act, determine the time in which the Code now before the General Assembly shall become operative, and that such date may be fixed more than ninety days after the adjournment of the General Assembly. Yours respectfully,

Milton Remley, Attorney General.

## INTRODUCTION OF BILLS.

By the Joint Committee on Publication of the Code, House file No. 95, a bill for an act to provide for the annotation, indexing, publication, distribution and sale of the Code, and statutes hereafter enacted, and the appointment of a supervising committee, and the election of an editor, and prescribing their duties.

Read first and second time and placed on file.
On motion of Mr. Evans, 400 copies of this bill were ordered printed.

On motion of Mr. Power, the House adjourned until 9 A. m. to-morrow.

## Hall of the House of Representatives, Des Moineg, Iowa, Saturday, April 3, 1897. $\}$

The House met at 9 A. m., with Speaker Byers in the chair. Prayer was offered by Rev. Arthur B. C. DeWater, of Woodbine, Iowa.

Mr. Gurley offered the following resolution and moved its adoption:

Mr. Temple seconded the motion.
Whereas, Under the law of life ordained by Him who rules over the destinies of men and of nations, one of the pages of this House, Miss Ella Potts, has been removed from us, and

Wherkas, Her absence will be sadly and mournfully regretted, as her presence was always welcomed, being like a sunbeam and a joy to all; therefore be it

Resolved, That we extend to the bereaved family our heartfelt sympathy and condolence in this their hour of grief, their loss and our loss, and earnestly assure them that the memory of this dear child will ever be like the perfume of sweet-smelling flowers. Peace to her ashes and peace to the spirit that has returned to the God who gave it.

The resolution was adopted unanimously by a rising vote.

## REPORT OF COMMITTEE,

Mr. Whelan, from the Committee on Fish and Game, submitted the following report:

Mr. Speaker-Your Committee on Fish and Game, to whom was referred the substitute for Senate file No. 35 and House file No. 42, a bill for an act to revise, amend and codify the statutes in relation to the care and propagation of fish and the protection of birds and game, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same do pass with the following amendments:

Amend section 2, line 2, page 2 of the printed bill by striking out the word "June" and inserting in lieu thereof the words "the fifteenth day of May;" also, strike out the letter " $s$ " in the word "days" in the same line.

Amend section 2, line 7, page 2, by inserting after the word "line" the words "and one trot-line, no trot-line to extend over half way across the stream;" also, amend by striking out the words "trot-line" in line 8, of same section.

Amend section 13, on page 4, by striking out all after the word "July," in line 3, and up to and including the word "October," in line 4; also, amend said section by adding thereto the words "the killing of any ruffed grouse, pheasant, wild turkey or quail is prohibited until November 1, 1900.

Amend section 25, by adding thereto the words "and the present fish commissioner shall be fish and game warden."
M. K. Whelan, Chairman.

On motion of Mr. Whelan, the substitute for Senate file No. 35 , and House file No. 42, a bill for an act to revise, amend and codify the statutes in relation to the care and propagation of of fish and the protection of birds and game, with report of committee recommending passage with amendments, was taken up and considered.

The committee amendment to section 2, line 2, was adopted by a vote of 29 yeas to 20 nays.

The committee amendment to section 2 , line 7, was adopled; also the amendment to section 2, line 8.

Mr. Van Houten moved to strike out the word "knowingly" in line 1 of section 5.

Lost.
The committee amendment to section 13 , line 3 , was lost by a vote of 21 yeas to 21 nays.

Mr. Mayne moved to amend section 13 , line 4, by striking out the word "December" and inserting "January;" also, strike out the word "October" and substitute "November."

Lost.
The committee amendment to section 25 was adopted.
Mr. Reed moved to strike out line 6, of section 13 , and insert a period at the end of line 5.

Adopted.
Mr. Morrison of Grundy, moved to amend section 18, line 51, by striking out the words "twenty five dollars for each wild deer, elk or fawn."

Adopted.
Mr. Van Houten moved to strike out the words "or muskrat," line 5, section 18.

Lost.
Mr. Merriam moved to amend as follows: Strike out the words "blue jays, black birds," in line 5, and insert these words after the words "snow bird," in line 4, section 23.

Mr. Van Houten asked a division of the question.

The question of inserting "blue jay," in line 4, after the word "snowbird," and striking same out in line 5, was put and adopted.

The question of inserting the word "blackbird" in line 4, after the word "snowbird" and striking same out of line 5, was adopted by a vote of 40 to 17 .

Mr. Crow moved to amend as follows: Amend section 4, line 1 , by inserting between the words "than" and "two" the words "one trot line or."

Adopted.
Mr. Reed moved to amend section 10, line 3, by striking out the words all after the word "same" up to and including the word "obstruction," in line 4.

Adopted.
Mr. Morrison of Grundy moved to strike out of line 13, section 13, the word "sundown" and insert the word "sunset."

Adopted.
Mr. Van Houten moved to amend section 13, line 5, by adding the words 'provided that it shall be unlawful to kill any quail prior to January 1, 1900."

Mr. McAchran moved to amend the amendment of Mr. Van Houten by inserting the words "or wild turkey" after the word "quail."

Adopted.
Amendment as amended adopted.
Mr. Mayne moved to amend section 14, line 3, by striking out the word "twenty-five" and insert the word "fifteen;" also, in line 5, strike out the word "twenty-five" and insert the word "fifteen."

Adopted.
Mr. Mayne moved to insert the words 'ruffed grouse" after the word "quail," in section 13, as amended by Mr. Van Houten.

Adopted.
Mr. Klemme moved to amend section 22 by striking out the words "without first obtaining" and inserting the words "when refused."

Lost.
Mr. Gurley moved to amend section 15 by inserting the word "coon" after the word "otter," in line 1.

Mr. Hendershot moved the previous question.
Carried.
Amendment of Mr. Gurley lost.

Mr. Van Houten called attention to the word "bever," in section 15 and asked that it be corrected to spell "beaver."

So ordered.
The question, that the rule be suspended, and that the bill be read a third time now, was then put, which motion prevailed, and the bill was read a third time.

On the question, "Shall the bill pass?" the yeas were:
Messrs. Bell, Bird, Brant, Brighton, Brinton, Byington, Clark, Classen, Cook, Cornwall, Crow, Davis, Doubleday, Dowell, Early, Edwards, Evans, Finch, Frink, Funk, Garner, Good, Griswold, Grote, Gurley, Haugen, Hauger, Hayes, Hendershot, Hinman, Huntley, Jay, Johnson of Webster, Johnston of Franklin, Ladd, Lambert, Lavender, Loomis, Lowry, Mc Achran, McNulty, Martin, Mayne, Merriam, Miller of Buena Vista, Miller of Cherokee, Miller of Warren, Morrison of Grundy, Morrison of Keokuk, Mullin, Nolan, Parker, Perrott, Porter, Power, Prentis, Patnam, Ray, Reed, Scott, Spaulding, Temple, Thompson, Tibbitts, Van Houten, Weaver, Wells, Whelan, Whittier, Williams, Wilson, Wood, Mr. Speaker-73.

Mr. Klemme voted in the negative.
Absent or not voting:
Messrs. Allen, Bailey, Baker, Bowen, Brady, Chapman, Frazee, Hazen, Hinkhouse, Hunt, Jackson, Lauder, McArthur, McDonald, McDowell, McQuin, Manahan, Marti, Nietert, Potter, Smith, St. John, Sullivan, Voelker, Watters, Wheeler $-26$.

So the bill passed and the title was agreed to.
The Speaker signed in the presence of the House, Senate files Nos. 72 and 29.

MESSAGE FROM THE SENATE.
The following message was received from the Senate.
Mr. Speaker-I am directed to inform your honorable body that the Senate insists upon its amendments to sections 4 and 5 of House file No. 29, and refuses to concur in the House amendments to Senate amendments. to section 6, House file No. 29, a bill for an act to revise, amend and codify the statutes in relation to the care of the insane.

Geo. A. Newman, Secretary.
Also:
Mr. Speaker-I am directed to inform your honorable body that the Senate has adopted the report of the conference committee on Senate file No. 36, a bill for an act to revise, amend and codify the statutes in relation to the practice of dentistry.

Also:
Mr. Speaker-I am directed to inform your honorable body that the Senate asks a conference committee on House file No. 29, a bill for an act to revise, amend and codify the statutes in relation to the care of the insane, and that the President of the Senate has appointed as such conference committee on the part of the Senate, Senators Junkin, Hobart, Penrose and Sargent.

Geo. A. Newman,
Secretary.

## REPORT OF COMMITTEE.

Mr. Prentis, from the Committee on Conference, submitted the following report:

Mr. Speaker-Your Committee on Conference, to whom was referred Senate file No. 36, a bill for an to revise, amend and codify the statutes in relation to the practice of denistry, beg leave to report that they have had the same under consideration and unanimously recommend that the Senate concur in the House amendments to section 1, lines 6 and 17, with the following amendment thereto: Insert in line 16, section 1, between the words "dollars" and "for" the words "together with actual traveling and other necessary expenses."

> J. R. Gorrell, Samuri Druet,
> C. S. Ranck, J. A. Riggen, Committee ofthe Senate.
> P. L. Prentis,
> M. J. Davis,
> D. H. Bowen,
> J. J. Lowry, Committee of the House.

Ordered passed on file.
REPORT OF JOINT COMMITTEE ON ENROLLED BILLS.
Mr. Hauger, from the Joint Committee on Enrolled Bills, submitted the following report:

Mr. Speaker-Your Joint Committee on Enrolled Bills respectfully report that they have examined, and find correctly enrolled, Senate file No. 29 , a bill for an act to revise, amend and codify the statutes in relation to mines and mining.

> G. S. Gilbertson, Chairman Senate Committee.
> W. E. Ha UGer, Chairman House Committee.

Ordered passed on file.
Also:
Mr. Speaker-Your Joint Committee on Enrolled Bills respectfully report that they have examined, and find correctly enrolled, Senate file

No. 72, a bill for an act to revise, amend and codify the statutes in relation to estates and decedents.
> G. S. Gilbertson, Chairman Senate Committee.
> W. E. Hauger, Chairman House Committee.

Ordered passed on file.
Journal of yesterday corrected and approved.
Conference committee report on Senate file No. 36, was taken up and considered.

On the question, "Shall the report of the committee be adopted?" the yeas were:

Messrs. Bird, Brant, Brighton, Brinton, Clark, Classen, Cook, Cornwall, Crow, Davis, Dowell, Evans, Griswold, Haugen, Hauger, Hendershot, Jay, Klemme, Ladd, Lavender, Loomis, Lowry, McAchran, McNulty, Martin, Mayne, Merriam, Miller of Buena Vista, Miller of Warren, Morrison of Grundy, Morrison of Keokuk, Mullin, Perrott, Prentis, Reed, Spaulding, Temple, Thompson, Watters, Weaver, Wells, Whelan, Whittier, Williams, Wood, Mr. Speaker-46.

The nays were:
Messrs. Bell, Byington, Early, Funk, Good, Gurley, Huntley, Lambert, McArthur, Miller of Cherokee, Nolan, Parker, Porter, Power, Putnam, Scott, Van Houten, Wilson-18.

Absent or not voting:
Messrs. Allen, Bailey, Baker, Bowen, Brady, Chapman, Doubleday, Edwards, Finch, Frazee, Frink, Garner, Grote, Hayes, Hazen, Hinkhouse, Hinman, Hunt, Jackson, Johnson of Webster, Johnston of Franklin, Lauder, McDonald, McDowell, McQuin, Manahan, Marti, Nietert, Potter, Ray, Smith, St. John, Sullivan, Tibbitts, Voelker, Wheeler-36.

So the report of the committee was rejected.
The Speaker appointed as the second conference committee on this bill Messrs. Bell, Byington, Early and Funk.

Mr. Miller of Cherokee was excused till Tuesday.
Mr. Cornwall moved to adjourn till 2 P. M. Monday. Adopted.
House adjourned.

# Hall of the House of Representatives, Des Moines, Iowa, Monday, April 5, 1897. $\}$ 

House met at 2 P. m., Speaker Byers in the chair. Prayer by Rev. W. A. Black.
Journal of Saturday, April 3, corrected and approved.
MESSAGES FROM THE SENATE.
The following message was received from the Senate:
Mr. Speaker-I am directed to inform your honorable body that the Senate has passed the following bill in which the concurrence of the House is asked:

Senate file No. 94, a bill for an act to revise, amend and codify the statutes in relation to the system of common schools.

Geo. A. Newman, Secretary.
Also:
Mr. Speaker -I am directed to inform your honorable body that the Senate has passed the following bill, in which the concurrence of the Senate was asked:

House flle No. 90, a bill for an act to revise, amend and codify the statutes in relation to express companies.

Geo. A. Newman, Secretary.

The Speaker appointed as House members of the conference committee on House file No. 29, Messrs. Early, Wood, Allen and Lowry.

On motion of Mr. Reed substitute for Senate file No. 45 and House file No. 62, a bill for an act to revise, amend and codify the statutes in relation to the system of common schools, just messaged from the Senate, was taken up and read first and second time.

Mr. Doubleday moved to amend by striking out the period after the words "school houses" in line 12 of section 7, on page 2 of the school bill and substituting the words "said roads to be laid on section or half mile lines."

Lost.

Mr. Prentis moved to amend section 52, line 1, by striking out the word "or" and inserting in lieu thereof a comma, and insert between the words "town" and "of" the words "or village."

Messrs. Reed and Prentis demanded the yeas and nays on the amendment which resulted as follows:

On the question, "Shall the amendment be adopted?" the yeas were:

Messrs. Baker, Bell, Brant, Byington, Classen, Crow, Doubleday, Edwards, Evans, Finch, Frink, Good, Griswold, Haugen, Hauger, Johnson of Webster, Lauder, Loomis, McAchran, Martin, Morrison of Keokuk, Mullin, Nolan, Parker, Prentis, Ray, Weaver, Whelan, Wood-29.

- The nays were:

Messrs. Brinton, Clark, Cook, Davis, Dowell, Funk, Garner, Johnston of Franklin, Klemme, Ladd, Lavender, McNulty, Merriam, Miller of Buena Vista, Miller of Warren, Perrott, Porter, Reed, Scott, Spaulding, Temple, Thompson, Whittier, Mr. Speaker-24.

Absent or not voting:
Messrs. Allen, Bailey, Bird, Bowen, Brady, Brighton, Chapman, Cornwall, Early, Frazee, Grote, Gurley, Hayes, Hazen, Hendershot, Hinkhouse, Hinman, Hunt, Huntley, Jackson, Jay, Lambert, Lowry, McArthur, McDonald, McDowell, McQuin, Manahan, Marti, Mayne, Miller of Cherokee, Morrison of Grundy, Nietert, Potter, Power, Putnam, Smith, St. John, Sullivan, Tibbitts, Van Houten, Voelker, Watters, Wells, Wheeler, Williams, Wilson-47.

So the amendment was adopted.
Mr. Prentis moved to amend section 52, line 4, by striking out the word "or" and inserting in lieu thereof a comma, and inserting in line 5 , between the words "town" and "and," the words "or village." Also, in line 10 , section 52 , by striking out the word "or" and inserting in lieu thereof a comma, also inserting between the words "city" and "the" the words "or village."

Adopted.
Mr. Prentis moved to amend section 52, by inserting after the word "territory" in line 5 the following: "as is authorized by a written petition of a majority of the resident electors of the contiguous territory proposed to beincluded in said district."

Adopted by a vote of 22 yeas to 19 nays.

Mr. McAchran moved to amend section 30 by adding thereto the following: "No school building shall be used "for the purpose of selling any kind of merchandise."

## Lost.

Mr. Martin moved to amend section 18, line 2, by inserting after the word "requires" the words "to secure the district against loss."

Lost by a vote of 14 yeas to 30 nays.
Mr. Parker moved to amend section 75 by striking out of said section all after the word "grounds" in line 1.

Lost.
Mr. Martin moved to amend section 62 by striking out all of said section after the word "determine," in line 3.

Lost by a vote of 19 yeas to 30 nays.
Mr. Reed moved that the rule be suspended, and the bill be read a third time now, which motion prevailed, and the bill was read a third time.

On the question, "Shall the bill pass?" the yeas were:
Messrs. Baker, Bell, Brinton, Byington, Clark, Classen, Crow, Davis, Doubleday, Dowell, Edwards, Evans, Finch, Frink, Funk, Garner, Good, Gurley, Haugen, Hauger, Huntley,Johnston of Franklin,Ladd,Lauder, Lavender, Loomis, McAchran, Miller of Buena Vista, Miller of Warren, Morrison of Grundy, Morrison of Keokuk, Mullin, Nolan, Parker, Perrott, Porter, Prentis, Ray, Spaulding, Temple, Thompson, Weaver, Whelan, Whittier, Wood, Mr. Speaker-45.

The nays were:
Messrs. Brant, Brighton, Cook, Early, Griswold, Johnson of Webster, Klemme, McNulty, Martin, Merriam, Reed, Scott - 13.

Absent or not voting:
Messrs. Allen, Bailey, Bird, Bowen, Brady, Chapman, Cornwall, Frazee, Grote, Hayes, Hazen, Hendershot, Hinkhouse, Hinman, Hunt, Jackson, Jay, Lambert, Lowry, McArthur, McDonald, McDowell, McQuin, Manahan, Marti, Mayne, Miller of Cherokee, Nietert, Potter, Power, Putnam, Smith, St. John, Sullivan, Tibbitts, Van Houten, Vcelker, Watters, Wells, Wheeler, Williams, Wilson-42.

So the bill having failed to receive a constitutional majority, was declared to have been lost.

The following motion to reconsider was filed:
Mr. Spacer-I move to reconsider the vote by which the substitute for House file No. 62 and Senate file No. 45 was lost.
J. F. Reed.

I second the motion.
R. E. Cook.

On motion of Mr. Reed the House adjourned until 9 A. M. tomorrow.

## Hall of the House of Representatives. <br> Des Moines, Iowa, Tuesday, April 6, 1897. $\}$

House met at 9 A. M., Speaker Byers in the chair.
Prayer by Rev. W. W. McGuire, of Cherokee, Iowa.
Journal of yesterday corrected and approved.
Messrs. Potter, Putnam and Manahan were excused on account of sickness.

Mr. Brant offered the folllowing resolution, which was laid over under Rule 34.

Whereas, The people of the State are interested in the investigation of the State printing and binding, and are entitled to know all the facts in relation to the same, therefore,

Resolved, That the Committee on Printing be and is hereby instructed to hold open sessions when examining witnesses in the investigation ordered by this House, and to also furnish to the press stenographic reports of the evidence taken.

Mr. Nolan called up his resolution, which was laid over under the rule, relative to the introduction of legalizing acts at this session, and moved its adoption.

Mr. Tibbitts moved that the resolution be laid on the table.
Messrs. Morrison of Keokuk and Klemme demanded the yeas and nays on the motion, which resulted as follows:

Mr. Dowell in the chair.
On the question, "Shall the motion prevail?" the yeas were:
Messrs. Allen, Bell, Bowen, Brighton, Clark, Classen, Cook, Crow, Dowell, Early, Evans, Frink, Funk, Garner, Good, Griswold, Grote, Hauger, Hendershot, Hinman, Huntley, Johnson of Webster, Johnston of Franklin, Loomis, Lowry, McAchran, McDonald, McQuin, Martin, Mayne, Merriam, Morrison of Keokuk, Mullin, Nietert, Parker, Prentis, Reed, Scott, Spaulding, Tibbitts, Weaver, Wells, Whelan, Wood-44.

The nays were:
Messrs. Brant, Byington, Davis, Doubleday, Edwards, Finch, Frazee, Hazen, Klemme, Lambert, Lauder, McNulty, Miller of Buena Vista, Miller of Warren, Morrison of Grundy, Nolan, Perrott, Porter, Ray, Thompson, Watters, Whittier, Wilson-23.

Absent or not voting:
Messrs. Bailey, Baker, Bird, Brady, Brinton, Chapman, Cornwall, Gurley, Haugen, Hayes, Hinkhouse, Hunt, Jackson, Jay, Ladd, Lavender, McArthur, McDowell, Manahan, Marti, Potter, Power, Putnam, Smith, St. John, Sullivan, Temple, Van Houten, Voelker, Wheeler, Williams, Mr. Speaker-34.

So the motion prevailed.
The Chair took up the motion to reconsider the vote by which Senate file No. 87 passed the House.

Mr. Evans moved that this motion be tabled.
Messrs. Porter and Garner demanded the yeas and nays on the motion, which resulted as follows:

On the question, "Shall the motion prevail?" the yeas were:
Messrs. Bowen, Byington, Davis, Dowell, Evans, Funk, Griswold, Hauger, Hendershot, Jay, Johnson of Webster, Klemme, Lauder, Loomis, Lowry, McAchran, McNulty, Mayne, Merriam, Miller of Buena Vista, Miller of Warren, Nietert, Parker, Prentis, Scott, Temple, Thompson, Watters, Weaver, Whelan, Wilson, Wood-32.

The nays were:
Messrs. Baker, Bell, Brighton, Clark, Classen, Cook, Crow, Doubleday, Early, Edwards, Finch, Frazee, Frink, Garner, Good, Gurley, Hazen, Hinman, Hunt, Huntley, Johnston of Franklin, Ladd, Lambert, Lavender, McDonald, McQuin, Martin, Morrison of Grundy, Morrison of Keokuk, Mullin, Nolan, Perrott, Porter, Ray, Reed, Spaulding, St. John, Tibbitts, Wells, Whittier-40.

Absent or not voting:
Messrs. Allen, Bailey, Bird, Brady, Brant, Brinton, Chapman, Cornwall, Grote, Haugen, Hayes, Hinkhouse, McArthur, McDowell, Manahan, Marti, Miller of Cherokee, Potter, Power, Putnam, Smith, Sullivan, Van Houten, Voelker, Wheeler, Williams, Mr. Speaker-28.

So the motion was lost.
On the motion to reconsider, the roll call was demanded which resulted as follows:

On the question "Shall the motion prevail?" the yeas were: Messrs. Allen, Baker, Bell, Crow, Early, Edwards, Frazee, Frink, Garner, Good, Gurley, Hazen, Hunt, Huntley, Ladd, Lavender, McDonald, McQuin, Manahan, Marti, Martin, Morrison of Grundy, Morrison of Keokuk, Mullin, Perrott, Porter, Ray, Reed, Spaulding, Tibbitts, Whittier-29.

The nays were:
Messrs. Bowen, Brinton, Byington, Clark, Cook, Davis, Doubleday, Dowell, Evans, Finch, Funk, Griswold, Grote, Hauger, Hendershot, Hinman, Jay, Johnson of Webster, Johnston of Franklin, Klemme, Lauder, Loomis, Lowry, McAchran, McNulty, Mayne, Merriam, Miller of Buena Vista, Miller of Warren, Nietert, Nolan, Parker, Prentis, Scott, St. John, Temple, Thompson, Watters, Weaver, Whelan, Wilson, Wood -42.

Absent or not voting:
Messrs. Bailey, Bird, Brady, Brant, Brighton, Chapman, Classen, Cornwall, Haugen, Hayes, Hinkhouse, Jackson, Lambert, McArthur, McDowell, Manahan, Marti, Miller of Cherokee, Potter, Power, Putnam, Smith, Sullivan, Van Houten, Voelker, Wells, Wheeler, Williams, Mr. Speaker-29.

So the motion to reconsider was lost.
The Speaker resumed the chair.
On motion of Mr. Wood the House adjourned until 2 P. m.

## AFTERNOON SESSION.

The House was called to order at 2 P. M., by Speaker Byers.
Mr . Reed called up the motion to reconsider the vote whereby Senate file No. 94 was lost.

The motion to reconsider was carried.
Mr. Brant moved to reconsider the vote whereby the bill was passed to its third reading.

Carried.
Mr. Weaver moved to reconsider the vote whereby the amendment of Mr. Martin to section 62 was lest.

Carried by a vote of 26 yeas to 25 nays.
The amendment of Mr. Martin to strike out of section 62 all after the word "determine," in line 3, was then taken up and considered.

On the question, "Shall the amendment be adopted?" the yeas were:

Messrs. Bell, Bowen, Brady, Brant, Brighton, Crow, Dowell, Early, Finch, Garner, Griswold, Grote, Hauger, Huntley,

Johnson of Webster, Ladd, Lauder, Lavender, McAchran, Martin, Mayne, Merriam, Miller of Buena Vista, Morrison of Keokuk, Nietert, Parker, Porter, Watters, Weaver, Whit-tier-30.

The nays were:
Messrs. Brinton, Byington, Chapman, Clark, Classen, Cook, Davis, Doubleday, Edwards, Frink, Funk, Good, Gurley, Haugen, Hazen, Hendershot, Hinkhouse, Hinman, Hunt, Jay, Jobnston of Franklin, Klemme, Lambert, Loomis, Lowry, McDonald, McQuin, Miller of Warren, Morrison of Grundy, Mullin, Nolan, Perrott, Prentis, Ray, Reed, Scott, Spaulding, Temple, Thompson, Tibbitts, Van Houten, Wells, Whelan, Wood, Mr. Speaker-45.

Absent or not voting:
Messrs. Allen, Bailey, Baker, Bird, Cornwall, Evans, Frazee, Hayes, Jackson, McArthur, McDowell, McNulty, Manahan, Marti, Miller of Cherokee, Potter, Power, Putnam, Smith, St. John, Sullivan, Voelker, Wheeler, Williams, Wilson-25.

So the amendment was lost.
Mr. Brant moved to amend section 62 by striking out the word "shall" in line 4, and inserting the word "may" in lieu thereof; also, insert in line 5, the words "by the board" after the word "allowed."

Messrs. Weaver and Merriam demanded the yeas and nays on this amendment, which resulted as follows:

On the question, "Shall the amendment be adopted?" the yeas were:

Messrs. Bell, Bowen, Brady, Brant, Brighton, Doubleday, Early, Evans, Finch, Frink, Griswold, Grote, Hauger, Hender. shot, Huntley, Johnson of Webster, Ladd, Lauder, Lavender, McAchran, Martin, Mayne, Merriam, Miller of Buena Vista, Morrison of Keokuk, Nietert, Parker, Pcrter, Prentis, Thompson, Watters, Weaver, Whittier, Mr. Speaker-34.

The nays were:
Messrs. Brinton, Byington, Chapman, Clark, Classen, Cook, Crow, Davis, Dowell, Edwards, Frazee, Funk, Good, Gurley, Haugen, Hazen, Hinkhouse, Hinman, Hunt, Jay, Johnston of Franklin, Klemme, Lambert, Loomis, Lowry, McDonald, McQuin, Miller of Warren, Morrison of Grundy, Mullin, Nolan, Perrott, Reed, Scott, Spaulding, Tem ole, Tibbitts, Van Houten, Wells, Whelan, Wood-41.

Absent or not voting:
Messrs. Allen, Bailey, Baker, Bird, Cornwall, Garner, Hayes, Jackson, McArthur, McDowell, McNulty, Manahan, Marti, Miller of Cherokee, Potter, Power, Putnam, Ray, Smith, St. John, Sullivan, Voelker, Wheeler, Williams, Wilson-25.

So the amendment was lost.
Mr. Morrison of Grundy moved to amend section 25, by striking out of lines 1 and 2, the words "contingent and teachers," and inserting in lieu thereof the word "school;" also, strike out of line 8 , section 26 , the words "the contingent fund," and out of line 9 , section 26, the word "teachers" and insert before the word "fund" in line 9, the word "school."

Lost.
Mr. Weaver moved to add to section 62, the words "but said deduction shall only be made when approved by the board."

Messrs. Morrison of Keokuk and Crow demanded the yeas and nays on this amendment, which resulted as follows:

On the question, "Shall the amendment be adopted?" the yeas were:

Messrs. Bell, Brady, Brant, Brighton, Crow, Early, Evans, Finch, Frink, Garner, Griswold, Hendershot, Johnson of Webster, Klemme, Ladd, Lauder, Lavender, Loomis, McDonald, McNulty, Martin, Mayne, Merriam, Miller of Buena Vista, Morrison of Keokuk, Neitert, Parker, Perrott, Watters, Weaver, Whittier-31.

The nays were:
Messrs. Baker, Brinton, Byington, Chapman, Clark, Classen, Cook, Davis, Dowell, Edwards, Frazee, Funk, Good, Grote, Gurley, Haugen, Hayes, Hazen, Hinkhouse, Hinman, Hunt, Huntley, Johnston of Franklin, Lambert, Lowry, McAchran, McQuin, Miller of Warren, Morrison of Grundy, Mullin, Nolan, Porter, Prentis, Ray, Reed, Scott, Spaulding, Temple, Tibbitts, Van Houten, Wells, Whelan, Wood, Mr. Speaker-44.

Absent or not voting:
Messrs. Allen, Bailey, Bird, Bowen, Cornwall, Jackson, Jay, McArthur, McDowell, Manahan, Marti, Miller of Cherokee, Potter, Power, Smith, St. John, Sullivan, Thompson, Voelker, Wheeler, Williams, Wilson-22.

So the amendment was lost.
Mr. Spaulding moved the previous question.
Carried.

The question that the bill be passed to its third reading was then put and carried.

On the question, "Shall the bill pass?" the yeas were:
Messrs. Allen, Baker, Bowen, Brant, Brighton, Brinton, Byington, Chapman, Clark, Classen, Cook, Davis, Doubleday, Dowell, Edwards, Evans, Frink, Funk, Good, Griswold, Grote, Gurley, Haugen, Hauger, Hayes, Hazen, Hendershot, Hinkhouse, Hinman, Hunt, Huntley, Johnston of Franklin, Klemme, Ladd, Lambert, Lauder, Loomis, Lowry, McAchran, McDonald, McNulty, McQuin, Martin, Mayne, Miller of Buena Vista, Miller of Warren, Morrison of Grundy, Morrison of Keokuk, Mullin, Nietert, Nolan, Parker, Perrott, Porter, Prentis, Ray, Reed, Scott, Spaulding, Temple, Thompson, Tibbitts, Van Houten, Watters, Wells, Whelan, Whittier, Wilson, Wood, Mr. Speaker-70.

The nays were:
Messrs. Bell, Brady, Crow, Early, Finch, Frazee, Johnson of Webster, Lavender, Merriam, Weaver-10.

Absent or not voting:
Messrs. Bailey, Bird, Cornwall, Garner, Jackson, Jay, McArthur, McDowell, Manahan, Marti, Potter, Power, Putnam, Smith, St. John, Sullivan, Voelker, Wheeler, Williams-20.

So the bill passed and the title was agreed to.
The Speaker signed in the presence of the House, House files Nos. 74, 93, 65, 28.

REPORT OF COMMITTEE ON ENROLLED BILLS.
Mr. Hauger, from the Committee on Enrolled bills, submitted the following report:

Mr. Speaker-Your Committee on Enrolled Bills respectfully report that they have examined, and find correctly enrolled, House file No. 34, a bill for an act to revise, amend and codify the statutes in relation to fire companies.

W. E. Hauger, Chairman.

Ordered passed on file.
Also:
Mr. Speaker-Your Committee on Enrolled Bills respectfully report that they have examined, and find correctly enrolled. House file No. 17, a bill for an act to revise, amend and codify the statutes in relation to Agricultural and Horticultural societies, Stock Breeders' association and State Dairy association.

W. E. Hauger, Chairman.

Ordered passed on file.

## MESSAGES FROM THE SENATE.

## The following messige was received from the Senate:

Mr. Speaker-I am directed to inform your honorable body that the Senate herewith returns Senate file No. 36, a bill for an act to revise, amend and codify the statutes in relation to the practice of dentistry, and that the President of the Senate has appointed a further conference committee consisting of Senators Waterman, Trewin, Allyn and Ranck. Geo. A. Newman, Secretary.

## Also:

Mr. Speaker-I am directed to inform your honorable body that the Senate has amended and passed the following bill, in which the concurrence of the Senate was asked:

House file No. 82, a bill for an act to revise, amend and codify the statutes in relation to procedure in particular cases.

> Geo. A. Newman,
> Secretary.

Also:
Mr. Speaker-I am directed to inform your honorable body that the Senate has concurred in the House amendment to section 2, chapter 2 of Senate file No. 10; that the Senate has concurred in House amendment to section 14, chapter 3; that the Senate has concurred in House amendment to section 19, chapter 3, last line; that the Senate has concurred in House amendment to section 19, chapter 3, line 12; that the Senate concurs in House amendment to line 15 , section 19, chapter 3 ; that the Senate concurs in House amendment to section 28, chapter 3; that the Senate concurs in House amendment to section 20, chapter 4; that the Senate concurs in House amendment to section 24, chapter 4; that the Senate concurs in House amendment to section 7, chapter 6; that the Senate concurs in House amendment to section 5, chapter 12; that the Senate has amended the House substitute for section 8, chapter 2; that the Senate does not concur in House amendment to section 6, chapter 3; section 9, chapter 3; section 16, chapter 3; section 19, chapter 3; section 23, chapter 3 ; sections 32-33, chapter 3.

Senate file No, 10, a bill for an act to revise, amend and codify the statutes in relation to elections and officers.

Geo. A. Newman, Secretary.
Also:
Mr. Speaker-I am directed to inform your honorable body that the Senate recedes from its amendment to section 26, chapter 2, of House file No. 15, a bill for an act to revise, amend and codify the statutes in relation to roads, bridges and ferries.

That the Senate recedes from its amendment to section 35.
That the Senate insists upon its first amendment to section 45, page 300.
That the Senate insists upon its second amendment to section 45, page 300.

That the Senate recedes from its amendment to section 2, chapter 3, line 2.

That the Senate asks a conference committee on House file No. 15, the President having appointed as such committee on part of the Senate, Senators Harriman, Kilburn, Palmer and Sargent.

Geo. A. Newman, Secretary.
Senate file No. 10, in which the Senate refuses to concur in all House amendments to said bill, was referred to Committee on Elections.

House file No. 82, with Senate amendments thereto was taken up and referred to Third Division Code Revision Committee.

On motion of Mr. Evans, House file No. 95, a bill for an act to provide for the annotation, indexing, publication, distribution and sale of the Code, and statutes hereafter enacted, and the appointment of a supervising committee, and the election of an editor, and prescribing their duties, was taken up and considered.

The clerk proceeded to read House file No. 95.
The Speaker appointed as House members of the conference committee on House ale No. 15, Messrs. Watters, Frink, Hinkhouse and Miller of Warren.

- REPORT OF COMMITTEE.

Mr. Davis, from the Committee on Pharmacy, submitted the following report:

Mr. Speaker-Your Committee on Pharmacy, to whom was referred House file No. 45, a bill for an act to revise, amend and codify the statutes in relation to the practice of pharmacy, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the House concur in the Senate amendments.

> M. J. Davis, Chairman.

Ordered passed on file.
House file No. 45, just reported by the committee, was taken up for consideration.

Mr. Garner moved to amend the Senate amendments to section 4 by inserting after the word "office" the words "received for issuing and renewing certificates and the amount allowed for expenses under section 8 of this chapter."

Messrs. Garner and Gurley demanded the yeas and nays on the amendment which resulted as follows:

On the question, "Shall the amendment be adopted?" the yeas were:

Messrs. Baker, Brady, Brant, Byington, Chapman, Clark, Crow, Finch, Frazee, Garner, Good, Gurley, Hauger, Hazen, Hunt, Huntley, Jay, Johnson of Webster, Lambert, McDonald, McQuin, Martin, Merriam, Morrison of Grundy, Morrison of Keokuk, Nietert, Perrott, Temple, Thompson, Tibbitts, Van Houten, Watters, Wells, Whelan-34.

The nays were:
Messrs. Allen, Bowen, Brighton, Classen, Davis, Doubleday, Dowell, Evans, Frink, Funk, Griswold, Grote, Hayes, Hendershot, Hinkhouse, Hinman, Johnston of Franklin, Klemme, Ladd, Lauder, Loomis, Lowry, McAchran, McNulty, Mayne, Miller of Buena Vista, Miller of Warren, Mullin, Parker, Porter, Prentis, Ray, Reed, Scott, Weaver, Whittier, Wilson, Wood, Mr. Speaker-39.

Absent or not voting:
Messrs. Bailey, Bell, Bird, Brinton, Cook, Cornwall, Early, Edwards, Haugen, Jackson, Lavender, McArthur, McDowell, Manahan, Marti, Miller of Cherokee, Nolan, Potter, Power, Putnam, Smith, Spaulding, St. John, Sullivan, Voelker, Wheeler, Williams-27.

So the amendment was lost.
On the question, 'Shall the House concur in Senate amendments to House file No. 45?" the yeas were:

Messrs. Allen, Baker, Bowen, Brady, Brant, Brighton, Byington, Chapman, Clark, Classen, Cook, Crow, Davis, Doubleday, Dowell, Evans, Frink, Funk, Good, Griswold, Grote, Haugen, Hauger, Hayes, Hazen, Hendershot, Hinkhouse, Hunt, Huntley, Jay, Johnston of Franklin, Klemme, Ladd, Lambert, Lauder, Loomis, Lowry, McAchran, McDonald, McNulty, McQuin, Martin, Mayne, Merriam, Miller of Buena Vista, Miller of Warren, Morrison of Grundy, Morrison of Keokuk, Mullin, Nietert, Nolan, Parker, Perrott, Porter, Prentis, Ray, Reed, Scott, Spaulding, Temple, Thompson, Van Houten, Watters, Weaver, Wells, Whelan, Whittier, Wilson, Wood, Mr. Speaker-70.

The nays were:
Messrs. Gurley and Tibbitts-2.
Absent or not voting:
Messrs. Bailey, Bell, Bird, Brinton, Cornwall, Early, Edwards, Finch, Frazee, Garner, Hinman, Jackson, Johnson of Webster, Lavender, McArthur, McDowell, Manahan, Marti,

Miller of Cherokee, Potter, Power, Putnam, Smith, St. John, Sullivan, Voelker, Wheeler, Williams-28.

So the House concurred.
On motion of Mr. Byington, the House adjourned until 9 A. M. to-morrow.

Hall of the House of Representatives, Des Moines, Iowa, Wednesday, April 7, 1897. $\{$

The House met at 9 A. m. with Speaker Byers in the chair. Prayer was offered by Rev. Fred E. Butterfield, of Bayard, Iowa.

The resolution of Mr. Brant relative to requiring the printing and binding investigating committee to hold open sessions when examining witnesses in the investigation ordered by the House, which was laid over, was taken up and Mr. Brant moved its adoption.

Mr. Garner offered the following as a substitute for the resolution of Mr. Brant:

Whereas, A disagreement has arisen between the members of the comraittee appointed to investigate the State printing and binding as to the scope of the investigation ordered under the resolution adopted by the House February 8th;

Wherfas, It is important that every member of this House be fully informed upon this subject to the end that in the enactment of a law governing State printing aud binding equal justice may be done to our State officials and the people of the State; therefore be it

Resolved, That the Printing Committee is hereby authorized to extend its investigation to every phase and period of State printing and binding in this State comprehended within the past twenty-dive years, and in order that the investigation may be expedited as much as possible, the State printer and binder are hereby requested to file at once with the Chief Clerk of this House a sworn statement of the receipts and expenses and the amount of capital employed by each in their respective offices in doing the State's work; or any other information which in their judgment will enable this House to arrive at a correct conclusion in the matter. If this information cannot be filed at once they shall express an intention of accepting any invitation contained herein by filing a written statement to that effect. All information filed shall be referred at once to the Committee on Printing and shall be open to inspection by the members of the Twenty-sixth General Assembly. The Printing Committee is hereby further instructed that it may accept in lieu of any special investigation heretofore ordered, an invitation and promise of friendly assistance from the State printer and
binder to examine their books, bills, accounts, or other papers relating to their work as State officials;

Resolved, That when the Committee is examining witnesses the sessions shall be open all members of the Twenty-sixth General Assembly and when the committee shall have concluded the investigation it shall report to this House the advisability of printing the testimony for the use of members or making other disposition of it.

Upon request of Mr. Lambert, the substitute was allowed to lay over under Rule 34until the same could be printed in the Journal.

The Journal of yesterday was corrected and approved.
Mr. Power presented the following petition of citizens of Keokuk, signed by A. J. McCrary and others: "We, the undersigned residents of the city of Keokuk, Lee county, Iowa, having signed a petition that was circulated among the citizens of Keokuk petitioning the Legislature to vote against what is so-called theTemple amendment to the railroad laws of Iowa, not knowing anything about the law, signed said petition, and we now, fully understanding said petition, ask that the said law or Temple amendment be passed."

## MESSAGE FROM THE SENATE.

The following message was received from the Senate:
Mr. Speaker-I am directed to inform your honorable body that the Senate request the return of Senate file No. 36, a bill for an act to revise, amend and codify the statutes in relation to the practice of dentistry.

Geo. A. Newman,
Secretary.
REPORT OF COMMITTEE ON ENROLLED BILLS.
Mr. Hauger, from the Committee on Enrolled Bills, submitted the following report:

Mr. Speaker-Your Committee on Enrolled Bills respectfully report that they have examined, and find correctly enrolled, House file No. 90, a bill for an act to revise, amend and codify the statutes relative to express companies.

W. E. Hauger,<br>Chairman.

Ordered passed on file.
REPORT OF JOINT COMMITTEE ON ENROLLED BILLS.
Mr. Hauger, from the Joint Committee on Enrolled Bills, submitted the following report:

Mr. Speaker-Your Joint Committee on Enrolled Bills respectfully report that they have examined, and find correctly enrolled, House file

No. 34, a bill for an act to revise, amend and codify the statutes in relation to fire companies.

G. S. Gilbertson, Chairman Senate Committee.<br>W. E. Hauger, Chairman House Committee.

Ordered passed on file.
Also:
Mr. Speaker-Your Joint Committee on Enrolled Bills respectfully report that they have examined, and find correctly enrolled, House file No. 17, a bill for an act to revise, amend and codify the statutes in relation to agricultural and horticultural societies, stock breeders' associations and State dairy association.

> G. S. Gilbertson, Chairman Senate Committee.
> W. E. Ha UGer, Chairman House Committee.

Ordered passed on file.
Also:
Mr. Speaker-Your Joint Committee on Enrolled Bills respectfully report that they have examined, and find correctly enrolled, House file No. 90, a bill for an act to revise, amend and codify the statutes relative to express companies.
> G. S. Gilbertson, Chairman Senate Committee.
> W. E. Hauger, Chairman House Committee.

Ordered passed on file.
The Speaker signed, in the presence of the House, House file No. 90, House file No. 34 and House file No. 17.

The House proceeded to the consideration of Senatefile No. 8.
Amendment No. 7, by Mr. Ladd, was taken up and considered.
Mr. Early moved to amend the amendment of Mr. Ladd, by striking out all of said amendment after the word "]aw" in line 1, on page 10, as printed in the House Journal of March 31st.

Adopted.
The amendment of Mr. Ladd was lost by a vote of 31 yeas to 42 nays.

Amendment No. 12, by Mr. Ladd, was taken up and lost.
Amendment No. 13, by Mr. Ladd, was next put and lost.
Amendment No. 14, by Mr. Ladd, being a substitute for section 25 , was taken up.

Messrs. Ladd and Ray demanded the yeas and nays on this amendment, which resulted as follows:

On the question, "Shall the amendment prevail?" the yeas were:

Messrs. Baker, Bird, Brant, Clark, Davis, Evans, Frazee, Garrer, Hazen, Hinkhouse, Hunt, Ladd, McNulty, Mayne, Nolan, Parker, Porter, Power, Prentis, Ray, Reed, Tibbitts, Watters, Wells, Wheeler, Wilson-26.

The nays were:
Messrs. Allen, Bell, Bowen, Brady, Brinton, Byington, Chapman, Classen, Cook, Crow, Doubleday, Dowell, Early, Edwards, Finch, Frink, Funk, Good, Griswold, Grote, Gurley, Haugen, Hayes, Hinman, Johnson of Webster, Johnston of Franklin, Klemme, Lavender, Loomis, Lowry, McAchran, McArthur, McDonald, McQuin, Martin, Miller of Buena Vista, Miller of Cherokee, Miller of Warren, Morrison of Keokuk, Mullin, Nietert, Potter, Putnam, Scott, Smith, St. John, Temple, Thompson, Van Houten, Weaver, Whelan, Whittier, Wood, Mr. Speaker-54.

Absent or not voting:
Messrs. Bailey, Brighton, Cornwall, Hauger, Hendershot, Huntley, Jackson, Jay, Lambert, Lauder, McDowell, Manahan, Marti, Merriam, Morrison of Grundy, Perrott, Spaulding, Sullivan, Voelker, Williams-20.

So the amendment was lost.
The following amendments to the bill were filed:
By Mr. Early, amendment No. 41.-Amend section 34, page 6, of Early amendment, line 16, by striking out the word "onethird" and insert the word "one-fourth."

- By Mr. Martin, amendment No. 42.-Amend chapter 2 by inserting as section 4 the following, and also increase the numbering of the remaining sections by one: "Section 4. All personal property, the owner of which is a non-resident of the county, shall be assessed in the owner's name, and that which is unknown or uncertain shall be assessed to 'owner unknown,' and shall be by the assessor sufficiently described so that the same may be identified, and a lien for the tax upon said property, as herein provided, shall at once attach; and if any one seeks to remove the same from the county the tax shall immediately become due and collectible. It shall be the duty of the assessor to notify the county auditor if said property is being or is about to be removed from the county, or if the knowledge of the removal of said property shall come to him in any other authentic manner, said auditor shall at once certify under his
official signature and the seal of the county to the county treasurer a full description of the property as the same appears upon the assessor's book, giving assessment district where located, the amount of said assessment and the amount of tax due thereon. If at the time the levy for the year is unknown, the auditor shall ascertain the amount of tax to be collected on the basis of the levies of the previous year in the district wherein said property is assessed. Said certificate shall be sufficient warrant for the county treasurer to collect the taxes so certified to be due on said property. Upon receipt of said certificate, the county treasurer shall at once proceed to collect said tax in the manner provided in this chapter for the collection of delinquent personal property taxes."

By Mr. Ray, amendment No. 43.-Amend section 25, line 14, page 10, by striking out the words "or domestic local."

Amendment No. 15, by Mr. Martin, was taken up and adopted.
Amendment No. 16, by Mr. Martin, was taken up and adopted.
Amendment No. 17, by Mr. Martin, was taken up and adopted.
Mr. Garner withdrew amendment No. 18, and offered the following instead of the one printed in the Journal of March 31: Amend section 46 by inserting after the word "treasurer" in line 3, the following: "Provided, that a certificate for a less period than one year for a proportional amount of the tax may be issued to any retail merchant regularly engaged in business."

Adopted.
Amendments Nos. 19 and 20 were withdrawn by Mr. Wells.
Amendment No. 21, by Mr. Miller of Cherokee, was taken up and considered.

Mr. Miller of Cherokee, moved to strike out of his amendment No. 21, the words "one hundred chickens" and insert the words "all poultry."

Amendment adopted.
Amendment No. 21, as amended was adopted.
Mr. Hinkhouse moved to strike out of section 3 the words "and all wool shorn from his sheep."

Lost.
Amendment No. 22, by Mr. Doubleday, was then put and lost.
Mr. Dowell in the chair.
Amendment No. 23, by Mr. Weaver, was taken up.
Speaker Byers in the chair.
Mr. Cornwall moved to amend the amendment of Mr. Weaver, by inserting in line 2 , of section 20 , after the word "located"
the words, "but for the purpose of taxation no such shares of stock shall be considered moneys and credits."

Adopted.
Mr. Ladd moved to amend the amendment by inserting the words "loan and trust companies" after the word "banks" in section 20 , line 1.

Adopted.
Amendment as amended was lost.
Amendment No. 24, by Mr. Morrison of Grundy, was taken up and adopted.

Amendment No. 25, by Mr. Morrison of Grundy, was taken up.

Mr. Morrison of Grundy moved to amend amendment No. 25 by striking out the words "or assigns" and inserting after the word "heirs" the word "or."

Adopted.
Amendment as amended adopted.
Amendment No. 26, by Mr. Byington, was taken up and adopted.

Amendment No. 27, by Mr. Frink, was next taken up.
Mr. Huntley moved to amend amendment No. 27 by striking out the word "tenth," in line 7, of the amendment on page 16 of the Journal of March 31st, and inserting in lieu thereof the word "15th."

Adopted.
Amendment as amended adopted.
Amendment No. 28, by Mr. Van Houten, was adopted.
Amendment No. 29, by Mr. Klemme, was withdrawn.
Amendment No. 30, by Mr. Finch, was laid over until 2 P. m. REPORT OF SPECIAL COMMITTEE.
Mr. Loomis, from the Supervisory Committee, submitted the following report:

Mr. Speaker-Your committee appointed to look after the work of the House and report the progress thereof, respectfully submit the following:

The following bills have passed both Houses and are enrolled: House files Nos. $4,5,8,17,22,28,30,32,34,35,37,39,41,43,49,51,52,53,54,55$, $56,57,58,63,65,67,68,70,72,73,74,75,76,83$ and 84 , and Senate files Nos. $19,2930,40,43,49,50,58,59,66,72,76$, making a total of 47 bills, covering 237 pages of the Black Code. Of these 35 are House bills which cover 137 pages, and 12 are Senate files which cover 100 pages.

The following bills have passed both Houses with amendments pending are awaiting concurrence: House files Nos. 9, 10, 15, 21, 25, 29, 31, 45, $46,59,62,66$, covering 185 pages. Senate files Nos. 3, 4, 10, 15, 20, 35, 37, ${ }^{7} 7,78$, covering 259 pages, making a total of 444 pages.

The following bills have passed the House only: House files Nos. 6, $16,18,19,20,26,33,38,69,82,85$ and 87 , covering 207 pages.

The following bills have passed the Senate only: Senate files Nos. 8, 41 48 and 91 , covering 55 pages

House file No. 12, covering 72 pages, has passed neither House.
Also, the following bills (not Code bills) have passed both Houses and are enrolled: House files Nos. 1, 90, 93 and 94.

All of which is respectfully submitted.

## A. M. Loomis, Chairman

## REPORT OF COMMITTEE ON ENROLLED BILLS.

Mr. Hauger, from Committee on Enrolled Bills, submittec' the following report:

Mr. Speaker-Your Committee on Enrolled Bills respectfully report that they have this day sent to the Governor for his approval:

House file No. 65, a bill for an act to revise, amend and codify the stat utes in relation to the State historical society.

House file No 90, a bill for an act to revise, amend and codify the stat utes in relation to express companies.

House flle No. 74, a bill for an act to revise, amend and codify the stat utes in relation to mechanics' liens.

House file No. 93, a bill for an act to revise, amend and codify the statutes in relation to the Normal School, approved February 26, 1897.

House file No. 28, a bill for an act to revise, amend and codify the statutes in relation to the settlement and support of the poor.

House file No. 17, a bill for an act to revise, amend and codify th. statutes in relation to Agricultural and Horticultural societies, Stocl Breeders' association and State Dairy association.

House file No. 34, a bill for an act to revise, amend and codify thr statutes in relation to fire companies.

April 7, 1897.

> W. E. Havaer,
> Chairman.

The following motions to reconsider were filed.
Mr. Speakfr-I move to reconsider the vote by which the amendmen ${ }^{4}$ to section 46, line 3, page 16, was adopted.
H. J. Griswold

I second the motion.
H. J. Neithrt

Also:
Mr. Spfaker-I move to reconsider the vote by which the Weave amendment to section 20 , was lost.

Frank F. Merriam
I second the motion.
L. S. Huntley

On motion of Mr. McNulty, House adjourned till 2 P. m

## AFTERNOON SESSION.

House was called to order at 2 P. m. by Speaker Byers.
Amendment No. 30, by Mr. Finch, was withdrawn and the following was offered instead: Strike out of line 10, section 40, all after the word "served;" all of lines 11 and 12 and the first three words of line 13 and insert the following: "But any such non resident may in writing appoint a resident of the county in which said land is situated, an agent, and file said appointment with the treasurer of said county, who shall forthwith record the same in a record kept in his office therefor, and index the same, after which personal service of said notice shall be made upon said agent."

Adopted.
Amendment No. 31, by Mr. McNulty, was withdrawn.
Amendment No. 32, by Mr. McNulty, was put and adopted.
Amendment No. 33, by Mr. McNulty, was adopted.
Amendment No. 34, by Mr. McNulty, was withdrawn.
Amendment No. 35, by Mr. Wood, was taken up and adopted.
Amendment No. 36, by Mr. Jackson, was put and lost.
Mr. Funk moved to strike out of line 21, section 19, the words "thirty-three and one-this d" and insert the words "twenty.five.'

Adopted.
Mr. Early moved to strike out of line 16, section 34, the words "one-third" and insert the words "one-fourth."

Adopted.
Amendment No. 37, by Mr. Lquder, was taken up and adopted.
Amendment No. 38, by Mr. Allen, was taken up and adopted.
Amendment No. 39 was withdrawn.
Amendment No. 40, by Mr. Porter, was put and lost.
Amendment No. 41 was withdrawn.
Amendment No. 42, by Mr. Martin, was taken up and adopted
Amendment No. 43, by Mr. Ray, was put and lost.
Mr. Early moved to amend as follows: Amend section 31, by striking out of line 5, the word "upon" and insert in lieu thereof the words "not until the," and by striking out the first
four words in line 6, and insert in lieu thereof the word "shall", and strike out the word "shall" after the word "auditor." Lost.
Mr. Early moved to amend by adding to section 31 the following: "Every insurance company or association organized or incorporated by or under the laws of this State, except companies and associations doing business upon the purely mutual plan without any capital stock or accumulated reserve, and purely fraternal beneficiary associations, whose funds for the benefits of members, their families or heirs, are made up entirely of monthly or periodical contributions of the members, shall at the time of making the annual statement as required by law, pay into the State treasury a tax of eight mills upon the dollar, upon the gross amount of premiums and assessments from business transacted within this State during the preceding year, whether said premiums and assessments were received in money, or in the form of notes, credits, or any other substitutes for money, said tax shall be in addition to any other taxes or fees paid by such company. Every such company or association shall take duplicate receipts therefor, one of which shall be filed with the Auditor of State, and not until the filing of said receipts, shall the said Auditor issue the annual cert.ficate as provided by law."

Mr. Cornwall offered the following as a substitute for section 31, and for the amendment offered by Mr. Early:

For the purpose of taxation fire insurance companies shall be classified as domestic, State and foreign. Domestic companies are those incorporated under the laws of Iowa; State companies are those incorporated under the laws of any other State of the United States of America; foreign companies are those incorporated under the laws of any State or nation other than one of the United States, and shall also include every State or domestic company whose charter may be owned or a majority of whose stock shall be controlled or whose business shall be carried on in the interest or for the benefit of any fire insurance company incorporated under the laws of any State or nation other than the United States of America.

Domestic companies (not including mutual companies) shall be taxed on their capital stock as other corporations are taxed. State companies doing business in this State shall, at the time of making the annual statements, as required by law, pay into the State treasury as taxes two and one-half per cent of the gross amount of premiums received by it for business done in this State or for insurance upon properties situated in this State during the preceding year; foreign companies doing business in this State shall, at the time of making the annual statements, as required by law, pay into the State treasury as taxes, five per cent of the gross amount
of premiums received by it for business done in this State or for insurance upon properties situated in this State during the preceding year; every foreign life insurance company or association, not including fraternal beneficiary associations, doing business in this State shall, at the time of making the annual statement, as required by law, pay into the State treasury as taxes two and one-half per cent of the gross amount of premiums received by it for buisness done in this State or for insurance upon the lives of fersons resident in this State during the preceding year; at the time of paying said taxes the company shall take duplicate receipts therefor, one of which shall be filed with the Auditor, and upon filing of said receipts, and not till then, the said Auditor shall issue the annual certificate as provided by law, and the said taxes provided in this section shall be in full for all taxes, State and local, except taxes on real estate and special assessments.

Messrs. Ladd and McArthur demanded the yeas and nays on the substitute of Mr. Cornwall, which resulted as follows:

On the question, "Shall the substitute be adopted?" the yeas were:

Messrs. Allen, Bailey, Baker, Bell, Bird, Bowen, Brady, Brant, Brighton, Brinton, Clark, Cornwall, Crow, Dowell, Evans, Finch, Frazee, Garner, Good, Griswold, Hazen, Hendershot, Hirkhouse, Ladd, Lavender, Loomis, Lowry, McAchran, McArthur, McDowell, McQuin, Marti, Mayne, Merriam, Miller of Buena Vista, Miller of Cherokee, Miller of Warren, Morrison of Grundy, Morrison of Keokuk, Mullin, Nietert, Parker, Prentis, Putnam, Ray, Reed, Smith, Sullivan, Temple, Thompson, Tibbitts, Watters, Whittier, Williams, Wood-55.

The nays were:
Messrs. Byington, Chapman, Doubleday, Early, Edwards, Gurley, Johnston of Franklin, McDonald, McNulty, Martin, Porter, Spaulding, Voelker, Weaver, Wells, Wheeler, Whelan, Wilson, Mr. Speaker-19.

Absent or not voting:
Messrs. Classen, Cook, Davis, Frink, Furk, Grote, Haugen, Hauger, Hayes, Hinman, Hunt, Huntley, Jackson, Jay, Johnson of Webster, Klemme, Lambert, Lauder, Manahan, Nolan, Perrott, Potter, Power, Scott, St. John, Van Houten-16.

So the substitute was adopted.
Mr. Wells moved to amend section 45, page 16, line 7, after the word "to" insert the words "butchers and hucksters or."

Mr. Griswold moved to amend the amendment by striking out the words "and hucksters."

Adopted.
Amendment as amended adopted.

Mr. Brant moved to amend as follows: Add to section 31, page 12: "Every insurance company or association organized under the laws of the State, and not having a capital stock, except county mutuals, and purely fraternal beneficial societies shall, at the time of making its annual reports as required by law, pay into the State treasury, under the same conditions as foreign companies, a tax of one and one quarter per cent upon the gross amount received on assessments and premiums for business done in the State."

Adopted.
Mr. Chapman moved to strike out all of section 9 , chapter 1.
Messrs. Ladd and McArthur demanded the yeas and nays on the amendment, which resulted as follows:

On the question, "Shall the ameudment prevail?" the yeas were:

Messrs. Bailey, Brady, Brinton, Byington, Chapman, Cornwall, Dowell, Early, Edwards, Frazee, Funk, Gurley, Hazen, Hendershot, Hinkhouse, Hunt, Johnston of Franklin, Ladd, McDowell, Marti, Mayne, Miller of Warren, Mullin, Nolan, Parker, Porter, Potter, Reed, Scott, Smith, St. John, Tibbitts, Voelker, Weaver, Wells, Whelan, Wilson, Mr. Speaker-38.

The nays were:
Messrs. Baker, Bell, Bird, Brant, Brighton, Clark, Classen, Cook, Crow, Doubleday, Evans, Finch, Frink, Good, Griswold, Grote, Hayes, Johnson of Webster, Klemme, Lambert, Lauder, Lavender, Loomis, Lowry, McAchran, McDonald, McNulty, McQuin, Martin, Merriam, Miller of Buena Vista, Miller of Cherokee, Morrison of Grundy, Morrison of Keokuk, Nietert, Power, Prentis, Ray, Sullivan, Temple, Thompson, Watters, Wheeler, Whittier, Williams, Wood-46.

Absent or not voting:
Messrs. Allen, Bowen, Davis, Garner, Haugen, Hauger, Hinman, Huntley, Jackson, Jay, McArthur, Manahan, Perrott, Putnam, Spaulding, Van Houten-16.

So the amendment was lost.
Mr. Griswold called up the motion to reconsider the vote whereby the amendment to section 46 , line 3, was adopted.

Motion to reconsider was carried.
Amendment to section 46, line 3, was lost.
Mr. Potter moved to amend as follows: Amend section 17, chapter 1, by striking out all after the word "deposits" in line 19, up to and including the word "chapter" in the same line.

On the question, "Shall the amendment prevail?" the yeas were:

Messrs. Cornwall, Edwards, Gurley, Hendershot, Johnston of Franklin, Lauder, McDonald, Martin, Potter, Putnam, Reed, Weaver, Whelan, Mr. Speaker-14.

The nays were:
Messrs. Allen, Baker, Bell, Bird, Brant, Brighton, Byington, Clark, Classen, Crow, Davis, Doubleday, Dowell, Early, Evans, Frazee, Funk, Good, Griswold, Grote, Hinkhouse, Hunt, Jay, Johnson of Webster, Klemme, Ladd, Lambert, Lavender, Loomis, Lowry, McAchran, McDowell, McNulty, McQuin, Marti, Mayne, Merriam, Miller of Buena Vista, Morrison of Grundy, Morrison of Keokuk, Mullin, Nietert, Parker, Porter, Power, Prentis, Ray, Scott, Smith, St. John, Sullivan, Temple, Thompson, Tibbitts, Watters, Wells, Wheeler, Whittier, Williams, Wilson, Wood-61.

Absent or not voting:
Messrs. Bailey, Bowen, Brady, Brinton, Chapman, Cook, Finch, Frink, Garner, Haugen, Hauger, Hayes, Hazen, Hinman, Huntley, Jackson, McArthur, Manahan, Miller of Cherokee, Miller of Warren, Nolan, Perrott, Spaulding, Van Houten, Voelker-25.

So the amendment was lost.
Mr. Porter moved to amend as follows: Amend section 45, page 16, line 2, by striking out the word 'ten" and inserting the word "twenty" in lieu thereof and in the same line strike out the words "twenty-five" and insert the word "fifty;" and in line 3 strike out the word "fifty" and insert the words "seventyfive" in lieu threof; and in line 4 strike out the words "seventyfive" and insert in lieu thereof the words "one hundred."

Adopted.
Mr. Funk called up his motion to reconsider the vote whereby the committee amendments to sections 16 and 21 were adopted.

The motion to reconsider was adopted.
The committee amendment to section 16 was then put and lost.

The committee amendment to section 21 was lost.
Mr. Ladd moved to amend as follows: Amend section 21 by inserting after the word "corporation" the words "doing business in this State;" also insert the word "whether" before the word "organized," and the words "or any other" between the words "this" and "State" in line 1.

Mr. Doubleday moved the previous question.
Carried.
The amendment of Mr . Ladd was lost by a vote of 19 yeas to 33 nays.

The question that the rule be suspended, and that the bill be read a third time now was then put, which motion prevailed, and the bill was read a third time.

On the question, "Shall the bill pass?" the yeas were:
Messrs. Allen, Bailey, Bell, Bird, Bowen, Brady, Brant, Brighton, Brinton, Byington, Chapman, Clark, Classen, Cook, Cornwall, Crow, Davis, Doubleday, Dowell, Early, Edwards, Evans, Finch, Frink,.Funk, Garner, Good, Griswold, Grote, Gurley, Hauger, Hendershot, Hinman, Johnston of Franklin, Lambert, L̇auder, Lavender, Loomis, McAchran, McArthur, McDonald, McDowell, McNulty, McQuin, Martin, Mayne, Merriam, Miller of Buena Vista, Miller of Cherokee, Miller of Warren, Morrison of Grundy, Morrison of Keokuk, Mullin, Nietert, Potter, Prentis, Putnam, Ray, Reed, Scott, Smith, Temple, Thompson, Tibbitts, Van Houten, Watters, Wells, Whelan, Whittier, Williams, Wood, Mr. Speaker-72.

The nays were:
Messrs. Baker, Frazee, Hayes, Hazen, Hinkhouse, Hunt, Jay, Klemme, Ladd, Marti, Nolan, Parker, Porter, Power, Spaulding, St. John, Sullivan, Voelker, Weaver, Wilson, Wheeler-21.

Absent or not voting:
Messrs. Haugen, Huntley, Jackson, Johnson of Webster, Lowry, Manahan, Perrott-7.

So the bill passed and the title was agreed to.
Mr. Chapman moved to reconsider the vote just taken.
Mr. Funk moved to lay this motion on the table.
Carried.
REPORTS OF COMMITTEES.
Mr. Temple, from the Committee on Code Revision, Division No. 1, submitted the following report:

Mr. Speaker-Your Committee on Code Revision, Division No. 1, to whom was referred House file No. 9, a bill for an act to revise, amend and codify the statutes in relation to executive department, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the House do concur in the Senate amendments as follows:

To section 2, line 2, chapter 1, page 17.
To section 3, lines 5 and 6, chapter 1, page 17.
To section 5, line 1, chapter 2, page 18.

To section 6, line 3, chapter 2, page 18 .
To section 18, line 2, chapter 2, page 21.
To section 20, line 2, chapter 2, page 21.
To section 7, line 3, chapter 6, page 36 .
To that part adding sections 3 and 4 to chapter 7, page 37.
Also, the substitute for section 6 of chapter 8, page 38.
To section 1, chapter 9, page 38,
To section 2, line 3, chapter 9 , page 39 .
To section 2, line 5, chapter 9, page 39.
To section 3, line 10, chapter 9, page 39 .
And they recommend that the House do not concur in Senate amendnents as follows:

To section 20, line 4, chapter 2, page 21.
To section 1, chapter 6, page 35.
To section 7, line 2, chapter 6, page 36 .
To section 7, chapter 6, page 36, adding thereto.
To section 10, chapter 6, page 37.
To that part of amendment to section 2, chapter 7, striking out section
of the House bill, and offering a substitute therefor; also recommend nonconcurrence in amendment to section 1 , chapter 8.

M. L. Templee,<br>Chairman.

## Ordered passed on file.

Mr. Bell filed the following report:
Mr. President and Mr. Speaker-Your committee on conference, to whom was referred Senate file No. 36, a bill for an act to revise, amend and codify the statutes in relation to the practice of dentistry, beg leave to report that they have had the same under consideration and recommend that the Senate concur in the House amendment to section 1, line 6, of the bill, by inserting the words "and treasurer" after the word "secretary."

Also, that the Senate concur in the House amendment to section 1, line 17, striking out all of said section after the word "source" and inserting in lieu thereof the following:
"Any sum remaining after the payment of such compensation and expenses shall be paid into the State treasury on or before the first day of August of each year, by the treasurer, who shall, on assuming his office, file with the Secretary of State a good and sufficient bond in the penal sum of one thousand dollars. The board shall make report biennially to the Governor of its proceedings, with an account of all money received or disbursed."
W. B. Bell, J. H. Fune, Chas. L. Early, o. A. Byington, Committee for House. H. L. Waterman, J. H. Trewin, C. S. Rance, Geo S. Allyn, Committec for Senate.

By unanimous consent, the vote whereby the Conference Committee report on House file No. 84 was adopted, was reconsidered and the bill, House file No. 84, with the report, was ordered back to the committee.

The following committee clerks were dropped from the pay roll, the work of these several committees having practically been finished for this session: S. R. Clift, Committee on School and Text-Books; E. M. Allen, Second Division Code Revision Committee; E. E. Rarick, First Division Code Revision Committee; F. D. Martin, Committee on Building and Loan Associations.

Mr. J. A. Farrell, clerk of Committee on Public Charities, resigned his clerkship and was also dropped from the rolls.

On motion of Mr. Hendershot, the House adjourned until 9 A. M. to-morrow.

## Hall of the House of Representatives. Des Muines, Iowa, Thursday, April 8, 1897.$\}$

The House met at 9 A. m. with Speaker Byers in the chair. Prayer was offered by Rev. Dr. E. W. Barrett, of Iowa City, Iowa.

PETITIONS AND MEMORIALS.
Mr. Merriam presented petition of W. I. Miller and others of Earlville, Iowa, asking for a resident agent's insurance bill.

Referred to Committee on Insurance.
Mr. Doubleday presented petition of citizens of Ninth Judicial District, asking a repeal of chapter 68, acts of the Twentyfifth General Assembly.

Referred to Committee on Code Revision, First Division.
On motion of Mr. Classen, House file No. 11 was indefinitely postponed, a like Senate bill having already passed the House.

Mr. Van Houten, in behalf of Mr. Potts, desired to thank the members and officers of the House for their kindness shown and help rendered upon the death of his daughter, Ella, and for the kindly interest and sympathy manifested toward the family in their bereavement.

Journal of yesterday corrected and approved.
REPORTS OF COMMITTEES.
Mr. Evans, from the Committee on Labor, submitted the following report:

Mr. Speaker-Your Committee on Labor, to whom was referred House file No. 92, a bill for an act to revise, amend and codify the statutes in relation to convict labor, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same be indefinitely postponed. Your committee further report that Representative Allen, who introduced the measure, appeared before the committee in support of the same, and that Mr. Fred. L. Barnett, representing the labor organizations, submitted a written argument. That your committee favor indefinite postponement, because it takes up a new subject for legislation; because of the
limited time to consider it, and because if passed it would not be in force more than ninety days prior to the convening of the Twenty-seventh General Assembly, and can be given more careful consideration at a regular session.

> H. K. Evans, Chairman.

Ordered passed on file.
Mr. St. John, from the Committee on Conference, submitted the following report:

Mr. Speaker-Your Committee on Conference, to whom was referred House file No 31, a bill for an act to revise, amend and codify the statutes in relation to fences, beg leave to report that they have had the same under consideration and unanimously recommend that the House concur in the Senate amendments.
R. T. St. John,
E. C. Spaulding, John Frazee, J. P. McDowell, House Committee.
W. O. Mitchell, D. J. Palmer, Geo. W. Henderson, John Everall,

Senate Committee.
House file No. 31, with report of conference committee on the same, was taken up and considered.

On the question, "Shall the report of committee be adopted?" the yeas were:

Messrs. Allen, Bailey, Baker, Bell, Bowen, Brant, Brighton, Brinton, Byington, Clark, Classen, Cook, Crow, Davis, Doubleday, Dowell, Early, Evans, Finch, Frazee, Frink, Garner, Good, Griswold, Gurley, Hauger, Hayes, Hazen, Hendershot, Hinkhouse, Hinman, Jackson, Jay, Johnson of Webster, Johnston of Franklin, Ladd, Lambert, Lauder, Livender, Loomis, Lowry, McAchran, McDonald, McDowell, McQuin, Manahan, Marti, Martin, Mayne, Merriam, Miller of Buena Vista, Morrison of Grundy, Mullin, Nietert, Perrott, Porter, Prentis, Putnam, Reed, Scott, Smith, Spaulding, St. John, Temple, Thompson, Tibbitts, Van Houten, Voelker, Watters, Weaver, Whelan, Whittier, Williams, Wilson, Wood, Mr. Speaker-76.

The nays were:
Messrs. Edwards, Huntley, Miller of Cherokee, Miller of Warren, Nolan, Parker, Power, Wheeler-8.

Absent or not voting:
Messrs. Bird, Brady, Chapman, Cornwall, Funk, Grote, Haugen, Hunt, Klemme, McArthur, McNulty, Morrison of Keokuk, Potter, Ray, Sullivan, Wells-16.

So the report was adopted and the House concurred in the Senate amendments.

House file No. 9, with Senate amendments thereto, which was reported on yesterday by the First Division of Code Revision Committee, was taken up and considered.

On the question, "Shall the House concur in Senate amendments to section 2, line 2, chapter 1, page 17; section 3, lines 5 and 6 , chapter 1 , page 17 ; section 5 , line 1 , chapter 2 , page 18 ; section 6 , lise 3 , chapter 2 , page 18 ; section 18 , line 2 , chapter 2, page 21; section 20 , line 2 , chapter 2 , page 21 ; section 7 , line 3 , chapter 6, page 36; that part adding sections 3 and 4 to chapter 7, page 37; the substitute for section 6 , chapter 8, page 38 ; section 1, chapter 9 , page 38 ; section 2 , line 3 , chapter 9 , page 39; section 2, line 5, chapter 9, page 39; section 3, line 10, chapter 9, page 39 ?" the yeas were:

Messrs. Allen, Bailey, Bell, Bowen, Brady, Brant, Brighton, Brinton, Byington, Chapman, Clark, Classen, Cook, Cornwall, Davis, Doubleday, Early, Evans, Finch, Frink, Funk, Garner, Good, Griswold, Gurley, Hauger, Hayes, Hazen, Hendershot, Hinkhouse, Hinman, Hunt, Huntley, Jackson, Johnson of Webster, Johnston of Franklin, Ladd, Lambert, Lavender, Loomis, Lowry, McAchran, McDonald, McDowell, McNulty, McQuin, Manahan, Martin, Mayne, Merriam, Miller of Buena Vista, Miller of Cherokee, Miller of Warren, Morrison of Grundy, Mullin, Nietert, Nolan, Parker, Perrott, Porter, Potter, Power, Prentis, Putnam, Ray, Reed, Scott, Smith, Temple, Thompson, Van Houten, Watters, Weaver, Wheeler, Whelan, Whittier, Williams, Wood, Mr. Speaker-79.

The nays were:
Messrs. Crow, Edwards, Frazee, Marti, Spaulding, Sullivan, Wilson-7.

Absent or not voting:
Messrs. Baker, Bird, Dowell, Grote, Haugen, Jay, Klemme, Lauder, McArthur, Morrison of Keokuk, St. John, Tibbitts, Voelker, Wells-14.

So the House concurred.
Mr. Temple moved that the House refuse to concur in Senate amendments to section 20 , line 4 , chapter 2 , page 21 ; section 1, chapter 6, page 35; section 7, line 2, chapter 6, page 36; section 7 , chapter 6 , page 36 , adding thereto; section 10 , chapter 6 , page 37 ; section 1 , chapter 8 , and that part of the amend-
ment to section 2, chapter 7, which strikes out section 2 and offers a substitute therefor.

Carried.

## MESSAGES FROM THE SENATE.

## The following message was received from the Senate:

Mr. Speaker-I am directed to inform your honorable body that the Senate desires to recall House file No. 84, a bill for an act to revise, amend and codify the statutes in relation to evidence.

> Geo. A. Newman, Secretary.

## Also:

Mr. Speaker-I am directed to inform your honorable body that the Senate has adopted the report of the Conference Committee on Senate file No. 36, a bill for an act to revise, amend and codify the statutes in relation to the practice of dentistry.

Geo. A. Newman, Secretary.

## Also:

Mr. Sphaker-I am directed to inform your honorable body that the Senate has adopted the following report of the Conference Committee on Senate file No. 78, a bill for an act to revise, amend and codify the statutes in relation to procedure to reverse, vacate or modify judgments.

> Geo. A. Newman, Secretary.

## REPORT.

Mr. President and Mr. Speaker-Your committees of the House and the Senate appointed to confer upon the disagreement in relation to the amendments to Senate file No. 78, beg leave to report that they have had the same under consideration and report the same back with the recommendation that the Senate concur in the House amendments to section 8, chapter 2, page 787, inserting in line 5 between the words "the" and "or" the words "shorthand reporter."

Also, that the Senate concur in the House amendment to section 11, chapter 2, page 787, striking out all after the word "shall" in the fourth line up to and including the word "court" in line 6, and inserting in lieu thereof the following: "during the term in which judgment is entered, certify that the cause is one in which the appeal should be allowed, and upon such certificate being filed the same shall be appealable regardless of the amount in controversy."

Also, add to said section the following: 'nor shall the right of appeal be affected by the remission of any part of the verdict or judgment returned or rendered."

Also, that the House recede from its amendment to section 37, chapter 2, page 791, striking out after the word "form" in line 2, all up to and including the word "stated" in line 4.

H. K. Evans,<br>C. F. Johnston,<br>J. T. P. Power,<br>Walter I Hayes, Conferees for the House.<br>C. A. Carpenter,<br>J. H. Trewin,<br>N. M. Pusey,<br>W. H. Berry,<br>Conferees for the Senate.

## REPORT OF CONFERENCE COMMITTEE.

## Mr. Watters filed the following report:

To the President of the Senate and Speaker of the House:
Your Committee on Conference, to whom was referred House file No. 15 , a bill for an act to revise, amend and codify the statutes in relation to roads, bridges and ferries and the destruction of thistles, beg leave to report that they have had under consideration the second amendment to section 45 of chapter 2 , in which the House refused to concur, and have amended the same by adding thereto the following: "occurring to any engine or separator;" and when so amended we unanimously recommend that the same be concurred in.
H. B. Watters,
O. H. Frink,
R. W. Hinkhouse, J. H Milleer, Committee for House. W. F. Harriman, L. M. Kilburn, D. J. Palmer, E. M. Sargent, Committee for Senate.
House file No. 15, with conference committee report on same, was taken up.

Mr. Watters moved that the report of the committee be adopted.

On the question, "Shall the report of conference committee on House file No. 15 be adopted?" the yeas were:

Messrs. Bell, Bowen, Brady, Brighton, Brinton, Chapman, Clark, Cook, Cornwall, Crow, Davis, Doubleday, Dowell, Early, Edwards, Evans, Finch, Frazee, Frink, Funk, Garner, Good, Griswold, Hendershot, Hinkhouse, Hinman, Jackson, Johnson of Webster, Johnston of Franklin, Klemme, Lambert, Lauder, Lavender, Loomis, Lowry, McAchran, McDonald,

McDowell, McNulty, Marti, Mayne, Miller of Buena Vista, Miller of Cherokee, Miller of Warren, Morrison of Grundy, Morrison of Kєokuk, Mullin, Nietert, Nolan, Parker, Potter, Prentis, Putnam, Ray, Reed, Scott, Smith, Temple, Thompson, Tibbitts, Voelker, Watters, Weaver, Whittier, Williams, Wilson, Mr. Speaker-67.

The nays were:
Messrs. Allen, Bailey, Byington, Classen, Hazen, Huntley, McQuin, Merriam, Power, Spaulding, St. John, Wells, Wheeler, Whelan-13.

Absent or not voting:
Messrs. Baker, Bird, Brant, Grote, Gurley, Haugen, Hauger, Hayes, Hunt, Jay, Ladd, McArthur, McQ in, Manahan, Martin, Perrott, Porter, Sullivan, Van Houten, Wood-20.

So the report was adopted.
Mr. Weaver moved to reconsider the vote just taken.
Mr. Potter moved to lay this motion on the table.
Lost by a vote of 28 yeas to 39 nays.
The motion to reconsider was then carried.
On the question, "Shall the report of the Conference Committee be adopted?" the yeas were:

Messrs. Baker, Bell, Bird, Bowen, Brant, Brinton, Clark, Cook, Crow, Doubleday, Dowell, Early, Edwards, Evans, Frink Funk, Garner, Good, Gurley, Haugen, Hendershot, Hinkhouse, Hinman, Johnson of Webster, Klemme, Lavender, Loomis, Lowry, McAchran, McD nald, McDowell, Martin, Miller of Warren, Morrison of Grundy, Morrison of Keokuk, Mullin, Nietert, Nolan, Parker, Potter, Prentis, Putnam, Reed, Scott, Smith, Thompson, Tibbitts, Van Houten, Voelker, Watters, Wheeler, Whittier, Williams, Mr. Speaker-54.

The nays were:
Messrs. Allen, Bailey, Brady, Byington, Chapman, Classen, Cornwall, Davis, Frazee, Griswold, Hauger, Hazen, Hunt, Huntley, Jackson, Johnston of Franklin, Ladd, Lambert, Lauder, McNulty, MıQain, Manahan, Marti, Mayne, Merriam, Miller of Buena Vista, Miller of Cherokee, Porter, Power, Ray, Spaulding, St. John, Sullivan, Temple, Weaver, Wells, Whelan, Wilson, Wood-39.

Absent or not voting:
Messrs. Brighton, Finch, Grote, Hayes, Jay, McArthur, Perrott-7.

So the report of the conference committee was adopted.

## REPORT OF COMMITTEE.

Mr. Dowell, from the Committee on Municipal Corporations, submitted the following report:

Mr. Speaker-Your Committee on Municipal Corporations, to whom was referred House file No. 12, a bill for an act to revise, amend and codify the statutes in relation to city and town government, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the following substitute, to be known as House file No. 96 , be adopted and when so adopted that the same do pass.
C. C. Dowell,

Chairman.
Senate file No. 36, with conference committee report on same, was taken up and considered.

Mr. Bell moved that report of the conference committee be adopted.

On the question, "Shall the report of the conference committee be adopted ?" the yeas were:

Messrs. Allen, Baker, Bell, Bird, Bowen, Brady, Brant, Brighton, Brinton, Byington, Chapman, Clark, Classen, Cook, Cornwall, Crow, Davis, Doubleday, Dowell, Early, Edwards, Evans, Finch, Frazee, Frink, Funk, Garner, Good, Griswold, Gurley, Haugen, Hayes, Hazen, Hendershot, Hinkhouse, Hinman, Hunt, Huntley, Jackson, Johnson of Webster, Johnston of Franklin, Klemme, Ladd, Lambert, Lavender, Loomis, Lowry, McAchran, McDonald, McDowell, McNulty, Manahan, Marti, Martin, Miller of Buena Vista, Miller of Cherokee, Miller of Warren, Morrison of Grundy, Morrison of Keokuk, Mullin, Nietert, Parker, Perrott, Porter, Potter, Power, Prentis, Putnam, Ray, Reed, Scott, Smith, Spaulding, St. John, Sullivan, Temple, Thompson, Tibbitts, Van Houten, Watters, Weaver, Wells, Wheeler, Whelan, Whittier, Williams, Wilson, Wood, Mr. Speaker-89.

The nays were:
None.
Absent or not voting:
Messrs. Bailey, Grote, Hauger, Jay, Lauder, McArthur, McQuin, Mayne, Merriam, Nolan, Voelker-11.

So the report of the conference committee was adopted.
The following motion to reconsider was filed:
MR. SPEAKER-I move to reconsider the vote whereby the House refused to concur in certain amendments to House file No. 9 made by the Senate.
Z. H. Gurley.

I second the motion.

The conference committee report on Senate file No. 78 was taken up and considered.

Mr. Evans moved that the report of the conference committee be adopted.

On the question, "Shall the report of the conference committee be adopted?" the yeas were:

Messrs. Allen, Bailey, Baker, Bell, Bird, Bowen, Brant, Brighton, Brinton, Byington, Chapman, Clark, Classen, Cook, Cornwall, Crow, Davis, Dowell, Early, Edwards, Evans, Finch, Frazee, Frink, Funk, Good, Griswold, Gurley, Haugen, Hayes, Hazen, Hendershot, Hinkhouse, Hinman, Hunt, Huntley, Jackson, Jay, Johnson of Webster, Johnston of Franklin, Klemme, Ladd, Lambert, Lavender, Loomis, Lowry, McAchran, McDonald, McDowell, McNulty, Marti, Martin, Mayne, Merriam, Miller of Buena Vista, Miller of Cherokee, Miller of Warren, Morrison of Grundy, Morrison of Keokuk, Mullin, Nietert, Parker, Perrott, Purter, Potter. Power, Prentis, Putnam, Ray, Reed, Smith, Spaulding, St. John, Sullivan, Temple, Thompson, Van Houten, Watters, Weaver, Wells, Wheeler, Whelan, Whittier, Williams, Wilson, Wood, Mr. Speaker-87.

The nays were:
None.
Absent or not voting:
Messrs. Brady, Garner, Grote, Hauger, Doubleday, Lauder, McArthur, McQuin, Manahan, Nolan, Scott, Tibbitts, Voelker -13 .

So the report was adopted.

## INTRODUCTION OF BILLLS.

By Joint Committee on Municipal Corporations, House file No. 96, a bill for an act to revise, amend and codify the statutes in relation to city and town government.

Read first and second time.
On motion of Mr. Dowell, the rule was suspended and House file No. 96, a bill for an act to revise, amend and codify the statutes in relation to city and town government, with report of committee recommending passage, was taken up and considered now.

The Clerk proceeded to read the bill.
Mr. Whelan was called to the chair.
Speaker Byers resumed the chair.
On motion of Mr. Johnston of Franklin, House adjourned until 2 P. M.

## AFTERNOON SESSION.

House met at 2 p. m., Speaker Byers in the chair. Pending business, House file No. 96.
The Clerk proceeded with the reading of said bill.
Mr. McNulty in the chair.
Mr. Early submitted the following amendment to the revenue bill, stating that it was crowded out by the motion calling for the previous question, and asked that the amendment be read by the Clerk, filed and acted on by the House, believing there would be no objection to the same: Amend section 4, chapter 1, line 3, by inserting after the number "1897" the following: "by an amount greater than ten per cent of said average assessed valuation for the years 1896 and 1897;" and also in line 6, by inserting after the number " 1897 " the following: "by an amount greater than ten per cent of the said amount permitted under the maximum levies provided by law when calculated upon the average assessed valuation for the years 1896 and 1897."

The Clerk read the amendment, and Mr. Van Houten objecting, the Speaker declared the amendment out of order.

MESSAGE FROM THE SENATE.
The following message was received from the Senate:
Mr. Spraker-I am directed to inform your honorable body that the Senate has amended and passed the following bill, in which the concurrence of the Senate was asked:

House file No. 18, a bill for an act to revise, amend and oodify the statutes in relation to insurance.

Geo. a. Newman,
Secretary.
Speaker Byers moved that the substitute for Senate file No. 35 be recalled from the Senate.

Speaker Byers resumed the chair.

## MESSAGE FROM THE SENATE.

The following message was received from the Senate:
Mr. Speaker-I am directed to inform your honorable body that the Senate herewith returns the substitute for Senate file No. 35, a bill for an
act to revise, amend and codify the statutes in relation to the eare and propagation of fish and the protection of birds and game.

Geo. A. Newman,
Secretary.
REPORT OF COMMITTEE.
Mr. Johnston, from the Committee on Elections, submitted the following report:

Mr. Speaker-Your Committee on Elections, to whom was referred Senate file No. 10, a bill for an act to revise, amend and codify the statutes in relation to elections and officers, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the House with the following recommendations:

That the House recede from its amendments to section 6 of chapter 3.
That the House recede from its amendments to section 9 of chapter 3.
That the House insist on its amendments to section 16 of chapter 3.
That the House insist on its amendments to section 19 of chapter 3.
That the House insist on its amendments to section 23, chapter 3.
That the House insist on its amendments to section 32 of chapter 3.
That the House insist on its amendments to section 33 of chapter 3.
C. F. Johnston.

The following amendments were filed to the pending bill, House file No. 96:

By Mr. Hauger, amendment No. 1.-Amend section 12, chapter 2, page 13, by striking out the word "annually" and insert in lieu thereof the word "biennially;" and in lines 1 and 2 of the same section, strike out the word "biennially."

By Mr. Baker, amendment No. 2.-Amend page 38, section 18, line 2, by striking out the words "from November first of each year to April first following" and insert in lieu thereof the words "on or before November the first, 1898."

By Mr. Morrison of Grundy, amendment No. 3.-Amend page 24, section 6, line 2, by striking out all after "houses" up to and including "merchants" and inserting in lieu thereof the following: "to define by ordinance who shall be considered transient merchants, to regulate license and tax the sales thereof, and of auctioneers."

On motion of Mr. Merriam, the House adjourned till 9 A. m. to-morrow.

The House met at 9 o'clock a. m., with Speaker Byers in the chair.

Prayer was offered by Rev. Leon A. Harvey of Des Moines, Iowa.

The Journal of yesterday was corrected and approved.
PETITIONS AND MEMORIALS.
Mr. Doubleday presented petition of citizens of Des Moines, Iowa, asking that the number of judges in the Ninth Judicial District be decreased from four to three.

Referred to Committee on Code Revision, Division No. 1.
House file No. 18, relative to insurance with Senate amendments thereto, was referred to the Committee on Insurance.

The pending business, House file No. 96, was taken up and the Clerk resumed the reading of said bill.

The following amendments to House file No. 96 were filed:
By Mr. Doubleday, amendment No. 4.-Amend section 8, chapter 6, page 36, by adding thereto the following: "but cities shall not be permitted to use any other bridge fund raised in the county except as provided for by a vote of the legal voters of the county outside of the city limits at a regular election after due notice has been given."

By Mr. Allen, amendment No. 5.-Strike out all of section 32, chapter 4, page 28.

By Mr. Hunt, amendment No. 6.-Amend page 8, section 32, by striking out the first word of the section and inserting in lieu thereof the words "cities of the first class."

By Mr. Williams, amendment No. 7.-Add to section 24, page 15, the words "And when cities or towns include portions of two or more counties, the assessor shall keep and return the assessment of each county to the respective counties."

By Mr. Mayne, amendment No. 8.-Amend subdivision 3, of section 4, chapter 3, by striking out all after the word "recorded" in line 10.

By Mr. Cornwall, amendment No. 9.-Amend section 8, line 3, page 25, by inserting after the word "prohibit" the words "the use of slot machines and."

By Mr. Griswold, amendment No. 10.-Amend by inserting the word "clerk" between the words "mayor" and "treasurer" in line 1, section 12, chapter 2; also strike out of lines 4 and 5, section 14, chapter 2, the words "a clerk and" and the words "above named" in line 5.

By Mr. Nietert, amendment No. 11.-In chapter 11, section 5 , line 4, strike out the word "nine" between the words "of" and "hours" and insert the word "eight."

By Mr. Nietert, amendment No. 12.-Amend section 8, chapter 11, subdivision 7, by striking out all after the semicolon in line 45.

By Mr. Huntley, amendment No. 13.-Strike out all of section 32 , chapter 4.

By Mr. McAchran, amendment No. 14.-Amend section 21, subdivision 6, chapter 2, by adding thereto, "He shall during the first week of January of each year, cause to be published in two newspapers of the city, an itemized statement of all money received and paid out during the previous year; and a statement of the amount of indebtedness on the first day of January of the year in which the statement is made."

By Mr. Reed, amendment No. 15.-Amend section 5, chapter 2, line 2, by striking out the word "first" and inserting the word "third;" also, in the same line, strike out the word "April" and insert the word "March."

By Mr. Parker, amendment No. 16.—Strike out all of section 12, chapter 1, page 4.

The reading of the bill having been completed, Mr. Dowell offered the following corrections to the bill as read and printed: In section 12, chapter 2 , strike out the word "clerk." In section 8, page 60 , line 5, strike out the word "by" and insert the word "for." Also, strike out section 8, of chapter 12, and renumber the succeeding sections.

Which corrections were made in the bill.

## REPORTS OF COMMITTEES.

Mr. Finch, from the Committee on Code Revision, Division No. 4, submitted the following report:

Mr. Speaker-Your Committee on Code Revision, Division No. 3, to whom was referred Senate file No. 41, a bill for an act to revise, amend and codify the statutes in relation to regents and trustees of State institutions, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same do pass with the following amendments: Amend section 6 by adding thereto the following: "Except appropriations already made for the erection of buildings now in the course of construction or under contraet as provided by law."

Amend section 9, line 4, by inserting after the word "duties" the following: "Not exceeding thirty days in any one year."

> P. Finch, Chairman.

Ordered passed on file.
Mr. Early, from the committee on conference on House file No. 29, submitted the following report:

Mr. Speaker-Your committee on conference, to whom was referred House file No. 29, a bill for an act to revise, amend and codify the statutes in relation to the care of the insane, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the House concur with the Senate in Senate amendments to sections 4 and 5 , and that the Senate concur with the House in the House amendment to the Senate amendment to section 6.

Ordered passed on file.
Chas. L. Early, J. J. Lowry, A. L. Wood, W. S. Allen, Committee from House.
J. M. Junkin,
E. G. Penbose,
E. M. Sargent,
A. C. Hobart, Committee from Senate.

## MESSAGES FROM THE SENATE.

The following message was received from the Senate:
Mr. Speaker-I am directed to inform your honorable body that the Senate has adopted the report of the Conference Committee on House file No. 15, a bill for an act to revise, amend and codify the statutes in relation to roads, bridges and ferries.

Geo. A. Newman, Secretary.
Also:
Mr. Speaker-I am directed to inform your honorable body that the Senate has adopted the report of the Conference Committee on House file No. 31, a bill for an act to revise, amend and codify the statutes in relation to fences.

Gro. A. Newman, Secretary,

The amendments to House file No. 96 were taken up and considered in the order of their presentation and filing.

Amendment No. 1, by Mr. Hauger, was laid over.
Amendment No. 2, by Mr. Baker, was withdrawn and the following amendment offered in lieu of the one withdrawn: Amend section 18, page 38, line 1, by inserting before the word "every" the words "on and after November first, 1898."

Adopted.
Amendment No. 3, by Mr. Morrison of Grundy, was next taken up.

Mr. Morrison of Grundy made the following corrections to his amendment as filed: Change "the" to "their" before the word "sal6s;" strike out "thereof" and insert "those" between "and" and "of."

The amendment was adopted by a vote of 26 yeas to 23 nays.
Amendment No. 4, by Mr. Doubleday, was put, and on a division of the House was lost by a vote of 27 yeas to 31 nays.

Mr. Lauder moved to strike out section 8, chapter 6.
Lost.
Mr. Lauder moved to amend section 8, chapter 6, by inserting in line 2, after the word "collected," the words "within their corporate limits;" also, strike out the word "law" in the same line, and insert the words "Chapter 11 of this act."

Mr. Finch offered the following as a substitute for the amendment of Mr. Lauder: Amend section 8, chapter 6, by inserting in line 2, after the word "collected," the words "on the property in said city."

Adopted.
Amendment No. 1, by Mr. Hauger, was then taken up and adopted.

Amendment No. 10, by Mr. Griswold, was withdrawn.
Mr. Ray moved to amend by striking out in line 4, section 14, chapter 2, the words "and in town," and adding after the words "clerk and," in line 5, the words "and in cities of the second class and in towns the council shall appoint."

Lost.
Amendment No. 5, by Mr. Allen, was taken up.
Mr . Hunt moved to substitute the following for the amendment of Mr. Allen: In section 32, chapter 4, strike out the first word of the said section and insert in lieu thereof the words "cities of the first class."

Mr. Allen accepted the substitute.

Mr. Reed moved to amend the amendment of Mr. Hunt by inserting after the words "cities of the first class" the words "cities of the second class and towns."

Lost.
Mr. Cornwall moved to amend the amendment of Mr. Hunt by adding after the words "cities of the first class" the words "cities of the second class."

Lost.
The amendment of Mr. Hunt was adopted by a vote of 58 yeas to 17 nays.

Mr. Martin moved to amend section 32 by inserting after the word "property" in line 2, chapter 4, the words "within said corporation."

## Lost.

The following amendments were filed:
By Mr. Finch, amendment No. 17.-Amend section 7, line 1, chapter 13, by striking out the words "not less than forty acres in extent."

By Mr. Potter, amendment No. 18.-Amend section 28, chapter 6 , by inserting after the word "city" in line 3 the words "or town, and to curb, pave, gravel, macadamize and gutter any highway or alley therein."

By Mr. Hinman, amendment No. 19.-Amend section 12, line 2, chapter 1, by inserting after the word "may" the words "on request of a majority of the residents of said contiguous territory."

By Mr. Tibbitts, amendment No. 20. - Amend section 6, page 24, by striking out all after the word "power" in line 1 , up to the words "to regulate" in line 2.

## REPORT OF COMMITTEE ON ENROLLED BILLS.

Mr. Hauger, from the Committee on Enrolled Bills, submitted the following report:

Mr. Speaker-Your Committee on Enrolled Bills respectfully report that they have examined, and find correctly enrolled, House file No. 45, a bill for an act to revise, amend and codify the statutes in relation to the practice of pharmacy.

> W. E. HaUGER,
> Chairman.

Ordered passed on file.
REPORT OF JOINT COMMITTEE ON ENROLLED BILLS.
Mr. Hauger, from the Joint Committee on Enrolled Bills, submitted the following report:

Mr. Speaker-Your Joint Committee on Enrolled Bills respectfully report that they have examined, and find correctly enrolled, Senate file No. 3, a bill for an act to revise, amend and codify the statutes in relation to county and township government. Chairman Senate Committee.
W. E. Hatger, Chairman House Committee.
Ordered passed on file.
On motion of Mr. Cornwall, the House adjourned until 2 p. m.

## AFTERRNOON SESSION.

The House was called to order at 2 p. m. by Speaker Byers.
On motion of Mr. Evans, House file No. 92 was indefinitely postponed.

Pending business, House file No. 96.
Amendment No. 6 was withdrawn, a like amendment having been adopted as a substitute to amendment No. 5, by Mr. Allen.

Amendment No. 7, by Mr. Williams, was adopted.
Amendment No. 8, by Mr. Mayne, was lost.
Amendment No. 9, by Mr. Cornwall, was lost.
Amendment No. 11, by Mr. Nietert, was adopted.
Amendment No. 12, by Mr. Nietert, was lost by a vote of 23 yeas to 23 nays.

Amendment No. 13 was withdrawn.
Amendment No. 14, by Mr. McAchran, was taken up.
Mr. Funk moved to strike out of the amendment of Mr. McAchran the words "two newspapers" and insert the words "one newspaper.

Adopted.
The amendment as amended was lost by a vote of 28 yeas to 29 nays.

Amendment No. 15, by Mr. Reed.
Mr. Frink offered the following as a substitute to the amendment of Mr. Reed: Page 12, section 5, line 2, strike out the word "April" and insert the word "March."

Lost by a vote of 38 yeas to 38 nays.

Mr. Dowell moved to amend the amendment by striking out the word "third" and inserting the word "last."

Adopted.
Amendment as amended was then adopted.
Amendment No. 16, by Mr. Parker, was withdrawn and the following was offered in lieu thereof: Amend section 13, chapter 1, by inserting after the word "territory" at the end of line 1, the following: "within the county in which such city or town is located and."

Lost.
Amendment No. 17, by Mr. Finch, was adopted.
Amendment No. 18, by Mr. Potter, was withdrawn and the following substituted in lieu thereof: Substitute for section 28 of chapter 6, House file No. 96: 'Section 28. They shall have power to provide for the construction, reconstruction and repair of permanent sidewalks, to curb, pave, gravel, macadamize and gutter any street, highway, avenue, public ground, wharf, landing, or market-place within the limits of such city; and to assess the cost thereof on the lots or parcels of land in front of which such improvements are made or constructed. But unless the owners of a majority of the linear feet of the property fronting on said improvement petition the council therefor, the same shall not be made unless three-fourths of all the members of the council shall, by vote, order the making thereof. Permanent sidewalks shall not be made until the bed of the same shall have been graded so that, when completed, such sidewalk shall be at the established grade."

Adopted.
Amendment No. 19, by Mr. Hinman, was lost.
Amendment No. 20, by Mr. Tibbitts, was lost by a vote of 13 yeas to 31 nays.

Mr. Cornwall moved to amend as follows: Strike out the following words on page 26, section 23, lines 1 and 2: "and in cities having a population of five thousand or more."

Adopted.
Mr. St. John moved to amend chapter 2, section 14, page 13, line 5, by inserting after the word "clerk" the word "marshal;" also, amend section 15, by striking out in line 1 , the words "and town" and inserting in lieu thereof the words "of first class;" also, strike out in lines 1 and 2, the words "in cities of the first class."

Lost.

Mr. Finch moved to strike out section 2, chapter 11, page 64. Also, in section 8, chapter 6, page 35, strike out all of line 1 and all of line 2 down to and including the word "law" and insert the following in said section 8 in lieu thereof: "cities may annually levy a tax not to exceed three mills on the dollar, to be known as the city bridge fund."

Adopted.
Mr. Morrison of Keokuk moved to amend as follows: On page 22 , chapter 3 , section 12 , line 2 , strike out all after the word "ordinances" up to and including the word "county" in line 3.

## Lost.

Mr. Martin moved to amend page 20, section 4, subdivision 3, by striking out of line 10 the words "No money" and inserting in lieu thereof the words "No amount of money for any specific purpose in excess of one hundred dollars."

Adopted by a vote of 32 yeas to 31 nays.
Mr. McNulty moved to amend section 9 , page 36, by striking out the word 'and," in line 8, and placing a comma after the word "highways" and inserting between the words "railways" and purposes" the words "and street railway."

Adopted.
Mr. Brant moved to amend as follows: Page 74, section 2, line 23, insert after the words "together with" the following: "the certificate of approval of the council of the city or town in which said land is situated or proposed to be made an addition thereto and."

Adopted.
Mr. McNulty moved to amend section 6, page 24, by striking out the word "taverns" in line 1 and inserting the word "hotels."

Adopted.
Mr. Edwards moved to amend section 32, line 7, by striking out the word "equalization" and inserting in lieu thereof the word "review."

Adopted.
Mr. Sullivan moved to amend chapter 2, section 11, by adding thereto the words: "But in cities of less than two thousand population there shall be no solicitor elected."

Lost.
Mr. Griswold moved to amend as follows: Amend page 13, section 12, line 1, chapter 2 , by inserting between the words
"mayor" and "treasurer" the word "clerk;" also, amend section 14, line 4, by striking out the words "and in towns;" in line 5, change the comma after the word "necessary" to a period; insert in same line between the words "necessary" and "all," the words, "In towns the council shall appoint a street commissioner, marshal, and such other officers as are necessary."

Mr. Nietert moved to amend the amendment by striking out the word "marshal" in said amendment.

Adopted.
The amendment as amended was then adopted by a vote of 37 yeas to 22 nays.

Mr. 'Jan Houten moved to amend as follows: Amend page 27 , section 23 , line 3 , by striking out after the word "forestalling" up to and including the word "regulate," and substitute the following therefor: "and regulate or prohibit."

Adopted.
Mr. Brant moved to amend by inserting in chapter 13, section 5, line 5, after the word "therein" the words "except as provided in the second succeeding section."

Adopted.
Mr. Whelan moved the previous question.
On the question, "Shall the main question now be put?" the yeas were 20 , nays 60 , so the previous question was lost.

Mr. Merriam moved that when the consideration of this bill for the day be concluded, further action on the same be then deferred until Wednesday next.

Lost.
Mr. Brant moved a reconsideration of the vote whereby amendment No. 12, by Mr. Nietert, was lost.

Lost by a vote of 24 yeas to 36 nays.
Mr. Evans moved to amend subdivision 7, line 45, page 67, by striking out the word "same" and inserting in lieu thereof the words "maximum tax."

Adopted by a vote of 41 yeas to 11 nays.
Mr. Dowell moved that the rule be suspended, and that the bill be considered engrossed and read a third time now, which motion prevailed, and the bill was read a third time.

On the question, "Shall the bill pass?" the yeas were:
Messrs. Bailey, Baker, Bell, Bowen, Brant, Brighton, Brinton. Clark, Classen, Cook, Crow, Davis, Doubleday, Dowell, Early, Edwards, Evans, Frazee, Funk, Gosd, Griswold, Gurley, Hayes, Hazen, Hinkhouse, Hunt, Huntley, Jackson, Johnson of

Webster, Johnston of Franklin, Klemme, Lauder, Loomis, Lowry, McAchran, McDowell, McNulty, McQuin, Marti, Miller of Warren, Morrison of Keokuk, Mullin, Nietert, Parker, Perrott, Potter, Power, Prentis, Putnam, Ray, Reed, Scott, Smith, Spaulding, Sullivan, Temple, Thompson, Watters, Wells, Whelan, Whittier, Williams, Mr. Speaker-63.

The nays were:
Messrs. Allen, Bird, Byington, Chapman, Finch, Frink, Lambert, Lavender, Martin, Merriam, Morrison of Grundy, Nolan, St. John, Tibbitts, Van Houten, Voelker, Weaver, Wheeler, Wilson-19.

Absent or not voting:
Messrs. Brady, Cornwall, Garner, Grote, Haugen, Hauger, Hendershot, Hinman, Jay, Ladd, McArthur, McDonald, Manahan, Mayne, Miller of Buena Vista, Miller of Cherokee, Porter, Wood-18.

So the bill passed and the title was agreed to.
The Speaker signed, in the presence of the House, Senate file No. 3.

## REPORT OF COMMITTEE.

Mr. Weaver, from the Fifth Division Code Revision Committee, submitted the following report:

Mr. Speaker-Your Fifth Division of Code Revision Committee, to whom was referred House file No. 66, as reported by the Senate, beg leave to report that they have had the same under consideration and report the same back to the honorable body with the recommendation that the House concur with the Senate amendment found on page 597 with reference to title.

Also recommend that the House concur in amendment to section 2, chapter 4, page 602.

Your committee further recommends that the House nonconcurs to Senate amendment, section 4, chapter 5, page 603.

That the House concur in Senate amendment to sections 17 and 19, page 606.

That the House concur in Senate amendment to section 33, chapter 6, page 609.

That the House concur in Senate amendment to section 35, page 610.
That the House nonconcur in Senate amendment to section 5, chapter 9, page 615.

That the House concur in Senate amendment to section 2, chapter 10 page 616. Respectfully submitted.

H. O. Weaver, Chairman.

Ordered passed on file.

Senate file No. 10, with committee report on same, recommending that the House recede from the amendments to sections 6 and 9 of chapter 3, and insist on its amendments to sections $16,19,28,32$ and 33 of chapter 3, was taken up.

On the question, "Shall the House recede from its amendments to sections 6 and 9 of chapter 3?" the yeas were:

Messrs. Allen, Bailey, Baker, Bell, Bird, Bowen, Brady, Brant, Brighton, Brinton, Byington, Chapman, Clark, Classen, Cook, Cornwall, Crow, Davis, Doubleday, Dowell, Early, Edwards, Evans, Finch, Frink, Funk, Good, Gurley, Hauger, Hayes, Hazen, Hendershot, Hinman, Hunt, Huntley, Jackson, Johnson of Webster, Jóhnston of Franklin, Klemme, Ladd, Lambert, Lauder, Lavender, Loomis, Lowry, McAchran, McNulty, McQuin, Martin, Mayne, Merriam, Miller of Cherokee, Miller of Warren, Morrison of Grundy, Morrison of Keokuk, Mullin, Nietert, Parker, Perrott, Potter, Prentis, Putnam, Ray, Reed, Scott, Smith, Spaulding, St. John, Sullivan, Temple, Thompson, Tibbitts, Voelker, Watters, Weaver, Wells, Wheeler, Whelan, Whittier, Williams, Wilson, Wood, Mr. Speaker-83.

The nays were:
Messrs. Frazee, McDowell, Marti, Nolan, Porter, Power-6. Absent or not voting:
Messrs. Garner, Griswold, Grote, Haugen, Hinkhouse, Jay, McArthur, McDonald, Manahan, Miller of Buena Vista, Van Houten-11.

So the House receded from its amendments to sections 6 and 9 , chapter 3.

On the question "Shall the House insist on its amendments to sections 16,19 and 23 ?" the yeas were:

Messrs. Bailey, Baker, Bell, Bird, Bowen, Brady, Brighton, Brinton, Byington, Chapman, Clark, Classen, Cook, Cornwall, Crow, Davis, Doubleday, Early, Edwards, Evans, Finch, Frazee, Frink, Funk, Good, Griswold, Gurley, Hauger, Hayes, Hendershot, Hinman, Hunt, Huntley, Jackson, Johnson of Webster, Johnston of Franklin, Klemme, Ladd, Lambert, Lavender, Loomis, McAchran, McDowell, McNulty, McQuin, Marti, Martin, Mayne, Miller of Cherokee, Miller of Warren, Morrison of Grundy, Morrison of Keokuk, Mullin, Nietert, Nolan, Parker, Perrott, Porter, Prentis, Putnam, Reed, Scott, Smith, Spaulding, St. John, Sullivan, Temple, Thompson,

Tibbitts, Watters, Wells, Wheeler, Whelan, Whittier, Williams, Wilson, Wood, Mr. Speaker-78.

The nays were:
Messrs. Allen, Hazen, Lauder, Lowry, Merriam, Potter, Power, Ray-8.

Absent or not voting:
Messrs Brant, Dowell, Garner, Grote, Haugen, Hinkhouse, Jay, McArthur, McDonald, Manahan, Miller of Buena Vista, Van Houten, Voelker, Weaver-14.

So the House insisted on its amendments to sections 16, 19 and 23, chapter 3.

On the question, "Shall the House insist on its amendments to sections 32 and 33 ?" the yeas were:

Messrs. Baker, Bird, Brady, Brant, Brighton, Brinton, Byington, Chapman, Cook, Cornwall, Crow, Davis, Doubleday, Edwards, Finch, Frazee, Hayes, Hazen, Hendershot, Hinkhouse, Hunt, Jackson, Johnson of Webster, Johnston of Franklin, Klemme, Lambert, Lowry, McDowell, McNulty, McQuin, Marti, Martin, Nietert, Nolan, Porter, Power, Putnam, Reed, Spaulding, St. John, Sullivan, Temple, Tibbitts, Wells, Wheeler, Williams, Wilson, Wood-48.

## The nays were:

Messrs. Allen, Bailey, Bell, Bowen, Clark, Classen, Evans, Frink, Funk, Good, Griswold, Gurley, Hinman, Huntley, Ladd, Lauder, Lavender, Loomis, McAchran, Mayne, Merriam, Miller of Cherokee, Miller of Warren, Morrison of Grundy, Morrison of Keokuk, Mullin, Parker, Perrott, Potter, Prentis, Ray, Scott, Smith, Thompson, Watters, Whelan, Whittier, Mr. Speaker-38.

Absent or not voting:
Messrs. Dowell, Early, Garner, Grote, Haugen, Hauger, Jay, McArthur, McDonald, Manahan, Miller of Buena Vista, Van Houten, Voelker, Weaver-14.

So the motion to insist prevailed.
On motion of Mr. Potter, House adjourned until 9 A. m. to-morrow.

The House met at 9 A. M. with Speaker Byers in the chair. Prayer was offered by Rev. D. A. Rohrbaugh of Osceola, Iowa.

Mr. Prentis was excused indefinitely on account of sickness.
Mr. Byington was granted leave of absence on account of sickness in his family.

The Journal of yesterday was corrected and approved.
On motion of Mr. Finch, House files Nos. 80 and 81 were indefinitely postponed, the Senate bills covering the same ground having already passed the House.

On motion of Mr. Allen, House file No. 79 was indefinitely postponed, as the Senate bill covering the same ground had already passed the House.

The following motion to reconsider was filed:
Mr. Speaker-I move a reconsideration of the vote whereby the substitute for Senate file No. 2 and House file No. 12 passed the House.

I second the motion.
A. H. Edwards.
W. H. Mcachran.

The following motion to reconsider was filed:
Mr. Sphaker-I move a reconsideration of the vote by which the amendment to subdivision 6, of section 21, chapter 2, of House file No. 12, was lost.

I second the motion.
W. H. Mcachran.
A. L. Wood.

On motion of Mr. Finch, Senate file No. 41, a bill for an act to revise, amend and codify the statutes in relation to regents and trustees of State institutions, with report of committee recommending passage with amendments, was taken up and considered.

Mr. Parker moved to amend line 11, section 1, by striking out the word "four" and insert the word "six."

Adopted.

Mr. Ray moved to amend section 1 by inserting after the word "years" in line 9 , the words "for the normal school six trustees who shall hold office for six years;" also, strike out the words "the normal school" in line 7.

Adopted.
Committee amendments to section 6 and section 9 were adopted.

Mr. Griswold moved to strike out the words 'each of the hospitals for the insane," in lines 7 and 8, and insert these words in line 9 , following the words "normal school."

Lost by a vote of 19 yeas to 21 nays.
Mr. Finch moved that the rule be suspended, and that the bill be read a third time now, which motion prevailed, and the bill was read a third time.

On the question, "Shall the bill pass?" the yeas were:
Messrs. Allen, Bailey, Baker, Bell, Bird, Brady, Brighton, Brinton, Chapman, Clark, Classen, Cook, Cornwall, Crow, Doubleday, Dowell, Early, Evans, Finch, Frazee, Frink, Funk, Garner, Good, Griswold, Gurley, Hayes, Hazen, Hendershot, Hinkhouse, Hunt, Huntley, Johnson of Webster, Ladd, Lambert, Lauder, Lavender, Loomis, McAchran, McDowell, McNulty, McQuin, Manahan, Marti, Martin, Mayne, Merriam, Miller of Cherokee, Morrison of Grundy, Nietert, Parker, Perrott, Potter, Putnam, Ray, Reed, Scott, Smith, St. John, Sullivan, Temple, Thompson, Tibbitts, Watters, Wells, Wheeler, Whelan, Whittier, Williams, Wilson, Wood, Mr. Speaker-72.

The nays were:
Messrs. Haugen, Klemme, Lowry, Porter-4.
Absent or not voting:
Messrs. Bowen, Brant, Byington, Davis, Edwards, Grote, Hauger, Hinman, Jackson, Jay, Johnston of Franklin, McArthur, McDonald, Miller of Buena Vista, Miller of Warren, Morrison of Keokuk, Mullin, Nolan, Power, Prentis, Spaulding, Van Houten, Voelker, Weaver-24.

So the bill passed and the title was agreed to.
On motion of Mr. Evans, House file No. 95, a bill for an act to provide for the annotation, indexing, publication, distribution and sale of the Code, and statutes hereafter enacted, and the appointment of a supervising committee, and the election of an editor, and prescribing their duties, was taken up and considered.

Mr. Merriam offered the following motion.
Mr. Speaker-I move the committee appointed to investigate and report in regard to printing and annotating the new Code, report to this House any propositions received for the publication and annotation of the new Code by private parties or publishing houses.

Adopted.
House file No. 95, with report of the special committee on same, was referred to the Committee on Judiciary.

Mr. Miller of Cherokee was excused until Tuesday.
Mr . Temple offered the following concurrent resolution and moved its adoption:

Resolved by the House of Representatives, the Senate concurring, That the Governor be requested to return to the House, in which it originated, House file No. 17, an act to revise, amend and codify the statutes in relation to agricultural and horticultural societies, stock breeders' associations and State Dairy Association.

Adopted.
The report of the committee on House file No. 67, recommending that the House concur with the Senate amendment found on page 597 with reference to title; that the House concur in amendment to section 2, chapter 4, page 602; that the House nonconcurs to Senate amendment, section 4, chapter 5, page 603; that the House concur in Senate amendment to sections 17 and 19, page 606; that the House concur in Senate amendment to section 33, chapter 6, page 609; that the House concur in Senate amendment to section 35, page 610; that the House nonconcur in Senate amendment to section 5, chapter 9 , page 615; that the House concur in Senate amendment to section 2, chapter 10, page 616, was taken up and considered.

On the question, "Shall the report of the committee be adopted?" the yeas were:

Messrs. Allen, Bailey, Bell, Bird, Bowen, Brighton, Brinton, Chapman, Clark, Classen, Crow, Doubleday, Dowell, Early, Edwards, Evans, Frazee, Frink, Funk, Good, Griswold, Gurley, Hayes, Hazen, Hendershot, Hinkhouse, Hunt, Huntley, Johnson of Webster, Klemme, Ladd, Lambert, Loomis, Lowry, McAchran, McDowell, McNulty, Martin, Mayne, Merriam, Morrison of Grundy, Nietert, Parker, Perrott, Potter, Putnam, Ray, Reed, Scott, Smith, St. John, Sullivan, Temple, Thompson, Tibbitts, Voelker, Watters, Wells, Wheeler, Whelan, Whittier, Williams, Wilson, Wood, Mr. Speaker-65.

The nays were:
None.

Absent or not voting:
Messrs. Baker, Brady, Brant, Byington, Cook, Cornwall, Davis, Finch, Garner, Grote, Haugen, Hauger, Hinman, Jackson, Jay, Johnston of Franklin, Lauder, Lavender, McArthur, McDonald, McQuin, Manahan, Marti, Miller of Buena Vista, Miller of Cherokee, Miller of Warren, Morrison of Keokuk, Mullin, Nolan, Porter, Power, Prentis, Spaulding, Van Houten, Weaver-35.

So the report of the committee was adopted;
The Speaker appointed as the House members of conference committee on Senate file No. 10, Messrs. Johnston of Franklin, Nolan, Tibbitts and Edwards.

House file No. 29, with report of conference committee thereon, was taken up and considered.

Mr. Mayne moved that the report of the committee be adopted.

On the question, "Shall the report of the committee be adopted?" the yeas were:

Messrs. Allen, Bailey, Bell, Bird, Brighton, Brinton, Clark, Classen, Crow, Doubleday, Dowell, Early, Edwards, Evans, Frazee, Frink, Good, Griswold, Hayes, Hazen, Hendershot, Hinkhouse, Hunt, Huntley, Johnson of Webster, Klemme, Ladd, Lauder, Lowry, McAchran, McDowell, McNulty, Martin, Mayne, Merriam, Nietert, Parker, Potter, Ray, Reed, Scott, Smith, St. John, Sullivan, Temple, Thompson, Tibbitts, Watters, Wells, Wheeler, Whittier, Williams, Wilson, Wood, Mr. Speaker-55.

The nays were:
Messrs. Chapman, Gurley, Haugen, Morrison of Grundy, Porter, Voelker, Whelan-7.

Absent or not voting:
Messrs. Baker, Bowen, Brady, Brant, Byington, Cook, Cornwall, Davis, Finch, Funk, Garner, Grote, Hauger, Hinman, Jackson, Jay, Johnston of Franklin, Lambert, Lavender, Loomis, McArthur, McDonald, McQuin, Manahan, Marti, Miller of Buena Vista, Miller of Cherokee, Miller of Warren, Morrison of Keokuk, Mullin, Nolan, Perrott, Power, Prentis, Putnam, Spaulding, Van Houten, Weaver- 38.

So the report of the committee was adopted.
On motion of Mr. Evans, the House adjourned until 2 p. m.

## AFTERNOON SESSION.

The House met at 2 p. m. with Speaker Byers in the chair. Upon motion of Mr. Dowell, 150 copies of the chapter on special charters were ordered printed.

Mr. Wood moved that 200 copies of the printing bill be ordered printed.

Carried.

## MESSAGES FROM THE SENATE.

The following message was received from the Senate:
Mr. Speaker-I am directed to inform your honorable body that the Senate has adopted the House concurrent resolution relative to the recalling from the Governor, House file No. 17, a bill for an act to revise, amend and codify the statutes in relation to agricultural and horticultural societies, etc.

Geo. A. Newman, Secretary.

Also:
Mr. Speaker-I am directed to inform your honorable body that the Senate has concurred in referring Senate file No. 10, a bill for an act to revise, amend and codify the statutes in relation to elections, to a conference committee, and that the President of the Senate appoints as such committee on the part of the Senate, Senators Carney, Trewin, Harriman and Carroll.

> Geo. A. Newman,
> Secretary.

The following motion to reconsider was filed:
Mr. Speaker-I move to reconsider the vote by which the substitute for Senate file No. 2, and House file No. 12, passed to a third reading.
A. H. Edwards.

I second the motion.

> W. H. McAchran.

On motion of Mr. Evans, 500 copies of House file No. 95 were ordered printed.

The following communication from the Governor was received.

To the House of Representatives-I return herewith to the House of Representatives, in compliance with the request of the General Assembly, House file No. 17, an act to revise, amend and codify the statutes in
relation to Agricultural and Horticultural Societies, Stock Breeders' associations and State Dairy association.
F. M. Drake.

REPORT OF COMMITTEE.
Mr. McArthur, from the Committee on Public Libraries, submitted the following report:

Mr. Speaker-Your Committee on Public Libraries, to whom was referred Senate file No. 48, a bill for an act to revise, amend and codify the statutes in relation to the State Library, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same do pass with the following amendments:

Amend section 1, line 3, by striking out the words "a librarian and" after the word "appoint."

Amend section 2 , line 6, by adding thereto the words "except as hereinafter provided."

Amend section 3, line 1, by striking out the word "librarian" and inserting in lieu thereof the words "State library shall be in the custody of the librarian, who shall be appointed by the Governor, and who."

Amend line 4 by inserting after the word "dollars" and before the word "conditioned" the words "in such form as the Governor shall approve."

Amend section 3, line 5, by striking out the word "and" after the word "with."

Amend section 3, line 6, by striking out the words "approved by." W. C. McArthur, Chairman.
Ordered passed on file.
Mr. Temple moved that House file No. 17 be referred to First Division Code Revision Committee.

Carried.
On motion of Mr. Hendershot, the House adjourned until 2 p. M. Monday.

The House met at 2 p. m., with Speaker pro tem. Dowell in the chair.

Prayer was offered by Rev. T. S. Handsaker of Des Moines, Iowa.

The Journal of Saturday, April 10, was corrected and approved.

On motion of Mr. McArthur, Senate file No. 48, a bill for an act to revise, amend and codify the statutes in relation to the State library, with report of committee recommending passage with amendments, was taken up and considered.

Mr. McArthur moved to amend section 22, line 1, by striking out the words "of the library."

Adopted.
On the question, "Shall the amendments of the committee be adopted?" the yeas were:

Messrs. Allen, Bailey, Baker, Bird, Bowen, Brighton, Clark, Classen, Crow, Dowell, Early, Evans, Finch, Frazee, Good, Griswold, Gurley, Haugen, Hazen, Hinkhouse, Huntley, Johnson of Webster, Lauder, McArthur, McDowell, McNulty, Marti, Martin, Mayne, Merriam, Morrison of Grundy, Morrison of Keokuk, Nietert, Parker, Porter, Power, Putnam, Smith, Sullivan, Thompson, Van Houten, Watters, Weaver, Wells, Wheeler, Whittier, Williams, Wood-48:

The nays were:
Messrs. Bell, Chapman, Davis, Doubleday, Edwards, Frink, Funk, Miller of Warren, Perrott, Ray, Reed, Scott, Whelan-13.

Absent or not voting:
Messrs. Brady, Brant, Brinton, Byington, Cook, Cornwall, Garner, Grote, Hauger, Hayes, Hendershot, Hinman, Hunt, Jackson, Jay, Johnston of Franklin, Klemme, Ladd, Lambert,

Lavender, Loomis, Lowry, McAchran, McDonald, McQuin, Manahan, Miller of Buena Vista, Miller of Cherokee, Mullin, Nolan, Potter, Prentis, Spaulding, St. John, Temple, Tibbitts, Voelker, Wilson, Mr. Speaker-39.

So the amendments were adopted.

- Mr. Funk moved to amend section 24 by striking out the words "twelve hundred" and inserting in lieu thereof "one thousand."

Messrs. Funk and Weaver demanded the yeas and nays on the question, which resulted as follows:

On the question, "Shall the amendment be adopted?" the yeas were:

Messrs. Baker, Bell, Bowen, Brighton, Chapman, Clark, Davis, Finch, Frazee, Frink, Funk, Good, Gurley, Haugen, Hazen, Hinkhouse, Huntley, Johnson of Webster, McDowell, Marti, Miller of Warren, Power, Ray, Scott, Sullivan, Thompson, Whelan, Whittier, Wood-29.

The nays were:
Messrs. Allen, Bailey, Bird, Classen, Doubleday, Dowell, Early, Evans, Griswold, Hauger, Lauder, McArthur, McNulty Martin, Mayne, Merriam, Morrison of Grundy, Morrison of Keokuk, Nietert, Parker, Porter, Putnam, Reed, Smith, Van Houten, Watters, Weaver, Wells, Wheeler, Williams-30.

Absent or not voting:
Messrs. Brady, Brant, Brinton, Byington, Cook, Cornwall, Crow, Edwards, Garner, Grote, Hayes, Hendershot, Hinman, Hunt, Jackson, Jay, Johnston of Franklin, Klemme, Ladd, Lambert, Lavender, Loomis, Lowry, McAchran, McDonald, McQuin, Manahan, Miller of Buena Vista, Miller of Cherokee, Mullin, Nolan, Perrott, Potter, Prentis, Spaulding, St. John, Temple, Tibbitts, Voelker, Wilson, Mr. Speaker-41.

So the amendment was lost.
Mr. McArthur moved that further consideration of this bill be deferred till $10 \mathrm{~A} . \mathrm{m}$. to-morrow.

Carried by a vote of 34 yeas to 14 nays.

## MESSAGES FROM THE SENATE.

The following message was received from the Senate:
Mr. Speaker-I am directed to inform your honorable body that the Senate has amended and passed the following bill, in which the concurrence of the Senate was asked:

House substitute for Senate file No. 15, a bill for an act to revise, amend and codify the statutes in relation to the militia.

Geo. A. Newman, Secretary.
Also:
Mr. Speaker-I am directed to inform your honorable body that the Senate has adopted the report of the conference committee on House file No. 29, a bill for an act to revise, amend and codify the statutes in relation to the care of the insane.

Geo. A. Newman,
Secretary.
Substitute for Senate file No. 15, with Senate amendments to House substitute, was referred to Committee on Military.

On motion of Mr. Weaver, House adjourned till 9 A. M. tomorrow.

> Hall of the House of Repreesentatives, Des Moines, Iowa, Tuesday, April 13, 1897 . $\}$

House met at 9 A. m., Speaker Byers in the chair.
Prayer by Rev. C. C. Potter of Ireton, Iowa.
The Journal of yesterday was corrected and approved.
report of committee.
Mr. Finch, from the Committee on Code Revision, Division No. 3, submitted the following report:

Mr. Speaker-Your Committee on Code Revision, Division No. 3, to whom was referred House file No. 82, a bill for an act to revise, amend and codify the statutes in relation to procedure in particular cases, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the House nonconcur in the following amendments to section 7 , chapter 3, page 803; section 23, chapter 7, page 812; section 1, chapter 8, page 813 ; section 11 , chapter 14 , page 823 ; section 18 , chapter 14 , page 824 , and that the House concur in all other Senate amendments thereto.

Parley Finch, Chairman.
Ordered passed on file.
The House took up for consideration House file No. 82 just reported.

The report of the committee recommending nonconcurrence in Senate amendments to section 7, chapter 3, page 803; section 23 , chaper 7, page 812; section 1, chapter 8, page 813; section 11, chapter 14, page 823; section 18, chapter 14, page 824, was adopted.

On the question, "Shall the House concur in all other Senate amendments to the bill?" the yeas were:

Messrs. Allen, Bailey, Baker, Bell, Bowen, Brighton, Chapman, Clark, Classen, Crow, Davis, Doubleday, Dowell, Early, Edwards, Finch, Frazee, Frink, Funk, Good, Gurley, Hazen, Hinkhouse, Hinman, Huntley, Jay, Johnson of Webster, Johnston of Franklin, Klemme, Ladd, Lambert, Lauder, Loomis, Lowry, McArthur, McDonald, McDowell, McQuin, Marti, Martin, Mayne, Merriam, Miller of Buena Vista, Miller of

Warren, Morrison of Grundy, Morrison of Keokuk, Nietert, Nolan, Parker, Perrott, Potter, Putnam, Reed, Scott, Smith, Thompson, Tibbitts, Van Houten, Watters, Weaver, Wells, Wheeler, Whelan, Williams, Mr. Speaker-65.

The nays were:
Messrs. Manahan, Power, Porter, Sullivan-4.
Absent or not voting:
Messrs. Bird, Brady, Brant, Brinton, Byington, Cook, Cornwall, Evans, Garner, Griswold, Grote, Haugen, Hauger, Hayes, Hendershot, Hunt, Jackson, Lavender, McAchran, McNulty, Miller of Cherokee, Mullin, Prentis, Ray, Spaulding, St. John, Temple, Voelker, Whittier, Wilson, Wood-31.

So the amendments were concurred in.
Mr. Merriam introduced the following bill; House file No. 97:

## A BILL

For an act providing for the annual settlement of accounts and the publication of an itemized statement of all moneys paid out by the State.
Be it enacted by the General Assembly of the State of lowa:
Section 1. It shall be the duty of the Executive Council annually, and at any other time in their discretion, to enter into a full settlement of all debits and credits between the State of Iowa and the officers of the State, officers and superintendents of State institutions, and all persons receiving, handling or expending State funds.

Sec. 2. All officers of the State, officers and superintendents of State institutions, and all persons drawing funds from the treasury of the State, shall file with the Auditor of the State an itemized statement setting forth the object for which money is sought to be drawn, before a warrant is issued upon the State treasurer; provided, that when the law permits the drawing of funds in advance of their expenditure, then the persons drawing such funds shall file such itemized statement within one hundred days after the issuance of any such warrant. The statements provided for in this section shall, when demanded, be turned over to the Executive Council by the Auditor.

Sec. 3. The Executive Council shall publish annually, as soon after January 1st as is convenient, an itemized statement of all moneys paid out by the State Treasurer. Said report shall be so arranged as to show the itemized cost of each department or office of the State, of each State institution, and the disposition by items of all State funds and supplies.

Sec. 4. The provisions of this act shall become operative on and of effect after January 1, 1898.

The bill was read first and second time and referred to Committee on Printing.

## REPORT OF COMMITTEE.

Mr. Bell, from the Committee on Military, submitted the following report:

Mr. Speaker-Your Committee on Military, to whom was referred eubstitute for Senate file No. 15, a bill for an act to revise, amend and codify the statutes relating to the militia, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the House agree to all the Senate amendments except the first amendment to section 8, and to this amendment your committee recommend that the House do not agree. W. B. Bele,

Chairman.
The House took up for consideration the substitute for Senate file No. 15, just reported.

Mr . Bell moved the adoption of the committee recommendation that the House do not agree to the first Senate amendment to section 8 .

Carried.
On the question, "Shall the House agree to all other Senate amendments to substitute for Senate file No. 15 ?" the yeas were:

Messrs. Allen, Bailey, Baker, Bell, Bowen, Brighton, Chapman, Clark, Classen, Cornwall, Crow, Davis, Doubleday, Dowell, Early, Edwards, Finch, Frazee, Frink, Funk, Good, Gurley, Hazen, Hinkhouse, Hinman, Huntley, Jay, Johnson of Webster, Johnston of Franklin, Klemme, Ladd, Lambert, Lauder, Loomis, Lowry, McDonald, McDowell, McNulty, McQuin, Marti, Martin, Mayne, Merriam, Miller of Buena Vista, Miller of Warren, Morrison of Grundy, Morrison of Keokuk, Nietert, Nolan, Parker, Perrott, Porter, Potter, Power, Putnam, Ray, Reed, Scott, Smith, Sullivan, Temple, Thompson, Van Houten, Voelker, Watters, Weaver, Wells, Wheeler, Whelan, Whittier, Williams, Mr. Speaker-72.

The nays were:
None.
Absent or not voting:
Messrs. Bird, Brady, Brant, Brinton, Byington, Cook, Evans, Garner, Griswold, Grote, Haugen, Hauger, Hsyes, Hendershot, Hunt, Jackson, Lavender, McAchran, McArthur, Manahan, Miller of Cherokee, Mullin, Prentis, Spaulding, St. John, Tibbitts, Wilson, Wood-28.

So the House agreed to all Senate amendments to the bill except the amendment to section 8 .

REPORT OF COMMITTEE ON ENROLLED BILLS.
Mr. Hauger, from the Committee on Enrolled Bills, submitted the following report:

Mr. Spmaker-Your Committee on Enrolled Bills respectfully report that they have examined, and find correctly enrolled, House file No. 25, a bill for an act to revise, amend and codify the statutes in relation to the regulation of carriers by railway.

W. E. Hauger, Chairman.

Ordered passed on file.

## Also:

Mr. Sphaker-Your Committee on Enrolled Bills respectfully report that they have examined, and find correctly enrolled, House file No. 31, a bill for an act to revise, amend and codify the statutes in relation to fences.

W. E. Haverr, Chairman.

Ordered passed on file.
REPORT OF JOINT COMMITTEE ON ENROLLED BILLS.
Mr. Hauger, from the Joint Committee on Enrolled Bills, submitted the following report:

Mr Speaker-Your Joint Committee on Enrolled Bills respectfully report that they have examined, and find correctly enrolled, House file No. 45, a bill for an act to revise, amend and codify the statutes in relation to the practice of pharmacy.

G. S. Gilbertson, Chairman Senate Committee.<br>W. E. Haugre, Chairman House Committee.

Ordered passed on file.
Also:
Mr. Speaker-Your Joint Committee on Enrolled Bills respectfully report that they have examined, and find correctly enrolled, House file No. 31, a bill for an act to revise, amend and codify the statutes in relation to fences.

G. S. Gilbertson, Chairman Senate Committee.<br>W. E. Haughr, Chairman House Committee.

Ordered passed on file.
Also:
Mr. Spfaker-Your Joint Committee on Enrolled Bills respectfully report that they have examined, and find correctly enrolled, House file No. 25, a bill for an act to revise, amend and codify the statutes in relation to the regulation of carriers by railway.

> G. S. Gilbertson, Chairman Senate Committee.
> W. E. Havarr, Chairman House Committee.

Order passed on file.

## INTRODUCTION OF BILLS.

By Mr. Temple, a substitute for House file No. 17, a bill for an act to revise, amend and codify the statutes in relation to agricultural and horticultural societies, stock breeders' associations and State Dairy association.

Read first and second time and taken up.
Mr. Van Houten moved to amend section 20, by striking out the words "thirty-five hundred" in line 1, and inserting the words "four thousand."

Adopted.
Mr. Temple moved that the rule be suspended, and that the bill be considered engrossed and read a third time now, which motion prevailed, and the bill was read a third time.

On the question, "Shall the bill pass?" the yeas were:
Messrs. Allen, Bailey, Bell, Bird, Bowen, Chapman, Clark, Classen, Cornwall, Crow, Davis, Doubleday, Dowell, Early, Edwards, Evans, Finch, Frazee, Frink, Good, Gurley, Hinman, Huntley, Johnson of Webster, Johnston of Franklin, Ladd, Lauder, Loomis, McArthur, McNulty, McQuin, Marti, Martin, Mayne, Miller of Buena Vista, Miller of Warren, Morrison of Grundy, Morrison of Keokuk, Nietert, Nolan, Parker, Perrott, Potter, Putnam, Ray, Scott, Smith, Sullivan, Temple, Thompson, Van Houten, Voelker, Wells, Whelan, Whittier, Williams, Mr. Speaker-57.

The nays were:
Messrs. Hazen, Hinkhouse, Lowry, McDonald, McDowell, Merriam, Porter, Power, Reed, Watters, Weaver, Wheeler-12.

Absent or not voting:
Messrs. Baker, Brady, Brant, Brighton, Brinton, Byington, Cook, Funk, Garner, Griswold, Grote, Haugen, Hauger, Hayes, Hendershot, Hunt, Jackson, Jay, Klemme, Lambert, Lavender, McAchran, Manahan, Miller of Cherokee, Mullin, Prentis, Spaulding, St. John, Tibbitts, Wilson, Wood-31.

So the bill passed and the title was agreed to.
The House resumed its consideration of Senate file No. 48.
Mr. McArthur moved that the rule be suspended, and that the bill be read a third time now, which motion prevailed, and the bill was read a third time.

On the question, "Shall the bill pass?" the yeas were:
Messrs. Allen, Bailey, Baker, Bell, Bird, Bowen, Brighton, Clark, Classen, Cornwall, Crow, Davis, Doubleday, Dowell, Early, Edwards, Evans, Finch, Frink, Funk, Gurley, Hauger,

Hinman, Huntley, Jay, Johnston of Franklin, Ladd, Lauder. Loomis, McAchran, McArthur, McDonald, McNulty, McQuin, Martin, Mayne, Merriam, Miller of Buena Vista, Miller of Warren, Morrison of Grundy, Morrison of Keokuk, Nietert, Nolan, Parker Perrott, Porter, Potter, Putnam, Ray, Reed, Smith, Thompson, Tibbitts, Van Houten, Watters, Weaver, Wells, Whittier, Williams, Mr. Speaker-60.

The nays were:
Messrs. Frazee, Hazen, Hinkhouse, Johnson of Webster, Klemme, Lowry, McDowell, Manahan, Marti, Scott, Sullivan, Voelker, Wheeler, Whelan-14.

Absent or not voting:
Messrs. Brady, Brant, Brinton, Byington, Chapman, Cook, Garner, Good, Griswold Grote, Haugen, Hayes, Hendershot, Hunt, Jackson, Lambert, Lavender, Miller of Cherokee, Mullin, Power, Prentis, Spaulding, St. John, Temple, Wilson, Wood-26.

So the bill passed and the title was agreed to.
Messrs. Edwards and McAchran withdrew their motion to reconsider, filed on Saturday, April 10.

Mr. Ray presented the following resolution and moved its adoption:

Mr. Speaker-Your committee appointed to prepare fitting resolutions commemorative of the private life and public services of the late Captain P. G. C. Merrill, beg leave to submit the following report:

Whereas, It has pleased an all-wise Providence to remove from life the late Captain P. G. C. Merrill, an honored and useful member of the Tenth General Assembly; therefore, be it

Resolved, That in his death Iowa mourns the loss of one of her most honored citizens and law makers. As a pioneer citizen, he was possessed of a sturdy, rugged character, fitted to build up and develop a new territory. He was a man of unswerving integrity and earnest manhood, with ar loyal love for the State of his adoption and a deep devotion to the flag of his country. He was a true lover of higher education and gave of his influence and his means to aid in the improvement of educational facilities for rich and poor.

As a pioneer lawmaker, he has left his impress upon our statute books in some of Iowa's wisest laws and most enduring legislation, a priceless heritage to coming generations; be it

Resolved, That the Chief Clerk be instructed to spread these resolutions upon the Journal of the House and send copies of the same to the bereaved relatives.
W. G. Ray,
o. A Byington, C. C. Dowell, Committee.
Unanimously adopted by a rising vote.

On motion of Mr. Early, the House here adjourned until 2 p. M.

## AFTERNOON SESSION.

House met at 2 P. M., Speaker Byers in the chair.
House file No. 27, relating to militia, was indefinitely postponed, as substitute for Senate file No. 15 covers the same ground.

House file No. 13, relating to elections, was indefinitely postponed, as Senate file No. 10 passed the House covering the same ground.

House file No. 40, relating to dairy commissioner, was indefinitely postponed, as Senate file No 30 covering the same ground had already passed the House.

House file No. 23 was on motion of Mr. Lauder indefinitely postponed.

## PETITIONS AND MEMORIALS.

Mr. Ladd presented petition of members of Clarksville public schools, asking passage of a cigarette bill.

Referred to Committee on Public Health.
MESSAGES FROM THE SENATE.
The following message was received from the Senate:
Mr. Speaker-I am directed to inform your honorable body that the Senate has passed the following bill, in which the concurrence of the House is asked:

Senate file No. 92 , a bill for an act to authorize cities of the second class to issue bonds for extending the time of payment of its indebtedness. Geo. A. Newman, Secretary.
Also:
Mr. Speaker-I am directed to inform your honorable body that the Senate has passed the following bill, it which the concurrence of the House is asked:

Senate file No. 93, a bill for an act to apply to cities of the first class the provisions of chapter 78, laws of the Twenty-first General Assembly, as amended by chapter 17, laws of the Twenty-fourth General Assembly, chapter 3, laws of the Twenty-fifth General Assembly, and chapter 3, laws of the Twenty-sixth General Assembly, regular session, relating to indebtedness of cities and towns.

Geo. A. Newman,
Secretary.

## Also:

Mr. Speaker-I am directed to inform your honorable body that the Senate insists on its amendments as follows to House file No. 10, a bill for an act to revise, amend and codify the statutes in relation to the judicial department, to-wit: Section 10 , chapter 1 ; sections 2 and 3 , chapter 2; section 4, chapter 3; first amendment to section 1 , chapter 5 ; section 23 , chapter 5 ; section 30 , chapter 5 ; sections 1 and 4 , chapter 6 ; and section 22 , chapter 6.

The Senate asks a conference committee thereon, and that the President of the Senate appoint as such committee on the part of the Senate, Senators Ellis, Blanchard, Phelps and Ranck.

Geo. A. Newman, Secretary.

Also:
Mr. Speaker-I am directed to inform your honorable body that the Senateghas adopted the following concurrent resolution, in which the concurrence of the House is asked, relative to the conference committee on Senate file No. 10: CONCURRENT FESOLUTION.
Resolved by the Senate, the House concurring, that the conference committee on Senate file No. 10 be authorized to consider and report upon an amendment to section 11, chapter 1, striking out in the first line the words "and reporter," and in the second line changing the word "their" to "his."

Geu. A. Newman,
Secretary.
Senate file No. 92, a bill for an act to authorize cities of the second class to issue bonds for extending the time of payment of its indebtedness, was taken up, read first and second time and referred to Committee on Judiciary.

Senate file No. 93 was taken up, read first and second time and referred to Committee on Judiciary.

The Speaker appointed as House members of the committee on conference on Senate file No. 10, Messrs. Temple, Lavender, Ladd and Porter.

The concurrent resolution just messaged over was taken up and referred to the Committee on Rules.

The expense bill of witness fees of the investigating committee, of which Mr. Funk is chairman, was referred to Committee on Appropriations.

On motion of Vr. Reed, House adjourned until 9 a. m. tomorrow.

Hall of the House of Representatives. Des Moines, Iowa, Wednesday, April 14, 1897. $\}$
House met at 9 A. m., Speaker Byers in the chair. Prayer by Rev. W. H. Jordan, Grundy Center, Iowa.
Mr. McDonald presented the following resolution and moved its adoption:

Resolved, That a committee of three members of this House be appointed by the Speaker to draft appropriate resolutions on the death of Hon. Thomas Seely, who was a member of the Seventeenth General Assembly, and was also a member of the constitutional convention.

Adopted.
The Speaker appointed as such committee Messrs. McDonald, Frink and McDowell.

REPORT OF COMMITTEE.
Mr. Cornwall, from the Committee on Judiciary, submitted the following report:

Mr. Sphaker-Your Committee on Judiciary, to whom was referred Senate file No. 92, a bill for an act to authorize cities of the second class to issue bonds for extending the time of its indebtedness, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House with the recommendation that the same do pass.
W. W. Cornwall, Chairman.

Ordered passed on file.
Also:
Mr. Speaker-Your Committee on Judiciary, to whom was referred Senate file No. 93, a bill for an act to apply to cities of the first class the provisions of chapter 78, laws of the Twenty-first General Assembly, as amended by chapter 17, laws of the Twenty-second General Assembly, chapter 15, laws of the Twenty-fourth General Assembly, chapter 3, laws of the Twenty-fifth General Assembly and chapter 3, laws of the Twentysixth General Assembly, regular session, relating to indebtedness of cities and towns, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same do pass.

> W. W. Cornwall,

Chairman.
Ordered passed on file.

On motion of Mr. Cornwall, Senate file No. 92 with report of committee recommending passage was taken up, considered, and the report of the committee adopted.

Mr. Cornwall moved that the rule be suspended, and that the bill be read a third time now, which motion prevailed, and the bill was read a third time.

On the question, "Shall the bill pass?" the yeas were:
Messrs. Allen, Baker, Bell, Bird, Bowen, Brady, Brant, Brighton, Brinton, Byington, Chapman, Clark, Classen, Cook, Cornwall, Doubleday, Dowell, Early, Edwards, Evans, Finch, Frazee, Frink, Garner, Good, Haugen, Hauger, Hazen, Hendershot, Hinkhouse, Hinman, Huntley, Jay, Johnson of Webster, Johnston of Franklin, Klemme, Ladd, Lambert, Lauder, Lavender, Loomis, Lowry, McAchran, McArthur, McDonald, McDowell, McNulty, McQuin, Manahan, Marti, Martin, Mayne, Miller of Buena Vista, Miller of Warren, Morrison of Grundy, Morrison of Keokuk, Mullin, Nolan, Parker, Perrott, Potter, Power, Ray, Reed, Scott, Smith, Sullivan, Thompson, Tibbitts, Van Houten, Voelker, Watters, Weaver, Wells, Wheeler, Whelan, Williams, Wilson, Mr. Speaker-79.

Mr. Porter voted in the negative.
Absent or not voting:
Messrs. Bailey, Crow, Davis, Funk, Griswold, Grote, Gurley, Hayes, Hunt, Jackson, Merriam, Miller of Cherokee, Nietert, Prentis, Putnam, Spaulding, St. John, Temple, Whittier, Wood-20.

So the bill passed and the title was agreed to.

## MESSAGES FROM THE SENATE.

The following message was received from the Senate:
Mr. Speaker-I am directed to inform your honorable body that the Senate has concurred in the House amendments as follows to Senate file No. 35, a bill for an act to revise, amend and codify the statutes in relation to the care and propagation of fish, etc., to-wit:

Section 2, line 3; section 13, lines 7, 8 and 9; section 13, line 18; section 18 , line 18, and section 25; and that the Senate does not concur in the House amendments to section 2, line 10; section 4, line 1; section 10, lines 4 and 5 ; section 13, line 7, after the word "June;" section 14, lines 4 and 6 ; and on section 23, lines 5 and 6, the Senate concurs in House amendment relative to "blackbirds," and refuses to concur in House amendments relative to "blue jays."

## Also:

Mr. Speaker-I am directed to inform your honorable body that the Senate has amended and passed the following bill in which the concurrence of the Senate was asked:

Substitute for House file No. 20, a bill for an act to revise, amend and codify the statutes in relation to building and loan associations.

Geo. A. Newman, Secretary.
Also:
Mr. Speaker-I am directed to inform your honorable body that the Senate has passed the following bill, in which the concurrence of the House is asked:

Senate file No. 96, a bill for an act to legalize the levy and collection of a poor tax, etc., in counties in the State of Iowa.

Geo. A. Newman, Secretary.

## Also:

Mr. SPEAKER-I am directed to inform your honorable body that the Senate concurs in House amendments to sections 6 and 9 of Senate file No. 41, a bill for an act to revise, amend and codify the statutes in relation to regents and trustees; and does not concur in House amendments to lines 7, 9 and 10 of section 1 ; and to line 11 of section 1 .

Geo. A. Newman, Secretary.
On motion of Mr. Cornwall, Senate file No. 93, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Mr. Dowell in the chair.
Mr. Cornwall moved that the rule be suspended, and that the bill be read a third time now, which motion prevailed, and the bill was read a third time.

On the question, "Shall the bill pass?" the yeas were:
Messrs. Allen, Bailey, Bell, Bird, Bowen, Brant, Brighton, B inton, Byington, Clark, Classen, Cook, Cornwall, Crow, D swell, Early, Edwards, Evans, Finch, Frazee, Frink, Good, Gurley, Haugen, Hauger, Hayes, Hazen, Hendershot, Hinkhouse, Hinman, Huntley, Jackson, Jay, Johnson of Webster, Johnston of Franklin, Klemme, Ladd, Lambert, Lauder, Lavender, Loomis, Lowry, McAchran, McDonald, McDowell, McNulty, McQuin, Manahan, Marti, Martin, Mayne, Merriam, Miller of Buena Vista, Miller of Warren, Morrison of Grundy, Morrison of Keokuk, Mullin, Nietert, Nolan, Parker, Perrott, P,tter, Power, Putnam, Ray, Reed, Scott, Smith, Thompson, Tibbitts, Watters, Weaver, Wells, Wheeler, Whelan, Williams -76 .

The nays were:
Messrs. McArthur, Porter, Sullivan-3.
Absent or not voting:
Messrs. Baker, Brady, Chapman, Davis, Doubleday, Funk, Garner, Griswold, Grote, Hunt, Miller of Uherokee, Prentis, Spaulding, St. John, Temple, Van Houten, Voelker, Whittier, Wilson, Wood, Mr. Speaker-21.

So the bill passed and the title was agreed to.
Mr. Potter called up Senate tile No. 96, a bill for an act to legalize the levy and collection of a poor tax, etc., in counties of the State of Iowa.

The bill was read first and second time and referred to the Committee on Judiciary.

The following bills, just received from the Senate, were referred to committees:

The Senate substitute for House file No. 20, to Committee on Building and Loan Associations; Senate file No. 35, to Committee on Fish and Game.

On motion of Mr. Cornwall, the House adjourned till 2 p. m. to-day.

## AFTERNOON SESSION.

House met at 2 p. m., Speaker Byers in the chair.
Senate file No. 41, in which the Senate refused to concur in all the House amendments thereto, was taken up and referred to Third Division Code Revision Committee.

## REPORT OF COMMITTEE.

Mr. Cornwall, from the Committee on Judiciary, submitted the following report:

Mr. Speakir-Your'Committee on Judiciary, to whom was referred House file No. 95, a bill for an act to provide for the annotation, indexing, publication, distribution and sale of the Code and statutes hereafter enacted, and the appointment of a supervising committee and the election of an editor and prescribing their duties, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same do pass when amended as follows:

Add to section 4 the following: "Also in the same manner all decisions of federal courts construing statutes of the State of Iowa."
W. W. Cornwall, Chairman.
Ordered passed on file.
The Speaker signed in the presence of the House, House files Nos. 31, 25 and 45.

Mr. Finch moved that the House insist on its amendments to Senate file No. 41.

Carried.
The Speaker appointed as House members of the conference committee on Senate file No. 41, Messrs. Hauger, Ray, Finch and Wilson.

Mr. Funk, from the committee appointed to inquire into the expenditures and receipts of the various departments of the State government, filed a report of said committee together with the transcribed evidence of witnesses called before said committee. The following is the report of the committee:

Mr. Spraker-On the 8th day of February, on motion of Mr. Funk of Hardin, this House adopted the following:

Wherfas, The report of the State Auditor shows there is a large deficit in the finances of the State, which, it is charged by the public press, has been caused largely by unnecessary and illegal expenditures of public funds in several departments of the State government; and

Whereas, It is the duty of this House as the direct representatives of the tax payers of the State to require the utmost economy in the expenditure of public money consistent with the proper and efficient administration of the affairs of the State; therefore, be it

Resolved, That a committee of five members of this House be appointed by the Speaker whose duty it shall be to inquire into the receipts and expenditures of the various departments of the State government with the power to send for and examine persons and papers, to ascertain the number of employes in each department at this time and for the last biennial period, and the amount of wages paid the same, and to take such further steps as in their judgment may be necessary to arrive at a full understanding of the expenditures of the State service, said committee to report its findings, conclusions and recommendations to the House at the earliest practical date.

In pursuance of said preamble and resolution the undersigned were appointed such committee. Your committee at once proceeded to make the required investigation so far as their other duties would permit. The accounts and quality of work of the State printer and binder were, at the request of this committee subsequently transferred to another committee by this House, as this committee felt that its members were not possessed of the practical and technical knowledge necessary to a thorough investigation of the business and work done by these two officers. In no department has our examination been as thorough as we would wish, but must
plead press of other duties as our excuse for not going thoroughly into all the departments, but so far as we have gone this report can be relied upon as being strictly accurate, as will be seen by a transcript of the testimony which is transmitted herewith.

To make the investigation full and complete as contemplated by the resolution under which your committee was organized, we have found it necessary to review the relation of the Executive Council to the various State offices and State officers.

We have no desire to impugn the integrity of any of the present or past members of that council, except where the facts and our duty to the State absolutely demand it, but we have discovered and desire to make prominent in this report a serious defect in the law under which the Executive Council acts, and we believe that the State will find ample compeasation for the investigation in the discovery of a practice although construed to be legal is not, we believe, consistent with the policy and best interests of the State of Iowa.

For many years there has existed a law known as section 120 of the Code and which is as follows: "The Executive Council shall have the charge, care and custody of the property of the State, when no other provision is made, and shall procure for the several offices of the Governor, Secretary of State, Auditor and Treasurer of State, Register of Land Office, Superintendant of Public Instruction, Attorney General and State Librarian, and Clerk and Reporter of the Supreme Court, fuel, lights, blank books, postage, furniture, and any other thing necessary to enable such officers to promptly and efficiently perform the duties of their several offices; the accounts for any expenditure under this section, including repairs of the State house and such other necessary and lawful expenses as are not otherwise provided for shall be audited upon the certificate of such council and the warrants drawn therefor paid by the Treasurer of State. The Executive Council shall report to each regular session of the General Assembly the amounts expended and in general terms what for and how much for each office."

The Executive Council has for a series of years construed this section as conferring the discretion to authorize such expense in the State offices and for the State officers as in the judgment of the council, was wise, without regard to appropriations made by the General Assembly, or, to state it differently, there has been put upon this section such a construction as gives the Executive Council practically concurrent authority with the General Assembly to spend money for almost any purpose which the Council has thought necessary or convenient.

Unfortunately the supreme court in the case of Prime v. McCarthy, in which it held that various expenses which had grown out of the use of the State troops in the trouble at Council Bluffs, might be paid by the Executive Council under this section has given a slight color of legality to this practice. While your committee does not believe that the decision above quoted will warrant the construction placed upon it by the Executive Council, yet sustained by their view of the law the council has, from time to time, employed such clerks, janitors, messengers and other help as its members considered necessary even though the specific appropriation for these purposes made by the General Assembly was thus very greatly
exceeded. Under this section some employes have been placed and drawn pay upon two pay rolls running concurrently and charged to other funds than those appropriated for that department.

It is the opinion of your committee that this practice is not in accord with the best interests of the State of Iowa.

It is, or ought to be, a fundamental principle that the General Assembly alone should authorize the expenditure of the State's money and should dictate the amount of such expenditure, and the sooner we return to that time honored and well approved idea the bettor it will be for the people of the State.

The remedy lies in an amendment of section 120 of the Code which shall curtail and make more specific and definite the right of the Executive Council to expend the moneys of the State, and we very earnestly recommend that in the revision in progress the law shall be so changed as to emphasize the fact that to the General Assembly belongs the exclusive right of declaring what the expense of the various branches of the State government shall be.

Your committee believes that much of the clerical, as well as the janitor help at the State house, is paid salaries out of all proportion to the services performed. In some cases two, three, and even four clerks in a department being paid as high as fifteen hundred dollars ( $\$ 1,500.00$ ) per year; this your committee believes to be an injustice to the tax-payers of the State, and would recommend that there be an extra special committee appointed at each biennial term of the legislature composed of the chairman of the Ways and Means and Appropriation Committees of the Senate and of the Ways and Means, Appropriation and Judiciary Committees of the House, and that each State officer and board be required to submit to said committee a proposed list of the employes and clerks for the ensuing biennial term, and that in consultation with this committee, the salary of said employes be fixed, and that it be the duty of said committee to report to the Appropriation Committee of the House and Senate the appropriations necessary for the clerical help of each State officer including the custodian and all boards and commissioners employing help drawing pay from the State.

This plan your committee believes will put the clerical and other employes of the State upon a rational and business basis, insure reasonable salaries and prevent the extravagances that have grown up under the present system or plan of employing clerks or other employes, and fixing their salaries by the independent actions of the various boards of the State officers.

Your committee finds the system of invoices and keeping of accounts hitherto in vogue in the supply department, unsatisfactory and unbusiness like; there has been no system of checks or balances, nor is there any way of ascertaining the value of supplies drawn by any department of the State government. As many articles in this department of the same name and general description, vary greatly in cost, we would recommend that the Secretary of State be directed to instruct the clerk of said department to preserve on each requisition, in a separate column, the cost of each item as well as the item itself, and that a system of book-keeping be inaugurated that will give a strict accounting of all supplies received and disbursed by the State.

We also recommend that the clerk of the supply department be instructed to submit estimates from time to time of supplies needed to the Secretary of State, which shall by him be submitted to the Executive Council, and on its orders purchases shall be made. It is also recommended that the chief clerk of the House and secretary of the Senate be limited in their ability to draw supplies from this department on their personal requisitions to the necessities of their own desks and those of the clerks under their immediate supervision.

It is also believed by your committee that there should be a more strict supervision by the chairman of each committee in the Legislature for the supplies drawn for such committee, and that the chairman himself be charged with the responsibility of filling out the requisitions instead of leaving the same to the clerks. We also find that the privilege accorded press reporters of drawing stationery is greatly abused and recommend its discontinuance. At all regular sessions we would recommend that the number of committee clerks be limited to one to each room; that the number of cloak room janitors be reduced to three; that but one journal clerk be employed in the future; we believe that a stenographer for the chief clerk is entirely unnecessary; that paper folders are a useless appendage; that the number of pages should be reduced; that the number of doorkeepers should be reduced one-half; in short we believe that it is the duty of this Legislature to reduce every department of the State government to a rigid economical business basis.

Your committee finds that owing to lack of data as to time consumed by the various township and district assessors in getting the various statistics required by law the total cost of the State census can not be accurately determined. The cost of the blanks for the various assessors as nearly as your committee can ascertain was:


The tabulating after it came into the office of the Secretary of State cost $\$ 37,418.00$. The printing of the report cost $\$ 5,235.00$. Paper cost $\$ 3,009.60$. The binding cost $\$ 13,130,00$, making a total of $\$ 64,030.44$ after it reached the office of the Secretary of State; to this must be added the expense to the counties of gathering the information by the various assessors which, from the best information your committee can get, was as much more, making a grand total of $\$ 128,060.88$.

Your committee has diligently inquired into the truth of the various charges that have been made by a portion of the public press as to dishonesty and extravagance in tabulating and printing this report; while there are many pages of useless repetitions and of matter which, though useful in a historical work, is entirely out of place in a report of this character, this should be charged to the editorial and not to the other departments of the work. From all the evidence your committee can gather, both from expert witnesses and from a careful personal inspection, as well as by pains-taking comparisons with the reports of 1875 and 1885, we are of the opinion that the work of the State printer on this report has been fairly and honestly done, that the various tables in this
report are as compactly placed and with less waste of space than those of either of the former reports. We make this statement the more cheerfully because in other departments of the work we find little to commend

We find that the clerks engaged in the tabulating were paid three dollars per day, while all the witnesses, including the ex-Secretary of State, who had this work in charge, agree that the same help could have been hired at two dollars per day, this item alone involving a useless expenditure of over twelve thousand dollars; added to this the testimony shows that many more clerks were employed than could be worked to advantage. All the witnesses who were questioned on this point agree that one-half the number of competent clerks working as diligently as such clerks work in business houses would have performed this work in a better manner and in as short a time as it was done by all. In other words the testimony shows that under an economical and business like administration of this department this work could have been done for twelve thousand dollars instead of costing as it did over thirty-seven thousand dollars. Even had twothirds the number of competent clerks been necessary to perform the work in the same time (and no witness puts it as high as this) we still have a loss to the State of nearly twenty thousand dollars in this item alone.

We also find that certain clerks were carried on the censuspay roll from two to six monthe at three and four dollars per day and at the same time were drawing pay as clerks in the office of the Secretary of State in sums ranging from twenty-five to sixty-five dollars per month.

We further find that a large number of clerks employed on the census, on one pretext or another through fear of dismissal were compelled to contribute of their earnings sums varying from ten to thirty dollars per month to the then Secretary of State.

Your committee is of the opinion that the present system of taking and publishing the census is extravagant, and much of it useless. The crop statistics are three years old before they get to the public and can serve no useful purpose commensurate with the cost. Your committee is advised that the dropping of this feature will lessen the costat least one-half. We believe that the Senate amendment to the present law covers all that should be embodied in a State census under present conditions.

With malice toward none, with charity for all, with only the good of our commonwealth in view, we respectfully submit the foregoing findings, conclusions and recommendations to the consideration of your honorable body.
J. H. Funk,
J. W. Lauder, M. J. Davis, Geo. T. Baker, Chris. Vobleer, Committee.
Mr. Early, from the Insurance Committee, submitted the fullowing report:

Mr. Speaker-Your Committee on Insurance, to whom was referred House file No. 18, respectfully report that they have had the same under
consideration and have instructed me to report the same back to the House with the following recommendations:

Your committee finds that the Senate made the following amendments to House file No. 18 as it passed the House, with which your committee recommends the House to concur with the Senate.

## CHAPTER 4.

Amend by adding after "title" the following: "Be it enacted by the General Assembly of the State of Iowa." Also, by inserting after "Chapter 4, Title IX" the following: "of insurance other than life." Strike out. "Be it enacted by the General Assembly of the State of Iowa" where the words occur after "Chapter 4, Title IX."

Section 16, by striking out the " $s$ " from the word "pledges" in line 7 .
Section 24, by striking out all after the word "shall" in line 1, down to and including the word "made" in line 2, and insert after the word "section" in line 3, the following: "for thirty days after payment has been made by registered letter or personal notice."

Section 26, subsection 2, by adding after the word "causes' in line 9 of printed bill the words "none but stock companies shall engage in fidelity and assurity business." Also, strike out "and to" in line 7 and insert "or" in lieu thereof.

Section 26, subsection 6, strike out all of said subsection after the word "boilers" in line 2.

Section 28, by striking out all after "loan" in line 3, down to and including "respondentia" in line 4, and insert before "loan" in line 3, the word "such."

Section 30, by striking out the figure " 1 " and insert the word "one."
Section 32, by striking out the word "such" from line 2.
Section 40, by adding the word "of" to line 5 between the words "provisions" and "law" in the original bill.

Section 46, insert before the word "preceding" the word "two" in line 1 , and add to the end of the word "section" the letter "s" in line 2.

Section 56, By adding to the end thereof the following: "No such company shall write, place or cause to be written or placed, any policy or contract for insurance upon property situated or located in this State, except through its resident agent or agents."

Section 60, line 1 , insert after the word "loss" the words "and proof thereof," and after the word "section" in the same line the words "and the notice and proof of loss under oath in case of insurance on personal property." In line 3 of same section strike out the word "has" and insert in lieu thereof the words "and proofs have." In line 4 strike out the word. "two" and insert in lieu thereof the word "one." In line 6 strike out the word "two" and insert the word "three" in lieu thereof.

Section 62, by adding the following at the end of the section: "Any condition or stipulation in policy of insurance fixing the amount of liability or recovery under such policy with reference to pro-rating with other insurance on property insured, shall be valid except as to other valid and collectible insurance, an agreement to the contrary notwitstanding."

Section 65, by adding at the end thereof the following: "Any person who shall hereafter solicit insurance or procure application therefor, shall. be held to be a soliciting agent of the insurance company or association,
issue any policy on such application or on a renewal thereof, anything in the application, policy or contract to the contrary notwithstanding."

Section 69, add to the end of section "but in no case shall any foreign insurance company be examined except by order of the Executive Council."

Section 70, strike out all of section 70 and insert the following: "It shall be unlawful for two or more fire insurance companies doing business. in this State, or for the officers, agents or employes of such companies, to make or enter into any combination or agreement relating to the rates to be charged for insurance, the amount of commission to be allowed agents for procuring the same, or the manner of transacting the fire insurance business within this State, and any such company, offeer, agent or employe violating this provision, shall be deemed guilty of a misdemeanor, and on conviction thereof shall pay a penalty of not less than one hundred dollars nor more than five hundred dollars for each offense, to be recovered in the name of the State for the use of the permanent school fund."

Section 71, original bill, strike out the word "so," in line 1, and insert the word "to" in lieu thereof.

Renumber all sections after section 58.
CHAPTER 5.
Amend the title by adding after "Title IX" the words "of mutual, fire, tornado and hail storm assessment insurance associations."

Section 8, in last line of section, strike out the word "and" and insert the word "or" in lieu thereof.

CHAPTER 6.
Sestion 3, in line 1, insert after the word "organized" the words "under the laws of this State.

Section 5, line 5, insert after the word "bonds" the words "when they are at par." In line 6, strike out the words "where said deposits are made" and insert in lieu thereof the words "of some other State." In line 7, of same section, after the word "within" insert the words "this or." Also, in line 5, strike out the word "of" and insert the word "in" between the words "or" and "interest."

Section 6, by striking out the figures "31st" and spelling it in full, in line 4.

Strike out subsection $341 / 2$.
Section 7, line 11, strike out the figures " 8 " and " 8 " and insert in liew thereof the words "eight" and "eight."

Section 9 , line 11, insert after the word "further" the word "new." CHAPTER 7.

In title strike out the word "flexible" and insert the word "stipulated."
Section 1, strike out the word "flexible" wherever it occurs in said section and insert in lieu thereof the word "stipulated." Strike out the figure " 8 ," in last line and insert the word "eight." Also, strike out the the figure " 9 ," in same line, and insert the word "nine" in lieu thereof.

Section 8 , line 3, strike out the figures " 8 " and " 8 " and insert the words "eight" and "eight" in lieu thereof.

Section 11, line 4, strike out the word "flexible" and insert in lieu thereof the word "stipulated." In line 21 , strike out the figures " 10 " and insert.
the word "ten." Also, in same line, strike out the figure " 8 " and insert the word "eight" in lieu thereof.

Section 13, line 1, strike out the words "or title." In line 7, strike out the word "title" and insert the word "chapter."

Section 14, by adding after the word "provide" in line 2, the following: "For the equitable distribution of any surplus or advance insurance fund accumulated in the course of its business, which may be paid in cash or applied in the reduction or payment of future premiums, paid up or extended insurance, as its rules or contracts may provide, and." In line 2, strike out the word "flexible" and insert the word "stipulated."

CHAPTER 8.
Amend title by inserting after "Title IX" the words "of provisions applying to life insurance companies and associations."

Section 3, insert the word "new" after the word "solicits" in line 1.
Section 8, strike out the word "the" in line 3 and insert in lieu thereof the word "this."

Section 10, by striking out all of the section after the word "instrument" in line 15.

Section 12, strike out the word "assessment" where it occurs in lines 9 and 11. Also strike out the words "the laws of this State" line 9 of printed bill and insert in lieu thereof "chapter seven of this title." Also. before the word "companies" in line 11 insert the word "like."

Section 15, strike out section 15 and insert the following: "Section 15. In all cases where it shall appear that the age of the person insured has been misstated in the proposal, declaration or other instrument upon which any policy of life insurance has been founded or issued, then and in such case, the person or company issuing such policy, shall, upon the discovery of such misstatement be permitted to demand and collect the difference of premium, if any, which would be due, with interest not to exceed six per cent per annum, and payable on account of the true age of the assured, from year to year, according to the rates of premium of such person or company, upon which such policy was issued; or such person or company so issuing the policy may after the decease of the assured deduct from the amount payable by the policy the difference of premium, if any, with interest, which would so have been payable from year to year, by reason of any difference of age at time of issuance of such policy, and no other defense or deduction by such person or company issuing such policy, shall be permitted after the death of the person assured, on account of such misstatement of age of the assured, notwithstanding any warranty of such statement of age by terms of policy or otherwise, except when it be shown by the person or company insuring that the policy was procured by fraud in fact."

Section 16, strike out all of section 16.
Section 17, strike out all of section 17.
Section 19, line 1, strike out the words "fifty-seven" and "sixty-five" and insert in lieu thereof the words "sixty-six" and "sixty-seven." In line 1, strike out the figure " 4 " and insert the word "four."

Section 22, by inserting "the," in line 3, after the words "copy of." Also, add at the end of the section the following:
"For filing an examination of first application and the issuance of the certificate thereon, ten dollars.
"For filing each annual statement and issuance of renewal certificate, three dollars.
"For each agent's certificate, fifty cents.
"Provisions of the chapter on insurance other than life shall apply as the fees under this and the two preceding chapters except as modified by this section."

Section 24, amend chapter 8 by inserting the following as section 24: "Section 24. No stipulation or condition in any policy or contract of insurance or beneficiary certificate issued by any company or association mentioned or referred to in thi chapter limiting the time to a period of less than one year after knowlege by the beneficiary, within which notice or proofs of death or the occurrence of other contingency insured against, must be given, shall be valid."

Renumber sections in chapter 8.
CHAPTPR 81/9.
Section 1, strike out the words "provided that this act" in line 9, and insert in lieu thereof the words "but the provisions of this chapter."

Section 3, by striking out the word "act" and inserting in lieu thereof the word "chapter."

Section 4, by striking out the word "act" and inserting in lieu thereof the word "chapter."

Section 8, strike out all of section 8.
Section 9, strike out the semi-colon (;) after the word "provided" in line 6, and insert a comma (,). In line 1 strike out all after the word "State" down to and including the second word "State," in line 2, and insert "shall be permitted to do business in the State." In line 6 strike out "and provided that" and insert the word "if." In line 12 strike out the character and figure " $\$ 5$ " and insert the words "five dollars."

Section 16, strike out the word "act" wherever it occurs in the section and insert in lieu thereof the word "chapter."

Section 17, strike out the word "act" in lines 3 and 4 and insert the word "chapter" in lieu thereof.

We find that the Senate has. made the following amendments with which your committee recommend the House do not concur.

## CHAPTER 4.

Section 38, by adding at the end of section 38 the following: "but such companies organized to insure against personal injury, disablement or death, resulting from traveling or general accidents by land or water exclusively, having an actual paid up capital of one hundred thousand dollars and one hundred thousand dollars cash surplus safely invested exclusive of any assets deposited in other states and territories, for the special benefit or security of the insured therein, shall be deemed to be possessed of two hundred thousand dollars actual paid up capital within the meaning of this section."

Section 58, by striking out the words "condition of the" and insert in lieu thereof the word "such."

Also the following amendments to which your committee recommends amendments and when so amended that the House do concur.

Section 59, by inserting the following as section 59: 'In any action brought in any court in this State on any policy of insurance for the loss of any building so insured the amount stated in the policy shall be received as prima facie evidence of the insurable value of the property at the date of the policy; provided the insurance company or association issuing such policy may show the actual value of said property at date of policy and any depreciation in the value thereof before the loss occurred, but the said insurance company or association shall be liable for the actual value of the property insured at the date of the loss unless such value exceeds the amount stated in the policy. And in an action on such policy it shall only be necessary for the assured to prove the loss of the building insured, and that he has given the company or association notice in writing of such loss, accompanied by an affidavit stating the facts as to how the loss occurred, so far as they are within his knowledge, and the extent of his loss." For which your committee offers the following as an amendment, that is, by striking out the Senate amendment and inserting in lieu thereof the following:
"In any action brought in any court in this State on any policy or contract of insurance for the loss of any building insured thereunder, the amount covering said building and the additional insurance permitted on said building in such policy or contract shall be taken and held to be the insurable value of said building at the date of such policy or contract, but the insurance company may show any depreciation in the value thereof after the date of said policy or contract and before the loss occurred, and when it is proven that the depreciation exceeds one-third the amount of insurance covering said building and the additional insurance permitted in said policy or contract the excess of depreciation above the said one-third of insurance and permitted insurance on said building may be deducted from the whole amount of valid insurance on said building at the time of said loss.
"And in an action on such policy or contract it shall only be necessary for the assured to prove the loss of the building insured and that he has given the company, or its agent, notice in writing of such loss stating the facts as to how the loss occurred so far as they are within his knowledge and the extent of his loss."

And also a new section inserted between sections 59 and 60 to be known as seetion 60, as follows:
"Sec. 60. Any condition or stipulation in application, policy or contract of insurance making the policy void or voidable, before the loss occurs, shall not prevent a recovery by insured or his assignee if it be shown by plaintiff that the failure to observe such provision or a violation thereof did not contribute to the loss, provided, however, that such condition or stipulation does not refer to other insurance, valid or invalid, vacancy of insured premises, or the title or ownership of property insured, or encumbrances thereon created by yoluntary act of insured and within his control, or to the forfeiture of policy during default for failure to pay a written obligation made to insurance company for premium, or to the fraud of insured in the procurement of contract of insurance. No recorery on a policy or contract of insurance shall be defeated for failure of insured to comply, after a loss occurs, with any arbitration or appraisementstipulation as to fixing value of property unless it be plead and proven
that the insurance company gave written notice to insured or his assignee of its election to determine the amount of loss by appraisement or arbitration as provided in policy, and thereafter insured failed to comply with such requirements. No appraisement or arbitration shall take place except where the property was situated at the time of the loss. Nothing herein shall be construed to change the limitations or restrictions respecting the pleadings or proving of any defense by any insurance company to which it is now subject. The provisions of this section shall apply to all contracts of insurance on real and personal property."

To which your committee offers the following amendment: By striking out all after the word "unless" down to and including the word "requirement" and insert in lieu thereof the following: "appraisement has actually been had and an agreement reached by the appraisers; but nothing herein contained shall be construed as abridging the rights or arbitration under the Code." And also insert after the words "at the time of the loss" the following: "Any agreement, stipulation or condition in any policy or contract of insurance by which any insurance company reserves or has the right to rebuild or repair shall be void and of no effect." Also strike out the word "now" before the word "subject" and insert after the word "subject" the words "by law."

Also, amend section 62 by striking out the word "fire" in line 2, to which your committee would recommend the following amendment: By adding thereto the following: 'also, strike out the word 'fire' in line 2 , of section 61, and the word 'fire' in line 5, of section 63."

CHAPTER 5.
Section 8, amended as follows: By striking out all after the word "office," line 7, down to and including the word "same," line 9, printed bill, and insert: If the Auditor appoints some one not receiving a regular salary in his office, to make the examination provided for in this section, he shall be entitled to receive five dollars per day for his services, in addition to his actual traveling and hotel expenses, but if a regular employe of his office, he shall be paid only his actual traveling and hotel expenses, to be paid by the association examined, or by the State upon the approval of the Executive Council, if the association fails to pay the same." To which your committee recommends the following amendment: Strike out the last sentence of the Senate amendment beginning with the words "But no company," etc.

## CHAPTER 7.

Section 12, amend as follows: By inserting the words "or life" after the word "assessment," in line 13, for which your committee recommends the following amendment in lieu thereof: "Amend section 12 by striking out the word "assessment," in line 13, and insert the word "like" after the word "some."

## CHAPTER 8.

Section 23, line 11, insert after the word "representations" the words "made by the assured," for which your committee would recommend that the Senate amendment be amended by adding at the end thereof the following: "Also, add at the end of said section 23 the following: 'The
intention of these provisions is that the insured shall have the whole contract, terms and conditions before him, and shall be so constrúed as to do full and exact justice between the parties in each particular case.'"

Also, renumber sections in 8 and $81 / 2$.

> c. L. Early, Chairman.

On motion of Mr. Dowell, the House adjourned until 9 A. m to-morrow.

## Hall of the Housf of Representatives, <br> Des Monees, Iowa, Thursday, April 15, 1897. $\}$

House met at 9 A. m., Speaker Byers in the chair.
Prayer by Rev. D. M. Ogilvie, Oakland, Iowa.
PETITIONS AND MEMORIALS.
Mr. Doubleday presented petition of citizens of Polk county, asking that the number of judges of the ninth judicial district be reduced from four to three.

Referred to Committee on Code Revision, First Division.
Mr. Johnson of Webster presented petition of citizens of Ft. Dodge, asking that a bill be passed to legalize the collection of the poor tax under section 2168 of the Code.

Referred to Committee on Judiciary.
Mr. Miller of Buena Vista presented petition of county auditor of Buena Vista county, in reference to the same subject.

Referred to Committee on Judiciary.
Mr. Martin presented petition of county auditor of Adair county, in reference to the same subject.

Referred to Committee on Judiciary.
Mr. Hendershot filed the following report:
Mr. Speaker-Your Committee on Rules to whom was referred the concurrent resolution, beg leave to report that they have carofully examined the same and have instructed me to report recommending that the House do not concur.

> J. B. Hendershot, Chairman.

Ordered passed on file.
Mr. Funk moved that report of special investigating committee, which was filed on yesterday, be adopted and the committee discharged.

Carried.
The Speaker announced that upon his own request, Mr. Lavender is released from serving on Conference Committee on House file No. 10, and Mr. Brighton substituted on said committee in lieu of Mr. Lavender.

The Speaker announced that for the benefil of committees or members needing clerical help, the following clerks will hereafter be found from 9 A. м. to 6 p. M. in the committee rooms hereby assigned to them, as follows:

Room No. 1, Miss Wilson.
Room No. 1, Miss Hobbs.
Room No. 6, D. C. Wright.
Room No. 27, Edna Funk.
Room No. 27, Anna Foster.
Room No. 10, Clyde Hart.
Room No. 8, L. A. Turner.
Room No. 13, Wellington Martin.
Room No. 15, Katherine Davis.

## REPORT OF COMMITTEE ON ENROLLED BILLS.

Mr. Hauger, from the Committee on Enrolled Bills, submitted the following report.

Mr. Speaker-Your Committee on Enrolled Bills respectfully report that they have this day sent to the Governor for his approval:

House file No. 25, a bill for an act to revise, amend and codify the statutes in relation to the regulation of carriers by railway.

House file No. 31, a bill for an act to revise, amend and codify the statutes in relation to fences.

House fle No. 45, a bill for an act to revise, amend and codify the statutes in relation to the practice of pharmacy.

W. E. Hauger, Chairman.

April 15, 1897.

## MESSAGES FROM THE SENATE.

The following message was received from the Senate:
Mr. Speaker-I am directed to inform your honorable body that the Senate has refused to concur in the following House amendments: To section 25, chapter 5, page 931 ; by adding to chapter 12, section 24, page 946; seetion 15, chapter 16, page 954; restoring section 8, page 957; page 958, striking out section 5 of the Code Committee report and inserting a new section; adding to section 15, chapter 20, certain words (page 961); section 5, chapter 26, page 971; section 2, chapter 35, line 2, page 983; section 3, chapter 35, line 2, page 987; section 6, chapter 35, line 8, page 984; section 5, chapter 44, line 4, page 991; to Senate file No. 77, a bill for an act to revise, amend and codify the statutes in relation to eriminal procedure, and concurs in the following House amendments: Section 4, line 2, page 929; section 19, chapter 5, page 931; section 3, chapter 18, page 957; line 4 , section 12 , chapter 22 , page 961 ; line 2 , page 963 ; chapter 22 , by striking out sections $1,2,3,4$, and 5 and inserting certain words in lieu thereof for seation 1; also numbering section 6 of this chapter section 2 ;
section 10 , chapter 26 ; line 2 , page 971 ; section 14 , page 978 , restoring section 14 ; section 10 , chapter 33 , line 5 ; section 2 , chapter 35 , line 10 , page 983; section 6, chapter 35 , line 10 , page 984 .

Geo. A. Newman, Secretary.

## Also:

Mr. Speaker-I am directed to inform your honorable body that the Senate has amended and passed the following bill in which the concurrence of the Senate was asked:

House file No. 33, a bill for an act to revise, amend and codify the statutes in relation to intoxicating liquors.

> Geo. A. Newman, Secretary.

Also:
Mr. Speaker-I am directed to inform your honorable body that the Senate has concurred in the House amendments to sections 22, 36, 42 and 72 of Senate file No. 20 , a bill for an act to revise, amend and codify the statutes in relation to the construction and operation of railways; and that the Senate refuses to concur in the House amendments to sections 42 and 45; and that the Senate has adopted a substitute for the House amendment to section 38 .

Geo. A. Newman,
Secretary.

## REPORT OF COMMITTEE ON ENROLLED BILLS.

Mr. Hauger from the Committee on Enrolled Bills, submitted the following report:

Mr. Speaker-Your Committee on Enrolled Bills respectfully report that they have examined, and find correctly enrolled House file No. 21, a bill for an act to revise, amend, and codify the statutes in relation to internal improvements.
W. E. Hauger, Chairman.
Ordered passed on file.
REPORT OF JOINT COMMITTEE ON ENROLLED BILLS.
Mr. Hauger, from the Joint Committee on Enrolled Bills, submitted the following report:

Mr. Speaker-Your Joint Committee on Enrolled Bills respectfully report that they have examined, and find correctly enrolled, House file No. 21, a bill for an act to revise, amend, and codify the statutes in relation to internal improvements.
> G. S. Gilbertson, Chairman Senate Committee.
> W. E. Hauger, Chairman House Committee.

Ordered passed on file.
Also:
Mr. Speaker-Your Joint Committee on Enrolled Bills respectfully report that they have examined, and find correctly enrolled, Senate file No.

94, a bill for an act to revise, amend and codify the statutes in relation to the system of common schools.

G. S. Gilbertson, Chairman Senate Committee.<br>W. E. Havakr, Chairman House Committee. Chairman House Committee.

Ordered passed on file.
Also:
Mr. Speakir-Your Joint Committee on Enrolled Bills respectfully report that they have examined, and find correctly enrolled, Senate file No. 36, a bill for an act to revise, amend and codify the statutes in relation to the practice of dentistry.

G. S. Gilbertson.<br>Chairman Senate Committee.<br>W. E. Hauger, Chairman House Committee.

Ordered passed on file.
Also:
Mr. Speaker-Your Joint Committee on Enrolled Bills respectfully report that they have examined, and find correctly enrolled, Senate file No. 37, a bill for an act to revise, amend and codify the statutes in relation to the practice of medicine.

> G. S. Gilbertson, Chairman Senate Committee. W. E. HaUGer, Chairman House Committee.

Ordered passed on file.
Senate file No. 20, just messaged from the Senate, was made a special order for 2 P. M., on motion of Mr. Lauder.

Senate file No. 77 was taken up and referred to Committee on Judiciary.

House file No. 83, in relation to intoxicating liquors, was referred to Committee on Suppression of Intemperance.

On motion of Mr. Dowell, House adjourned till 2 p. m. to-day.

## AFTERNOON SESSION.

The House met at 2 P. m. pursuant to adjournment, with Speaker Byers in the chair.

PETITIONS AND MEMORIALS.
Mr. Whelan presented petition of brotherhood of loco notive firemen of Emmett Lodge No. 283, of Estherville, Iowa,
against the Berry substitute and in favor of the Temple amendment.

Passed on file.
Mr. Hinman presented petition of Eagle Grove Division No. 164 , order of railway conductors, in favor of the Temple amendment.

Passed on file.
Mr. McDonald presented petition of Division No. 184, brotherhood of locomotive engineers, of Stuart, Iowa, in favor of the Temple amendment.

Passed on file.
REPORTS OF COMMITTEES.
Mr. Cornwall, from the Committee on Judiciary, to whom was referred Senate file No. 77, a bill for an act to revise, amend and codify the statutes in relation to criminal procedure, reported as follows:

Mr. Sphaker-Your committee beg leave to report that they have had Senate file No. 77 under consideration, in so far as it relates to the action of the Senate on the House amendments to said bill, and have instructed me to report recommending that the House insist on all of its amendments in which the Senate refuses to concur and ask the appointment of a conference committee. Said amondments are as follows:

Amendment to section 25, chapter 5, page 931.
Amendment to section 24, chapter 12, page 946.
Amendment to section 15, chapter 16, page 954.
Amendment to section 8, page 957.
Amendment to section 5, page 958.
Amendment to section 15, chapter 20, page 961.
Amendment to section 5, chapter 26, page 971.
Amendment to section 2, chapter 35, page 983.
Amendment to section 3, chapter 35, page 984.
Amendment to section 6, chapter 35, page 984.
Amendment to section 5, chapter 44, page 991.
W. W. Cornwall, Chairman.
The report of the committee was adopted and the House insisted on its amendments to Senate file No. 77.

Mr. Whelan, from the Committee on Fish and Game, submitted the following report:

Mr. Speaker-Your Committee on Fish and Game, to whom was referred Senate file No. 35, a bill for an act to revise, amend and codify the statutes in relation to the care and propagation of fish and the protection of birds and game, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the House insists upon the following amendments:

Amendment to section 2, line 11, of the substitute; also, section 2, line 10.

Amendment to section 4, line 1.
Amendment to section 13, line 7, after the word "June;" also, amendment to section 23, relative to "blue jays," lines 5 and 6.

And that the House recede from the following amendments:
Amendment to section 10, lines 4 and 5.
Amendment to section 14, lines 4 and 6.
M. K. Whelan, Chairman.
Ordered passed on file.
The Speaker appointed as the House members of conference committee on Senate file No. 77, Messrs. Cornwall, Power, McArthur and Byington.

On the question, "Shall report of committee on Senate file No. 35 be adopted?" the yeas were:

Messrs. Bailey, Baker, Bell, Bird, Bowen, Brady, Brant, Brighton, Brinton, Byington, Chapman, Clark, Classen, Cook, Cornwall, Crow, Davis, Doubleday, Early, Evans, Finch, Frazee, Frink, Funk, Garner, Good, Gurley, Hauger, Hazen, Hendershot, Hinman, Hunt, Huntley, Johnson of Webster, Ladd, Lauder, Lavender, Loomis, Lowry, McAchran, McDonald, McDowell, McNulty, McQuin, Manahan, Marti, Martin, Mayne, Miller of Buena Vista, Miller of Cherokee, Miller of Warren, Morrison of Grundy, Morrison of Keokuk, Mullin, Nietert, Parker, Porter, Power, Prentis, Putnam, Ray, Reed, Smith, Sullivan, Temple, Thompson, Van Houten, Voelker, Weaver, Wells, Whelan, Whittier, Williams, Wilson, Mr. Speaker-76.

The nays were:
None.
Absent or not voting:
Messrs. Allen, Dowell, Edwards, Griswold, Grote, Haugen, Hayes, Hinkhouse, Jackson, Jay, Johnston of Franklin, Klemme, Lambert, McArthur, Merriam, Nolan, Perrott, Potter, Scott, Spaulding, St. John, Tibbitts, Watters, Wheeler, Wood -24.

So the report was adopted.
The Speaker appointed as House members of the conference committee on Senate file No. 35, Messrs. Whelan, Mayne, Crow and Frazee.

On motion of Mr. Dowell, House file No. 33 was made a special order for Wednesday, April 21, at 2 p. m.

The House took up for consideration Senate file No. 20, with Senate action on House amendments thereto.

Mr. Lauder moved that the House recede from its amendments to section 42, line 3, and section 45 . Also that the House agree to Senate amendments to House amendments to section 42.

On the question, "Shall the motion prevail?" the yeas were:
Messrs. Bailey, Baker, Bell, Bowen, Brady, Brant, Brighton, Brinton, Byington, Chapman, Clark, Classen, Davis, Dowell, Evans, Frazee, Funk, Garner, Grote, Gurley, Hauger, Hayes, Hazen, Hendershot, Hunt, Huntley, Jackson, Jay, Klemme, Ladd, Lambert, Lauder, Loomis, Lowry, McAchran, McArthur, McDonald, McDowell, McQuin, Manahan, Marti, Martin, Mayne, Merriam, Miller of Buena Vista, Miller of Cherokee, Morrison of Keokuk, Nietert, Nolan, Parker, Power, Prentis, Putnam, Ray, Smith, Sullivan, Tibbitts, Weaver, Wells, Whelan, Whittier, Williams, Mr. Speaker-63.

The nays were:
Messers. Cook, Cornwall, Crow, Doubleday, Early, Finch, Hinman, Johnson of Webster, Lavender, Morrison of Grundy, Mullin, Porter, Potter, Reed, Scott, Temple, Van Houten, Wilson-18.

Absent or not voting:
Messrs. Allen, Bird, Edwards, Frink, Good, Griswold, Haugen, Hinkhouse, Johnston of Franklin, McNulty, Miller of Warren, Perrott, Spaulding, St. John, Thompson, Voelker, Watters, Wheeler, Wood-19.

So the motion prevailed.
Mr. Lauder moved that the House agree to the Senate substitute for the House amendment to section 38.

On the question, "Shall the House agree to the Senate substitute?" the yeas were:

Messrs. Bowen, Brighton, Clark, Davis, Edwards, Evans, Garner, Gurley, Hendershot, Hunt, Lauder, McArthur, Manahan, Merriam, Miller of Warren, Morrison of Keokuk, Parker, Prentis, Weaver-19.

The nays were:
Messrs. Bailey, Baker, Bell, Bird, Brady, Brant, Brinton, Byinton, Chapman, Classen, Cook, Cornwall, Crow, Doubleday, Dowell, Early, Finch, Frazee, Frink, Funk, Good, Grote, Hauger, Hayes, Hinman, Huntley, Jackson, Johnson of Webster, Johnston of Franklin, Klemme, Ladd, Lambert, Laven- rott, Porter, Potter, Power, Putnan, Ray, Reed, Scott, Smith, Sullivan, Temple, Thompson, Van Houten, Voelker, Wells, Whelan, Whittier, Williams, Wilson, Mr. Speaker-68.

Absent or not voting:
Messrs. Allen, Griswold, Haugen, Hazen, Hinkhouse, Jay, McNulty, Spaulding, St. John, Tibbitts, Watters, Wheeler, Wood-13.

So the House refused to agree to the Senate substitute.
Mr. Brant moved to reconsider the vote just taken.
Mr. Klemme moved to lay this motion on the table.
Carried.
On motion of Mr. Finch, the House adjourned till 9 A. m. to-morrow.

Hall of the House of Representatives, Des Moinfes, Iowa, Friday, April 16, 1897. $\}$
House met at 9 A. m., Speaker Byers in the chair. Prayer by Rev. A. S. Black, of Marcus, Iowa.

## REPORT OF SPECIAL COMMITTEE.

Mr. Mullin offered the following report:
Mr. Spfakir-Your committee to draft resolutions relative to the death of the late S. L. Steel, respectfully report as follows:

Whereas, An Allwise Providence has removed by death the Hon. S. L. Steel, a most worthy and respected member of this House in the Twentysecond and Twenty-third General Assemblies; therefore, be it

Resolved, By the House of Representatives here assembled that we deeply mourn the loss of this representative citizen whose noble manhood and unswerving devotion to Iowa's best interests, and an inspirator of the highest citizenship, whose wise and prudent councils have left their imprint on the state and are bearing good fruits in her laws; and be it further

Resolved, That the members of this House hereby tender their sympathies to the sorrowing relatives; that we cheerfully testify to the personal worth and high character of the deceased; that these resolutions be spread upon the Journal of the House, and that the Chief Clerk be instructed to mail a copy to the bereaved family at De Funiak Spring, Florida.
W. Mullin,
T. J. Sullivan, J. L. Good.

Committee.
Adopted unanimously by a rising vote. PETITIONS AND MEMORIALS.
Mr. Voelker presented petition of principals of schools, Dubuque, Iowa, urging passage of sections 1, 2, and 4 of the cigarette bill with amendments.

Referred to Committee on Code Revision, Division No. 4.
Mr. Nolan presented petition of principals of schools of Dubuque, Iowa, reference to the same subject.

Referred to Committee on Code Revision, Division No. 4.
Mr. Hunt presented petition of Charles Starker and 1,300 other citizens of Burlington, Iowa, requesting the passage of
a manufacturing law for liquors similar in scope and purpose to the Illinois law.

Referred to Committee on Suppression of Intemperance. REPORTS OF COMMITTEES.

Mr. Smith, from the Committee on Printing, submitted the following report:

Mr. Speaker-Your Committe on Printing, to whom was referred House file No. 97 , a bill for an act providing for the annual settlement of accounts and the publication of an itemized statement of all moneys paid out by the State, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same do pass.

## P. A. Smite, Chairman.

Ordered passed on file.
Mr. Cornwall, from the Committee on Judiciary, submitted the following report:

Mr. Speaker-Your Committee on Judiciary, to whom was referred Senate file No. 96, a bill for an act to legalize the levy and collection of taxes for county revenue and for support of the poor, beg leave to report tbat they have had the same under consideration, and have instructed me to report a substitute, herewith submitted to the House, with the recommendation that the same do pass.
W. W. Cornwall,

Chairman.
Substitute read first and second time.
On motion of Mr. Cornwall, the substitute for Senate file No. 96 , a bill for an act to legalize the levy and collection of taxes for county revenue and for support of the poor, with report of committee recommending passage, was taken up and considered.

Mr. Potter moved that the rule be suspended, and that the bill be read a third time now, which motion prevailed, and the bill was read a third time.

On the question, "Shall the bill pass?" the yeas were:
Messrs. Allen, Bailey, Baker, Bell, Bird, Brant, Brighton, Brinton, Byington, Chapman, Clark, Classen, Cook, Cornwall, Crow, Davis, Doubleday, Dowell, Early, Edwards, Evans, Finch, Frazee, Frink, Funk, Garner, Good, Griswold, Gurley, Hauger, Hazen, Hendershot, Hinman, Hunt, Huntley, Jay, Johnson of Webster, Johnston of Franklin, Klemme, Ladd, Lauder, Lavender, Loomis, Lowry, McAchran, McDonald, McDowell, McQuin, Manahan, Marti, Martin, Mayne, Miller of Buena Vista, Miller of Cherokee, Miller of Warren, Morrison of Grundy, Morrison of Keokuk, Mullin, Nietert, Nolan, Parker, Perrott,

Porter, Potter, Power, Prentis, Putnam, Ray, Reed, Scott, Smith, Sullivan, Temple, Thompson, Voelker, Watters, Weaver, Wells, Whelan, Whittier, Williams, Wilson, Mr. Speaker-83.

Mr. Van Houten voted in the negative.
Absent or not voting:
Messrs. Bowen, Brady, Grote, Haugen, Hayes, Hinkhouse, Jackson, Lambert, McArthur, McNulty, Merriam, Spaulding, St John, Tibbitts, Wheeler, Wood-17.

So the bill passed and the title was agreed to.
The Journals of Tuesday, Wednesday, and Thursday, April $13 \mathrm{th}, 14 \mathrm{th}$, and 15 th , were corrected and approved.

The Speaker appointed as the special committee to draft a bill in accordance with recommendations of the Funk investigating committee, Messrs. Funk, Cornwall, Wood, Baker and Byington.

MESSAGES FROM THE SENATE.

## The following message was received from the Senate:

Mr. Spfaker-I am directed to inform your honorable body that the Senate recedes from its amendments to section 8 , line 1 , page 850 ; section 41, page 854; and section 63, page 857, of House file No. 84, a bill for an aet to revise, amend and codify the statutes in relation to evidence; and insists upon its amendments to section 12, page 850; section 15, page 850; section 30, page 852; section 31, page 853; section 62, page 857; and section 83, page 859.

The President of the Senate has appointed as a conference committee on part of the Senate, Senators Pusey, Junkin, Lothrop and Hobart. Geo. A. Newman, Secretary.
Also:
Mr. Speaker-I am directed to inform your honorable body that the Senate has passed the following bill, in which the concurrence of the House is asked:

Senate file No. 97, a bill for an act to revise, amend and codify the statutes in relation to the inspection of petroleum products.

Geo. A. Newman, Secretary.

## Also:

Mr. Speaker-I am directed to inform your honorable body that the Senate has amended and passed the following bill in which the concurrence of the Senate was asked: House file No. 87, a bill for an act to revise, amend and codify the statutes in relation to the discipline and government of jails and penitentiaries.

> Geo. A. Newman, Secretary.

Also:
Mr. Speaker-I am directed to inform your honorable body that the Senate insists upon its amendmentfo House substitute for Senate file No.

15, a bill for an act to revise, amend and codify the statutes in relation to the militia, striking out the word "four," in line 5 , of section 8 , and inserting in lieu thereof the word "ten."

The President appoints as conference committee on the part of the Senate, Senators Palmer, Oraig, Bell and Everall.

Geo. A. Newman, Secretary.
Also:
Mr. Sphaker-I am directed to inform your honorable body that the Senate insists on all its amendments to House file No. 9, a bill for an act to revise, amend and codify the statutes in relation to the executive department, and the president has appointed as a conference committee on the part of the Senate, Senators Carpenter, Berry, Trewin and Funk.

Geo. A. Newman,
Secretary.
Also:
Mr. Spfakfr-I am directed to inform your honorable body that the President of the Senate has appointed as a conference committee on the part of the Senate on Senate file No. 35, a bill for an act to revise, amend and codify the statutes in relation to the care and propagation of fish and the protection of game, Senators Henderson, Trewin, Funk and Ranck. Geo. A. Newman, Secretary.
The Speaker appointed as House members of conference committee on House file No. 84, Messrs. Temple, Finch, Martin and Clark.

## REPORT OF CONFERENCE COMMITTEE.

Mr. Temple submitted the following Conference Committee report:
To the President of the Senate and the Speaker of the House:
Your Committee of Oonference, to whom was referred House file No. 10, would respectfully report that they have had the same under consideration and make the following report:

They recommend:
First.-That the Senate recede from its amendment to section 10, chapter 1, page 46, relating to the appointment of Supreme Court Reporter.

Second.-That the House recede from its amendment to sections 2 and 3 of chapter 2, relating to fees in Supreme Court.

Third.-That the House concur in Senate amendment to section 4, chapter 3, relating to the office of Attorney-General.

Fourth.-That the House concur in the first Senate amendment to section 1 , of chapter 5.

Fifth.-That the Senate recede from its amendment to line 1, section 23, of chapter 5.

Sixth.-That the Senate recede from its amendment to section 30 , chapter 5.

Seventh.-That the Senate recede from its amendment to section 1, chapter 6.

Eighth.-That the Senate recede from its amendment striking out House amendment to section 4, chapter 6 .

Ninth.-That the House concur in Senate amendment to section 22, chapter 6.

> M. L. Temple, Claude R. Porter, W. G. Ladd, Henry H. Brighton, House Committee.
> L. A. Ellis, L. C. Blanchard, Julian Phelps, C. S. Ranci, Senate Committee.

Mr. Ladd moved the adoption of the report of the Conference Committee on House file No. 10.

On the question, "Shall the report of the Conference Committee be adopted?" the yeas were:

Messrs. Allen, Bailey, Bird, Brant, Byington, Chapman, Clark, Classen, Cornwall, Crow, Davis, Doubleday, Early, Edwards, Evans, Finch, Frink, Funk, Garner, Good, Griswold, Grote, Gurley, Haugen, Hauger, Hayes, Hazen, Hendershot, Huntley, Jackson, Jay, Johnson of Webster, Johnston of Franklin, Klemme, Ladd, Lauder, Loomis, Lowry, McAchran, McArthur, McQuin, Martin, Mayne, Merriam, Miller of Buena Vista, Miller of Cherokee, Miller of Warren, Morrison of Grundy, Mullin, Nietert, Parker, Perrott, Porter, Potter, Power, Prentis, Putnam, Ray, Reed, Smith, Sullivan, Temple, Thompson, Tibbitts, Van Houten, Watters, Weaver, Wells, Whelan, Whittier, Williams, Mr. Speaker-72.

The nays were:
Messrs. Bell, Brady, Cook, Frazee, Hinman, Hunt, Lambert, McDonald, McDowell, Manahan, Marti, Morrison of Keokuk, Nolan, Scott, Voelker, Wilson-16.

Absent or not voting:
Messrs. Baker, Bowen, Brighton, Brinton, Dowell, Hinkhouse, Lavender, McNulty, Spaulding, St. John, Wheeler, Wood-12.

So the report of the committee was adopted.
The following conference committee report was filed by Mr. Johnston of Franklin:

Mr. President and Mr. Speaker-Your Conference Committee of the House and Senate, appointed to confer upon the disagreement in relation
to the amendment to Senate file No. 10, beg leave to report that they have had the same under consideration and report the same back with the recommendation that section 16 of chapter 3 be stricken from the bill and the following be substituted in lieu thereof:
"Sec. 16. All objections or other questions arising in relation to certificates of nomination or nomination papers shall be flled with the officer with whom the certificate of nomination or nomination papers, to which objection is made, are filed. Those with the Secretary of State shall be filed not less than twenty days and those with other officers not less than eight days before the day of election, except that nominations to fill vacancies occurring after said time or in case of nomination made to be voted on at a special election, objections shall be filed within three days after the filing of the certificate or nomination papers. Objections filed with the Secretary of State shall be considered by the Secretary and Auditor of State and Attorney-General, and a majority decision shall be final, but if the objection is to the certificate or nomination papers of one or more of the above named officers said officer or officers so objected to shall not pass upon the same but their places shall be flled respectively by the Treasurer of State, the Governor and the Superintendent of Public Instruction. Objections fled with the county auditor, shall be considered by the county auditor, clerk of the district court and county attorney, and a majority decision shall be final, but if the objection is to the certificate or nomination papers of one or more of the above named county officers said officer or officers so objected to shall not pass upon such objection but their places shall be filled respectively by the county treasurer, the sheriff and county superintendent. Objections filed with the city or town clerk shall be considered by the mayor and clerk and one member of the council chosen by the council by ballot and a majority decision shall be final, but if the objection is to the certificate or nomination papers of either of said city or town officials he shall not pass upon said objection but his place shall be filled by a member of the council against whom no such objection exists, chosen as above provided.
"When any of the above objections are made, notice shall forthwith be given to the candidate affected thereby, addressed to his place of residence as given in the certificate or nomination papers, stating that objections have been made to his certificate or nomination papers, slso stating the time and place such objections will be considered."

Your committee further recommends that the House recede from the following amendment to section 19, of chapter 3: "And such candidate duly withdraws as provided for in this chapter from other nominations than the one he selects."

Your committee further recommends that the following be added to the end of section 23, chapter 3, as a substitute for the House amendment: "For general elections the supply of ballots so retained shall only equal the number provided for the precinct casting the largest vote at the preceding general election, and shall include only the portions of the various tickets to be voted for throughout the entire county, with blank spaces in which the names of candidates omitted may be written by the voter, and with blank spaces in the endorsement upon the back of such ballots in which the name of the precinct shall be written by the judges of election."

Your committee further recommends that the house recede from its amendment striking out sections 32 and 33 , of chapter 3, and inserting sections 32 and 33 of the Black Code in lieu thereof, and it is further recommended that section 33 of the bill be amended as follows: In line 5, insert between the words "circle" and "when" the following: "The making of a cross in the square of another ticket than the one marked in the circle shall not affect the validity of the ballot, except as to the office for which the person opposite whose name such cross was made is a candidate, and as to that office the vote shall not be counted."

Respectfully submitted,
C. F. Johnston,
O. o. Tibbitts,
A. H. Edwards,
Conferees on the part of the House.
J. L. Carney,
W. F. Harriman,
B. F. Carroll,
J. H. Trewin,
Conferees on the part of the Senate.

Mr. Martin, from the Committee on Building and Loan, submitted the following report:

Mr. §peaker-Your Committee on Building and Loan, to whom was referred substitute for House file No. 20, a bill for an act to revise, amend and codify the statutes in relation to building and loan associations, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same do pass with the following substitute for Senate amendment to section 9, line 29: "It shall be the duty of the secretary of every such association doing business in this State to prepare, on or before February 15th of each year, a duly verified statement showing the book value and withdrawal value of a share of each class of stock in said association, for each monthly period up to January 1st preceding, and file the same with the Auditor of State, which shall be preserved in his office. And the said association shall on or before February 15 th of each year, mail to each shareholder a written or printed copy of the same."

The committee recommend that the House concur in amendments to sections $1,2,3,5$, and amendment to the end of section 9 ; also to subdivision 8 of section 19, and the following: Section 20, and subdivision 7 of section 25 ; sections 30,31 and 34 ; also amendments to section 32 and amendment to section 33.

The committee recommend that the House do not concur in the amendment to section 13.

W. B. Martin,<br>Chairman.

Ordered passed on file.
The House took up for consideration House file No. 87, with Senate amendments.

On the question, "Shall the Senate amendments to House file No. 87 be concurred in?" the yeas were:

Messrs. Allen, Bailey, Baker, Bell, Bird, Brady, Brant, Byington, Chapman, Clark, Classen, Cornwall, Crow, Davis, Doubleday, Dowell, Early, Evans, Finch, Frazee, Frink, Funk, Garner, Good, Griswold, Grote, Gurley, Hauger, Hazen, Hendershot, Hinman, Hunt, Huntley, Jackson, Jay, Johnson of Webster, Johnston of Franklin, Klemme, Ladd, Lambert, Lauder, Lavender, Loomis, Lowry, McAchran, McArthur, McDonald, McDowell, McQuin, Manahan, Martin, Mayne, Merriam, Miller of Buena Vista, Miller of Cherokee, Miller of. Warren, Morrison of Grundy, Morrison of Keokuk, Mullin, Nietert, Parker, Perrott, Porter, Potter, Power, Prentis, Putnam, Ray, Reed, Smith, Sullivan, Temple, Thompson, Tibbitts, Van Houten, Voelker, Watters, Weaver, Wells, Whelan, Whittier, Williams, Wilson, Mr. Speaker-84.

The nays were:
None.
Absent or not voting:
Messrs. Bowen, Brighton, Brinton, Cook, Edwards, Haugen, Hayes, Hinkhouse, McNulty, Marti, Nolan, Scott, Spaulding, St. John, Wheeler, Wood-16.

So the House concurred.
Senate file No. 97, a bill for an act to revise, amended and codify the statutes in relation to the inspection of petroleum products, was read first and second times and referred to Committee on Public Health.

On motion of Mr. Early, House file No. 18, relating to insurance with Senate amendments thereto, with report of committee recommending concurrence in certain of the Senate amendments and non-concurrence in others, was taken up and considered.

By unanimous consent the recommendation of the committee that the House concur in the following Senate amendments was adopted:

$$
\text { CHAPTER } 4 .
$$

## The Senate amendment to title of chapter 4.

The Senate amendment to section 16, line 7.
The Senate amendment to section 24.
The Senate amendment to section 26, subdivision 2.
The Senate amendment to section 26 , subdivision 6.
The Senate amendment to section 28.

The Senate amendment to section 30.
The Senate amendment to section 32 .
The Senate amendment to section 40.
The Senate amendment to section 46.
The Senate amendment to section 56.
The Senate amendments to section 60, lines 1, 3, 4 and 6.
The Senate amendment to section 62, adding thereto.
The Senate amendment to section 65.
The Senate amendment to section 69.
The Senate amendment to section 71.
The Senate amendment to renumber all sections after section 58.

## Chapter 5.

The Senate amendment to title of chapter 5.
The Senate amendment to section 8, line 14, printed bill.
CHAPTER 6.
The Senate amendment to section 3.
The Senate amendment to section 5.
The Senate amendment to section 6, line 4.
The Senate amendment to section 7 .
The Senate amendment to section 9.
Chapter 7.
The Senate amendment to section 8.
The Senate amendment to section 11, line 21.
The Senate amendment to section 13.
The Senate amendment to add to section 14, line 2.
CHAPTER 8.
The Senate amendment to title of chapter 8:
The Senate amendment to section 3.
The Senate amendment to section 8.
The Senate amendment to section 10.
The Senate amendment to section 12.
The Senate amendment to section 15.
The Senate amendment to section 16.
The Senate amendment to section 17.
The Senate amendment to section 19.
The Senate amendment to section 22.
The Senate amendment to insert as section 24.
The Senate amendment to renumber sections.

CHAPTER $8 \frac{1}{2}$.
The Senate amendment to section 1.
The Senate amendment to section 3.
The Senate amendment to section 4.
The Senate amendment to section 8.
The Senate amendment to section 9 .
The Senate amendment to section 16.
The Senate amendment to section 17.
Mr. Morrison of Grundy moved to amend Senate amendment to title of chapter 7, by striking out the word "stipulated" and inserting "flexible."

On motion of Mr. Morrison of Keokuk, the amendment of Mr. Morrison of Grundy to the title of chapter 7 was amended by inserting after the word "flexible," the words "or stipulated" and the amendment as thus amended was concurred in by unanimous consent.

The Senate amendment to section 1, chapter 7, was amended by inserting before the word "stipulated," wherever it appears, the words "flexible or," and the Senate amendment as thus amended was concurred in by unanimous consent.

The Senate amendments to section 11, line 4, and section 14, line 2 , of chapter 7 , were amended by inserting before the word "stipulated," where it appears therein, the words "flexible or" and the Senate amendment as thus amended was concurred in by unanimous consent.

Mr. Gurley moved that the House do concur in Senate amendment to section 38 , chapter 4.

On the question, "Shall the House concur?" the yeas were:
Messrs. Allen, Bailey, Baker, Bell, Bowen, Brady, Chapman, Cornwall, Crow, Davis, Doubleday, Early, Frazee, Frink, Funk, Good, Gurley, Haugen, Hunt, Jay, Johnston of Franklin, Lambert, Lavender, McAchran, McDonald, McDowell, Manahan, Marti, Miller of Buena Vista, Miller of Cherokee, Miller of Warren, Morrison of Keokuk, Mullin, Nolan, Parker, Porter, Power, Scott, Smith, Sullivan, Voelker, Watters, Whittier, Williams, Wilson-45.

The nays were:
Messrs. Bird, Brant, Brinton, Byington, Classen, Cook, Dowell, Evans, Finch, Griswold, Hauger, Hendershot, Hinman, Huntley, Klemme, Lauder, Loomis, Lowry, McArthur, McQuin, Martin, Mayne, Merriam, Morrison of Grundy, Mullin, Nietert, Perrott, Prentis, Ray, Tibbitts, 1 Van Houten, Weaver, Wells, Whelan, Mr.Speaker-34.

Absent or not voting:
Messrs. Brighton, Clark, Edwards, Garner, Grote, Hayes, Hazen, Hinkhouse, Jackson, Johnson of Webster, Ladd, McNulty, Potter, Putnam, Reed, Spaulding, St. John, Temple, Thompson, Wheeler, Wood-21.

So the motion, having failed to receive a constitutional majority, was declared lost and the House refused to concur.

Mr. Finch moved that the House do not concur in Senate amendment to section 70, chapter 4.

Carried.
Mr. Bird moved that the House do not concur in Senate amerdment to strike out subsection $34 \frac{1}{2}$ of section 6 , chapter 6 .

Carried.
Mr. Finch moved that the House do concur in Senate amendment to section 58, chapter 4.

The following motion to reconsider was filed:
Mr. Speaker-I move to reconsider the vote by which the House refused to concur in the Senate amendment to section 38, chapter 4, House file No. 18.

David Brant.
I second the motion.
W. H. Klemme.

On motion of Mr. Klemme, house adjourned till 2 p. M.

## AFTERNOON SESSION.

The House met at 2 P. m. pursuant to adjournment, with Speaker Byers in the chair.

Mr. Clark was excused on account of sickness.
The Speaker appointed as the House members of the conference committee on the substitute for Senate file No. 15, Messrs. Bell, Smith, Good and Porter; and as the House members of the conference committee on House file No. 9, Messrs. Temple, Scott, Dowell and Power.

The House resumed its consideration of House file No. 18.
On the question, pending at the time of adjournment "Shall the House concur in the Senate amendment to section 58, chapter 4?" the yeas were:

Messrs. Allen, Bailey, Bell, Bowen, Brant, Brighton, Brinton, Byington, Chapman, Classen, Cook, Cornwall, Crow, Dowell, Early, Evans, Finch, Frazee, Frink, Funk, Garner, Good, Griswold, Hauger, Hazen, Hendershot, Hinman, Hunt,

Huntley, Jay, Johnson, of Webster, Klemme, Ladd, Lambert, Lauder, Lavender, Loomis, Lowry, McAchran, McArthur, McDonald, McDowell, McQuin, Manahan, Martin, Mayne, Miller of Buena Vista, Morrison of Grundy, Morrison of Keokuk, Mullin, Nietert, Nolan, Parker, Porter, Power, Prentis, Putnam, Ray, Reed, Sullivan, Tibbitts Van Houten, Voelker, Weaver, Wells, Whelan, Whittier, Wilson, Mr. Speaker-69.

The nays were:
Messrs. Doubleday, Gurley, Hayes, Smith-4.
Absent or not voting:
Messrs. Baker, Bird, Brady, Clark, Davis, Edwards, Grote, Haugen, Hinkhouse, Jackson, Johnston of Franklin, McNulty, Marti, Merriam, Miller of Cherokee, Miller of Warren, Perrott, Potter, Scott, Spaulding, St. John, Temple, Thompson, Watters, Wheeler, Williams, Wood-27.

So the House concurred.
Mr. Finch moved that the House concur in Senate amendments to section 59, chapter 1.

Mr. Early moved as a substitute that the committee amendment to section 59 be adopted.

Messrs. Early and Hayes demanded the yeas and nays on the motion of Mr. Early, which resulted as follows:

On the question, "Shall the substitute be adopted?" the yeas were:

Messrs. Allen, Bell, Bird, Cook, Early, Frazee, Frink, Good, Griswold, Gurley, Hayes, Jay, Ladd, Lauder, McQuin, Manahan, Marti, Martin, Merriam, Miller of Buena Vista, Miller of Warren, Nietert, Perrott, Porter, Putnam, Reed, Smith, Thompson, Tibbitts, Weaver, Wilson, Mr. Speaker-32.

The nays were:
Messrs. Bailey, Baker, Brant, Brighton, Brinton, Byington, Chapman, Cornwall, Crow, Davis, Doubleday, Dowell, Evans, Finch, Funk, Garner, Hauger, Hazen, Hendershot, Hinman, Hunt, Huntley, Johnson of Webster, Johnston of Franklin, Klemme, Lambert, Lavender, Loomis, McAchran, McArthur, McDonald, McDowell, Mayne, Morrison of Grundy, Morrison of Keokuk, Mullin, Nolan, Parker, Power, Prentis, Ray, Scott, Sullivan, Van Houten, Voelker, Wells, Whelan, Whittier, Wil-liams-49.

Absent or not voting:
Messrs. Bowen, Brady, Clark, Classen, Edwards, Grote, Haugen, Hinkhouse, Jackson, Lowry, McNulty, Miller of

Cherokee, Potter, Spaulding, St. John, Temple, Watters, Wheeler, Wood-19.

So the motion was lost.
Mr. Finch withdrew his motion to concur.
Mr. Ray moved to amend as follows: Amend section 59, chapter 4 , by striking out of Senate substitute therefor the words "accompanied by an affidavit."

Adopted by a vote of 30 yeas to 26 nays.
Mr. Finch moved that the House concur in Senate amendment to section 59, chapter 4, as amended by Mr. Ray.

On the question, "Shall the House concur?" the yeas were:
Messrs. Bailey, Bowen, Brighton, Brinton, Chapman, Cornwall, Crow, Doubleday, Dowell, Early, Evans, Finch, Frink, Furk, Garner, Good, Griswold, Grote, Gurley, Hendershot, Hinman, Huntley, Johnson of Webster, Johnston of Franklin, Lauder, Lavender, McDonald, McDowell, McQuin, Martin, Mayne, Miller of Buena Vista, Miller of Warren, Morrison of Grundy, Morrison of Keokuk, Mullin, Parker, Ray, Reed, Sullivan, Temple, Weaver, Whelan, Whittier, Williams-45.

The nays were:
Messrs. Allen, Baker, Bell, Bird, Brady, Brant, Byington, Cook, Davis, Frazee, Hayes, Hazen, Hunt, Jackson, Jay, Klemme, Ladd, Lambert, Lowry, McAchran, Marti, Merriam, Nolan, Perrott, Porter, Power, Prentis, Putnam, Scott, Smith, Thompson, Tibbitts, Van Houten, Voelker, Wells, Wilson, Mr. Speaker-37.

Absent or not voting:
Messrs. Clark, Classen, Edwards, Haugen, Hauger, Hinkhouse, Loomis, McArthur, McNulty, Manahan, Miller of Cherokee, Nietert, Potter, Spaulding, St. John, Watters, Wheeler, Wood-18.

So the House refused to concur, there not-being a constitutional majority.

Mr. Finch moved that, as inserted by the Senate, the committee amendment to Senate amendment to section 60, chapter 4, be adopted.

Carried.
By unanimous consent the House concurred in the Senate amendment to section 60 as amended by the House.

Mr. Martin stated that the Senate had amended section 60, chapter 4 , by striking out all of said section after the word "sections," in line 6, of printed bill, but that the House committee made no recommendation in reference to said amendment.

Mr. Martin moved that the House refuse to concur in Senate amendment to section 60, chapter 4, which strikes out of said section all after the word "sections" in line 6, of the printed bill.

A roll call was demanded on this motion, which resulted as follows:

On the question, "Shall the House refuse to concur?" the yeas were:

Messrs. Bell, Bowen, Brady, Cook, Cornwall, Crow, Davis, Doubleday, Evans, Finch, Frink, Grote, Haugen, Hinman, Huntley, Johnson of Webster, Johnston of Franklin, Ladd, Lambert, McAchran, McArthur, McQuin, Martin, Mayne, Miller of Buena Vista, Miller of Cherokee, Miller of Warren, Morrison of Grundy, Morrison of Keokuk, Mullin, Potter, Power, Wells, Prentis, Ray, Reed Sullivan, Tibbitts, Van Houten, Whelan, Whittier, Williams-42.

The nays were:
Messrs. Allen, Bailey, Baker, Bird, Brant, Brighton, Brinton, Byington, Chapman, Classen, Dowell, Early, Frazee, Funk, Garner, Good, Griswold, Hauger, Hayes, Hazen, Hendershot, Hunt, Jackson, Jay, Klemme, Lauder, Lavender, McDonald, Manahan, Marti, Merriam, Nolan, Parker, Perrott, Porter, Putnam, Scott, Temple, Thompson, Voelker, Weaver, Wilson, Mr. Speaker-43.

Absent or not voting:
Messrs. Clark, Edwards, Gurley, Hinkhouse, Loomis, Lowry, McDowell, McNulty, Nietert, Smith, Spaulding, St. John, Watters, Wheeler, Wood-15.

So the motion was lost, but the House also refused to concur as there must be a constitutional majority in order to concur.

Mr: Early moved that the House concur in Senate amendment to section 60 , chapter 4 , line 6 of the printed bill.

On the question, "Shall the House concur?" the yeas were:
Messrs. Allen, Bailey, Baker, Bird, Brant, Brighton, Brinton, Byington, Chapman, Classen, Doubleday, Dowell, Early, Frazee, Funk, Garner, Good, Griswold, Hayes, Hazen, Hinman, Hunt, Jackson, Jay, Ladd, Lauder, Lavender, McArthur, McDonald, McQuin, Manahan, Marti, Merriam, Miller of Buena Vista, Miller of Warren, Morrison of Keokuk, Mullin, Nolan, Parker, Perrott, Porter, Putnam, Scott, Smith, Temple, Thompson, Weaver, Williams, Wilson-49.

The nays were:
Messrs. Bell, Bowen, Brady, Cook, Cornwall, Crow, Davis, Evans, Frink, Grote, Haugen, Hauger, Hendershot, Huntley

Johnson of Webster, Johnston of Franklin, Klemme, Lambert, McAchran, Martin, Mayne, Miller of Cherokee, Morrison of Grundy, Power, Prentis, Ray, Reed, Sullivan, Tibbitts, Van Houten, Voelker, Wells, Whelan, Whittier, Mr. Speaker-35.

Absent or not voting:
Messrs. Clark, Edwards, Finch, Gurley, Hinkhouse, Loomis, Lowry, McDowell, McNulty, Nietert, Potter, Spaulding, St. John, Watters, Wheeler, Wood-16.

The motion failing to receive a constitutional majority was declared lost.

By unanimous consent the committee amendment to section 62 was adopted, and the Senate amendment to section 62, as amended by the House, was concurred in.

By unanimous consent the committee amendment to Senate amendment to section 8 , chapter 5, was adopted, and the Senate amendment, as amended by the House, was concurred in.

By unanimous consent the committee amendment to section 12, chapter 7 , was adopted, and the Senate amendment, as amended by the House, was concurred in.

Mr. Early moved that the committee report recommending an amendment to the Senate amendment to section 23, line 11, chapter 8 , be adopted. On this question a roll call was demanded, which resulted as follows:

On the question, "Shall the committee amendment be adopted?" the yeas were:

Messrs. Allen, Baker, Bell, Bird, Bowen, Brady, Brant, Brighton, Brinton, Byington, Classen, Crow, Davis, Doubleday, Early, Evans, Garner, Good, Griswold, Grote, Hauger, Hayes, Hazen, Hendershot, Hunt, Jackson, Jay, Lauder, McAchran, McQuin, Marti, Merriam, Miller of Buena Vista, Miller of Warren, Morrison of Keokuk, Mullin, Perrott, Prentis, Putnam, Reed, Scott, Smith, Thompson, Whittier, Wilson-45.

The nays were:
Messrs. Bailey, Chapman, Cook, Cornwall, Funk, Haugen, Hinman, Huntley, Klemme, McArthur, McDonald, Martin, Mayne, Miller of Cherokee, Nolan, Parker, Porter, Ray, Temple, Tibbitts, Van Houten, Voelker, Weaver, Wells, Whelan, Williams, Mr. Speaker-27.

Absent or not voting:
Messrs. Clark, Dowell, Edwards, Finch, Frazee, Frink, Gurley, Hinkhouse, Johnson of Webster, Johnston of Franklin, Ladd, Lambert, Lavender, Loomis, Lowry, McDowell,

McNulty, Manahan, Morrison of Grundy, Nietert, Potter, Power, Spaulding, St. John, Sullivan, Watters, Wheeler, Wood-28.

So the committee amendment was adopted.
On the question, 'Shall the Senate amendment to section 23 as amended by the House be concurred in?" the yeas were:

Messrs. Bailey, Baker, Bell, Bird, Bowen, Brady, Brant, Brighton, Brinton, Byington, Classen, Cook, Crow, Early, Evans, Garner, Good, Grote, Hayes, Hazen, Hendershot, Hunt, Jackson, Jay, McAchran, McQuin, Marti, Miller of Buena Vista, Miller of Warren, Morrison of Keokuk, Mullin, Parker, Perrott, Porter, Prentis, Putnam, Reed, Scott, Thompson, Weaver, Whittier, Wilson-42.

The nays were:
Messrs. Allen, Chapman, Cornwall, Davis, Dowell, Frink, Funk, Haugen, Hauger, Hinman, Huntley, Johnson of Webster, Klemme, Lauder, Lavender, McArthur, McDonald, Martin, Mayne, Merriam, Miller of Cherokee, Morrison of Grundy, Nolan, Ray, Smith, Sullivan, Temple, Tibbitts, Van Houten, Voelker, Wells, Whelan, Williams, Mr. Speaker-34.

Absent or not voting:
Messrs. Clark, Doubleday, Edwards, Finch, Frazee, Griswold, Gurley, Hinkhouse, Johnston of Franklin, Ladd, Lambert, Loomis, Lowry, McDowell, McNulty, Manahan, Nietert, Potter, Power, Spaulding, St. John, Watters, Wheeler, Wood -24.

So the House refused to concur.
The recommendation to concur in renumbering sections in chapters 8 and $8 \frac{1}{2}$ was unanimously agreed to.

On the question, "Shall the House concur in all those Senate amendments to this bill which have already been concurred in by unanimous consent?" the yeas were:

Messrs. Allen, Baker, Bell, Bird, Bowen, Brady, Brant, Brighton, Brinton, Byington, Chapman, Classen, Cook, Cornwall, Crow, Davis, Dowell, Early, Evans, Finch, Frazee, Frink, Funk, Good, Griswold, Grote, Hauger, Hayes, Hazen, Hendershot, Hinman, Hunt, Huntley, Jackson, Jay, Johnson of Webster, Klemme, Lambert, Lauder, Lavender, McAchran, McDonald, McQuin, Marti, Martin, Mayne, Miller of Buena Vista, Miller of Cherokee, Miller of Warren, Morrison of Grundy, Morrison of Keokuk, Mullin, Nolan, Parker, Perrott, Porter, Prentis, Putnam, Ray, Reed, Scott, Smith,

Thompson, Tibbitts, Van Houten, Weaver, Wells, Whelan, Whittier, Williams, Wilson, Mr. Speaker-72.

## The nays were:

Messrs. Garner, McArthur, Power, Sullivan, Voelker--5.
Absent or not voting:
Messrs. Bailey, Clark, Doubleday, Edwards, Gurley, Haugen, Hinkhouse, Johnston of Franklin, Ladd, Loomis, Lowry, McDowell, McNulty, Manahan, Merriam, Nietert, Potter, Spaulding, St. John, Temple, Watters, Wheeler, Wood-23.

So the House concurred in all those Senate amendments to House file No. 18, which had previously been covered by unanimous consent.

The Speaker signed, in the presence of the House, House file No. 21.

## MESSAGES FROM THE SENATE

The following message was received from the Senate:
Mr. Sphakir-I am directed to inform your honorable body that the Senate refuses to concur in the House amendments to Senate file No. 41, a bill for an act to revise, amend and codify the statutes in relation to regents and trustees of State institutions, and the President has appointed as a conference committee on the part of the Senate, Senators Carney, Healy, Waterman and Young.

Geo. A. Newman,
Secretary.
Also:
Mr. Speaker-I am directed to inform your honorable body that the Senate refuses to concur in the House amendments to Senate file No. 77, a bill for an act to revise, amend and codify the statutes in relation to criminal procedure, and the President of the Senate has appointed as a conference committee on the part of the Senate, Senators Ellis, Ellison, Healy and Harper.

Geo. A. Newman, Secretary.
Also:
Mr. Speaker-I am directed to inform your honorable body that the Senate insists on its substitute for section 38, of Senate file No. 20, a bill for an act to revise, amend and codify the statutes in relation to the construction and operation of railways, and the President has appointed as a conference committee on the part of the Senate, Senators Berry, Palmer, Trewin and Ranck.

Geo. A. Newman, Secretary.

REPORT OF COMMITTEE ON ENROLLED BILLS.
Mr. Hauger, from the Committee on Enrolled Bills, submitted the following report:

Mr. Speaker-Your Committee on Enrolled Bills respectfully report that they have this day sent to the Governor for his approval:

House file No. 21, a bill for an act to revise, amend and codify the statutes in relation to internal improvements.

W. E. Hauger,

April 6, 1897.
Chairman.
On motion of Mr. Merriam, House file No. 97, a bill for an act providing for the annual settlement of accounts and the publication of an itemized statement of all moneys paid out by the State, with report of committee recommending passage, was taken up, considered and the report of the committee adopted.

Mr. Merriam moved that the rule be suspended, and that the bill be considered engrossed and read a third time now, which motion prevailed, and the bill was read a third time.

On the question, "Shall the bill pass?" the yeas were:
Messrs. Allen, Bailey, Baker, Bell, Bird, Bowen, Brady, Brant, Brighton, Brinton, Byington, Chapman, Classen, Cook, Cornwall, Crow, Davis, Dowell, Early, Evans, Finch, Frazee, Frink, Funk, Garner, Good, Griswold, Grote, Hauger, Hayes, Hazen, Hendershot, Hinman, Hunt, Huntley, Jay, Johnson of Webster, Klemme, Lambert, Lauder, Lavender, McAchran, McDonald, McQuin, Marti, Martin, Mayne, Merriam, Miller of Buena Vista, Miller of Cherokee, Miller of Warren, Morrison of Grundy, Morrison of Keokuk, Mullin, Nolan, Parker, Perrott, Porter, Power, Prentis, Putnam, Ray, Scott, Smith, Sullivan, Temple, Thompson, Tibbitts, Van Houten, Voelker, Weaver, Wells, Whelan, Whittier, Williams, Wilson, Mr. Speaker-77.

Mr. Reed voted in the negative.
Absent or not voting:
Messrs. Clark, Doubleday, Edwards, Gurley, Haugen, Hinkhouse, Jackson, Johnston of Franklin, Ladd, Loomis, Lowry, McArthur, McDowell, McNulty, Manahan, Nietert, Potter, Spaulding, St. John, Watters, Wheeler, Wood-22.

So the bill passed and the title was agreed to.
Mr. Klemme moved to adjourn till 9 A . m. to-morrow.
Mr . Reed moved to amend by making it 2 P. M. Monday.
List.
Motion of Mr. Klemme carried.
House adjourned.
$\left.\begin{array}{c}\text { Hall of the House of Representatives, } \\ \text { Des Moines, Iowa, Saturday, April 17, 1897. }\end{array}\right\}$
The House convened at $9 \mathrm{~A} . \mathrm{m}$. with Speaker Byers in the chair.

Prayer was offered by Rev. C. L. Coons, of Fairfield, Iowa. PETITIONS AND MEMORIALS.

Mr. Doubleday presented petition of 56 citizens of the Ninth Judicial District, asking a reduction of the number of judges therein from four to three.

Referred to Committee on Code Revision, First Division.
Mr. Doubleday presented petition of the grand jury of Polk county, in reference to the same subject.

Referred to Committee on Code Revision, First Division.
Mr. Nolan presented petition of Dubuque branch of Trades and Labor Congress, in favor of Temple amendment.

Referred to Committee on Railroads and Commerce.
The Journal of yesterday was corrected and approved.

## REPORT OF COMMITTEE.

Mr. Bowen, from the Committee on Public Health, submitted the following report:

Mr. Spfaker-Your Committee on Public Health, to whom was referred Senate file No. 97, a bill for an act to revise, amend and codify the statutes in relation to the inspection of petroleum products, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Bouse with the recommendation that the same do not pass.

> D. H. Bowen, Chairman.

Ordered passed on file.

## MESSAGE FROM THE SENATE.

The following message was received from the Senate:
Mr. Speaker-I am directed to inform your honorable body that the Senate has amended and passed the following bill, in which the concurrence of the Senate was asked:

The substitute for House file No. 19, a bill for an act to revise, amend and codify the statutes in relation to banks and banking institutions.

Geo. A. Newman,
Secretary.

## Also:

Mr. Speaker-I am directed to inform your honorable body that the Senate has passed the following bill in which the concurrence of the House is asked: The substitute for Senate file No. 1, a bill for an act to provide for the annotating, indexing, publication, distribution and sale of the Code, and statutes hereinafter enacted; and the appointment of a supervising committee and the election of an editor, and prescribing their duties.

Geo. A. Newman.
Secretary.

## REPORT OF JOINT COMMITTEE ON ENROLLED BILLS.

Mr. Hauger, from the Joint Committee on Enrolled Bills, submitted the following report:

Mr. Speaker-Your Joint Committee on Enrolled Bills respectfully report that they have examined, and find correctly enrolled Senate file No. 96, a bill for an act to legalize the levy and collection of poor taxes and taxes for ordinary county revenue in counties of the state.
G. S. Gilbertson, Chairman Senate Committee.
W. E. Hauger, Chairman House Committee.
Ordered passed on file.
The Speaker signed, in the presence of the House, Senate file No. 66.

Mr. Miller of Cherokee, was excused till Tuesday.
Mr. Bowen moved the adoption of the report of the committee on House file No. 97 just filed.

Upon request the consideration of the report was deferred till Monday.

The report of the committee on the substitute for House file No. 20, recommending amendment to the Senate amendment to section 9 , line 29 thereof, and that the House agree to certain Senate amendments thereto, and refuse to agree to certain other amendments thereto, was taken up.

Mr. Martin moved the adoption of the committee substitute for the Senate amendment to section 9 , line 29.

Carried.
Mr. Dowell was called to the chair.
On the question, "Shall the House concur in the Senate amendments to the following sections, viz.: sections $1,2,3$, and

20 , subdivision 7 of sections $25,30,31,32,33$ and 34 ?" the yeas were:

Messrs. Allen, Bailey, Baker, Bell, Bowen, Brady, Brant, Brighton, Brinton, Byington, Chapman, Cook, Cornwall, Crow, Davis, Doubleday, Dowell, Early, Evans, Finch, Frink, Funk, Garner, Good, Griswold, Haugen, Hauger, Hayes, Hazen, Hen dershot; Hunt, Huntley, Jackson, Jay, Johnson of Webster, Johnston of Franklin, Klemme, Ladd, Lambert, Lavender, McAchran, McDonald, McDowell, Martin, Mayne, Merriam, Miller of Buena Vista, Miller of Cherokee, Morrison of Grundy, Mullin, Nolan, Parker, Perrott, Porter, Power, Prentis, Putnam, Ray, Reed, Scott, Smith, Van Houten, Watters, Whelan, Whittier, Williams-66.

Mr. Morrison of Keokuk, voted in the negative.
Absent or not voting:
Messrs. Bird, Clark, Classen, Edwards, Frazee, Grote, Gurley, Hinkhouse, Hinman, Lauder, Loomis, Lowry, McArthur, McNulty, McQuin, Manahan, Marti, Miller of Warren, Nietert, Potter, Spaulding, St. John, Sullivan, Temple, Thompson, Tibbitts, Voelker, Weaver, Wells, Wheeler, Wilson, Wood, Mr. Speaker-33.

So the House concurred.
Mr. Martin moved that the House concur in Senate amendment to section 5.

Mr. Martin moved that further consideration of this bill be deferred till Tuesday at 2 p. p.

A roll call was demanded, which resulted as follows:
On the question, "Shall the further consideration of the bill be deferred till Tuesday, 2 p. m.?" the yeas were:

Messrs. Bailey, Bell, Brady, Brant, Brighton, Cornwall, Davis, Doubleday, Dowell, Early, Evans, Finch, Funk, Garner, Good, Griswold, Johnson of Webster, Johnston of Franklin, Ladd, Lavender, McAchran, McDonald, Martin, Mayne, Miller of Buena Vista, Miller of Cherokee, Morrison of Grundy, Mullin, Parker, Perrott, Temple, Tibbitts, Whittier- 33.

The nays were:
Messrs. Allen, Baker, Bowen, Brinton, Byington, Chapman, Cook, Crow, Frink, Hauger, Hayes, Hazen, Hunt, Huntley, Jackson, Jay, Lambert, McDowell, Manahan, Merriam, Morrison of Keokuk, Nolan, Porter, Power, Prentis, Putnam, Ray, Reed, Scott, Smith, Van Houten, Watters, Whelan, Williams, Mr. Speaker-35.

Absent or not voting:
Messrs. Bird, Clark, Classen, Edwards, Frazee, Grote, Gurley, Haugen, Hendershot, Hinkhouse, Hinman, Klemme, Lauder, Loomis, Lowry, McArthur, McNulty, McQuin, Marti, Miller of Warren, Nietert, Potter, Spaulding, St. John, Sullivan, Thompson, Voelker, Weaver, Wells, Wheeler, Wilson, Wood-32.

So the motion to defer was lost.
Mr. Morrison of Grundy moved to amend the Senate amendment to section 5 as follows: By striking out of section 5 after the word "law" the words 'and based upon a plan equitable in all respects to its members."

Speaker Byers resumed the chair.
Mr. Power moved the previous question.
The amendment offered by Mr. Morrison of Grundy was lost by a vote of 23 yeas to 32 nays.

On the question, "Shall the House concur in the Senate amendment to section 5?" the yeas were:

Messrs. Bailey, Bell, Bowen, Brady, Brant, Brinton, Crow, Davis, Doubleday, Dowell, Evans, Frink, Funk, Good, Griswold, Johnson of Webster, Johnston of Franklin, Ladd, Lavender, McAchran, McDonald, Martin, Mayne, Merriam, Miller of Buena Vista, Miller of Cherokee, Mullin, Parker, Perrott, Putnam, Watters, Whittier, Williams, Mr. Speaker -34.

The nays were:
Messrs. Allen, Baker, Brighton, Byington, Chapman, Cook, Cornwall, Early, Garner, Hauger, Hayes, Hazen, Hunt, Huntley, Jackson, Jay, Lambert, McDowell, Manahan, Morrison of Grundy, Morrison of Keokuk, Nolan, Porter, Power, Prentis, Ray, Reed, Scott, Temple, Tibbitts, Van Houten, Whelan-32.

Absent or not voting:
Messrs. Bird, Clark, Classen, Edwards, Finch, Frazee, Grote, Gurley, Haugen, Hendershot, Hinkhouse, Hinman, Klemme, Lauder, Loomis, Lowry, McArthur, McNulty, McQuin, Marti, Miller of Warren, Nietert, Potter, Smith, Spaulding, St. John, Sullivan, Thompson, Voelker, Weaver, Wells, Wheeler, Wilson, Wood-34.

So the House refused to concur.
Senate amendment to section 9 was taken up.
On the question, "Shall the House concur in Senate amendment to section 9?" the yeas were:

Messrs. Allen, Bailey, Baker, Bell, Brady, Brinton, Byington, Chapman, Cornwall, Crow, Doubleday, Dowell, Early, Evans, Finch, Frink, Funk, Garner, Good, Griswold, Haugen, Hauger, Hayes, Hazen, Hunt, Huntley, Jay, Johnson of Webster, Johnston of Franklin, Klemme, Ladd, Lambert, Lavender, McAchran, McDonald, McDowell, Manahan, Martin, Mayne, Merriam, Miller of Buena Vista, Morrison of Grundy, Mullin, Nolan, Parker, Perrott, Porter, Prentis, Putnam, Ray, Reed, Scott, Tibbitts, Van Houten, Watters, Whelan, Whittier, Williams, Mr. Speaker-59.

The nays were:
Messrs. Morrison of Keokuk, Davis, Temple-3.
Absent or not voting:
Messrs. Bird, Bowen, Brant, Brighton, Clark, Classen, Cook, Edwards, Frazee, Grote, Gurley, Hendershot, Hinkhouse, Hinman, Jackson, Lauder, Loomis, Lowry, McArthur, McNulty, McQuin, Marti, Miller of Cherokee, Miller of Warren, Nietert, Potter, Power, Smith, Spaulding, St. John, Sullivan, Thompson, Voelker, Weaver, Wells, Wheeler, Wilson, Wood -38.

So the House concurred.
Senate amendment to subdivision 8 of section 19 was passed for the present.

On the question, "Shall the House concur in committee substitute for Senate amendment to section 9, line 29?" the result was as follows:

On the question, "Shall the House concur?" the yeas were:
Messrs. Allen, Bailey, Baker, Bell, Bowen, Brady, Brant, Brinton, Byington, Chapman, Crow, Davis, Doubleday, Dowell, Early, Evans, Finch, Frink, Funk, Garner, Good, Griswold, Haugen, Hauger, Hayes, Hunt, Huntley, Jackson, Johnson of Webster, Johnston of Franklin, Klemme, Ladd, Lambert, Lavender, McAchran, McDonald, McDowell, Martin. Mayne, Merriam, Miller of Buena Vista, Morrison of Grundy, Mullin, Parker, Porter, Prentis, Putnam, Ray, Scott, Temple, Tibbitts, Van Houten, Watters, Whelan, Whittier, Williams, Mr. Speaker -57 .

The nays were:
Messrs. Eazen, Morrison of Keokuk, Nolan, Power, Reed-5.
Absent or not voting:
Messrs. Bird, Brighton, Clark, Classen, Cook, Cornwall, Edwards, Frazee, Grote, Gurley, Hendershot, Hinkhouse, Hin-
man, Jay, Lauder, Loomis, Lowry, McArthur, McNulty, McQuin, Manahan, Marti, Miller of Cherokee, Miller of Warren, Nietert, Perrott, Potter, Smith, Spaulding, St. John, Sullivan, Thompson, Voelker, Weaver, Wells, Wheeler, Wilson, Wood -38.

So the House concurred in Senate amendment as amended by the House.

Mr. Early moved to amend Senate amendment to section 13, by striking out of said amendment these words, "strike out the last sentence."

This motion was lost by vote of 6 yeas to 21 nays.
Mr. Haugen moved that the House do concur in Senate amendment.

On the question, "Shall the House concur in Senate amendment?" the yeas were:

Messrs. Bailey, Bell, Bowen, Brady, Brinton, Byington, Chapman, Crow, Davis, Doubleday, Dowell, Early, Finch, Funk, Garner, Haugen, Hazen, Klemme, Ladd, McAchran, McDowell, Mullin, Nolan, Porter, Power, Putnam, Reed, Temple, Tibbitts, Van Houten, Watters, Whelan, Williams, Mr. Speaker-34.

The nays wele:
Messrs. Baker, Evans, Frink, Good, Griswold, Hauger, Huntley, Jackson, Jay, Johnson of Webster, Johnston of Franklin, Lavender, Martin, Mayne, Merriam, Miller of Buena Vista, Morrison of Grundy, Morrison of Keokuk, Parker, Prentis, Ray, Scott, Whitter-23.

Absent or not voting:
Messrs. Allen, Bird, Brant, Brighton, Clark, Classen, Cook, Cornwall, Edwards, Frazee, Grote, Gurley, Hayes, Hendershot, Hinkhouse, Hinman, Hunt, Lambert, Lauder, Loomis, Lowry, McArthur, McDonald, McNulty, McQuin, Manahan, Marti, Miller of Cherokee, Miller of Warren, Nietert, Perrott, Potter, Smith, Spaulding, St. John, Sullivan, Thompson, Voelker, Weaver, Wells, Wheeler, Wilson, Wood-43.

So the House refused to concur, not having received a constitutional majority.

The following explanation of vote was filed:
Mr. Speaker-On the motion to concur in the Senate amendment to section 5 of the substitute for House file No. 20, I voted "no" for the purpose of fling a motion to reconsider.

Chas. L. Early.

The following motions to reconsider were filed:
Mr. Spearer-I move to reconsider the vote by which the Senate amendment to section 5 , of the building and loan bill was lost.
M. L. Temple.

I second the motion.
W. W. Cornwall.

Mr. Spfaker-I move to reconsider the vote by which the House refused to concur in the Senate amendment to subdivision 8 of section 19, of the substitute for House file No. 20.

Chas. L. Early.
I second the motion.
J. D. Morrison.

Mr. Speaker-I move to reconsider the vote by which the Senatesubstitute for section 5, of House file No. 20, was lost; and also the vote by which my amendment to same was lost.
J. D. Morrison.

I second the motion.
A. E. Jackson.

The House refused to concur in the Senate amendment to sub-division 8 of section 19.

House file No. 19, relative to banks and banking, just messaged to the House from the Senate, was referred to the Committee on Banks and Banking.

On motion of Mr. Morrison of Keokuk, the House adjourned till 2 P. M. Monday.

The House met at 2 P. M., with Speaker Byers in the chair.
Prayer by Rev. W. M. Grafton, Dos Moines, Iowa.
Journal of Saturday corrected and approved.
The Speaker appointed as House members of the conference committee on Senate file No. 20, Messis. Temple, Finch, Whelan and Sullivan.

INTRODUCTION OF BILLS.
By the Committee on Municipal Corporations, House file No. 98 , a bill for an act to revise, amend and codify the statutes in relation to cities acting under special charters.

Read first and second rime and on motion of Mr. Dowell the rule was suspended and the bill was taken up for consideration.

The clerk proceeded to read the bill.
Mr. Scott in the chair.
MESSAGES FROM THE SENATE.
The following message was received from the Senate:
Mr. Speaker-I am directed to inform your honorable body that the Senate has passed the following bill in which the concurrence of the House is asked: Senate file No. 70, a bill for an act to revise, amend and codify the'statutes in relation to notes and bills.

Geo. A. Nefman, Secretary.
Also:
Mr. Speaker-I am directed to inform your honorable body that the Senate has amended and passed the following bill in which the concurrence of the Senate was asked: House file No. 26, a bill for an act to revise, amend and codify the statutes in relation to the construction and operation of telegraph and telephone companies.

Geol A. Newman,
Secretary.
Also:
Mr. Speaker-I am directed to inform your honorable body that the Senate has amended and passed the following bill in which the concurrence of the Senate was asked:

House file No. 17, a bill for an act to revise, amend and codifiy the statutes in relation to agricultural and horticultural societies, stock breeders' association and State Dairy Associations.

## Also:

Mr. Speaker-I am directed to inform your honorable body that the Senate has adopted the report of the conference committee on House file No. 10, a bill for an act to revise, amend and codify the statutes in relation to the judicial department.

Geo. A. Newman,
Secretary.
Also:
Mr. Speaker-I am directed to inform your honorable body that the Senate refuses to concur in the House amendments to section 1 , line 3 , and section 3, lines $1,4,5$ and 6 of Senate file No. 48, a bill for an act to revise, amend and codify the statutes in relation to the State Library, and that the Senate concurs in the House amendments to section 2, line 6, and section 22 , line 6.

Geo. A. Newman, Sectetary.
The Speaker resumed the chair.
The Speaker signed, in open session of the House, House files No. 29 and No. 15.

## REPORT OF COMMITTEE ON ENROLLED BILLS.

Mr. Hauger, from the Committee on Enrolled Bills, submitted the following report:

Mr. Speaker-Your Committee on Enrolled Bills respectfully report that they have examined, and find correctly enrolled, House file No. 15, a bill for an act to revise, amend and codify the statutesin relation to roads, bridges and ferries and the destruction of thistles.

W. E. Hauger,<br>Chairman.

Ordered passed on file.
Also:
Mr. Speaker-Your Committee on Enrolled Bills respectfully report that they have examined, and find correctly enrolled, House file No. 29, a bill for an act to revise, amend and codify the statutes in relation to the care of the insane.
W. E. Hauger,

Chairman.
Ordered passed on file.
REPORT OF JOINT COMMITTEE ON ENROLLED BILLS.
Mr. Hauger, from the Joint Committee on Enrolled Bills, submitted the following report:

Mr. Speaker-Your Joint Committee on Enrolled Bills respectfully report that they have examined, and find correctly enrolled, Senate file No. 92, a bill for an act to authorize cities of the second class to issue bonds for extending the time of payment of ${ }^{\text {fin }}$ theirindebtedness.
> G. S. Gilbertson, Chairman Senate Committee.
> W. E. Hauger, Chairman House Committee.

Also:
Mr. Speaker-Your Joint Committee on Enrolled Bills respectfully report that they have examined, and find correctly enrolled, Senate file No. 78, a bill for an act to revise, amend and codify the statutes in relation to procedure to reverse, vacate or modity judgments.
G. S. Gilbertson,

Chairman Senate Committec.
W. E. Hauger, Chairman House Committce.
Ordered passed on file.
Also:
Mr. Speaker-Your Joint Committee on Enrolled Bills respectfully report that they have examined, and find correctly enrolled, Senate file No. 93, a bill for an act to apply to cities of the first class, the provisions of chapter 78 of the laws of the Twenty-first General Assembly, as amended by chapter 17, laws of the Twenty second General Assembly, chapter 15, laws of the Twenty-fourth General Assembly, chapter 3, laws of the Twenty-fifth General Assembly and chapter 3, laws of the Twenty-sixth General Assembly, regular session, relating to the indebtedness of cities and towns.

G. S. Gilbertson, Chairman Senate Committee. W. E. Hauger, Chairman House Commirtee.

Ordered passed on file.
Also:
Mr. Spfaker-Your Joint Committee on Enrolled Bills respectfully report that they have examined, and find correctly enrolled, House file No. 15, a bill for an act to revise, amend and codify the statutes in relation to roads, bridges and ferries and the destruction of thistles.
G. S. Gilbertson, Chairman Senate Committee.
W. E. Hauger, Chairman House Committee.
Ordered passed on file.
Also:
Mr. Speaker-Your Joint Committee on Enrolled Bills respectfully report that they have examined, and find correctly enrolled, House file No. 29, a bill for an act to revise, amend and codify the statutes in relation to the care of the insane.

G. S. Gilbertson, Chairman Senate Committee.<br>W. E. Hauaer, Chairman House Committee.

Ordered passed on file.
The substitute for House file No. 17, with Senate amendments thereto was taken up and the roll called on the question of concurrence.

On the question, "Shall the House concurp" the yeas were: Messrs. Allen, Bailey, Baker, Bell, Bowen, Brady, Brant, Brighton, Chapman, Cook, Crow, Davis, Doubleday, Dowell, Early, Evans, Finch, Frink, Funk, Good, Griswold, Hazen, Hendershot, Hunt, Huntley, Johnson of Webster, Klemme, Ladd, Lauder, Loomis, McAchran, McArthur, McDowell, Martin, Mayne, Miller of Buena Vista, Morrison of Grundy, Morrison of Keokuk, Mullin, Nolan, Parker, Porter, Power, Prentis, Putnam, Scott, Spaulding, Temple, Whelan, Whittier, Williams, Mr. Speaker-52.

The nays were:
None.
Absent or not voting:
Messrs. Bird, Brinton, Byington, Clark, Classen, Cornwall, Edwards, Frazee, Garner, Grote, Gurley, Haugen, Hauger, Hayes, Hinkhouse, Hinman, Jackson, Jay, Johnston of Franklin, Lambert, Lavender, Lowry, McDonald, McNulty, McQuin, Manahan, Marti, Merriam, Miller of Cherokee, Miller of Warren, Nietert, Perrott, Potter, Ray, Reed, Smith, St. John, Sullivan, Thompson, Tibbitts, 'Jan Houten, Voelker, Watters, Weaver, Wells, Wheeler, Wilson, Wood-48.

So the House concurred in Senate amendment to the substitute for House file No. 17.

REPORT OF COMMITTEE ON ENROLLED BILLS.
Mr. Hauger, from the Committee on Enrolled Bills, submitted the following report:

Mr. Speaker-Your Committee on Enrolled Bills respectfully report that they have this day sent to the Governor for his approval:

House file No. 29, a bill for an act to revise, amend and codify the statutes in relation to the care of the insane.

House file No. 15, a bill for an act to revise, amend and codify the statutes in relation to roads, bridges and ferries and the destruction of thistles.
W. E. Hauger,

April 19, $189 \%$.
Chairman.
SENATE MESSAGES.
Senate file No. 70, a bill for an act to revise, amend and codify the statutes in relation to notes and bills was read first and second time and placed on file.

On motion of Mr. Brant the House adjourned till 9 o'clock A. M., to-moriow.

# hall of the House of Representatives, <br> Des Moines, Iowa, Tuesday, April 20, 1897. $\}$ 

The House met at 9 A. m., with Speaker Byers in the chair. Prayer was offered by Rev. M. Williams of Des Moines. The Journal of yesterday was corrected and approved.
Mr. Finch offered the following concurrent resolution and moved its adoption:

Resolved by the House, the Senate concurring, That all reports of conference committees set.out a copy of amendments referred to therein or give the date and page of Journal where found, also refer to section and page of bill to be amended.

Adopted.
MESSAGE FROM THE SENATE.
The following message was received from the Senate:
Mr. Speaker-I am directed to inform your honorable body that the Senate recedes from its amendments to chapter 9, section 4, of House file No. 66, a bill for an act to revise, amend and codify the statutes in relation to the rights of property, and insists on its amendment to chapter 9 , section 5 .

The Senate asks a conference committee on this bill, and the President of the Senate appoints as such conference committee on the part of the Senate, Senators Cheshire, Healy, Ellison and Ranck.

Geo. A. Newman, Secretary.
Senate file No. 70, a bill for an act to revise, amend and codify the statutes in relation to notes and bills, was taken up for consideration.

The clerk read the bill.
On request of Mr. Weaver, Senate file No. 70 was referred to Committee on Code Revision, Division No. 5.

The House took up the bill pending from yesterday, House file No. 98, for consideration.

Mr. Baker moved that the rule be suspended, and that the bill be considered engrossed and read a third time now, which motion prevailed, and the bill was read a third time.

On the question, "Shall the bill pass?" the yeas were:
Messrs. Allen, Bailey, Baker, Bowen, Brant, Byington, Chapman, Clark, Cornwall, Crow, Davis, Dowell, Early, Edwards, Evans, Frazee, Funk, Griswold, Gurley, Haugen, Hazen, Hunt, Jackson, Jay, Johnston of Franklin, Klemme, Ladd, Lambert, Lauder, Loomis, McAchran, McArthur, McDowell, McNulty, McQuin, Manahan, Martin, Mayne, Miller of Buena Vista, Morrison of Grundy, Morrison of Keokuk, Mullin, Nietert, Nolan, Parker, Perrott, Porter, Potter, Power, Prentis, Putnam, Ray, Scott, Smith, Spaulding, St. John, Sullivan, Temple, Tibbitts, Voelker, Watters, Wells, Whelan, Whittier, Williams, Wilson, Mr. Speaker-67.

The nays were:
Messrs. Bell, Brady, Cook, Weaver-4.
Absent or not voting:
Messrs. Bird, Brighton, Brinton, Classen, Doubleday, Finch, Frink, Garner, Good, Grote, Hauger, Hayes, Hendershot, Hinkhouse, Hinman, Huntley, Johnson of Webster, Lavender, Lowry, McDonald, Marti, Merriam, Miller of Cherokee, Miller of Warren, Reed, Thompson, Van Houten, Wheeler, Wood-29.

So the bill passed and the title was agreed to.

## report of Joint committee on enrolled bills.

Mr. Hauger, from the Joint Committee on Enrolled Bills, submitted the following report:

Mr. President-Your Joint Committee on Enrolled Bills respectfully report that they have examined, and find correctly enrolled, Senate file No. 4, a bill for an act to revise, amend and codify the statutes in relation to procedure in courts of original jurisdiction.

> G. S. Gilbertson,
> Chairman Senate Committee.
> W. E. Havger, Chairman House Committee.

Ordered passed on file.
Senate file No. 48 , in which the Senate refused to concur in House amendments to section 1, line 3, and section 3, lines 1, 4, 5 , and 6 , was taken up for consideration.

Mr. McArthur moved that the House insist on its amendments to this bill in which the Senate refused to concur.

Carried.
House file No. 26, with Senate amendments thereto was taken up, and on motion of Mr. Potter, was referred to Committee on Telegraph, Telephone and Express.

The Speaker appointed as House members of the Conference Committee on Senate file No. 48, Messrs. McArthur, Porter, Classen and Dowell.

The Speaker appointed as House members on the Conference Committee on House file No. 66, Messrs. Weaver, Martin, McQuin and Marti.

Mr. Dowell moved that substitute for Senate file No. 1, relating to annotating and publishing the Code be made a special order for 2 P. m. to-morrow.

Carried.
Senate file No. 97, relating to the inspection of petroleum products, with report of committee recommending that it do not pass, was taken up and considered.

Mr. Bowen moved that the report of the committee be adopted.

Mr. Power moved as a substitute that the bill be taken up for consideration.

Messrs. Porter and Power demanded the yeas and nays on this substitute which resulted as follows:

On the question, "Shall the substitute prevail?" the yeas were:

Messrs. Bailey, Baker, Brady, Byington, Chapman, Clark, Cook, Cornwall, Edwards, Frazee, Gurley, Haugen, Hazen, Hunt, Jackson, Jay, Lambert, McDowell, Manahan, Mayne, Morrison of Keokuk, Mullin, Nolan, Parker, Porter, Power, Ray, Scott, Smith, Sullivan, Temple, Tibbits, Van Houten, Voelker, Wells, Whelan, Williams, Wilson-38.

The nays were:
Messrs. Allen, Bell, Bowen, Brant, Brighton, Crow, Davis, Dowell, Early, Evans, Finch, Frink, Funk, Good, Griswold, Hauger, Huntley, Johnson of Webster, Johnston of Franklin, Klemme, Ladd, Lauder, McAchran, McArthur, McNulty, McQuin, Martin, Merriam, Miller of Buena Vista, Morrison of Grundy, Nietert, Perrott, Potter, Prentis, Putnam, Spaulding, St. John, Watters, Weaver, Whittier, Mr. Speaker-41.

Absent or not voting:
Messrs. Bird, Brinton, Classen, Doubleday, Garner, Grote, Hayes, Hendershot, Hinkhouse, Hinman, Lavender, Loomis, Lowry, McDonald, Marti, Miller of Cherokee, Miller of Warren, Reed, Thompson, Wheeler, Wood-21.

So the motion of Mr. Power was defeated.

On the question, "Shall the report of the committee be adopted?" the yeas were:

Messrs. Allen, Bell, Bowen, Brady, Brant, Clark, Cornwall, Crow, Davis, Dowell, Early, Edwards, Evans, Finch, Frink, Funk, Garner, Good, Griswold, Hauger. Huntley, Johnson of Webster, Johnston of Franklin. Klemme, Ladd, Lauder, Loomis, McAchran, McArthur, McNulty, McQuin, Martin, Merriam, Morrison of Grundy, Nietert, Perrott, Potter, Prentis, Putnam, Ray, Spaulding, St. John, Watters, Weaver, Whittier, Williams, Mr. Speaker-47.

The nays were:
Messrs. Bailey, Baker. Byington, Chapman. Cook, Frazee, Gurley, Haugen, Hazen, Jackson, Jay, Lambert. McDowell, Manahan, Mayne, Morrison of Keokuk, Mullin, Parker, Porter, Power, Scott, Smith, Sullivan, Temple, Tibbitts, Van Houten, Voelker, Wells, Whelan, Wilson-30.

Absent or nol voting:
Messrs. Bird, Brighton, Brinton, Classen, Doubleday Grote, Hayes, Hendershot, Hinkhouse, Hinman, Hunt, Lavender, Lowry, McDonald, Marti, Miller of Buena Vista, Miller of Cherokee, Miller of Warren, Nolan, Reed, Thompson, Wheeler, Wiod-23.

So the report was adopted.
On motion of Mr. Tibbitts, House adjourned till 2 p. m.

## AFTERNOON SESSION.

House met at 2 p. m., Speaker Byers in the chair.
The House took up the motion to reconsider the vote on the question of concurrence in the Senate amendments to section 5, of House file No. 20, which was filed by Mr. Temple and seconded by Mr. Cornwall on Saturday.

Mr. Power raised the point of order that Mr. Temple did not vote on the side of the majority on this amendment and hence was not qualified to file a motion to reconsider.

The Speaker decided the point not well taken, as Mr. Temple had voted on the prevailing side and cited section 1269
of Cushing's Manual to show that the term "majority" means "prevailing side."

The House ordered substitute for House file No. 20 recalled from the Senate.

## MESSAGES FROM THE SENATE.

The following message was received from the Senate:


#### Abstract

Mr. Speaker-I am directed to inform your honorable body that the Senate has adopted the conference committee report on Senate file No. 10, a bill for an act to revise, amend and codify the statutes in relation to elections and officers.


Geo. A. Newman,
Secretary.
Also:
Mr. Speaker-I am directed to inform your honorable body that the Senate herewith returns the substitute for House file No. 20, a bill for an act to revise, amend and codify the statutes in relation to building and loan associations.

> Geo. A. Newman, Secretary.

The motion to reconsider the vote on Senate amendment to section 5, House file No. 20, was carried.

The motion to reconsider the vote on the amendment of Mr . Morrison of Grundy to the Senate amendment to section 5 was lost.

On the question, "Shall the House concur in the Senate amendments to section 5, House file No. 20?" the yeas were:

Messrs. Bailey, Bell, Bowen, Brady, Brant, Brinton, Chapman, Clark, Classen, Cornwall, Crow, Davis, Dowell, Early, Edwards, Evans, Finch, Frazee, Frink, Funk, Garner, Good, Griswold, Hauger, Huntley, Johnson of Webster, Johnston of Franklin, Klemme, Ladd, Loomis, McAchran, McNulty, Martin, Mayne, Merriam, Miller of Buena Vista, Miller of Warren, Morrison of Grundy, Morrison of Keokuk, Mullin, Nietert, Parker, Perrott, Potter, Putnam, Spaulding, St. John, Temple, Tibbitts, Watters, Weaver, Wells, Whittier, Williams, Mr. Speaker-55.

The nays were:
Messrs. Allen, Baker, Brighton, Byington, Cook, Gurley, Hayes, Hazen, Hunt, Jackson, Lambert, Lowry, McDowell, Manahan, Nolan, Porter, Power, Prentis, Ray, Reed, Scott, Smith, Sullivan, Whelan, Wilson-25.

Absent or not voting:
Messrs. Bird, Doubleday, Grote, Haugen, Hendershot, Hinkhouse, Hinman, Jay, Lauder, Lavender, McArthur, McDonald, McQuin, Marti, Miller of Cherokee, Thompson, Van Houten, Voelker, Wheeler, Wood-20.

So the House concurred.
The motion to reconsider the vote in which the House refused to concur in the Senate amendment to subdivision 8, of section 19, House file No. 20, which was filed by Mr. Early on Saturday, was carried.

On the question, "Shall the House concur in Senate amendment to subdivision 8, section 19?" the yeas were:

Messrs. Bailey, Bell, Bowen, Brady, Brant, Brinton, Chapman, Clark, Classen, Cornwall, Crow, Davis, Dowell, Early, Edwards, Evans, Finch, Frink, Funk, Garner, Good, Griswold, Hauger, Huntley, Johnson of Webster, Johnston of Franklin, Klemme, Ladd, Lauder, Loomis, McAchran, McNulty, Martin, Mayne, Merriam, Miller of Buena Vista, Miller of Warren, Morrison of Keokuk, Mullin, Nietert, Parker, Perrott, Potter, Putnam, Spaulding, St. John, Temple, Tibbitts, Van Houten, Watters, Weaver, Wells, Whittier, Williams, Mr. Speaker-55.

The nays were:
Messrs. Allen, Baker, Brighton, Byington, Cook, Frazee, Gurley, Haugen, Hayes, Hazen, Hunt, Jackson, Lambert, Lowry, McDowell, Manahan, Morrison of Grundy, Nolan, Porter, Power, Prentis, Ray, Reed, Scott, Smith, Sullivan, Whelan, Wilson-28.

Absent or not voting:
Messrs. Bird, Doubleday, Grote, Hendershot, Hinkhouse, Hinman, Jay, Lavender, McArthur, McDonald, McQuin, Marti, Miller of Cherokee, Thompson, Voelker, Wheeler, Wood-17.

So the House concurred. REPORT OF COMMITTEE.
Mr. Chapman, from the Committee on Suppression of Intemperance, submitted the following report:

Mr. Sphaker-Your Committee on Suppression of Intemperance, to whom was referred House file No. 33, a bill for an act to revise, amend and codify the statutes in relation to intoxicating liquors, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the House concur with the Senate amendments thereto (said amendments appearing in Senate Journal for April 14th).

> W. B. Chapman, Chairman.

Ordered passed on file.

Senate file No. 10, relating to elections, with the report of conference committee on the same, was taken up and considered.

Mr. Johnston of Franklin moved that the report of the conference committee be adopted.

On the question, "Shall the report of the conference committee be adopted?" the yeas were:

Messrs. Allen, Bailey, Bell, Bowen, Brady, Brighton, Brinton, Clark, Classen, Cornwall, Crow, Davis, Duwell, Early, Edwards, Evans, Frink, Funk, Garner, Good, Griswold, Gurley, Haugen, Hauger, Huntley, Johnson of Webster Johnston of Franklin, Klemme, Ladd, Lauder, Loomis, McAchran, McNulty, Martin, Mayne, Merriam, Miller of Buena Vista, Miller of Warren, Mullin, Nietert, Parker, Perrott, Potter, Prentis, Patnam, Ray, Reed, Scott, Smith, Spaulding, St. John, Temple, Tibbitts, Watters, Wells, Whittier, Williams, Mr. Speaker-58.

The nays were:
Messrs. Baker, Byington, Chapman, Cook, Frazee, Hayes, Hazen, Hunt, Jackson, Jay, Lambert, Lowry, McArthur, McDowell, Manahan, Morrison of Grundy, Nolan, Porter, Power, Sullivan, Weaver, Whelan, Wilson-23.

Absent or not voting:
Messrs. Bird, Brant, Doubleday, Finch, Grote. Hendershot, Hinkhouse, Hinman, Lavender, McDonald, McQuin, Marti, Miller of Cherokee, Morrison of Keokuk, Thompson, Van Houten, Voelker, Wheeler, Wood-19.

So the report of the conference committee was adopted.
The following report of the conference committee was filed:
Mr. President and Mr. Speaker-Your committee on conference of the House and the Senate, to whom was referred Senate file No. 41, beg leave to report that they have had the same under consideration and report the same back with the recommendation that the Senate concur in the House amendment to section 1, line 7, striking out the words "the normal school."

Also, that the Senate concur in the House amendment to section 1, inserting between lines 9 and 10 , the following: "for the normal sehool, six trustees who shall hold their office for six years."

Also, that the Senate concur in the House amendment to line 11 section 1, striking out the word "four" and inserting the word "six."

Respectfully submitted,
W. E. Hauger, P. Finch, W. G. RAy, J. L. Wilson,

Conference Committee on the part of the House.
J. L. Carney,

Thos. D. Healy,
H. L. Waterman,
D. H. Young,

Conference Committee on the part of the Senate.
MESSAGE FROM THE SENATE.
The following message was received from the Senate:
Mr. Speaker-I am directed to inform your honorable body that the Senate has adopted the report of Conference Committee on Senate flle No. 41, a bill for an act to revise, amend and codify the statutes in relation to regents and trustees.

Geo. A. Newman,
Secretary.
The conference committee report on Senate file No. 41, was taken up and considered.

On the question," Shall the report of the conference committee be adopted?" the yeas were:

Messrs. Allen, Bell, Bowen, Brady, Brant, Brighton, Brinton, Byington, Chapman, Clark, Classen, Cook, Cornwall, Crow, Davis, Dowell, Early, Evans, Frink, Funk, Garner, Good, Griswold, Gurley, Hauger, Hayes, Hazen, Hunt, Huntley, Jackson, Johnson of Webster, Johnston of Franklin, Klemme, Ladd, Lauder, Loomis, Lowry, McAchran, McArthur, McDowell, McNulty, Martin, Merriam, Miller of Buena Vista, Miller of Warren, Morrison of Grundy, Mullin, Nietert, Nolan, Parker, Perrott, Potter, Prentis, Putnam, Ray, Reed, Scott, Smith, Spaulding, St. John, Sullivan, Temple, Tibbitts, Watters, Weaver, Wells, Whelan, Whittier, Williams, Wilson, Mr. Speaker-71.

The nays were:
None.
Absent or not voting:
Messrs. Bailey, Baker, Bird, Doubleday, Edwards, Finch, Frazee, Grote, Haugen, Hendershot, Hinkhouse, Hinman, Jay, Lambert, Lavender, McDonald, McQuin, Manahan, Marti,

Mayne, Miller of Cherokee, Morrison of Keokuk, Porter, Power, Thompson, Van Houten, Voelker, Wheeler, Wood--29.

So the report was adopted.
Mr. Whelan submitted the following report of conference committee on the substitute for Senate file No. 35:

Mr. President and Mr. Speaker-Your committee on conference, to whom was referred the substitute for Senate file No. 35, and House file No. 42, being known as Senate file No. 35, a bill for an act to revise, amend and codify the statutes in relation to the care and propagation of fish, and the protection of birds and game, beg leave to report that they have had the matters of dispute between the two houses under consideration and recommend:

That the House recede from its amendment to section 2, lines 10 and 11, and that section 2 , line 19 , be amended by inserting the following after the word,"line:" "but any person may, between the 15th day of May and the 1st day of December, use not more than one trotline in streams only, and extending not more than half way across."

That-the House recede from its amendment to section 4, line 1, and that line, 2 of said section be amended by inserting after the word "that," the words "a trotline as above provided, or"

That the House amendment to section 13, line 7, after the word "June" be amended by striking out the word "quail," and when so amended that the same be adopted.

That the House concur in the Senate amendment to the House amendment'to section 23, in relation to bluejays.

M. K. Whelan, Samuel Mayne, W. G. Crow, John Frazee, Committee for House. Geo. W. Henderson, J H. Trewin,<br>A. B. Funk, C. S. Ranck, Committee for Senate.

Mr. Mayne offered the following substitute for the substitute for Senate file No. 1:

A BILL
For an act to provide for the purchase of a supply of annotated Codes for the State and to make an appropriation therefor and to regulate price of the sale of such Codes to purchasers in the State.
Be it enacted by the General Assembly of the State of Iowa:
Section 1. Former revisions and Codes of the State shall be cited and designated as follows: Code of 1851; Revision of 1860; Code of 1873; and the revision and codification passed and adopted at the extra session of the Twenty-sixth General Assembly, as the Code of 1897.

Sec. 2. The Executive Council is authorized and directed to enter into contract with the firm of Callaghan \& Co. for the purchase by the State
from said firm of seven thousand copies of an annotated Code of the State, embodying the revision and codification passed and adopted at the extra session of the Twenty-sixth General Assembly as aforesaid, to be edited and annotated by Emlin McClain; said contract to embody the stipulations, provisions and requirements of this act.

Sec. 3. In editing said Code said McClain shall arrange and number consecutively and in a convenient and suitable manner sections, subdivisions, chapters, titles, and parts of said Code and cause to be printed in parenthesis at the end of each section the numbers of corresponding sections of the Code of 1873 , the revision of 1860 and the Code of 1851 , in the order named, and references to session laws so far as practicable. He shall also prepare suitable catchwords to be printed at the beginning of each section in black faced type, shall read the proofs, correct all manifest grammatical and clerical errors in the Code, and attend to its proper punctuation, without thereby changing the meaning, but corrections of grammatical and clerical errors shall be made by insertion in brackets of correct words following the words which are deemed by him to be incorrect or erroneous.

He shall also prepare and embody in the same volume with said Code a suitable, exhaustive and plain index thereto, with cross references in the usual manner of indexing statutes and codes of laws, accomplishing as near as practicable, with extraordinary care and diligence, a plain index; and he shall further embody a table of corresponding sections showing where the various sections of the Code of 1851, the revision of 1860, the Code of 1873, and McClain's Code of 1888 are to be found in the Code of 1897 as thus published.

Sec. 4. There shall be published with the Code and in the same volume the rules of the supreme court, with annotations, the constitution of the State annotated in the same manner as is hereinafter provided with reference to the Code itself, the Declaration of Independence, the constitution of the United States, the statutes of the United States relating to citizenship and naturalization, and those relating to the authentication of states, records and the like, the ordinance of 1787, and the articles of compact, the organic law of Michigan, of Wisconsin and of Iowa, and amendments thereto, the act for the admission of Iowa into the Union, and an analysis of the contents and table of abbreviations.

Sec. 5. Said McClain shall prepare, arrange and place immediately under each section notes of all of the decisions of the supreme court of Iowa, rendered down to the close of the May term, 1897, which may aid in understanding or explaining the same, stating briefly the pertinent points decided, and giving the names of parties, and volume and page as such cases are reported in the official reports of such decisions so far as the cases are thus officially reported, and citing the cases which are later than the official reports by references to the Northwestern Reporter. He shall also include in said annotations notes of decisions of the federal courts in the same way.

Sec. 6. All the matters hereinbefore referred to shall be printed in one volume of the same general character and style of McClain's annotated Code of Iowa of 1888, in the same sized type as is used for text and notes respectively in that work and in the same sized page; the printing and
paper to be of first-class style and quality and the volumes to be bound in first-class full sheep law binding.

Sec. 7. The copies of the work referred to in this act shall be completed and delivered to the Secretary of State on or before the first day of October, 1897, and when certified to by him to the Executive Council as correct, the Executive Council shall approve the same and the State Auditor shall draw a warrant upon the State Treasurer for the payment of the sum of $\$ 20,000.00$ to said Callaghan \& Co., which warrant shall be paid by said Treasurer and the sum of $\$ 20,000.00$ is hereby appropriated for the payment of said sum out of any money in the State treasury not otherwise appropriated.

Sec. 8. It shall be stipulated as a portion of the contract between the State and said Callaghan \& Co., that the copies of said work furnished to the State, as hereinbefore provided, shall be for distribution only to public officers and institutions as hereinafter provided in this act, or as may hereafter be provided by statute.

Sec. 9. The seven thousand copies of the work purchased by the State as hereinbefore provided, shall be disposed of as follows: There shall be delivered by the Secretary of State to the Governor of the State, the judges of the supreme court, the judges of the United States circuit and district courts of Iowa, two copies each. State officers, district and superior courts, members of the Twenty-sixth General Assembly and each succeeding General Assembly, secretary of the Senate, clerk of the House, and public libraries of the State, each one copy; to the State library, twenty copies; to the State. Univerity, ten copies; to the Agricultural College and the State Normal school, each two copies; and to each of the other public institutions of the State, one copy. There shall be also delivered through the county auditors as hereinafter provided, one copy to each county officer, to the mayor of each city or town, to each justice of the peace, and to each township clerk.

Sec. 10. For convenience of distribution the Secretary of State shall deliver to the Auditor of each county the requisite number of copies of the work aforesaid to be distributed to the county offcers, mayors, justices of the peace and township clerks as hereinbefore provided, and each county auditor shall in turn deliver said copies to the officers entitled thereto and take receipts therefor, keeping a memorandum thereof on file in his office, and shall, upon receipt of the copies transmitted to him, execute duplicate receipts therefor, one of which shall be immediately transmitted to the Secretary of State and the other to the State Auditor.

Sec. 11. Every county officer, justice of the peace, mayor of city or town and township clerk receiving a copy of the work aforesaid shall pass such copy to his successor in office or deliver it to the county auditor for the use of subsequent offleers and he shall be liable on his official bond for failure so to do.

Sec. 12. Said Callaghan \& Co., shall keep for sale and sell to purchasers in Iowa from and after said first day of October, 1897, copies of said work at the uniform price of not to exceed five dollars each so long as there may be any call or demand for the purchase of said work, and shall at the conclusion of the session of the Twenty-ninth General Assembly and again at the conclusion of the Thirty-second General Assembly, publish a supplement to the work aforesaid containing the statutes of a general or permanent
nature enacted at the three preceding sessions, annotated, printed and bound as required with reference to the work herein provided for, which supplements shall be sold at a price corresponding to the price of the Code herein provided for in proportion to the size of said supplement and the cost of publication thereof.

Sec. 13. The Code and supplements thereto, as herein provided to be published by said Callaghan \& Co., shall be the official publication of the existing laws of the State.

Sec. 14. Before entering into the contract with Callaghan \& Co., herein provided for, the Executive Council shall require from said Callaghan \& Co., a bond with adequate security in the sum of $\$ 10,000$ that said Callaghan \& Co, will carry out and faithfully perform the conditions of said contract.

Sec. 15. All acts or parts of acts inconsistent with this act are hereby repealed.

Sec. 16. This act being deemed of immediate importance, shall take effect and be in force from and after its publication in the Iowa State Register and the Des Moines Leader, newspapers published in Des Moines, Iowa.

On motion of Mr. Putnam, the House adjourned until 9 A. m. to-morrow.

Hall of the House of Representatives. Des Mones, Iowa, Wednesday, April 21, 1897. $\}$
House met at 9 A. m., Speaker Byers in the chair. Prayer by Rev. W. A. Black.
Journal of yesterday corrected and approved.
PETITIONS AND MEMORIALS.
Mr. Byington presented petition of citizens of Oasis, Iowa, against the manfacturing bill.

Referred to Committee on Suppression of Intemperance.
Mr. Power offered the following resolution, which was laid over under rule 34:

Whereas, On the 8th day of February, 1897, a resolution was adopted by the House (see resolution set out in House Journal of that date) whereby a committee of five was authorized to proceed as by said resolution directed, and,

Whereas, On the 14th day of April, 1897, the committee reported to this House its findings with testimony thereto attached, and,

Wheresas, The testimony discloses the fact that various sums of money have been drawn from the State treasury to pay certain individuals for services rendered in behalf of the State and its offices, that not all of said money has been paid to said persons and that portions thereof has been retained and held as by the testimony disclosed, and other irregularities shown in said report and testimony, therefore be it

Resolved, That the Attorney-General is hereby directed and required to make an examination of the testimony so taken by said committee and such other facts relating to said matter as he may deem proper, and if upon such examination he finds that any of the money has not been properly used or the law violated, he shall take such method to collect money not paid or proceed against the bond of any person or prosecute such person or persons criminally, and to diligently act that the laws of the State may be maintained.

MESSAGES FROM THE SENATE.
The following message was received from the Senate:
Mr. Speaker-I am directed to inform your honorable body that the Senate insists on its amendments to House file No. 18, a bill for an act to revise, amend, and codify the statutes in relation to insurance, and refuses to concur in House amendments.

The President appoints as conference committee on the part of the Senate, Senators Garst, Pusey, Craig and Harper.

Geo. A. Newman, Secretary.
Also:
Mr. Speaker-I am directed to inform your honorable body that the Senate has adopted the conference report on Senate file No. 35, a bill for an act to revise, amend, and codify the statutes in relation to the care and propagation of fish, and the protection of birds and game.

Geo. A. Newman, Secretary.
REPORT OF CONFERENCE COMMITTEE.
Mr. Temple submitted the following conference committee report:
To the President of the Senate and the Speaker of the House:
Your committee on conference, to whom was referred certain amendments to House file No. 84, would respectfully report that they have had the same under consideration and have agreed upon their report as follows:

They recommend that the House concur in Senate amendments to sections 30,31 and 83 as passed by the Senate.

That the Senate recede from its amendment to section 52.
That the House amendment to section 12 be modified to read as follows: " But in prosecutions against gaming, betting, lotteries, dealing in options and keeping gambling houses, or rooms for illegal use or disposal of intoxicating liquors, no witness shall be excused from giving testimony upon the ground that his testimony would tend to render him criminally liable or expose him to public ignominy, but any matter so elicited shall not be used against him, and said witness shall not be prosecuted for any crime connected with or growing out of the act on which the prosecution is based in the cause in which his evidence is used for the State under the provisions of this section," and that such amendment, when so modified, be concurred in by both houses.

That the Senate amendment to section 15 be modified to read as follows: "When part of an act, declaration, conversation or writing is given in evidence by one party, the whole on the same subject may be inquired into by the other; thus, when a letter is read, all other letters on the same subject between the same parties may begiven. And when a detached act, declaration, conversation or writing is given in evidence, any other act, declaration, conversation or writing, which is necessary to make it fully understood or to explain the same, may also be given in evidence"

That when said amendment is so modified that both houses concur in the same.

All of which is respectfully submitted.

M. L. Temple,<br>W. B. Martin, Jas. M. Clabk, P. Finch,<br>House Committee.<br>N. M. Pusey,<br>J. S. Lothrop,<br>J. M. Junkin,<br>A. C. Hobart,<br>Senate Committe.

Mr. Temple moved that the conference committee report be adopted.

On the question, "Shall the report be adopted?" the yeas were:

Messrs. Allen, Bailey, Baker, Bell, Bird, Bowen, Brady, Brant, Brighton, Byington, Clark, Classen, Cook, Cornwall, Crow, Davis, Dowell, Early, Edwards, Evans, Finch, Frazee, Frink, Good, Griswold, Gurley, Haugen, Hauger, Hazen, Hendershot, Huntley, Jay, Johnson of Webster, Johnston of Franklin, Klemme, Ladd, Lauder, Loomis, McAchran, McArthur, McDowell, McNulty, McQuin, Manahan, Martin, Mayne, Merriam, Miller of Buena Vista, Miller of Cherokee, Morrison of Grundy, Morrison of Keokuk, Mullin, Nolan, Parker, Porter, Potter, Prentis, Putnam, Ray, Reed, Scott, Smith, Spaulding, St. John, Sullivan, Temple, Trompson, Tibbitts, Van Houten, Voelker, Watters, Weaver, Wells, Wheeler, Whelan, Whittier, Williams, Mr. Speaker-78.

The nays were:
Messrs. Hayes, Marti, Power, Wilson-4.
Absent or not voting:
Messrs. Brinton, Chapman, Doubleday, Funk, Garner, Grote, Hinkhouse, Hinman, Hunt, Jackson, Lambert, Lavender, Lowry, McDonald, Miller of Warren, Nietert, Perrott, Wood -18.

So the report of the conference committee was adopted.
Mr. Whelan called up the Conference Committee report on the substitute for Senate file No. 35, relative to fish and game, and moved that the report be adopted.

On the question, "Shall the report of the Conferenca Committee be adopted?" the yeas were:

Messrs. Allen, Bell, Bird, Bowen, Brady, Brant, Byington, Clark, Cornwall, Crow, Davis, Dowell, Early, Evans, Finch, Good, Griswold,Haugen, Hendershot, Hunt, Johnson of Webster, Klemme, Ladd, Lauder, Loomis, Lowry, McAchran, McArthur, McNulty, Marti, Martin, Mayne, Merriam, Miller of Buena Vista, Morrison of Keokuk, Nietert, Potter, Power, Prentis, Putnam, Reed, Spaulding, St. John, Thompson, Tibbitts, Voelker, Watters, Whelan, Mr. Speaker-49.

The nays were:
Messrs. Bailey, Classen, Cook, Edwards, Frink, Gurley, Hayes, Hazen, Huntley, Lambert, McDowell, McQuin, Manahan, Miller of Cherokee, Mullin, Nolan, Parker, Porter, Scott,

Smith, Sullivan, Temple, Van Houten, Weaver, Wells, Wheeler, Whittier, Williams, Wilson-29.

Absent or not voting:
Messrs. Baker, Brighton, Brinton, Chapman, Doubleday, Frazee, Funk, Garner, Grote, Hauger, Hinkhouse, Hinman, Jackson, Jay, Johnston of Franklin, Lavender, McDonald. Miller of Warren, Morrison of Grundy, Perrott, Ray, Wood -22.

So the report of the Conference Committee having failed to receive a constitutional majority was declared rejected by the House.

The Speaker appointed as the Conference Committee on the part of the House for further conference on the substitute for Senate file No. 35, Messrs. Whittier, Van Houten, Bird and Hunt.

## REPORT OF COMMITTEE.

Mr. Potter, from the Committee on Telegraph, Telephone and Express, submitted the following report:

Mr. Speakrar-Your Committee on Telegraph, Telephone and Express, to whom was referred House file No. 26, a bill for an act to revise, amend and codify the statutes in relation to the construction and operation of telegraph and telephone lines, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the House concur in all of the Senate amendments thereto.
L. F. Potter, Chairman.
Ordered passed on file.
Mr. Potter called up House file No. 26, just reported by the committee, and moved the adoption of the report.

Mr. Ray moved as a substitute that the vote be taken on the question of concurrence in all the Senate amendments except the amendment striking out section 8.

Carried.
On the question, "Shall the House concur in Senate amendments to the title; to section 4, line 4; to section 4, lines 4 and 5 ; to section 5 , line 1 ; to section 6 , line 1 ; to section 6 , line 3 ?" the yeas were:

Messrs.Bailey,Baker,Bell,Bird,Bowen,Brady,Brighton,Brinton, Byington, Chapman, Clark, Classen, Cook, Cornwall, Crow, Davis, Dowell, Early, Edwards, Evans, Finch, Frink, Funk, Good, Griswold, Gurley, Haugen, Hauger, Hayes, Hazen, Hen dershot, Hunt, ${ }^{2}$ Huntley, Jay, Johnson of Webster, Klemme,

Ladd, Lambert, Lowry, McAchran, McArthur, McDowell, McNulty, McQuin, Manahan, Mayne, Merriam, Miller of Buena Vista, Miller of Cherokee, Miller of Warren, Morrison of Keokuk, Mullin, Nolan, Parker, Porter, Potter, Power, Prentis, Putnam, Ray, Reed, Scott, Smith, Spaulding, St. John, Sullivan, Tibbitts, Van Houten, Voelker, Watters, Weaver, Wheeler, Whelan, Whittier, Williams, Wilson, Mr. Speaker-77.

The nays were:
None.
Absent or not voting:
Messrs. Allen, Brant, Doubleday, Frazee, Garner, Grote, Hinkhouse, Hinman, Jackson, Johnston of Franklin, Lauder, Lavender, Loomis, McDonald, Marti, Martin, Morrison of Grundy, Nietert, Perrott, Temple, Thompson, Wells, Wood -23.

So the House concurred.
On the question, "Shall the House concur in Senate amendment striking out section 8?" the yeas were:

Messrs. Bowen, Early, Lauder, Marti, Potter, Voelker, Wells, Whelan-8.

The nays were:
Messrs. Allen, Bailey, Baker, Bell, Bird, Brinton, Byington, Chapman, Clark, Classen, Cook, Crow, Davis, Evans, Finch, Frazee, Frink, Funk, Good, Griswold, Haugen, Hauger, Hayes, Hazen, Hendershot, Hunt, Huntley, Jay, Johnson of Webster, Johston of Franklin, Klemme, Ladd, Lambert, Lowry, McAchran, McDowell, McNulty, McQuin, Manahan, Martin, Mayne, Miller of Buena Vista, Miller of Cherokee, Miller of Warren, Morrison of Keokuk, Mullin, Nolan, Parker, Porter, Power, Prentis, Putnam, Ray, Reed, Scott, Smith, Spaulding, St. John, Sullivan, Tibbitts, Van Houten, Watters, Weaver, Wheeler, Whittier, Williams, Wilson, Mr. Speaker-68.

Absent or not voting:
Messrs. Brady, Brant, Brighton, Cornwall, Doubleday, Dowell, Edwards, Garner, Grote, Gurley, Hinkhouse, Hinman, Jackson, Lavender, Loomis, McArthur, McDonald, Merriam, Morrison of Grundy, Nietert, Perrott, Temple, Thompson, Wood-24.

So the House refused to concur.

The following motion to reconsider was filed:
Mr. Speaker-I move to reconsider vote by which conference committee report failed to pass on Senate file No. 35.
H. O. Weaver.

I second the motion.
O. H. Fring.

Substitute for Senate file No. 1, relating to annotating and publishing the Code, was taken up and read first and second time.

On motion of Mr. Morrison of Grundy, House adjourned till 2 p. M. to-day.

## AFTERNOON SESSION.

House met at 2 P. m., Speaker Byers in the Chair.
REPORT ON CODE WORK.
Mr. Loomis submitted the following report:
Mr. Speaker-Your committee on Code work desire to submit the following report:

## Pages.

House files passed both Houses................................................. 393
Senate files passed both Houses..................................................... 410
House files passed House only...-.................-............................... 135
Senate files passed Senate only............... ................................ 14




Senate files to be passed by the House....-.-............................. 14
House files to be passed by the Senate...................................... 135
House files with conference committee....................................... 140
House files with enrolling clerk................................................... 42
Senate files with enrolling clerk................................................ 51
Senate files with conference committee.................................... $1 \& 9$

Blank pages in proposed Code...................................................... 68

Pages.
House files to be enrolled........-.-.-...-.................................... 289
Senate files to be enrolled............-.............................................. 222

A. M. Loomis, P. A. Smith, J. L. Wilson, Committee.

The motion to reconsider the vote on substitute for Senate file No. 35, was taken up and discussed.

Mr. Van Houten moved to lay the motion to reconsider on the table.

Whereupon a roll call was demanded by Messrs. Lauder and Allen, with the following result.

On the question "Shall the motion to reconsider be laid on the table?" the yeas were:

Messrs. Bailey, Baker, Brady, Chapman, Cook, Davis, Early, Frazee, Gurley, Haugen, Hunt, Huntley, Jay, Lambert, Lowry, MicQuin, Manahan, Marti, Martin, Miller of Cherokee, Mullin, Parker, Porter, Scott, Smith, Temple, Van Houten, Wells, Wheeler, Whittier, Wilson-31.

The nays were:
Messrs. Allen, Bowen, Brant, Brinton, Byington, Clark, Classen, Crow, Doubleday, Dowell, Evans, Finch, Frink, Funk, Garner, Griswold, Grote, Hauger, Hazen, Hendershot, Johnson of Webster, Johnston of Franklin, Klemme, Ladd, Lauder, Lavender, Loomis, McAchran, McArthur, McDowell, McNulty, Mayne, Miller of Buena Vista, Miller of Warren, Morrison of Grundy, Morrison of Keokuk, Nietert, Nolan, Perrott, Potter, Power, Prentis, Putnam, Ray, Reed, Spaulding, St. John, Sullivan, Thompson, Tibbitts, Watters, Weaver, Whelan, Williams, Wood, Mr. Speaker-56.

Absent or not voting:
Messrs. Bell, Bird, Brighton, Cornwall, Edwards, Good, Hayes, Hinkhouse, Hinman, Jackson, McDonald, Merriam, Voelker-13.

So the motion was lost.
The motion to reconsider was then put and carried and the House ordered the bill returned from the Senate.

On the question, "Shall the report of the conference committee be adopted?" the yeas were:

Messrs. Allen, Brant, Brinton, Byington, Cornwall, Crow, Dowell, Early, Evans, Finch, Frink, F'unk, Garner, Good, Gris-
wold, Grote, Hendershot, Hunt, Jackson, Johnson of Webster, Johnston of Franklin, Klemme, Ladd, Lavender, Loomis, Lowry, McAchran, Martin, Mayne, Merriam, Miller of Buena Vista, Miller of Warren, Morrison of Grundy, Morrison of Keokuk, Nietert, Potter, Prentis, Putnam, Ray, Reed, Spaulding, Thompson, Tibbitts, Watters, Whelan, Williams, Mr. Speaker $-47$.

The nays were:
Messrs. Bailey, Baker, Bell, Bowen, Brady, Chapman, Clark, Classen, Cook, Davis, Doubleday, Edwards, Frazee, Gurley, Hayes, Hazen, Huntley, Jay, Lambert, McArthur, McDowell, McNulty, McQuin, Manahan, Marti, Miller of Cherokee, Mullin, Nolan, Parker, Perrott, Porter, Scott, Smith, St. John, Sullivan, Temple, Van Houten, Voelker, Weaver, Wells, Wheeler, Whittier, Wilson, Wood-44.

Absent or not voting:
Messrs. Bird, Brighton, Haugen, Hauger, Hinkhouse, Hinman, Lauder, McDonald, Power-9.

So the report of the conference committee having failed to receive a constitutional majority, was declared rejected.

SPECIAL ORDER.
The special order, House file No. 33, relating to intoxicating liquors, with Senate amendments thereto and with the report of the committee recommending that the Senate amendments be concurred in, was taken up at this time.

Mr. Chapman moved that the House concur in Senate amend ments.

Mr. Good moved the previous question.
Messrs. Bell and Wood demanded the yeas and nays on this question which resulted as follows:

On the question, "Shall the main question be now put?" the yeas were:

Messrs. Baker, Bowen, Brant, Crow, Davis, Doubleday, Dowell, Early, Edwards, Garner, Good, Grote, Gurley, Hayes, Hazen, Hendershot, Hunt, Klemme, Lambert, Lauder, Lowry, McArthur, McDowell, McNulty, McQuin, Manahan, Marti, Morrison of Keokuk, Nietert, Nolan, Potter, Power, Putnam, Sullivan, Thompson, Tibbitts, Voelker, Wheeler, Whelan, Whittier, Wilson, Mr. Speaker-42.

The nays were:
Messrs. Bailey, Bell, Bird, Brady, Brinton, Byington, Chapman, Clark, Classen, Cook, Cornwall, Finch, Frazee, Frink,

Funk, Griswold, Hauger, Huntley, Jackson, Jay, Johnson of Webster, Johnston of Franklin, Ladd, Lavender, Loomis, McAchran, Martin, Mayne, Merriam, Miller of Buena Vista, Miller of Cherokee, Miller of Warren, Morrison of Grundy, Mullin, Parker, Perrott, Porter, Prentis, Ray, Reed, Scott, Smith, Spaulding, St. John, Temple, Van Houten, Watters, Weaver, Wells, Williams, Wood-51.

Absent or not voting:
Messrs. Allen, Brighton, Evans, Haugen, Hinkhouse, Hinman, McDonald-7.

So the motion was lost.
The following amendments were filed to be taken up in their order:

By Mr. Martin-Amend section 78 as inserted by the Senate by striking out the words 'named in" in the next to the last line and inserting in lieu thereof the words "as specified in the third preceding section of."

By Mr. Jackson-Amend the Senate amendment to section 75 by striking out the words "sixty-five" in line 7 and substitute therefor the word "fifty."

By Mr. Funk-Amend the Senate amendment by striking out section 76 as inserted by the Senate.

Mr. Chapman moved the previous question.
The motion was lost by a vote of 39 yeas to 44 nays.
The House took up for consideration the amendment of Mr. Martin.

After discussion Mr. Chapman moved the previous question upon which a roll call was demanded, resulting as follows:

On the question, "Shall the previous question be adopted?" the yeas were:

Messrs. Allen, Bailey, Baker, Bowen, Brant, Chapman, Crow, Davis, Doubleday, Dowell, Early, Edwards, Frazee, Funk, Garner, Good, Grote, Gurley, Haugen, Hayes, Hazen, Hendershot, Hunt, Klemme, Lambert, Lauder, Lowry, McDowell, McNulty, McQuin, Manahan, Marti, Mayne, Morrison of Grundy, Morrison of Keokuk, Mullin, Nietert, Nolan, Porter, Potter, Power, Putnam, Sullivan, Thompson, Tibbitts, Voelker, Weaver, Wheeler, Whelan, Whittier, Wilson, Mr. Speaker-52.

The nays were:
Messrs. Bell, Bird, Brady, Brighton, Brinton, Byington, Clark, Classen, Cook, Cornwall, Evans, Finch, Frink, Griswold,

Hauger, Huntley, Jackson, Jay, Johnson of Webster, Johnston of Franklin, Ladd, Lavender, Loomis, McAchran, McArthur, Martin, Miller of Buena Vista, Miller of Cherokee, Miller of Warren, Parker, Perrott, Prentis, Ray, Reed, Scott, Smith, Spaulding. St. John, Temple, Van Houten, Watters, Wells, Williams, Wood-44.

Absent or not voting:
Messrs. Hinkhouse, Hinman, McDonald, Merriam-4.
So the motion prevailed.
On the amendment of Mr. Martin, Messrs. Martin and Hayes demanded the yeas and nays, which resulted as follows:

On the question, "Shall the amendment be adopted?" the yeas were:

Messrs. Allen, Bailey, Bell, Bird, Brady, Brighton, Brinton, Clark, Classen, Cook, Cornwall, Davis, Doubleday, Early, Edwards, Evans, Finch, Frink, Funk, Griswold, Haugen, Hauger, Huntley, Jackson, Johnson of Webster, Johnston of Franklin, Klemme, Ladd, Lavender, Loomis, McAchran, Martin, Mayne, Merriam, Miller of Buena Vista, Miller of Cherokee, Miller of Warren, Morrison of Grundy, Mullin, Parker, Perrott, Porter, Potter, Prentis, Ray, Reed, Scott, Smith, Spaulding, St. John, Temple, Van Houten, Watters, Wells, Whittier, Williams, Wood-57.

The nays were:
Messrs. Baker, Bowen, Brant, Chapman, Crow, Dowell, Frazee, Garner, Good, Grote, Gurley, Hayes, Hazen, Hendershot, Hunt, Jay, Lambert, Lauder, Lowry, McArthur, McDowell, McNulty, McQuin, Manahan, Marti, Morrison of Keokuk, Nietert, Nolan, Power, Putnam, Sullivan, Thompson, Tibbitts, Voelker, Weaver, Wheeler, Whelan, Wilson, Mr. Speaker-39.

Absent or not voting:
Messrs. Byington, Hinkhouse, Hinman, McDonald-4.
So the amendment was adopted.
The House took up amendment of Mr. Jackson.
Messrs. Van Houten and Temple demanded the yeas and nays on amendment of Mr. Jackson, which resulted as follows:

On the question, "Shall the amendment be adopted?" the yeas were:

Messrs. Baker, Byington, Frazee, Hayes, Hazen, Hunt, Jackson, Jay, Lambert, Lauder, Lowry, McDowell, McNulty, McQuin, Manahan, Marti, Nolan, Porter, Power, Sullivan, Tibbitts, Voelker, Wheeler, Wilson-24.

The nays were:
Messrs. Allen, Bailey, Bell, Bird, Bowen, Brady, Brant, Brighton, Brinton, Chapman, Clark, Classen, Cook, Cornwall, Crow, Davis, Doubleday, Dowell, Edwards, Evans, Finch, Frink, Funk, Garner, Good, Griswold, Grote, Gurley, Haugen, Hauger, Hendershot, Huntley, Johnson of Webster, Johnston, of Franklin, Klemme, Ladd, Lavender, Loomis, McAchran, McArthur, Martin, Mayne, Merriam, Miller of Buena Vista, Miller of Cherokee, Miller of Warren, Morrison of Grundy, Morrison of Keokuk, Mullin, Parker, Perrott, Potter, Prentis, Putnam, Ray, Reed, Scott, Smith, Spaulding, St. John, Temple, Thompson, Van Houten, Watters, Weaver, Wells, Whelan, Whittier, Williams, Wood, Mr. Speaker-71.

Absent or not voting:
Messrs. Early, Hinkhouse, Hinman, McDonald, Nietert-5.
So the amendment was lost.
Mr. Early filed the following explanation.
My absence at the time the vote was taken on the Jackson amendment to section 75, House flle No. 33, striking out the word "sixty-five" and inserting the word "fifty," is accounted for on the grounds that I could not record my vote either in the affirmative or negative on this amendment without doing violence to my conception of the philosophy of law. I am not willing to vote for any law that will set aside the majority rule. Chas. L. Early.
Mr. Funk withdrew his amendment to strike out section 76.
On the question, "Shall the House concur in the Senate amendments to section 1 , section 4 , section 6 , section 11 , section 22 , section 26 , section 37 , section 41 , section 42 , section 55 , section 64, section 66, section 68, sections $75,76,77,78$ as amended by the Housa, 79 and 80 ?" the yeas were:

Messrs. Allen, Bailey, Baker, Bowen, Brady, Brant, Byington, Chapman, Crow, Davis, Doubleday, Dowell, Early, Edwards, Frazee, Garner, Good, Grote, Gurley, Hayes, Hazen, Hendershot, Hunt, Jackson, Jay, Klemme, Ladd, Lambert, Lauder, Lowry, McArthur, McDowell, McNulty, McQuin, Manahan, Marti, Mayne, Morrison of Grundy, Morrison of Keokuk, Nietert, Nolan, Porter, Potter, Power, Putnam, Sullivan, Thompson, Tibbitts, Voelker, Weaver, Wheeler, Whelan, Whittier, Wilson, Mr. Speaker-55.

The nays were:
Messrs. Bell, Bird, Brighton, Clark, Classen, Cook, Cornwall, Evans, Finch, Frink, Funk, Griswold, Haugen, Hauger, Huntley, Johnson of Webster, Johnston of Franklin, Lavender,

Loomis, McAchran, Martin, Merriam, Miller of Buena Vista, Miller of Cherokee, Miller of Warren, Mullin, Parker, Perrott, Prentis, Ray, Reed, Scott, Smith, Spaulding, St. John, Temple, Van Houten, Watters, Wells, Williams, Wood-41.

Absent or not voting:
Messrs. Brinton, Hinkhouse, Hinman, McDonald-4.
So the House concurred in all the Senate amendments to this bill, including section 78, as amended by the House, except Senate amendment to section 67.

On the question, "Shall the House concur in the Senate amendment to section 67?" the yeas were:

Messrs. Bailey, Baker, Bird, Bowen, Brady, Brant, Byington, Chapman, Crow, Davis, Dowell, Edwards, Frazee, Garner, Good, Grote, Gurley, Haugen, Hayes, Hazen, Hendershot, Hunt, Jay, Klemme, Lambert, Lauder, Lowry, McArthur, McDowell, McNulty, McQuin, Manaban, Marti, Mayne, Morrison of Grundy, Morrison of Keokuk, Nietert, Nolan, Porter, Potter, Power, Putnam, Sullivan, Thompson, Tibbitts, Voelker, Weaver, Wheeler, Whelan, Whittier, Wilson, Mr. Speaker-52.

The nays were:
Messrs. Bell, Brighton, Brinton, Clark, Classen, Cook, Cornwall, Doubleday, Early, Evans, Finch, Frink, Funk, Griswold, Hauger, Huntley, Jackson, Johnson of Webster, Johnston of Franklin, Lavender, Loomis, McAchran, Merriam, Miller of Buena Vista, Miller of Cherokee, Miller of Warren, Mullin, Parker, Perrott, Prentis, Ray, Reed, Scott, Smith, Spaulding, St. John, Temple, Van Houten, Watters, Wells, Williams, Wood-42.

Absent or not voting:
Messrs. Allen, Hinkhouse, Hinman, Ladd, McDonald, Mar-tin-6.

So the House concurred.
Mr. McDowell offered the following explanation of his vote:
Mr. Speaker-There are many provisons contained in this bill which I do not approve of, at the same time knowing that this is the best law that can be hadrat this extra session on the manufacture of beer and vinous liquors, I feel compelled to vote for the entire bill. I vote "yea."
J. P. McDowell.

The Speaker signed in open session of the House, Senate files.Nos. $92,93,78$ and 4.

The following message was received from the Senate:

Mr. Speaker-I am directed to inform your honorable body that the Senate insists on its amendment to section 13, and concurs in the House substitute for section 9 , line 29, of the substitutefor House file No. 20, a bill for an act to revise, amend and codify the statutes in relation to building and loan associations, and the President of the Senate has appointed on the part of the Senate, a conference committee, as follows: Senators Eaton, Junkin, Sargent and Cheshire.

Gho. A. Newman, Secretary.

## Also:

Mr. Speaker-I am directed to inform your honorable body that the Senate herewith returns Senate file No. 35, a bill for an act to revise, amend and codify the statutes in relation to the care and propagation of fish and game.

Geo. A. Newman, Secretary.

## Also:

Mr. Speaker-I am directed to inform your honorable body that the Senate insists on its amendment to section 8, House file No. 26, a bill for an act to revise, amend and codify the statutes in relation to the construction and operation of telegraph and telephone lines, and the President of the Senate has appointed as a conference committee on the part of the Senate, Senators Gilbertson, Junkin, Upton and Hipwell.

Geo. A. Newman,
Secretary.

## Also:

Mr. Speaker-I am directed to inform your honorable body that the Senate has adopted the report of the Conference Committee on House file No. 84, a bill for an act to revise, amend and codify the statutes in relation to evidence.

Geo. A. Newman,
Secretary.

## REPORT OF COMMITTEE.

Mr. Nietert, from the Committee on Banks and Banking, submitted the following report:

Mr. Speaiker-Your Committee on Banks and Banking, to whom was referred the substitute for House file No. 19, a bill for an act to revise, amend and codify the statutes in relation to banks and banking, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same do pass with the following amendments.

The committee recommend that the House concur in the Senate amendments to chapter 9 , title IX, sections $1,3,4,6,9$, and 21 ; chapter 10 , title IX, sections 3 and 6, and the first, second and last amendments to section 7 ; chapter 11, first amendment to section 2, the amendments to the same chapter in sections $4,5,6$ and 7 , first two amendments to section 10 , chapter 11 , in lines 27 and 28 , of original bill, also amendment after the word "banks" and before the word "and," in line 31, section 10 , chapter 11 ,
original bill; section 10 , chapter 11 , line 31 , original bill, that inserts the word "general" between the words "no" and "assignment;" the Senate amendment to section 10 , chapter 11 , lines 31 and 32 , of original bill; the Senate amendments to sections 15, 17, 18 and 19, chapter 11.

The committee recommend that the House do not concur in Senate amendment to section 2 , chapter 11 ; third amendment in section 10 , chapter 11 , line 28 of original bill; section 10 , chapter 11 , line 30 , original bill.

Amend Senate amendment to section 23, chapter 11, by striking out the word "time" in line 10 of original bill.

H. J. Nietert,<br>Chairman.

Ordered passed on file.
On motion of Mr. Wood, House adjourned till 9 A. m. to-morrow.

Hall of the House of Representatives.
Des Moines, Iowa, Thursday, April 22, 1897. $\}$
House met at 9 a. m., Speaker Byers in the chair. Prayer by Rev. M. A. Ball of Des Moines, Iowa. Journal of yesterday corrected and approved.

## PETITIONS AND MEMORIALS.

Mr. Sullivan presented petition of school officers and teachers of McGregor, lowa, asking the passage of a cigarette law.

Referred to Committee on Code Revision, Division No. 1.

## INTRODUCTION OF BILLS.

By Mr Nolan, House file No. 99, a bill for an act to legalize the acts of and to establish the independent school district of Washington Mills.

Read first and second time and referred to Committee on Judiciary.

The House proceeded to the consideration of substitute for Senate file No. 1, relating to the annotation and publishing of the Code.

The clerk read the bill.
Mr. Mayne called up his amendment to the Substitute for Senate file No. 1 as printed in the Journal of April 20 and offered the following amendment to the amendment: Add to section 7, "Any number in excess of seven thousand copies for which the Executive Council shall see fit to contract, shall be furnished at the same pro rata price and the State Auditor is hereby authorized to draw a warrant upon the State Treasurer payable to Callaghan \& Co., for a sum to pay for the number thus ordered in excess of seven thousand, and there is hereby appropriated out of any funds in the State treasury not otherwise appropriated, a sum sufficient to pay for the same."

The amendment to the amendment of Mr. Mayne was adopted.

Mr. Hayes moved that further consideration of the amendment of Mr. Mayne be deferred until the Senate bill under consideration can be perfected.

Carried by a vote of 37 yeas to 20 nays.
Mr . Hayes offered the following amendment to section 5 of the Senate bill: Add to section 5 the words 'in all not to cost to exceed seventy-five hundred dollars for such annotation."

Adopted.
Mr . Doubleday moved to amend section 5 by inserting between the words "attorney" and "to," in line 3, the words "no one of whom shall be under forty years old."

Lost.
Mr. Power moved to amend section 12, by striking out the word "October" and inserting the word "December;" also in the last line of section 13, strike out the word "October" and insert the word "December."

Mr. Klemme moved to amend the amendment of Mr. Power by striking out the word "October" in sections 12 and 13, and substituting therefor the word "November."

Lost.
The amendment of Mr. Power was lost by a vote of 17 yeas to 56 nays.

Mr. McDowell moved to amend section 16, after the word "place" in line 9, by inserting the word "assessor."

Lost.
Mr. Cornwall moved to amend section 4 by inserting after the word "Iowa," in line 4, the words "in the same manner all decisions of the Federal Courts construing statutes of the State of Iowa."

Adopted.
Mr. Tibbitts moved to amend section 12 by striking out of lines 10 and 12 the word "of" and inserting the words "not to exceed."

Adopted.
Mr. Tibbitts moved to amend section 12 by adding thereto the following: "The Supervising Committee to have the power to let the printing and binding named in this act to the lowest responsible bidder."

The roll call was demanded on this question which resulted as follows:

On the question "Shall the amendment be adopted?" the yeas were:

Messrs. Baker, Byington, Chapman, Frazee, Hazen, Hunt. Jay, Lambert, Lowry, McDowell, Manahan, Marti, Mayne, Nolan, Power, Putnam, Sullivan, Tibbitts, Voelker-19.

The nays were:
Messrs. Allen, Bailey, Bell, Bird, Bowen, Brady, Brant, Brighton, Brinton, Clark, Classen, Cook, Cornwall, Crow, Davis, Doubleday, Dowell, Early, Edwards, Evans, Finch, Frink; Funk, Good, Griswold, Grote, Gurley, Hauger, Hayes, Hendershot, Huntley, Johnson of Webster, Johnston of Franklin, Klemme, Ladd, Lauder, Lavender, Loomis, McAchran, McArthur, McNulty, McQuin, Martin, Merriam, Miller of Buena Vista, Miller of Cherokee, Miller of Warren, Morrison of Grundy, Morrison of Keokuk, Mullin, Nietert, Parker, Perrott, Potter, Prentis, Reed, Scott, Smith, Spaulding, St. John, Temple, Thompson, Van Houten, Watters, Weaver, Wells, Whelan, Whittier, Williams, Wood, Mr. Speaker-71.

Absent or not voting:
Messrs. Garner, Haugen, Hinkhouse, Hinman, Jackson, McDonald, Porter, Ray, Wheeler, Wilson-10.

So the amendment was lost.
Mr. Brant moved to amend section 12, by inserting after the word "volume" in line 2, the words "to be hand-sewed."

## Adopted.

Mr. Martin moved to add to section 5 the following: "Such stenographers and clerks shall receive as compensation not to exceed two dollars per day for each calendar day so employed."

Lost by a vote of 22 yeas to 40 nays.
Mr. Hauger moved to amend section 24, by striking out the word "appoint" in line 2, and inserting in lieu thereof the words "select in a manner as provided in section 2 bereof, for the selection of editor."

Adopted.
Mr. Merriam moved to add to section 5 the following: "Such stenographers and clerks shall receive as compensation not to exceed two dollars and fifty cents per day for each calendar day so employed."

Mr. Smith moved to amend the amendment of Mr. Merriam by striking out the word "stenographers."

Lost.

Mr. Haugen moved to amend the amendment by striking out the words "two dollars and fifty cents" and substituting therefor the words "two dollars and twenty-five cents."

Lost.
On the amendment of Mr. Merriam the yeas and nays were demanded, which resulted as follows:

On the question "Shall the amendment be adopted?" the yeas were:

Messrs. Allen, Bell, Bird, Brant, Brinton, Clark, Cook, Edwards, Evans, Finch, Frazee, Frink, Good, Griswold, Haugen, Hauger, Hendershot, Huntley, Johnson of Webster, Lambert, Loomis, McDowell, Marti, Martin, Merriam, Morrison of Grundy, Morrison of Keokuk, Nolan, Perrott, Power, Putnam, Ray, Scott, Sullivan, Tibbitts, Voelker, Watters, Wells, Wilson, Wood-40.

The nays were:
Messrs. Bailey, Bowen, Brady, Byington, Chapman, Classen, Cornwall, Crow, Davis, Doubleday, Dowell, Early, Funk, Grote, Gurley, Hayes, Hazen, Hunt, Johnston of Franklin, Klemme, Ladd, Luuder, Lavender, Lowry, McAchran, McArthur, McNulty, McQuin, Miller of Buena Vista, Miller of Cherokee, Miller of Warren, Mullin, Parker, Porter, Potter, Prentis, Reed, Smith, Spaulding, St. John, Temple, Thompson, Van Houten, Weaver, Whelan, Whittier, Williams, Mr. Speaker-48.

Absent or not voting:
Messrs. Baker, Brighton, Garner, Hinkhouse, Hinman, Jackson, Jay, McDonald, Manahan, Mayne, Nietert, Wheeler -12.

So the amendment was lost.
Mr. Mayne called up his amendment which was deferred and moved to strike out all after the enacting clause of substitute for Senate file No. 1, and insert in lieu thereof all that part of his amendment following the enacting clause as printed in the Journal of April 20th.

Mr. Byington moved to amend section 7 of the amendment of Mr. Mayne by adding to said section the words, ' should Callaghan \& Co. publish any subsequent edition of the statutes of Iowa, otherwise than by state authority, said company shall furnish to the State, free of charge, the volumes required for distribution by the laws of the state, and said new edition shall
be furnished to purchasers in the state at a price not to exceed five dollars per volume."

On motion of Mr. Klemme, House adjourned till 2 p. M.

## AFTERNOON SESSION.

The House met at 2 p. m., pursuant to adjournment, with Speaker Byers in the chair.

The Speaker appointed as the House members of the Conference Committee on House file No. 20, Messrs. Martin, Haugen, Morrison of Grundy and Jackson.

MESSAGES FROM THE SENATE.
The following message was received from the Senate:
Mr. Speaker-I am directed to inform your honorable body that the Senate has concurred in the following concurrent resolution in which the concurrence of the Senate was asked:

Relative to reports of conference committees.
Geo. A. Newman,
Secretary.
Also:
Mr. Speakhr-I am directed to inform your honorable body that the Senate has adopted the report of the Conference Committee on Senate file No. 77, a bill for an act to revise, amend and codify the statutes in relation to criminal procedure.

Geo. A. Nrwman,
Secretary.
Also:
Mr. Speaker-I am directed to inform your honorable body that the Senate has concurred in the House amendment to section 78, House file No. 33, a bill for an act to revise, amond and codify the statutes in relation to intoxicating liquors.

> Geo. A. Newman, Secretary.

REPORT OF COMMITTEE.
Mr. Cornwall, from the Committee on Conference on Senate file No. 77, submitted the following report:

Mr. Speaker-Your committee on conference, to whom was referred Senate file No. 77, a bill for an act to revise, amend and codify the statutes in relation to criminal procedure, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the accompanying detailed report be adopted:

That the House recede from its amendment to section 25, chapter 5, page 931.

The following is recommended for adoption as a substitute to the House amendment to section 24, chapter 12, page 946: "On the demand of the county attorney the magistrate shall take the evidence in writing of the State's witnesses, notwithstanding he has permitted the defendant to waive the preliminary examination."

That the House recede from its amendment to section 15, chapter 16, page 954.

That the House recede from its amendment to section 8, page 957.
The following is recommended for adoption for the House amendment to section 5, page 958:
"An attorney appointed by the court to defend a person indicted for homicide or any offense the punishment of which may be life imprisonment shall receive from the country treasury a fee of twenty dollars per day for time actually occupied in court in trial of defendant. If the prosecution be for any other felony, he shall receive the sum of ten dollars in full for services. Such attorney need not follow the case into another county or in to the supreme court, but if he does so he shall receive an enlarged compensation on a scale corresponding to that fixed by the section. To be entitled to such compensation, the attorney must file with the court his affidavit that he has not directly or indirectly received or entered into a contract to receive any compensation for such services from any source. Only one attorney in any one case shall receive such compensation."

That the Senate concur in House amendment to section 15, chapter 20, page 961.

That the House recede from its amendment to section 5, chapter 26, page 971.

That the House recede from its axendment to section 2, chapter 35, page 983.

That the Senate concur in House amendment to section 3, chapter 35, page 984.

That the House recede from its amendment to section 6, chapter 35, page 984.

That the Senate concur in House amendment to section 5, chapter 44, page 991.
W. W. Cornwall,
J. T. P. Power,
O. A. Byington,
W. C. McArthur,

Conference Committee on part of the House.
L. A. Elilis,
F. O. Ellison,

Thos. D. Healy,
T. G. Harper,

Conference Committee on part of the Senate.

Pending business, substitute for Senate file No. 1.
Mr. Morrison of Grundy filed the following amendment to be taken up in its order: Amend section 9 of the substitute for Senate file No. 1 (as amended at the end thereof by the Senate) as follows: Insert after the second word "any" in said amendment the word "unauthorized," and after the word "bills" insert the words "by the editor, or any change made."

Mr. Van Houten filed the following amendment: Section 2, after the word "defined," in line 5 , insert the words "the joint session shall also elect." Same section strike out line 6.

Mr. Haugen filed the following amendment: Amend section 2 by striking out all of line 5 after the period and the first two words in line 6 and insert the following: "The President of the Senate and the Speaker of the House and two members of the Senate and three members of the House to be."

Mr . Lauder moved the previous question.
Carried.
The amendment of Mr . Byington to the amendment of Mr. Mayne, which was pending at adjournment this A. M., was adopted.

A roll call was demanded on the amendment of Mr. Mayne, which resulted as follows:

On the question, "Shall the amendment be adopted?" the yeas were:

Messrs. Baker, Byington, Chapman, Cook, Finch, Funk, Hendershot, Jay, Lambert, McQuin, Mayne, Merriam, Scott, Smith, Sullivan, Temple, Voelker, Watters, Weaver, Williams -20.

The nays were:
Messrs. Allen, Bailey, Bell, Bird, Bowen, Brady, Brant, Brighton, Brinton, Clark, Classen, Cornwall, Crow, Davis, Doubleday, Dowell, Early, Edwards, Evans, Frazee, Frink, Garner, Good, Griswold, Grote, Gurley, Haugen, Hauger, Hayes, Hazen, Hunt, Huntley, Jackson, Johnson of Webster, Klemme, Ladd, Lauder, Lavender, Lowry, McAchran, McArthur, McDowell, McNulty, Manahan, Marti, Martin, Miller of Buena Vista, Miller of Cherokee, Miller of Warren, Morrison of Grundy, Morrison of Keokuk, Mullin, Nietert, Nolan, Parker, Perrott, Porter, Potter, Prentis, Putnam, Ray, Reed, Spaulding, St. John, Thompson, Tibbitts, Van Houten, Wells, Whelan, Whittier, Wilson, Wood, Mr. Speaker-73.

Absent or not voting:
Messrs. Hinkhouse, Hinman, Johnston of Franklin, Loomis, McDonald, Power, Wheeler-7.

So the amendment of Mr. Mayne was lost.
The amendment of Mr. Morrison of Grundy, was taken up and adopted.

Amendment of Mr. Van Houten was adopted by a vote of 38 yeas to 27 nays.

The amendment of Mr. Haugen was amended by unanimous consent to read as follows: Amend section 2 by adding at the end of line 5 the following: "to which shall be added the President of the Senate and Speaker of the House and said committee shall;" also, strike out first word in line 7, section 2.

Adopted as amended.
By unanimous consent the second word "to" in line 8 of section 12; also, that the word "to" in lines 10 and 12 of the same section, were stricken out and the word "shall" inserted in lieu thereof.

By unanimous consent the word "dollars" was inserted in line 9 of section 6 , after the word "ten."

The motion that the rule be suspended, and that the bill be read a third time now, was then put, which motion prevailed, and the bill was read a third time.

On the question, "Shall the bill pass?" the yeas were:
Messrs. Allen, Bailey, Bell, Bird, Bowen, Brady, Brant, Brighton, Brinton, Clark, Classen, Cornwall, Crow, Davis, Doubleday, Dowell, Early, Edwards, Evans, Finch, Frink, Garner, Good, Griswold, Grote, Gurley, Haugen, Hauger, Hayes, Hendershot, Huntley, Jackson, Johnson of Webster, Johnston of Franklin, Klemme, Ladd, Lauder, Lavender, McAchran, McDowell, McNulty, McQuin, Martin, Miller of Buena Vista, Miller of Cherokee, Miller of Warren, Morrison of Grundy, Morrison of Keokuk, Mullin, Nietert, Parker, Perrott, Potter, Prentis, Ray, Reed, Smith, Spaulding, St. John, Thompson, Tibbitts, Van Houten, Watter, Wells, Whelan, Whittier, Wilson, Wood-68.

The nays were:
Messrs. Baker, Byington, Chapman, Cook, Frazee, Funk, Hazen, Hunt, Lambert, Lowry, Manahan, Marti, Mayne, Merriam, Nolan, Porter, Power, Scott, Sullivan, TTemple, Weaver, Williams, Mr. Speaker-23.

Absent or not voting:
Messrs. Hinkhouse, Hinman, Jay, Loomis, McArthur, McDonald, Putnam, Voelker, Wheeler-9.

So the bill passed and the title was agreed to.
The following explanation of vote was filed:
Mr. Speaker-I vote "no" on the substitute for Senate file No. 1, because $I$ believe the time is too short to have an annotated Code published by the State by October 1, 1897. I faver annotation by the State and would have so voted if the time for completing the work had been extended to give a sufficient length of time for doing the work well.

John T. P. Power.
Mr. Reed moved to reconsider the vote just taken.
Mr. Dowell moved to lay this motion on the table.
Carried.
The House took up the conference committee report on House file No. 77, in relation to criminal procedure, for consideration.

Mr. Cornwall moved that the report of the conference committee be adopted.

On the question, "Shall the report of the conference committee be adopted?" the yeas were:

Messrs. Allen, Bailey, Bell, Bird, Brant, Brighton, Brinton, Byington, Chapman, Clark, Classen, Cornwall, Crow, Davis, Doubleday, Dowell, Early, Edwards, Evans, Finch, Frink, Funk, Garner, Good, Griswold, Grote, Gurley, Hauger, Hendershot, Hunt, Huntley, Johnson of Webster, Johnston of Franklin, Klemme, Ladd, Lauder, Lavender, Loomis, Lowry, McAchran, McDowell, McNulty, McQuin, Marti, Mayne, Merriam, Miller of Buena Vista, Miller of Warren, Morrison of Grundy, Morrison of Keokuk, Mullin, Nietert, Nolan, Parker, Porter, Potter, Power, Prentis, Putnam, Ray, Reed, Scott, Smith, St. John, Temple, Thompson, Tibbitts, Van Houten, Voelker, Watters, Weaver, Wells, Whelan, Whittier, Williams, Wood, Mr. Speaker-76.

The nays were:
Messrs. Frazee, Hazen, Martin, Miller of Cherokee, Sullivan, Wilson-6.

Absent or not voting:
Messrs. Baker, Bowen, Brady, Cook, Funk, Haugen, Hayes, Hinkhouse, Hinman, Jackson, Jay, Lambert, McArthur, McDonald, Manahan, Perrott, Spaulding, Wheeler-18.

So the report of the conference committee was adopted.

The Speaker appointed as House members of the Conference Committee on House file No. 18, Messrs. Early, Ladd, Gurley and Hayes.

On motion of Mr. Crow, the House adjourned until 9 A. M. to-morrow.

# Hall of the House of Representatives, $\}$ Des Moines, Iowa, Friday, April 23, 1897. \} 

The House met at 9 a. m., with Speaker Byers in the chair. Prayer was offered by the Rev. W. W. Williams, of Carlisle, Iowa.

## PETITIONS AND MEMORIALS.

Mr. Classen presented the following petition signed by five hundred citizens of Marshalltown, Iowa:
To the Honorable Senators and Representatives of the Twenty-sixth General Assembly of Iowa, and to Senator J. L. Carney and Representative J B. Classen:
The undersigned laboring men, citizens, and a great many of us tax payers, of the city of Marshalltown, Lowa, respectfully represent to your honorable body that a law ought to be enacted prohibiting inmates of the Soldiers' Home of this city from engaging in any work in our city while such inmates. That we are ready and willing to pay our proportion of the expense for their proper care, so justly earned, but we think it is unjust to us, and particularly to the laborer who provides his own home, clothing and food, to be obliged to compete with them in a limited field when they have no such expenses. At present this is plainly brought home to us by their competition which has reduced labor's reward to unremunerative figures.

## REPORT OF COMMITTEE.

Mr. Weaver, from the Committes on Code Revision, Fifth division, submitted the following report:

Mr. Speaker-Your Committee on Code Revision, Fifth division, to whom was referred senate file No. 70, a bill for an act to revise, amend and codify the statutes in relation to notes and bills, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the House, with the recommendation that the same do pass, the Senate bill being a substitute for House file No. 70.
H. O. Weaver,

Chairman.
Ordered passed on file.
On motion of Mr. Weaver, Senate file No. 70 with report of committee recommending passage was taken up, considered, and the report of the committee adopted.

Mr. Weaver moved that the rule be suspended and that the bill be read a third time now, which motion prevailed, and the bill was read a third time.

On the question "Shall the bill pass?" the yeas were:
Messrs. Bailey, Baker, Bell, Bowen, Brady, Byington, Chapman, Clark, Classen, Cook, Crow, Doubleday, Early, Evans, Finch, Frazee, Frink, Funk, Garner, Good, Gurley, Hauger, Hazen, Hendershot, Huntley, Jackson, Jay, Johnson of Webster, Johnston of Franklin, Klemme, Ladd, Lambert, Lauder, Loomis, Lowry, McAchran, McDowell, McQuin, Manahan, Martin, Mayne, Merriam, Miller of Buena Vista, Miller of Cherokee, Miller of Warren, Morrison of Grundy, Morrison of Keokuk, Mullin, Nietert, Nolan, Perrott, Potter, Power, Prentis, Putnam, Ray, Reed, Scott, Smith, Spaulding, Sullivan, Thompson, Tibbitts, Van Houten, Voelker, Watters, Weaver, Wells, Whelan, Whittier, Williams, Wilson, Wood, Mr. Speaker-74.

The nays were:
None.
Absent or not voting:
Messrs. Allen, Bird, Brant, Brighton, Brinton, Cornwall, Davis, Dowell, Edwards, Griswold, Grote, Haugen, Hayes, Hinkhouse, Hinman, Hunt, Lavender, McArthur, McDonald, McNulty, Marti, Parker, Porter, St. John, Temple, Wheeler26.

So the bill passed and the title was agreed to.
The Speaker appointed as the House members of the Conference Committee on House file No. 26, Messrs. Potter, Grote, Bailey and McDowell.

## INTRODUCTION OF BILLS.

By Mr. Perrott, House file No. 100, a bill for an act to legalize the action of the board of supervisors of Dallas county, Iowa, relating to the levy for county revenue for 1896.

Read first and second time and referred to Committee on Judiciary.

The House took up House file No. 19, relating to banks and banking, with Senate amendments thereto and with report of committee recommending concurrence in some and non-concurrence in others of the Senate amendments.

Mr. Funk was called to the chair.
On the question, "Shall the House concur in the following Senate amendments to House file No. 19, to-wit: The Senate
amendments to sections $1,3,9$ and 21 , of chapter 9 ; the Senate amendments to section 3, and the first, second and last amendments to section 7, of chapter 10; the first Senate amendments to section 2 , and the amendments to sections $4,5,6$, $7,17,18$ and 19 , chapter 11 ?" the yeas were:

Messrs. Allen, Bailey, Baker, Bell, Bird, Bowen, Brant, Brighton, Brinton, Byington, Chapman, Clark, Classen, Cook, Crow, Davis, Doubleday, Dowell, Early, Edwards, Evans, Finch, Frazee, Frink, Funk, Good, Griswold, Grote, Gurley, Hauger, Hazen, Hendershot, Hunt, Huntley, Jackson, Jay, Johnson of Webster, Johnston of Franklin, Klemme, Ladd, Lambert, Lauder, Lavender, Loomis, McAchran, McDowell, McNulty, McQuin, Manahan, Marti, Martin, Mayne, Merriam, Miller of Buena Vista, Miller of Cherokee, Morrison of Grundy, Morrison of Keokuk, Mullin, Nietert, Nolan, Parker, Porter, Potter, Power, Prentis, Putnam, Ray, Reed, Scott, Smith, Spaulding, St. John, Temple, Thompson, Tibbitts, Van Houten, Voelker, Watters, Weaver, Wells, Whelan, Whittier, Williams, Wilson, Wood-85.

The nays were:
None.
Absent or not voting:
Messrs. Brady, Cornwall, Garner, Haugen, Hayes, Hinkhouse, Hinman, Lowry, McArthur, McDonald, Miller of Warren, Perrott, Sullivan, Wheeler, Mr. Speaker-15.

So the House concurred in the above named Senate amendments.

Mr. Sullivan moved the previous question.
Lost.
On the question, "Shall the House concur in all the Senate amendments to section 6, chapter 9 ?" the yeas were:

Messrs. Brinton, Dowell, Early, Frink, Gurley, Hazen, Hunt, Jackson, Johnson of Webster, Lauder, Loomis, McAchran, Nietert, Power, St. John, Watters, Whittier-17.

The nays were:
Messrs. Allen, Baker Bell, Bird, Bowen, Brady, Brighton, Byington, Chapman, Clark, Classen, Cook, Cornwall, Crow, Davis, Doubleday, Edwards, Finch, Frazee, Funk, Garner, Good, Griswold, Grote, Hauger, Hendershot, Huntley, Jay, Johnston of Franklin, Klemme, Ladd, Lambert, Lavender, McDowell, McQuin, Manahan, Marti, Martin, Mayne, Merriam, Miller of Buena Vista, Miller of Cherokee, Miller of Warren, Morrison of

Grundy, Morrison of Keokuk, Mullin, Nolan, Parker, Porter, Prentis, Putnam, Ray, Reed, Scott, Smith, Spaulding, Sullivan, Thompson, Tibbitts, Voelker, Weaver, Wells, Whelan, Williams, Wilson-65.

Absent or not voting:
Messrs. Bailey, Brant, Evans, Haugen, Hayes, Hinkhouse, Hinman, Lowry, McArthur, McDonald, McNulty, Perrott, Porter, Temple, Van Houten, Wheeler, Wood, Mr. Speaker-18.

So the House refused to concur.
On motion of Mr. Potter, the House refused to concur in all the Senate amendments to section 6, chapter 10.

Speaker Byers in the chair.
On the question, "Shall the House concur in the Senate amendment adding to the end of section 2 , chapter 11 ?" the yeas were:

Messrs. Allen, Bell, Bird, Bowen, Brady, Brant, Brighton, Brinton, Byington, Chapman, Clark, Classen, Cook, Crow, Davis, Dowell, Early, Edwards, Evans, Finch, Frazee, Frink Griswold, Grote, Gurley, Haugen, Hauger, Hazen, Hendershot, Hunt, Huntley, Jackson, Jay, Johnson of Webster, Johnston of Franklin, Klemme, Lauder, Loomis, Lowry, McAchran, McDowell, McNulty, Marti, Martin, Mayne, Merriam, Miller of Buena Vista, Miller of Cherokee, Miller of Warren, Morrison of Grundy, Morrison of Keokuk, Mullin, Nietert, Nolan, Perrott, Porter, Potter, Power, Prentis, Putnam, Ray, Reed, Scott, Smith, Spaulding, St. John, Sullivan, Temple, Thompson, Tibbitts, Voelker, Watters, Weaver, Wells, Whelan, Whittier, Williams, Wilson, Mr. Speaker-79.

Mr. Wood voted in the negative.
Absent or not voting:
Messrs. Bailey, Baker, Cornwall, Doubleday, Funk, Garner, Good, Hayes, Hinkhouse, Hinman, Ladd, Lambert, Lavender, McArthur, McDonald, McQuin, Manahan, Parker, Van Houten, Wheeler-20.

So the House concurred.
Mr. Haugen moved that the House concur in all Senate amendments to section 10, chapter 11.

Mr . McNulty moved to amend the Senate amendment by striking out all of section 10 , chapter 11 , line 22 , after the word "court."

Lost.

On the question, "Shall the House concur in all the Senate amendments to section 10, chapter 11?" the yeas were:

Messrs. Allen, Bailey, Bell, Bird, Bowen, Brady, Brant, Brighton, Byington, Chapman, Clark, Classen, Cook, Crow, Davis, Doubleday, Early, Evans, Finch, Frazee, Frink, Good, Griswold, Gurley, Haugen, Hauger, Hazen, Hunt, Huntley, Jackson, Jay, Johnson of Webster, Johnston of Franklin, Klemme, Ladd, Lambert, Lauder, Lavender, Loomis, Lowry, McAchran, McDowell, McNulty, Marti, Martin, Mayne, Merriam, Miller of Buena Vista, Miller of Cherokee, Miller of Warren, Morrison of Grundy, Morrison of Keokuk, Mullin, Nietert, Perrott, Porter, Power, Prentis, Putnam, Ray, Reed, Scott, Smith, Spaulding, St. John, Sullivan, Temple, Tibbitts, Van Houten, Voelker, Watters, Weaver, Wells, Whittier, Williams, Wilson, Wood, Mr. Speaker-78.

The nays were:
Messrs. Potter and Whelan-2.
Absent or not voting:
Messrs. Baker, Brinton, Cornwall, Dowell, Edwards, Funk, Garner, Grote, Hayes, Hendershot, Hinkhouse, Hinman, McArthur, McDonald, McQuin, Manahan, Nolan, Parker, Thompson, Wheeler-20.

So the House concurred.
Mr. Nietert moved that the House refuse to concur in the third and fourth Senate amendments to section 7, chapter 10.

Carried.
On motion of Mr. Spaulding the House refused to concur in the Senate amendment to section 4, chapter 9.

On the question "Shall the House concur in the Senate amendments to section 21, chapter 11?" the yeas were:

Messrs. Allen, Bailey, Baker, Bird, Bowen, Brady, Brinton, Byington Chapman, Clark, Classen, Davis, Doubleday, Dowell, Early, Edwards, Finch, Frazee, Frink, Good, Griswold, Grote, Gurley, Haugen, Hazen, Hunt, Jackson, Johnston of Franklin, Klemme, Ladd, Lauder, Lavender, Lowry, McAchran, McDowell, McNulty, Marti, Martin, Mayne, Merriam, Miller of Buena Vista, Miller of Cherokee, Miller of Warren, Morrison of Grundy, Morrison of Keokuk, Mullen, Nietert, Nolan, Potter, Prentis, Putnam, Reed, Scott, Smith, Spaulding, St. John, Temple, Van Houten, Voelker, Watters, Weaver, Wells, Whelan, Whittier, Williams, Wilson, Wood, Mr. Speaker-68.

The nays were:
Messrs. Huntley, Lambert, Porter, Ray, Sullivan-5.
Absent or not voting:
Messrs. Bell, Brant, Brighton, Cook, Cornwall, Crow, Evans, Funk, Garner, Hauger, Hayes, Hendershot, Hinkhouse, Hinman, Jay, Johnson of Webster, Loomis, McArthur, McDonald, McQuin, Manahan, Parker, Perrott, Power, Thompson, Tibbitts, Wheeler-27.

So the House concurred.
Mr. Early offered the following as a substitute for Senate amendment to the end of section 15, chapter 11: Strike out said Senate amendment and insert in lieu thereof the words: "An action in equity to determine the liability of the stockholders and the amount to which each creditor shall be entitled may be brought and maintained by the assignee or receiver of any such corporation; but in the event of the failure or refusal of such assignee or receiver to act, or in case no such assignee or receiver has been appointed, any creditor thereof may bring and maintain such action. In such action all interested parties shall be brought into court."

Adopted.
On the question, "Shall the House concur in the Senate amendment to section 15, chapter 11, as amended by the House?" the yeas were:

Messrs. Baker, Bell, Bird, Bowen, Brady, Brant, Brighton, Brinton, Byington, Chapman, Clark, Classen, Cornwall, Crow, Davis, Doubleday, Dowell, Early, Edwards, Evans, Finch,Frazee, Frink, Good, Griswold, Grote, Gurley, Haugen, Hauger, Hunt, Huntley, Jackson, Johnson of Webster, Johnston of Franklin, Klemme, Ladd, Lambert, Lauder, Loomis, Lowry, McAchran, McDowell, McNulty, Martin, Miller of Cherokee, Miller of Warren, Morrison of Grundy, Morrison of Keokuk, Mullin, Nietert, Nolan, Potter, Power, Prentis, Putnam, Ray, Reed, Scott, Smith, St. John, Sullivan, Temple, Voelker, Watters, Weaver, Wells, Whelan, Whittier, Williams, Wilson, Mr. Speaker-71.

The nays were:
None.
Absent or not voting:
Messrs. Allen, Bailey, Cook, Funk, Garner, Hayes, Hazen, Hendershot, Hinkhouse, Hinman, Jay, Lavender, McArthur, McDonald, McQuin, Manahan, Marti, Mayne, Merriam, Miller
of Buena Vista, Parker, Perrott, Porter, Spaulding, Thompson, Tibbitts, Van Houten, Wheeler, Wood-29.

So the House concurred.

## MESSAGES FROM THE SENATE.

## The following message was received from the Senate:

Mr. Speaker-I am directed to inform your honorable body that the Senate recedes from its amendments to section 11, chapter 14, page 823, line 3, of House file No. 82, a bill for an act to revise, amend and codify the statutes in relation to procedure in particular cases, and insists on its amendments to section 7, chapter 3, page 803; section 23, chapter 7, page 813 ; section 1 , chapter 8 , page 813 ; section 11 , chapter 14 , page 823 , line 2 ; also to the same section by striking out certain words in line 3, and adding others, and to strike out section 18, chapter 14.

The President of the Senate has appointed as a conference committee on part of the Senate, Senators Carpenter, Ranck, Hobart,and Berry. Gro. A. Newman, Secretary.

## Also:

Mr. Speaker-I am directed to inform your honorable body that the Senate has concurred in the following bill, in which the concurrence of the House is asked:

House file No. 91, a bill for an act to revise, amend and codify the statutes in relation to drains and levees.

Gro. A. Newman, Secretary.

## REPORT OF CONFERENCE COMMITTEE.

Mr. Whittier, from the Conference Committee on substitute for Senate file No. 35 and House file No. 42, submitted the following report:

Mr. Speaker-Your committee on conference, to whom was referred substitute for Senate file No. 35 and House file No. 42, being known as Senate file No. 35, a bill for an act to revise, amend and codify the statutes in relation to the care and propagation of fish and the protection of birds and game, beg leave to report that they have had the matters of dispute between the two houses under consideration and recommend that the House recede from its amendment to section 2, lines 10 and 11, and that section 2 , line 10 , be amended by inserting the following after the word "line:" "but any person may, between the 15th day of May and the first day of December, use not more than one trot line, in streams only, and extending not more than half way across."

That the House recede from its amendment to section 4, line 1, and that line 2 of said section be amended by inserting after the word "that," the words " a trot line as above provided, or."

That the House amendment to section 13, line 7, after the word "June" be amended by striking out the word "quail;" and by adding after the figures " 1900 " the following: "Shooting or killing quail on the public highway shall be in violation of law," and when so amended that the same be adopted.

That the House concur in the Senate amendment to the House amendment to section 23 in relation to blue jays.

Lyman Whittier, Geo. H. Van Houten, J. W. Bird, W. B. Hunt, Committee for House. Geo. W. Henderson, N. M. Pusey, B. F. Cabroll, Jobn Everall, Committee for Senate.
On motion of Mr. Weaver, House adjourned till 2 P. m.

## AFTERNOON SESSION.

House met at 2 p. M., Speaker Byers in the chair.
On motion of Mr. Reed, House file No. 50 was indefinitely postponed, a like Senate bill having already passed the House.

Mr. Prentis offered the following concurrent resolution:
Whereas, The Hon. Wm. L. Terry, of Little Rock, Arkansas, Member of Congress from the Fourth Congressional District of that State, has introduced a bill, No. 4057, in words, as follows:
"That all cigarettes transported into any state or territory, or remaining therein for use or consumption, sale or storage therein, shall upon arrival in such state or territory be subjected to the operations and effects of the laws of such state or territory enacted in the exercise of its police power to the same extent and in the same manner as though such cigarettes had been produced in such state or territory, and shall not be exempt therefrom by reason of being introduced therein in original package or otherwise." And,

Whereas, The people of this State are greatly interested in said bill and its passage through Congress; be it

Resolved by the House of the State of Iowa, the Senate concurring, That the members of both branches of Congress from this State be requested and urged to support said bill and do all in their power to further the passage of said bill through the present Congress; and be it further

Resolved, That copies of this resolution be forwarded by the Secretary of State to each member of Congress from this State and also a copy to the author of said bill.

Mr. Prentis moved to suspend rule 34 and that the resolut be taken up for consideration now.

Carried by a vote of 36 yeas to 8 nays.
Resolution was adopted.

The Speaker appointed as House members of the Conference Committee on House file No. 82, Messrs. Finch, Morrison of Keokuk, Brant and Voelker.

Pending business, House file No. 19.
Mr. Miller of Buena Vista moved to amend section 23 as inserted by the Senate by adding at the end thereof the following: "Provided that loan and trust companies organized under the general incorporation laws of the State, which were engaged in the banking business prior to the first day of January, 1886, and have continued therein since said date, may by the proper additions to their articles of incorporation, become State banks within the provisions of this title, without incorporating the word 'State' in the names of such corporations." Adopted.
Mr. Potter moved to amend Senate amendment to section 23, chapter 11, as follows: Insert in line 17 of section 23, after the word "banks" the words "and their stockholders shall be liable to the crediters of such companies as provided in section 15 of this chapter for stockholders in savings and State banks."

Adopted.
The committee amendment to section 23 as inserted by the Serate was withdrawn.

On the question, "Shall the Hnuse concur in section 23 as iuserted by the Senate and amended by the House?" the yeas were:

Messrs. Allen, Bailey, Bewen, Brady, Brant, Brighton, Clak, Classen, Couk, Cornwall, Crow, D ubleday, Dowell, Eally, Edwa ds, Firch, Funk, Go d, Griswold, Grote, Gurley, Huntley, Jack:on, Jobnson of Webster, Johnston of Franklin, Kifmme, Ladd, Lavender, Loomis, McAchran, McNulty, Mc Quin, Martin, Mayne, Miller of Warren, Morrison of Grunay, Morrison of Keokuk, Mullin, Nietert, Perrott, Potter, Prentis, Putiam, Ray, Reed, Scott, Smith, Spaulding, St. John, Temple, Thompsun, Tibbits Van Houten, Watters, Weaver, Werls, Whelan, Whittier, Williams-59.

The nays were:
Messrs. Baker, Byington, Frazee, Hazen, Hendershot, Jay, Lambert, Lowry, McDuwell, Manahan, Marti, Nolan, Parker, Purter, Power, Sullivan, Voelker, Wilson, Mr. Speaker-19.

Absent or not voting:
Messrs. Bell, Bird, Brinton, Chapman, Davis, Evans, Frink, Garner. Haugen, Hauger, Hayes, Hinkhouse, Hinman, Hunt,

Lauder, McArthur, McDonald, Merriam, Miller of Buena Vista, Miller of Cherokee, Wheeler, Wood-22.

So the House concurred in section 23 as amended.
The House took up conference committee reports to substitute for Senate file No. 35, relative to fish and game.

Mr. Whittier moved that the report of the conference committee be adopted.

On the question "Shall the report of the committee be adopted?" the yeas were:

Messrs. Allen, Bailey, Baker, Bird, Bowen, Brady, Brant, Brighton, Brinton, Byington, Chapman, Clark, Cook, Cornwall, Crow, Davis, Doubleday, Dowell, Early, Edwards, Finch, Frink, Funk, Garner, Good, Grote, Haugen, Hauger, Hazen, Hendershot, Jackson, Jay, Johrson of Webster, Johnston of Franklin, Klemme, Ladd, Loomis, Lowry, McAchran, McNulty, McQuin, Martin, Mayne, Morrison of Grundy, Morrison of Keokuk, Nietert, Perrott, Potter, Power, Prentis, Putnam, Ray, Reed, Scott, Spaulding, Temple, Tibbitts, Van Houten, Voelker, Watters, Whelan, Whittier, Williams, Wood, Mr. Speaker-65.

The nays were:
Messrs. Classen, Frazee, Huntley, Lambert, McDowell, Manahan, Marti, Miller of Cherokee, Mullin, Nolan, Parker, Porter, Smith, St. John, Sullivan, Wells, Wilson-17.

Absent or not voting:
Messrs. Bell, Evans, Griswold, Gurley, Hayes, Hinkhouse, Hinman, Hunt, Lauder, Lavender, McArthur, McDonald, Merriam, Miller of Buena Vista, Miller of Warren, Thompson, Weaver, Wheeler-18.

So the report of the committee was adopted.
Mr. Morrison of Grundy moved that when this House adjourn it adjourn until 2 o'clock P. m. Monday.

Mr. Dowell moved to amend the motion that the time be made 9 o'clock A. M. to-morrow.

The amendment was adopted and the original motion as amended was carried.

## INTRODUCTION OF BILLS.

By Mr. Klemme, House file No. 101, a bill for an act to legalize certain ordinances of the town council of Ossian, Winneshiek county, Iowa.

Read first and second time and referred to Committee on Judiciary.

On motion of Mr. Gurley the House adjourned.

## Hall of the House of Representatives, <br> Des Moines, Iowa, Saturday, April 24, 1897.

House met at 9 A. m., Speaker Byers in the chair. Prayer by Rev. S. R. Boyd of Des Moines.
Journal of yesterday corrected and approved.
message from the senate.
The following message was received from the Senate.
Mr. Speakyr-I am directed to inform your honorable body that the Senate has amended and passed the following bill, in which the concurrence of the Senate was asked:

House file No. 96, a bill for an act to revise, amend and codify the statutes in relation to city and town government.

Geo. A. Newman, Secretary.
Referred to the Committee on Municipal Corporations.
Mr. Martin in the chair.
On motion of Mr. Whittier, House adjourned till 2 P. m. Monday.

Hall of the House of Representatives, Des Moines, Iowa, Monday, April 26, 1897. $\}$
The House met at 2 p. m. with Speaker Byers in the chair. Prayer was offered by Rev. J. D. Forsythe, of Des Moines. The Journal of Saturday, April 24, was read and approved.

INTRODUCTION OF BILLS.
By Mr. Doubleday, House file No. 102, a bill for an act to legalize certain errors and omissions of the board of supervisors and of the county auditor of Polk county, Iowa, in levying taxes for a new insane asylum.

Read first and second time and referred to Committee on Judiciary.

By Mr. Edwards, House file No. 103, a bill for an act tolegalize the action of the electors of the incorporated town of Audubon, Iowa, in voting to sell its electric light plant, and the action of the common council of said town in selling said property.

Read fitst and second time and referred to Committee on Judiciary.

By Mr. Bird, House file No. 104, a bill for an act to legalize the acts of C. A. O'Harrow, a justice of the peace in and for Owen township, Cerro Gordo county, Iowa.

Read first and second time and referred to Committee on Judiciary.

## PETITIONS AND MEMORIALS.

Mr. Power presented petition of the mayor and other citizens of Fort Madison, Iowa, against the valued insurance policy law as passed by the House.

Referred to Joint Committee on Conference on House file No. 18.

Mr. Wood offered the following resolution and moved its adoption:

Whereas, The Hon. Butler Bird, a useful and honored member of the Eighteenth General Assembly from Madison county, came suddenly to his death on Sunday, April 25, 1897, therefore be it

Resolved, That a committee of three be appointed to draft appropriate resolutions commemorative of his life and character as a citizen and legislator.

Adopted.
The Speaker appointed as such committee Messrs. Wood, Hazen and Good.

## REPORT OF CONFERENCE COMMITTEE.

Mr. Martin, from the Committee of Conference on Building and Loan, submitted the following report:

Mr. Speaker-Your conference committee, to whom was referred substitute for House file No 20, a bill for an act to revise, amend and codify the statutes in relation to building and loan associations, beg leave to report that they have had the same under consideration and we, the undersigned, recommend the Senate recede from its amendment to section 13 of the bill.
W. B. Martin, J. D. Morrison, A. E. Jaceson, Committee for House. William Eaton, J. M. Junein, Thos. A. Cheshire, h. M. Sargent, Committee for Senate
MESSAGES FROM THE SENATE.

## The following message was received from the Senate:

Mr. Speaker-I am directed to inform your honorable body that the Senate has adopted the conference committee report on House file No. 82, a bill for an act to revise, amend and codify the statutes in relation to procedure in particular cases.

Geo. A. Newman, Secretary.

## Also:

Mr. Spiaker-I am directed to inform your honorable body that the Senate has amended and passed the following bill in which the concurrence of the Senate was asked:

House file No. 38, a bill for an act to revise, amend and codify the statutes in relation to the inspection of petroleum products.

Geo. A. Newman, Secretary.
Also:
Mr. Speaker-I am directed to inform your honorable body that the Senate has adopted the report of the Conference Committee on the substitute for House file No. 20, a bill for an act to revise, amend and codify the
statutes in relation to building and loan associations, by which the Senate recedes from its amendment to section 13.

Geo. A. Newman, Secretary.
Also:
Mr. Speaker-I am directed to inform your honorable body that the Senate has amended and passed the following bill, in which the concurrence of the Senate was asked:

The substitute for House file No. 16, a bill for an act to revise, amend and codify the statutes in relation to corporations.

Geo. A. Newman, Secretary.
The House took up the conference committee report on House file No. 20, and Mr. Martin moved that the report of the conference committee be adoptod.

On the question, "Shall the report of the conference committee be adopted?" the yeas were:

Messrs. Bailey, Baker, Bell, Brady, Brinton, Clark, Cornwall, Davis, Doubleday, Dowell, Early, Edwards, Frink, Good, Griswold, Grote, Gurley, Hauger, Hendershot, Hinkhouse, Johnston of Franklin, Ladd, Lauder, Locmis, McDonaid, McDowell, Martin, Merriam, Miller of Warren, Mullin, Nietert, Potter, Power, Reed, Smith, Spaulding, Sullivan, Whittier, Williams, Wood, Mr. Speaker-41.

The nays were:
Messrs. Bird, Byington, Haugen, Hazen, Klemme, Lambert, Mayne, Morrison of Keokuk, Prentis, Ray, Thompson, Whelen, Wilson-13.

Absent or not voting:
Messrs. Allen, Bowen, Brant, Brighton, Chapman, Classen, Cook, Crow, Evans, Finch, Frazee, Funk, Garner, Hayes, Hinman, Hunt, Huntley, Jackson, Jay, Johnson of Webster, Lavender, Lowry, McAchran, McArthur, McNulty, McQaio, Manahan, Marti, Miller of Buena Visia, Miller of Cherokee, Morrison of Grundy, Nolan, Parker, Perrott, Porter, Putnam, Scott, St. John, Temple, Tibbitts, Van Houten, Voelker, Watters, Weaver, Wells, Wheeler-46.

So the House refused to adopt the conference committee report, there not being a constitutional majority.

REPORT OF JOINT COMMITTEE ON ENROLLED BILLS.
Mr. Hauger, from the Joint Committee on Enrolled Bills, submitted the following report:

Mr. Speaker-Your Joint Committee on Enrolled Bills respectfully report that they have examined, and find correctly enrolled, Senate file No. 70, a bill for an act to revise, amend and codify the statutes in relation to notes and bills.

G. S. Gilbertson, Chairman Senate Committee.<br>W. E. Hauger, Chairman House Committee.

Ordered passed on file.
Also:
Mr. Speaker-Your Joint Committee on Enrolled Bills respectfully report that they have examined, and find correctly enrulled, Senate file No. 41, a bill for an act to revise, amend and codify the statutes in relation to regents and trustees of State institutions.

> G. S. Gilbertson, Chairman Senate Committee.
> W. E. HaUGEr, Chairman House Committee.

Ordered passed on file.

## REPORT OF COMMITTEE ON ENROLLED BILLS.

Mr. Hauger, from the Committee on Enrolled Bills, submitted the following report:

Mr. Speaker-Your Committee on Enrolled Bills respectfully report that they have examined, and find correctly enrolled, House file No. 91, a bill for an act to revise, amend and codify the statutes in relation to drainage and levees.

W. E. Havaer,

Chairman.
Ordered passed on file.
Also:
Mr. Speaker-Your Committee on Enrolled Bills respectfully report that they have examined, and find correctly enrolled, House file No. 17, a bill for an act to revise, amend and codify the statutes in relation to agricultural and horticultural societies, stock breeders' association and the State Dairy Association.

> W. E. Havger, Chairman.

Ordered passed on file.
REPORT OF JOINT COMMITTEE ON ENROLLED BILLS.
Mr. Hauger, from the Joint Committee on Enrolled Bills, submitted the following report:

Mr. Speaker-Your Joint Committee on Enrolled Bills respectfully report that they have examined, and find correctly enrolled, House flle No.

91, a bill for an act to revise, amend and codify the statutes in relation to drainage and levees.

G. S. Gilbertson, Chairman Senate Committee.<br>W. E. Hadger, Chairman House Committee.

Ordered passed on file.
Also:
Mr. Speaker-Your Joint Committee on Enrolled Bills, respectfully report that they have examined, and find correctly enrolled, House file No. 17, a bill for an act to revise, amend and codify the statutes in relation to agricultural and horticultural societies, stock breeders associations and State Dairy association.

G. S. Gilbertson, Chairman Senate Committee.<br>W. E. Hauger, Chairman House Committee.

Ordered passed on file.
The Speaker signed in the presence of the House, House files Nos. 91 and 17, and Senate files Nos. 70 and 41.

## REPORT OF CONFERENCE COMMITTEE.

Mr. Finch, from the Conference Committee on House file No. 82, submitted the following report:

Mr. Speaker-Your conference committee of the House and Senate, appointed to confer upon the disagreement in relation to the amendments to House file No. 82, a bill for an act to revise, amend and codify the statutes in relation to procedure in particular cases, beg leave to report that they have had the same under consideration and report the same back with the recommendation that the Senate recedes from its amendment to section 7, chapter 3, page 803, by striking out the section and inserting in lieu thereof the following as section 7: "The time for appearance and pleading must not be less than two nor more than six days from the time of completed service of the notice."

That the House concur in the Senate amendment to section 23, chapter 7 , page 813 , by adding thereto the following: "When any mortgage is satisfied on the margin of the record of the mortgage, as herein provided, the person satisfying the same shall be identified to and his signature shall be witnessed by the county recorder or his deputy."

That the House concur in the Senate amendment to section 1, chapter 8 , page 813, by inserting after the word "action" in line 3, the words "by ordinary proceedings."

That the House concur in the Senate amendment to section 11, chapter 14, page 823 , by inserting after the word "thereto" in the second line, the words "as other contracts;" by striking out after the word "fraud" in line 3 , the remainder of the sentence and inserting "but such award can only be enforced by an action."

Your committee further recommends that the section so amended be further amended by adding after the word "fraud" in line 3, the words "or mistake."

That the House concur in the Senate amendment to chapter 14 by striking out section 18 thereof.

C. A. Carplenter,<br>C. S. Ranck,<br>W. H. Berry,<br>A. C. Hobart,<br>Conferees for the Senate.<br>Parley Finct,<br>Jno. Morrison,<br>David Brant, C. Vorliker, Conferees for the House.

Mr. Finch moved that the report of the conference committee be adopted.

On the question, "Shall the report of the conference committee be adopted?" the yeas were:

Messrs. Bailey, Baker, Bell, Bird, Brady, Brinton, Byington, Clark, Cornwall, Davis, Doubleday, Dowell, Early, Edwards, Finch, Frazee, Frink, Good, Griswold, Grote, Gurley, Haugen, Hauger, Hazen, Hendershot, Hinkhouse, Johnston of Franklin, Klemme, Ladd, Lambert, Lauder, Loomis, McDonald, McDowell, Martin, Mayne, Merriam, Miller of Warren, Morrison of Kєokuk, Mullin, Nietert, Potter, Power, Prentis, Ray, Reed, Smith, Spaulding, Sullivan, Thompson, Whelan, Whittier, Williams, Wilson, Wood, Mr. Speaker-57.

The nays were:
None.
Absent or not voting:
Messrs. Allen, Bowen, Brant, Brighton, Chapman, Classen, Cook, Crow, Evans, Funk, Garner, Hayes, Hinman, Hunt, Huntley, Jackson, Jay, ‘Johnson of Webster, Lavender, Lowry, McAchran, McArthur, McNulty, McQuin, Manahan, Marti, Miller of Buena Vista, Miller of Cherokee, Morrison of Grundy, Nolan, Parker, Perrott, Porter, Putnam, Scott, St. John, Temple, Tibbitts, Van Houten, Voelker, Watters, Weaver, Wells, Wheeler-43.

So the report of the conference committee was adopted.
House file No. 16, with Senate amendments thereto, was referred to Committee on Judiciary.

House file No. 38, with Senate amendments thereto, was ordered printed and referred to Committee on Public Health.

House file No. 3, which was rejected on motion of Mr . Dowell on January 20th, relating to legalizing the election held at Sumner, Iowa, on October 15, 1894, for the issuance of bonds for water works, was taken up on motion of Mr. Dowell and referred to Committee on Judiciary.

Mr. Morrison of Keokuk in the chair.
The Speaker resumed the chair.
The following motion to reconsider was filed:
Mr. Speaker-I move to reconsider the vote by which the conference committee report on substitute for House file No. 20 was lost.

Samuel Mayne.
I second the motion.
M. K. Whelan.

MESSAGE FROM THE SENATE.
The following message was received from the Senate:
Mr. Sprakicr-I am directed to inform your honorable body that the Senate has passed the following bill in which the concurrence of the House is asked:

Senate file No. 99, a bill for an act to amend certain acts of the Twentysecond, Sixteenth and Seventeenth General Assemblies relating to the poor.

> Geo. A. Newmar, Secretary.

The bill was read first and second time and taken up.
Mr. Cornwall moved that the rule be suspended, and that the bill be read a third time now, which motion prevailed, and the bill was read a third time.

On the question, "Shall the bill pass?" the yeas were:
Messrs. Bailey, Baker, Bell, Bird, Brady, Brinton, Byington, Clark, Cornwall, Davis, Doubleday, Dowell, Early, Edwards, Finch, Frazee, Frink, Good, Griswold, Grote, Gurley, Hauger, Hazen, Hendershot, Hinkhouse, Johnston of Franklin, Klemme, Ladd, Lambert, Lauder, Loomis, McDonald, McDowell, Martin, Mayne, Merriam, Miller of Warren, Morrison of Keokuk, Mullin, Nietert, Porter, Putter, Power, Prentis, Ray, Reed, Smith, Spaulding, Sullivan, Thompson; Whelan, Whittier, Williams, Wilson, Wood, Mr. Speaker-56.

The nays were:
None.
Absent or not voting:
Messrs. Allen, Bowen, Brant, Brighton, Chapman, Classen, Cook, Crow, Evans, Funk, Garner, Haugen, Hayes, Hinman, Hunt, Huntley, Jackson, Jay, Johnson of Webster, Lavender,

Lowry, McAchran, McArthur, McNulty, McQuin, Manahan, Marti, Miller of Buena Vista, Miller of Cherokee, Morrison of Grundy, Nolan, Parker, Perrott, Putnam, Scott, St. John, Temple, Tibbitts, Van Houten, Voelker, Watters, Weaver, Wells, Wheeler-44.

So the bill passed and the title was agreed to.
report of conference committee.
Mr. Bell, from the committee on conference, submitted the following report:

Mr. Speaker - Your committee on conference of the House and Senate, appointed to confer upon the disagreement in relation to the amendments to the substitute for Senate file No. 15, a bill for an act to revise, amend and codify the statutes in relation to the militia, beg leave to report that they have had the same under consideration and report the same back to the House with the recommendation that a new conference committee be appointed for the reasons that the present committee is unable to reach an agreement.

W. B. Bell,<br>P. A. Sмitн,<br>A. L. Good,<br>C. R. Porter,<br>Committec of House.<br>D. J. Palmer,<br>G. M. Craig,<br>Thos. Bell,<br>John Everall, Committee of Senate.

On motion of Mr. Ladd the House adjourned until 9 A. m. to-morrow.

House convened at 9 A. m., Speaker Byers in the chair. Prayer was offered by the Rev. Enoch Hill, of Mitchellville, Towa.

Journal of yesterday corrected and approved.
introduction of bills.
By Mr. Sullivan, House file No. 105, a bill for an act to legalize certain elections held in the incorporated town of Volga City, county of Clayton, State of Iowa.

Read first and second time and referred to Committee on Judiciary.

> PETITIONS AND MEMORIALS.

Mr. Nolan presented petition of citizens of Dubuque, Lowa, against the valued policy clause of the insurance bill.

Referred to Joint Committee on Conference, House file No. 18.

On motion of Mr. Gurley, the House adjourned until 2 P. m.

## AFTERNOON SESSION.

House met at 2 P. m., Speaker Byers in the chair. introduction of bills.
By Mr. Power, House file No. 106, a bill for an act to legalize the acts and resolutions of the city of Keokuk relative to the curbing, guttering and paving of Eleventh street in said city from the north line of Main street to the south line of Blondeau street, and the issuance of certificates therefor.

Read first and second time and referred to Committee on Judiciary.

By Mr. Power, House file No. 107, a bill for an act to legalize the acts of the city of Keokuk, Iowa, in changing the grade of Orleans street from Fourth street to the top of the piling between Third and Fourth streets in said city and improving said street and in levying the tax against abutting property for the costs of said improvements, and in issuing certificates therefor.

Read first and secord time and referred to Committee on Judiciary.

MESSAGES FROM THE SENATE.

The following message was received from the Senate:
Mr. Sphaker-I am directed to inform your honorable body that the conference committee is unable to reach any agreement on the substitute for Senate file No. 15, a bill for an act to revise, amend and codify the statutes in relation to militia, and the President of the Senate has appointed as a further conference committee on the part of the Senate, Senators Berry, Trewin, Healy and Bonson.
-Geo. A. Newman,
Secretary.
Also:
Mr. Speaker-I am directed to inform your honorable body that the Senate refuses to concur in the House substitute for the Senate amendment to section 15, chapter 11, and section 21, chapter 11, of the substitute for House file No. 19, a bill for an act to revise, amend and codify the statutes in relation to banks and banking institutions, and insists on its amendments to section 4, chapter 9, line 1; section 6, chapter 9, lines 4 and 5 ; section 6 , chapter 10 , lines 3 and 4 , and section 7 , chapter 10 , line 4.

The President of the Senate has appointed as a conference committee on the part of the Senate, Senators Carpenter, Gilbertson, Bonson and Ellison.

Gro. A. Newman,
Secretary.

## Also:

Mr. Speaker-I am directed to inform your honorable body that the Senate concurs in the House amendments to sections 5, 6, 9, 12 and 24, to the substitute for Senate file No. 1, a bill for an act to provide for the annotation, indexing, publication, distribution and sale of the Code, and statutes hereafter enacted, and the appointment of a supervising committee and the election of an editor and prescribing their duties, and that the Senate refuses to concur in the House amendment to section 4, and recommends that the House amendment to section 2 be stricken out.

Geo. a. Newman,
Secretary.

Also:
Mr. Speakre-I am directed to inform your honorable body that the Senate has concurred in the following concurrent resolution in which the concurrence of the Senate was asked:

Relative to cigarettes.

Geo. A. Newman, Secretary.

House file No. 19, in which Senate refuses to concur in House amendments to certain Senate amendments thereto, was taken up and considered.

Mr. Nietert moved that the House insist on its amendments to the Senate amendments to these sections.

Carried.
The Speaker appointed as House members of the conference committee on House file No. 19, Messrs. Nietert, Potter, Chapman and Wheeler.

## REPORT OF SPECIAL COMMITTEE.

Mr. Wood submitted the following report:
Mr. Speaker-Your committee appointed to draft a resolution in commemoration of the life and services of Hon. Butler Bird, herewith submit the following:

Whereas, An all wise Providence has removed by death Hon. Butler Bird, who was a most worthy and respected member of the Eighteenth General Assembly from Madison county; and

Whereas, His character as a citizen, his services for his country in its dark hour of war, and his labors as a legislator are worthy of recognition; Therefore, be it

Resolved, That we deeply mourn the loss of this respected citizen, valiant soldier and wise and conservative legislator, whose unswerving devotion to the best interests of his nation, State, county and home is an inspiration to the highest citizenship;

Resolved, That we express to his family our most sincere and heartfelt sympathy in their loss of a true and devoted husband and parent;

Resolved, That these resolutions be entered on the Journal of the House and that the Clerk of the House be instructed to send an enrolled copy to Mrs. Butler Bird, widow of the deceased, at Patterson, Madison county, Iowa.

A. L. Wood,<br>J. L. Good,<br>J. B. Hazen, Committee.

The above resolutions were unanimously adopted by a rising vote.

REPORT OF COMMITTEE.

Mr. Potter, from the Conference Committee on House file No. 26, submitted the following report;

Mr. President and Mr. Speaker-Your conference committee, to whom was referred House file No. 26, a bill for an act to revise, amend and codify the statutes in relation to the construction and operation of telegraph and telephone lines, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the House concur in the Senate amendment striking out section eight (8) of said bill.

> L. F. Potter,
> J. F. Grote,
> C. F. Bailey, House Committee.
> G. S. Gilbertson,
> C. C. Upton,
> C. G. Hipwell,
> J. M. Junin,
> Senate Committee.

On the question, "Shall the report of the Conference Committee on House file No. 26 be adopted?" the yeas were:

Messrs. Cornwall, Early, Edwards, Evans, Frink, Grote, Johnston of Franklin, Klemme, Lauder, Loomis, McNulty, Merriam, Potter, Whelan, Mr. Speaker-15.

The nays were:
Messrs. Baker, Bell, Bird, Brady, Brinton, Byington, Chapman, Clark, Classen, Davis, Doubleday, Dowell, Finch, Frazee, Funk, Garner, Good, Griswold, Gurley, Haugen, Hauger, Hayes, Hazen, Hinkhouse, Jackson, Jay, Johnson of Webster, Ladd, Lambert, Lavender, McAchran, McDowell, Marti, Mayne, Miller of Buena Vista, Morrison of Grundy, Morrison of Keokuk, Mullin, Nietert, Nolan, Perrott, Power, Prentis, Ray, Reed, Scott, Smith, Spaulding, Sullivan, Temple, Thompson, Tibbitts, Watters, Weaver, Wheeler, Whittier, Williams, Wilson, Wood -59 .

Absent or not voting:
Messrs. Allen, Bailey, Bowen, Brant, Brighton, Cook, Crow, Hendershot, Hinman, Hunt, Huntley, Lowry, McArthur, McDonald, McQuin, Manahan, Martin, Miller of Cherokee, Miller of Warren, Parker, Porter, Putnam, St. John, Van Houten, Voelker, Wells-26.

So the report of the conference committee was rejected.
The Speaker appointed as House members of the conference committee for further conference on House file No. 26, Messrs. McNulty, Prentis, Garner and Lambert.

The Speaker appointed as House members of the conference committee for further conference on subdivision for Senate file

No. 15, relative to military, Messrs. Watters, Bailey, Loomis and Hazen.

The House took up the substitute for Senate file No. 1, in which the Senate refused to concur in certain House amendments thereto.

Mr. Haugen moved that the House insist on its amendments to this bill.

Carried.
The Speaker appointed as House members of a Conference Committee on the substitute for Senate file No. 1, Messrs. Dowell, Davis, Evans and Hayes.

Mr. Mayne called up his motion to reconsider the vote whereby the House refused to adopt the conference committee report on House file No. 20.

The motion to reconsider was carried.
On the question, "Shall the report of the conference committee be adopted?" the yeas were:

Messrs. Baker, Brady, Brinton, Byington, Chapman, Clark, Classen, Cornwall, Crow, Davis, Doubleday, Dowell, Early, Edwards, Evans, Frink, Funk, Good, Griswold, Hauger, Hazen, Hinkhouse, Jackson, Jay, Johnson of Webster, Johnston of Franklin, Lauder, Loomis, Lowry, McAchran, McDowell, Marti, Martin, Mayne, Merriam, Miller of Buena Vista, Morrison of Grundy, Mullin, Nolan, Perrott, Power, Ray, Scott, Spaulding, Sullivan, Temple, Tibbitts, Watters, Wells, Wheeler, Whittier, Williams, Wood, Mr. Speaker-54.

The nays were:
Messrs. Bird, Finch, Frazee, Grote, Haugen, Klemme, Ladd, Lambert, McNulty, Morrison of Keokuk, Prentis, Reed, Smith, Thompson, Weaver, Whelan, Wilson-17.

Absent or not voting:
Messrs. Allen, Bailey, Bell, Bowen, Brant, Brighton, Cook, Garner, Gurley, Hayes, Hendershot, Hinman, Hunt, Huntley, Lavender, McArthur, McDonald, McQuin, Manahan, Miller of Cherokee, Miller of Warren, Nietert, Parker, Porter, Potter, Putnam, St. John, Van Houten, Voelker-29.

So the report of the conference committee was adopted. report of committee on enrolled bills.
Mr. Hauger, from the Committee on Enrolled Bills, submitted the following report:

Mr. Spfaker-Your Committee on Enrolled Bills respectfully report that they have this day sent to the Governor for his approval:

House file No. 17, a bill for an act to revise, amend and codify the statutes in relation to agricultural and horticultural societies, stock breeders' associations and the State Dairy Association.

House file No. 91, a bill for an act to revise, amend and codify the statutes in relation to drainage and levees.
W. E. Hauger,

Chairman.
Ordered passed on file. PETITIONS AND MEMORIALS.

Mr. Funk presented remonstrance of citizens of Hardin county, against the valued policy clause of the insurance bill.

Referred to Joint Committee on Conference on House file No. 18.

On motion of Mr. Ladd, the House adjourned until 9 A. M. to-morrow.

Hall of the House of Representatives. Des Moines, Iowa, Wednesday, April 28, 1897. $\}$ The House met at 9 A. m., with Speaker Byers in the chair. Prayer was offered by Rev. S. R. Boyd, of Des Moines, Iowa.

## PETITIONS AND MEMORIALS.

The Speaker presented a communication from Messrs. C. H. Cherny and S. C. Mark, of New Hampton, Iowa, in reference to the proposed tax on peddlers.

Referred to Committee on Judiciary.
Mr . Classen presented the following petition of citizens of Marshalltown, Iowa:
To the Honorable Senators and Representatives of the Twenty-sixth General Assembly of Iowa, and to Senator J. L. Carney and Representative J. B. Classen:
The undersigned, laboring men, citizens, and a great many of us taxpayers, of the city of Marshalltown, Iowa, respectfully represent to your honorable body that a law ought to be enacted prohibiting inmates of the Soldiers' Home of this city from engaging in any work in our city while such inmates. That we are ready and willing to pay our proportion of the expense for their proper care, so justly earned, but we think it is unjust to us, and particularly to the laborer who provides his own home, clothing and food, to be obliged to compete with them in a limited field when they have no such expenses. At present this is plainly brought home to us by their competition, which has reduced labor's reward to unremunerative figures.

Referred to Committee on Military.
The following communication was received from the Governor and read:

To the General Assembly:
I have received sundry communications from the Department of Agriculture inviting the co-operation of the State of Iowa in efforts which that department contemplates making in this and other states affected for stamping out the swine plague, the malady which has cost the people of this State so many millions of dollars. In answer to a request for further information as to the manner in which the State authorities are expected to co-operate, the Secretary of Agriculture has kindly furnished me the draft of a bill for the consideration of the General Assembly, which bill is
similar, he informs me, to acts which were passed in some of the states at the time pleuro pneumonia was prevalent among neat cattle. The plan of procedure contemplated provides for the selection of a district in which there is a large number of swine and where the disease usually exists, to which district the regulations formulated by the department are to be made applicable through legislative action. By these regulations and by quarantining the district it is hoped to stamp out the disease therein and thus demonstrate the practicability of doing so everywhere.

The subject is one of such large importance to the people that I thus bring it to your notice and commend it to the attentive consideration of the General Assembly, submitting herewith a draft of the bill referred to.
F. M. Drake.

April 27, 1897.

## Referred to Committee on Animal Industry.

## report of special committee.

Mr. McDonald submitted the following report:
Mr. Speaker-Your committee, appointed to draft resolutions in commemoration of the life and services of the Hon. Thomas Seely, herewith submit the following:

Whereas, It has pleased an Allwise God to call from this life the Hon. Thomas Seely, who was a member of this House in the Seventeenth General Assembly. His life was well rounded out, having reached the allotted three score years and ten. In the private walks of life his conduct was exemplary. To the State he gave the best of his ability, and when the dark clouds of war hung over this country he tendered his services to the Fourth Iowa Infantry, and served as captain of Company C.

Be it resolved, That in his death the State has lost a valuable citizen, his comrades a true and loyal friend, his family a kind and loving parent.

That we tender to the family our sympathy and condolence.
That these resolutions be spread upon the Journal of this House, and a copy mailed to the widow by the Chief Clerk.

M. McDonald.<br>O. H. Frink.<br>J. P. McDowele.

Adopted unanimously by a rising vote.
Mr. Martin offered the following resolution, which was laid over under rule 34:

Whereas, The people of the State of Iowa have for many years been compelled to pay unreasonably high, and often extortionate, prices for the text-books necessary to educate their children in the public schools of the commonwealth, and,

Whereas, The publishere of text-books have continued to charge the high prices notwithstanding the business and industry of the country bave never suffered such severe and prolonged depression, the prices of all commodities and products of labor and the prices paid for labor being now greatly reduced below the normal rate; therefore, be it

Resolved, That the Superintendent of Public Instruction be directed to give this matter his most careful attention, and investigate the various methods of obtaining and furnishing our public schools with text-books
and supplies, and to report to the Twenty-seventh General Assembly the most practicable system for supplying the people of Iowa with suitable text-books at the lowest possible cost price to the tax payers.

## MESSAGE FROM THE SENATE.

The following message was received from the Senate:
Mr. Speaker-I am directed to inform your honorable body that the Senate has amended and passed the following bill, in which the concurrence of the Senate was asked:

House file No. 85, a bill for an act to revise, amend and codify the statutes in relation to crimes and punishments.

Geo. A. Newman, Secretary.

Taken up and referred to Fourth Division, Code Revision Committee.

Journal of yesterday corrected and approved.
REPORT OF COMMITTEE.
Mr. Cornwall, from the Committee on Judiciary, submitted the following report:

Mr. Speaker-Your Committee on Judiciary, to whom was referred House file No. 105, a bill for an act to legalize certain elections held in the incorporated town of Volga City, county of Clayton, State of Iowa, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same be indefinitely postponed.
W. W. Cornwall,

Chairman.
Ordered passed on file.

## Also:

Mr. Speaker-Your Committee on Judiciary, to whom was referred House file No. 100, a bill for an act to legalize the action of the board of supervisors of Dallas county, Iowa, relating to the levy for county revenue for 1896, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same be inaefinitely postponed.
W. W. Cornwall,

Chairman.
Ordered passed on file.

## Also:

Mr. Speakrr-Your Committee on Judiciary, to whom was referred House file No. 99, a bill for an act to legalize the acts of, and to establish the independent school district of Washington Mills, beg leave to report that they have had the same under consideration and have instructed me
to report the same back to the House with the recommendation that the same be indefinitely postponed.

> W. W. Cornwall,
> Chairman.

Ordered passed on file.
Also:
Mr. Speaker-Your Committee on Judiciary, to whom was referred House file No. 101, a bill for an act to legalize certain ordinances of the town council of Ossian, Winneshiek county, Iowa, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the house with the recommendation that the same be indefinitely postponed.

> W. W. Cornwall, Chairman.

Ordered passed on file.

## Also:

Mr. Speaker-Your Committee on Judiciary, to whom was referred House file No. 103, a bill for an act to legalize the action of the electors of the incorporated town of Audubon, Iowa, in voting to sell its electric light plant; and the action of the common council of said town in selling said property, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House with the recommendation that the same beindefinitely postponed.
W. W. Cornwall,

Chairman.
Ordered passed on file.

## Also:

Mr. Speaker-Your Committee on Judiciary, to whom was referred House file No. 3, a bill for an act to legalize the election held at Sumner, Iowa, on October 12, 1894, for the issuance of bonds for water works, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the House, with the recommendation that the same be indefinitely postponed.

W. W. Cornwall,<br>Chairman.

Ordered passed on file.

## Also:

Mr. Speaker-Your Committee on Judiciary, to whom was referred House file No. 104, a bill for an act to legalize the acts of C. A. O'Harrow, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same be indefinitely postponed.
W. W. Cornwall,

Chairman.
Ordered passed on file.


#### Abstract

Also: Mr. Speaker-Your Committee on Judiciary, to whom was referred House file No. 102, a bill for an act to legalize certain errors and omissions of the board of supervisors and of the county auditor of Polk county, Iowa, in levying taxes for a new insane asylum, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House with the recommendation that the same be indefinitely postponed.


> W. W. Cornwall, Chairman.

Ordered passed on file.

## Also:

Mr. Speaker-Your Committee on Judiciary, to whom was referred the Senate substitute for House file No. 16, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the House for passage when amended as follows:

Amend section 5, line 5, by striking out the words "or street railpay" where they occur in said line, and by striking out of line 6 of same section the words " or street railway."

Amend section 10 , chapter 1 , line 3 , by striking out the words "and street railway."

Amend section 15, line 7, of chapter 1, by striking out the words "known by them to be."

Amend section 16, line 1, by striking out the word "intentional."
Amend chapter 1 by striking out all of section 21.
Amend chapter 1 by striking out all of sections 29, 30, 31 and 32.
Amend chapter 1 by renumbering the sections consecutively to correspond with the foregoing amendments thereto.
W. W. Cornwall, Chairman.
Mr. Cornwall moved that the report of the committee on this bill be adopted.

Carried.
Mr. Weaver moved to reconsider the vote whereby the House insisted on certain amendments to the substitute for Senate file No. 1.

Mr. Reed seconded the motion.
The House ordered the bill, the substitute for Senate file No. 1, recalled from the Senate.

REPORT OF COMMITTEE.
Mr. Dowell, from the Committee on Municipal Corporations, submitted the following report:

Mr. Speaker-Your Committee on Municipal Corporations, to whom was referred House file No. 96, a bill for an act to revise, a mend and codify the statutes in relation to city and town government, for the purpose
of considering the Senate amendments thereto, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the House concur in the following amendments:

Amend by transposing the following sections: Page 28, section 32 to follow section 27, page 40; page 54, section 49 to follow section 22 , page 47 , and renumber the sections in chapters 4, 6 and 7 .

Amend section 2, chapter 1, by inserting at end thereof the following words: "The court is vested with power to change or limit the territory proposed to be incorporated before appointing the commissioners as herein provided."

Amend section 6, chapter 1, line 2, by inserting after the word "election" the word "petitioning" and after the word "same," in line 3, insert the words "the court."

Amend section 13, chapter 1, line 6, by striking out the words "without describing at length."

Amend section 18, chapter 1, as follows: Strike out all after the word "purposes," in the fourth line, down to and including the word "less," in the sixth line.

Amend section 19, chapter 1, Jine 3, by striking out the word "that". and inserting the word "than" in lieu thereof.

Amend section 32, chapter 1, line 3, by inserting after the word "city" the words "or town."

Amend chapter 1, by striking out section 40.
Amend chapter 2, section 1, line 2, by striking out the word "incorporated;" also, amend same section, line 8, by striking out the word "incorporated" and change "an" to "a" in same line.

Amend chapter 2, section 6, line 1, by striking out the words "alderman-at-large" and insert the words "councilman-at-large."

Amend chapter 2 , section 7, line 1, by striking out the word "alderman;" also, by striking out the comma in same line.

Amend chapter 2, section 8, line 2, by striking out the words "alder-man-at-large" and insert in lieu thereof the words "councilman-at-large;" also, by striking out the word "alderman" in same line and insert the word "councilman" in lieu thereof.

Amend chapter 2 , section 9 , subdivision 1 , lines 3 and 5 , by striking out the words "alderman-at-large" and inserting the words "councilman-atlarge;" also, same section, line $\epsilon$, by striking out the word "alderman" and insert the word "councilman;" also, same section, line 8 , by striking out the words "alderman-at-large" and inserting the words "councilman-atlarge;" also, same line, strike out the word "alderman" and insert the word "councilman" in lieu thereof; also, subdivision 2, lines 11 and 12 , strike out the word "alderman" and insert the word "councilman" in lieu thereof.

Amend section 9, chapter 2, by adding to the end of subsection 1, after the word "years," "the term of all ward councilmen, and councilman-atlarge beretofore elected in odd numbered years is extended for one year."

Amend section 9, chapter 2, line 11, by inserting after the word "one" the words "of such councilmen."

Amend section 9 , chapter 2 , line 2 , of subsection 3, by striking out all following the word "into" and inserting the following in lieu thereof; "two
classes of three each, the members of which classes shall hold office respectively for one and two years, and at each annual election thereafter three councilmen shall be elected to hold office for two years."

Add at the end of subsection 3 of section 9 , chapter 2, as amended, the following: "The two councilmen elected in 1898, one shall hold.office for one year and the other for two, the same to be determined by lot at the first regular meeting of the council thereafter, and at each annual meeting thereafter three councilmen shall be elected to hold office for two years."

Amend section 10, chapter 2, as follows: Amend section 10, chapter $\bar{z}$, page 13, printed bill, as follows: Strike out 'police judge," in line 2; strike out "and," in line 2; after "assessor," in line 2, add "and where there is no superior court, a police judge"

Amend section 12, chapter 2, by striking out the word "clerk" in line 1.
Amend section 14, chapter 2, line 4, by inserting the words "and in towns," and by striking out after the word "necessary" the following: "In towns the council shall appoint a street commissioner, and such other officers as are necessary."

Amend section 15, chapter 2, by inserting after the word "police" in line 2 thereof, the following: "And in cities of the second class or towns, he may appoint one or more deputy marshals."

Amend section 15, chapter 2, line 2, by placing a period after the word "marshal," and strike out the word "and" and insert the words "in cities and towns he" in lieu thereof.

Amend chapter 2, section 16: Strike out all of said section after the word "deputies" in line 2.

Substitute for subsection 5, section 21, the following: "In cities of the first class he shall be the presiding officer of the council with the right to vote only in case of a tie. In cities of the second class and towns he shall be a member and the presiding officer of the council with the right to vote only in case of a tie."

Amend section 21, subdivision 6, as follows: Before "council," in line 20, insert "newly elected."

Amend section 21, chapter 2, line 23 , by inserting after the word "judge" the words "or judge of superior court;" and by striking out of line 24 the words "of such judge;" also, strike out the words "the police" and insert in lieu thereof the word "such."

Amend section 22, chapter 2, by adding after the word "public," in line 4, the words "He shall supply the treasurer with a statement of all warrants issued after each meeting, giving the number and amounts of each and shall."

Amend section 23, chapter 2 , line 8 , by inserting a comma after the word "presented."

Amend section 24, chapter 2, line 3, by striking out after the word "council" and inserting the following: "If any city or town is situated in two or more counties, the assessor shall make returns of the assessment to the proper county."

Amend section 25, chapter 2. Insert at end thereof the following: "He shall pursue and arrest any person fleeing from justice in any part of the State."

Amend section 30, chapter 2, as follows: After "year," in line 2, insert "which shall be the first day of January of each year."

Amend chapter 2, section 32, line 1, by striking out the words "members. of the council" and inserting in lieu thereof the word "councilmen."

Amend section 32, chapter 2, line 6, by striking out the words "more than."

Amend section 36, chapter 2, fifth line, by inserting after the word "the" and before the word "marshal" the word "deputy;" and in the sixth line strike out the words "by a deputy" and insert the words "as the."

Amend section 37, chapter 2, line 2, by inserting after the word "assessors" the words "which shall be determined in the same manner and."

Amend section 38, chapter 2, by inserting the words "or county" after the word "city" in the fifth line; also, add at the end of the last line the following: "as the case may be."

Amend chapter 2 , section 42 , line 1 , by striking out the word "contestants" and inserting in lieu thereof the word "election;'" also, amend same line by inserting the word "be" after the word "shall;" also, amend same section by striking out the words "the matter by lot," in line 2 , and inserting the words "as provided in the chapter on elections;" also, add letter " $d$ " at the end of word "determine."

Amend chapter 3 , section 4, line 10 , by striking out the words "no amount of money for any specific purpose in excess of one hundred dollars" and inserting in lieu thereof the words "no money."

Amend chapter 3, section 5, line 1, by inserting after the word "fourth" the words "except as otherwise provided by law."

Amend section 6, chapter 3, by striking out of lines 9 and 10 the words "whole number of members elected to said;" also, in same line strike out the word "not."

Amend section 6, chapter 3, line 10 , by striking out the words "the mayor included."

Amend chapter 3, section 8, by adding to the end of the section the following: "When the ordinances are so published it shall not be necessary to publish them in the manner provided for in the preceding section."

Amend section 11, chapter 3 , by striking out the figures and brackets at the end of the section.

Amend section 12, chapter 3, line 1, by inserting after the word "shall" the words "have jurisdiction and."

Amend section 12, chapter 3, by inserting after the word "Justice" in line 7, the words "of the peace."

Amend section 12, line 7, chapter 3, as amended, by inserting after the word "court" the words "in criminal proceedings."

Amend chapter 4, section 6, line 6, by inserting after the word "peddlers" the word "plumbers."

Amend section 8, chapter 4, by striking out the words "nine pin, ten pin or other pin" and insert the word "bowling."

Amend chapter 4, section 23, line 1, by inserting after the word "markets" the words "and scales" and by striking out the comma after "markets" in same line.

Amend section 23 by striking out all after the second word "thereto," in line 11; also, insert after the word "same," in line 3, the words "to provide for the measuring or weighing of merchandise offered for sale."

Amend chapter 4, section 32, line 4, by striking out the word "lineal" and inserting in lieu thereof the word "linear."

Page 30, chapter 4, section 38, amend by striking out the whole of section 38 and inserting in lieu thereof the following: "Section 38. The board of trustees shall, before the first day of August in each year, determine and fix the amount or rate, not exceeding one mill on the dollar, in cities of the first class having a population of twenty-five thousand or over, and not exceeding two mills on the dollar in cities of the second class and in towns, of the taxable valuation of such city or town, to be levied, collected and appropriated for the ensuing year for the maintenance of such library, and in cities of the first class having a population of twenty-five thousand or over, also the amount or rate, not exceeding three mills on the dollar of the taxable valuation of such city, to be levied, collected and appropriated for the purchase of real estate and the erection of a building or buildings thereon for a public library, or for the payment of interest on any indebtedness incurred for that purpose, and for the creation of a sinking fund for the extinguishment of such indebtedness; and shall cause the same to be certified to the city council, which shall levy the tax for each of said purposes so determined and fixed, and certify the per cent thereof to the county auditor, with the other taxes for said year."

Also transpose section 39 to be section 38 , and make section 38 to be section 39.

Amend chapter 4, section 45, line 4, by striking out the word "lineal" and inserting the word "linear."

Amend section 1, chapter 5, by inserting before the word "cities," in the first line, the words "when the council and electors have approved a contract for the purchase or construction of water works as provided in this chapter;" also, by inserting at the end of section 1 the following: "Nothing herein shall in any manner affect any tax that is already assessed, levied or collected for the purposes named in this chapter."

Amend chapter 5, section 5, line 2, by striking out the words "the mayor and a majority of;" also, amend same section, line 6, by striking out the words "mayor and."

Amend section 1, chapter 6, line 3, by striking out the words "the limits of any city or town" and inserting in lieu thereof "their limits"

Amend section 4, chapter 6, line 1, by inserting after the word "wagons" the words "street sprinklers."

Amend chapter 6, section 4, by striking out the words "wagons, drays and others," in the seventh line, and by striking out the words "or in the transportation of coal, wood, brick, stone or lumber in the city," in the eighth and ninth lines of same section.

Amend chapter 6, section 8, line 1, by striking out the words, "Cities may annually levy a tax not exceeding three mills on the dollar, to be known as a city bridge fund," and insert in lieu thereof the words, "Cities of the first class shall have full control of the bridge fund levied and collected as provided by law."

Amend section 27, chapter 6, by striking out the word "highway," in line 2.

Amend section 27, chapter 6, by adding thereto the words "and the city or town clerk shall certify the amount of such assessment to the county auditor, and it shall be collected the same as other taxes."

Amend chapter 7, section 1, line 1, by striking out the words "having a population of five thousand or over."

Amend line 3, section 32, chapter 7, by inserting after the word "waived" the following: "except where fraud is shown."

Amend section 37, of chapter 7, by inserting after the word "purchased," in line 10 , the words "by a city."

Amend section 44, chapter 7, by inserting after the word "assessment," in line 2, the words "hereafter levied;" also amend section 45 by inserting after the word "is," in line 1 , the word "hereafter."

Amend chapter 8, section 2, by striking out the first word, in line 2, and insert in lieu thereof the word "improvement."

Amend section 9, chapter 8, by adding thereto the following words: "but the provisions of this section shall not apply to assessments on bonds adjudicated to be void."

Amend section 1, chapter 9, by striking out "twenty-five." in line 2, and insert "forty."

Amend section 2, chapter 9, by inserting the word "of," in line 2, between the words "one" and "their."

Amend section 5, chapter 9, by striking out of lines 4 and 5 the following words: "reserving therein the right to pay one hundred dollars or any multiple thereof at any time, with interest on the sum so paid, up to the time of such payment;" also, change comma to period after the word "semi-annually."

Amend chapter 9 of the bill, by inserting after section 9, on page 60 , the following sections:
"Sec. 10. All cities having a population under forty thousand, and towns may provide by ordinance for the election of three park commissioners, whose terms of office shall be three, four and five years respectively, and their successors shall be elected for the full term of five years. Such commissioners shall be residents of the city or town, and each shall, before he enters upon the duties of his office, give a bond, with sureties to be approved by the council, to the use of the city, in the penal sum of five thousand dollars, conditioned for the faithful discharge of the duties of his office.
"Sec. 11. The council of such city or town may, by resolution, submit to the qualified electors of the same, at a regular or special election, the question whether there shall be levied upon the assessed property thereof a tax not exceeding two mills on the dollar for the purpose of purchasing real estate for parks and the improvement of parks or for either or both of such purposes. The proposition therefor shall be submitted in the manner provided for similar propositions in the chapter on elections. The council shall, in the resolution ordering such election, specify the rate of taxation proposed and the number of years the same shall be levied. If a majority of the votes cast at such election on the proposition so submitted shall be in favor of the adoption of the proposition for taxation the
council shall levy the tax so authorized, which shall be collected and paid over to the treasurer of such city or town in the same manner as other taxes. Such taxes shall be known as 'park fund' and shall lee paid out on the order of the commissioners for the purposes contemplated in the next section and for no other purpose whatever.
"Sec. 12. Each of the commissioners shall receive for services performed compensation not exceeding one hundred dollars per annum, to be paid out of the 'park fund.' They shall have exclusive control of the parks of the city or town, and shall manage, improve and supervise the same; they may use the 'park fund' for improving the parks, or for purchasing additional grounds, or laying out and improving avenues thereto; they may appoint one or more park policemen and pay them out of said fund, and may do all things necessary to preserve such parks. They shall keep, and make annually to the council, a full account of their disbursements, and all orders drawn on such fund shall be signed by at least two of their number.
'Sec. 13. Any person who shall, except by authority of such commissioners, cut, break or deface any tree or shrub growing in such park or parks or any avenue thereto, shall be deemed guilty of a misdemeanor." Renumber the other sections of the chapter."

Amend section 6, chapter 10, by striking out " $a$ " in line 3, between the words "such" and "city."

Amend chapter 11, by inserting after section 1, the following as section 2 of the chapter: "Sec. 2. Cities of the first-class may annually levy a tax not exceeding three mills on the dollar, to be known as a city bridge fund" Also, amend the other sections by renumbering them from section 3 to the end of the chapter.

Amend section 8, chapter 11, by striking out the period at the end of each subsection except the last and inserting a semicolon.

Amend section 8 , chapter 11, as renumbered subdivision 4, by striking out the whole of subdivision 4 and inserting the following: "4. In cities having a population of twenty-five thousand or over and towns which have, or may hereafter establish a free public library, when the trustees of such library have made the certificate provided for in chapter 4, of this title, a tax in the amount so certified, but not exceeding in any one year one mill on the dollar in such cities of the first class, and not exceeding two mills on the dollar in cities of the second class and towns, to be used for the maintenance of such library, and in such cities of the first class, an additional tax not exceeding in any one year three mills on the dollar for the purchase of real estate and the erection of a building or buildings thereon for a public library, or for the payment of interest on any indebtedness incurred for that purpose, and for the creation of a sinking fund for the extinguishment of such indebtedness.
"In all other cities of the first class which have or may hereafter establish a free public library, a tax not exceeding in any one year one mill on the dollar for the maintenance thereof."

Amend sub-section 7 of section 8, chapter 11, by striking out the word "six," at end of line 44, and insert the word "five."

Amend sub-section 7, section 8, chapter 11, by inserting after "if," in line 45 , "in cities of the first class;" after "amount" insert "under contracts now in force."

Amend section 13, chapter 11, line 17, by changing the word "three" to "five."

Your committee recommend to amend the amendment to section 18, chapter 11, line 4, by adding after the word "except" the word "as;" also, amend by striking out the word "ten" and inserting in lieu thereof the word "eleven," and when so amended that the House concur.

Amend section 18, chapter 11, line 4, by inserting after the word "levied," "except provided in subdivision 7, section 8, of chapter 10, of this title."

Amend chapter 13, section 2, line 24, by inserting after the second word "or" the words "which is."

Amend chapter 13 , section 5, line 5, by striking out the following words: "except as provided in the second succeeding section."

Amend chapter 13, section 7, line 17, by changing the word "an" to "any" and by striking out the word "incorporated."

Amend section 11, chapter 13, line 6, by striking out the word "representing" and insert the word "presenting" in lieu thereof."

Also your committee recommend that the House do not concur in the following amendments:

Amend chapter 4, section 32, line 1, by striking out the words "cities of the first class" and inserting in lieu thereof the word "they."

Amend chapter 6, section 28, by striking out section 28 and inserting in lieu thereof the following: 'Section 28 . They shall have power to provide for the construction, reconstruction and repair of permanent sidewalks upon any street, highway, avenue, public ground, wharf, landing, or market place within the limits of such city; but the construction of permanent sidewalks shall not be made until the bed of the same shall have been graded so that, when completed, such sidewalk will be at the established grade, and to assess the cost thereof on the lots or parcels of land in front of which the same shall be constructed; but unless the owners of a majority of the linear feet of the property fronting on said improvement petition the council therefor, the same shall not be made unless three-fourths of all the members of the council shall by vote order the making thereof."

Amend section 5, chapter 11, line 3, by striking out the word "September" and inserting the word "November."

Amend section 6, chapter 11, line 11, by striking out the word "October" and inserting the word "November."

Amend section 5, chapter 11, by adding the following: "All persons claiming to be exempt from labor under this section shall, within three days after receiving notice to perform such labor, furnish the mayor or other proper officer with an affidavit showing the extent and nature of the disabilities entitling him to such exemption. If he fails to do so he shall be liable to perform such labor or pay the penalty provided herein."
C. C. Dowell, Chairman.
The House took up the report of the committee on House file No. 96, with Senate amendments thereto.

Mr. Dowell moved to amend the Senate amendments to section 9 , subsection 3 , of chapter 2 , by striking out the word
"meeting" in said amendments and inserting in lieu thereof the word "election."

Adopted.
On the question on "Shall the House concur in the Senate amendments to sections 12 and 14, chapter 2?" the yeas were:

Messrs. Edwards, Johnston of Franklin, Klemme, Ladd, McAchran, McDonald, McNulty, Potter, Scott, Whelan, Williams, Mr. Speaker-12.

The nays were:
Messrs. Allen, Bailey, Baker, Bell, Bird, Bowen, Brady, Brant, Brinton, Byington, Chapman, Clark, Crow, Doubleday, Early, Evans, Finch, Frazee, Frink, Garner, Good, Griswold, Grote, Haugen, Hauger, Hazen, Hendershot, Hinkhouse, Hinman, Jackson, Lauder, Lavender, Loomis, Lowry, McDowell, McQuin, Marti, Martin, Mayne, Merriam, Miller of Buena Vista, Morrison of Grundy, Mullin, Nietert, Nolan, Parker, Perrott, Power, Prentis, Putnam, Ray, Reed, Smith, Spaulding, Sullivan, Thompson, Tibbitts, Voelker, Weaver, Wells, Wheeler, Whittier, Wilson, Wood-64.

Absent or not voting:
Messrs. Brighton, Classen, Cook, Cornwall, Davis, Dowell, Funk, Gurley, Hayes, Hunt, Huntley, Jay, Johnson of Webster, Lambert, McArthur, Manahan, Miller of Cherokee, Miller of Warren, Morrison of Keokuk, Porter, St. John, Temple, Van Houten, Watters-24.

So the House refused to concur.
On the question, "Shall the House concur in Senate amend ment to section 9 , chapter 2 , subdivision 3 , adding at the end thereto, also to section 9 , line 2 , of subdivision 3 ?" the yeas were:

Messrs. Allen, Baker, Bird, Brinton, Chapman, Classen, Cornwall, Doubleday, Frink, Funk, Garner, Grote, Gurley, Hauger, Johnston of Franklin, Klemme, Lauder, Lavender, McNulty, Marti, Merriam, Morrison of Grundy, Mullin, Nietert, Potter, Putnam, Ray, Scott, Spaulding, Sullivan, Voelker, Whelan, Williams, Wood, Mr. Speaker-35.

The nays were:
Messrs. Bailey, Bell, Bowen, Brady, Brant, Byington, Clark, Crow, Edwards, Evans, Finch, Frazee, Griswold, Haugen, Hazen, Hendershot, Hinkhouse, Hinman, Huntley, Jackson, Johnson of Webster, Lambert, Lowry, McAchran, McDonald, McQuin, Martin, Mayne, Miller of Buena Vista, Nolan, Parker,

Perrott, Power, Prentis, Reed, Smith, Temple, Thompson, Tibbitts, Weaver, Wells, Wheeler, Whittier, Wilson-44.

Absent or not voting:
Messrs. Brighton, Cook, Davis, Dowell, Early, Good, Hayes, Hunt, Jay, Ladd, Loomis, McArthur, McDowell, Manahan, Miller of Cherokee, Miller of Warren, Morrison of Keokuk, Porter, St. John, Van Houten, Watters-21.

So the House refused to concur.
Mr. Finch moved to amend subdivision 5 of section 21 of chapter 2 as inserted by the Senate as follows: Strike out said subdivision 5 and insert in lieu thereof the following: "In cities of the first class he shall be the presiding officer of the council, with the right to vote only in case of a tie; in cities of the second class he shall be a member and the presiding officer of the council, with the right to vote only in case of a tie; in towns he shall be a member of the council and presiding officer thereof, with the same right to vote as a councilman."

Adopted.
Mr. Chapman was called to the chair.
Mr. Brant moved to amend the Senate amendment to section 30, chapter 2, by striking out the word "January" and inserting the word "April."

## Adopted,

Speaker Byers resumed the chair.
Mr. Dowell moved to amend Senate amendment to chapter 5, section 1, by inserting in lieu thereof the following: After the word "cities," in line 5 of said section, add as follows: "But not more than two such levies shall be made prior to the approval of a contract for the purchase or erection of water works as provided in this chapter."

## MESSAGE FROM THE SENATE.

The following message was received from the Senate:
Mr. Speaker-I am directed to inform your honorable body that the Senate has adopted the Conference Committee report on the substitute for Senate file No. 35, a bill for an act to revise, amend and codify the statutes in relation to the care and propagation of fish, and the protection of birds and game.

> Geo. A. Newman,
> Secretary.

[^4]the annotation, indexing, publication, distribution and sale of the Code, and of the statutes hereinafter enacted, and the appointment of a supervising committee, and the election of an editor thereof and prescribing their duties.

Geo. A. Newman, Secretary.
Also:
Mr. Speaker-I am directed to inform your honorable body that the Senate has adopted the report of the Conference Committee on the substitute for Senate file No. 15, a bill for an act to revise, amend and codify the statutes in relation to the militia.

Geo. A. Newman, Secretary.
On motion of Mr. Potter, House adjourned till 2 p. m.

## AFTERNOON SESSION.

The House met at 2 p. m., pursuant to adjournment, with Speaker Byers in the chair.

## REPORT OF CONFERENCE COMMITTEE.

Mr. Speaker and Mr. President-Your conference committee of the House and Senate appointed to confer upon the disagreement relative to Senate amendment to substitute for Senate file No. 15, a bill for an act to revise, amend and codify the statutes in relation to the militia, beg leave to report that they have had the same under consideration and report the same back with the recommendation that the word "four" in line 5 of section 8, be stricken out and the word "seven" inserted in lieu thereof.

> H. B. Watters,
C. F. Bailey,
J. B. Hazen,
A. M. Loomis, Committee for House. W. H. Berry, Robert Bonson, J. H. Trewin,

- Thos. D. Healy, Committee for Senate.
On the question, "Shall the report of the conference committee be adopted?" the yeas were:

Messrs. Allen, Bailey, Baker, Bell, Bowen, Brady, Brant, Brinton, Byington, Chapman, Clark, Classen, Cornwall, Grow,

Doubleday, Dowell, Early, Edwards, Evans, Finch, Frazee, Frink, Funk, Garner, Good, Griswold, Grote, Gurley, Haugen, Hauger, Hayes, Hazen, Hendershot, Hinkhouse, Hinman, Huntley, Jackson, Johnston of Franklin, Ladd, Lambert, Lauder, Lavender, Loomis, Lowry, McAchran, McDonald, McNulty, McQuin, Marti, Martin, Mayne, Miller of Buena Vista, Miller of Cherokee, Miller of Warren, Morrison of Grundy, Morrison of Keokuk, Mullin, Nietert, Nolan, Perrott, Porter, Potter, Power, Prentis, Putnam, Ray, Reed, Scott, Smith, Spaulding, Sullivan, Tibbitts, Voelker, Weaver, Wells, Whelan, Whittier, Williams, Wood, Mr. Speaker-79.

The nays were:
None.
Absent or not voting:
Messrs. Bird, Brighton, Cook, Davis, Hunt, Jay, Johnson of Webster, Klemme, McArthur, McDowell, Manahan, Merriam, Parker, St. John, Temple, Thompson, Van Houten, Watters, Wheeler, Wilson-21.

So the report was adopted.
Mr. Cornwall moved to reconsider the action taken by the House on House file No. 16 this forenoon, and that the bill with the report be referred back to the committee.

Carried.
Pending business, House file No. 96.
On the amendment of Mr. Dowell, pending at noon, the yeas and nays were demanded, with the following result:

On the question, "Shall the amendment be adopted?" the yeas were:

Messrs. Bird, Brady, Clark, Crow, Davis, Dowell, Edwards, Frink, Good, Grote, Ladd, Lauder, Lavender, Loomis, Lowry, McAchran, McNulty, McQuin, Nietert, Nolan, Perrott, Prentis, Ray, Reed, Smith, Thompson, Tibbitts, Voelker, Wells, Williams, Mr. Speaker-31.

The nays were:
Messrs. Allen, Bailey, Byington, Chapman, Cornwall, Early, Evans, Finch, Frazee, Funk, Garner, Griswold, Gurley, Haugen, Hayes, Hazen, Hendershot, Hinkhouse, Hinman, Huntley, Jackson, Jay, Johnson of Webster, Johnston of Franklin, McDonald, McDowell, Marti, Martin, Mayne, Miller of Buena Vista, Miller of Cherokee, Miller of Warren, Morrison of Grundy, Morrison of Keokuk, Mullin, Porter, Potter, Power, Putnam, Scott, Spaulding, Sullivan, Temple, Weaver, Wheeler, Whelan, Whittier, Wilson-48.

Absent or not voting:
Messrs. Baker, Bell, Bowen, Brant, Brighton, Brinton, Classen, Cook, Doubleday, Hauger, Hunt, Klemme, Lambert, McArthur, Manahan, Merriam, Parker, St. John, Van Hcuten, Watters, Wood-21.

So the amendment was lost.
On the question, "Shall the House concur in the Senate amendment to section 1, chapter 5?" the yeas were:

Messrs. Dowell, Frink, Grote, Lauder, Lavender, Lowry, McAchran, McNulty, McQuin, Reed, Smith, Thompson, Wells, Williams, Mr. Speaker-15.

The nays were:
Messrs. Allen, Bailey, Bell, Bird, Brady, Brinton, Byington, Chapman, Clark, Classen, Cornwall, Crow, Davis, Early, Edwards, Evans, Finch, Frazee, Funk, Garner, Good, Griswold, Gurley, Haugen, Hazen, Hendershot, Hinkhouse, Hinman, Huntley, Jackson, Jay, Johnson of Webster, Johnston of Franklin, Ladd, McDonald, McDowell, Marti, Martin, Mayne, Merriam, Miller of Buena Vista, Miller of Cherokee, Miller of Warren, Morrison of Grundy, Morrison of Keokuk, Mullin, Nietert, Nolan, Porter, Potter, Power, Prentis, Putnam, Ray, Scott, Spaulding, Sullivan, Temple, Tibbitts, Voelker, Weaver, Wheeler, Whelan, Whittier, Wilson, Wood-66.

Absent or not voting:
Messrs. Baker, Bowen, Brant, Brighton, Cook, Doubleday, Hauger, Hayes, Hunt, Klemme, Lambert, Loomis, McArthur, Manahan, Parker, Perrott, St. John, Van Houten, Watters -19 .

So the House refused to concur.
Mr. Doubleday moved to amend Senate amendment to section 8 , chapter 6 , by adding at the end of said amendment the words "or property within said cities."

Lost by a vote of 20 yeas to 31 nays.
Mr. Porter in the chair.
Committee amendment to Senate amendment to section 18, chapter 11, was adopted.

Mr. Dowell moved that the House do not concur in Senate amendment to section 5 , chapter 13 , line 5.

Carried.
The Speaker resumed the chair.
On the question, "Shall the House concur in the Senate recommendation changing section 32 to follow section 27 , page

40; also, changing section 49 to follow section 22, page 47, and to renumber the sections in chapters 4,6 and 7 ?" the yeas were:

Messrs. Allen, Bailey, Bowen, Brighton, Brinton, Byington, Classen, Cornwall, Crow, Davis, Doubleday, Dowell, Edwards, Finch, Frazee, Grote, Gurley, Hendershot, Jackson, Johnston of Franklin, Klemme, Ladd, Lavender, Loomis, Lowry, McAchran, McDonald, McDowell, McQuin, Martin, Mayne, Miller of Buena Vista, Miller of Cherokee, Miller of Warren, Morrison of Keokuk, Mullin, Perrott, Prentis, Putnam, Reed, Scott, Smith, Spaulding, Temple, Thompson, Tibbitts, Wells, Whelan, Whittier, Williams, Wilson, Mr. Speaker-52.

The nays were:
Messrs. Baker, Bell, Bird, Brant, Clark, Hazen, Hinkhouse, Johnson of Webster, Lambert, McNulty, Marti, Merriam, Morrison of Grundy, Nietert, Nolan, Porter, Power, Sullivan, Voelker, Weaver-20.

Absent or not voting:
Messrs. Brady, Chapman, Cook, Early, Evans, Frink, Funk, Garner, Good, Griswold, Haugen, Hauger, Hayes, Hinman, Hunt, Huntley, Jay, Lauder, McArthur, Manahan, Parker, Potter, Ray, St. John, Van Houten, Watters, Wheeler, Wood -28.

So the House concurred.
On the question, "Shall the House concur in the Senate amendment to section 13, chapter 11, line 17 ?" the yeas were:

Messrs. Allen, Bailey, Baker, Bird, Bowen, Brady, Brighton, Brinton, Classen, Cornwall, Crow, Davis, Dowell, Edwards, Evans, Funk, Grote, Gurley, Hayes, Hazen, Hendershot, Hinkhouse, Hinman, Huntley, Jackson, Jay, Johnston of Franklin, Klemme, Ladd, Lauder, Loomis, Lowry, McAchran, McDonald, McDowell, McNulty, Marti, Martin, Mayne, Merriam, Miller of Buena Vista, Miller of Cherokee, Miller of Warren, Morrison of Grundy, Morrison of Keokuk, Mullin, Nietert, Nolan, Perrott, Porter, Potter, Power, Prentis, Putnam, Ray, Reed, Scott, Smith, Spaulding, Thompson, Tibbitts, Voelker, Weaver, Wells, Wheeler, Whelan, Whitter, Williams, Wilson, Mr. Speaker-70.

The nays were:
Messrs. Bell, Brant, Byington, Clark, Finch, Frazee, Haugen, Johnson of Webster, Sullivan-9.

Absent or not voting:
Messrs. Chapman, Cook, Doubleday, Early, Frink, Garner, Good, Griswold, Hauger, Hunt, Lambert,!Lavender, McArthur,

McQuin, Manahan, Parker, St. John, Temple, Van Houten, Watters, Wood-21.

So the House concurred.
On motion of Mr. Dowell, the House refused to concur in Senate amendment to section 32, chapter 4, line 1; section 28, chapter 6; section 5, chapter 11, line 3; section 6, chapter 11, line 11; section 5, chapter 11, adding to said section.

On the question, "Shall the House concur in Senate amendment to section 1, line 1, of chapter 7?" the yeas were:

Messrs. Allen, Bailey, Baker, Bell, Bowen, Brinton, Byington, Classen, Cornwall, Davis, Doubleday, Dowell, Evans, Frazee, Hayes, Hinkhouse, Hinman, Huntley, Jackson, Jay, Johnston of Franklin, Ladd, Lambert, Lauder, Lavender, Lowry, McAchran, McDowell, McQuin, Marti, Martin, Merriam, Miller of Cherokee, Morrison of Keokuk, Mullin, Nietert, Nolan, Porter, Potter, Power, Prentis, Reed, Smith, Spaulding, Tibbitts, Voelker, Wells, Whelan, Whittier, Williams, Wilson, Wood, Mr. Speaker-53.

The nays were:
Messrs. Brady, Brant, Brighton, Clark, Crow, Finch, Garner, Good, Gurley, Haugen, Hazen, Hendershot, Johnson of Webster, Klemme, Loomis, McDonald, McNulty, Mayne, Miller of Buena Vista, Miller of Warren, Morrison of Grundy, Perrott, Putnam, Ray, Scott, Sullivan, Thompson, Wheeler-28.

Absent or not voting:
Messrs. Bird, Chapman, Cook, Early, Edwards, Frink, Funk, Griswold, Grote, Hauger, Hunt, McArthur, Manahan, Parker, St. John, Temple, Van Houten, Watters, Weaver-19.

So the House concurred.
By unanimous consent the words "electric light" were inserted after the word "gas" in line 49 of subsection 8 of section 8, chapter 11.

On the question, "Shall the House concur in all other Senate amendments to this bill; also, to those sections which were amended by the House?" the yeas were:

Messrs. Allen, Baker, Bell, Bird, Bowen, Brady, Brant, Brigh . ton, Brinton, Byington, Clark, Ciassen, Cornwall, Crow, Davis, Dowell, Early, Edwards, Evans, Finch, Frink, Frazee, Funk, Good, Griswold, Grote, Gurley, Haugen, Hazen, Hendershot, Hinkhouse, Hinman, Huntley, Johnson of Webster, Johnston of Franklin, Klemme, Ladd, Lambert, Lavender, Loomis, Lowry, McAchran, McDonald, McDowell, McNulty, McQuin, Marti, Martin, Mayne, Merriam, Miller of Buena Vista, Miller of

Cherokee, Miller of Warren, Morrison of Grundy, Morrison of Keokuk, Mullin, Nietert, Nolan, Perrott, Porter, Potter, Power, Prentis, Putnam, Ray, Reed, Scott, Spaulding, Thompson, Tibbitts, Voelker, Weaver, Wells, Wheeler, Whelan, Whittier, Williams, Wilson, Mr. Speaker-79.

Mr. Doubleday voted in the negative.
Absent or not voting:
Messrs. Bailey, Chapman, Cook, Garner, Hauger, Hayes, Hunt, Jackson, Jay, Lauder, McArthur, Manahan, Parker, Smith, St. John, Sullivan, Temple, Van Houten, Watters, Wood-20.

So the House concurred in all the above Senate amendments to the bill.

CONFERENCE COMMITTEE REPORT.
Mr. President and Mr. Splaker-Your conference committee of the Senate and House, appointed to confer upon the disagreement in relation to the amendments to House file No. 19, a bill for an act to revise, amend and codify the statutes in relation to banks and banking, beg leave to report that they have had the same under consideration, and report the same back with the recommendation that the House concur in the Senate amendment to section 4 , chapter 9 , striking out of the first line after the word "than" the word "five" and inserting "ten."

Your conference committee further recommends that the bill be amended by striking out of section B, chapter 9 , after the word "State," in line 4, down to and including the word "whom," in the sixth line, and substituting the following for the Senate amendment:
' $N$ o person shall be eligible as director of any savings bank, nor can he qualify or serve as such, unless he owns in his own right shares of stock in such bank, as follows: in those having a capital of less than twenty thousand dollars, one share; in those having a capital of twenty thousand dollars or over, but less than thirty thousand dollars, two shares; in those having a capital of thirty thousand dollars or over, but less than forty thousand dollars, three shares; in those having a capital of forty thousand dollars or over, but less than fifty thousand dollars, four shares; in those having a capital of fifty thousand dollars or over, five shares. Each director before acting as such."

Also, same section and chapter, that the House concur in the Senate amendment striking out of lines 6 and 7 the words "that he will attend every meeting of the board of directors unless prevented by sickness."

Your conference committee further recommends that the bill be amended by striking out of section 6 , chapter 10 , line 3, all after the word "sbareholders" down to and including the word "each," in the fifth line, and substituting the following for the Senate amendment:
"No person shall be eligible as director of any State bank, nor shall he qualify or serve as such, unless he owns in his own right shares of stock in such bank as follows: In those having a capital of twenty-five thousand dollars or over, but less than thirty thousand dollars, two shares; in those having a capital of thirty thousand dollars or over, but less than
forty thousand dollars, three shares; in those having a capital of forty thousand dollars or over, but less than fifty thousand dollars, four shares; in those having a capital of fifty thousand dollars or over, five shares. Each director before acting as such"

Also that the House concur in the Senate amendment in line 6, same section and chapter as above, by inserting after the word 'the" and before the word "stock" the words " number of shares of."

That the House concur in the Senate amendment to section 7, chapter 10, striking out the word "fifteen" and inserting "ten;" also, concur in the Senate amendment to the same section and chapter, by striking out the word "twenty" and inserting "fifteen."

That the House recede from its substitute for the Senate amendment to section 15, chapter 11, and ooncur in the Senate amendment to section 15, chapter 11, as follows: "The assignee or receiver of any such corporation, or in case there is none, or of his failure or refusal to act, any creditor thereof may maintain an action in equity to determine the liability of the stockholders, and the amount to which each creditor shall be entitled; and all parties interested shall be brought into court."

That the Senate concur in the House amendment to the Senate amendment to section 23, chapter 11, as follows: In line 17, adding after the word "banks" the words: "and their stockholders shall be liable to the creditors of such companies as provided in section 15 of this chapter for stockholders in savings and state banks;" also, concur in the amendment to the same section and chapter by adding at the end of the section the following: "Provided that loan and trust companies organized under the general incorporation laws of the State, which were engaged in the banking business prior to the first day of January, 1886, and have continued therein since said date, may by the proper additions to their articles of incorporations, become State banks within the provisions of this title, without incorporating the word 'State' in the names of such corporations."
H. J. Nietert,
L. F. Potter, W. B. Chapman, J. L. Wheeler, Conferees for the House.
C. A. Carpenter, G. S. Gilbertson, Robt. Bonson, F. O. Ellison, Conferees for the Senate.

## REPORT OF COMMITTEE ON ENROLLED BILLS.

Mr. Hauger, from the Committee on Enrolled Bills, submitted the following report:

Mr. Speaker-Your Committee on Enrolled Bills respectfully report that they have carefully examined the following bill, and find correctly enrolled, House flle No. 87, a bill for an act to revise, amend and codify the statutes in relation to the discipline and government of jails and penitentiaries.

W. E. Hauger,

Chairman.
report of joint committee on enrolled bills.
Mr. Hauger, from Joint Committee on Enrolled Bills, submitted the following report:

Mr. Speaker-Your Joint Committee on Enrolled Bills respectfully report that they have carefully examined the following bill and find correctly enrolled, House file No. 87, a bill for an act to revise, amend and codify the statutes in relation to the discipline and government of jails and penitentiaries.

W. E. Hauger,<br>Chairman House Committee<br>G. S. Gilbertson, Chairman Senate Committee.

Ordered passed on file.
The Speaker signed in the presence of the House, House file No. 87.

The House took up conference committee report on House file No. 19.

On the question "Shall the report of the committee be adopted?" the yeas were:

Messrs. Allen, Bell, Bird, Bowen, Brady, Brant, Brinton, Byington, Classen, Cornwall, Crow, Davis, Doubleday, Edwards, Evans, Frink, Good, Gurley, Hayes, Hazen, Hinkhouse, Hinman, Huntley, Jay, Johnson of Webster, Johnston of Franklin, Klemme, Ladd, Lauder, Lavender, Loomis, McAchran, McDonald, McNulty, McQuin, Marti, Martin, Mayne, Merriam, Miller of Buena Vista, Miller of Warren, Morrison of Grundy, Morrison of Keokuk, Mullin, Nietert, Nolan, Porier, Potter, Prentis, Putnam, Ray, Reed, Scott, Smith, Spaulding, Sullivan, Temple, Thompson, Tibbitts, Voelker, Weaver, Wheeler, Whelan, Whittier, Williams, Wilson, Wood, Mr. Speaker-68.

The nays were:
Messrs. Garner, Hendershot, Lambert, McDowell-4.
Absent or not voting:
Messrs. Bailey, Baker, Brighton, Chapman, Clark, Cook, Dowell, Early, Finch, Frazee, Funk, Griswold, Grote, Haugen, Hauger, Hunt, Jackson, Lowry, McArthur, Manahan, Miller of Cherokee, Parker, Perrott, Power, St. John, Van Houten, Watters, Wells-28.

So the report was adopted.
report of committee on enrolled bills.
Mr. Hauger, from Committee on Enrolled Bills, submitted the following report:


#### Abstract

Mr. Speaker-Your Committee on Enrolled Bills, respectfully report that they have this day sent to the Governor for his approval, House file No. 87, a bill for an act to revise, amend and codify the statutes in relation to the discipline and government of jails and penitentiaries.


W. E. Haugri,

April 28, 1897. Chairman.

Mr. Weaver called up his motion to reconsider the vote whereby the House insisted on certain of its amendments to substitute for Senate file No. 1.

Mr. Haugen moved to lay the motion to reconsider on the table.

Lost by a vote of 26 yeas to 33 nays.
The motion to reconsider was carried.
Mr. Cornwall moved to amend Senate substitute for the House amendment to section 2 by inserting as follows: "Also strike out the word 'appointed' and insert the word 'elected.'"

Carried.
On the question, "Shall the House concur in the Senate substitute for House amendment to section 2 as amended by the House?" the yeas were:

Messrs. Allen, Bell, Bird, Bowen, Brady, Brant, Byington, Clark, Classen, Cornwall, Crow, Davis, Doubleday, Dowell, Edwards, Evans, Finch, Frazee, Frink, Gocd, Griswold, Gurley, Hauger, Hayes, Hazen, Hendershot, Hinkhouse, Hinman, Huntley, Johnston of Franklin, Klemme, Lauder, Lavender, Loomis, Lowry, McAchran, McDonald, McDowell, McNulty, McQuin, Marti, Martin, Mayne, Merriam, Miller of Buena Vista, Miller of Cherokee, Miller of Warren, Morrison of Grundy, Morrison of Keokuk, Mullin, Nietert, Nolan, Perrott, Porter, Potter, Power, Putnam, Ray, Reed, Scott, Smith, Spaulding, Sullivan, Temple, Thompson, Tibbitts, Voelker, Weaver, Wheeler, Whittier, Wılliams, Wilson, Wood, Mr. Speaker-74.

The nays were:
Messrs. Haugen, Prentis, Whelan-3.
Absent or not voting:
Messrs. Bailey, Baker, Brighton, Brinton, Chapman, Cook, Early, Funk, Garner, Grote, Hunt, Jackson, Jay, Johnson of Webster, Ladd, Lambert, McArthur, Manahan, Parker, St. John, Van Houten, Watters, Wells-23.

So the House concurred.
On the question, 'Shall the House recede from its amendment to section $4 ? "$ the yeas were:

Messrs. Bell, Bowen, Brady, Byington, Clark, Classen, Crow, Evans, Frink, Griswold, Haugen, Hauger, Hendershot, Hinkhouse, Klemme, Lauder, Loomis, Lowry, McDowell, McQuin, Martin, Morrison of Grundy, Morrison of Keokuk, Mullin, Nietert, Ray, Reed, Smith, Spaulding, Temple, Thompson. Voelker, Weaver, Williams, Wood- 35 .

The nays were:
Messrs. Allen, Baker, Brant, Cornwall, Davis, Doubleday, Dowell, Edwards, Gurley, Hayes, Hazen, Hinman, Huntley, Johnson of Webster, Johnston of Franklin, Lavender, McAchran, McDonald, McNulty, Marti, Mayne, Miller of Buena Vista, Miller of Cherokee, Miller of Warren, Nolan, Perrott, Porter, Potter, Power, Prentis, Putnam, Scott, Sullivan, Tibbitts, Wheeler, Whelan, Whittier, Wilson, Mr. Speaker-39.

Absent or not voting:
Messrs. Bailey, Bird, Brighton, Brinton, Chapman, Cook, Early, Finch, Frazee, Funk, Garner, Good, Grote, Hunt, Jackson, Jay, Ladd, Lambert, McArthur, Manahan, Merriam, Parker, St. John, Van Houten, Watters, Wells-26.

So the House insists on its amendment to section 4.
On motion of Mr. Reed, the House adjourned till 9 A. M. to morrow.

The House met at 9 A. m., with Speaker Byers in the chair. Prayer was offered by Rev. S. T. McKim, of Grundy Center, Iowa.

## PETITIONS AND MEMORIALS.

Mr. Voelker presented petition of citizens of Dubuque, Iowa, protesting against the valued policy clause of theinsurance law.

Referred to Joint Committee on Conference on House file No. 18.

## REPORT OF COMMITTEE.

Mr. Bowen, from the Committee on Public Health, submitted the following report:

Mr. Speaker-Your Committee on Public Health, to whom was referred House file No. 38, a bill for an act to revise, amend and codify the statutes in relation to the inspection of pretroleum products, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the House concur in Senate amendment to title.

Amend section 5 of Senate amendment by inserting after the word "petroleum" and before the word "when," "at a specific gravity of not less than 70 nor more than 75 degrees," and when so amended that the House concur.

That the House non-concur in all other Senate amendments.
D. H. Bowen, Chairman.
Ordered passed on file.
Mr. Bowen called up the report of the committee just filed, and moved that the House concur in the Senate amendment to the title, and also to section 5, when amended as recommended by the committee.

On the question, "Shall the House concur?" the yeas were:
Messrs. Allen, Bailey, Bell, Bowen, Brant, Brighton, Brinton, Byington, Chapman, Clark, Classen, Cornwall, Crow, Davis,

Doubleday, Dowell, Evans, Frazee, Frink, Funk, Good, Griswold, Gurley, Hauger, Hayes, Hazen, Hinkhouse, Hinman, Huntley, Johnson of Webster, Johnston of Franklin, Klemme, Ladd, Lauder, Lavender, Loomis, McArthur, McDonald, McDowell, McNulty, McQuin, Manahan, Marti, Mayne, Miller of Buena Vista, Miller of Cherokee, Miller of Warren, Morrison of Grundy, Mullin, Nietert, Nolan, Parker, Perrott, Porter, Potter, Power, Prentis, Putnam, Ray, Reed, Scott, Smith, Spaulding, Thompson, Tibbitts, Voelker, Weaver, Wells, Whelan, Whittier, Williams, Wilson, Wood, Mr. Speaker-74.

Mr. Lambert voted in the negative.
Absent or not voting:
Messrs. Baker, Bird, Brady, Cook, Early, Edwards, Finch, Garner, Grote, Haugen, Hendershot, Hunt, Jackson, Jay, Lowry, McAchran, Martin, Merriam, Morrison of Keokuk, St. John, Sullivan, Temple, Van Houten, Watters, Wheeler-25.

So the House concurred.
Mr. Power moved that the House concur in all other Senate amendments to this bill.

On the question, "Shall the House concur?" the yeas were:
Messrs. Bailey, Byington, Chapman, Frazee, Garner, Hazen, Hinkhouse, Jay, McDowell, Manahan, Marti, Mayne, Morrison of Keokuk, Parker, Porter, Potter, Power, Spaulding, Tibbitts, Voelker, Wells, Wheeler, Wilson-23.

The nays were:
Messrs. Allen, Baker, Bell, Bird, Bowen, Brady, Brant, Brighton, Brinton, Clark, Classen, Cornwall, Crow, Davis, Doubleday, Dowell, Edwards, Evans, Frink, Funk, Good, Griswold, Grote, Gurley, Hauger, Hayes, Hinman, Huntley, Johnson of Webster, Johnston of Franklin, Klemme, Ladd, Lauder, Lavender, Loomis, McAchran, McArthur, McDonald, McNulty, McQuin, Martin, Merriam, Miller of Buena Vista, Miller of Cherokee, Miller of Warren, Morrison of Grundy, Mullin, Nietert, Nolan, Perrott, Prentis, Putnam, Ray, Reed, Scott, Smith, Thompson, Weaver, Whelan, Whittier, Williams, Wood, Mr. Speaker-63.

Absent or not voting:
Messrs. Cook, Early, Finch, Haugen, Hendershot, Hunt, Jackson, Lambert, Lowry, St. John, Sullivan, Temple, Van Houten, Watters-14.

So the House refused to concur.

MESSAGE FROM THE SENATE.
The following message was received from the Senate:
Mr. Spraker-I am directed to inform your honorable body that the Senate has adopted the Conference Committee report on the substitute for House file No. 19, a bill for an act to revise, amend and codify the statutes in relation to banks and banking institutions.

Geo. A. Newman, Secretary.
The Speaker appointed as additional members of the Committee on Enrolled Bills, Messrs. McDonald, Manahan, Merriam, Miller of Buena Vista, Williams and Brady.

The Speaker also appointed as additional House members of the Joint Committee on Enrolled Bills, Messrs. Cook, Griswold, Parker and Reed.

The House took up House file No. 100, by Perrott, recom. mended by the committee for indefinite postponement.

Mr. Perrott moved that the report of the committee be not adopted.

Lost, and the bill was indefinitely postponed.
House file No. 99, by Nolan, and recommended by the committee for indefinite postponement was taken up for consideration.

On the question, "Shall the report of the committee be adopted?" the yeas were:

Messrs. Bailey, Bell, Brady, Brighton, Brinton, Clark, Classen, Cornwall, Crow, Davis, Evans, Frink, Funk, Garner, Good, Griswold, Grote, Gurley, Huntley, Jay, Johnson of Webster, Jonhston of Franklin, Ladd, Lavender, Loomis, McArthur, McNulty, McQuin, Martin, Morrison of Keokuk, Mullin, Parker, Potter, Prentis, Scott, Smith, Spaulding, Tibbitts, Weaver, Whelan, Whittier, Williams, Wood-43.

The nays were:
Messrs. Baker, Bird, Bowen, Brant, Byington, Chapman, Doubleday, Dowell, Edwards, Frazee, Hayes, Hazen, Hinkhouse, Hinman, Klemme, Lambert, McAchran, Manahan, Marti, Merriam, Miller of Buena Vista, Miller of Cherokee, Miller of Warren, Morrison of Grundy, Nolan, Porter, Power, Putnam, Ray, Reed, Thompson, Voelker, Wells, Wheeler, Wilson, Mr. Speaker-36.

Absent or not voting:
Messrs. Allen, Cook, Early, Finch, Haugen, Hauger, Hendershot, Hunt, Jackson, Lauder, Lowry, McDonald, McDowell,

Mayne, Nietert, Perrott, St. John, Sullivan, Temple, Van Houten, Watters-21:

So the report of the committee was adopted and the inill indefinitely postponed.

House file No. 103, by Mr. Edwards, with report of committee recommending it he indefinitely postponed, was taken up, considered and the report of the committee was adopted.

House file No. 3, by Mr. Tibbitts, with report of committee recommending it be indefinitely postponed, was taken up, considered and withdrawn.

House file No. 104, by Mr. Bird, with report of committee recommending it be indefinitely postponed, was taken up and considered.

Mr. Bird moved that the report of the committee be not concurred in.

The motion was lost and the bill indefinitely postponed.
House file No. 102, by Mr. Doubleday, with report of committee recommending it be indefinitely postponed, was taken up and considered.

Mr. Doubleday moved that the report of the committee be not adopted.

This motion was lost, and the bill was indefinitely postponed .
Hoúse file No. 101, by Mr. Klemme, with report of committee recommending it be indefinitely postponed, was taken up and considered, and withdrawn.

Mr. Martin called up his resolution which had been laid over under rule 34, relative to directing the Superintendent of Public Instruction to report to the Twenty-seventh General Assem. bly the most practicable system for supplying the people of Iowa with suitable text-books at the lowest possible cost price to the taxpayers.

Mr. Martin moved the adoption of the resolution.
Mr. Morrison of Grundy, moved to amend the resolution as follows: Amend by adding the following: "And also to secure from not less than three reputable and responsible publishing houses, which are not in any way engaged in the publication or sale of school books, estimates showing the cost of the material, press work, and binding, per volume, of each of the various kinds of text-books necessarily used in the public schools of the State, such estimates to be based upon books similar in size and quality of workmanship to those now in general use,
furnished in lots of not less than 10,000 of each kind at a time, from electro plates provided by the State.

Adopted.
Mr. Spaulding moved to amend resolution of Mr. Martin by adding after the words Superintendent of Public Instruction the words, "The State Printer and Binder."

Mr. Ray moved the following as a substitute for the amendment of Mr. Spaulding: After Superintendent of Public Instruction insert, "the chairman of the House Committee on Schools and the chairman of the Senate Committee on Schools be appointed a committee with instructions;" strike out "be directed" in the same line, also change "his" to "their" in the second line of the resolution.

Lost.
Amendment of Mr. Spaulding lọst by a vote of 20 yeas to 27 náys.

The resolution of Mr. Martin as amended was adopted.
House file No. 105, by Mr. Sullivan, which was recommended for indefinite postponement by the committee, was withdrawn.

REPORT OF JOINT COMMITTEE ON ENROLLED BILLS.
Mr. Hauger, from Joint Committee on Enrolled Bills, submitted the following report:

Mr. Speakrb-Your Joint Committee on Enrolled Bills respectfully report that they have carefully examined the following bills, and find them correctly enrolled:

Senate file No. 10, a bill for an act to revise, amend, and codify the statutes in relation to elections and officers.

Senate file No. 35, a bill for an act to revise, amend, and codify the stat$u$ tea in relation to the care and propagation of fish and the protection of birds and game.

W. E. Hauger, Chairman House Committee. G. S. Gilbertson, Chairman Senate Committee.

On motion of Mr. Cornwall the House adjourned until 2 p. M.

## AFTERNOON SESSION.

House met at 2 P. m., Speaker Byers in the chair. Journal of yesterday was corrected and approved.

## REPORT OF COMMITTEE.

Mr. McDonald, from the Committee on Animal Industry, submitted the following report:

Mr. Speaker-Your Committee on Animal Industry, to whom was referred a bill for an act to eradicate bog cholera and swine plague in the State of Iowa, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same do pass.

## M. McDonald, <br> Chairman.

The bill was read first and second time, ordered printed and designated as House file No. 108.

## REPORT OF CONFERENCE COMMITTEE.

Mr. President and Mr. Speaiker-Your committee on conference to whom was referred substitute for Senate file No. 1, a bill for an act to provide for the annotation, indexing, publication, distribution and sale of the Code, and statute hereafter enacted, and the appointment of a supervising committee, and the election of an editor, and prescribing their duties, beg leave to report that they have had the same under consideration and recommend,

That the Senate concur in the Fouse amendment to section 2 of the bill, which will make said section read as follows:
"Section 2. The Twenty-sixth General Assembly shall, on or before the third legislative day after the passage of this act and before the day of the adjournment of the extra session thereof, convene in joint session and select by viva voce vote, in a non-partisan manner, upon a roll call of the members, an editor of the Code, who shall perform the duties hereinafter defined. A joint committee, consisting of two members of the Senate and three of the House shall be elected by the Senate and the House respectively, to have general supervision of the work of annotation, indexing and publication of the Code, and the members thereof shall be allowed actual expenses for attending its meetings, which shall be at the Capitol, and such committee shall be known and designated as the Code supervising committee."

That the House amendment to section 4 be stricken out and that the following be added at the end of said section: "also the decisions of the supreme court of the United States, of the United States circuit court of appeals, and as far as practicable, of the United States circuit and district courts, construing the statutes of Lowa." Respectfully submitted,

C. C. Dowell,<br>M. J. Davis,<br>H. K. Evans, W. I. Hayes, Committee for the House.<br>L. A. Ellis,<br>J. H. Trewin,<br>C. S. Rande,<br>Thos. A. Cheshire, Committee for the Senate.

The Committee on Judiciary was granted leave to sit during session of the House.

The following motion to reconsider was filed:
Mr. Speaker-I move a reconsideration of the vote by which House file No. 99 was indefinitely postponed.

W. B. Martin.

I second the motion for a reconsideration of the vote by which House file No. 99 was indefinitely postponed.

W. G. Ladd.

## MESSAGE FROM THE SENATE.

The following message was received from the Senate:
Mr. Speaker-I am directed to inform your honorable body that the Senate concurs in House amendments to page 2, section 2, line 22, striking out the words "one hundred chickens" and inserting "all poultry."

Page 4, section 7, line 3, inserting the words "title bond" between the words "deed" and "mortgage."

Page 5, section 9, line 3, inserting jafter the word "amount" the word "of."

Page 6, section 15, striking out the word "properties" in Senate amendment and inserting "personalty, moneys;" also, in same section, inserting between the words "said" and "business" the word "branch."

Page 7, section 18, line 3, inserting after the word "using" the words "or holding;" also, inserting in line 4, of same section, after the word "profit," the words 'for himself or owner.'

Page 33, section 69, line 6, striking out all after the word "board" down to and including the word "town" in line 7.

Page 24, section 71, line 2, striking out the word "may" and inserting "shall when apprised thereof." Same section, line 5, inserting after the word "assessed" the words "or of the heirs or administrators thereof," after striking out the words "heirs or." Same section, line 9 , striking out all after the word "interest" to and including the word "brought" and inserting the words "he shall cause an action to be brought." Same section, line 12, by striking out the figures " 50 " and insrting the word "fifty."

Page 29, section 97, line 6, striking out all after the word "vendee" to the end of section.

Page 33, section 18, line 6, by inserting the word "immediately" before the word "posting;" also, after the words " $a$ copy" by inserting the words "of the first publication."

Page 45, chapter 4, section 1, by changing the word "donor" to "donee."
Page 45, section 3, line 3, by inserting after the word "value" the following: "after deducting debts for which the estate is liable." Same section, line 5, by inserting after the word "appraisment" the words "unless a longer period is fixed by the court."

Page 47 , section 9, line 3, by striking out the words "one year" where they occur and inserting "fifteen months." Same section, line 4, by inserting after the word "trustee" the words "unless a longer period is fixed by the court."

Page 47, section 11, by striking out all of section 11 and inserting the following in lieu thereof:
"Sec. 11. It is hereby made the duty of all executors, administrators or trustees charged with the management or settlement of any estate subject to the tax provided for in this chapter, to collect and pay to the Treasurer of State the amount of the tax due from any devisee, grantee or donee of the decedent, except in cases falling under the provisions of sections four and five hereof, in which cases the Treasurer of State shall collect the same. Applications may be made to the district court by such executor, administrator, trustee or State Treasurer to sell the real estate subject to said tax in an equitable action, or if made to the court having charge of the settlement of said estate, the proceeding shall conform as nearly as may be to those for the sale of the real estate of a decedent for the settiements of his debts"

For House amendment to section 1, paragraph 4, striking out all of said paragraph after the word "dollar," in first line, this substitute is recommended: "but such tax shall not be levied upon any property assessable within the limits of any city of the first class, and none of such bridge tax shall be used in the construction or repair of bridges within the limits of such city."

And has amended the House amendment to section 31, page 11, substitute for Senate file No. 8 , a bill for an act to revise, amend and codify the statutes in relation to revenue, and refuse to concur in House amendments as follows:

Page 1, chapter 1, section 1, line 5, inserting after the word "revenue" the words "including the support of the poor."

Page 2, section 2, line 39, striking out all after the word "sailor" and inserting in lieu thereof the words "who has not remarried."

Page 3, section 2, permitting boards of supervisors to contribute school and road tax to township in which poor farm is located.

Page 3, section 3, striking out figures " $331 / 8$ " and inserting words "twenty-five."

Page 5, section 11, relative to taxing property belonging to parties outside the assessment district.

Page 5, section 13, relative to increase and decrease of grain held in store.

Page 7, section 19, line 21, striking out " $331 /$ " and inserting "twentyfive."

Striking out sections $27,28,29,30,38,39,43$ and 44 , of chapter 1 , and inserting other provisions relative to the taxation of telegraph, telephone, express and sleeping car companies.

Page 22, section 63, relative to change of dates for return of assessors books.

Page 2s, section 68, relative to adjusting assessments by local board of review.

Page 23, section 70, inserting at end of section "and any taxpayer taking such appeal shall file a bond for costs."

Page 38, section 40, relative to appointment of resident agent by nonresident land holder.

Page 45, chapter 4, section 1, line 6, Inserting after the word "wife" the words "brother, sister, nephew or niece."

Page 45, section 4, line 3, inserting after the word "wife" the words "brother, sister, nephew or niece."

And has adopted a substitute to the House amendment to section 45, chapter 1, and section 4, chapter 2.

Geo A. Newman,
Secretary

## Referred to Committee on Ways and Means.

## CONFERENCE COMMITTEE REPORT.

Mr. Prisident and Mr. Speaker-Your committee on conference to whom was referred House file No. 18, a bill for an act to revise, amend and codify the statutes in relation to insurance, beg leave to report that they have had the matter of dispute between the two Houses under consideration and recommend,

That the House concur in Senate amendment to section 38, chapter 4.
That the House concur in Senate amendment to section 59, chapter 4.
That the following be adopted as a substitute for section 60, chapter 4: "Any condition or stipulation in an application, policy or contract of insurance making the policy void before the loss occurs, shall not prevent recovery thereon by the insured, if it shall be shown by the the plaintiff that the failure to observe such provision or the violation thereof did not contribute to the loss, provided, however, that any condition or stipulation referring to any other insurance, valid or invalid, or to vacancy of the insured premises, or the title or ownership of the property insured, or to liens or incumbrances thereon created by voluntary act of insured and within his control, or to the suspension or forfeiture of the policy during default or failure to pay any written obligation given to the insurance company for the premium, or to the assignment or transfer of such policy of insurance before loss without the consent of the insurance company, or to the removal of the property of the insured, or to a change in the occupancy or use of the property insured, if such removal, change or use makes the risk more hazardous, or to the fraud of the insured in the procurement of the contract of insurance, shall not be changed or affected by this provision. No recovery on a policy or contract of 'nsurance shall be def eated for failure of insured to comply after a loss occurs, with any arbitration or appraisement stipulation as to fixing value of property unless it be plead and proven that the insurance company gave written notice to the insured of its election to determine the amount of loss by appraisement or arbitration as provided in the policy, and thereafter insured failed to comply with such requirements. No arbitration shall take place except where the property was situated at the time of loss. Any agreement, stipulation or condition in any policy or contract of insurance by which any insurance company reserves or has the right to rebuild shall be void and of no effect in case of total loss. Nothing herein shall be construed to chage the limitations or restrictions respecting the pleading or proving of any defense by any insuranee company to which it is subject by law. The provisions of this section shall apply to all contracts of insurance on real and personal property."

That the House concur in the Senate amendment to section 61 (as re-numbered), of chapter 4, striking out all of the section following the word "sections" in line 6 of printed bill.

That the Senate concur in the House amendment to the Senate amendment to sections 62, 63 and 64 (as renumbered), of chapter 4.

That the House concur in the Senate amendment to section 71 (as renumbered), of chapter 4.

That the Senate concur in the House amendment to the Senate amendment to section 8, chapter 5.

That the House concur in the Senate amendment, striking out subsection $34 \frac{1}{2}$ in section 6 , chapter 6 .

That the House recede fromits amendments to the Senate amendment to chapter 7, where it inserts the words "or flexible" after the word "stipulated" wherever it occurs in the title or elsewhere in said chapter; and that the House do concur in the Senate amendments, striking out the word "flexible" in said title and chapter and inserting the word "stipulated" wherever it occurs therein.

That the Senate recede from its amendment to section 12, chapter 7 , and that the Senate concur in the House amendment to said section

That the House concur in the Senate amendment to section 23, chapter 8.
The committee also recommend the following to be added as a new section to chapter 8: "In case this or any other state shall impose or levy any tax on any company or association, the same may be paid from any surplus or emergency fund of such company or association."

Chas. L. Early, W. G. Ladd, Z. H. Gurley, W. I. Hayes, House Committee. Warren Garst, N. M. Pusky, G. M. Craig, T. G. Harper, Senate Committee.

On motion of Mr. Potter, House adjourned till 9 A. m. tomorrow.

## Hall of the House of Representatives. Des Moines, Iowa, Friday, April 30, 1897. \}

House called to order at 9 A. m., Speaker Byers in the chair. Prayer was offered by Rev. Milo H. Kendall, of Storm Lake, Iowa.

## PETITIONS AND MEMORIALS.

Mr. Hendershot presented remonstrance of citizens of Marion county, Iowa, against the valued policy clause of the insurance bill.

Referred to Joint Committee on Conference on House file No. 18.

Messrs. Putnam and Potter presented remonstrance and telegrams of citizens of Pottawattamie county, against the discriminating tax on foreign insurance companies.

Referred to Joint Committee on Conference on House file No. 18.

Mr. Frink presented telegram from citizens of Clarinda, Iowa, in reference to the same subject.

Referred to Joint Committee on Ways and Means.
Mr. Clark offered the following resolution and moved its adoption:

Whereas, The bill known as the substitute for Senate file No. 1, on the Calendar of the extra session of the Twenty-sixth General Assembly, now in process of becoming a law, and which imposes upon this House the duty of electing three men to constitute part of the supervisory committee in the publication of the Code, which is the result of the mutual labor of the two parties comprising the membership of this General Assembly, now be it

Resolved, That in the spirit of fairness it will be understood that the Democrats are entitled to one member and the Republicans to two of said supervisory committee.

Adopted.
report of joint committee on enrolled bills.
Mr. Hauger, from the Joint Committee on Enrolled Bills, submitted the following report:

Mr. Speaker-Your Joint Committee on Enrolled Bills respectfully report that they have carefully examined the following bill, and find it correctly enrolled:

Senate file No. 99, a bill for an act to amend subdivision 2, of section 796 of the Code as amended and re-enacted by chapter 43 of the acts of the Twenty-second General Assembly, and to amend section 1381 of the Code as amended by chapter 149 of the acts of the Sixteenth General Assembly; chapter 166 of the acts of the Seventeenth General Assembly; and chapter 10 of the acts of the Twenty-first General Assembly, relating to the poor.

> W. E. HaUGER, Chairman House Committee. G. S. GILBERTSON, Chairman Senate Committee

Ordered passed on file.
On motion of Mr. McDonald, House file No. 108, a bill for an act to eradicate hog cholera and swine plague in the State of Iowa, with report of committee recommending passage, was taken up, considered and the report of the committee adopted.

Mr. McDonald moved that the rule be suspended, and that the bill be considered engrossed and read a third time now, which motion prevailed, and the bill was read a third time.

On the question, "Shall the bill pass?" the yeas were:
Messrs. Allen, Bailey, Bird, Bowen, Brady, Brant, Brighton, Byington, Chapman, Clark, Classen, Cook, Cornwall, Crow, Davis, Doubleday, Dowell, Early, Edwards, Evans, Finch, Frink, Funk, Garner, Good, Grote, Gurley, Hauger, Hendershot, Hinman, Huntley, Jay, Johnson of Webster, Johnston of Franklin, Klemme, Ladd, Lauder, Loomis, McAchran, McArthur, McDonald, McQuin, Marti, Martin, Mayne, Miller of Buena Vista, Miller of Cherokee, Miller of Warren, Morrison of Grundy, Morrison of Keokuk, Mullin, Nietert, Nolan, Perrott, Porter, Potter, Prentis, Putnam, Ray, Reed, Scott, Smith, Spaulding, Temple, Thompson, Tibbitts, Voelker, Wells, Whelan, Whittier, Williams, Wilson, Mr. Speaker-73.

The nays were:
Messrs. Frazee, Hinkhouse, Lambert, McDowell-4.
Absent or not voting:
Messrs. Baker, Bell, Brinton, Griswold, Haugen, Hayes, Hazen, Hunt, Jackson, Lavender, Lowry, McNulty, Manahan, Merriam, Parker, Power, St. John, Sullivan, Van Houten, Watters, Weaver, Wheeler, Wood-23.

So the bill passed and the title was agreed to.

## CONFERENCE COMMITTEE REPORT.

Mr. President and Mr. Speaker-Your committee on conference to whom was referred Senate file No. 48, a bill for an act to revise, amend and codify the statutes in relation to the State library, beg leave to report that they have had the matters in dispute under consideration and are unable to agree and ask that this committee be discharged and a new conference committee be appointed.

Wm. C. McArthur, C. C. Dowell,<br>J. B. Classen, Claude R. Porter, For the House.<br>F. O. Ellison, W. H. Berry,<br>A. C. Hobart,<br>T. G. Harper, For the Senate.

The report of the committee was adopted.
The Speaker appointed as the House members of the conference committee for the further conference on Senate file No. 48, Messrs. Griswold, Wells, Jay and Ladd.

REPORT OF COMMITTEE.
Mr. Brinton, from the Committee on Code Revision, Division No. 4, submitted the following report:

Mr. Speaker-Your Committee on Code Revision, Fourth Division, to whom was referred House file No. 85, a bill for an act to revise, amend and codify the statutes in relation to crimes and punishments, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House with the recommendation that the House concur in the following Senate amendments to said bill:

Page 886, section 2, line 5, strike out the words "but the court may empanel a jury for that purpose."

Page 866, section 4, lines 3 and 4, strike out the words "or may empanel a jury for that purpose."

Page 866, section 5, line 4, strike out the words "or may empanel a jury to determine the question."

Page 871, section 50, line 1, insert after the word "weapon" the words "or shall wilfully draw and point a pistol, revolver or gun at another."

Page 873, section 15, line 5, insert after the word "burglary" the words "and the possession of such tools or implements shall be presumptive evidence of his intent to commit burglary."

Page 873, strike out section 18 and renumber the balance of the sections of the chapter.

Page 873, section 20, line 5, strike out the words "nor less than five."
Page 874, section 21, line 6, strike out the words "nor less than three."
Page 874, section 24, add at the end of the section the words "or in the county jail not more than one year, or be fined not more than one thousand dollars."

Page 875, section 8, line 3, add at the end of the line the words "telephone or."

Page 876, strike out section 17 and renumber the sections to the end of the chapter.

Page 876, section 18, line 4, strike out the words "in the penitentiary not exceeding five years" and insert in lieu thereof the words "in the county jail not exceeding six months."

Page 877, section 19, add after the word "imprisoned" the words "in the penitentiary not exceeding five years or imprisonment in the county jail not exceeding one year, or be fined not exceeding three hundred dollars." Also, strike out of said section the House amendment which was to strike out all of the section after the word "imprisoned" in line 3, and insert the words "in the penitentiary not more than five years or be fined not exceeding five hundred dollars or imprisoned in the county jail not exceeding one year."

Page 878, strike out section 27 and substitute therefor the following: "Section 27. If any person maliciously bruise, break, pull up, carry away, cut down, injure or destroy any fruit or ornamental tree, vine or shrub, standing or growing on the land of another for ornament or use, and of the value of twenty dollars or over, he shall be imprisoned in the penitentiary not exceeding five years; if the value thereof be less than twenty dollars he shall be imprisoned in the county jail not more than one year or be fined not exceeding five hundred dollars."

Page 878, section 26, strike out all after the word "mischievously" in line 1, down to and including the word "maliciously" in line 3.

Page 882, section 22, line 2, strike out the words "remove from the county."

Page 886, section 1, line 7, strike out the words "nor less than two."
Page 892, section 2, line 4, insert after the word "on" the words "or before."

Page 892, section 3, line 3, insert after the word "on" the words "or before."

Page 894, section 18, line 2, strike out the word 'township" and insert the word "precinct."

Page 899, section 28, strike out all of lines 5 and 6 and insert after the word "assembly" in line 3 , the words "or if any person wilfully disturb or interrupt any school, school meeting, teachers' institute, lyceum, literary society, or other lawful assembly of persons."

Page 899, section 29, strike out of line 3 the words "or any" and the words "or other articles of traffic", and insert after the word "merchandise" in line 3 the word "excepting."

Page 901, add after section 40 the following:
"Sec. 41. It shall be unlawful for any person, persons, or corporation to exhibit in this state, by means of the photograph, kinetograph, or any kindred divice or machine, any picture of any prize fight, glove contest, or other match between men or animals, that is prohibited by the laws of this State.
"Sec. 42. Any person, persons, or corporation, who shall grant, lease, let or hire, any theater, hall, room or building, roof-garden, or park, for the exhibition of pictures such as are prohibited by the preceding section,
shall be deemed guilty of a misdemeanor, and shall be punished by a fine of not less than five hundred dollars nor more than one thousand dollars, or by imprisonment in the county jail not less than thirty days nor more than one year, or by both fine and imprisonment in the discretion of the court.
"Sec. 43. Whoever shall assist or aid in any manner any person, persons, or corporation in making exhibits of such pictures, as are prohibited in section 41, shall be punishable by a fine of not less than fifty dollars nor more than one hundred dollars, or by imprisonment in the county jail not more than thirty days for each offense ia the discretion of the court."

Page 903, section 14, insert after the word "domestic" in line 2, the words, "or potable." Line 6, insert after the word "parturition" the following: "or if any person having cows for the purpose of producing milk or cream for sale, shall stable them in an unhealthy place or crowded manner, or shall knowingly feed them food which produces impure, unwholesome milk, or shall feed them distilled glucose or brewery waste in any state of fermentation, or upon any substance in a state of putrifaction or rottenness, or of an unhealthy nature, or shall sell or offer for sale cream which has been taken from milk, the sale of which has been prohibited or who shall sell or offer for sale as cream an article which shall contain less than the amount of butter fat as prescribed in this chapter." Line 8, after the word "branded" strike out the words "as skim milk cheese" and insert the following: "stamped or marked on the side or top of both cheese and package in a durable manner, in the English language, the words "skim milk cheese," the letters of the words to be not less than one inch in height and one-half inch in width."

Page 903, section 15, line 1, strike out after the word "of" the words "the preceding section" and insert the following: "of this chapter the addition of water or any other substance or thing to whole milk or skim milk or partially skimmed milk, is hereby declared an adulteration, and milk which is obtained from animals fed upon waste as defined in this chapter, or upon any substance of an unhealthy nature, is hereby declared to be impure and unwholesome, and." Line 2, after the word "less" insert the following: "than twelve and one-half per cent of milk solids to the one hundred pounds of milk, or." Insert after the word "milk" in line 3, the following: "and every article not containing fifteen pounds or more of butter fat to the one hundred pounds shall not be regarded as cream."

Page 905, renumber the sections of chapter 11 consecutively.
Page 906, section 6, line 2, strike out the word "oigarette."
Pave 906, insert as section 8 as follows: "Sec. 8. There shall be assessed a tax of three hundred dollars per annum against every person, partnership or corporation and upon the real property, and the owner thereof within or whereon any cigarettes, cigarette paper or cigarette wrapper, or any paper made or prepared for use in making cigarettes or for the purpose of being filled with tobacco for smoking are sold or given away, or kept with intent to be sold, bartered or given away under any pretext whatever. Such tax shall be in addition to all other taxes and penalties, shall be assessed, collected and distributed in the same manner as the mulct liquor tax and shall be a perpetual lien upon all property, both personal and real, used in connection with the business; and the payment of such tax shall not be a bar to prosecution under any law prohibiting the
manufacturing of cigarettes or cigarette papers, or selling, bartering or giving away the same. But the provisions of this section shall not apply to the sales by jobbers and wholesalers in doing an inter-state business with customers outside State"

Page 907, strike out sections 12 to 20 inclusive.
Page 909, strike out sections 29, 30, 31 and 32.
Page 910, strike out sections 34, 35, 40 and 41.
Page 911, section 43, strike out in line 2 the words "and a competent engineer to operate the same."

Page 912, strike out section 6.
Page 913, strike out section 12 and substitute the following: "Sec. 12. If any person be found on the first day of the week, commonly called Sunday, engaged in carrying fire arms, hunting, shooting, fishing, horseracing, dancing, or in playing games of foot ball or base ball, or in any manner disturbing a worshiping assembly or private family, or in buying or selling property of any kind or in any labor except that of necessity and charity, he shall be fined not more than five nor less than one dollar and be imprisoned in the county jail until the fine and coste of prosecution shall be paid, but this shall not be construed to prohibit labor on such day by those who observe the seventh day of the week as the Sabbath, or to prevent persons traveling, or families emigrating from pursuing their journeys, or keepers of toll bridges, toll gates and ferrymen from attending the same."

Page 913, section 1, line 5, strike out the word "and" after the word "dollars" and inserting "or" in lieu thereof, and change period at the end of the section to comma, and add the words "or both such fine and imprisonment."

Page 913, section 2, strike out all after the word "faith," in line 6, and insert the following: "shall be imprisoned in the penitentiary not exceeding three years or may be fined, in the discretion of the court, not exceeding one thousand dollars or imprisoned in the county jail not more than one year."

Page 915, section 10, line 11, strike out the words "an unincorporated" and insert "any"

Page 921, section 7, line 5, strike out the word "default" and insert the word "failure."

Your committee recommend that the House do not concur in the following Senate amendments:

Page 869, amend section 31 by striking from section 31 the following: "No person shall be convicted under the provisions of this section unless the evidence of the prosecuting witness be corroborated by other evidence tending to connect the defendant with the commission of the crime.

Strike out sections 40 and 41 .
Page 876, insert after section 18 the following: "Sec. 19. If any person wilfully enters any building or enclosure where any public entertainment or exhibition is being held, at which an admission fee is charged, and without paying such fee or without leave to so enter, he shall be fined not exceeding one hundred dollars or imprisoned in the county jail not more than thirty days."

Page 879, section 1, line 8, strike out the word "fifteen" and insert the word "five."

Page 880, section 10, line 12, strike out the word "fifteen" and insert the word "five."

Page 886, section 4, line 3, strike out the words "or in any manner threatens or intimidates."

Page 889, section 23, line 3, strike out after the word "custody" the words "with or without a warrant"

Page 895, section 5, line 6, strike out the words 'if any man or woman marry within the fourth degree of consanguinity."

Page 909, section 24, strike out the words at the end of the section "or bury the same three feet beneath the surface."

Page 910, section 39, strike out in line 2, the words "or of any other thistle."

Also, same section, add at the close of the section, "and shall be punished by a fine not exceeding one hundred dollars, or imprisonment in the county jail not exceeding thirty days."

Page 903, section 14, line 10, insert after the word "such" the words "and in the manner and subject to the regulations prescribed in this chapter." (This amendment is attached to the bill as returned from the Senate, but the Senate Journal does not show its adoption.)

Your committee further recommends that the Senate amendments to section 10, page 913, be amended by striking out the word "horses" after the word "driving."

> M. H. Brinton, Chairman.

MESSAGES FROM THE SENATE.

## The following message was received from the Senate:

Mr. Speaker-I am directed to inform your honorable body that the Senate has passed the following bill in which the concurrence of the House is asked:

Senate file No. 108, a bill for an act to legalize certain ordinances of the incorporated town of Waucoma, Iowa.

Geo. A. Newman, Secretary.
Also:
Mr. Speaker:-I am directed to inform your honorable body that the Senate has passed the following bill in which the concurrence of the House is asked:

Senate file No. 104, a bill for an act to legalize certain elections held in the incorporated town of Volga City, Iowa.

> Geo. A. Newman, Secretary.

Also:
Mr. Speaker:-I am directed to inform your honorable body that the Senate has passed the following bill in which the concurrence of the House is asked:

Senate file No. 103, a bill for an act to legalize the incorporation of the town of Arnold's Park, Iowa.

Geo. A. Newman, Secretary.

Also:
Mr. Speaker-I am directed to inform your honorable body that the Senate has passed the following bill in whicn the concurrence of the House is asked:

Senate file No. 102, a bill for an act to legaliz the location of certain public highways in Winnebago county, Iowa

Geo. A. Newman, Secretary.

Also:
Mr. Speaker-I am directed to inform your honorable body that the Senate has passed the following bill in which the concurrence of the House is asked:

Senate file No. 101, a bill for an act to legalize certain errors and omissions of the board of supervisors and the county auditor of Polk county, Iowa.

> Geo. A. Newman, Secretary.

Also:
Mr. Speaker-I am directed to inform your honorable body that the Senate hi: passed the following billin which the concurrence of the House is asked:

Senate file No. 100, a bill for an act to legalize the incorporation of the town of Larrabee, Iowa.

> Gho. A. Newman, Secretary.

## Also:

Mr. Speaker-I am directed to inform your honorable body that the President of the Senate has appointed as a new conference committee on the part of the Senate, on Senate file No. 48, a bill for an act to revise, amend and codify the statutes in relation to the State library, Senators Pusey, Trewin, Carpenter and Palmer.

Geo. A. Newman, Secretary.
Also:
Mr. Speaker-I am directed to inform your honorable body that the Senate insists on all its amendments to House file No. 38, a bill for an act to revise, amend and codify the statutes in relation to petroleum products.

The President appoints as a conference. committee on the part of the Senate, Senators Cheshire, Ranck, Harriman and Mitchell.

Geo. A. Newman,
Secretary.
Also:
Mr. Speaker-I am directed to inform your honorable body that the Senate has adopted the report of the Conference Committee on the substitute for Senate file No. 1, a bill for an act to provide for the annotation, indexing, publication, distribution and sale of the Code, etc.

Geo. A. Newman, Secretary.

The Journal of yesterday was corrected and approved.
The following motion to reconsider was filed.
Mr. Speaker-I move to reconsider the vote whereby House file No. 104 was indefinitely postponed.
J. W. BIRD.

I second the motion.
W. G. Ray.

The Speaker appointed as House members of the Conference Committee on House file No. 38, Messrs. Bowen, Brady, Doubleday and Baker.

Mr. Dowell called up conference committee report on substitute for Senate file No. 1, and moved that the report of the committee be adopted.

On the question, "Shall the report be adopted?" the yeas were:

Messrs. Allen, Bailey, Bell, Bird, Bowen, Brady, Brighton, Brinton, Byington, Chapman, Clark, Classen, Cook, Cornwall, Crow, Davis, Doubleday, Dowell, Early, Edwards, Evans, Finch, Frazee, Frink, Funlr, Good, Grote, Gurley, Hayes, Hazen, Hendershot, Hinkhouse, Hunt, Huntley, Jay, Johnson of Webster, Johnston of Franklin, Klemme, Ladd, Lambert, Lauder, Loomis, McAchran, McArthur, McDonald, McDowell, McNulty, McQuin, Marti, Martin, Mayne, Miller of Buena Vista, Miller of Cherokee, Miller of Warren, Morrison of Grundy, Morrison of Keokuk, Mullin, Nietert, Nolan, Parker, Perrott, Porter, Potter, Power, Prentis, Putnam, Reed, Scott, Smith, Spaulding, Sullivan, Temple, Thompson, Tibbitts, Voelker, Weaver, Wells, Wheeler, Whelan, Whittier, Williams, Wilson, Mr. Speaker-83.

The nays were:
None.
Absent or not voting:
Messrs. Baker, Brant, Garner, Griswold, Haugen, Hauger, Hinman, Jackson, Lavender, Lowry, Manahan, Merriam, Ray, St. John, Van Houten, Watters, Wood--17.

So the report was adopted.
Mr. Brinton called up the report of the committee on House file No. 85, relating to crimes and punishments.

On the question, "Shall the House concur in Senate amendment to section 50, line 1 ?" the yeas were:

Messrs. Allen, Bailey, Bell, Bird, Bowen, Brady, Brighton, Brinton, Byington, Clark, Classen, Cook, Cornwall, Crow,

Davis, Doubleday, Dowell, Early, Finch, Frazee, Frịnk, Funk, Garner, Good, Grote, Gurley, Hayes, Hazen, Hendershot, Hinkhouse, Hunt, Huntley, Jay, Johnson of Webster, Johnston of Franklin, Klemme, Ladd, Lambert, Lauder, Loomis, McAchran, McArthur, McDonald, McDowell, McNulty, McQuin, Marti, Martin, Mayne, Miller of Buena Vista, Miller of Cherokee, Miller of Warren, Morrison of Grundy, Morrison of Keokuk, Mullin, Nietert, Nolan, Parker, Perrott, Prentis, Putnam, Ray, Reed, Scott, Smith, Spaulding, Tibbitts, Weaver, Wells, Wheeler, Whelan, Whitter, Williams-73.

The nays were:
Messrs. Chapman, Porter, Potter, Power, Sullivan, Temple, Voelker, Wilson, Mr. Speaker-9.

Absent or not voting:
Messrs. Baker, Brant, Edwards, Evans, Griswold, Haugen, Hauger, Hinman, Jackson, Lavender, Lowry, Manahan, Merriam, St. John, Thompson, Van Houten, Watters, Wood-18.

So the House concurred.
Mr. Lauder moved to amend section 27 as amended by the Senate by inserting after the word "use" in substitute for section 27, the words "or on a street or highway adjacent to said land."

Adopted.
On the question 'Shall the House concur in the Senate amendments to sections 2 and 3, chapter 8, page 89 ?" the yeas were:

Messrs. Brinton, Classen, Cook, Davis, Good, Hayes, Hazen, Hinkhouse, Hunt, Jackson, Jay, Ladd, Lambert, McNulty, McQuin, Marti, Nolan, Porter, Power, Ray, Reed, Scott, Smith, Sullivan, Temple, Voelker, Williams, Wilson, Mr. Speaker-29.

The nays were:
Messrs. Allen, Bailey, Bell, Bird, Bowen, Brant, Byington, Chapman, Clark, Cornwall, Crow, Doubleday, Dowell, Early, Edwards, Finch, Frazee, Frink, Funk, Garner, Grote, Gurley, Hendershot, Huntley, Johnson of Webster, Johnston of Franklin, Klemme, Lauder, Loomis, McAchran, McArthur, McDowell, Martin, Mayne, Miller of Buena Vista, Miller of Cherokee, Miller of Warren, Morrison of Grundy, Morrison of Keokuk, Mullin, Nietert, Parker, Perrott, Potter, Prentis, Putnam, Spaulding, Thompson, Tibbitts, Weaver, Wells, Wheeler, Whelan-53.

Absent or not voting:
Messrs. Buker, Brady, Brighton, Evans, Griswold, Haugen, Hauger, Hinman, Lavender, Lowry, McDonald, Manahan, Merriam, St. John, Van Houten, Watters, Whittier, Wood-17.

So the House refused to concur.
Mr. Brant moved to amend the Senate amendment to section 12 as follows: Strike out section 12, as inserted by the Senate, and insert the following in lieu theraof: "Sec. 12. If any person be found on the first day of the week commonly called Sunday engaged in carrying fire arms, hunting, shooting, fishing, horse racing, dancing, or in playing foot or base ball where the same disturbs any worshiping assembly or private family, or in buying or selling property of any kind or in any labor except that of necessity and charity, he shall be fined not more than five nor less than one dollar and be imprisoned in the county jail until the fine, with costs of prosecution, shall be paid; but this shall not be construed to prohibit labor on such day by those who observe the seventh day of the week as the Sabbath, or to prevent persons traveling, or families emigrating from pursuing their journey, or keepers of toll bridges, toll gates and ferrymen from attending the same."

Mr. Spaulding was called to the chair.
Mr. Sullivan moved the previous question on this substitute.
Carried.
Messrs. Bell and Miller of Cherokee, demanded the yeas and nays on this amendment which resulted as follows:

On the question, "Shall the substitute be adopted?" the yeas were:

- Messrs. Brant, Byington, Chapman, Crow, Doubleday, Dowell, Edwards, Frazee, Grote, Gurley, Hayes, Hazen, Hunt, Jay, Ladd, Lauder, McArthur, McDowell, McNulty, McQuin, Marti, Morrison of Keokuk, Mullin, Nolan, Potter, Power, Sullivan, Tibbitts, Voelker, Wheeler, Whelan, Wilson-32.

The nays were:
Messrs. Allen, Bailey, Bell, Bowen, Brady, Brighton, Brinton, Clark, Classen, Cook, Cornwall, Davis, Early, Evans, Finch, Frink, Funk, Garner, Good, Hauger, Hendershot, Hinman, Huntley, Jackson, Johnston of Franklin, Klemme, Loomis, McAchran, McDonald, Martin, Mayne, Miller of Buena Vista, Miller of Cherokee, Miller of Warren, Morrison of Grundy, Nietert, Parker, Perrott, Porter, Prentis, Putnam, Ray, Reed, Scott, Smith, Spaulding, Temple, Thompson, Weaver, Wells, Williams-51.

Absent or not voting:
Messrs. Baker, Bird, Griswold, Haugen, Hinkhouse, Johnson of Webster, Lambert, Lavender, Lowry, Manahan, Merriam, St. John, Van Houten, Watters, Whittier, Wood, Mr. Speaker -17 .

So the substitute of Mr. Brant was lost.
Mr. Early moved to amend section 12, as follows: Amend Senate substitute for section 12 by striking out of line 2 the words "in carrying fire arms." Also insert the word "twenty" before the word "five" and strike out the words "one dollar" and insert the words "five dollars" in lieu thereof.

Speaker Byers in the chair.
A roll call was demanded on this question which resulted as follows:

On the question, "Shall the amendment be adopted?" the yeas were:

Messrs. Bird, Brant, Crow, Early, Hunt, Ladd, Morrison of Keokuk, Potter, Whelan-9.

The nays were:
Messrs. Allen, Bailey, Bell, Brady, Brighton, Brinton, Byington, Chapman, Classen, Cook, Cornwall, Davis, Doubleday, Dowell, Edwards, Evans, Finch, Frazee, Frink, Funk, Garner, Good, Grote, Gurley, Hauger, Hayes, Hazen, Hendershot, Hinkhouse, Hinman, Huntley, Jackson, Jay, Johnson of Webster, Johnston of Franklin, Klemme, Lauder, Loomis, McAchran, McArthur, McDonsld, McDowell, McNulty, Marti, Martin, Mayne, Merriam, Miller of Buena Vista, Miller of Cherokee, Miller of Warren, Morrison of Grundy, Mullin, Nietert, Nolan, Parker, Porter, Power, Prentis, Putnam, Ray; Reed, Scott, Smith, Spaulding, Sullivan, Temple, Thompson, Tibbitts, Voelker, Weaver, Wells, Wheeler, Whittier, Williams, Mr. Speaker-75.

Absent or not voting:
Messrs. Baker, Bowen, Clark, Griswold, Haugen, Lambert, Lavender, Lowry, McQuin, Manahan, Perrott, St. John, Van Houten, Watters, Wilson, Wood-16.

So the amendment of Mr. Early was lost.
Mr. Gurley moved to amend section 12, by striking out the words "prohibit labor on such day by" and inserting in lieu thereof the words "apply to."

On the question, "Shall the amendment of Mr. Gurley be adopted?" the yeas were:

Messrs. Allen, Bowen, Brady, Brant, Byington, Chapman, Classen, Cornwall, Crow, Davis, Doubleday, Dowell, Early, E iwards, Evans, Frazee, Garner, Good, Grote, Gurley, Hauger, Hayes, Hazen, Hendershot, Hinkhouse, Hinman, Hunt, Huntley, Jackson, Jay, Johnson of Webster, Klemme, Ladd, Lauder, McAchran, McArthur, McDonald, McDowell, McNulty, McQuin, Marti, Martin, Mayne, Merriam, Miller of Buena Vista, Morrison of Keokuk, Mullin, Nietert, Nolan, Perrott, Porter, Potter, Power, Prentis, Putnam, Ray, Reed, Scott, Smith, Sullivan, Temple, Thompson, Tibbitts, Weaver, Wheeler, Whelan, Whittier, Wilson, Mr. Speaker-69.

The nays were:
Messrs. Bailey, Bell, Bird, Brighton, Brinton, Clark, Cook, Finch, Frink, Johnston of Franklin, Loomis, Miller of Cherokee, Parker, Spaulding, Wells, Williams-16.

Absent or not voting:
Messrs. Baker, Funk, Griswold, Haugen, Lambert, Lavender, Lowry, Manahan, Miller of Warren, Morrison of Grundy, St. John, Van Houten, Voelker, Watters, Wood-15.

So the amendment was adopted.
Mr . Lauder moved to amend section 12 as follows: Add in line 3, after the word "of" the words "croquet and marbles."

On the question, "Shall the amendment of Mr. Lauder be adopted?" the yeas were:

Messrs. Byington, Chapman, Frazee, Hayes, Hunt, Johnson of Webster, Ladd, Lauder, McAchran, McArthur, McNulty, McQuin, Marti, Martin, Miller of Cherokee, Mullin, Potter, Prentis, Ray, Reed, Sullivan, Tibbitts, Voelker, Wells, Whelan, Wilson-26.

The nays were:
Messrs. Allen, Bailey, Bell, Bird, Bowen, Brady, Brant, Brighton, Brinton, Clark, Classen, Cook, Cornwall, Davis, Doubleday, Dowell, Early, Finch, Frink, Funk, Garner, Good, Grote, Hauger, Hazen, Hendershot, Hinkhouse, Hinman, Jay, Johnston of Franklin, Klemme, Loomis, McDonald, Merriam, Miller of Buena Vista, Miller of Warren, Morrison of Grundy, Nietert, Nolan, Parker, Perrott, Porter, Putnam, Scott, Smith, Temple, Thompson, Weaver, Whittier, Williams, Mr. Speaker -51 .

Absent or not voting:
Messrs. Baker, Crow, Edwards, Evans, Griswold, Gurley, Haugen, Huntley, Jackson, Lambert, Lavender, Lowry, McDowell, Manahan, Mayne, Morrison of Keokuk, Power, Spaulding, St. John, Van Houten, Watters, Wheeler, Wood-23.

So the amendment was lost.
CONFERENCE COMMITTEE REPORT.
Mr. President and Mr. Speaker-Your committee on conference, to whom was referred Senate file No. 20, a bill for an act to revise, amend and codify the statutes in relation to the constitution and operation of railways, beg leave to report that they have had the same under consideration, and, being unable to agree, report the same back and recommend that another conference committee be appointed.
M. L. Temple,
P. Fingh,
M. K. Whelan,
T. J. Sullivan,
Committee for the House.
W. H. BERRY,
D. J. Palmer,
C. S. Ranck,
J. H. Trewin,
Committee for the Senate.

## REPORT OF COMMITTEE ON ENROLLED BILLS.

Mr. Hauger, from the Committee on Enrolled Bills, submitted the following report:

Mr. Speaker-Your Committee on Enrolled Bills respectfully report that they have examined, and find correctly enrolled, House file No. 84, a bill for an act to revise, amend and codify the statutes in relation to evidence.

W. E. Hauger, Chairman.

Ordered passed on file.

## REPORT OF JOINT COMMITTEE ON ENROLLED BILLS.

Mr. Hauger, from Joint Committee on Enrolled Bills, submitted the following report:

Mr. Speaker-Your Joint Committee on Enrolled Bills respectfully report that they have carefully examined the following bill, and find it correctly enrolled:

House file No. 84, a bill for an act to revise, amend and codify the statutes in relation to evidence.

W. E. Haterr, Chairman House Committee.<br>G. S. Gilbertson, Chairman Senate Committee.

The Speaker signed in the presence of the House, House file No. 94, and Senate files No. 35 and No. 10.

REPORT OF COMMITTEE ON ENROLLED BILLS.
Mr. Hauger, from the Committee on Enrolled Bills, submitted the following report:

Mr. Speaker-Your Committee on Enrolled Bills respectfully report that they have this day sent to the Governor for his approval:

House file No. 84, a bill for an act to revise, amend and codify the statutes in relation to evidence.

> W. E. Havger, Chairman.

Passed on file.

## MESSAGES FROM THE SENATE.

The following message was received from the Senate:
Mr. Speaker-I am directed to inform your honorable body that the Senate has passed the following bill in which the concurrence of the House is asked:

Senate file No. 87, a bill for an act to repeal chapter 3, laws of the Twenty-third General Assembly, and to enact a substitute therefor and providing for the appropriation of money to aid in procuring a library for the penitentiary at Anamosa.

> GEO. A. NEWMAN, Secretary.

Also:
Mr. SPEAKER-I am directed to inform your honorable body that the Senate has adopted the report of the Conference Committee on House file No. 18, a bill for an act to revise, amend and codify the statutes in relation to insurance.

Geo. A. Newman, Secretary.
Senate file No. 87 was taken up, read first and second time and referred to the Committee on Appropriations.

Senate file No. 100 was read first and second time and referred to Committee on Judiciary.

SENATE MESSAGES.
Senate file No. 108 was read first and second time and ${ }^{*}$ referred to Committee on Judiciary.

Senate file No. 103 was read first and second time and referred to Committee on Judiciary.

Senate file No. 104 was read first and second time and referred to Committee on Judiciary.

Senate file No. 101 was read first and second time and referred to Committee on Judiciary.

Senate file No. 102 was read first and second time and referred to Committee on Judiciary.

On motion of Mr. Doubleday, the House adjourned till 2P. m.

## AFTERNOON SESSION.

House met at 2 P. m., Speaker Byers in the chair.
The Speaker signed in the presence of the House, Senate files Nos. 99 and 77.

Mr. Loomis called up Senate file No. 87 and asked that the bill be taken up now.

Mr. Loomis moved that the rule be suspended, and that the bill be read a third time now, which motion prevailed, and the bill was read a third time.

On the question, "Shall the bill pass?" the yeas were:
Messrs. Allen, Bailey, Bell, Bowen, Brady, Brant, Brighton, Brinton, Byington, Chapman, Clark, Classen, Cook, Crow, Doubleday, Early, Edwards, Evans, Finch, Frazee, Frink, Garner, Good, Griswold, Grote, Gurley, Haugen, Hauger, Hayes, Hazen, Hendershot, Hinkhouse, Hinman, Hunt, Huntley, Jay, Johnson of Webster, Johnston of Franklin, Klemme, Lambert, Lauder, Lavender, Loomis, McAchran, McArthur, McDowell, McNulty, McQuin, Marti, Martin, Mayne, Miller of Buena Vista, Miller of Warren, Morrison of Grundy, Morrison of Keokuk, Mullin, Nietert, Nolan, Parker, Perrott, Porter Potter, Prentis, Putnam, Reed, Smith, Spaulding, Sullivan, Thompson, Tibbitts, Voelker, Weaver, Wells, Whelan, Whittier, Williams, Wilson, Mr. Speaker-78.

The nays were:
None.
Absent or not voting:
Messrs. Baker, Bird, Cornwall, Davis, Dowell, Funk, Jackson, Ladd, Lowry, McDonald, Manahan, Merriam, Miller of Cherokee, Power, Ray, Scott, St. John, Temple, Van Houten, Watters, Wheeler, Wood-22.

So the bill passed and the title was agreed to.

## REPORT OF CONFERENCE COMMITTEE.

Mr. McNulty, from the Conference Committee on House file No. 26, submitted the following report:

Mr. Speaker-Your committee on conference, to whom was referred House file No. 26, a bill for an act to revise, amend and codify the statutes in relation to the construction and operation of telegraph and telephone lines, beg leave to report that they have had the same under consideration and report the same back to the House with the recommendation that the House concur in the Senate amendment to the said bill striking out section 8.
F. McNulty,
P. L. Prentis, Thos. Lambert, Committee for House.
A. B. FUNK, Thos. D. Healy, Robt. Bonson, G. S. Gilbertson, Committee for Senate.

REPORT OF JOINT COMMITTEE ON ENROLLED BILLS.
Mr. Hauger, from the Joint Committee on Enrolled Bills, submitted the following report:

Mr. Speaker-Your Joirt Committee on Enrolled Bills respectfully report that they have examined, and find correctly enrolled, Senate file No. 77, a bill for an act to revise, amend and codify the statutes in relation to criminal procedure.

W. E. Hauger, Chairman House Committee.<br>G. S. Gilbertion, Chairman Senate Committee.

## REPORT OF CONFERENCE COMMITTEE.

Mr. Weaver, from the committee on conference, submitted the following report:

Mr. Speaker-Your committee on conference, to whom was referred House file No. 66, a bill for an act to revise, amend and codify the statutes in relation to the rights of property, beg leave to report that they have had the matters in dispute between the two houses under consideration, and recommend:

That the Senate recede from the amendment to section 4 of chspter 5, which struck out so much of said section from the word "grantee" in third line to the end of the section.

That the House concur in the Senate amendment to section 5, chapter 9 , by striking out all after the word "term" in line 5 thereof.

That the House concur in the Senate amendment to section 5 of chapter 9 , by adding an amendment at the end of said section with reference to liens on stocks of merchandise.

Thos. A. Cheshire, Thos. D. Healy, F. O. Ellison, C. S. Ranck, Committee for Senate.<br>H. O. Weaver, W. B. Martin, B. M. McQuin, Chris. Marti, Committec for House.

## MESSAGES FROM THE SENATE.

The following message was received from the Senate:
Mr. Speaker-I am directed to inform your honorable body that the President of the Senate has appointed as a further Conference Committee on Senate file No. 20, a bill for an act to revise, amend and codify the statutes in relation to the construction and operation of railways, Senators Pusey, Waterman, Lothrop and Harper.

Geo. A. Newman, Secretary.
Also:
Mr. Speaker-I am directed to inform your honorable body that the Senate has adopted the report of Conference Committee on House file No. 26, a bill for an act to revise, amend and codify the statutes in relation to telegraph and telephone lines.

> Geo. A. Newman, Secretary.

## Also:

Mr. Speaker-I am directed to inform your honorable body that the Senate has adopted the conference report on House file No. 66, a bill for an act to revise, amend and codify the statutes in relation to the rights of property.

Geo. A. Newman,
Secretary.

## Also:

Mr. Speaker-I am directed to inform your honorable body that the Senate has amended and passed the following bill in which the concurrence of the Senate was asked:

House file No. 108, a bill for an act to eradicate hog cholers and swine plague in the State of Iowa.

Geo. A. Newman,
Secretary.

Also:
Mr. Speaker-I am directed to inform your honorable body that the Senate has passed the following bill, in which the concurrence of the Senate was asked:

Substitute for House file No. 88, a bill for an act to provide for the payment of the four paper folders and file Clerk of Twenty-sixth General Assembly for three days' labor performed after the adjournment of the regular session of the Twenty-sixth General Assembly.

Geo. A. Newman, Secretary.
Also:
Mr. Speaker-I am directed to inform your honorable body that the Senate has adopted the accompanying concurrent resolution relative to a joint convention for the election of an editor of the Code.

Geo. A. Newman,
Secretary.
CONCURRENT RESOLUTION.
Whereas, The act providing for the printing, publication, annotation, etc., of the Code also provides for the election by the Senate and the House in joint convention of an editor to edit the Code and perform all the duties in said act prescribed, therefore be it

Resolved, by the Senate, the House concurring, That the election of an editor of the Code take place at 10 o'clock A. m. on Tuesday, the fourth day of May, A. D. 1897, in the hall of the House of Representatives.

Mr. Weaver called up the report of the Conference Committee on House file No. 66, and moved that the report of the committee be adopted.

On the question, "Shall the report be adopted?" the yeas were:

Messrs. Bailey, Bowen, Brinton, Classen, Cook, Cornwall, Crow, Davis, Doubleday, Dowell, Early, Edwards, Evans, Finch, Frink, Funk, Good, Griswold, Hauger, Hayes, Hinkhouse, Hinman, Huntley, Johnson of Webster, Johnston of Franklin, Klemme, Lambert, Lauder, Lavender, Loomis, Lowry, McAchran, McDonald, McNulty, McQuin, Marti, Martin, Mayne, Miller of Buena Vista, Miller of Cherokee, Miller of Warren, Morrison of Grundy, Morrison of Keokuk, Mullin, Nolan, Parker, Porter, Potter, Power, Prentis, Putnam, Reed, Smith, Thompson, Voelker, Weaver, Wells, Williams, Wilson, Wood, Mr. Speaker-61.

The nays were:
Messrs. Allen, Bell, Bird, Brady, Brant, Byington, Chapman, Clark, Frazee, Grote, Haugen, Hazen, Hendershot, Hunt, Jackson, McArthur, McDowell, Merriam, Nietert, Ray, Spaulding, Sullivan, Temple, Tibbitts, Whelan, Whittier-26.

Absent or not voting:
Messrs. Baker, Brighton, Garner, Gurley, Jay, Ladd, Manahan, Perrott, Scott, St. John, Van Houten, Watters, Wheeler-13.

So the report was adopted.
Mr. McNulty called up the conference committee report on House file No. 26, and moved its adoption.

On the question, "Shall the report be adopted?" the yeas were:

Messrs. Allen, Bailey, Bowen, Brady, Brighton, Brinton, Classen, Cook, Cornwall, Crow, Davis, Doubleday, Early, Edwards, Evans, Finch, Frink, Funk, Good, Griswold, Gurley, Hauger, Hendershot, Hinman, Hunt, Johnson of Webster, Johnston of Franklin, Klemme, Ladd, Lauder, Lavender, Loomis, McAchran, McDonald, McNulty, McQuin, Martin, Mayne, Merriam, Miller of Buena Vista, Morrison of Keokuk, Mullin, Perrott, Porter, Potter, Prentis, Putnam, Reed, Scott, Sullivan, Temple, Thompson, Tibbitts, Weaver, Whelan, Williams, Mr. Speaker-57.

The nays were:
Messrs. Bell, Bird, Brant, Byington, Chapman, Ciark, Dowell, Frazee, Garner, Haugen, Hayes, Hazen, Hinkhouse, Huntley, Jackson, Lambert, Lowry, McArthur, McDowell, Marti, Miller of Cherokee, Miller of Warren, Morrison of Grundy, Nietert, Nolan, Parker, Ray, Smith, Spaulding, Wells, Wheeler, Whittier, Wilson, Wood-34.

Absent or not voting:
Messrs. Baker, Grote, Jay, Manahan, Power, St. John, Van Houten, Voelker, Watters-9.

So the report was adopted.

## MESSAGE FROM THE SENATE.

The following message was received from the Şenate:
Mr. Speaker-I am directed to inform your honorable body that the Senate recedes from its amendments to sections 12 and 14, chapter 2; section 1, chapter 2. Insists on its amendments to subsection 3, section 9 , chapter 2; section 32 , chapter 4; section 28 , chapter 6 ; sections 5 and 6 , chapter 11 and section 5, chapter 13; and concurs in House amendments to Senate amendment to subsection 5 , section 21 , chapter 2 ; section 30 , chapter 2 and subsection 8, section 8, chapter 11; and does not concur in House amendments to section 18, chapter 11 of House file No. 96, a bill for an act to revise, amend and codify the statutes in relation to city and town government.

Geo. A. Newman, Secretary.

Mr. Allen offered the following resolution and asked that it be laid over under rule 34:

Resolved, That on next Tuesday at 11 o'clock in the forenoon of said day the House proceed by secret ballot to elect three members of the joint committee to supervise the work of annotating, indexing and publishing the Code, and that such members shall be chosen one at a time, and by first electing two Republicans and then one Democrat.

Mr. McDonald called up House file No. 108, with Senate amendments thereto, and moved that the House concur.

On the question, "Shall the House concur?" the yeas were:
Messrs. Allen, Bailey, Bird, Bowen, Brady, Brant, Brinton, Byington, Chapman, Clark, Classen, Cook, Cornwall, Crow, Davis, Doubleday, Early, Edwards, Evans, Finch, Frazee, Frink, Good, Griswold, Grote, Gurley, Haugen, Hauger, Hendershot, Hinman, Hunt, Jackson, Johnson of Webster, Johnston of Franklin, Lambert, Lauder, $\therefore$ Lavender, Lowry, McAchran, McDonald, McDowell, McNulty, McQuin, Martin, Mayne, Merriam, Miller of Buena Vista, Miller of Cherokee, Miller of Warren, Morrison of Grundy, Morrison of Keokuk, Mullin, Nolan, Parker, Perrott, Porter, Potter, Prentis, Putnam, Ray, Reed, Scott, Smith, Spaulding, Sullivan, Temple, Thompson, Tibbitts, Voelker, Weaver, Wells, Wheeler, Whelan, Whittier, Williams, Wilson, Wood, Mr. Speaker-78.

The nays were:
None.
Absent or not voting:
Messrs. Baker, Bell, Brighton, Dowell, Funk, Garner, Hayes, Hazen, Hinkhouse, Huntley, Jay, Klemme, Ladd, Loomis, McArthur, Manahan, Marti, Nietert, Power, St. John, Van Houten, Watters-22.

So the House concurred.
The House took up the Senate concurrent resolution relative to a joint committee to elect a Code editor.

Mr. Cornwall moved to amend the Senate resolution by striking out the words "10 o'clock A. M." and inserting in lieu thereof the words " 8 o'clock P. M."

Carried.
Resolution as amended adopted.
REPORT OF CONFERENCE COMMITTEE.
Mr. Temple presented the following report of conference committee:

Mr. Speaker-Your conference committee, to whom was referred House file No. 9, a bill for an act to revise, amend and codify the statutes in relation to the Executive Department, beg leave to report that they have had the same under consideration and have met with a committee of the House composed of Representatives Funk, Cornwall, Wood, Baker and Byington, appointed by the Speaker to formulate a bill to carry out the recommendations of the investigating committee appointed by the House on the eighth day of February, 1897. There was referred by the Senate to your conference committee House file No. 97, introduced by Representative Merriam, relating to the subject under consideration. After duly considering the report of said investigating committee, House file No. 97, and the various matters in House file No. 9, in dispute between the houses, your committee of conference submit the following recommendations:

That House file No. 87 be indefinitely postponed for the reason that its provisions are incorporated in amendments herein reported.

That the House concur in the following Senate amendments to House file No. 9:

Section 20, page 21, line 4, by striking out all of the section after the word "cents."

By striking out section 2, chapter 7, page 37, and inserting the following as section 2: "Sec. 2. The Executive Council shall choose a secretary to hold office during its pleasure. The secretary shall keep a journal in which shall be entered all the doings of the Council."

Section 1, chapter 8, page 37, by striking out all after the word "militia" in the fourth line down to and including the word "sold" in the tenth line.

That the Senate recede from its amendments as follows, to section 1, chapter 6, page 36 .

To section 5, chapter 6, line 8, page 36.
To section 7, chapter 6, page 36 .
To section 10, chapter 6, page 37.
Your committee further recommend that the bill be reconsidered by the Senate and that the following amendments thereto be adopted:

Amend chapter 6, of title 2, by striking out sections 4, 5, 6, 7 and 8, and by substituting the following in lieu thereof:
'Sec. 4. He is hereby authorized and empowered, subject to the limitations contained in this title, to employ such labor as shall be required in carrying out the duties imposed by this chapter, to have, at all times, charge of and supervison over the police and janitors in and about the capitol not otherwise provided for, and to employ and discharge the same as the public interest may demand, and with the advice and consent of the Attorney-General to institute in the name of the State civil or criminal proceedings against any person for injury or threatened injury to any public property under his control.
"Sec. 5. The persons employed by him, as above authorized, shall at no time exceed the maximum number, and their compensation shall not exceed the maximum amount allowed by law. At the end of each month he shall make out a list of the expenses incurred under this chapter, specifying the names of the persons employed, the time employed, the kind of labor performed, and the amount due to each, which report shall be subscribed and sworn to by him, and filed with the Executive Council,
and when approved by it , the auditor shall issue a warrant to each person for the amount to which he is entitled.
"Sec. 6. He shall keep in his office a complete record containing an itemized list of all property of the State under his care and control with accurate plans and surveys of the public grounds at the seat of government, and shall make a quarterly report to the Executive Council on the last days of March, June, September and December, and a biennial report to the Governor on the last day of December preceding each regular session of the General Assembly. He shall perform all other duties imposed by law, or order of the Exeeutive Council.
"Sec. 7. Such reports shall show in detail all expenditures of every kind made by him fully itemized, the condition of all real and personal property of the State under his care or control together with any loss or destruction of, or injury to any such property with the causes thereof, and measures necessary for the care and preservation of the same, and recommendations as to methods which would tend to render the service more efficient and economical. They shall also embrace, any other matter ordered by the Executive Council. Each biennial report shall contain an inventory of all State property under his control. All reports of the custodian shall be subscribed and sworn to by him.
"Sec. 8. Either house of the General Assembly may employ such officers and janitors as it shall deem necessary for the conduct of its business; and every officer, board, court or commission may control the official appartments assigned to them by the Executive Council, but shall have no right to employ any janitor, clerk or person, except as authorized by joint resolution as provided in this title. The Senate chamber, the hall of the House of Representatives, and the committee rooms ohall be used only for legislative purposes, and the official appartments shall be used only for the purpose of conducting the business of the State."

Amend chapter 7, page 37, by adding thereto the following sections:
"Sec. 5. At least once each year, and oftener if deemed expedient, the Executive Council shall cause the books, accounts, vouchers, expenditures and conduct of each of the State institutions to be examined into by a skilled accountant and examiner not otherwise in the employ of the State, who shall make report to the Executive Council of such matters and in such form as it may prescribe.
"Sec. 6. Such examiner shall receive actual necessary expenses and such compensation as the Executive Council may allow not to exceed six dollars per day for each calendar day actually employed. The examiner shall itemize his bills for expenses and services and they shall be subscribed and sworn to by him.
"sec. 7. The Executive Council shall annually, rand oftener in its discretion, make a full settlement between the State of Iowa and the officers of the State, officers and superintendents of State institutions, and all persons receiving, handling or expending State funds.
"Sec. 8. All officers of the State, officers and superintendents of State institutions, and all persons drawing funds from the treasury of the State, shall file with the Auditor of State an itemized statement setting fourth the object for which money is sought to be drawn, before a warrant isissued upon the State Treasury. When the law permits the drawing of funds in
advance of their expenditure, the persons drawing such funds shall file such itemized statement within one hundred days after the issuance of any such warrant. The statements provided for in this section shall be presented to the Executive Council by the Auditor.
'Sec. 9. The Executive Council shall publish, annually, as soon after January 1st as is practicable, an itemized statement of all warrants issued and of all moneys paid out by the State Treasurer. Said report shall be so arranged as to show the itemized cost of each department or office of the State and of each State institution, and the disposition by items of all State funds and supplies.
''Sec. 10. The Executive Council is empowered to assign apartments in the capitol building to the several State officers, commissions, and boards; and such assignment shall be subject to change by it, from time to time, when required in the interest of the public service. It shall also make for the State all contracts for lighting and repairing the capitol building and grounds, and for the necessary telephone, telegraph, and water service therein; but the cqst of such service shall not exceed the minimum amounts paid by private parties for like service. The bills for such service shall be itemized, subscribed and sworn to, by the person entitled thereto, and filed with the council, who shall audit the same and order a warrant drawn upon the treasury therefor, payable out of the amount appropriated by the General Assembly for that purpose and not otherwise.
'Sec. 11. The Council is also empowered and authorized to purchase the necessary furniture, fuel, stores and supplies for the capitol building and grounds, and the use of the General Assembly, public offices at the seat of government, and the supreme court, and all paper needed for the public printing. All paper purchased for the use of the State shall have a distinguishing mark or water line by which it can be identified, and all furniture, stores, or supplies for use in and about the capitol shall, when practicable, be marked with the word 'Iowa.'
"Sec. 12. The Council shall, from time to time, make estimates of the kind, quantity and quality of the articles needed and authorized to be purchased by it as provided in the preceding section, and shall cause the secretary thereof to advertise for sealed proposals therefor in two newspapers published at the seat of government, and such others as it may deem expedient. Such advertisement shall state the kind, quantity and quality and time and place of delivery of the articles to tee purchased, and that such proposals shall be filed with the secretary of the Council, the time and place where all bids will be opened, and such other matters as the Council may direct. Bills for such advertising shall be subscribed and sworn to by the person entitled thereto, and when the same are audited by the Executive Council the Auditor shall draw warrants therefor.
"Sec. 13. All bids shall be opened by the Council at the time and place fixed in the advertisement, and it shall award the contracts to the lowest responsible bidder therefor, who shall give security to be approved by it for the performance of such contracts, or it may reject any or all bids and advertise anew. Upon the delivery of the articles contracted for in compliance with the terms of the contract, the person so furnishing the articles shall file with the Council an itemized bill therefor, and it shall thereupon audit the same and order a warrant drawn upon the treasury for the
amount due, payable out of the sum appropriated by the General Assembly for that purpose and not otherwise.
'Sec. 14. The Executive Council shall take charge of all property purchased under the provisions of this chapter, and shall keep a full, accurate, complete, and itemized account of all such property with the cost and disposition thereof. The council shall supply the Governor, Secretary, Auditor, Treasurer, judges of the supreme court and clerk thereof, Attor-ney-General, supreme court reporter, Superintendent of Public Instruction, Railroad Commissioners, Adjutant-General and other officers entitled thereto by law, the General Assembly and its committees, and the clerks, secretaries, and special and standing committees of either house thereof with all such articles required for the public use and necessary to enable them to perform the duties imposed upon them by law. Postage shall not be furnished to the General Assembly, its officers, employes, or to any committee of either branch thereof. It shall also furnish the public printer with all paper required for the various kinds of public printing in such quantities as may be needed for the prompt discharge of his duties. Supplies, including postage and stationery, shall be furnished to the officers and persons entitled thereto by law, only in the manner provided in this chapter.
"Sec. 15. In order to draw supplies each officer or person entitled thereto or the chairman of the respective committees sball make a written requisition on the secretary of the Council specifying the amount and kind that is necessary and upon presentation thereof to said secretary, he shall deliver the articles to the person entitled thereto taking a receipt therefor to be filed and preserved with the records of the Council. The Council shall keep an account so as to show the amount, cost, and kind of supplies purchased, the amount and kind on hand and the disposition of the balance. It shall keep an accurate itemized account with each office, board, commission, or person drawing supplies, charging thereto the several articles furnished at the cost price. The Council shall also keep an account with the public printer, charging him with all paper drawn for public use at the cost price. All printed matter shall be returned to the secretary of the Council for distribution, and the printer shall be credited with the cost price of the paper so returned and required to account for the balance.
"Sec. 16. The Executive Council is authorized to draw warrants upon any contingentefund set apart for its use for the purpose of paying the expenses of suppressing any insurrection or riot, actual or threatened, when state aid has been rendered by order of the Governor, and for repairing, rebuilding, or restoring any state property injured, destroyed, or lost by fire, storm, theft, or unavoidable cause, and for no other purpose whatever."

Amend chapter 9, page 40, by inserting after section 5, the following:
"Sec. 6. The chairmen of the Committees on Ways and Means, Judiciary and Appropriations of the Senate and House, respectively, shall constitute a standing committee to be known as the Joint Committee on Retrenchment and Reform.
"Sec. 7. Said committee shall examine into the reports and official acts of the Executive Council and each officer, board, commission and department of the State at the seat of government in respect to the conduct and expenditures thereof, and the receipts and disbursements of public funds
thereby. It shall report to the General Assembly a joint resolution fixing the number of employes and the salary of each for the several offices, boards, commissions and departments for the ensuing biennial period and recommend such appropriations and legislation as shall promote public interests and an efficient and economical administration of the affairs of the State.
'Sec. 8. Said committee shall have the same power to summon and examine witnesses, administer oaths, compel the production of books, papers and evidence, and to punish for contempt, as the district court."

Also amend chapter 9 , page 40, by striking out sections 1 and 2 thereof.
Amend chapters 6, 7 and 9 , by numbering the sections consecutively. Respectfully submitted,
M. L. Temple.
G. H. Scott,
J. T. P. Power,
C. C. Dowell,

Conferees for the House.
C. A. Carpenter,
J. H. Trewin,
A. B. Funk,
W. H. Berry, Conferees for the Senate.
Pending business, House file No. 85, was taken up.
Mr. Hayes moved to strike out of section 12, which was pending on the question of concurrence in senate amendment thereto, the word "observe," in line 16, and insert the words "believe in" in lieu thereof.

Oa the question, "Shall the amendment be adopted?" the yeas were:

Messrs. Byington, Clark, Cornwall, Doubleday, Dowell, Early, Frazee, Grote, Hayes, Hendershot, Hinkhouse, Hunt, Jackson, Lambert, McAchran, McArthur, McDowell, McNulty, McQuin, Marti, Morrison of Keokuk, Nolan, Porter, Putnam, Sullivan, Temple, Tibbitts, Voelker, Wheeler, Whelan, Whittier, Wilson-32.

The nays were:
Messrs. Bailey, Bell, Bird, Bowen, Brant, Brìghton, Brinton, Chapman, Classen, Cook, Davis, Finch, Frink, Funk, Garner, Haugen, Hauger, Hinman, Huntley,, Johnston of Franklin, Klemme, Ladd, Lavender, Martin, Mayne, Miller of Buena Vista, Morrison of Grundy, Mullin, Parker, Perrott, Prentis, Reed, Scott, Smith, Spaulding, Thompson, Wells, Williams, Wood, Mr. Sneaker-40.

Absent or not voting:
Messrs. Allen, Baker, Brady, Crow, Edwards, Evans, Good, Griswold, Gurley, Hazen, Jay, Johnson of Webster, Lauder,

Loomis, Lowry, McDonald, Manahan, Merriam, Miller of Cherokee, Miller of Warren, Nietert, Potter, Power, Ray, St. John, Van Houten, Watters, Weaver-28.

So the amendment was lost.
Mr. Cortwall moved the previous question on this section. Carried.
On the question, "Shall the House concur in the Senate substitute for section 12, page 913 ?" the yeas were:

Messrs. Bell, Bowen, Brady, Brighton, Brinton, Clark, Cook, Frink, Funk, Garner, Good, Hauger, Hendershot, Johnston of Franklin, Klemme, Lavender, McAchran, Martin, Mayne, Miller of Buena Vista, Miller of Cherokee, Morrison of Grundy, Porter, Potter, Prentis, Putnam, Scott, Smith, Thompson, Wells, Whelan, Williams-32.

The nays were:
Messrs. Bailey, Brant, Byington, Chapman, Classen, Cornwall, Crow, Davis, Doubleday, Dowell, Early, Edwards, Finch, Frazee, Haugen, Hayes, Hazen, Hinkhouse, Hinman, Hunt, Jackson, Johnson of Webster, Ladd, Lauder, Lowry, McArthur, McDowell, McNulty, Marti, Morrison of Keokuk, Mullin, Nolan, Parker, Perrott, Reed, Spaulding, Sullivan, Temple, Tibbitts, Voelker, Wheeler, Whittier, Wilson, Wood, Mr. Speaker-45.

Absent or not voting:
Messrs. Allen, Baker, Bird, Evans, Griswold, Grote, Gurley, Huntley, Jay, Lambert, Loomis, McDonald, McQuin, Manahan, Merriam, Miller of Warren, Nietert, Power, Ray, St. John, Van Houten, Watters, Weaver-23.

So the House refused to concur.
Mr. Brant submitted the following motion:
Mr. Speaker-I move to reconsider the vote by which the House refused to concur in the Senate substitute for section 12, House file No. 85. David Brant.
I second the motion.
W. G. Crow.

On motion of Mr. Hayes the above motion to reconsider was laid on the table.

Mr. Hayes moved to amend Senate amendment to line 3 of section 15, page 903 of the bill, by striking out the word "pounds" and inserting the words "per cent." Also strike out the words "to the one hundred pounds."

Carried.

Mr. McNulty moved to amend the Senate amendment to section 14, in line 8, page 903 , by striking out the words "in the English language."

Lost.
Mr. Hayes offered the following as a substitute for the Senate substitute for section 8 , page 906 , and asked that it be passed for the present and taken up to-morrow.

Hereafter it shall be unlawful for any person or persons to sell cigarettes made of tobacco in combination with any substance or material, covering or wrapper, until such person or persons shall have obtained license therefor as hereafter provided.

The applicant for such license shall make oath in writing that according to his best knowledge and belief the cigarettes intended to be sold pursuant to such license do not contain any'injurious drug or other deleterious matter or substance foreign to tobacco, except the pure paper wrapper and the pure gelatinous or other pure and harmless adhesive substance required to enclose the same, and that he will not knowingly sell any cigarettes containing any such injurious drugs or other deleterious matter, or any wrapper containing any harmful concoction of any kind whatsoever; and he shall also present with his application for a license to the board or council granting the same or to which application is made therefor the written affidavit of one of the manufacturers of such cigarettes, or that of the manager or other agent of such manufacturer thereof connected with and having knowledge of the method of the manufacture of the same and of the ingredients of which the same are composed, to the effect that such cigarettes so proposed to be sold do not contain any such drugs or deleterious matter or any other harmful material or concoction of any kind whatsoever.

It ${ }_{4}$ is hereby made the duty of the city council of any incorporated city, including those acting under special charters, or the board of supervisors of any county outside of any incorporated city or town therein in which any person desires to conduct the business of selling cigarettes, to grant a license to any such person upon his filing his written application therefor, together with the affidavits specified above, and the payment of the license fee fixed by said board or council as hereinafter provided. The license fee hereinbefore mentioned must be fixed and regulated in each individual case by sald board or council as follows. In every case where a license is applied for and issued by the board of supervisors in any locality or jurisdiction outside of any incorporated town or city the license fee shall not be less than ten nor more than twenty dollars. In every case where license is granted by any town or city council in any city or town of not more than three thousand people the license fee shall not be less than fifteen nor more than twenty-five dollars. In every case where license is granted in any city or town containing more than three and less than five thousand people the license fee shall not be less than twenty, nor more than thirty dollars. In all towns or cities containing not less than five nor more than fifteen thousand people the license fee shall not be less than thirty nor more than fifty dollars. In all cities and towns of more than fifteen thousand population the license foe shall not be less than fifty nor more than seventy-five dollars.

The payment of said fee and granting of said license shall authorize and empower the individual or corporation to which the same is granted to continue the sale of cigarettes for a period of one year and not longer from the date of the granting of the same. A license may be granted for any fractional part of the year upon the payment of the same rate proportionately. No license issued in pursuance of the provisions of this act shall be transferable or assignable.

All moneys derived as license fee under the provisions of this act shall be paid over to the city or town treasurer if in a city or incorporated town for the use of the general fund of said city or town, as the case may be and all moneys received by the board of supervisors for such license shall be paid over to the county treasurer for the use of the general fund.

Any person selling, or giving away, any cigarettes containing any injurious drug or other deleterious matter or substance foreign to tobaceo, exceptothe pure paper wrapper and pure gelatinous or harmless adhesive substance required to enclose the same, shall be deemed guilty of a misdemeanor and shall, upon conviction thereof, be fined not less than fifty dollars nor more than one hundred dollars for each offense, or be imprisoned in the county jail not exceeding thirty days, and any person who sells or gives away any cigarette or cigarettes of any kind whatsoever to a minor under the age of eighteen years shall be deemed guilty of a misdemeanor.

In addition to the penalties in this act provided any person who shall, by himeelf or agent, sell or give away any cigarette or cigarettes to a minor under the age of eighteen years shall forfeit and pay the sum of one hundred dollars for each sale so made; which sum may be recovered in a civil action prosecuted in the name of the parents or guardian of such person, or by his next friend, if he have no such parent or guardian, one-half of which sum so recovered shall go to the plaintiff and the remainder to the treasury of the county wherein suit is brought, for the use of the school fund.

Any minor under the age of eighteen years who shall smoke, use or have in his possession any cigarette or cigarettes, shall be deemed guilty of a misdemeanor, and upon conviction thereof shall be fined for each offense not less than five dollars nor more than twenty dollars and may be committed to the county jail until such fine shall be paid, not exceeding, however, thirty days, but if such minor shall disclose to the magistrate before whom he may be arraigned or tried, at any time before conviction, the name or identity of the person from whom he obtained such cigarette or cigarettes, such proceeding may thereupon be dismissed, but no evidence so taken shall be used against the minor in any prosecution for a violation of the provisions of this section. It shall be unlawful for any dealer in cigarettes to sell any package of cigarettes containing any picture, photograph, button, or other article than the cigarette with the wrapper, or for any person whomsoever to sell or give to any minor under the age of eighteen years any picture, photograph, button or other article designed to advertise cigarettes or induce the purchase thereof. Any person violating the provisions of this section, shall be deemed guilty of a. misdemeanor.

Mr. Mayne moved that the House refuse to concur in Senate substitute for section 27, page 878.

Carried.
Mr. Dowell moved that the report of the committee recommending that the House concur in the following Senate amendments be adopted: Page 866, section 2, line 5; page 866, section 4, lines 3 and 4; page 866, section 5, line 4 ; page 871 , section 50 , line 1 ; page 873 , section 15, line 5; page 873 , section 18 ; page 873 , section 20 , line 5 ; page 874 , section 21 , line 6 ; page 874 , section 24 , adding thereto; page 875 , section 8 , line 3 ; page 876 , section 17; page 876 , section 18 , line 4 ; page 877 , section 19 [two amendments]; page 878, section 26, lines 1 and 3; page 882, section 22, line 2; page 886, section 1, line 7; page 891, section 18, line 2; page 899, section 28, lines 3. 5 and 6; page 899, section 29 , line 3 ; page 901 , inserting sections 41, 42 and 43; page 903 , section 14 , lines 2,6 and 8 ; page 903 , section 15 , lines 1,2 and 3 as amended; page 905, renumbering sections; page 906 , section 6, line 2; page 907, striking out sections 12 to 20 , inclusive; page 909 , striking out sections $29,30,31$ and 32 ; page 910 , striking out sections $34,35,40$ and 41 ; page 911 , section 43 , line 2; page 912, striking out section 6; page 913, section 1 , line 5 ; page 913 , section 2 , line 6 ; page 915 , section 10, line 11; page 921 , section 7, line 5; page 913, section 10 as amended by committee.

On the question, "Shall the motion prevail?" the yeas were:
Messrs. Allen, Bailey, Bell, Bird, Bowen, Brady, Brighton, Brinton, Byington, Chapman, Clark, Cook, Cornwall, Crow, Davis, Doubleday, Dowell, Early, Edwards, Evans, Finch, Frazee, Frink, F'unk, Garner, Good, Griswold, Grote, Gurley, Haugen, Hauger, Hayes, Hazen, Hendershot, Hinkhouse, Hinman, Hunt, Huntley, Jackson, Johnson of Webster, Johnston of Franklin, Klemme, Lauder, Lowry, McAchran, McArthur, McDonald, McDowell, McQuin, Marti, Martin, Mayne, Merriam, Miller of Buena Vista, Miller of Cherokee, Miller of Warren, Morrison of Grundy, Morrison of Keokuk, Mullin, Parker, Perrott, Porter, Potter, Prentis, Putnam, Ray, Reed, Scott, Spaulding, Temple, Thompson, Weaver, Wells, Wheeler, Whelan, Whittier, Williams, Wilson, Wood, Mr. Speaker-80.

The nays were:
Messrs. Sullivan and Tibbitts-2.

## Absent or not voting:

Messrs. Baker, Brant, Classen, Jay, Ladd, Lambert, Lavender, Loomis, McNulty, Manahan, Nietert, Nolan, Power, Smith, St. John, Van Houten, Voelker, Watters-18.

So the House concurred in the above named Senate amendments.

House file No. 96, in which the Senate refused to concur in certain House amendments thereto was taken up and considered.

Mr. Dowell moved that the House insist on those amendments in which the Senate refused to concur.

Carried.
The Speaker appointed as the House members of the Conference Committee on House file No. 96, Messrs. Dowell, Thompson, Parker and Wilson.

The following motion to reconsider was filed.
Mr. Speaker-I move to reconsider the vote by which. House file No. 100 was indefinitely postponed.

> O. O. Tibbitits.

I second the above motion.
J. F. Lavender.

MESSAGES FROM THE SENATE.
The following message was received from the Senate:
Mr. Speaker-I am directed to inform your honorable body that the Senate has concurred in House amendment to the following concurrent resolution, in which the concurrence of the House is asked:

Relative to joint committee for election of editor for the Code. Geo. A. Newman, Secretary.
Also:
Mr. Speaker-I am directed to inform your honorable body that the President of the Senate has appointed as conference committee on the part of the Senate on House file No. 96, a bill for an act to revise, amend and codify the statutes in relation to city and town government, Senators Cheshire, Waterman, Pusey and Trewin.

> Geo. A. Newman, Secretary.

On motion of Mr. Chapman, the House adjourned until 9 A. m. to-morrow.

Hall of the House of Representatives, Des Moines, Iowa, Saturday, May 1, 1897.$\}$
The House met at 9 a. m., with Speaker Byers in the chair. Prayer was offered by Rev. S. T. Weaver, of Minburn, Iowa.

PETITIONS AND MEMORIALS.
Mr. Parker presented a telegram from citizens of Glenwood, Iowa, against any change in law taxing insurance companies.

Referred to Joint Committee on Conference on Insurance.
Mr. Hauger presented petition of citizens of Black Hawk county, asking for equal political rights for women.

Referred to Committee on Constitutional Amendments.
Mr. Brighton presented petition of Jefferson county, asking the legalizing taking of fish with trot line and the taking of Buffalo fish and other fish with nets that do not bite the hook during May, June and September.

Referred to Committee on Fish and Game.
Mr. Doubleday offered the following resolution, which was laid over under rule 34:

Whereas, The State printer's and binder's bill has been before the Printing Committee for some weeks, and

Whereas, It is a bill of a good deal of importance to the State, and
Whereas, We are nearing the end of the session and the bill will require careful consideration in the House, therefore be it

Resolved, That the Chairman of the Printing Committee be required to make a report by a bill on or before 2 o'clock P. M. Monday, May 3, 1897, in order that the members of the House of Representatives can begin the consideration of the bill.

Mr. Wells offered the following resolution, which was laid over under rule 34.

Be it resolved by the General Assembly of the State of Iowa, That the rooms numbered 11 and 12 on the first floor of the capitol building, now occupied by the State Agricultural Society, be and the same are hereby assigned to the Attorney General, and that room numbered 20 , on said floor, or such rooms as the Executive Council may provide, are assigned for the use of the State Agricultural Society.

## REPORTS OF COMMITTEES.

Mr. Cornwall, from the Committee on Judiciary, submitted the following report:

Mr. Speaker-Your Committee on Judiciary, to whom was referred Senate file No. 101, a bill for an act to legalize certain errors and omissions of the board of supervisors and of the county auditor of Polk county, Iowa, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same be indefinitely postponed.

> W. W. CORNWALL, Chairman.

Ordered passed on file.

## Also:

Mr. Speaker-Your Committee on Judiciary, to whom was referred Senate file No. 103, a bill for an act to legalize the corporation of the town of Arnolds Park, Dickinson county, Iowa, and the notice for the election of the officers of said town, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same be indefinitely postponed.
W. W. Cornwall, Chairman.
Ordered passed on file.
Also:
Mr. Speaker-Your Committee on Judiciary, to whom was referred Senate file No. 108, a bill for an act to legalize certain ordinances of the incorporated town of Waucoma, Fayette county, Iowa, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same be indefinitely postponed.

Ordered passed on file.

> W. W. CORNWALL, Chairman.

Mr. W. B. Bell, from the Committee on Military, submitted the following report:

Mr. Speaker-Your Committee on Military, to whom was referred petition from citizens of Marshalltown, Iowa, relative to labor of inmates of Lowa Soldiers' Home, beg leave to report that they have had the same under consideration and have instructed me to report back to the House the following resolution with the recommendation that the same do pass.

Whereas, Complaint is made by the laboring men of Marshalltown, Iowa, that inasmuch as the inmates of the Soldiers' Home are fully provided for by the State, and for that reason they are unable to compete with them for the work in the city of Marshalltown, and

Whertas, This session is so near adjournment, there is not time to make thorough inquiry as to the merits or demerits of this complaint, therefore, be it

Resolved by the House, the Senate concurring, That this complaint be and is hereby referred to the trustees of the Soldiers Home, with the recommendation that so far as possible they provide work for those inmates of the Home that desire it, with a view of avoiding as much as possible the unequal competition for the work of the city of Marshalltown.

> W. B. Bell, Chairman.

Ordered passed on file.
Mr. Cornwall, from the Committee on Judiciary, submitted the following report:

Mr. Speaker-Your Committee on Judiciary, to whom was referred the Senate's amended and substituted bill for House file No. 16, entitled a bill for an act to revise, amend and codify the statutes in relation to corporations, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House with the recommendation that the bill be passed when amended as follows:

Page 1, section 2, line 3, strike out the words "of individual or individuals" after the word "name" in line 3 and strike out the word "the" in said line before the word "name" and insert in lieu thereof the words "an individual" so that said paragraph will read as follows: "But if he adopts an individual name as that of a corporation, etc."

Page 1, section 4, strike out all of line 6, beginning with the words "attorney-general" all of line 7 and the first five words of line 8. Also, insert after the word "State" in said line 8 the following: "and be by him recorded." Also, strike out of said line 8 the words "The articles may be" and all of line 9 .

Add at the end of said section 4 the following: "But the provisions of this section shall not apply to farmers' mutual co-operative creamery associations, working men's co-operative associations nor farmer's mutual insurance companies."

Page 2, section 5, strike out of said section wherever they occur, the words "or street railway."

Page 3, section 9, line 5, strike out the word "who" and insert in lieu thereof the word "as," so that the same will read "such officers of the corporation as may be designated, etc."

Page 3, section 10, line 3, strike out the words "and street railway."
Page 3, section 12, line 5, insert after the word "election" the following: "or special election called."

Page 3, section 14, line 3, insert at the beginning of said line the following: "shall be a misdemeanor and."

Page 4, section 15, line 10, after the word "existing" insert the following words: and for all that shall thereafter be contracted while they shall respectively continue in office."

Page 5, section 21, of the amended bill, strike out of said section the following: "The stock of all corporations for pecuniary profit heretofore created shall, on or before the first day of January, 1899, be returned to the proper officers of the corporation issuing the same and a similar indorsement made thereon and after that date no stock of any corporation existing under the laws of Iowa, shall be voted at a stock holders' meeting or have
any legal force or validity until such indorsement is placed thereon by the proper officers of the corporation issuing the same."

Pages 6 and 7 of the printed bill, strike out all of sections 29,30 and 31 with the Senate amendments thereto.

Renumber the sections of said bill consecutively to correspond to the amendments thereof.

W. W. Cornwall, Chairman.

Also:
Mr. Speaker-Your Committee on Judiciary, to whom was referred Senate file No. 104, a bill for an act to legalize certain elections held in the incorporated town of Volga City, county of Clayton, and State of Iowa, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same be indefinitely postponed.

> W. W. CORNWALL, Chairman.

Ordered passed on file.
Also:
Mr. Speaker-Your Committee on Judiciary, to whom was referred Senate file No. 100, a bill for an act to legalize the incorporation of the town of Larrabee, Cherokee county, Iowa, acts done and ordinances passed by the council of said town, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same be indefinitely postponed.

> W. W. CORNWALL, Chairman.

Ordered passed on file.
Also:
Mr Speaker-Your Committee on Judiciary, to whom was referred House file No. 106, a bill for an act to legalize the acts and resolutions of the city of Keokuk, relative to the curbing, guttering and paving of Eleventh street in said city from the north line of Main street to the south line of Blondeau street, and the issuance of certificates therefor, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the House with the recommen dation that the same be indefinitely postponed.

> W. W. CORNWALL,
> Chairman.

Ordered passed on file.

## Also:

Mr. Speaker-Your Committee on Judicary, to whom was referred House file No. 107, a bill for an act to legalize the acts of the city of Keokuk, Iowa, in changing the grade of Orleans street from Fourth street to the top of the plling between Third and Fourth streets in said city, and improving said street, and in levying certain taxes, beg leave to report that they have had the same under consideration and have instructed me to report
the same back to the House with the recommendation that the same be indefinitely postponed.

W. W. Cornwall,<br>Chairman.

Ordered passed on file.

## Also:

Mr. Splaker-Your Committee on Judiciary, to whom was referred Senate file No. 102, a bill for an act to legalize the location of public highways in all section lines in townships Nos. 98 and 99 north, range No 25 west, also townships Nos. 98 and 99 north, range No. 26 west, Winnebago county, Iowa, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same be indefinitely postponed.
W. W. Cornwall, Chairman.
Ordered passed on file.

## MESSAGES FROM THE SENATE.

## The following message was received from the Senate:

Mr. Speaker-I am directed to inform your honorable body that the Senate has passed the following bill, in which the concurrence of the House is asked:

Senate file No. 106, a bill for an act to legalize the acts of the city of Keokul, Iowa, in changing the grade of Orleans street, from Fourth street to the top of the piling between Third and Fourth streets in said city and in improving said street and in levying the tax against the abutting property for the costs of said improvements and in issuing certificates therefor.

Geo. A. Newman, Secretary.

## Also:

Mr. Speaker-I am directed to inform your honorable body that the Senate has passed the following bill, in which the concurrence of the House is asked:

Senate file No. 105, a bill for an act to legalize the acts and resolutions of the city of Keokuk, relative to the curbing, guttering and paving of Eleventh street, in said city, from the north line of Main street to the south line of Blondeau street and the issuance of certificates therefor.

Geo. A. Newman,
Secretary.
SENATE MESSAGES.
Senate file No. 106, was read first and second time and concidered and indefinitely postponed.

Senate file No. 105, was read first and second time, considered and indefinitely postponed.

The Journal of yesterday was corrected and approved.

## INTRODUCTION OF BIL'LS.

By Mr. Griswold, House file No. 109, a bill for an act to amend chapter 136 of the laws of the Twenty-fifth General Assembly, and chapter 140 laws of the Twenty-sixth General Assembly, relating to appropriation for Hospital for Insane, at Cherokee, Iowa.

Read first and second time and referred to Committee on Appropriations.

The pending bill, House file No. 85, with report of the committee therein, with respect to Senate amendments thereto, was again taken up for consideration.

Mr. Hayes called up his substitute for the Senate substitute for section 8, page 906, which was offered on yesterday, and moved its adoption.

A roll call was demanded resulting as follows:
On the question, "Shall the substitute be adopted?" the yeas were:

Messrs. Chapman, Frazee, Hayes, Hazen, Hinkhouse, Hunt, Lambert, Lowry, McDowell, McNulty, Marti, Nolan, Porter, Temple, Voelker, Whelan, Wilson-17.

The tiays were:
Messrs. Allen, Bailey, Bell, Bird, Bowen, Brady, Brant, Brighton, Brinton, Byington, Cook, Cornwall, Davis, Doubleday, Dowell, Early, Edwards, Evans, Finch, Frink, Garner, Good, Griswold, Hauger, Hendershot, Hinman, Huntley, Jackson, Johnson of Webster, Johnston of Franklin, Klemme, Lav. ender, McAchran, McDowell, McNulty, Martin, Mayne, Merriam, Morrison of Grundy, Morrison of Keokuk, Mullin, Parker, Perrott, Prentis, Putnam, Ray, Reed, Scott, Smith, Sullivan, Thompson, Tibbitts, Wells, Wheeler, Williams, Mr. Speaker54.

Absent or not voting:
Messrs. Baker, Clark, Classen, Crow, Funk, Grote, Gurley, Haugen, Jay, Ladd, Lauder, Loomis, McArthur, McDonald, McQuin, Manahan, Miller of Buena Vista, Miller of Cherokee, Miller of Warren, Nietert, Potter, Power, Spaulding, St. John, Van Houten, Watters, Weaver, Whittier, Wood-29.

So the substitute was lost.
On the question, "Shall the House concur in the Senate amendment to section 8 ?" the yeas were:

Messrs. Allen, Bailey, Bell, Bird, Bowen, Brady, Brant, Brighton, Brinton, Byington, Chapman, Cook, Cornwall, Davis,

Doubleday, Dowell, Edwards, Evans, Finch, Frink, Funk, Garner, Good, Griswold, Grote, Gurley, Haugen, Hauger, Hazen, Hendershot, Hinman, Huntley, Jackson, Johnson of Webster, Johnston of Franklin, Klemme, Lavender, McAchran, Martin, Mayne, Merriam, Morrison of Grundy, Morrison of Keokuk, Mullin, Parker, Porter, Potter, Prentis, Putnam, Ray, Reed, Scott, Smith, Spaulding, Sullivan, Temple, Thompson, Voelker, Wells, Whittier, Williams, Mr. Speaker-62.

The nays were:
Messrs. Early, Frazee, Hayes, Hunt, Lambert, Lowry, McDowell, McNulty, Marti, Nolan, Tibbitts, Wheeler, Whelan, Wilson-14.

Absent or not voting:
Messrs. Baker, Clark, Classen, Hinkhouse, Jay, Ladd, Lauder, Loomis, McArthur, McDonald, McQuin, Manahan, Miller of Buena Vista, Miller of Cherokee, Miller of Warren, Nietert, Perrott, Power, St. John, Van Houten, Watters, Weaver, Whittier, Wcod-24.

So the House concurred.
The recommendation of the committee that the House refuse to concur in the following amendments was adopted, to-wit: The Senate amendments to page 869, section 31; page 870,
${ }^{\prime}$ striking out sections 40 and 41; page 876, inserting as section 19; page 879, section 1 , line 8 ; page 880 , section 10 , line 12 ; page 886, section 4 , line 3 ; page 889 , section 23 , line 3 ; page 892 , section 2, line 4; page 892 , section 3 , line 2; page 895 , section 5, line 6; page 909, section 24; page 910 , section 39 , line 2 ; page 910 , section 39 , adding at end of section; page 903, section 14 , line 10.

Mr. Hayes offered the following amendment to the Senate amendment to page 906, inserting as section 8: Insert between the words "collected" and "and" in line 31, on page 3 of committee report, the word "determined."

The matter was deferred until afternoon.
Mr. Allen called up his resolution offered on yesterday in reference to selecting Code supervising committee and moved its adoption as amended.

Mr. Allen moved to amend the resolution by striking out " 11 A. M." and inserting " 4 P. м."

Carried.
Resolution was adopted.

## MESSAGE FROM THE SENATE.

The following message was received from the Senate:
Mr. Speaker-I am directed to inform your honorable body that the Senate has indefinitely postponed House file No. 50, a bill for an act to revise, amend and codify the statutes in relation to the educational board of examiners, as Senate file No. 50 covers same subject.

Also, House file No. 59, a bill for an act to revise, amend and codify the statutes in relation to the school for the deaf, as senate file No. 90 covers same subject.

Also, House file No. 69, a bill for an to revise, amend and codify the statutes in relation to notes and bills, as Senate file No. 70 covers same subject.

Geo. A. Newman, Secretary.

## REPORT OF COMMITTEE ON ENROLLED BILLS.

Mr. Hauger, from the Committee on Enrolled Bills, submitted the following report:

Mr. Speakfr-Your Committee on Enrolled Bills respectfully report that they have examined, and find correctly eurolled, House file No. 88, an act to provide for the payment of the four paper folders and file clerk of the Twenty sixth General Assembly for three days' labor performed after the adjournment of the regular session of the Twenty-sixth General Assembly.

Ordered passed on file.

W. E. Hauger,<br>Chairman.

Also:
MR SPEAKER-Your Committee on Enrolled Bills respectfully report that they have examined, and find correctly enrolled, House file No. 108, a bill for an act to eradicate hog cholera and swine plague in the State of Iowa.

> W. E. Hauger, Chairman.

Ordered passed on file.
report of Joint committee on enrolled bills.
Mr. Hauger, from the Joint Committee on Enrolled Bills submitted the followimg report:

Mr. Speaker- Your Joint Committee on Enrolled Bills respectfully report that they have carefully examined the following bills, and find them correctly enrolled:

House file No. 88, an act to provide for the payment of the four paper folders and file clerk of the Twenty-sixth General Assembly for three days labor performed after the the adjournment of the regular session of the Twenty-sixth General Assembly.

House file No. 108, an act to eradicate hog cholera and swine plague in the State of Iowa.

W. E. Hauger, Chairman House Committee.<br>G. S. Gilbertison, Chairman Senate Committee.

The Speaker signed in the presence of the House, House file Nos. 88 and 108.

House file No. 16, with committee report on Senate amendments thereto, was taken up.

Mr. Cornwall asked that its consideration be deferred till Tuesday, in order that the bill might be printed for the information of members.

## REPORT OF CONFERENCE COMMITTEE.

Mr. Dowell submitted the following conference committee report on House file No. 96:

Mr. Speaker-Your conference committee, to which was referred House file No. 96, beg leave to report that they have had the same under consideration, and have agreed on the following report:

That the Senate recede from its amendments to subsection 3 , section 9 , chapter 2, page 12 of the bill.

That the Senate recede from its amendments to section 32, chapter 3, page 28 of the bill.

That the following be substituted as section 28 of chapter 6, page 40 of the bill, in lieu of said section as amended:
"Sec. 28. They shall have power to provide for the construction, reconstruction and repair of permanent sidewalks upon any street, highway, avenue, public ground, wharf, landing, or market place within the limits of such city or town; but the construction of permanent sidewalks shall not be made until the bed of the same shall have been graded so that when completed, such sidewalks will be at the established grade, and to assess the cost thereof on the lots or parcels of land in front of which the same shall be constructed. Towns shall have the power to make the street improvements provided for in chapter 7 of this title and pay for the same, or any part thereof, out of the general fund, or to assess, levy, and collect special taxes for the cost, or any part thereof, against the abutting property in the manner provided in said chapter. But unless the owners of a majority of the linear feet of the property fronting or the improvements referred to in this section, petition the council therefor, the same shall not be made unless three-fourths of all the members of the council shall by vote order the making thereof."

That section 29 , chapter 6, page 40 , of the bill, be amended by striking out the word "They," in the first line, and inserting in lieu thereof the words "Cities and towns."

This amendment is made necessary by reason of the substitute agreed upon for section 28 as amended.

That the House concur in Senate amendments to section 5 and line 10 of section 6, chapter 11, as amended on page 65 of the bill.

That line 11, section 6, chapter 11, page 65 of the bill be further amended by striking out the word "November" and inserting the word "December."

That section 7, chapter 11, page 65 of the bill, be amended by striking out in line 3 the word "October" and inserting in lieu thereof the word "December."

That the House and Senate amendments to section 18, chapter 11, page 70 of the bill, be striken out, and the section be amended as follows, by inserting after the word "levied," in the fourth line of the section, the words "except as provided in subsection 7, of section 8, of chapter 11 of this title."

That the House concur in Senate amendments to section 5, chapter 13, page 74 of the bill

That section 34 of chapter 4, page 29 of the bill, be amended by striking out the word "They," in the first line, and inserting in lisu thereof the words "Cities and towns."

> C. C. Dowell,
> J. A. THOMPSON,
> JOHN PARKER,
> J. L. WILSON,
> Conferees on the part of the House.
> THOS. A. Cheshire,
> H. L. Waterman,
> J. H. Trewin,
> N. M. PuSEy, Conferees on the part of the Senate.

On the question, 'Shall the report of the Conference Committee on House file No. 96 be adopted?" the yeas were:

Messrs. Allen, Bailey, Bell, Bird, Brant, Brighton, Brinton, Byington, Chapman, Cook, Cornwall, Crow, Davis, Doubleday, Dowell, Early, Edwards, Evans, Frazee, Frink, Funk, Good, Griswold, Grote, Gurley, Haugen, Hayes, Hendershot, Hinman, Hunt, Huntley, Jackson, Johnson of Webster, Johnston of Franklin, Klemme, Lowry, McAchran, McDowell, McNulty, Marti, Martin, Mayne, Merriam, Miller of Buena Vista, Miller of Cherokee, Morrison of Grundy, Morrison of Keokuk, Mullin, Nolan, Parker, Porter, Potter, Prentis, Putnam, Reed, Scott, Smith, Spaulding, Sullivan, Temple, Thompson, Tibbitts, Voelker, Wells, Wheeler, Whelan, Williams, Wilson, Wood, Mr. Speaker-70.

The nays were:
None.
Absent or not voting:
Messrs. Baker, Bowen, Brady, Clark, Classen, Finch, Garner, Hauger, Hazen, Hinkhouse, Jay, Ladd, Lambert, Lauder, Lavender, Loomis, McArthur, McDonald, McQuin, Manahan, Miller of Warren, Nietert, Perrott, Power, Ray,s St. John, Van Houten, Watters, Weaver, Whittier-30.

So the report of the conference committee was adopted.

Mr. Hauger, from Committee on Enrolled Bills, submitted the following report:

Mr. Speaker-Your Committee on Enrolled Bills respectfully report that they have this day sent to the Governor for his approval:

House file No. 88, an act to provide for the payment of the four paper folders and file clerk of the Twenty-sixth General Assembly for three days labor performed after the adjournment of regular session of the Twentysixth General Assembly.

House file No. 108, an act to eradicate hog cholera and swine plague in the State of Iowa.

W. E. Hauger, Chairman.

May 1, 1897.
Mr. McNulty submitted to the committee report on House file No. 16 the following amendment, which was ordered printed in the Journal: Add as new section to chapter 1 the following: "Corporations organized in any foreign country, or corporations organized in this country, the stock of which is owned in whole or in part by aliens or non-residents shall have the same rights, power and privileges with regard to the purchase and ownership of real estate in this State subject to the same conditions as provided in the case of non-resident aliens in section 3 , chapter 1 , title 14 of this Code."

## REPORT OF COMMITTEE.

Mr. Funk, from the Committee on Ways and Means, submitted the following report:

Mr. Speaker-Your Committee on Ways and Means, to whom was referred substitute for Senate file No. 8, a bill for an act to revise, amend and codify the statutes in relation to the revenue, beg leave to report that they have had the same under consideration and have instructed me to report the same baok to the House with the recommendation that the House recede from its amendments to line 5, section 1, chapter 1; also chapter 1 , section 2, line 39 ; also amendment to section 2, chapter 1 , relating to taxes where the poor farm is situated; also to amendments striking out sections $27,28,29,30,38,39,43$ and 44 , of chapter 1 , and inserting other provisions relative to telegraph, telephone, express and sleeping cars; also to section 70, chapter 1. And insist on its amendments as follows: Chapter 1, sections 3 and 12 (misprinted ' 11 "' in Senate Sournal); chapter 1, section 13 , line 2 ; chapter 1, section 19, line 21 , also amendments to section 45 , chapter 1 ; also section 63 , chapter 1 ; also section 68 , chapter 1 ; also section 40 chapter 1, also section 1, chapter 4, line 6 ; also section 4, chapter 2, line 3.

We also recommend that the House concur in the Senate substitute for House amendment to section 31, chapter 1. We also recommend that the

House concur in Senate substitute for House amendment to page 4, of section 1, chapter 1, and in Senate substitute for section 4, chapter 2.
J. H. Funk,
Chairman.

Ordered passed on file.
Senate file No. 8 was made a special order for 2 p. m. Tuesday, May 4.

The report of the Conference Committee on House file No. 18, in relation to insurance, was taken up.

On the question, "Shall the report of the conference committee be adopted?" the yeas were:

Messrs. Allen, Bailey, Bowen, Brant, Brighton, Brinton, Byington, Chapman, Cook, Crow, Davis, Doubleday, Dowell, Eurly, Edwards, Evans, Frazee, Funk, Good, Griswold, Grote, Gurley, Haugen, Hayes, Hazen, Hendershot, Hinkhouse, Hinman, Hunt, Jackson, Johnson of Webster, Johnston of Franklin, Klemme, Lambert, Lowry, McDowell, McNulty, Martin, Mayne, Merriam, Miller of Buena Vista, Morrison of Keokuk, Mullin, Nolan, Parker, Porter, Prentis, Putnam, Reed, Scott, Smith, Spaulding, Temple, Thompson, Voelker, Wells, Williams, Wilson, Wood, Mr. Speaker-60.

The nays were:
Messrs. McAchran, Marti, Sullivan, Tibbitts, Wheeler, Whelan-6.

Absent or not voting:
Messrs. Baker, Bell, Bird, Brady, Clark, Classen, Cornwall, Finch, Frink, Garner, Hauger, Huntley, Jay, Ladd, Lauder, Lavender, Loomis, McArthur, McDonald, McQuin, Manahan, Miller of Cherokee, Miller of Warren, Morrison of Grundy, Nietert, Perrott, Potter, Power, Ray, St. John, Van Houten, Watters, Weaver, Whittier-34.

So the report of the committee was adopted.

## REPORT OF COMMITTEE ON ENROLLED BILLS.

Mr. Hauger, from the Committee on Enrolled Bills, submitted the following report:

Mr. Speaker-Your Committe on Enrolled Bills respectfully report that they have carefully examined the following bills, and find them correctly enrolled:

House file No. 20, a bill for an act to revise, amend and codify the statutes in relation to building and loan associations.
W. E. Hauger,

Chairman
Ordered passed on file.

REPORT OF JOINT COMMITTEE ON ENROLLED BILLS.
Mr. Hauger, from Joint Committee on Enrolled Bills, submitted the following report:

Mr. Speaker-Your Joint Committee on Enrolled Bills respectfully report that they have carefully examined the following bills, and find them correctly enrolled:

House file No. 20, a bill for an act to revise, amend and codify the statutes in relation to building and loan associations.
W. E. HaUGER, Chairman House Committee.
G. S. Gilbertson, Chairman Senate Committee.
Ordered passed on file.
The Speaker appointed as a second Conference Committee on Senate file No. 20, Messrs. Lauder, Bell, Brighton and Hayes.

## messages from the senate.

The following message was received from the Senate:
Mr. Speaker-I am directed to inform your honorable body that the Senate desires to recall Senate file No. 101, a bill for an act to legalize certain errors and omissions of the board of supervisors and of the county auditor of Polk county, Iowa.

Geo. A Newman, Secretary.

Also:
Mr. Speaker-I am directed to inform your honorable body that the Senate has adopted the conference committee report on House file No. 96, a bill for an act to revise, amend and codify the statutes in relation to city and town government.

Geo. A. Newman, Secretary.
Mr. Haugen moved to reconsider the vote whereby the Senate amendment inserting as section 8 , page 906 , of House file No. 85, was concurred in by the House.

Mr. Morrison of Grundy moved to lay this motion on the table.

The motion was carried by a vote of 36 yeas to 25 nays.
On motion of Mr. Dowell, the House adjourned until 2 p. M. to-day.

## AFTERNOON SESSION.

The House met at 2 p. m., pursuant to adjournment with Speaker Byers in the chair.

The Speaker signed in the presence of the House, House file No. 20.

REPORT OF JOINT CÓMMITTEE ON ENROLLED BILLS.
Mr. Hauger, from the Joint Committee on Enrolled Bills, submitted the following report:

Mr. Speaker-Your Joint Committee on Enrolled Bills respectfully report that they have carefully examined the following bills, and find them correctly enrolled:

Senate file No. 15, a bill for an act to revise, amend and codify the statutes in relation to the militia.

> W. E. HaUGEr, Chairman House Committee.
> G. S. Gilbertson, Chairman Senate Committee.

Ordered passed on file.
REPORT OF COMMITTEE ON ENROLLED BILLS.
Mr. Hauger, from the Committee on Enrolled Bills, sub: mitted the following report:

Mr. Speaker-Your Committee on Enrolled Bills respectfully report that they have this day sent to the Governor for his approval, House file No. 20 , a bill for an act to revise, amend and codify the statutes in relation to building and loan associations.

May 1, 1897.
W. E. Hauger, Chairman.

The amendment of Mr. Hayes to Senate amendment to section 8, page 906, of House file No. 85 was taken up. Mr. Morrison of Grundy objected to the consideration of this amendment and it was declared out of order.

On motion of Mr. Cook, the House adjourned until 2 P. m. Monday.

Hall of the Hoube of Representatives, \} Des Moines, Iowa, Monday, May 3, 1897. $\}$
The House met at 2 p. m. with Speaker Byers in the chair. Prayer was offered by Rev. W. A. Black of Des Moines. The Speaker signed in the presence of the House, Senate files Nos. 97, 15 and 1.

The following communication from the Governor was read and placed on file.

## MESSAGE FROM THE GOVERNOR.

To the Honorable the House of Representatives:
I have the honor to inform the House of Representatives that I have approved, signed and deposited with the Secretary of State the following bills passed during the present session of the General Assembly:

House file No. 4, an act to revise, amend and codify the statutes in relation to the sovereignty and jurisdiction of the State; approved March 13.

House file No. 5, an act to revise, amend and codify the statutes in relation to the General Assembly; approved March 18.

House file No. 8, an act to revise, amend and codify the statutes in relation to the submission of constitutional amendments; approved February 26.

House file No. 15, an act to revise, amend and codify the statutes in relation to roads, bridges and fences and the destruction of thistles; approved April 28.

House file No. 17 (sub.), an act to revise, amend and codify the statutes in relation to agricultural and horticultural societies, stock breeders' associations and State Dairy Association; approved April 30.

House file No. 91, an act to revise, amend and codify the statutes in relation to drainage and levees; approved April 30.

House file No. 21, an act to revise, amend and codify the statutes in relation to internal improvements; approved April 17.

House file No. 22, an act to revise, amend and codify the statutes in
ation to taking private property for works of internal improvement; pproved March 18.

House file No. 25, an act to revise, amend and codify the statutes in elation to the regulation of carriers by railway; approved April 17.

House file No. 90, an act to revise, amend and codify the statutes elative to express companies; approved April 10.

House file No. 28, an act to revise, amend and codify the statutes in relation to the settlement and support of the poor; approved April 10.

House file No. 29, an act to revise, amend and codify the statutes in relation to the care of the insane; approved April 28.

House file No. 30, an act to revise, amend and codify the statutes in relation to domestic animals; approved March 13.

House file No. 31, an act to revise, amend and codify the statutes in relation to fences; approved April 17.

House file No. 32, an act to revise, amend and codify the statutem in relation to lost goods; approved March 20.

House file No. 34, an act to revise, amend and codify the statutes in relation to fire companies; approved April 10.

House file No. 35, an act to revise, amend and codify the statutes in relation to the Bureau of Labor Statistics; approved March 18.

House file No. 37, an act to revise, amend and codify the statutes in relation to the geological survey; approved March 19.

House file No. 39, an act to revise, amend and codify the statutes in relation to the inspection of passenger boats; approved February 26.

House file No. 41, an act to revise, amend and codify the statutes in relation to the State veterinary surgeon; approved February 26.

House file No. 43, an act to revise, amend and codify the statuten in relation to the State board of health; approved March 30.

House file No. 45, an act to revise, amend and codify the statutes in relation to the practice of pharmacy; approved April 17.

House file No. 49, an act to revise, amend and codify the statutes in relation to the superintendent of public instruction; approved February 11.

House file No. 51, an aet to revise, amend and codify the statutes in relation to the State University; approved March 16.

House file No. 52, an act to revise, amend and codify the statutes in relation to the State College of Agriculture and Mechanic Arts; approved March 30.

House file No. 53, an act to revise, amend and codify the statutes in relation the Normal School; approved February 26.

House file No. 93, an act to amend an act to revise, amend and codify the statutes in relation to the Normal School, approved February 26; approved April 10, 1897.

House file No. 54, an act to revise, amend and codify the statutes in relation to the Orphans' Home and home ior Destitute Children; approved March 19.

House file No. 55, an act to revise, amend and codify the statutes in relation to the Institution for Feeble Minded Children; approved March 16.

House file No. 56, an act to revise, amend and codify the statutes in relation to the Industrial School; approved March 13.

House file No. 57, an act to revise, amend and codify the statutes in relation to the College for the Blind; approved March 26.

House file No. 58, an act to revise, amend and codify the statutes in relation to the Industrial Home for the Blind; approved March 13.

House file No. 94, an act to revise, amend and codify the statutes in relation to the funiformity, purehase and loaning of text books; approved March 30.

House file No. 63, an act to revise, amend and codify the statutes in relation to the school fund; approved March 18.

House file No. 65, an act to revise, amend and codify the statutes in relation to the State Historical Society; approved April 10.

House file No. 67, an aet to revise, amend and codify the statutes in relation to weights, measures and inspection; approved March 16.

House file No. 68, an act to revise, amend and codify the statutes in relation to money of account and interest; approved March 13.

House file No. 70, an act to revise, amend and codify the statutes in relation to tender; approved February 26.

House file No. 72, an act to revise, amend and codify the statutes in relation to private seals; approved March 13.

House file No. 73, an act to revise, amend and codify the statutes in relation to assignments for creditors; approved March 26.

House file No. 74, an act to revise, amend and codify the statutes in relation to mechanics' liens; approved April 10.

House file No. 75, an act to revise, amend and codify the statutes in relation to limited partnership; approved March 16.

House file No. 76, an act to revise, amend and codify the statutes in relation to warehousemen, carriers, hotel keepers, livery stable keepers, and herders; approved March 16.

House file No. 83, an act to revise, amend and codify the statutes in relation to justices of the peace and their courts; approved March 18.

House file No. 87, an act to revise, amend and codify the statutes in relation to the discipline and government of jails and penitentiaries; approved April 29.

House file No. 89, an act to amend sections 17, 18 and 24 of chapter 62 of the acts of the Twenty-fifth General Assembly, and to make the same applicable to cities organized and operating under special charters; approved February 17.

House flle No. 1; an act making a special appropriation for the Institution for Feeble Minded, at Glenwood, Iowa; approved March 19.

House file No. 108, an act to co-operate with the United States in the eradication of hog cholera or swine plague; approved May 1.

House file No. 88, an act to provide for the payment of the four paper folders and file clerk of the Twenty-sixth General Assembly, for three days labor performed after the adjournment of the regular session of the Twenty-sixth General Assembly; approved May 1.

F. M. Drake.

May 3, 1897.

## REPORT OF JOINT COMMITTEE ON ENROLLED BILLS.

Mr. Hauger, from the Joint Committee on Enrolled Bills, submitted the following report:

Mr. Speaker-Your Joint Committee on Enrolled Bills respectfully report that they have carefully examined the following bills, and find them correctly enrolled:

The substitute for Senate file No. 1, a bill for an act to provide for the annotation, indexing, publication, distribution and sale of the Code, and
atatutes hereafter enacted, and the appointment of a supervisory committee and the election of an editor, and prescribing their duties.

Senate file No. 87, a bill for an act to repeal chapter 63, laws of the Twenty-third General Assembly, and to enact a substitute therefor providing for the appropriation to aid in procuring a library for the penitentiary at Anamosa.

W. E. Haugrr,<br>Chairman House Committec.<br>G. S. Gilbertson, Chairman Senate Crmmittee.

Ordered passed on file.
The House took up the report of the Judiciary Committee on House file No. 16.

The report of the committee recommending an amendment to section 2 was adopted.

The committee amendment to section 5 was adopted.
The committee amendment to section 9 was adopted.
The committee amendment to section 10 was adopted.
The committee amendment to section 12 was adopted.
The committee amendment to section 21 was adopted.
The committee amendment to strike out sections 29,30 and 31, and renumbering the sections was adopted.

The committee amendment to section 4, lines 6, 7, 8 and 9 was adopted.

The committee amendment to add to section 4 was adopted.
The committee amendment to section 14 was adopted.
The committee amendment to section 15 was adopted.
The amendment of Mr. McNulty, adding a new section to Senate substitute and printed in the Journal of May 1st, was adopted.

On the question, "Shall the House concur in Senate amendment to House file No. 16, as amended by the House?" the yeas were:

Messrs. Allen, Bailey, Bell, Brant, Brighton, Byington, Chapman, Classen, Cook, Crow, Davis, Dowell, Early, Edwards, Evans, Finch, Frazee, Frink, Funk, Garner, Good, Grote, Hazen, Hendershot, Hinkhouse, Huntley, Jackson, Jay, Johnson of Webster, Johnston of Franklin, Klemme, Ladd, Lauder, Loomis, Lowry, McAchran, McArthur, McDowell, McNulty, McQuin, Martin, Mayne, Merriam, Miller of Buena Vista, Miller of Warren, Morrison of Grundy, Morrison of Keokuk, Mullin, Nolan, Parker, Perrott, Porter, Prentis, Putnam, Ray, Reed, Scott, Smith, Spaulding, Sullivan, Temple, Thompson,

Voelker, Weaver, Wells, Wheeler, Whelan, Williams, Wood, Mr. Speaker-70.

The nays were:
None.
Absent or not voting:
Messrs. Baker, Bird, Bowen, Brady, Brinton, Clark, Cornwall, Doubleday, Griswold, Gurley, Haugen, Hauger, Hayes, Hinman, Hunt, Lambert, Lavender, McDonald, Manahan, Marti, Miller of Cherokee, Nietert, Potter, Power, St. John, Tibbitts, Van Houten, Watters, Whittier, Wilson-30.

So the House concurred in the Senate amendments.
MESSAGE FROM THE SENATE.
The following message was received from the Senate:
Mr. Speaker-I am directed to inform your honorable body that the Senate insists on its amendments to House file No. 85, a bill for an act to revise, amend and codify the statutes in relation to crimes and punishments, and the President has appointed as a conference committee on the part of the Senate, Senators Carpenter, Blanchard, Berry and Trewin.

Geo. A. Newman, Secretary.
The Speaker appointed as House members of the conference committee on House file No. 85, Messrs. Johnston of Franklin, Bell of Washington, McArthur of Des Moines and Spaulding of Floyd.

On motion of Mr. Funk, the House adjourned until $9 \mathrm{~A} . \mathrm{m}$. to-morrow.

Hall of the House of Representatives. Des Moines, Iowa, Tuesday, May 4, 1897. \}
The House met at 9 A. m. with Speaker Byers in the chair.
Prayer was offered by Rev. Arthur F. Howell, of Burling. ton, Iowa.

PETITIONS AND MEMORIALS.
Mr. Hendershot presented remonstrance of citizens of Knoxville, Iowa, against discrimination against foreign insurance companies.

Referred to Committee on Insurance.
MESSAGE FROM THE SENATE.
The following message was received from the Senate:
Mr. Speaker-I am directed to inform your honorable body that the Senate has amended and passed the following bill, in which the concurrence of the Senate was asked:

House file No. 6, a bill for an act providing for the publication and construction of the statutes.

Geo. A. Newman, Secretary.
The House took up House file No. 6 with Senate amendments. On the question, "Shall the House concur in Senate amendments to House file No. 6?" the yeas were:

Messrs. Bailey, Baker, Bell, Bird, Bowen, Brady, Brinton, Byington, Chapman, Classen, Cook, Cornwall, Crow, Davis, Doubleday, Dowell, Early, Edwards, Evans, Finch, Frazee, Frink, Funk, Good, Griswold, Gurley, Haugen, Hayes, Hazen, Hendershot, Hinman, Huntley, Jackson, Johnson of Webster, Johnston of Franklin, Ladd, Lauder, Loomis, Lowry, McAchran, McArthur, McDonald, McDowell, McNulty, Martin, Mayne, Miller of Buena Vista, Miller of Cherokee, Miller of Warren, Morrison of Grundy, Morrison of Keokuk, Mullin, Nietert, Nolan, Parker, Perrott, Porter, Power, Prentis, Putnam, Reed, Scott, Spaulding, St. John, Thompson, Tibbitts, Voelker, Watters, Weaver, Wells, Wheeler, Whelan, Whittier, Williams, Wilson, Mr. Speaker-76.

The nays were:
None.
Absent or not voting:
Messrs. Allen, Brant, Brighton, Clark, Garner, Grote, Hauger, Hinkhouse, Hunt, Jay, Klemme, Lambert, Lavender, McQuin, Manahan, Marti, Merriam, Potter, Ray, Smith, Sullivan, Temple, Van Houten, Wood-24.

So the House concurred.
Mr. Bell called up the Senate concurrent resolution in reference to competition of inmates of Soldiers' Home with laboring men at Marshalltown, and moved that it be adopted.

The resolution was adopted. introduction of bills.
By Mr. Bell, House file No. 110, a bill for an act to prohibit the sale or furnishing of intoxicating liquors to members of the Iowa Soldiers' Home.
Be it enacted by the General Assembly of the State of Iowa:
Section 1. It shall be unlawful for any person knowingly to sell, furnish or give to any inmates of the Iowa Soldiers' Home, except when prescribed by the authorized surgean of the Home, or when they may be away from the city of Marshalltown on furlough or leave of absence, any spirituous, malt, fermented or vinous liquors.

SEC. 2. Any person who shall violate any of the provisions of this act shall upon conviction thereof be punished by a fine of not less than twenty-five dollars nor more than one hundred dollars together with cost of prosecution, or by imprisonment in the county jail not to exceed ninety days, or by both fine and imprisonment in the discretion of the court.

Read first and second time and referred to Committee on Military.

REPORT OF CONFERENCE COMMITTEE.
Mr. President and Mr. Speaker-Your committee on conference, to whom was referred Senate file No. 20, a bill for an act to revise, amend and eodify the statutes in relation to the construction and operation of railways, beg leave to report that they have had the same under consideration and unanimously recommend that the Senate recede from its substitute for the House amendment to section 38 of the bill, and that the House recede from its amendment to said section.

J. W. Lauder,<br>W. B. Bell,<br>Henry H. Brighton,<br>Walter I. Hayes, Conferees for the House.<br>N. M. Pusey,<br>H. L. Waterman,<br>J. S. Lothrop,<br>T. G. Harper, Conferees for the Senate.

## MESSAGES FROM THE SENATE.

The following message was received from the Senate:
Mr. Speaker-I am directed to inform your honorable body that the Senate has amended and re-passed the following bill in which the concurrence of the Senate was asked:

House file No. 9, a bill for an act to revise, amend and codify the statutes in relation to the Executive Department, and has indefinitely postponed House file No. 97, the matter being incorporated in House file No. 9.

Geo. A. Newman,
Secretary.
Also:
Mr. Speaker-I am directed to inform your honorable body that the Senate has adopted the conference report on Senate fle No. 20, a bill for an act to revise, amend and codify the statutes in relation to the construction and operation of railways.

> Gro. a. Newman, Secretary.

Also:
Mr. Speaknr-I am directed to inform your honorable body that the Senate has amended and passed the following bill, in which the concurrence of the Senate was asked:

House file No. 98, a bill for an act to revise, amend and codify the statutes in relation to cities acting under special oharters.

Gro. A. Newman,
Secretary.
The House took up the conference committee report on Senate file No. 20.

On the question, "Shall the report of the conference committee be adopted?" the yeas were:

Messrs. Allen, Baker, Bell, Bird, Bowen, Brant, Brighton, Brinton, Clark, Cornwall, Crow, Davis, Doubleday, Early, Edwards, Evans, Frink, Funk, Garner, Good, Grote, Gurley, Haugen, Hayes, Hendershot, Hinkhouse, Klemme, Lambert, Lauder, Loomis, Lowry, McAchran, McArthur, McDonald, McNulty, Manahan, Martin, Mayne, Merriam, Miller of Buena Vista, Miller of Warren, Morrison of Keokuk, Mullin, Nietert, Parker, Prentis, Reed, Scott, Spaulding, St. John, Thompson, Tibbitts, Van Houten, Watters, Weaver, Whittier, Williams, Wood, Mr. Speaker-59.

The nays were:
Messrs. Bailey, Brady, Byington, Chapman, Classen, Cook, Dowell, Finch, Frazee, Hazen, Hinman, Huntley, Jackson, Johnson of Webster, McDowell, McQuin, Marti, Miller of Cherokee, Morrison of Grundy, Nolan, Perrott, Porter, Power,

Putnam, Ray, Smith, Sullivan, Temple, Voelker, Wells, Wheeler, Whelan, Wilson-83.

Absent or not voting:
Messrs. Griswold, Hauger, Hunt, Jay, Johnston of Franklin, Ladd, Lavender, Potter-8.

So the report was adopted.
The following explanations of votes were filed:
Mr. Spfaker-I am in favor of the Temple amendment, but realizing that the defeat of the conference report means the defeat of the entire bill, I vote aye.
J. W. Bird.

> Mr. Speaker-While I favor the Temple amendment, I realize the fact to reject this conference report means the defeat of the whole bill covering the railroad law. Hence I vote aye.
> G. N. HaUGEr.

Mr. Power in the chair.
The House took up House file No. 9, with Senate amendments thereto.

Mr. Byers moved that the rules be suspended and that the House reconsider its action for the time being in reference to the appointment of a Conference Committee on House file No. 9 , and that the House take up and consider these Senate amendments as though the Senate's action on this bill was being taken up for the first time in the House.

Carried by unanimous consent.
The Senate amendments to House file No. 9 being now before the house, Mr. Temple offered the following amendment to section 14, chapter 7: Amend by inserting after the words "adjutant-general" the words "the dairy commissioner, the historical department, the mine inspector, the labor commissioner, the horticultural department."

Adopted.
On the question, "Shall the House adopt the conference committee's report recommending above Senate amendments and other recommendations and that the House concur in these Senate amendments as amended by the House?" the yeas were:

Messrs. Bailey, Baker, Bell, Bird, Bowen, Brady, Brant, Brinton, Byington, Chapman, Clark, Classen, Cook, Cornwall, Crow, Davis, Doubleday, Dowell, Early, Edwards, Evans, Finch, Frazee, Frink, Funk, Garner, Good, Griswold, Gurley, Haugen, Hauger, Hayes, Hazen, Hendershot, Hinkhouse, Hinman, Huntley, Jackson, Jay, Johnston of Franklin, Klemme, Loomis, Lowry, McAchran, McArthur, McDonald, McDowell,

McNulty, McQuin, Manahan, Marti, Martin, Mayne, Merriam, Miller of Buena Vista, Miller of Cherokee, Miller of Warren, Morrison of Grundy, Morrison of Keokuk, Mullin, Nietert, Nolan, Parker, Perrott, Porter, Power, Prentis, Putnam, Ray, Reed, Scott, Smith, Spaulding, St. John, Sullivan, Temple, Thompson, Tibbitts, Van Houten, Watters, Weaver, Wells, Wheeler, Whelan, Whittier, Williams, Wilson, Wood, Mr. Speaker-89.

The nays were:
None.
Absent or not voting:
Messrs. Allen, Brighton, Grote, Hunt, Johnson of Webster, Ladd, Lambert, Lauder, Lavender, Potter, Voelker-11.

So the House concurred in the Senate amendments and adopted the report of the conference committee.

## MESSAGE FROM THE SENATE.

The following message was received from the Senate:
Mr. Speaker-I am directed to inform your honorable body that the Senate refuses to concur in all House amendments to the substitute for House file No. 16, a bill for an act to revise, amend and codify the statutes in relation to corporations, and insists on all its amendments. The President of the Senate has appointed as a conference committee on the part of the Senate, Senators Healy, Ellis, Upton and Cheshire.

Geo. A. Newman,
Secretary.
The Speaker appointed as House members of the Conference Committee on House file No. 16, Messrs. Cornwall, Temple, Mayne and Porter.

The House took up House file No. 98, relative to cities of special charter, with Senate amendment thereto.

Mr. Brant moved to amend as follows: Amend section 23 as inserted by the Senate by striking out these words, "or of fifty property owners of any incorporated town." Also, words "or town" after word "city."

Carried.
On the question, "Shall the House concur in Senate amendments as amended by the House?" the yeas were:

Messrs. Bailey, Baker, Bell, Bird, Brady, Brant, Brighton, Brinton, Byington, Clark, Classen, Cornwall, Crow, Davis, Doubleday, Dowell, Early, Edwards, Evans, Finch, Frazee, Frink, Funk, Good, Griswold, Haugen, Hauger, Hayes, Hazen, Hendershot, Hinkhouse, Hinman, Jackson, Jay, Johnson of

Webster, Johnston of Franklin, Lauder, Loomis, Lowry, McAchran, McArthur, McDonald, McDowell, McNulty, Marti Martin, Mayne, Miller of Buena Vista, Miller of Cherokee, Miller of Warren, Morrison of Grundy, Morrison of Keokuk, Mullin, Nietert, Nolan, Parker, Porter, Power, Prentis, Putnam, Reed, Scott, Spaulding, St. John, Tibbitts, Voelker, Watters, Weaver, Wells, Wheeler, Whelan, Whittier, Williams, Wilson, Mr. Speaker-75.

The nays were:
None.
Absent or not voting:
Messrs. Allen, Bowen, Chapman, Cook, Garner, Grote, Gurley, Hunt, Huntley, Klemme, Ladd, Lambert, Lavender, McQuin, Manahan, Merriam, Perrott, Potter, Ray, Smith, Sullivan, Temple, Thompson, Van Houten, Wood--25.

So the House concurred.
report of joint committee on enrolled bills.
Mr. Hauger, from Joint Committee on Enrolled Bills, submitted the following report:

Mr. Speaker-Your Joint Committee on Enrolled Bills respectfully report that they have carefully examined the following bills, and find them correctly enrolled:

House, file No. 26, a bill for an act to revise, amend and codify the statutes in relation to the construction and operation of telegraph and telephone lines.

House file No. 82, a bill for an act, to revise, amend and codify the statutes in relation to procedure in particular cases.

House file No. 33, a bill for an act to revise, amend and codify the statutes in relation to intosicating liquors.

W. E. Hauger, Chairman House Committee. G. S. Gilbertson, Chairman Senate Committee.

Passed on file.

## REPORT OF COMMITTEE ON ENROLLED BILLS.

Mr. Hauger, from the Committee on Enrolled Bills, submitted the following report:

Mr. Speaker-Your Committee on Enrolled 'Bills respectfully report that they have examined, and find correctly enrolled, House file No. 26, a bill for an act to revise, amend and codify the statutes in relation to the construction and operation of telegraph and telephone lines.
W. E. Hauger, Chairman.
Ordered passed on file.

Also:
Mr. Speaker-Your Committee on•Enrolled Bills respectfully report that they have examined, and find correctly enrolled, House file No. 82, a bill for an act to revise, amend and codify the statutes in relation to procedure in particular cases.

W. E. Hauger, Chairman.

Ordered passed on file.
Also:
Mr. Speazer-Your Committee on Enrolled Bills respectfully report that they have examined, and find correctly enrolled, House file No. 33, a bill for an act to revise, amend and codify the statutes in relation to intoxicating liquors.
W. E. Hauger,

Chatrman.
Ordered passed on file.
Mr. Morrison of Keokuk, offered the following concurrent resolution:

Resolved by the House, the Senate concurring, That the committee to be appointed to supervise the publication of the Code be instructed on the completion of their work to rake out an itemized statement of the expenditures and disbursements of all moneys paid, giving the names of parties and the amount paid to each and for what service rendered, the same to be submitted to the Auditor of State and printed in his next annual report.

Adopted.
On motion of Mr. Reed, House adjourned till 2 P. m.

## AFTERNOON SESSION.

House met at 2 P. m., Speaker Byers in the chair.
CONFERENCE COMMITTEE REPORT.
Mr. Presidint and Mr. Speaker-Your conference committee, to whom was referred House file No. 38, a bill for an act to revise, amend and codify the statutes in relation to the inspection of petroleum? products, beg leave to submit that they have had the same under consideration and have instructed me to report the same back to the Senate with the following recommendations:

That the House concur in the Senate substitute for section 1 of the bill.

That the following be substituted as section 2 of the bill: "Sec. 2. The State board of health shall make rules and regulations for the inspection of petroleum products, for the government of inspectors, and prescribe the instruments and apparatus to be used. Such rules and regulations shall be approved by the Governor, and when so approved, shall be binding upon all inspectors."

That the House concur in Senate amendments to section 4, striking out the figure " 4 " and inserting the figure " 3 ," thus leaving the number stand as in the original bill.

That the House concur in Senate amendment to section 4, striking out the words "The inspector and each deputy" in the first line of the section, and inserting in lieu thereof the words "Each inspector."

That section 4 as adopted by the Senate be amended by striking out the figure " 4 " and inserting in lieu thereof the figure " 5 " and that there be added to the end of the section the following: "Should any inspector pay out more money in any one month for necessary expenses incurred, for prosecutions for the violation of the provisions of this chapter, or for necessary help in branding barrels, than fees collected, such excess shall be refunded to him on his filing a sworn itemized statement with the Governor, showing fees collected and expenses paid or incurred, which statement must be approved by the Governor."

That the Senate concur in House amendment to section 5, as adopted by the Senate, and that section 5 be further amended by striking out the figure " 5 " and inserting the figure " 6 ."

That the substitute for section 6 adopted by the Senate be amended by changing the figure " 6 " to the figure " 7, " and by inserting after the word "is" and before the word "uniaithful" the words "incompetent or;" and when so amended it shall become section 7 of the bill.

That Senate substitute for section 7 be amended by striking out the figure '، 7 " and inserting in lieu thereof the figure " 8 ;" and when so amended it shall be adopted as seetion 8 of the bill.

> D. H. Bowen, O. E. Doubleday, Gro. Baker, E. M. Brady, Committee from the House. Thos. A. Cheshire, C. S. Rance, W. O. Mitchell, W. F. Hariman, Cemmittee from the Senate.

Special order, Senate file No. 8.
On the question, "Shall the House recede from its amendments to section 1, chapter 1, line 5; section 2, chapter 1, line 39 ; section 2 , chapter 1 , relating to taxes where poor farm is situated; section 70, chapter 1; and insist on its amendments to chapter 1, sections 3 and 12; chapter 1, section 13; chapter 1, section 19 ; chapter 1 , section 63 ; chapter 1 , section 68 ; chapter

1, section 4; chapter 2, section 4; chapter 4; also, shall the House concur in Senate substitute for House amendment to paragraph 4, section 1 , chapter 1 ?" the yeas were:

Messrs. Allen, Bailey, Baker, Bell, Bird, Bowen, Brady, Brant, Brighton, Brinton, Byington, Chapman, Clark, Classen, Cornwall, Crow, Davis, Doubleday, Dowell, Evans, Frazee, Frink, Funk, Good, Griswold, Grote, Gurley, Haugen, Hauger, Hayes, Hazen, Hendershot, Hinman, Hunt, Huntley, Jackson, Jay, Johnston of Franklin, Ladd, Lauder, Loomis, Lowry, McAchran, McArthur, McDonald, McDowell, McNulty, McQuin, Manahan, Marti, Martin, Mayne, Merriam, Miller of Buena Vista, Miller of Cherokee, Miller of Warren, Morrison of Grundy, Morrison of Keokuk, Mullin, Nietert, Nolan, Parker, Perrott, Power, Prentis, Reed, Scott, Spaulding, St. John, Sullivan, Thompson, Tibbitts, Voelker, Watters, Wells, Wheeler, Whelan, Whittier, Williams, Wilson, Mr. Speaker81.

Mr. Edwards voted in the negative.
Absent or not voting:
Messrs. Cook, Early, Finch, Garner, Hinkhouse, Johnson of Webster, Klemme, Lambert, Lavender, Porter, Potter, Putnam, Ray, Smith, Temple, Van Houten, Weaver, Wood-18.

So the motion prevailed.
Mr. Early moved that the House insist on its amendment striking out sections $27,28,29,30,38,39,43$ and 44 of chapter 1 , and inserting in lieu thereof a substitute therefor, commonly known as the Cheshire amendment.

On the question, "Shall the House insist?" the yeas were:
Messrs. Baker, Brady, Brant, Byington, Clark, Cook, Dowell, Early, Evans, Finch, Frazee, Good, Griswold, Haugen, Hazen, Hinkhouse, Huntley, Jackson, Jay, Johnson of Webster, Klemme, McDowell, McNulty, McQuin, Manahan, Marti, Martin, Miller of Cherokee, Miller of Warren, Morrison of Grundy, Nietert, Nolan, Parker, Perrott, Porter, Power, Prentis, Ray, Scott, Smith, Sullivan, Temple, Thompson, Van Houten, Wells, Wheeler, Whittier, Wilson, Mr. Speaker-49.

The nays were:
Messrs. Allen, Bailey, Bell, Bird, Bowen, Brighton, Brinton, Chapman, Classen, Cornwall, Crow, Davis, Doubleday, Edwards, Frink, Funk, Grote, Gurley, Hauger, Hayes, Hendershot, Hinman, Hunt, Johnston of Franklin, Lauder, Loomis, Lowry, McAchran, McArthur, McDonald, Mayne, Merriam, Miller of

Buena Vista, Morrison of Keokuk, Mullin, Putnam, Reed, Spaulding, St. John, Tibbitts, Voelker, Watters, Weaver, Whelan, Williams, Wood-46.

Absent or not voting:
Messrs. Garner, Ladd, Lambert, Lavender, Potter-5.
So the House insisted.
Mr. Cornwall moved that the House concur in the Senate substitute for House amendment to section 31, chapter 1.

Mr. Mayne in the chair.
Speaker Byers in the chair.
Mr. Wood moved the previous question.
Carried.
On the question, "Shall the motion prevail?" the yeas were:
Messrs. Allen, Bell, Bird, Bowen, Brady, Brighton, Brinton, Byington, Chapman, Clark, Cook, Cornwall, Crow, Davis, Dowell, Edwards, Evans, Finch, Frink, Funk, Good, Grote, Haugen, Hauger, Hayes, Hinkhouse, Hinman, Hunt, Huntley, Jackson, Jay, Johnston of Franklin, Ladd, Lauder, Lowry, McArthur, McDonald, McDowell, Manahan, Marti, Martin, Mayne, Miller of Buena Vista, Miller of Cherokee, Miller of Warren, Morrison of Grundy, Morrison of Keokuk, Mullin, Nolan, Parker, Porter, Prentis, Putnam, Reed, Scott, Spaulding, Sullivan, Temple, Thompson, Voelker, Wheeler, Whittier, Williams, Wilson, Wood-65.

The nays were:
Messrs. Baker, Brant, Classen, Doubleday, Early, Frazee, Griswold, Gurley, Hendershot, Loomis, McAchran, McNulty, McQuin, Nietert, Perrott, Power, St. John, Tibbitts, Van Houten, Watters, Weaver, Wells, Whelan, Mr. Speaker-23.

Absent or not voting:
Messrs. Bailey, Garner, Hazen, Johnson of Webster, Klemme, Lambert, Lavender, Merriam, Potter, Ray, Smith-11.

So the House concurred.
Mr. McArthur moved to reconsider the vote just taken.
Mr. Evans moved to lay the motion on the table.
Carried.
On the motion of Mr. Funk the House voted to insist on its amendment to section 45, chapter 1.

Mr. Martin moved that the House concur in Senate substitute for section 4, chapter 2.

On the question, "Shall the House concur?" the yeas were:
Messrs. Allen, Bailey, Baker, Bell, Bird, Bowen, Brady,

Brighton, Brinton, Byington, Chapman, Clark, Classen, Cook, Cornwall, Crow, Davis, Doubleday, Dowell, Early, Edwards, Finch, Frink, Funk, Good, Griswold, Grote, Gurley, Haugen, Hauger, Hayes, Hazen, Hendershot, Hinman, Hunt, Huntley, Jackson, Johnson of Webster, Johnston of Franklin, Ladd, Lauder, Loomis, Lowry, McAchran, McArthur, McDonald, Marti, Martin, Mayne, Miller of Buena Vista, Miller of Cherokee, Miller of Warren, Morrison of Grundy, Morrison of Keokuk, Mullin, Nietert, Parker, Porter, Power, Prentis, Putnam, Reed, Scott, Spaulding, St. John, Temple, Thompson, Tibbitts, Van Houten, Voelker, Watters, Weaver, Wells, Wheeler, Whelan, Whittier, Williams, Wilson, Mr. Speaker $-79$.

Mr. Frazee voted in the negative.
Absent or not voting:
Messrs. Brant, Evans, Garner, Hinkhouse, Jay, Klemme, Lambert, Lavender, McDowell, McNulty, McQuin, Manahan, Merriam, Nolan, Perrott, Potter, Ray, Smith, Sullivan, Wood -20.

So the House concurred.
The Speaker signed in open session of the House, House files Nos. 82, 26 and 33.

## MESSAGES FROM THE SENATE.

The following message was received from the Senate:
Mr. Speaker-I am directed to inform your honorable body that the Senate has adopted the following concurrent resolution, in which the concurrence of the Senate was asked:

Relative to certain duties required of the supervising committee on the publication of the Code.

Geo. A. Newman, Secretary.

## Also:

Mr. Speakrr-I am direeted to inform your honorable body that the Senate has concurred in the House amendment to Senate amendment to House flle No 98, a bill for an act to revise, amend and codify the statutes in relation to cities under special charter.

Geo. A. Newman, Secretary.
Also:
Mr. Speaker-I am directed to inform your honorable body that the Senate concurs in the House amendment to section 14, chapter 7, as amended, of House file No. 9, a bill for an act to revise, amend and codify the statutes in relation to the executive department.

Geo. A. Nfwman, Secretary.

Also:
Mr. Speaker-I am directed to inform your honorable body that the Senate has adopted the conference report on House file No. 38, a bill for an act to revise, amend and codify the statutes in relation to the inspection of petroleum products.

Secretary.
REPORT OF COMMITTEE ON ENROLLED BILLS.
Mr. Hauger, from Committee on Enrolled Bills, submitted the following report:

Mr. Speaker-Your Committee on Enrolled Bills respectfully report that they have this day sent to the Governor for his approval:

House file No. 33, a bill for an act to revise, amend and codify the statutes in relation to intoxicating liquors.

House file No. 82, a bill for an act to revise, amend and codify the statutes in relation to procedure in particular cases.

House file No. 26, a bill for an act to revise, amend and codify the statutes in relation to the construction and operation of telegraph and telephone lines.

May 4, 1897.

W. E. Hauger, Chairman.

## REPORT OF COMMITTEE.

Mr. Griswold, from the Conference Committee on Senate file No. 48, submitted the following report:

Mr. Speaker-Your Conference Committee on Senate file No. 48, a bill for an act to revise, amend and codify the statutes in relation to the Sta te library, beg leave to report that they have had the matters in dispute under consideration and report the same back to the House with recommendation as follows:

That the House recede from its amendment to section 1, line 3, striking out the words "a librarian and" after the word "appoint," and that the following be substituted therefor, viz.: Amend section 1, line 3 by inserting before the word "appoint" the words "on and after May the first nineteen hundred;" and that said section be further amended by adding to the end thereof the words "The Governor in eighteen hundred and ninetyeight may appoint the librarian and curator to continue in office until May the first, nineteen hundred."

That the House recede from its amendment to section 3, line 1, striking out the word "librarian" and inserting in lieu thereof the words "State library shall be in the custody of the librarian, who shall be appointed by the Governor and who."

That the House recede from its amendment to section 3, line 4, inserting after the word "dollars" and before the word "conditioned" the words "in such form as the Governor shall approve."

That the House recede from its amendment to section 3, line 5, striking out the word "and" after the word "with."

That the House recede from its amendment to section 3, line 3, striking out the words "approved by."

> H. J. Griswold,
> N. A. Whlls,
> J. T. Jay, W. G. Ladd, Conferees on the part ofthe House.
> N. M. Pusey,
> J. H. Trewin,
> C. A. Carpenter,
> D. J. Palmer,

Conferees on the part of the Senate.
The House took up the conference committee report on House file No. 38, relating to petroleum products.

On the question, "Shall the conference committee report on House file No. 38 be adopted?" the yeas were:

Messrs. Bailey, Baker, Bird, Bowen, Brady, Brighton, Brinton, Byington, Chapman, Clark, Cook, Cornwall, Crow, Doubleday, Edwards, Evans, Finch, Frazee, Griswold, Grote, Haugen, Hauger, Hazen, Hendershot, Hinkhouse, Jackson, Johnston of Franklin, Ladd, Lowry, McDonald, McDowell, Marti, Martin, Mayne, Miller of Buena Vista, Miller of Cherokee, Miller of Warren, Morrison of Keokuk, Mullin, Nolan, Parker, Porter, Power, Prentis, Putnam, Reed, Scott, Spaulding, Tibbitts, Van Houten, Voelker, Wells, Whelan, Whittier, Wilson, Mr. Speaker-56.

The nays were:
Messrs. Bell, Classen, Davis, Dowell, Huntley, Lauder, Loomis, McAchran, McArthur, Morrison of Grundy, Nietert, St. John, Temple, Thompson, Watters, Weaver, Wheeler, Williams-18.

Absent or not voting:
Messrs. Allen, Brant, Early, Frink, Funk, Garner, Good, Gurley, Hayes, Hinman, Hunt, Jay, Johnson of Webster, Klemme, Lambert, Lavender, McNulty, McQuin, Manahan, Merriam, Perrott, Potter, Ray, Smith, Sullivan, Wood-26.

So the report of the conference committee was adopted. message from the senate.
The following message was received from the Senate:
Mr. Speaker-I am directed to inform your honorable body that the Senate has adopted the conference report on Senate file No. 48, a bill for an act to revise, amend and codify the statutes in relation to the State Library and Historical collection.

Geo. A. Newman,
Secretary.

The House took up conference committee report on Senate file No. 48.

Mr. Griswold moved that the report of the conference committee be adopted.

On the question, "Shall the report be adopted?" the yeas were:

Messrs. Baker, Bell, Bird, Bowen, Brady, Brighton, Brinton, Byington, Clark, Classen, Cook, Crow, Davis, Doubleday, Early, Edwards, Evans, Finch, Frazee, Frink, Funk, Good, Griswold, Grote, Haugen, Hauger, Hayes, Hazen, Hendershot, Hunt, Huntley, Jackson, Johnston of Franklin, Ladd, Lauder, Loomis, Lowry, McAchran, McDowell, McNulty, Marti, Martin, Mayne, Miller of Buena Vista, Morrison of Grundy, Mullin, Nietert, Nolan, Parker, Perrott, Power, Prentis, Putnam, Reed, Scott, Spaulding, St. John, Thompson, Tibbitts, Voelker, Watters, Wells, Wheeler, Whittier, Williams, Mr. Speaker-66.

The nays were:
Messrs. Chapman, McArthur, Morrison of Keokuk, Porter, Weaver, Whelan-6.

Absent or not voting:
Messrs. Allen, Bailey, Brant, Cornwall, Dowell, Garner, Gurley, Hinkhouse, Hinman, Jay, Johnson of Webster, Klemme, Lambert, Lavender, McDonald, McQuin, Manahan, Merriam, Miller of Cherokee, Miller of Warren, Potter, Ray, Smith, Sullivan, Temple, Van Houten, Wilson, Wood -28.

So the report was adopted.
The hour having arrived the House proceeded to the election of two republicans and one democrat as House members of the supervising committee on editing and publishing the Code, as provided by the resolution of Mr. Allen, adopted on May 1st.

Mr. Funk was called to the chair.
The chair appointed Messrs. Ray and Ladd as tellers.
Mr. Mayne moved that the House proceed to ballot for the election of members of the supervising committee.

Carried.
The clerk called the roll and the members present came forward and deposited their ballots as the roll call proceeded.

The result of the first formal ballot was as follows:
Whole number of votes cast, 95, of which Mr. Finch received 69, Mr. Evans 11, Mr. Martin 6, Mr. Cornwall 4, Mr. Temple 2, Mr. Weaver 1, Mr, Doubleday 1, Mr. Johnston of Franklin 1; total 95.

Mr. Mayne moved that all conflicting rules be suspended and that the clerk of the House be instructed to cast the unanimous ballot of the House for Mr. Finch as a member of the supervising committee.

The motion was carried, and Mr. Finch was declared duly elected.

The result of the second formal ballot was as follows:
Whole number of votes cast, 96, of which Mr. Cornwall received 52, Mr. Martin 17, Mr. Evans 13, Mr. Weaver 8, Mr. Klemme 3, Mr. Temple 1, Mr. Crow 1, Mr. Grote 1; total 96.

Mr. Martin moved that all conflicting rules be suspended and that the clerk be instructed to cast the unanimous vote of the House for Mr. Cornwall as the second member of the supervising committee.

The motion was carried and Mr. Cornwall was declared duly elected.

Mr. Hayes moved that all conflicting rules be suspended and that the clerk be instructed to cast the unanimous ballot of the House for Mr. J. T. P. Power for the third member of the supervising committee.

The motion was carried and Mr. Power was declared duly elected.

On motion of Mr. Martin, the House adjourned until 7:45 P. M.

## EVENING SESSION.

The House met at 7:45 P. m., with Speaker Byers in the chair.

Mr. Martin moved that a committee of three be appointed to notify the Senate that the House is in readiness to receive them in joint session.

Carried.
The Speaker appointed as such committee, Messrs. Martin, Evans and Sullivan.

On motion of Mr. Morrison of Grundy, the House ordered the west side of the hall of the House vacated for the use of the honorable body of the Senate.

The committee to notify the Senate that the House is in readiness to meet in joint session, reported that duty performed and were discharged.

The arrival of the honorable body of the Senate was announced by the door-keeper.

The honorable body of the Senate filed into the hall of the House and proceeded to take the seats on the west side vacated for their use.

## JOINT ASSEMBLY.

The joint assembly was called to order by Lieutenant-Governor Parrott, who stated the object of the joint assembly to be the election of an editor of the Code.

A roll call was ordered to ascertain if there be a quorum present.

Those present were:
Messrs. Alexander, Allen of Van Buren, Allyn of Ringgold, Bailey, Baker, Bell of Washington, Berry, Bird, Blanchard, Bonson, Brant, Brighton, Brinton, Byers of Lucas, Byers of Shelby, Byington, Carney, Carpenter, Carroll, Clark, Classen, Cook, Cornwall, Craig, Crow, Davis, Doubleday, Downey, Druet, Early, Edwards, Ellis, Ellison, Ericson, Evans, Everall, Finch, Frazee, Frink, Funk of Dickinson, Garner, Gilbertson, Good, Gorrell, Grote, Gurley, Harriman, Haugen, Hauger, Hayes, Hazen, Healy, Hendershot, Henderson, Hotchkiss, Huntley, Jackson, Johnson of Webster, Johnston of Franklin, Junkin, Kilburn, Klemme, Ladd, Lauder, Loomis, Lothrop, Lowry, McDowell, Manahan, Martin, Merriam, Miller of Buena Vista, Miller of Cherokee, Miller of Warren, Mitchell, Morrison of Grundy, Morrison of Keokuk, Mullin, Nietert, Nolan, Palmer, Parker, Penrose, Perrin, Perrott, Porter, Potter, Power, Prentis, Pusey, Putnam, Ranck, Ray, Reed, Sargent, Scott, Smith, Spaulding, Sullivan, Thompson, Tibbitts, Trewin, Van Houten, Weaver, Wells, Wheeler, Whelan, Whittier, Williams, Wood, Young-111.

There being a quorum present Lieutenant-Governor Parrott announced that the Assembly would proceed to the election of an editor of the Code.

Senator Trewin placed in nomination Mr. E. C. Ebersole, of Tama county, for the position of editor of the Code.

Mr. Jackson seconded the nomination.
There being no other nominations the roll was called with the following result:

Those voting for Mr. E. C. Ebersole were:
Messrs. Alexander, Allen of Van Buren, Allyn of Ringgold, Bailey, Baker, Bell of Washington, Berry, Bird, Blanchard, Bonson, Brant, Brighton, Brinton, Byers of Lucas, Byers of Shelby, Byington, Carney, Carpenter, Carroll, Clark, Classen, Cook, Cornwall, Craig, Crow, Davis, Doubleday, Downey, Druet, Early, Edwards, Ellis, Ellison, Ericson, Evans, Everall, Finch, Frazee, Frink, Funk of Dickinson, Gilbertson, Good, Gorrell, Grote, Harriman, Haugen, Hauger, Hayes, Hazen, Healy, Hendershot, Henderson, Hotchkiss, Huntley, Jackson, Johnson of Webster, Johnston of Franklin, Junkin, Kilburn, Klemme, Ladd, Lauder, Loomis, Lothrop, Lowry, McDowell, McQuin, Manahan, Martin, Merriam, Miller of Buena Vista, Miller of Cherokee, Miller of Warren, Mitchell, Morrison of Grundy, Morrison of Keokuk, Mullin, Nietert, Nolan, Palmer, Parker, Penrose, Perrin, Perrott, Porter, Potter, Power, Prentis, Pusey, Putnam, Ranck, Ray, Reed, Sargent, Scott, Smith, Spaulding, Sullivan, Thompson, Tibbitts, Trewin, Upton, Van Houten, Weaver, Wells, Wheeler, Whelan, Whittier, Williams, Wood, Young-111.

So Mr. Ebersole was declared duly elected editor of the Code.

The Journal of the joint assembly was read and approved.
Senator Penrose moved that the joint assembly do now dissolve.

Carried.
The House resumed its session.
On motion of Mr. Haugen, the House adjourned until 9 A. M. to-morrow.

Hall of the Housf of Reprefintatives, Des Mornes, Iowa, Wednesday, May 5, 1897. $\}$
House met at 9 A. m., Speaker Byers in the chair.
Prayer by Rev. S. M. Perkins, Oakland, Iowa.
Journal of yesterday corrected and approved.
MESSAGE FROM THE SENATE.
The following message was received from the Senate:
Mr. Speaker-I am directed to inform your honorable body that the Senate has passed the following bill in which the concurrence of the House is asked:

Senate file No. 110, a bill for an act to authorize boards of supervisors to transfer funds derived from the mulct tax to the county road fund.

Geo. A. Newman,
Secretary.
Read first and second time.
Mr. Baker moved that this bill be taken up now.
Carried.
Mr. Baker moved that the rule be suspended, and that the oill be read a third time now, which motion prevailed, and the bill was read a third time.

On the question, "Shall the bill pass?" the yeas were:
Messrs. Bailey, Baker, Bowen, Brady, Brinton, Byington, Chapman, Cook, Crow, Davis, Doubleday, Dowell, Early, Edwards, Evans, Frazee, Funk, Griswold, Grote, Haugen, Hayes, Hazen, Hendershot, Hinman, Hunt, Jackson, Ladd, Lauder, Loomis, Lowry, McAchran, McDonald, McDowell, Marti, Martin, Mayne, Merriam, Miller of Buena Vista, Miller of Warren, Morrison of Grundy, Morrison of Keokuk, Nietert, Nolan, Parker, Perrott, Porter, Potter, Power, Prentis, Reed, Scott, St. John, Thompson, Tibbitts, Voelker, Watters, Weaver, Wells, Wheeler, Whelan, Whittier, Wilson, Mr. Speaker-63.

The nays were:
Messrs. Clark, Williams-2.
Absent or not voting:
Messrs. Allen, Bell, Bird, Brant, Brighton, Classen, Cornwall, Finch, Frink, Garner, Good, Gurley, Hauger, Hinkhouse,

Huntley, Jay, Johnson of Webster, Johnston of Franklin, Klemme, Lambert, Lavender, McArthur, McNulty, McQuin, Manahan, Miller of Cherokee, Mullin, Putnam, Ray, Smith, Spaulding, Sullivan, Temple, Van Houten, Wood-35.

So the bill passed and the title was agreed to.
REPORT OF COMMITTEE ON ENROLLED BILLS.
Mr. Hauger, from Committee on Enrolled Bills, submitted the following report:

Mr Spgaker-Your Committee on Enrolled Bills respectfully report that they have this day sent to the Governor for his approval:

House file No. 19, a bill for an act to revise, amend and codify the statutes in relation to banking institutions.

> W. E. Hauger, Chairman.

Passed on file.
REPORT OF JOINT COMMITTEE ON ENROLLED BILLS.
Mr. Hauger, from Joint Committee on Enrolled Bills, submitted the following report:

Mb. Speaker-Your Joint Committee on Enrolled Bills respectfully report that they have carefully examined the following bills and find them correctly enrolled:

House file No. 19, a bill for an act to revise, amend and codify the statutes in relation to banks and banking institutions.
W. E. Hauger, Chairman House Committee. G. S. Gilbertson, Chairman Senate Committee.

The Speaker appointed as House members of the conference committee on Senate file No. 8, relative to the revenue, Messrs. Funk, Smith, Nolan and Early.

The Speaker signed in the presence of the House, House file No. 19.

## MESSAGES FROM THE SENATE.

The following message was received from the Senate:
Mr. Speaker-I am directed to inform your honorable body that the President of the Senate has appointed as a conference committee, on the part of the Senate, Senators Funk, Carroll, Waterman and Ranck, on the substitute for Senate file No. 8, a bill for an act to revise, amend and codify the statutes in relation to the revenue.

Gro. A. Newman, Secretary.
Also:

[^5]Senate file No. 101, a bill for an act to legalize the acts of the board of supervisors, and the county auditor, and the vote of the people of Polk county, in relation to levying a tax to raise funds to build an asylum in said county for the care of the insane.

> Geo. A. Newman, Secretary.

The bill was read first and second time.
Mr. Dowell moved that this bill be taken up now.
Carried.
Mr. Dowell moved that the rule be suspended and that the bill be read a third time now, which motion prevailed and the bill was read a third time.

On the question "Shall the bill pass?" the yeas were:
Messrs. Allen, Bailey, Baker, Bird, Brady, Byington, Chapman, Clark, Cook, Crow, Davis, Doubleday, Dowell, Early, Edwards, Frazee, Frink, Funk, Garner, Griswold, Grote, Gurley, Haugen, Hayes, Hazen, Hendershot, Hinkhouse, Hinman, Hunt, Huntley, Jackson, Jay, Klemme, Ladd, Lauder, Loomis, Lowry, McAchran, McDonald, McDowell, McQuin, Manahan, Marti, Martin, Mayne, Merriam, Miller of Buena Vista, Miller of Cherokee, Miller of Warren, Morrison of Grundy, Morrison of Keokuk, Mullin, Nietert, Nolan, Parker, Porter, Potter, Power, Prentis, Putnam, Ray, Reed, Scott, Smith, St. John, Sullivan, Temple, Thompson, Tibbitts, Van Houten, Waiters, Weaver, Wheeler, Whelan, Whittier, Williams, Wilson, Wood, Mr. Speaker-79.

Mr. Lambert voted in the negative.
Absent or not voting:
Messrs. Bell, Bowen, Brant, Brighton, Brinton, Classen, Cornwall, Evans, Finch, Good, Hauger, Johnson of Webster, Johnston of Franklin, Lavender, McArthur, McNulty, Perrott, Spaulding, Voelker, Wells-20.

So the bill passed and the title was agreed to.

## REPORT OF COMMITTEE ON ENROLLED BILLS.

Mr. Hauger, from the Committee on Enrolled Bills, submitted the following report:

Mr. Speaker-Your Committee on Enrolled Bills respectfully report that they have this day sent to the Governor for his approval:

House file No. 19, a bill for an act to revise, amend, and codify the statutes in relation to banks and banking institutions.
W. E. Hayger,

May 5, 1895.
Chairman.

Mr. Bird called up his motion to reconsider the vote whereby House file No. 104, a legalizing act, was indefinitely postponed.

Messrs. Klemme and Nolan demanded the yeas and nays on this question, which resulted as follows:

On the question "Shall the motion to reccnsider be adopted?" the jeas were:

Messrs. Allen, Baker, Bird, Byington, Chapman, Clark, Crow, Davis, Doubleday, Dowell, Funk, Griswold, Grote, Gurley, Haugen, Hayes, Hazen, Hendershot, Hunt, Ladd, Lambert, Loomis, McDonald, McQuin, Manahan, Marti, Martin, Mayne, Merriam, Miller of Cherokee, Miller of Warren, Morrison of Grundy, Morrison of Keokuk, Nietert, Nolan, Perrott, Porter, Power, Prentis, Putnam, Ray, Reed, St. John, Thompson, Tibbitts, Voelker, Watters, Wells, Wheeler, Wilson-50.

The nays were:
Messrs. Bowen, Brady, Classen, Cook, Cornwall, Edwards, Evans, Frazee, Frink, Good, Hinkhouse, Hinman, Huntley, Jackson, Jay, Johnson of Webster, Lauder, Lowry, McAchran, McDowell, Miller of Buena Vista, Mullin, Parker, Scott, Smith, Sullivan, Temple, Van Houten, Weaver, Whelan, Whittier, Williams, Wood-38.

Absent or not voting:
Messrs. Bailey, Bell, Brant, Brighton, Brinton, Early, Finch, Garner, Hauger, Johnston of Franklin, Klemme, Lavender, McArthur, McNulty, Potter, Spaulding, Mr. Speaker-17.

So the motion to reconsider was adopted.
The question that the bill be indefinitely postponed was then put and lost.

Mr. Bird moved to amend the bill by inserting the following as section 2: "Sec. 2. This bill being deemed of immediate importance shall take effect from and after its publication in the Iowa State Register and the Cerro Gordo Republican, newspapers published in Des Moines and Mason City, respectively, said publication to be without expense to the State."

Adopted.
Mr. Bird moved that the rule be suspended, and that the bill be considered engrossed and read a third time now, which motion prevailed, and the bill was read a third time.

On the question "Shall the bill pass?" the yeas were:
Messrs. Allen, Baker, Bird, Brady, Byington, Chapman, Clark, Crow, Davis, Doubleday, Dowell, Early, Funk, Griswold, Grote, Gurley, Haugen, Hayes, Hazen, Hendershot,

Klemme, Ladd, Lambert, Loomis, McDonald, McQuin, Manahan, Marti, Martin, Merriam, Miller of Buena Vista, Miller of Cherokee, Morrison of Grundy, Morrison of Keokuk, Nietert, Nolan, Perrott, Porter, Prentis, Putnam, Ray, Reed, Smith, St. John, Thompson, Tibbitts, Voelker, Watters, Weaver, Wells, Wheeler, Mr. Speaker-52.

## The nays were:

Messrs. Cook, Cornwall, Frazee, Hinkhouse, Hinman, Jay, Johnson of Webster, Lauder, Lowry, McAchran, McDowell, Mullin, Parker, Scott, Van Houten, Whelan, Whittier-17.

Absent or not voting:
Messrs. Bailey, Bell, Bowen, Brant, Brighton, Brinton, Classen, Edwards, Evans, Finch, Frink, Garner, Good, Hauger, Hunt, Huntley, Jackson, Johnston of Franklin, Lavender, McArthur, McNulty, Mayne, Miller of Warren, Potter, Power, Spaulding, Sullivan, Temple, Williams, Wilson, Wood-31.

So the bill passed and the title was agreed to.
Mr. Edwards moved to suspend rule 28, and that all bills which had been indefinitely postponed be reinstated on the calendar.

On the question, "Shall the motion prevail?" the yeas were:
Messrs. Allen, Baker, Bird, Brady, Byington, Chapman, Clark, Davis, Doubleday, Dowell, Early, Edwards, Frazee, Funk, Gurley, Hayes, Hazen, Klemme, Ladd, Lambert, McDonald, McQuin, Manahan, Marti, Martin, Merriam, Miller of Cherokee, Morrison of Grundy, Morrison of Keokuk, Nietert, Nolan, Perrott, Porter, Potter, Power, Prentis, Putnam, Ray, Reed, Smith, St. John, Thompson, Tibbitts, Voelker, Weaver, Wells-46.

The nays were:
Messrs. Bowen, Brighton, Cook, Cornwall, Evans, Frink, Good, Griswold, Grote, Hendershot, Hinkhouse, Hinman, Huntley, Jackson, Jay, Johnson of Webster, Lauder, Lowry, McAchran, McDowell, Mayne, Miller of Buena Vista, Mullin, Parker, Scott, Sullivan, Temple, Van Houten, Watters, Wheeler, Whelan, Whittier, Williams, Mr. Speaker-34.

Absent or not voting:
Messrs. Bailey, Bell, Brant, Brinton, Classen, Crow, Finch, Garner, Haugen, Hauger, Hunt, Johnston of Franklin, Lavender, Loomis, McArthur, McNulty, Miller of Warren, Spaulding, Wilson, Wood-20.

So the motion failing to receive a two-thirds vote was declared lost.

Mr. Miller of Cherokee, called up Senate file No. 100, with report of committee, recommending indefinite postponement. The report of the committee was rejected.

Mr. Miller of Cherokee, moved that the rule be suspended, and that the bill be read a third time now, which motion prevailed, and the bill was read a third time.

Mr. McDowell was called to the chair.
On the question, "Shall the bill pass?" the yeas were:
Messrs. Allen, Baker, Bird, Brady, Byington, Chapman, Clark, Cornwall, Crow, Davis, Doubleday, Dowell, Early, Frazee, Funk, Garner, Griswold, Grote, Gurley, Haugen, Hazen, Hinkhouse, Huntley, Jackson, Klemme, Ladd, Lambert, McDonald, McQuin, Manahan, Marti, Martin, Mayne, Merriam, Miller of Buena Vista, Miller of Cherokee, Morrison of Grundy, Morrison of Keokuk, Nietert, Nolan, Perrott, Porter, Potter, Power, Prentis, Putnam, Ray, Reed, Smith, St. John, Sullivan, Temple, Thompson, Tibbitts, Voelker, Watters, Weaver, Wells, Wheeler--59.

The nays were:
Messrs. Bowen, Brighton, Cook, Evans, Hendershot, Hinman, Hunt, Johnson of Webster, Lauder, Loomis, Lowry, Parker, Whelan, Whittier, Williams-15.

Absent or not voting:
Messrs. Bailey, Bell, Brant, Brinton, Classen, Edwards, Finch, Frink, Good, Hauger, Hayes, Jay, Johnston of Franklin, Lavender, McAchran, McArthur, McDowell, McNulty, Miller of Warren, Mullin, Scott, Spaulding, Van Houten, Wilson, Wood, Mr. Speaker-26.

So the bill passed and the title was agreed to.

## INTRODUCTION OF BILLS.

The Speaker resumed the chair.
By Mr. Jackson, House file No. 111, a bill for an act to legalize the action of the clerk of the district court and the auditor of Tama county, Iowa, in preparing and depositing in boxes the ballots of the grand and petit jurors and talismen for use in Tama county for the year 1897.

Read first and second time,
Mr. Martin called up the motion to reconsider the vote whereby House file No. 99 was indefinitely postponed.

Motion to reconsider carried.

The question that the bill be indefinitely postponed was then put and lost.

Mr. Nolan moved that the rule be suspended, and that the bill be considered engrossed and read a third time now, which motion prevailed, and the bill was read a third time.

On the question, "Shall the bill pass?" the yeas were:
Messrs. Allen, Baker, Bird, Brady, Brant, Byington, Chapman, Davis, Doubleday, Dowell, Early, Edwards, Frazee, Funk, Garner, Griswold, Grote, Gurley, Haugen, Hauger, Hayes, Hazen, Hinkhouse, Jackson, Jay, Klemme, Ladd, McAchran, McDonald, McDowell, Manahan, Marti, Martin, Mayne, Miller of Buena Vista, Miller of Cherokee, Morrison of Grundy, Morrison of Keokuk, Mullin, Nietert, Nolan, Parker, Perrott, Porter, Potter, Power, Prentis, Putnam, Ray, Reed, Snith, St. John, Sullivan, Thompson, Tibbitts, Voelker, Watters, Weaver, Wells, Wheeler, Wilson, Wood, Mr. Speaker-63.

The nays were:
Messrs. Evans, Hendershot, Loomis, Temple, Whelan, Wil-liams-6.

Absent or not voting:
Messrs. Bailey, Bell, Bowen, Brighton, Brinton, Clark, Classen, Cook, Cornwall, Crow, Finch, Frink, Good, Hinman, Hunt, Huntley, Johnson of Webster, Johnston of Franklin, Lambert, Lauder, Lavender, Lowry, McArthur, McNulty, McQuin, Merriam, Miller of Warren, Scott, Spaulding, Van Houten, Whittier-31.

So the bill passed and the title was agreed to.
On motion of Mr. Jackson House file No. 111 was taken up.
Mr. Edwards in the chair.
Mr. Jackson moved that the rule be suspended, and that the bill be considered engrossed and read a third time now, which motion prevailed, and the bill was read a third time.

On the question, "Shall the bill pass?" the yeas were:
Messrs. Allen, Baker, Bird, Brady, Brant, Byington, Chapman, Clark, Doubleday, Dowell, Early, Edwards, Frazee, Griswold, Grote, Gurley, Haugen, Hayes, Hazen, Hinkhouse, Hunt, Jackson, Jay, Klemme, Ladd, Lambert, McDonald, McDowell, Manahan, Marti, Martin, Merriam, Miller of Buena Vista, Miller of Cherokee, Morrison of Grundy, Morrison of Keokuk, Nietert,Nolan, Perrott, Porter, Potter, Power, Prentis, Putnam, Ray,Reed, St. John, Sullivan, Tibbitts, Weaver, Wells, Wheeler, Wilson, Wood-54,

The nays were:
Messrs. Bailey, Bowen, Evans, Hendershot, Huntley, Johnson of Webster, Lauder, Mullin, Parker, Scott, Temple, Van Houten, Whelan, Whittier, Williams-15.

Absent or not voting:
Messrs. Bell, Brighton, Brinton, Classen, Cook, Cornwall, Crow, Davis, Finch, Frink, Funk, Garner, Good, Hauger, Hinman, Johnston of Franklin, Lavender, Loomis, Lowry, McAchran, McArthur, McNulty, McQuin, Mayne, Miller of Warren, Smith, Spaulding, Thompson, Voelker, Watters, Mr. Speaker-31.

So the bill passed and the title was agreed to.

## INTRODUCTION OF BILLS.

By Mr. Porter, House file No. 112, a bill for an act to legalize the incorporation of Rathbun, Iowa, and the ordinances and acts of the town council.

Read first and second time.

## REPORT OF COMMITTEE.

Mr. Smith, from the Committee on Printing, submitted the following report:

Mr. Spisakmr-Your Committee on Printing, to whom was referred Senate file No. 91, a bill for an act to revise, amend and codify the statutes in relation to public printing and binding, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the House with amendments, and that when so amended the bill do pass.

Sec. 1. Amend section 1, line 7, by striking out after the word "as" the words "including letter heads, envelopes or postal cards, nor as."

Sec. 8. Amend section 8, line 8, by striking out after the word "tables" the words "shall be set in as compact a form as practicable" and insert in lieu thereof the following: "Rule and figure work and matter of three or more justifications shall be set in solid brevier or nonpareil type and in as compact a form as practicable. But when any of the above work is quadded or spaced between the lines, by order of the Executive Council, all of such quadded lines or space shall be deducted from the measurement."

Sec. 9. Amend section 9, line 14, by inserting after the word "copies" the words 'of the proceedings of the Pioneer Law Makers' Association 1,200 copies, 500 copies of which shall be delivered to the association."

Sec. 18. Amend section 18, line 6, by striking out all of said line after the word "done" and insert in lieu thereof the words "each printed page shall be paid for at actual measurement."

Sec. 22. Amend section 22, line 3, by inserting between the words "for" and "composition" the word "hand."

Sec. 22. Amend section 22, line 4, by striking out the word "fifty" after the word "blanks" and insert the word "forty-eight."

Sec 22. Amend section 22, line 4, by striking out the word "seventy" and inserting the word "sixty."

Sec. 22. Amend section 22, line 5, by striking out the word "ninety" and insert the word "eighty."

Sec. 22. Amend section 22, line 8, by striking out after the word "dollars" the words "and fifty cents."

Sec. 22. Amend section 22, line 9, by striking out the word "fifty" and insert the word "twenty-five."

Sec. 22. Amend section 22 by striking out all of subdivision (c) and insert in lieu thereof the following:
(c). For printing blanks, including composition and press work on one side of a sheet of folio post or larger paper, two dollars and fifty cents for the first one hundred impressions, for the next four hundred impressions, forty cents for each hundred, and fifteen cents for each additional one hundred impressions above five hundred. On paper smaller than folio post, for blanks or circulars, including composition and press work, two dollars for the first one hundred impressions; for the next four hundred impressions, thirty cents for each hundred, and ten cents for each additional one hundred impressions above five hundred. When both sides of a blank can be primed at once, only one impression shall be paid for."

Sec. 22. Amend section 22, line 29, by striking out the words "three dollars" and inserting in lieu thereof the worde "two dollars."

Sec. 22. Amend section 22, line 31, by striking out the word "fifty" after the word "and" and insert in lieu thereof the word "twenty-five."

Sec. 22. Amend section 22, line 33, by striking out after the word "court" the words "one dollar" and insert in lieu thereof the words "ninety cents."

See. 22. Amend section 22, line 34, by inserting after the word "cards" the words "including composition and press work."

Sec. 22. Amend section 22, line 35, by inserting after the word "less" the words "and one dollar and twenty-five cents for each additional thousand."

Sec 23. Amend section 23, line 1, by striking out after the word "no" the word "constructive;" and insert after the word "printer" the words "except as the same are expressly provided by this chapter." In line 7, same section, strike out the word "constructive" after the word "no" and insert the word "unlawful."

Sec. 24. Amend section 24, line $\bar{z}$, by striking out after the word "of" the word "seventy-five" and insert the word "fifty."

Sec. 25. Amend section 25, line 7, by striking out after the word "sheet" the words "one dollar" and insert the words "eigbty cents."

Sec. 25. Amend section 25, line 8, by striking out after the word "less" the words "twenty cents" and insert in lieu thereof the word "eighteen."

Sec. 25. Amend section 25, line 9, by inserting after the word "cover" the word 'not," and striking out after the word "counted" the words "as one sheet."

Sec. 25. Amend section 25 , lines 10 and 11 , by striking out the word "seventeen" after the word "houses" and insert the word "sixteen."

Sec. 25. Amend section 25, line 12, by striking out all after the word "letters" down to and including the figures "1886" in line 13 and insert:
'The lettering and genaral style of the books to be the same as reports heretofore published."

Sec. 25. Amend section 25, line 13, by striking out after the word "volume" the word "of" and insert in lieu thereof the words "containing one hundred and fifty pages and not more than."

Sec. 25 Amend section 25, line 13, by inserting before the word "twentyone" the words "fifteen cents per copy for a volume of one hundred and fifty pages or less."

Sec. 25. Amend section 25, line 14, by striking out after the word "pages" the words "or less," and insert after the word "for" the word "each."

Sec. 25. Amend section 25 , line 17, by striking out all after the word "title" down to and including the flgures " 1886 " and insert in lieu thereof the words "the lettering and general style of the books to be the same as documents heretofore published."

Sec. 25. Amend section 25, line 18, by striking out before the word "per" the words "thirty cents" and insert the words "twenty-six cents."

Sec. 25. Amend section 25, line 21, by striking out after the figures " 1886 " the word "eleven" and insert the word "ten."

Sec. 25. Amend section 25, line 23, by striking out after the word "of", the word "four" and insert the word "five."

Sec. 26. Add as section 26, the following: "Wherever in this chapter the word sheep is used it shall be construed to mean law sheep."

Renumber sections 26 and 27.

P. A. Smith, Chairman.

Ordered passed on file.
On motion of Mr. Klemme the House adjourned until 2 P. M.

## AFTERNOON SESSION.

The House met at 2 P. M. with Speaker Byers in the chair.
The Speaker signed in the presence of the House, Senate file No. 101.

Mr. Klemme asked to have House file No. 101, reinstated upon the Calendar, it having been withdrawn on Friday, April 30.

Granted.

Mr. Power moved that Senate files Nos. 105 and 106 be recalled from the Senate.

Carried.
On motion of Mr. Porter, House file No. 112 was taken up and considered.

Mr. Porter moved that the rnle be suspended, and that the bill be considered engrossed and read a third time now, which motion prevailed, and the bill was read a third time.

On the qu stion, "Shall the bill pass?" the yeas were:
Messrs. Baker, Bird, Brady, Brant, Chapman, Clark, Crow, Davis, Doubleday, Edwards, Frazee, Garner, Griswold, Gurley, Haugen, Hazen, Hinman, Hunt, Klemme, Ladd, Lambert, Lowry, McDonald, McDowell, McQuin, Manahan, Marti, Martin, Mayne, Merriam, Miller of Cherokee, Morrison of Grundy, Morrison of Keokuk, Nietert, Perrott, Porter, Potter, Power, Prentis, Ray, Reed, Spaulding, St. John, Sullivan, Temple, Thompson, Tibbitts, Voelker, Weaver, Wells, Wilson, Wood, Mr. Speaker-53.

The nays were:
Messrs. Bailey, Bell, Bowen, Byington, Cornwall, Hendershot, Huntley, Lauder, Miller of Warren, Mullin, Parker, Scott, Watters, Whelan, Whittier, Williams-16.

Absent or not voting:
Messrs. Allen, Brighton, Brinton, Classen, Cook, Dowell, Early, Evans, Finch, Frink, Funk, Good, Grote, Hauger, Hayes, Hinkhouse, Jackson, Jay, Johnson of Webster, Johnston of Franklin, Lavender, Loomis, McAchral., McArthur, McNulty, Miller of Buena Vista, Nolan, Putnam, Smith, Van Houten, Wheeler-31.

So the bill passed and the title was agreed to.
On motion of Mr. Sullivan, Senate file No. 104, a bill for an act to legalize certain elections held in the incorporated town of Volga City, county of Clayton, State of Iowa, with report of committee recommending indefinite postponement, was taken up and considered.

On motion of Mr. Sullivan, the recommendation that the bill be indefinitely postponed was rejected.

Mr. Sullivan moved that the rule be suspended, and that the bill be read a third time now, which motion prevailed, and the bill was read a third time.

On the question, "Shall the bill pass?" the yeas were:
Messrs. Allen, Baker, Bird, Brady, Brant, Byington, Chapman, Clark, Crow, Davis, Doubleday, Dowell, Edwards, Frazee,

Griswold, Grote, Gurley, Haugen, Hayes, Hazen, Hendershot, Hinman, Hunt, Klemme, Ladd, Lambert, McDonald, McDowell, McQuin, Manahan, Marti, Martin, Mayne, Merriam, Miller of Cherokee, Morrison of Grundy, Morrison of Keokuk, Nietert, Nolan, Perrott, Porter, Potter, Power, Prentis, Ray, Reed, Spaulding, St. John, Sullivan, Temple, Thompson, Tibbitts, Voelker, Wells, Wilson, Wood, Mr. Speaker-57.

The nays were:
Messrs. Bailey, Bell, Johnson of Webster, Lauder, Miller of Warren, Mullin, Scott, Watters, Whelan, Whittier, Williams -11 .

Absent or not voting:
Messrs. Bowen, Brighton, Brinton, Classen, Cook, Cornwall, Early, Evans, Finch, Frink, Funk, Garner, Good, Hauger, Hinkhouse, Huntley, Jackson, Jay, Johnston of Franklin, Lavender, Loomis, Lowry, McAchran, McArthur, McNulty, Miller of Buena Vista, Parker, Putnam, Smith, Van Houten, Weaver, Wheeler-32.

So the bill passed and title was agreed to.
On motion of Mr. Cornwall, the rule was suspended and the vote on House file No. 100, which was indefinitely postponed on Friday, April 30, was reconsidered.

The motion that the bill be indefinitely postponed was lost.
Mr. Perrott moved that the rule be suspended, and that the bill be considered engrossed and read a third time now, which motion prevailed, and the bill was read a third time.

On the question, "Shall the bill pass?" the yeas were:
Messrs. Allen, Baker, Bell, Bird, Brady, Brant, Byington, Chapman, Clark, Crow, Davis, Doubleday, Dowell, Frazee, Frink, Garner, Griswold, Grote, Gurley, Haugen, Hayes, Hazen, Hendershot, Hinman, Hunt, Klemme, Ladd, Lambert, McDonald, McDowell, Manahan, Marti, Martin, Mayne, Merriam, Miller of Cherokee, Morrison of Grundy, Morrison of Keokuk, Nietert, Perrott, Prentis, Putnam, Ray, Reed, Spaulding, St. John, Sullivan, Temple, Thompson, Tibbitts, Voelker, Watters, Weaver, Wells, Whittier, Wilson, Wood, Mr. Speaker $-58$.

The nays were:
Messrs. Bowen, Evans, Lauder, Parker, Scott, Van Houten, Whelan, Williams-8.

Absent or not voting:
Messrs. Bailey, Brighton, Brinton, Classen, Cook, Cornwall, Early, Edwards, Finch, Funk, Good, Hauger, Hinkhouse,

Huntley, Jackson, Jay, Johnson of Webster, Johnston of Franklin, Lavender, Loomis, Lowry, McAchran, McArthur, McNulty, McQuin, Miller of Buena Vista, Miller of Warren, Mullin, Nolan, Porter, Potter, Power, Smith, Wheeler-34.

So the bill passed and the title was agreed to.
On motion of Mr. Haugen, Senate file No. 102, with report of committee recommending indefinite postponement, was taken up and sonsidered.

The report of the committee was not adopted and the bill was passed to its second reading.

Mr. Haugen moved that the rule be suspended, and that the bill be read a third time now, which motion prevailed, and the bill was read a third time.

On the question, "Shall the bill pass?" the yeas were:
Messrs. Allen, Baker, Bird, Brady, Brant, Byington, Chapman, Clark, Crow, Doubleday, Dowell, Edwards, Frazee, Garner, Griswold, Grote, Gurley, Haugen, Hazen, Hunt, Johnston of Franklin, Klemme, Ladd, Lambert, McDonald, McDowell, Manahan, Marti, Martin, Mayne, Merriam, Miller of Cherokee, Morrik on of Grundy, Morrison of Keokuk, Nietert, Perrott, Porter, Power, Prentis, Ray, Reed, Spauding, St. John, Sullivan, Temple, Thompson, Tibbitts, Voelker, Watters, Weaver, Wells, Whittier, Wilson-53.

## The nays were:

Messrs. Bailey, Cook, Davis, Hendershot, Huntley, Johnson of Webster, Lauder, Miller of Warren, Mullin, Parker, Scott, Van Houten, Whelan, Williams-14.

Absent or not voting:
Messss. Bell, Bowen, Brighton, Brinton, Classen, Cornwall, Early, Evans, Finch, Frink, Funk, Good, Hauger, Hayes, Hinkhouse, Hinman, Jackson, Jay, Lavender, Loomis, Lowry, McAchran, McArthur, McNulty, McQuin, Miller of Buena Vista, Nolan, Potter, Putnam, Smith, Wheeler, Wood, Mr. Speaker-33.

So the bill passed and the title was agreed to.
On motion of Mr. Thompson, Senate file No. 108, with report of committee recommending indefinite postponement, was taken up and considered, and the report of committee rejected.

Mr. Thompson moved that the rule be suspended, and that the bill be read a third time now, which motion prevailed, and the bill was read a third time.

On the question, "Shall the bill pass?" the yeas were:
Messrs. Baker, Bell, Bird, Brant, Byington Chapman, Clark, Crow, Davis, Doubleday, Dowell, Edwards, Frazee, Funk, Garner, Griswold, Grote, Gurley, Haugen, Hayes, Hazen, Hendershot, Hunt, Jackson, Johnston of Franklin, Klemme, Ladd, Lambert, Lauder, Loomis, McDonald, McDowell, Manahan, Marti, Martin, Mayne, Merriam, Miller of Cherokee, Morrison of Grundy, Morrison of Keokuk, Nietert, Nolan, Perrott, Potter, Power, Prentis, Putnam, Ray, Reed, St. John, Sullivan, Temple, Thompson, Tibbitts, Voelker, Weaver, Wells, Whittier, Willams, Wilson, Wood, Mr. Speaker-62.

The nays were:
Messrs. Bailey, Evans, Johnson of Webster, Miller of Warren, Mullin, Parker, Scott, Van Houten, Whelan-9.

Absent or not voting:
Messrs. Allen, Bowen, Brady, Brighton, Brinton, Classen, Cook, Cornwall, Early, Finch, Frink, Good, Hauger, Hinkhouse, Hinman, Huntley, Jay, Lavender, Lowry, McAchran, McArthur, McNulty, McQuin, Miller of Buena Vista, Porter, Smith, Spaulding, Watters, Wheeler-29.

So the bill passed and the title was agreed to.

## REPORT OF CONFERENCE COMMITTEE.

Mr. Cornwall, from the Committee on Conference, submitted the following report:

Mr. President and Mr. Speaker-Your Committee on Conference, to whom was referred House file No. 16, a bill for an act to revise, amend and codify the statutes in relation to corporations, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the House recede from its amendment to the Senate substitute in line 3 of section 2 of said substitute, so section 2 will now read as follows: "Except as otherwise provided by law a single person may incorporate under the provisions of this chapter, thereby entitling himself to all the privileges and immunities provided herein, but if he adopts the name of an individual or individuals as that of the corporation he must add thereto the word 'incorporated.'"

That the Senate concur in the House amendment to section 4 of the Senate substitute by striking out so much as requires the submission of the articles to the Attorney-General. After the word "found" in the fifth line of section 4 of said substitute, said section will now read "said articles thus endorsed shall then be forwarded to the Secretary of State and be by him recorded in a book kept for that purpose."

That the House recede from its other amendment to section 4 of the Senate substitute, which amendment was as follows: "The provisions of this section shall not apply to farmers' mutual co-operative creamery
associations, workingmen's co-operative associations nor farmers' mutual insurance companies" so that no exemption shall be made to the named associations from the payment of the franchise fee.

That the House recede from its amendment to the Senate substitute which amendment was to strike out the words "or street railway" whereever they appear in section 5 thereof.

That the Senate concur in the House amendment to section 9 of the Senate substitute so that line 4 of said substitute will now read as follows: "Such changes, however, need only be signed and acknowledged by such offcers of the corporation as may be designated to perform such act by the stockholders."

That the House recede from its amendment to strike the words "and street railway" from line 3 , of section 10, in the Senate substitute.

That the Senate concur in the House amendment to Senate substitute in line 5, of section 12, by inserting after the word "election" the follow. ing words "or special election called," so that said section 12 , of said substitute, after the word "thereof," in the fifth line, shall read as follows: "if a majority of the votes cost at any regular election or special election called for that purpose be in favor of such renewal, and if those wishing such renewal will purchase the stock of those opposed thereto at its real value."

That the Senate concur in the House amendment to Senate substitute by inserting the words "shall be a misdemeanor and" at the beginning of the third line of section 14, so that said section 14, down to and including the word "court" in the fourth line thereof, shall read as follows: "intentional fraud in failing to comply substantially with the articles of incorporation or in deceiving the public or individuals in relation to their means or their liabilities shall be a misdemeanor and shall subject those guilty thereof to fine or imprisonment or both at the discretion of the court."

That the House recede from its amendment to line 10 of section 15 of the Senate substitute which sought to insert after the word "existing" the following words "and for all that shall thereafter be contracted while they shall respectively continue in office."

That the Senate concur in the House amendment to section 21 of the Senate substitute, which House amendment struck from said section 21 the following words "the stock of all corporations for pecuniary profit heretofore created shall on or before the first day of January, 1899, be returned to the proper officers of the corporation issuing the same and a similar endorsement made thereon, and after that date no stock of any corporation existing under the laws of Iowa shall be voted at a stockholders meeting or have any legal force or validity until such endorsement is placed thereon by the proper officers of the corporation issuing the same."

That the House recede from its amendment to strike sections 29,30 and 31, with Senate amendments thereto, so that said sections 29,30 and 31 of the Senate substitute, with the Senate amendments thereto, shall now remain and constitute a part of the bill. Except the Senate amendment to section 31, referred to in the next succeeding paragraph of this report, and from which the Senate recedes.

That the Senate recede from the amendment to section 31 of the Senate substitute, which sought to add thereto the following: "Corporations
organized under the provisions of this chapter shall have the right to purchase, own and convey all such real estate as may be necessary for the transaction of their business."

That section 32 of the Senate substitute shall be amended after the word "Iowa," in the third line thereof, so that the balance of said section 32 of the Senate substitute after the word "Iowa" shall read as follows: "An action therefor may be instituted by the Attorney General in the name of the State, reserving, however, to the stockholders and creditors all rights now possessed by them."

That as an additional section to chapter 1 , to be placed at the end thereof, the following shall be incorporated: "Corporations organized in any foreign country or corporations organized in this country the stock of which is owned in whole or in part by aliens or non-residents shall have the same rights, powers and privileges with regard to the purchase and ownership of real estate in this State as are granted to non-resident aliens in section 2, chapter 1, title 14 of this Code."

> W. W. Cornwall, Samurl Mayne, Claudr R. Porthe, M. L. Temple, Committee for the House. Thos. D. Healy, C. C. Upton, L. A. Ellis, Thos. A. Cheshire, Committee for the Senate.

Mr. Cornwall moved that the report of the conference committee be adopted.

On the question, "Shall the report be adopted?" the yeas were:

Messrs. Baker, Brinton, Cook, Cornwall, Edwards, Evans, Funk, Hayes, Hunt, Huntley, Jackson, Lambert, Lauder, Lowry, Marti, Mayne, Porter, Potter, Power, Temple, Van Houten, Voelker, Weaver-23.

The nays were:
Messrs. Allen, Bailey, Bird, Bowen, Brady, Byington, Clark, Classen, Crow, Davis, Doubleday, Frazee, Frink, Garner, Good, Griswold, Grote, Haugen, Hauger, Hazen, Hendershot, Hinkhouse, Hinman, Klemme, Loomis, McDonald, McDowell, Manahan, Miller of Buena Vista, Miller of Cherokee, Miller of Warren, Morrison of Grundy, Morrison of Keokuk, Mullin, Nolan, Parker, Perrott, Prentis, Putnam, Ray, Reed, Scott, Spaulding, St. John, Sullivan, Temple, Thompson, Tibbitts, Van Houten, Voelker, Watters, Weaver, Whelan, Whittier, Williams, Wilson, Wood, Mr. Speaker-54.

Absent or not voting:
Messrs. Bell, Brant, Brighton, Chapman, Dowell, Early, Finch, Gurley, Jay, Johnson of Webster, Johnston of Franklin, Ladd, Lavender, McAchran, McArthur, McNulty, McQuin, Martin, Merriam, Nietert, Smith, Wells, Wheeler-23.

So the report of the conference committee was rejected.
The Speaker appointed as House members of the Conference Committee on House file No. 16, for further conference on said bill, Messrs. Allen, St. John, Putnam and Lambert.

MESSAGES FROM THE SENATE.
The following message was received from the Senate:
Mr. Speaker-I am directed to inform your honorable body that the Senate has passed the following bill in which the concurrence of the Senate was asked:

House file No. 111, a bill for an act to legalize the action of the clerk of the district court and the auditor of Tama coanty, Iowa, in preparing and depositing in boxes the ballots of the grand and petit jurors and talesmen for use in Tama county for the year 1897.

Geo. A. Newman,

Secretary.
Also:
Mr. Speaker-I am directed to inform your honorable body that the Senate herewith returns Senate files Nos. 105 and 106.

Geo. A. Newman,
Secretary.
Also:
Mr. Speaker-I am directed to inform your honorable body that the Senate has passed the following joint resolution in which the concurrence of the House is asked:

Joint resolution no. 7.
Relating to the use of the committes rooms by the Code supervising committee and allowing stationery, stamps and supplise for its use.

Be it resolved by the General Assembly of the State of Iowa, That the Code supervising committee be allowed the use of necessary committee rooms in the capitol for its meetings and work, and for the use of the editor, annotators and clerks; that the committee be allowed to draw necessary stationery, stamps and supplies from the supply department npon written requisition and shall render with its report an itemized statement of the cost thereof.

Geo. A. Newman,
Sccretary.
Also:
Mr. Speaker-I am directed to inform your honorable body that the Senate has passed the following joint resolution in which the concurrence of the House is asked:

Relative to the certification of the Journals to the Secretary of State and for indexing the same.

Geo. A. Newman,
Secretary.

## JOINT RESOLUTION NO. 8.

Be it resolved by the General Assembly of the State of Iowa, That the Secretary' of the Senate and Chief Clerk of the House of Representatives shall, on adjournment of this session of the General Assembly, file with the Secretary of State copies of the printed daily Journals of their respective bodies, as corrected, certifying to the same. The Secretary of State shall thereupon cause an index of each of said Journals to be made, printed and bound with the Journals.

Mr. Edwards moved that the rule be suspended and that the vote whereby House file No. 103 was indefinitely postponed on Friday, April 30th, be reconsidered.

Carried.
The motion that the bill be indefinitely postponed was then put and lost.

Mr. Edwards moved that the rule be suspended, and that the bill be considered engrossed and read a third time now, which motion prevailed, and the bill was read a third time.

On the question, "Shall the bill pass?" the yeas were:
Messrs. Allen, Baker, Bird, Brady, Brant, Byington, Chapman, Clark, Crow, Davis, Doubleday, Dowell, Early, Edwards, Frazee, Frink, Garner, Griswold, Grote, Gurley, Hauger, Hayes, Hazen, Hinkhouse, Hinman, Hunt, Jackson, Johnston of Franklin, Klemme, Ladd, Lambert, Loomis, McDonald, McDowell, Marti, Martin, Merriam, Miller of Cherokee, Morrison of Grundy, Morrison of Keokuk, Nietert, Nolan, Parker, Porter, Potter, Power, Prentis, Prinam, Ray, Reed, Smith, Spaulding, St. John, Sullivan, Temple, Thompson, Tibbitts, Voelker, Watters, Weaver, Wells, Wheeler, Whittier, Wilson, Wood, Mr. Speaker-66.

The nays were:
Messrs. Bailey, Bowen, Brighton, Cook, Evans, Hendershot, Huntley, Johnson of Webster, Lowry, Miller of Warren, Mullin, Nietert, Scott, Whelan, Williams-14.

Absent or not voting:
Messrs. Bell, Brinton, Classen, Cornwall, Finch, Funk, Good, Haugen, Jay, Lauder, Lavender, McAchran, McArthur, McNulty, McQuin, Manahan, Mayne, Miller of Buena Vista, Perrott, Van Houten-20.

So the bill passed and the title was agreed to.

Mr. Power called up Senate file No. 105, just received from the Senate, and moved that the rula be suspended and that the vote whereby the bill was indefinitely postponed by the House be reconsidered.

Carried.
The motion to indefinitely postpone was then put and lost.
Mr. Power moved that the rule be suspended, and that the bill be read a third time now, which motion prevailed, and the bill was read a third time.

On the question, "Shall the bill pass?" the jeas were:
Messrs. Allen, Baker, Bird, Brady, Brant, Byington, Chapman, Clark, Crow, Davis, Doubleday, Dowell, Early, Edwards, Frazee, Funk, Griswold, Grote, Gurley, Haugen, Hayes, Hazen, Hendershot, Hinkhouse, Hunt, Jackson, Johnston of Franklin, Lidd, Lambert, Loomis, McDonald, McDowell, Marti, Martin, Miller of Cherokee, Morrison of Grundy, Morrison of Keokuk, Nietert, Nolan, Porter, Potter, Power, Prentis, Putnam, Reed, Smith, Spaulding, St. John, Sullivan, Temple, Thompson, Tibbitts, Voelker, Watters, Weaver, Wells, Wheeler, Whittier, Wilson, Wood, Mr. Speaker-61.

The nays were:
Messrs. Bailey, Bowen, Cook, Evans, Johnson of Webster, Miller of Warren, Mullen, Parker, Scott, Whelan, Williams-11.

Absent or not voting:
Messrs. Bell, Brighton, Brinton, Classen, Cornwall, Finch, Frink, Garner, Good, Hauger, Hinman, Huntley, Jay, Klemme, Lauder, Lavender, Lృwry, McAchran, McArthur, McNulty, McQuin, Manahan, Mayne, Merriam, Miller of Buena Vista, Perrott, Ray, Van Houten-28.

So the bill passed and the title was agreed to.
Mr. Power called up Senate file No. 106, just messaged from. the Senate, and moved that the rule be suspended and the vote whereby the bill was indefinitely postponed by the House, on Saturday, May 1st, be reconsidered.

Carried.
The motion to postpone indefinitely was then put and lost.
Mr. Power moved that the rule be suspended, and that the bill be read a third time now, which motion prevailed, and the bill was read a third time.

On the question, "Shall the bill pass?" the yeas were:
Messrs. Allen, Baker, Bird, Brady, Byington, Chapman, Clark, Crow, Davis, Doubleday, Edwards, Frazee, Funk,

Grote, Gurley, Haugen, Hauger, Hayes, Hazen, Hinkhouse, Hunt, Jackson, Johnston of Franklin, Lambert, Loomis, McDonald, McDowell, McQuin, Marti, Merriam, Miller of Cherokee, Morrison of Grundy, Morrison of Keokuk, Nolan, Perrott, Porter, Potter, Power, Prentis, Ray, Reed, Spaulding, St. John, Sullivan, Temple, Thompson, Tibbits, Voelker, Watters, Weaver, Wells, Wheeler, Whittier, Wilson, Mr. Speaker -55 .

The nays were:
Messrs. Bailey, Bowen, Evans, Griswold, Hendershot, Huntley, Johnson of Webster, Miller of Warren, Mullin, Scott, Whelan, Williams-12.

Absent or not voting:
Messrs. Bell, Brant, Brighton, Brinton, Classen, Cook, Cornwall, Dowell, Early, Finch, Frink, Garner, Good, Hinman, Jay, Klemme, Ladd, Lauder, Lavender, Lowry, McAchran, McArthur, McNulty, Manahan, Martin, Mayne, Miller of Buena Vista, Nietert, Parker, Putnam, Smith, VanHouten, Wood-33.

So the bill passed and title was agreed to.
The House took up Senate joint resolution No 7, relative to allowing supervising committee use of committee rooms, etc.

On the question, "Shall the resolution be adopted?" the yeas were:

Messrs. Allen, Bailey, Baker, Bird, Bowen, Brady, Brant, Brighton, Brinton, Byington, Chapman, Clark, Classen, Cook, Crow, Davis, Doubleday, Dowell, Early, Edwards, Evans, Frazee, Frink, Funk, Good, Griswold, Grote, Gurley, Haugen, Hauger, Hazen, Hendershot, Hinkhouse, Hinman, Hunt, Huntley, Jackson, Johnston of Franklin, Klemme, Lauder, Loomis, Lowry, McDonald, McDowell, McQuin, Marti, Martin, Merriam, Miller of Buena Vista, Miller of Cherokee, Miller of Warren, Morrison of Grundy, Morrison of Keokuk, Mullin, Nietert, Nolan, Parker, Perrott, Porter, Potter, Prentis, Putnam, Scott, Smith, Spaulding, St. John, Sullivan, Thompson, Tibbitts, Van Houten, Weaver, Wells, Wheeler, Whelan, Whittier, Williams, Wood, Mr. Speaker-78.

The nays were:
Messrs. Reed and Watters-2.
Absent or not voting:
Messrs. Bell, Cornwall, Finch, Garner, Hayes, Jay, Johnson of Webster, Ladd, Lambert, Lavender, McAchran, McArthur, McNulty, Manahan, Mayne, Power, Ray, Temple, Voelker, Wilson-20.

So the resolution was adopted.
House files Nos. 106 and 107 were indefinitely postponed on motion of Mr. Power, as Senate files covering the same ground have already passed the House.

MESSAGE FROM THE SENATE.
The following message was received from the Senate:
Mr. Speaker-I am directed to inform your honorable body that the President of the Senate has appointed as a further conference committee on substitute for House file No. 16, a bill for an act to revise, amend and codify the statutes in relation to corporations, Senators Junkin, Gilbertson, Garst and Healy.

Mr. Funk was called to the chair.
Speaker Byers resumed the chair.
REPORT OF JOINT COMMITTEE ON ENROLLED BILLS.
Mr. Hauger, from Joint Committee on Enrolled Bills, submitted the following report:

Mr. Speaker-Your Joint Committee on Enrolled Bills respectfully report that they have carefully examined the following bills, and find them correctly enrolled:

Senate file No. 101, a bill for an act to legalize the acts of the board of supervisors and county auditor, and the vote of the people of Polk county, in relation to levying a tax to raise funds to build an asylum in said county for the care of the insane.
W. E. Hauger, Chairman House Committee.
G. S. Gilbertson, Chairman Senate Committee.
Ordered passed on file.
On motion of Mr. Dowell, the House adjourned until 9 A. m. to-morrow.

## $\left.\begin{array}{c}\text { Hall of the House of Representatives, } \\ \text { Des Moines, } \\ \text { Iowa, Thursday, May 6, 1897. }\end{array}\right\}$

House met at 9 A. m., Speaker Byers in the chair.
Prayer by Rev. W. F. Allen, Grundy Center, Iowa.
messages from the senate.
The following message was received from the Senate:
Mr. Speaker-I am directed to inform your honorable body that the Senate has passed the following bill, in which the concurrence of the Senate was asked:

House file No. 99, a bill for an act to legalize the acts of, and to establish the independent school district of Washington Mills.

Geo. A. Newman, Secretary.

## Also:

Mr. Spfaker-I am directed to inform your honorable body that the Senate has passed the following bill, in which the concurrence of the Senate was asked:

House file No. 104, a bill for an act to legalize theacts of C. A. O'Harrow, a justice of the peace of Owen township, Cerro Gordo county, Iowa.

Gro. A. Newman,
Secretary.
Also:
Mr. Speaker-I am directed to inform your honorable body that the Senate has passed the following bill, in which the concurrence of the House is asked:

Senate file No. 111, a bill for an act to legalize the election held at Sumner, Iowa, October 15, 1894.

Geo. A. Newman, Secretary.
Also:
Mr. Sphaker-I am directed to inform your honorable, body that the Senate has passed the following bill, in which the concurrence of the Senate was asked:

House file No. 112, a bill for an act to legalize the incorporation of Rathburn, Iowa.

Gieo. A. Newman, secretary.
Mr. Ray offered the following concurrent resolution which was laid over under rule 34:

Whereas, It will be necessary for the mail carrier to remain several days after the close of the session, therefore, be it

Resolved by the House, the Senate concurring, That W. H. Cain be allowed pay for three days after adjournment and that he be required to serve as mail carrier until that time.

SENATE MESSAGES.
Senate file No. 111, a bill for an act to legalize the election held at Sumner, Iowa, October 12, 1894, for the issuance of bonds for water works.

Read first and second time.
Mr. Van Houten moved that the bill be indefinitely postponed.

Mr. Tibbitts moved as a substitute for the motion of Mr. Van Houten that the bill be taken up now and considered.

Carried.
Mr. Tibbitts moved that the rule be suspended, and that the bill be read a third time now, which motion prevailed, and the bill was read a third time.

On the question, "Shall the bill pass?" the yeas were:
Messrs. Allen, Baker, Bird, Brady, Brant, Chapman, Cornwall, Crow, Davis, Doubleday, Edwards, Finch, Frazee, Garner, Griswold, Grote, Gurley, Haugen, Hauger, Hazen, Hendershot, Hinkhouse, Hunt, Jay, Klemme, Ladd, Loomis, McArthur, McDonald, McDowell, McNulty, McQuin, Manahan, Marti, Martin, Mayne, Miller of Buena Vista, Miller of Cherokee, Morrison of Grundy, Morrison of Keokuk, Nietert, Perrott, Porter, Potter, Power, Prentis, Putnam, Ray, Reed, Spaulding, St. John, Sullivan, Thompson, Tibbitts, Voelker, Watters, Weaver, Wells, Wheeler, Whittier, Wilson, Mr. Speaker-62.

The nays were:
Messrs. Bailey, Bowen, Evans, Johnson of Webster, Miller of Warren, Scott, Whelan, Williams--8.

Absent or not voting:
Messrs. Bell, Brighton, Brinton, Byington, Clark, Classen, Cook, Dowell, Early, Frink, Funk, Good, Hayes, Hinman, Huntley, Jackson, Johnston of Franklin, Lambert, Lauder, Lavender, Lowry, McAchran, Merriam, Mullin, Nolan, Parker, Smith, Temple, Van Houten, Wood-30.

So the bill passed and the title was agreed to.
House file No. 95 was ordered indefinitely postponed since substitute for Senate file No. 1, already passed this House, covered the same ground.

## REPORT OF CONFERENCE COMMITTEE.

Mr. St. John, from the Committee on Conference, submitted the following report:

Mr. Spfaker-Your Committee on Conference, to whom was referred House file No. 16, a bill for an act to revise, amend and codify the statutes in relation to corporations, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that the House recede from its amendment to the Senate substitute in line 3, of section 2, of said substitute, so section 2 will now read as follows: "Except as otherwise provided by law a single person may incorporate under the provisions of this chapter, thereby entitling himself to all the privileges and immunities provided herein, but if he adopts the name of an individual or individuals as that of the corporation he must add thereto the word "incorporated".

That the Senate concur in the House amendment to section 4, of the Senate substitute by striking out so much as requires the submission of the articles to the Attorney-General. After the word "found" in the 5th line of section 4 of said substitute said section will now read, "said articles thus endorsed shall then be forwarded to the Secretary of State, and be by him recorded in a book kept for that purpose".

That section 4, of chapter 1, of Senate substitute be amended by adding at the end thereof the following: Farmers' mutual co-operative creamery associations shall be exempt from the payment of the incorporation fee provided herein," which amendmentshall be in lieu of the following House amendment to said section 4, of said Senate substitute, "But the provisions of this section shall not apply to farmers' mutual co-operative creamery associations, workingmen's co-operative associations, nor farmers' mutual insurance companies". Section 4, Senate substitute when thus amended shall read: "Before commencing any business except their own organization, they must adopt articles of incorporation, which must be signed and acknowledged by the incorporators, recorded in the office of the recorder of deeds of the county where the principal place of business is to be, in a book kept therefor, and the recorder must within five days thereafter endorse thereon the time when the same were filed, and the book and page where the record will be found. Said articles thus endorsed shall then be forwarded to the Secretary of State, and be by him recorded in a book kept for that purpose. Such corporation shall pay to the Secretary of State before a certificate of incorporation is issued, a fee of $\$ 25$, and for all authorized stock in excess of $\$ 10,000$ an additional fee of $\$ 1$ per thousand. Should any corporation thereafter inerease its capital stock it shall pay a fee to the Secretary of State of $\$ 1$ for each $\$ 1,000$ of such increase, but in no event shall a fee in excess of $\$ 350$ be charged under the provisions of this section. The recording fee shall be paid in all cases. Farmers' mutual co-operative creamery associations shall be exempt from the payment of the incorporation fee provided herein".

That the House recede from its amendment to the Senate substitute, which amendment was to strike out the words " or street railway" wherever they appear in section 5 thereof.

That the Senate concur in the House amendment to seation 9 of the Senate substitute so that line 4 of said substitute will now read as follows:
"Such changes, however, need only be signed and acknowledged by such officers of the corporation as may be designated to perform such act by the stockholders."

That the House recede from its amendment to strike the words "and street railway" from line 3 of section 10 in the Senate substitute.

That the Senate concur in the House amendment to Senate substitute in line 5 of section 12 by inserting after the word "election" the following words, "or 'special election called," so that said section 12 of said substitute, after the word " thereof,' in the fifth line, shall read as follows: "If a majority of the votes cast at any regular election or special election called for that purpose be in favor of such renewal, and if those wishing such renewal will purchase the stock of those opposed thereto at its real value."

That the Senate concur in the House amendment to Senate substitute by inserting the words "shall be a misdemeanor and" at the beginning of the third line of section 14 so that said section 14 down to and including the word "court," in the fourth line thereof, shall read as follows: "Intentional fraud in failing to comply substantially with the articles of incorporation or in deceiving the public or individuals in relation to their means or their liabilities shall be a misdemeanor and shall subjest those guilty thereof to fine or imprisonment, or both, at the discretion of the court."

That the House recede from its amendment to line 10 of section 15 of the Senate substitute which sought to insert after the word "existing" the following words, "and for all that shall thereafter be contracted while they shall respectively continue in office."

That the Senate concur in the House amendment to section 21 of the Senate substitute, which House amendment atruck from said section 21 the following words: "The stock of all corporations for pecuniary profit heretofore created shall, on or before the first day of January, 1899, be returned to the proper officers of the corporation issuing the same and a similar endorsement made thereon, and after that date no stocir of any corporation existing under the laws of Iowa shall be voted at a stockholders' meeting or have any legal force or validity until such endorsement is placed thereon by the proper officers of the corporation issuing the same."

That the House recede from its amendment to strike out sections 29, 30 and 31, with the Senate amendments thereto, so that said sections, 29, 30 and 31, of the Senate substitute with the Senate amendments thereto, shall now remain and constitute a part of the bill; except the Senate amendment to section 31, referred to in the next succeeding paragraph of this report and from which the Senate recedes.

That the Senate recede from the amendment to section 31, of the Senate substitute, which sought to add thereto the following: "corporations organized under the provisions of this chapter shall have the right to purchase, own and convey all such real estate as may be necessary for the transaction of their business."

That section 32, of the Senate substitute, shall be amended after the word "Iowa," in the third line thereof, so that the balance of said section 32, of the Senate substitute, after the word "Iowa" shall read as follows:
"An action therefor may be instituted by the Attorney-General in the name of the State, reserving, however, to the stockholders and creditors all rights now possessed by them."

That as an additional section to chapter 1 , to be placed at the ond thereof, the following shall be incorporated: "Corporations organized in any foreign country, or corporations organized in this country, the stook of which is owned in whole or in part by aliens or non-residents, shall have the same rights, powers and privileges with regard to the purchase and $\rho^{w}$ wership of real estate in this State as are granted to non-resident aliens in section 2, chapter 1, title 14, of this Code."
R. T. St. John,
G. M. Putnam, Thos. Lambert, W. S. Allen, Conferees for the House.
J. M. Junein, G. S. Gilbertson, Warren Garet, Thos. D. Healy, Conferees for the Senate.
Mr. Allen filed the following motion:
Mr. Speaker-I move that the House members of the Conference Committee on the substitute for Senate file No. 8, a bill for an act to revise, amend and codify the statutes in relation to revenue, be instructed to ask for a report from said conference committee recommending that the House recede from the Cheshire amendment and that the Senate concur in the House amendment fixing 25 per cent of the total valuation as the basis of the tax levies.

Mr. Haugen raised the point of order that the motion was out of order as Senate file No. 8 was no longer before the members, and that the House had no right to instruct a conference committee. Also that the proper method of action is to show approval or disapproval of the conference committee report by the roll call upon said report.

The Speaker overruled the point of order owing to the fact that the work of the session must be completed without the defeat of the revenue bill and that an expression of the House on this question would be very helpful to the committee, and to the promotion of harmony.

Mr. Bell moved to amend the motion of Mr. Allen by striking out all after the word "recommending" andinsert in lieu thereof as follows: "That the House recede from its amendment fixing 25 per cent of the total valuation as the basis of the tax levies and that the Senate concur in the House amendments striking out sections $27,28,29,30,38,39,43$, and 44 , of chapter 1 and inserting in lieu thereof a substitute therefor commonly known as the Cheshire amendment."

Mr. Van Houten moved to lay this motion with the proposed amendment on the table.

A roll call on this question resulted as follows:
On the question, 'Shall the motion of Mr. Allen and the amendment of Mr. Bell be laid on the table?" the yeas were:

Messrs. Bailey, Bird, Brant, Brinton, Byington, Cook, Dowell, Evans, Griswold, Haugen, Hauger, Hunt, Jay, Johnson of Webster, Klemme, Lambert, McAchran, McDonald, McQuin," Martin, Mayne, Miller of Buena Vista, Morrison of Grundy, Morrison of Keokuk, Nietert, Parker, Perrott, Porter, Prentis, Ray, Reed, St. John, Temple, Thompson, Van Houten, Wells, Wheeler-37.

The nays were:
Messrs. Allen, Baker, Bell, Bowen, Brady, Brighton, Chapman, Clark, Classen, Cornwall, Crow, Davis, Doubleday, Edwards, Finch, Frazee, Frink, Garner, Good, Grote, Gurley, Hayes, Hazen, Hendershot, Hinkhouse, Hinman, Huntley, Jackson, Ladd, Lauder, Loomis, Lowry, McArthur, McDowell, McNulty, Manahan, Marti, Miller of Cherokee, Miller of Warren, Mullin, Potter, Power, Putnam, Scott, Spaulding, Sullivan, Tibbitts, Voelker, Watters, Weaver, Whelan, Whittier, Williams, Wilson, Wood-55.

Absent or not voting:
Messrs. Early, Funk, Johnston of Franklin, Lavender, Merriam, Nolan, Smith, Mr. Speaker-8.

So the motion was lost.
Mr. Allen moved the previous question.
Carried.
On the question, "Shall the amendment of Mr. Bell be adopted?" the yeas were:

Messrs. Bailey, Bell, Bird, Bowen, Byington, Cook, Grote, Huntley, McQuin, Marti, Mayne, Miller of Cherokee, Parker, Scott, Van Houten, Wells-16.

The nays were:
Messrs. Allen, Baker, Brady, Brant, Brighton, Brinton, Chapman, Clark, Classen, Cornwall, Crow, Davis, Doubleday, Dowell, Edwards, Evans, Finch, Frazee, Frink, Garner, Good, Griswold, Gurley, Hauger, Hayes, Haz9n, Hendershot, Hinkhouse, Hinman, Hunt, Jackson, Jay, Johnson of Webster, Ladd, Lambert, Lauder, Loomis, Lowry, McAchran, McArthur, McDonald, McDowell, McNulty, Manahan, Martin, Merriam, Miller of Warren, Morrison of Grundy, Morrison of Keokuk,

Mullin, Nietert, Perrott, Porter, Potter, Power, Prentis, Putnam, Ray, Reed, Spaulding, St. John, Sullivan, Thompson, Tibbitts, Voelker, Watters, Weaver, Wheeler, Whelan, Whittier, Williams, Wilson, Wood-73.

Absent or not voting:
Messrs. Early, Funk, Haugen, Johnston of Franklin, Klemme, Lavender, Miller of Buena Vista, Nolan, Smith, Temple, Mr. Speaker-11.

So the amendment was lost.
On the question, "Shall the motion of Mr. Allen prevail?" the yeas were:

Messrs. Allen, Bell, Brady, Brighton, Chapman, Clark, Cornwall, Crow, Davis, Doubleday, Edwards, Finch, Frink, Gurley, Hayes, Hendershot, Hinkhouse, Hunt, Jackson, Johnson of Webster, Ladd, Lauder, Loomis, Lowry, McArthur, McDonald, McDowell, McNulty, Merriam, Morrison of Keokuk, Mullin, Nietert, Potter, Putnam, Spaulding, Sullivan, Tibbitts, Voelker, Watters, Weaver, Wheeler, Whelan, Williams, Wilson, Wood-45.

The nays were:
Messrs. Bailey, Bird, Bowen, Brant, Brinton, Byington, Classen, Cook, Dowell, Evans, Frazee, Garner, Good, Griswold, Grote, Haugen, Hauger, Hazen, Hinman, Huntley, Jay, Klemme, Lambert, McAchran, McQuin, Manahan, Marti, Martin, Mayne, Miller of Buena Vista, Miller of Cherokee, Miller of Warren, Morrison of Grundy, Parker, Perrott, Porter, Power, Prentis, Ray, Reed, Scott, St. John, Temple, Thompson, Van Houten, Wells, Whittier, Mr. Speaker-48.

Absent or not voting:
Messrs. Baker, Early, Funk, Johnston of Franklin, Lavender, Nolan, Smith-7.

So the motion was lost.

## MESSAGE FROM THE SENATE.

The following message was received from the Senate:
Mr. Speaker-I am directed to inform your honorable body that the Senate has adopted the report of the Conference Committee on House file No. 16, a bill for an act to revise, amend and codify the statutes in relation to corporations.

Geo. A. Newman, Secretary.
The House took up conference committee report on House file No. 16.

On the question, "Shall the report of the conference committee be adopted?" the yeas were:

Messrs. Allen, Bailey, Baker, Bell, Bird, Bowen, Brady, Brighton, Brinton, Byington, Chapman, Clark, Classen, Cook, Cornwall, Crow, Davis, Doubleday, Dowell, Early, Edwards, Evans, Finch, Frazee, Frink, Garner, Good, Grote, Gurley, Haugen, Hauger, Hayes, Hazen, Hendershot, Hinkhouse, Hinman, Hunt, Huntley, Jay, Johnson of Webster, Klemme, Ladd, Lambert, Lauder, Loomis, Lowry, McAchran, McDowell, McNulty, McQuin, Marti, Martin, Mayne, Merriam, Miller of Buena Vista, Miller of Cherokee, Miller of Warren, Morrison of Grundy, Mullin, Nietert, Nolan, Perrott, Porter, Potter, Power, Prentis, Putnam, Ray, Reed, Scott, Smith, St. John, Sullivan, Temple, Thompson, Tibbitts, Van Houten, Voelker, Watters, Weaver, Wells, Wheeler, Whelan, Whittier, Williams, Wilson, Mr. Speaker-87.

Mr. McArthur voted in the negative.
Absent or not voting:
Messrs. Brant, Funk, Griswold, Jackson, Johnston of Franklin, Lavender, McDonald, Manahan, Morrison of Keokuk, Parker, Spaulding, Wood-12.

So the report of the committee was adopted.
The special order, Senate file No. 91, relative to public printing and binding, was taken up.

Mr. Whelan was called to the chair.
The Speaker resumed the chair.
On motion of Mr. Smith, the amendments of the committee were adopted.

Mr. Ray moved to strike out the word "circulars" in line 3 of section 22 of the printed bill.

Carried.
Mr. Smith moved that the rule be suspended, and that the bill be read a third time now, which motion prevailed, and the bill was read a third time.

On the question, "Shall the bill pass?" the yeas were:
Messrs. Allen, Bailey, Baker, Bell, Bird, Bowen, Brady, Brant, Brighton, Brinton, Byington, Clark, Classen, Cook, Cornwall, Crow, Davis, Doubleday, Dowell, Early, Edwards, Evans, Finch, Frazee, Frink, Funk, Good, Griswold, Grote, Haugen, Hauger, Hayes, Hendershot, Hinkhouse, Hinman, Huntley, Jackson, Jay, Johnson of Webster, Klemme, Ladd, Lambert, Lauder, Loomis, Lowry, McAchran, McArthur,

McDowell, McNulty, McQuin, Manahan, Martin, Mayne, Merriam, Miller of Buena Vista, Miller of Cherokee, Miller of Warren, Morrison of Grundy, Morrison of Keokuk, Mullin, Nietert, Nolan, Perrott, Porter, Powers, Prentis, Putnam, Ray, Reed, Scott, Smith, Spaulding, St. John, Sullivan, Temple, Thompson, Tibbitts, Van Houten, Voelker, Watters, Weaver, Whelan, Whittier, Williams, Wilson, Wood, Mr. Speaker-87. The nays were:
Messrs. Chapman, Garner, Gurley, McDonald, Marti, Parker, Wells-7.

Absent or not voting:
Messrs. Hazen, Hunt, Johnston of Franklin, Lavender, Potter, Wheeler-6.

So the bill passed and the title was agreed to.
The following explanations of votes were filed:
Mr. Speaker-While I am in favor of abolishing the offices of State printer and State binder, believing that the only fair and economical plan in to let the State printing and binding in open cempetition, to the lowest responsible bidder, I vote for the present printing and binding bill because in my opinion it is the best that can be obtained at this time.

Thos. F. Lambert.
Mr. greaker-I vote "no" because this bill allows the present prices for printing and binding two years longer.

N. A. Wells.

Mr. Spraker-I vote for Senate file No. 91, because I believe it to be the best measure that can be reached at this time. I am in favor of the contract plan and feel very confident that it would make a good saving to the people over the present system.

> Р. А. Smitн.

Mr. Haugen moved to reconsider the vote just taken on Senate file No. 91.

Mr. Prentis moved to lay this motion on the table. Carried.

## MESSAGE FROM THE SENATE.

The following message was received from the Senate:
Mr. Speaker-I am directed to inform your honorable body that the Senate has adopted the conference committee report on House File No. 85, a bill for an act to revise, amend and codify the statutes in relation to crimes and punishments.

Geo. A. Newman, Secretary.

CONFERENCE COMMITTEE REPORT.
Mr. President and Mr. Speaker--Your conference committee of the Senate and House, rppointed to confer upon the disagreement in relation
to the amendments to House file No. 85, a bill for an act to revise, amend, and codify the statutes in relation to crimes and punishments, beg leave to report that they have had the same under consideration, and report the same back with the recommendation that the Senate recede from its amendment to section 31, chapter 2 , page 869 , striking out the following:
"No person shall be convicted under the provisions of this section unless the evidence of the prosecuting witness be corroborated by other evidence tending to connect the defendant with the commission of the crime."

That the following be adopted as a substitute for sections 40 and 41, chapter 2, page 870:

Sec. 40. Every man who shall marry any woman for the purpose of escaping prosecution for seduction, and shall afterward desert her without good cause, shall be deemed guilty of a misdemeanor and, upon conviction, shall be punished accordingly.

Also renumber the remaining sections of thie chapter to correspond.
That the Senate recede from its amendment adding section 19, to chapter 4, page 876.

That the Senate recede from its amendment to chapter 4, page 878, inserting the following as section 27 thereof: "Sec. 27. If any person maliciously bruise, break, pull up, carry away, cut down, injure, or destroy any fruit or ornamental tree, vine, or shrub, standing or growing on the land of another for ornament or use, and of the value of twenty dollars or over, he shall be imprisoned in the penitentiary not exceeding five years; if the value thereof be less than twenty dollars he shall be imprisoned in the county jail not more than one year or be fined not exceeding five hundred dollars."

Your committee further recommend that the followiag be inserted after section 26 of the bill as section 27 , and that the sections of the chapter be renumbered: "Sec. 27 . If any person maliciously or mischievously bruise, break, pull up, carry away, cut down, injure, destroy, or sever from the land, any fruit, ornamental, or other tree, vine, or shrub standing or growing on the land of another for ornament or use, he shall upon conviction thereof be punished by imprisonment in the county jail not more than one year or by fine not more than five hundred dollars or both."

That the House concur in the Senate amendment to section 1, chapter 5, page 879 , striking out the word "fifteen" and inserting "five."

That the Senate recede from its amendment to section 10 , chapter 5 , line 12, page 880, striking out the word "fifteen" and inserting "five," and that the said section be amended by striking out of line 12 the word "fifteen" and inserting in lieu thereof the word "ten."

That the House concur in the Senate amendment to section 4, line 3, chapter 7, page 886, striking out the words "or in any manner threatens or intimidates."

That the House concur in the Senate amendment to section 23, chapter 7 , page 889 , striking out of the third line after the word "custody" the words " with or without a warrant."

That the Senate recede from its amendment to section 2, chapter 8, page 892, inserting after the word "on" in line 4 the words "or before."

Also that the Senate recede from its amendment to section 3, chapter 8, page 892, inserting after the word " on" in the third line the words "or before."

That the House concur in the Senate amendment to section 5, line 6, chapter 9 , page 895, striking out the words "if any man or woman marry within the fourth degree of consanguinity."

That the House concur in Senate amendment to section 14, line 10; chapter 10 , page 903 , inserting after the word "such" the words " and in the manner and subject to the regulation prescribed in this chapter."

That the Senate concur in the House amendment to Senate amendment. to section 15, chapter 10, striking out the word "pounds" in the next to the last line and inserting the word "per cent;" also strike out in the same line " to the one hundred pounds."

That the House and Senate recede from its amendment to section 6, chapter 11, page 906, striking out of line 2 the word "cigarette."

That the House concur in the Senate amendment to chapter 11, after section 7, inserting the following as section 8 :
"Sec. 8. There shall be assessed a tax of three hundred dollars per annum against every person, partnership, or corporation, and upon the real property and the owner thereof, within or whereon any cigarettes, cigarette paper or cigarette wrapper, or any paper made or prepared for use in making cigarettes or for the purpose of being filled with tobacco for smoking, are sold, or given away, or kept with intent to be sold, bartered or given away under any pretext whatever. Such tax shall be in addition to all other taxes and penalties, shall be assessed, collected and distributed in the same manner as the mulet liquor tax, and shall be a perpetual lien upon all property, both personal and real, used in connection with the business; and the payment of such tax shall not be a bar to prosecution under any law prohibiting the manufacturing of cigarettes or cigarette paper, or selling, bartering or giving away the same. But the provisions of this section shall not apply to the sales by jobbers and wholesalers in doing an interstate business with customers outside the State."

That the Senate recede from its amendment to section 24, chapter 11, page 909 , striking out the words "or bury three feet beneath the surface."

That the Senate recede from its amendment to section 39, chapter 11, page 910, striking out the words "or any other thistle."

That the House concur in the Senate amendment to section 39, chapter 11, page 910, adding at the end of the section the following: "And shall be punished by a fine not exceeding one hundred dollars or imprisonment in the county jail not more than thirty days."

That the Senate concur in the House amendment to Senate amendment to section 10 , chapter 12 , page 913 , striking out the word "horses" after the word "driving."

That the House concur in the Senate amendment to section 31, chapter 13 , page 918 , striking out all after the word "states," in the second line, down to and including the word "button."

That the House concur in the Senate amendment to section 7, line 3, chapter 13, page 914, striking out the word "nor" and inserting the word "not."

That the House concur in the senate amendment to section 12, chapter 12, page 913, as follows:


#### Abstract

"Sec. 12. If any person be found on the first day of the week, commonly called Sunday, engaged in carrying firearms, hunting, shooting, fishing, horse racing, dancing, or in playing games of football or baseball, or in any manner disturbing a worshiping assembly or private family, or in buying or selling property of any kind, or in any labor except that of necessity or charity, he shall be fined not more than five nor less than one dollar, and be imprisoned in the county jail until the fine, with costs of prosecution, shall be paid; but this shall not be construed to prohibit labor on such day by those who observe the seventh day of the week as the Sabbath, or to prevent persons traveling, or familios emigrating from pursuing their journey, or keepers of toll bridges, toll gates and ferrymen from attending the same. Respectfully submitted,


C. F. Johnston,
W. B. Bell,
W. C. McArthige,
E. C. Spaulding, Conferees for the House.
C. A. Carpheter,
L. C. Blanchard,
J. H. Trewin,
W. H. Berry, Conferees for the Senate.
On motion of Mr. Cornwall, Senate file No. 103, with report of committee recommending indefinite postponement, was taken up, considered, and the report of the committee rejected.

Mr. Cornwall moved to amend the bill by adding at the end of section 1 the words 'provided, however, that this act shall in no way affect pending litigation."

Adopted.
Mr. Cornwall moved that the rule be suspended, and that the bill be read a third time now, which motion prevailed, and the bill was read a third time.

On the question, "Shall the bill pass?" the yeas were:
Messrs. Allen, Baker, Bell, Bird, Brant, Brighton, Byington, Clark, Crow, Davis, Doubleday, Dowell, Early, Edwards, Finch, Frazee, Funk, Griswold, Grote, Hayes, Hazen, Hendershot, Hinkhouse, Hinman, Jackson, Klemme, Ladd, Lambert, Loomis, McAchran, McDowell, McNulty, McQuinn, Marti, Martin, Mayne, Merriam, Miller of Buena Vista, Miller of Cherokee, Morrison of Grundy, Morrison of Keokuk, Nietert, Nolan, Parker, Perrott, Porter, Power, Prentis, Putnam, Ray, Reed, Smith, Spaulding, Sullivan, Temple, Tibbitts, Voelker, Watters, Wells, Whelan, Whittier, Williams, Wilson, Wood, Mr. Speaker-65.

The nays were:
None.

Absent or not voting:
Messrs. Bailey, Bowen, Brady, Brinton, Chapman, Classen, Cook, Cornwall, Evans, Frink, Garner, Good, Gurley, Haugen, Hauger, Hunt, Huntley, Jay, Johnson of Webster, Johnston of Franklin, Lauder, Lavender, Lowry, McArthur, McDonald, Manahan, Miller of Warren, Mullin, Potter, Scott, St. John, Thompson, Van Houten, Weaver, Wheeler-35.

So the bill passed and the title was agreed to.

## REPORT OF COMMITTEE.

Mr. Wood, from the Committee on Appropriations, submitted the following report:

Mr. Speaker-Your Committee on Appropriations, to whom was referred House file No. 2, a bill for an act to provide for the payment of certain sums to employes of Institution for Feeble-minded Children, at Glenwood, on aecount of losses sustained by fire August 29, 1896, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the name be referred to the Twenty-seventh General Assembly.
A. L. Wood,

Chairman.
Ordered passed on file.
Also:
Mr. Speaker-Your Committee on Appropriations to whom was referred House file No. 109, a bill for an act to amend chapter 136, laws of the Twenty-fifth General Assembly, relating to appropriations for hospital for the insane at Cherokee, Iowa, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the house with the recommendation that the same be indefinitely postponed.

A. L. Wood, Chairman.

Ordered passed on file.
On motion of Mr. Hinman the House adjourned till 2 p. m.

## AFTERNOON SESSION.

The House met at 2 p. m., with Speaker Byers in the chair, The House took up the conference committee report on House file No. 85, relating to crimes and punishments.

On the question "Shall the report of the conference committee be adopted?" the yeas were:

Messrs. Bailey, Bell, Bowen, Brady, Brighton, Brinton, Chapman, Clark, Cook, Evans, Frink, Funk, Hauger, Hinman, Huntley, Johnston of Franklin, Klemme, Loomis, Martin, Miller of Buena Vista, Miller of Cherokee, Miller of Warren, Morrison of Grundy, Mullin, Nietert, Parker, Prentis, Scott, Spaulding, St. John, Thompson, Van Houten, Watters, Wells, Whittier, Williams-36.

The nays were:
Messrs. Baker, Brant, Crow, Davis, Doubleday, Dowell, Edwards, Frazee, Gurley, Hayes, Hazen, Hendershot, Hinkhouse, Hunt, Lauder, Lowry, McAchran, McArthur, McDonald, McDowell, McNulty, Manahan, Marti, Mayne, Morrison of Keokuk, Nolan, Perrott, Porter, Potter, Power, Putnam, Reed, Sullivan, Temple, Tibbitts, Voelker, Whelan, Wilson, Wood-. 39.

Absent or not voting:
Messrs. Allen, Bird, Byington, Classen, Cornwall, Early, Finch, Garner, Good, Griswold, Grote, Haugen, Jackson, Jay, Johnson of Webster, Ladd, Lambert, Lavender, McQuin, Merriam, Ray, Smith, Weaver, Wheeler, Mr. Speaker-25.

So the report of the conference committee was rejected.
The Speaker appointed as the House members of the Conference Committee on House file No. 85, for further conference on said bill, Messrs. Brinton, McDonald, Edwards and Wilson.

On motion of Mr. Klemme, House file No. 101, which was reinstated on the Calendar on yesterday, was taken up and considered.

Mr. Klemme moved that the rule be suspended and that the bill be considered engrossed and read a third time now, which motion prevailed, and the bill was read a third time.

On the question, "Shall the bill pass?" the yeas were:
Messrs. Allen, Baker, Bell,Bird, Bowen, Brady, Brant, Byington, Chapman, Clark, Crow, Davis, Doubleday, Dowell, Early, Edwards, Evans, Frazee, Funk, Grote, Gurley, Haugen, Hayes, Hazen, Hendershot, Hinkhouse, Hinman, Johnston of Franklin, Klemme, Ladd, Lavender, McDowell, McNulty, McQuin, Manahan, Marti, Martin, Mayne, Miller of Buena Vista, Miller of Cherokee, Morrison of Grundy, Morrison of Keokuk, Nietert, Nolan, Parker, Perrott, Porter, Power, Prentis, Reed, Smith, Spaulding, St. John, Sullivan, Temple, Thompson, Tibbitts,

Watters, Wells, Wheeler, Whelan, Whittier, Williams, Wilson, Wood, Mr. Speaker-66.

The nays were:
Messrs. Bailey, Cook, McArthur, Miller of Warren, Mullin, Scott-6.

Absent or not voting:
Messrs. Brighton, Brinton, Classen, Cornwall, Finch, Frink, Garner, Good, Griswold, Hauger, Hunt, Huntley, Jackson, Jay, Johnson of Webster, Lambert, Lauder, Loomis, Lowry, McAchran, McDonald, Merriam, Potter, Putnam, Ray, Van Houten, Voelker, Weaver-28.

So the bill passed and the title was agreed to.

## introduction of bills.

By Mr. Finch, House file No. 113, a bill for an act to legalize the ordinances and acts of the council of the incorporated town of Renwick, Humboldt county, Iowa.

Read first and second time and referred to Committee on Code Revision, Third Division.

By Mr. Finch, House file No. 114, a bill for an act to legalize the incorporation of the town of Pocahontas, Pocahontas county, Iowa, the election of its officers, and all acts done and ordinances passed by the town council of said town, including the official acts of the present officers.

Read first and second time and referred to Committee on Code Revision, Third Division.

The Senate joint resolution No. 8, relative to the Secretary of the Senate and Clerk of the House certifying to the Secretary of State at the close of the present session, a complete file of the Journals of the House and the Senate as corrected was called up and referred to the Committee on Appropriations.

REPORT OF CONFERENCE COMMITTEE.
Mr. President and Mr. Speaker-Your committee on conference to whom was referred substitute for Senate file No. 8 , a bill for an act to revise, amend and codify the statutes in relation to the revenue, beg leave to report that they have had the same under consideration and desire to submit the following:

It is recommended that the Senate concur in House amendment to section 12, chapter 1.

That the Senate concur in House amendments to section 13, chapter 1.
That the Senate concur in House amendments to section 63, chapter 1.
That the Senate concur in House amendments to section 68, ehapter 1.
That the Senate concur in House amendment to section 40, chapter 2.
That the House recede from amendments to section 1, line 6, and section 4, line 3, chapter 4.

That House and Senate each recede from amendments to section 45, chapter 1.

We desire to report further that your committee is unable to agree upon the basis of assessment and what is known as the Cheshire amendment and ask that this committee be discharged and a new conferenee committee be appointed.

> J. H. Funk,
> P. A. Smith, Thos. F. Nolan, Conferees for the House.
> A. B. Funk,
> H. L. Waterman,
> B. F. Carroll,
> C. S. Rance,
> Conferees for the Senate.

Mr. Dowell moved to adjourn till 9 A. M. to-morrow.
Messrs. Haugen and Crow demanded the yeas and nays, which resulted as follows:

On the question, "Shall the House adjourn?" the yeas were: Messrs. Byington, Chapman, Classen, Dowell, Finch, Funk, Garner, Hayes, Lowry, McQuin, Marti, Nolan, Power, Sullivan, Voelker, Wheeler-16.

The nays were:
Messrs. Allen, Bell, Bird, Brant, Brinton, Cook, Crow, Davis, Doubleday, Evans, Frazee, Frink, Good, Haugen, Hauger, Hazen, Hinman, Klemme, Ladd, McArthur, McDowell, McNulty, Martin, Merriam, Miller of Buena Vista, Morrison of Keokuk, Nietert, Parker, Perrott, Potter, Prentis, Putnam, Ray, Scott, Smith, Thompson, Van Houten, Watters, Whelan, Williams -40 .

Absent or not voting:
Messrs. Bailey, Baker, Bowen, Brady, Brighton, Clark, Cornwall, Early, Edwards, Griswold, Grote, Gurley, Hendershot, Hinkhouse, Hunt, Huntley, Jackson, Jay, Johnson of Webster, Johnston of Franklin, Lambert, Lauder, Lavender, Loomis, McAchran, McDonald, Manahan, Mayne, Miller of Cherokee, Miller of Warren, Morrison of Grundy, Mullin, Porter, Reed, Spaulding, St. John, Temple, Tibbitts, Weaver, Wells, Whittier, Wilson, Wood, Mr. Speaker-44.

So the motion was lost.
Mr. Ray was granted permission to withdraw his concurrent resolution introduced this forenoon relative to mail carrier.

On motion of Mr. Klemme, House adjourned till 9 A. M. to-morrow.

House met at 9 a. m., Speaker Byers in the chair.
Prayer by Rev. W. F. Laidly of Moulton, Iowa.
REPORT OF COMMITTEE.
Mr. Finch, from the Committee on Code Revision, Division No. 3, submitted the following report:

Mr. Spacker-Your Committee on Code Revision, Division No. 3, to whom was referred House file No. 114, a bill for an act to legalize the incorporation of the town of Pocahontas, Pocahontas county, Iowa; the election of its officers and all acts done and ordinances passed by the council of said town, including the efficial acts of the present officers, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the House, with the recommendation that the same do pass.

Parley Finch, Chairman.

Ordered passed on file.
Also:
Mr. Speaker-Your Committee on Code Revision, Division No. 3, to whom was referred House file No. 113, a bill for an act to legalize the ordinances and acts of the council of the incorporated town of Renwick, Humboldt county, Iowa, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same do pass.

> Pakley Finch,
> Chairman.

Ordered passed on file.
On motion of Mr. Finch House file No. 113, with report of committee recommending passage was taken up, considered, and the report of the committee adopted.

Mr. Finch moved that the rule be suspended, and that the bill be considered engrossed and read a third time now, which motion prevailed, and the bill was read a third time.

On the question, "Shall the bill pass?" the yeas were:
Messrs. Allen, Baker, Bell, Brant, Byington, Chapman, Clark, Crow, Davis, Doubleday, Early, Evans, Finch, Frazee,

Funk, Hauger, Hazen, Hendershot, Hinkhouse, Hinman, Jay, Johnson of Webster, Johnston of Franklin, Klemme, Ladd, Lambert, Lavender, Loomis, McAchran, McDowell, McQuin, Manahan, Marti, Martin, Mayne, Merriam, Miller of Buena Vista, Morrison of Grundy, Morrison of Keokuk, Nolan, Potter, Power, Prentis, Putnam, Ray, Reed, Spaulding, St. John, Sullivan, Voelker, Watters, Wells, Wheeler, Whelan, Whittier, Williams, Wood, Mr. Speaker-58.

## - The nays were:

None.
Absent or not voting:
Messrs. Bailey, Bird, Bowen, Brady, Brighton, Brinton, Classen, Cook, Cornwall, Dowell, Edwards, Frink, Garner, Good, Griswold, Grote, Gurley, Haugen, Hayes, Hunt, Huntley, Jackson, Lauder, Lowry, McArthur, McDonald, McNulty, Miller of Cherokee, Miller of Warren, Mullin, Nietert, Parker, Perrott, Porter, Scott, Smith, Temple, Thompson, Tibbitts, Van Houten, Weaver, Wilson-42.

So the bill passed and the title was agreed to.
On motion of Mr. Finch House file No. 114, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Mr. Finch moved that the rule be suspended, and that the bill be considered engrossed and read a third time now, which motion prevailed, and the bill was read a third time.

On the question, "Shall the bill pass?" the yeas were:
Messrs. Allen, Baker, Bell, Brant, Byington, Chapman, Clark, Crow, Davis, Doubleday, Dowell, Early, Evans, Finch, Frazee, Frink, Funk, Garner, Hazen, Hendershot, Hinkhouse, Hinman, Jay, Johnson of Webster, Johnston of Franklin, Klemme, Ladd, Lambert, Lavender, Loomis, McAchran, McDowell, McNulty, McQuin, Manahan, Marti, Martin, Mayse, Merriam, Miller of Buena Vista, Miller of Cherokee, Morrison of Grundy, Morrison of Keokuk, Nolan, Potter, Prentis, Putnam, Ray, Reed, Spaulding, St. John, Sullivan, Tibbitts, Voelker, Watters, Wells, Wheeler, Whelan, Whittier, Williams, Mr. Speaker-61.

The nays were:
None.
Absent or not voting:
Messrs. Bailey, Bird, Bowen, Brady, Brighton, Brinton, Classen, Cook, Cornwall, Edwards, Good, Griswold, Grote,

Gurley, Haugen, Hauger, Hayes, Hunt, Huntley, Jackson, Lauder, Lowry, McArthur, McDonald, Miller of Warren, Mullin, Nietert, Parker, Perrott, Porter, Power, Scott, Smith, Temple, Thompson, Van Houten, Weaver, Wilson, Wood-39.

So the bill passed and the title was agreed to. INTRODUCTION OF BILLS.
By Mr. Van Houten, House file No. 115, a bill for an act to abolish the Iowa Soldiers' and Sailors' Monument Commission, and transfer their duties to the Executive Council.

Read first and second time.
On motion of Mr. Morrison of Keokuk, House file No. 115 was taken up and considered.

Mr. Van Houten moved that the rule be suspended, and that the bill be considered engrossed and read a third time now, which motion prevailed, and the bill was read a third time.

On the question, "Shall the bill pass?" the yeas were:
Messrs. Allen, Bailey, Baker, Bell, Bird, Bowen, Brady, Brighton, Byington, Chapman, Clark, Classen, Cook, Cornwall, Crow, Davis, Doubleday, Dowell, Early, Evans, Finch, Frazee, Frink, Garner, Good, Gurley, Haugen, Hayes, Hazen, Hendershot, Hinkhouse, Hinman, Hunt, Huntley, Jay, Johnson of Webster, Johnston of Franklin, Klemme, Ladd, Lauder, Lavender, Loomis, Lowry, McAchran, McDowell, McNulty, McQuin, Manahan, Marti, Martin, Mayne, Miller of Buena Vista, Miller of Cherokee, Miller of Warren, Morrison of Grundy, Morrison of Keokuk, Mullin, Nietert, Nolan, Parker, Porter, Potter, Prentis, Putnam, Reed, Scott, Spaulding, St. John, Sullivan, Temple, Thompson, Tibbitts, Van Houten, Voelker, Watters, Weaver, Wells, Wheeler, Whelan, Whittier, Williams, Wood, Mr. Speaker-83.

The nays were:
None.
Absent or not voting:
Messrs. Brant, Brinton, Edwards, Funk, Griswold, Grote, Hauger, Jackson, Lambert, McArthur, McDonald, Merriam, Perrott, Power, Ray, Smith, Wilson-17.

So the bill passed and the title was agreed to. MESSAGES FROM THE SENATE.
The following message was received from the Senate:
Mr. Speaker-I am directed to inform your honorable body that the Senate has passed the following joint resolution in which the concurrence of the House is agked:

Joint Resolution No. 6, relating to the use of committee room by the Supreme Court.

## JOINT RESOLUTION NO. 6.

Whereas, It has been the custom of the Supreme Court, at each term, to use one of the committee rooms for the examination of applicants for admission to the bar, and

Whereas, The Supreme Court has no suitable place at its disposal for that purpose; therefore be it

Resolved by the General Assembly of the State of Iowa, That the custodian be authorized to provide the Supreme Court with a suitable room in the Capitol for the purpose of such examination at each term of the Supreme Court.

Geo. A. Newman, Secretary.
Also:
Mr. Speaker-I am directed to inform your honorable body that the President of the Senate has appointed a further conference committee on House file No. 85, a bill for an act to revise, amend and codify the statutes in relation to crimes and punishments, as follows: Senators Garst, Upton, Pusey and Ranck.

Geo. A. Newman, Secretary.
Also:
Mr. Speaker-I am directed to inform your honorable body that the Senate has passed the following concurrent resolution, in which the concurrence of the House is asked, adopting the wild rose as the official flower of Iowa:

CONCURRENT RESOLUTION.
Whereas, The Executive Council has authorized the wild rose of Iowa as one of the decorations on the silver service presented to the battleship Iowa, therefore be it

Resolved by the Senate, the House concurring, That the wild rose shall be officially designated as the flower of this State.

Geo. A. Newman,
Secretary.

## Also:

Mr. Sphaker-I am directed to inform your honorable body that the Senate has passed the following concurrent resolution in which the concurrence of the House is asked, relating to the employment of honorably discharged soldiers and sailors in and about the Capitol:

CONCURRENT RESOLUTION.
Resolved by the Senate, the House concurring, That in all cases where practicable, competency being considered, preference in employing helpin and about the Capitol, as contemplated in joint resolution No. 9, shall be given to honorably discharged Union soldiers and sailors.

> Geo. A. Newman,

Secretary.
Also:
Mr. Sphaker-I am directed to inform your honorable body that the Senate has concurred in certain House amendments and amended certain
other House amendments to Senate file No. 91, a bill for an act to revise, amend and codify the statutes in relation to public printing.

Geo. A. Newmán,
Secretaty.
Also:
Mr. Speaker-I am directed to inform your honorable body that the President of the Senate has appointed as a further conference committee on substitute for Senate file No. 8, a bill for an act to revise, amend and codify the statutes in relation to the revenue, Senators Berry, Pusey, Everall and Funk.

Geo. A. Newman, Secretary.
Also:
Mr. Speaker-I am directed to inform your honorable body that the Senate has passed the following bill, in which the concurrence of the Senate was asked:

House file No. 101, a bill for an act to legalize a certain ordinance of the town council of the town of Ossian, Iowa.

> Geo. A. Newman, Secretary.

The House took up the Senate concurrent resolution relative to making the wild rose the official flower of Iowa, and on motion of Mr. St. John the resolution was adopted.

The House took up the Senate concurrent resolution relative to employment of old soldiers about the Capitol.

Mr. Crow moved to refer this resolution to the committee on charitable institutions.

Messrs. Van Houten and Sullivan demanded the yeas and nays which resulted as follows:

On the question, "Shall the motion prevail?" the yeas were: Messrs. Crow, Gurley, Jackson, Morrison of Keokuk, Smith-5.

The nays were:
Messrs. Allen, Bailey, Bell, Bowen, Brady, Brant, Brinton, Byington, Chapman, Clark, Classen, Cook, Cornwall, Davis, Doubleday, Dowell, Early, Evans, Finch, Frazee, Frink, Garner, Good, Griswold, Haugen, Hazen, Hendershot, Hinkhouse, Hinman, Johnson of Webster, Johnston of Franklin, Klemme, Ladd, Lavender, Loomis, McAchran, McArthur, McDonald, McDowell, McQuin, Manahan, Marti, Martin, Mayne, Miller of Buena Vista, Miller of Warren, Morrison of Grundy, Mullin, Nietert, Nolan, Parker, Porter, Power, Prentis, Putnam, Ray, Reed, Scott, Spaulding, St. John, Sullivan, Thompson, Tib. bitts, Van Houten, Watters, Weaver, Wells, Wheeler, Whelan. Whittier, Williams, Wilson, Wood, Mr. Speaker-74.

Absent or not voting:
Messrs. Baker, Bird, Brighton, Edwards, Funk, Grote, Hauger, Hayes, Hunt, Huntley, Jay, Lambert, Lauder, Lowry, McNulty, Merriam, Miller of Cherokee, Perrott, Potter, Temple, Voelker--21.

So the motion was lost.
Mr . Bell moved that the resolution be adopted.
Mr. Brant moved that further consideration of this resolution be deferred until this House has taken up and acted on joint resolution No. 9.

Mr. Evans moved as a substitute that this resolution be referred to the Committee on Military.

Carried.
Joint resolution No. 6, relative to allowing the Supreme Court the use of a committee room for examination of applicants for admission to the bar at each term of court, was taken up.

On the question, "Shall the joint resolution be adopted?" the yeas were:

Messrs. Allen, Bailey, Baker, Bell, Bird, Bowen Brady, Brant, Brighton, Byington, Chapman, Clark, Classen, Cook, Cornwall, Crow, Davis, Doubleday, Dowell, Evans, Finch, Frazee, Frink, Good, Griswold, Gurley, Hayes, Hazen, Hendershot, Hinkhouse, Hinman, Hunt, Huntley, Jay, Johnson of Webster, Johnston of Franklin, Klemme, Ladd, Lambert, Lauder, Lavender, Loomis, Lowry, McAchran, McArthur, McDowell, McNulty, McQuin, Manahan, Marti, Martin, Mayne, Miller of Buena Vista, Miller of Cherokee, Miller of Warren, Morrison of Grundy, Nietert, Nolan, Parker, Porter, Potter, Power, Prentis, Putnam, Reed, Scott, Smith, Spaulding, St. John, Sullivan, Temple, Thompson, Tibbitts, Van Houten, Voelker, Watters, Weaver, Wells, Wheeler, Whelan, Whittier, Williams, Mr. Speaker-83.

The nays were:
None.
Absent or not voting:
Messrs. Brinton, Early, Edwards, Funk, Garner, Grote, Haugen, Hauger, Jackson, McDonald, Merriam, Morrison of Keokuk, Mullin, Perrott, Ray, Wilson, Wood-17,
$S$, the joint resolution was adopted,

MESSAGE FROM THE SENATE.

## The following message was received from the Senate:

Mr. Spraker-I am directed to inform your honorable body that the Senate has passed the following joint resolution, in which the concurrence of the House is asked: Joint resolution No. 9, fixing the number of employes at the seat of government and their compensation.

Gro. A. Newman, Secretary.
joint resolution no. 9.
Fixing the number of employes at the seat of government and their compensation,

Be it Resolved by the General Assembly of the State of Iowa, Until otherwise ordered by the General Assembly, the number of employes for the various offices at the seat of government, when not otherwise provided for by law, shall at no time exceed the number named herein, and their componsation shall not exceed the amount herein fixed.

For the Adjutant-General's office.
-

One ordnance sergeant who shall also act as a janitor, at a salary
$\qquad$ 720.00

For the Attorney-General's office.
PER ANNUM.
One legal assistant until code takes effect, at a salary of........... \$1,200.00

And he may employ extra help at an expense of not exceeding -.- $\quad \mathbf{4 0 0 . 0 0}$
For the office of Auditor of State.
PER ANNUM.
One chief clerk and examiner of the insurance department at a

One clerk in insurance department at a salary of ....................... $\quad 1,200.00$
One chief clerk in revenue department at a salary of ................. $1,500.00$
One clerk of building and loan department at a salary of.......... $1,200.00$


One janitor who shall also act as messenger at a salary of ........- $\quad 720.00$
And he may employ extra help at an expense not exceeding...-- 500.00
For the office of Clerk of the Supreme Court.
PER ANNOM.

One janitor, who shall also act as messenger and who shall also
act as janitor for the supreme court room, at a salary of .-...- $\quad 600.00$
And he may employ extra help at an expense not exceeding......- $\quad 30000$
For the office of Dairy Commissioner.
PHR ANNUM.


## For the office of Governor.

PER ANNUM.
One pardon clerk at a salary of ..... $\$ 1,500.00$
One chief clerk at a salary of ..... $1,500,00$
One clerk at a salary of ..... $1,000.00$
One stenographer at a salary of ..... 900.00
One stenographer at a salary of ..... 600.00
One janitor, who shall also act as usher, at a salary of ..... 900.00
For the State Librarian's office.
per annem.
One janitor, who shall also act as messenger, at a salary of ..... \$ 720.00
The State mine inspector's office shall be allowed to expend for necessary help not to exceed ..... 400.00
For the Railroad Commissioners' office.
per Annum.
$\$ 1,000.00$
One elerk at a salary of
Per ANNUM.
One chief clerk at a salary of ..... \$1,100.00
One stenographer at a salary of ..... 900.00
One corporation clerk at a salary of ..... 900.00
One assistant corporation clerk at a salary of ..... 720.00
One janitor, who shall also act as messenger, at a salary of ..... 72000
One clerk, who shall have charge of the document room and actas janitor for Executive Council rooms, at a salary of -.-.-.-.- $\quad 720.00$For the office of Superintendent of Public Instruction.
per annum.
One stenographer, who shall also act as clerk, at a salary of ..... $\$ 900.00$
One janitor, who shall also act as assistant, at a salary of ..... 720.00 ..... 720.00
He may also expend for necessary extra clerical assistance not to exceed ..... 500.00
For the Supreme Court Rooms.
PER ANNUM.
One bailiff, who shall also act as janitor for the consultation and judges' rooms and as messenger, at a salary of ..... \$ 900.00
For the office of Treasurer of State.
PER ANNUM.
One stenographer, who shall also act as assistant, at a salary of.. $\$ 1,000.00$ $\begin{array}{ll}\text { One night guard, who shall also act as janitor, at a salary of...- } & 900.00\end{array}$ He may also employ extra help at an expense not exceeding..... $\quad 500.00$
For the Historical Department.
PER ANNUM.
One clerk at a salary of ..... \$ 780.00
One stenographer at a salary of ..... 600.00
One janitor, who shall also act as assistant at a salary of ..... 600.00
For the Executive Council.
PER ANNUM.
One clerk of the supply department at a salary of ..... $1,000.00$
One mail carrier with team and wagon, who shall perform the duties assigned by the Executive Council, at a salary of ..... 1,100.00

## For the Department of Geological Survey.

PER ANNUM.
One stenographer at a salary of........-............................................ 800.00
For the offices of Attorney-General, Railroad Commissioners and
State Agricultural Society there shall be one janitor to be
selected by them, who shall receive a salary of....................... 720.00
For the offices of Dairy Commissioner, Pharmacy Commission, Board of Health and Mine Inspector.

One janitor to be appointed by the Custodian at a salary of....... \$ 72000
For the offices of the Grand Army of the Republic Department, Geological Survey, Horticultural Department and Labor Commissioner.

PER ANNUM.
One janitor to be appointed by the Custodian at a salary of ....... \$ 720.00
The Custodian shall provide the necessary janitor service for all parts of the Capitol building not otherwise provided for, and may employ janitors and other assistants as follows:
per annum.

One carpenter at a salary of

Two night watchmen at a salary of .................................................... 900.00

One janitress for ladies' toilet rooms when needed, at a salary at
the rate of ..-.....-....-......................................................-. 600.00
Two laborers for Capitol grounds and walks at a salary of ........ $\quad 600.00$
The necessary firemen for boiler rooms at a salary of.............. $\quad 720.00$
One elevator tender at a salary of .............................................. 600.00
He shall also be allowed to expend for extra labor not to exceed.- $\quad 500.00$
The Custodian shall dispose of all plants and flowers by ornamenting the capitol grounds with such as can be used, and shall dispose of the remainder with the greenhouse for the benefit of the State, and the maintenance of a greenhouse is hereby ordered to be discontinued.

All salaries provided for herein shall be paid in equal monthly installments.

When appropriations are made for the various offices and departments such salaries shall be paid therefrom.

But this resolution shall not operate to discharge any permanent employe until July 1, 1897, and until that time they shall be paid as heretofore.

This act, being deemed of immediate importance, shall take effect and be in force from and after its publication in the Iowa State Register and the Des Moines Leader, newspapers printed and published at Des Mioines, Iowa.

The House took up Senate file No. 91, with Senate amendments to House amendments thereto.

Mr. Smith moved that the House concur in these Senate amendments.

On the question, "Shall the House concur?" the jeas were: Messrs. Allen, Bailey, Bird, Bowen, Brady, Brant, Brighton, Byington, Clark, Classen, Cook Cornwall, Davis, Doubleday, Dowell, Early, Evans, Finch, Frazee, Frink, Funk, Good, Griswold, Gurley, Haugen, Hayes, Hazen, Hendershot, Hinkhouse, Hunt, Jackson, Johnson of Webster, Johnston of Franklin, Klemme, Ladd, Lambert, Lauder, Lavender, Loomis, McAchran, McArthur, McDonald, McDowell, McNulty, McQuin, Manahan, Marti, Martin, Mayne, Miller of Buena Vista, Miller of Cherokee, Miller of Warren, Morrison of Grundy, Morrison of Keokuk, Mullin, Nietert, Nolan, Parker, Porter, Potter, Prentis, Putnam, Ray, Reed, Scott, Smith, Spaulding, St. John, Sullivan, Temple, Thompson, Tibbitts, Van Houten, Voelker, Watters, Weaver, Wells, Wheeler, Whelan, Whittier, Williams, Wilson, Wood, Mr. Speaker-84.

The nays were:
None.
Absent or not voting:
Messrs. Baker, Bell, Brinton, Chapman, Crow, Edwards, Garner, Grote, Hauger, Hinman, Huntley, Jay, Lowry, Merriam, Perrott, Power-16.

So the House concurred.
The House took up Conference Committee report on Senate file No. 8, which was filed yesterday.

On the question, "Shall the report of the committee be adopted?" the yeas were:

Messrs. Allen, Bailey, Bowen, Brighton, Brinton, Byington, Chapman, Clark, Cornwall, Crow, Davis, Doubleday, Edwards, Evans, Frazee, Frink, Garner, Good, Griswold, Grote, Gurley, Hazen, Hendershot, Hinkhouse, Hinman, Hunt, Huntley, Jackson, Johnston of Franklin, Ladd, Lambert, Lavender, Loomis, Lowry, McAchran, McArthur, McDonald, McDowell, McQuin, Manahan, Martin, Merriam, Miller of Buena Vista, Miller of Cherokee, Miller of Warren, Morrison of Keokuk, Mullin, Nietert, Parker, Potter, Prentis, Putnam, Ray, Reed, Scott, Spaulding, St. John, Sullivan, Temple, Thompson, Tibbitts, Van Houten, Voelker, Watters, Weaver, Wells, Whelan, Whittier, Williams, Mr. Speaker-70.

The nays were:
Messrs. Brady, Classen, Cook, Dowell, Haugen, Johnson of Webster, Klemme, Lauder, McNulty, Marti, Mayne, Morrison of Grundy, Porter, Power, Wheeler, Wilson, Wood-17.

Absent or not voting:
Messrs. Baker, Bell, Bird, Brant, Early, Finch, Funk, Hauger, Hayes, Jay, Nolan, Perrott, Smith-13.

So the report was adopted.
According to the recommendation of the report, the Speaker appointed as House members of the conference committee on Senate file No. 8, for further conference on said bill, Messrs. Temple, Finch, Cook and Byington.

Mr. Early filed the following resolution as a substitute for the concurrent resolution messaged from the Senate, relative to the employment of old soldiers about the Capitol, and asked that it be referred to the Committee on Military: "Substitute for concurrent resolution relative to employment of old soldiers: Resolved by the House, the Senate concurring, That in the appointment or nominations for public office, it is the sense of the Senate and House of Representatives of the State of Iowa that, all other things being equal, ex-Union soldiers and sailors shall be given preference."

Mr. Weaver was called to the chair.
The House took up Joint Resolution No. 9, relative to employes in and about the State House.

The clerk read the resolution.
Mr. Bell moved that the resolution be referred to the Committee on Retrenchment and Reform.

Speaker Byers resumed the chair.
Mr. Doubleday moved the previous question.
Carried.
On the question, "Shall the resolution be referred to the Committee on Retrenchment and Reform?" the yeas were:

Messrs. Bell, Bird, Brant, Classen, Dowell, Early, Edwards, Finch, Grote, Hayes, Huntley, Johnston of Franklin, Klemme, Ladd, Lauder, Lavender, Loomis, McQuin, Miller of Buena Vista, Miller of Cherokee, Morrison of Keokuk, Potter, Van Houten, Watters, Wells, Wood-26.

The nays were:
Messrs. Allen, Bailey, Baker, Bowen, Brady, Brighton, Brinton, Byington, Chapman, Clark, Cook, Cornwall, Crow, Davis, Doubleday, Evans, Frazee, Frink, Good, Gurley, Haugen, Hauger, Hazen, Hendershot, Hinkhouse, Hinman, Hunt, Jackson, Johnson of Webster, Lambert, Lowry, McAchran, McArthur, McDonald, McDowell, McNulty, Marti, Martin, Mayne, Merriam, Morrison of Grundy, Mullin, Nietert, Nolan,

Parker, Prentis, Putnam, Ray, Reed, Scott, Smith, Spaulding, Sullivan, Temple, Thompson, Tibbitts, Voelker, Weaver, Wheeler, Whelan, Whittier, Williams, Wilson, Mr. Speaker-64.

Absent or not voting:
Messrs. Funk, Garner, Griswold, Jay, Manahan, Miller of Warren, Perrott, Porter, Power, St. John-10.

So the motion was lost.
Mr. Haugen moved to reconsider the vote whereby the previous question was ordered.

Carried.
The question, "Shall the main question be now put?" was then put and lost.

Mr. Ray offered the following amendment to the joint resolution: Amend joint resolution No. 9 by inserting before the publication clause the following: "Each House of the General Assembly shall elect at the beginning of each session the following officers, viz: For the Senate, one secretary, two assistant secretaries, one journal clerk, one engrossing clerk, one enrolling clerk, one file clerk, one bill clerk, one postmaster, one sergeant-at-arms, one chief doorkeeper, six assistant doorkeepers, two janitors, fourteen committee clerks, and six pages. Each committee clerk shall be a stenographer and shall be assigned to such duties and such rooms as the Senate may direct. For the House, one chief clerk, two assistant clerks, two journal clerks, one engrossing clerk, one enrolling clerk, one file clerk, one bill clerk, one assistant postmaster, one sergeant-at-arms, one chief doorkeeper, six assistant doorkeepers, three janitors, fourteen committee clerks, and eight pages. Each committee clerk shall be a stenographer and shall be assigned to such duties and to such rooms as the House may direct. For both Houses jointly, one mail carrier. In addition to the above officers the President of the Senate and the Speaker of the House sball each be entitled to a private clerk of his own appointing.

On the question, "Shall the amendment be adopted?" the yeas were:

Messrs. Allen, Brady, Brant, Byington, Chapman, Clark, Cook, Davis, Doubleday, Dowell, Early, Evans, Finch, Frazee, Frink, Good, Grote, Haugen, Hayes, Hazen, Hinkhouse, Hinman, Jackson, Johnson of Webster, Klemme, Lambert, Lauder, Lowry, McDowell, McNulty, McQuin, Marti, Martin, Mayne, Miller of Buena Vista, Miller of Cherokee, Morrison of Grundy,

Morrison of Keokuk, Nolan, Parker, Ray, Reed, Scott, Spaulding, Sullivan, Thompson, Van Houten, Voelker, Watters, Wells, Wheeler, Whelan, Whitlier, Williams, Wilson, Wood, Mr. Speaker-57.

The nays were:
Messrs. Bailey, Bell, Brinton, Classen, Cornwall, Crow, Griswold, Hendershot, Hunt, Huntley, Ladd, Lavender, McAchran, McArthur, McDonald, Merriam, Miller of Warren, Mullin, Nietert, Power, Prentis, Putnam, Smith, Weaver-24.

Absent or not voting:
Messrs. Baker, Bird, Bowen, Brighton, Edwards, Funk, Garner, Gurley, Hauger, Jay, Johnston of Franklin, Loomis, Manahan, Perrott, Porter, Potter, St. John, Temple, Tibbitts19.

So the amendment was adopted.
Mr. Haugen moved to amend as follows: Reduce salary of chief clerk of insurance department from $\$ 1,500$ to $\$ 1,200$; also reduce salary of chief clerk of revenue department from $\$ 1,500$ to $\$ 1,200$; and increase salary of chief clerk in office of Secretary of State from $\$ 1,100$ to $\$ 1,200$.

Messrs. Haugen and Prentis demanded the yeas and nays on this amendment, which resulted as follows:

On the question, "Shall the amendment be adopted?" the yeas were:

Messrs. Bailey, Baker, Bird, Bowen, Chapman, Clark, Evans, Finch, Frazee, Funk, Good, Grote, Haugen, Hauger, Hazen, Hinkhouse, Hunt, Huntley, Jackson, Johnson of Web. ster, Klemme, Lambert, Lauder, Lowry, McAchran, McDowell, McQuin, Marti, Miller of Buena Vista, Miller of Cherokee, Morrison of Grundy, Morris m of Keokuk, Mullin, Nolan, Power, Prentis, Ray, Scott, Smith, Spaulding, Sullivan, Thompson, Tibbitts, Voelker, Watters, Wells, Wheeler, Whelan, Williams, Wilson, Wood, Mr. Speaker--52.

The nays were:
Messrs. Allen, Bell, Brant, Brinton, Classen, Cook, Cornwall, Davis, Doubleday, Edwards, Griswold, Gurley, Hendershot, Hinman, Ladd, Lavender, Loomis, McArthur, McDonald, McNulty, Martın, Mayne, Merriam, Nietert, Parker, Potter, Putnam, Reed, St. John, Weaver-30.

Absent or not voting:
Messrs. Brady, Brighton, Byington, Crow, Dowell, Early, Frink, Garner, Hayes, Jay, Johnston of Franklin, Manahan,

Miller of Warren, Perrott, Porter, Temple, Van Houten, Whit-tier-18.

So the amendment was adopted.
Mr. Klemme moved to strike out the publication clause.
Lost.
Mr. Bird moved to amend as follows: Amend by making the salary of the assistant in charge of the document room $\$ 900$, instead of $\$ 720$ as reported.

Lost.
Mr. Van Houten moved to amend as follows: Strike out the clause ordering the sale of plants and the discontinuance of the greenhouse.

Lost.
Mr. Wells moved to redice the salary of the janitor for the Governor from $\$ 900$ to $\$ 600$.

Adopted by a vote of 36 yeas to 28 nays.
Mr. Weaver moved to reconsider the vote just taken.
Carried by a vote of 39 yeas to 33 nays.
Messrs. Sullivan and McNulty demanded the yeas and nays on the amendment of Mr. Wells, which resulted as follows:

On the question, "Shall the amendment be adopted?" the yeas were:

Messrs. Byington, Chapman, Cook, Frazee Gurley, Hayes, Hazen, Hinkhouse, Hinman, Hunt, Huntley, Jackson, Lowry, McDowell, McQuin, Marti, Nolan, Parker, Power, Scott, Spaulding, Sullivan, Voelker, Wells, Wheeler, Whelan, Williams, Wilson-28.

The nays were:
Messrs. Allen, Bailey, Bell, Bird, Brady, Brant, Clark, Classen, Cornwall, Crow, Davis, Dowell, Early, Evans, Finch, Frink, Garner, Good, Griswold, Grote, Haugen, Hauger, Hendershot, Johnson of Webster, Klemme, Lauder, Lavender, Loomis, McAchran, McArthur, McNulty, Martin, Mayne, Merriam, Miller of Buena Vista, Miller of Cherokee, Miller of Warren, Morrison of Keokuk, Mullin, Nietert, Perroct, Porter, Prentis, Putnam, Ray, Reed, Smith, St. John, Temple, Tibbitts, Weaver, Whittier, Wood, Mr. Speaker-54.

Absent or not voting:
Messrs. Baker, Bowen, Brighton, Brinton, Doubleday, Edwards, Funk, Jay, Johnston of Franklin, Ladd, Lambert, McDonald, Manahan, Morrison of Grundy, Potter, Thompson, Van Heuten, Watters-18.

So the amendment was lost.

Mr. Morrison of Grundy moved to amend the joint resolution by reducing the salaries of the Governor's pardoning clerk and chief clerk from $\$ 1,500$ to $\$ 1,200$ each, per annum.

Mr. Cornwall moved the previous question.
Carried.
On the question, "Shall the amendment prevail?" the yeas were:

Messrs. Bailey, Bell, Brady, Byington, Cook, Finch, Frazee, Gurley, Haugen, Hayes, Hazen, Hendershot, Hinkhouse, Hinman, Hunt, Huntley, Johnson of Webster, Lambert, Lowry, McAchran, McDonald, McDowell, Marti, Miller of Cherokee, Morrison of Grundy, Morrison of Keokuk, Nolan, Parker, Perrott, Porter, Power, Ray, Scott, Smith, Spaulding, Sullivan, Thompson, Tibbitts, Van Houten, Voelker, Watters, Wheeler, Williams, Wilson-44.

The nays were:
Messrs. Allen, Bird, Bowen, Brant, Brinton, Chapman, Clark, Classen Cornwall, Crow, Davis, Doubleday, Dowell, Early, Griswold, Grote, Hauger, Klemme, Lauder, Lavender, Loomis, McNulty, McQuin, Martin, Mayne, Miller of Buena Vista, Mullin, Nietert, Potter, Prentis, Reed, St. John, Temple, Weaver, Wells, Whelan, Whittier, Wood, Mr. Speaker-39.

Absent or not voting:
Messrs. Baker, Brighton, Edwards, Evans, Frink, Funk, Garner, Good, Jackson, Jay, Johnston of Franklin, Ladd, McArthur, Manahan, Merriam, Miller of Warren, Putnam-17.

So the amendment was adopted.
The following motion to reconsider was filed:
Mr. Speaker-I move to reconsider the vote by which the amendment offered by myself was lost.
J. W. Bird.

I second the motion.
W. G. Ladd.

Motion to reconsider carried.
On the question, "Shall the amendment be adopted?" the yeas were:

Messrs. Allen, Bailey, Bell, Bird, Brady, Brighton, Brinton, Byington, Chapman, Classen, Crow, Davis, Doubleday, Dowell, Early, Edwards, Griswold, Grote, Gurley, Haugen, Hauger, Hinman, Huntley, Johnston of Franklin, Ladd, Lauder, McAchran, McNulty, McQuin, Mayne, Merriam, Miller of Buena Vista, Miller of Cherokee, Miller of Warren, Morrison of Grundy, Mullin, Nietert, Nolan, Parker, Perrott,

Porter, Potter, Prentis, Putnam, Ray, Reed, Smith, St. John, Sullivan, Temple, Tibbitts, Van Houten, Voelker, Watters, Weaver, Wells, Wheeler, Whelan, Williams, Wood-60.

The nays were:
Messrs. Baker, Bowen, Brant, Clark, Cook, Cornwall, Evans, Finch, Frazee, Good, Hazen, Hendershot, Hinkhouse, Hunt, Jackson, Johnson of Webster, Klemme, Lavender, Lowry, McDonald, McDowell, Martin, Morrison of Keokuk, Power, Scott, Spaulding, Mr. Speaker-27.

Absent or not voting:
Messrs. Frink, Funk, Garner, Hayes, Jay, Lambert, Loomis, McArthur, Manahan, Marti, Thompson, Whittier, Wilson-13.

So the amendment was adopted.
On the question, "Shall joint resolution No. 9, as amended by the House, be adopted?" the yeas were:

Messrs. Allen, Bailey, Baker, Bell, Bird, Bowen, Brady, Brant, Brighton, Brinton, Byington, Chapman, Clark, Classen, Cook, Cornwall, Crow, Doubleday, Dowell, Early, Evans, Finch, Frazee, Frink, Garner, Good, Griswold, Grote, Gurley, Haugen, Hauger, Hazen, Hendershot, Hinkhouse, Hinman, Hunt, Huntley, Johnson of Webster, Johnston of Franklin, Lambert, Lavender, Loomis, Lowry, McAchran, McDonald, McDowell, McNulty, McQuin, Marti, Martin, Mayne, Merriam, Miller of Buena Vista, Miller of Cherokee, Miller of Warren, Morrison of Grundy, Morrison of Keokuk, Mullin, Nietert, Nolan, Parker, Perrott, Porter, Potter, Power, Prentis, Putnam, Ray, Reed, Scott, Smith, Spaulding, St. John, Sullivan, Temple, Thompson, Tibbitts, Van Houten, Voelker, Watters, Weaver, Wells, Wheeler, Whittier, Williams, Wilson, Wood, Mr. Speaker-88.

The nays were:
Messrs. Klemme and Whelan-2.
Absent or not voting:
Messrs. Davis, Edwards, Funk, Hayes, Jaekson, Jay, Ladd, Lauder, McArthur, Manahan-10.

So the resolution was adopted.
Mr. Ray moved to reconsider the vote just taken.
Mr . Hayes moved to lay this motion on the table.
Carried.
REPORT OF CONFERENCE COMMITTEE.
Mr. Brinton presented the following conference committee report on House file No. 85:

Mr. President and Mr. Spraker-Your conference committee of the Senste and House, appointed to confer upon the disagreement in relation to the amendments to House file No. 85, a bill for an act to revise, amend and codify the statutes in relation to crimes and punishments, beg leave to report that they have had the same under consideration and report the same back with the recommendation that the Senate recede from its amendment to section 31, chapter 2, page 869, striking out the following: "No person shall be convicted under the provisions of this section unless the evidence of the prosecuting witness be corroborated by other evidence tending to connect the defendant with the commission of the crime."

That the following be adopted as a substitute for sections 40 and 41, chapter 2, page 870: "Sec. 40. Every man who shall marry any woman for the purpose of escaping prosecution for seduction, and shall afterward desert her without good cause, shall be deemed guilty of a misdemeanor, and upon conviction shall be punished accordingly."

Also, renumber the remaining sections of the chapter to correspond.
That the Senate recede from its amendment adding section 19 to chapter 4, page 876.

That the Senate recede from its amendment to chapter 4, page 878, inserting the following as section 27 thereof: "Sec. 27. If any person maliciously bruise, break, pull up, carry away, cut down, injure or destroy any fruit or ornamental tree, vine or shrub, standing or growing on the land of another for ornament or use, and of the value of twenty dollars or over, he shall be imprisoned in the penitentiary not exceeding five years; if the value thereof be less than twenty dollars, he shall be imprisoned in the county jail not more than one year or be fined not exceeding five hundred dollars."

Your committee further recommend that the following be inserted after section 26 of the bill, as section 27 , and that the sections of the chapter be renumbered: "Sec. 27. If any person maliciously or mischievously bruise, break, pull up, carry away, cut down, injure, destroy or sever from the land, any fruit, ornamental or other tree, vine, or shrub standing or growing on the land of another for ornament or use, he shall upon conviction thereof be punished by imprisonment in the county jail not more than one year or by fine not more than five hundred dollars, or both."

That the House concur in the Senate amendment to section 1, chapter 5, page 879, striking out the word "fifteen" and inserting " five."

That the Senate recede from its amendment to section 10, chapter 5, line 12, page 880, striking out the word "fifteen" and inserting "five;" and that the said section be amended by striking out of line 12 the word "fifteen" and inserting in lieu thereof the word "ten."

That the House concur in the Senate amendment to section 4, line 3, chapter 7, page 886, striking out the words "or in any manner threatens or intimidates."

- That the House concur in the Senate amendment to section 23, chapter 7, page 889, striking out of the third line after the word "custody" the words " with or without a warrant."

That the Senate recede from its amendment to section 2 , chapter 8, page 892, inserting ofter the word " on" in line 4, the words "or before."

Also that the Senate recede from its amendment to section 3, chapter 8, page 892, inserting after the word "on" in third line the words "or before."

That the House concur in the Senate amendment to section 5, line 6, chapter 9 , page 895 , striking out the words "if any man or woman marry within the fourth degree of consanguinity."

That the Senate amendment to section 14, line 10, chapter 10, page 903, be amended by inserting after the word "such" the words "and in the manner and subject to the regulations prescribed in this chapter."

That the Senate concur in the House amendment to Senate amendment to section 15, chapter -10, striking out the word "pounds" in the next to the last line and inserting the words "per cent;" also, strike out in the same line "to the one hundred pounds."

That the House and senate recede from its amendment to section 6, chapter 11, page 906, striking out of line 2 the word "cigarette."

That the House concur in the Senate amendment to chapter 11, after section 7, inserting the following as section 8: "Sec. 8. There shall be assessed a tax of three hundred dollars per annum against every person, partnership, or corporation and upon the real property, and the owner thereof, within or whereon any cigarettes, cigarette paper or cigarette wrapper, or any paper made or prepared for use in making cigarettes or for the purpose of being filled with tobacco for smoking, are sold, or given away, or kept with intent to be sold, bartered or given away under any pretext whatever. Such tax shall be in addition to all other taxes and penalties, shall be assessed, collected and distributed in the same manner as the mulct liquor tax and shall be a perpetual lien upon all property, both personal and real used in connection with the business; and the payment of such tax shall not be a bar to prosecution under any law prohibiting the manufacturing of cigarettes or cigarette paper, or selling, bartering or giving away the same. But the provisions of this section shall not apply to the sales by jobbers and wholesalers in doing an interstate business with customers outside the State."

That the Senate recede from its amendment to section 24, chapter 11, page 909 , striking out the words "or bury three feet beneath the surface."

That the House concur in the Senate amendment to section 39, chapter 11, page 910, striking out the words "or any other thistle."

That the House concur in the Senate amendment to section 39, chapter 11, page 910 , adding at the end of the section the following: "and shall be punished by a fine not exceeding one hundred dollars or imprisonment in the county jail not more than thirty days."

That the Senate concur in the House amendment to Senate amendment to section 10, chapter 18, page 913, striking out the word "horses" after the word "driving."

That the House concur in the Senate amendment to section 31, chapter 13, page 918, striking out all after the word "states" in the second line down to and including the word "button."

That the Senate amendment to section 12 , chapter 12 , page 913 , be stricken out and the following be inserted therefor: "Sec. 12. If any person be found on the first day of the week, commonly called Sunday, engaged in carrying firearms, hunting, shooting, horse racing, dancing, or in any manner disturbing a worshiping assembly or private family, or in
buying or selling property of any kind, or in any labor except that of necessity or charity, he shall be fined not more than five nor less than one dollar, and be imprisoned in the county jail until the fine, with costs of prosecution, shall be paid; but nothing herein contained shall be construed to extend to those who conscientiously observe the seventh day of the week as the Sabbath, or to prevent persons traveling, or families emigrating from pursuing their journey, or keepers of toll bridges, toll gates and ferrymen from attending the same.

Respectfully submitted,
M. H. Brinton,
A. H. Edwards, J. L. Wilson, M. McDonald, Committee for House. Warren Garst, C. S. Rance, N. M. Pusey, C. C. Upton, Committee for Senate.
MESSAGES FROM THE SENATE.
The following messages were received from the Senate:
Mr. Speaker-I am directed to inform your honorable body that the Senate has concurred in the following bill, in which the concurrence of the Senate was asked:

House file No. 115, a bill for an act to abolish the Iowa Soldiers' and Sailors' Monument Commission, etc.

Geo. A. Newman, Secretary.

Also:
Mr. Speaker-I am directed to inform your honorable body that the Senate has passed the following bill in which the concurrence of the House is asked:

House file No. 103, a bill for an act to legalize the action of the electors of the incorporated town of Audubon, Iowa,

Gro. A. Newman, Secretary.
Also:
Mr. Speaker-I am directed to inform your honorable body that the Senate has passed the following bill, in which the concurrence of the House is asked:

House flle No. 100, a bill for an act to legalize the action of the board of supervisers of Dallas county, Iowa.

Gho. A. Newman,
Secretary.
On motion of Mr. Tibbits, the House adjourned till 2 P. M.

## AFTERNOON SESSION.

The House met at 2 p. m. with Speaker Byers in the chair. The Journals of Wednesday, May 5, and Thursday, May 6, were corrected and apprcved.

## MESSAGES FROM THE SENATE.

The following message was received from the Senate:
Mr. Spfaker-I am directed to inform your honorable body that the Senate has adopted the report of the second Conference Committee on House file No. 85, a bill for an act to revise, amend and codify the statutes in relation to crimes and punishments.

> Geo. a. Newman, Secretary.

Also:
Mr. Speaker-I am directed to inform your honorable body that the Senate has passed the following bill, in which the concurrence of the Senate was asked:

House fle No. 114, a bill for an act to legalize the incorporation of the town of Pocahontas, Iowa.

Geo. A. Nefman,
Secretary.
Also:
Mr. Speaker-I am directed to inform your honorable body that the Senate has passed the following bill in which the concurrence of the Senate wan asked:

House file No. 113, a bill for an act to legalize the ordinances and acts of the council of the incorporated town of Renwick, Iowa.

Geo. A. Newman, Secretary.
The House took up conference committee report on House file No. 85, relative to crimes and punishments.

Mr. Brinton moved the adoption of the report of the conference committee.

On the question, "Shall the report of the committee be adopted?" the yeas were:

Messrs. Bailey, Bird, Bowen, Brady, Brant, Brighton, Brinton, Chapman, Clark, Crow, Davis, Doubleday, Dowell,

Edwards, Evars, Frink, Funk, Garner, Good, Grote, Gurley, Haugen, Hauger, Hendershot, Hinkhouse, Hinman, Hunt Jackson, Johnson of Webster, Johnston of Franklin, Klemme, Lauder, Lavender, Loomis, Lowry, McAchran, McArthur, McDonald, McDowell, McQuin, Manahan, Marti, Martin, Mayne, Miller of Buena Vista, Miller of Cherokee, Morrison of Grundy, Morrison of Keokuk, Mullin, Neitert, Nolan, Parker, Porter, Potter, Prentis, Putnam, Ray, Reed, Spaulding, Sullivan, Thompson, Tibbitts, Van Houten, Voelker, Watters, Weaver, Wells, Whelan, Whittier, Wilson, Mr. Speaker-71.

The nays were:
Messrs. Bell, Perrott, Scott-B.
Absent or not voting:
Messrs. Allen, Baker, Byington, Classen, Cook, Cornwall, Early, Finch, Frazee, Griswold, Hayes, Hazen, Huntley, Jay, Ladd, Lambert, McNulty, Merriam, Miller of Warren, Power, Smith, St. John, Temple, Wheeler, Williams, Wood-26.

So the report of the committee was adopted.
House file No. 109, recommended by Committee on Appropriations for indefinite postponement, was taken up and on motion of Mr. Weaver was indefinitely postponed.
message from the senate.
The following message was received from the Senate:
Mr. Speaker-I am directed to inform your honorable body that the Senate has amended and passed the following bill, in which the concurrence of the Senate was asked:

House file No. 7, a bill for an act relating to the Code and its operation Geo. A. Newman, Secretary.
House file No. 7, with Senateamendments thereto, was taken up and considered.

On the question, "Shall the House concur in Senate amendments to this bill?" the yeas were:

Messrs. Allen, Bailey, Baker, Bell, Bird, Bowen, Brady, Brant, Brighton, Brinton, Byington, Chapman, Clark, Classen, Crow, Davis, Doubleday, Dowell, Evans, Frazee, Frink, Funk, Garner, Good, Griswold, Gurley, Haugen, Hazen, Hendershot, Hinkhouse, Hinman, Huntley, Jackson, Johnston of Franklin, Klemme, Ladd, Lambert, Lauder, Lavender, Loomis, Lowry, McAchran, McDonald, McDowell, McNulty, McQuin, Manahan, Marti, Martin, Mayne, Miller of Buena Vista, Miller of Cherokee, Miller of Warren, Morrison of Grundy, Morrison of Keokuk, Mullin, Nietert, Nolan, Parker, Perrott, Porter, Potter, Sullivan, Tibbitts, Van Houten, Voelker, Watters, Wells, Whelan, Whittier, Williams, Wilson, Wood, Mr. Speaker-81. The nays were:
None.
Absent or not voting:
Messrs. Cook, Cornwall, Early, Edwards, Finch, Grote, Hauger, Hayes, Hunt, Jay, Johnson of Webster, McArthur, Merriam, Power, Ray, Temple, Thompson, Weaver, Wheeler -19 .

So the House concurred.
The Speaker signed, in the presence of the House, Senate files Nos. 105, 104, 110, 111, 100, 108, 106, 102, 48 and Senate joint resolution No. 7.

On motion of Mr. Putnam, House adjourned till 9 A. m. to-morrow.

# Hall of the House of Representativeg. Des Moines, Iowa, Saturday, May 8, 1897. \} 

House met at 9 A. m., Speaker Byers in the chair.
Prayer by Dr. Elmina Farquhar Cook, of Marshalltown, Iowa.

## MESSAGE FROM THE SENATE.

## The following message was received from the Senate:

Mr. Speakifr-I am directed to inform your honorable body that the Senate has passed the following bill, in which the concurrence of the House is asked:

Senate file No. 112, a bill for an act to make appropriation for the payment of compensation of members of the Twenty-sixth General Assembly at extra session, of state expenses and other bills.

Geo. A. Nrwmint, Secretary.

Mr. Bell presented the following petition signed by one hundred business men of Marshalltown, Iowa.

PETITION.
An act to prohibit the sale and furnishing of intoxicating liquors to members of the Iowa Soldiers' Home.

Seotion -. Be it enacted, that it shall not be lawful for any person to knowingly sell, furnish, give, or cause to be sold, furnished or given, to any member of the Iowa Soldiers' Home, except when prescribed by the authorized surgeon of the home, or when such members may be away from the city of Marshalltown, on furlough or leave of absence, any spirituous, malt, fermented or vinous liquors.

SEC. - Any permon whe shall violate any provisions of this act, shall upon conviction thereof, be punished by a fine of not less.than $\$ 25$, nor more than $\$ 100$, together with costs of prosecution, or imprisonment in the county jail not to exceed ninety days, or by both sush fine and imprisonment in the discretion of the court.

We, the undersigned citizens of Marahalltown, believe, from our permonal observation and knowledge, that as a disciplinary measure and in the interest of charity and kindness for the inmates of the Iowa Soldiers' Home, that if the above and foregoing measure was enacted into a law in this state it would be crowned with the same beneficent results as are claimed by the commandant of the Michigan Soldiers' Home, viz.: That there is
not an average of two cases of intoxication per hundred of the membership of that home per year.

Therefore, we pray that the above may be enacted into a law.

## MESSAGES FROM THE SENATE.

The following message was received from the Senate:
Mr. Speaker-I am directed to inform your honorable body that the Senate asks that Senate file No. 112 be returned to the Senate.

Geo. A. Newman,
Secretary.
Mr. Evans in the chair.
The Speaker resumed the chair.
Mr. Brighton in the chair.
Also:
Mr. Spgaker-I am directed to inform your honorable body that the Senate has concurred in certain House amendments and refuses to concur in certain other House amendments to joint resolution No. 9, relative to number of employes at the seat of government, and their compensation.

Geo. A. Newman, Secretary.
Speaker resumed the chair.
Mr. Prentis moved that the House recede from those amendments to this joint resolution No. 9 in which the Senate refused to concur.

Mr. Morrison of Grundy, moved as a substitute that the House insist on all those amendments in which the Senate refused to concur.

On the question, "Shall the motion of Mr. Morrison of Grundy, prevail?" the yeas were:

Messrs. Bailey, Bell, Bird, Brady, Brant, Chapman, Clark, Cook, Crow, Doubleday, Early, Funk, Good, Haugen, Hinman, Huntley, Johnson of Webster, Johnston of Franklin, Klemme, Loomis, McAchran, McNulty, Martin, Miller of Buena Vista, Morrison of Grundy, Morrison of Keokuk, Nolan, Parker, Perrott, Ray, Scott, Spaulding, Sullivan, Thompson, Van Houten, Watters, Wells, Wheeler, Whittier, Williams, Mr. Speaker-41.

The nays were:
Messrs. Allen, Bowen, Brighton, Brinton, Classen, Cornwall, Davis, Dowell, Edwards, Evans, Frazee, Frink, Griswold, Gurley, Hazen, Hendershot, Hinkhouse, Hunt, Jackson, Jay, Ladd, Lauder, Lavender, McDowell, McQuin, Marti, Mayne, Merriam, Miller of Cherokee, Miller of Warren, Mullin, Nietert,

Porter, Potter, Prentis, Putnam, Reed, Smith, Temple, Tibbitts, Voelker, Weaver, Whelan-44.

Absent or not voting:
Messrs. Baker, Byington, Finch, Garner, Hauger, Hayes, Lambert, Lowry, McArthur, McDonald, Manahan, Power, St. John, Wilson, Wood-15.

So the House refused to insist on all those House amendments in which the Senate refused to concur.

Mr. Brant in the chair.
Speaker Byers in the chair.
Mr. Tibbitts moved the previous question.
Carried.
On the question of Mr. Prentis that the House recede, the yeas were:

Messrs. Allen, Baker, Bowen, Brant, Brighton, Brinton, Classen, Cornwall, Davis, Doubleday, Dowell, Edwards, Evans, Frink, Funk, Griswold, Grote, Gurley, Hendershot, Hinkhouse, Hinman, Hunt, Jackson, Jay, Johnston of Franklin, Ladd, Lambert, Lauder, Lavender, Loomis, McArthur, McDowell, McQuin, Marti, Mayne, Merriam, Miller of Buena Vista, Miller of Cherokee, Mullin, Nietert, Nolan, Perrott, Porter, Potter, Prentis, Putnam, Reed, Smith, Thompson, Tibbitts, Voelker, Weaver, Whelan, Mr. Speaker-54.

The nays were:
Messrs. Bailey, Bird, Brady, Chapman, Clark, Crow, Early, Frazee, Good, Haugen, Hazen, Huntley, Johnson of Webster, Lowry, McAchran, McNulty, Manahan, Martin, Miller of Warren, Morrison of Grundy, Morrison of Keokuk, Parker, Power, Ray, Scott, Spaulding, Sullivan, Van Houten, Watters, Wells, Wheeler, Whittier, Williams-33.

Absent or not voting:
Messrs. Bell, Byington, Cook, Finch, Garner, Hauger, Hayes, Klemme, McDonald, St. John, Temple, Wilson, Wood -13.

So the House receded from all those amendments in which the Senate refused to concur.

Mr. Prentis moved to reconsider the vote just taken.
Mr. Reed moved to lay this motion on the table.
Carried.
The Speaker signed in open session of the House, House files No. 38, 7, 6, and 115.

## REPORT OF COMMITTEE ON ENROLLED BILLS.

Mr. Hauger, from the Committee on Enrolled Bills, submitted the following report:

Mr. Speaker-Your Committee on Enrolled Bills respectfully report that they have carefully examined the following bills, and find them correctly enrolled:

House file No. 38, a bill for an act to revise, amend and codify the statutes in relation to the inspection of petroleum products.

House file No. 115, a bill for an act to abolish the Iowa Soldiers' and Sailors' Monument Commission, and transfer their duties to the Executive Council.

House file No. 7, a bill for an act relating to the Code and its operation.

> W. E. HaUGEr, Chairman.
Ordered passed on file.
Also:
Mr. Speaker-Your Committee on Enrolled Bills reepectfully report that they have carefully examined the following bills and find them correctly enrolled:

House file No. 6, a bill for an act providing for the publication and construction of the statutes.

W. E. Hatarr,<br>Chairman.

Ordered passed on file.
REPORT OF JOINT COMMITTEE ON ENROLLED BILLS.
Mr. Hauger, from Joint Committee on Enrolled Bills, submitted the following report:

Mr. Speaker-Your Joint Committee on Enrolled Bills respectfully report that they have carefully examined the following bills and find them correctly enrolled:

House file No. 38, a bill for an act to revise, amend and codify the statutes in relation to the inspection of petroleum products.

House file No. 6, a bill for an act providing for the publication and construction of the statutes.

House file No. 7, a bill for an act relating to the Code and its operation.
W E. Hatuer, Chairman House Committee.
G. S. Gilbertson, Chairman Senate Committee.
Ordered passed on file.
Also:
Mr. Speaker-Your Joint Committee on Enrolled Bills respectfully report that they have carefully examined the following bills, and find them correctly enrolled:

House file No. 115, a bill for an act to abolish the Iowa Soldiers' and Sailors' Monument Commission and transfer their duties to the Executive Council.

Senate file No. 102, a bill for an act to legalize the location of public highways on all section lines in township number ninety-eight and ninetynine, north, range number twenty-five, west; also township numbers ninety-eight, ninety-nine, north, range number twenty-six, west, Winnebago county, Iowa.

Senate file No. 106, a bill for an act to legalize the acts of the city of Keokuk, Iowa, in changing the grade of Orleans street from Fourth street to the top of the piling between Third and Fourth streets in said city, and in improving said street, and in levying the tax against the abutting property for the costs of said improvements and in issuing certificates therefor.
w. E. Hauger, Chairman House Committee. G. S. Gilbertson, Chairman Senate Committee.

## Ordered passed on file.

## Also:

Mr. Speaker-Your Joint Committice on Enrolled Bills respectfully report that they have carefully examined the following bills and find them correetly enrolled:

Joint resolution No. 7, relating to the use of committee rooms by the Code Supervising Committee, and allowing stationery, stamps and supplies for its use.

Senate file No. 108, a bill for an act to legalize certain ordinances of the incorporated town of Waucoma, Fayette county, Iowa.

Senate file No. 100, a bill for an act to legalize the incorporation of the town of Larrabee, Cherokee county, Iowa, election of its officers, acts done and ordinances passed by the council of said town.

W. E. Hauger, Chairman House Committee.<br>G. S. Gilbertson,<br>Chairman Senate Committee.

Ordered passed on file.
Also:
Mr. Speaker-Your Joint Committee on Enrolled Bills respectfully report that they have carefully examined the following bills, and find them correctly enrolled:

Senate file No. 111, a bill for an act to legalize the election held at Sumner, Iowa, on October 12, 1894, for the issuance of bonds for waterworks.

Senate file No. 110, a bill for an act to authorize the board of supervisors to transfer to the county road fund so much of the surplus of the general fund as arises from the taxation of the traffic in intoxicating liquors.

Senate File No. 104, a bill for an act to legalize certain elections held in the incorporated town of Volga City, county of Clayton, and State of Iowa.
W. E. Hauger, Chairman House Committee.
G. S. Gilbertson, Chairman Senate Conmittee.
Ordered passed on file,

Also:
Mr. Speaker-Your Joint Committee on Enrolled Bills respectfully report that they have carefully examined the following bills and find them correctly enrolled:

Senate file No. 105, an act to legalize the acts and resolutions of the city of Keokuk, relative to the curbing, guttering and paving of Eleventh street in said city, from the north line of Main street, and the issuance of certificates therefor.

Senate file No. 20, a bill for an act to revise, amend and codify the statutes in relation to construction and operation of railways.

Senate file No. 48, a bill for an act to revise, amend and codify the statutes in relation to the State library and historical collections.
W. E. Hauger, Chairman House Committee.
G. S. Gilbertson, Chairman Senate Committee.
Ordered passed on file.
On motion of Mr. Merriam, House adjourned till 2 P. m

## AFTERNOON SESSION.

House met at 2 P. m., Speaker Byers in the chair.
Journal of yesterday corrected and approved.
The Speaker signed in open session of the House, House files Nos. 101, 100, 114, 113, 99, 104, 112, 111 and Senate files Nos. 91, 103, joint resolution No. 6 and Senate file No. 20.
message from the senate.
The following message was received from the Senate:
Mr. Speaker-I am directed to inform your honorable body that the Senate desires to recall joint resolution No. 8, relating to the certification of the Journals to the Secretary of State and providing for indexing the same.

Geo. A. Newman, Secretary.

REPORT OF COMMITTEE ON ENROLLED BILLS.
Mr. Hauger, from Committee on Enrolled Bills, submitted the following report:

Mr. Speaker-Your Committee on Enrolled Bills respectfully report that they have carefully examined the following bills, and find them correctly enrolled:

House file No. 101, a bill for an act to legalize a certain ordinance of the town council of the town of Ossian, Winneshiek county, Iowa.

House file No. 112, a bill for an act to legalize the incorporation of the town of Rathbun, Iowa, and all ordinances and acts passed by the town council.

House file No. 111, a bill for an act to legalize the action of the clerk of the district court and the auditor of Tama county, Iowa, in preparing and depositing in boxes the ballots of the grand and petit jurors and talesmen for use in Tama county for the year 1897.

W. E. Hauger, Chitrman.

Ordered passed on file.
Also:
Mr. Speakur-Your Committee on Enrolled Bills respectfully report that they have carefully examined the following bills, and find them correctly enrolled:

House file No. 99, a bill for an act to legalize the acts of and to establish the independent school district of Washington Mills.

House flle No. 114, a bill for an act to legalize the incorporation of the town of Pocahontas, Pocahontas county, Iowa, the election of its officers, and all acts done and ordinances passed by the council of said town, including the official acts of the present officers.

House file No. 100, a bill for an act to legalize the action of the board of supervisors of Dallas county, Iowa, relating to the levy for county revenue for 1896.

> W. E. HavaEr,
> Chairman.

Ordered passed on file.

## Also:

Mr. Speaker-Your Committee on Enrolled Bills respectfully report that they have carefully examined the following bills and find them correctly enrolled:

House file No. 104, a bill for an act legalizing the acts of C. A. O'Harrow, a justice of the peace in and for Owen township, Cerro Gordo county, Iowa.

House file No 113, a bill for an act to legalize the ordinances and acts of council of the incorporated town of Renwick, Humboldt county, Lowa.
W. E. Hauger, Chairman.
Ordered passed on file.
Also:
Mr. Speaker-Your Committee on Enrolled Bills respectfully report that they have this day sent to the Governor for his approval:

House file No. 38, a bill for an act to revise, amend and codify the statutes in relation to the inspection of petroleum products.

House file No. 6, a bill for an act providing for the publication and construction of the statutes.

House file No. 115, a bill for an act to abolish the Iowa Soldiers' and Sailors' Monument Commission and transfer their duties to the Executive Council.

W. E. Hauger, Chatrman.

Ordered passed on file.
Also:
Mr. Speaker-Your Committee on Enrolled Bills respectfully report that they have this day sent to the Governor for his approval, House file No. 7, a bill for an act relating to the Code and its operation.

> W. E. Havari, Chairman.

May 8, 1897.
REPORT OF JOINT COMMITTEE ON ENROLLED BILLS.
Mr. Hauger, from the Joint Committee on Enrolled Bills, submitted the following report:

Mr. Speaker-Your Joint Committee on Enrolled Bills respectfully report that they have carefully examined the following bills, and find them correctly enrolled:

House file No. 114, a bill for an act to legalize the incorporation of the town of Pocahontas, Pocahontas county, Iowa, the election of its officers and all acts done and ordinances passed by said town council of said town, including the official acts of the present officers.

House file No. 99, a bill for an act to legalize the acts of and to establish the independent school district of Washington Mills.

House file No. 113, a bill for an act to legalize the ordinances and acts of the council of the incorporated town of Renwick, Humboldt county, Iowa.

W. E. Hauger, Chairman House Committee.<br>G. S. Gilbertson, Chairman Senate Committee.

Ordered passed on file.
Also:
Mr Speaker-Your Joint Committee on Enrolled Bills respectfully report that they have carefully examined the following bills and find them correctly enrolled:

House file No. 100, a bill far an act to legalize the action of the board of supervisors of Dallas county, Iowa, relating to the levy for county revenue for 1896

House file No. 101, a bill for an act to legalize a certain ordinance of the town council of the town of Ossian, Winneshiek county, Iowa.

House file No. 104, a bill for an act legalizing the acts of C. A. O'Harrow, a justice of the peace in and for Owen township, Cerro Gordo county, Iowa.
W. E. Havaer, Chairman House Committee.
G. S. Gilbertson, Chairman Senate Committee.
Ordered passed on file.

Also:
Mr. Speaker-Your Joint Committee on Enrolled Bills respectfully report that they have carefully examined the following bills, and find them correctly enrolled:

House file No. 111, a bill for an act to legalize the action of the clerk of the district court and the auditor of Tama county, Iowa, in preparing and depositing in boxes the ballots of the grand and petit jurors and talesmen for use in Tama county for the jear 1897.

House file No. 112, a bill for an act to legalize the incorporation of the town of Rathbun, Iowa, and all ordinances and acts passed by the council.
W. E. Hauger, Chairman House Committee. G. S. Gilbertson, Chairman Senate Committee.
Ordered passed on file.
Mr. Dowell was called to the chair.
The Speaker resumed the chair.

## messages from the senate.

The following message was received from the Senate:
Mr. Speaker-I am directed to inform your honorable body that the Senate has passed the following bill, in which the concurrence of the House is asked:

Senate file No. 112, a bill for an act to make appropriations for the payment of the compensation of members of the Twenty-sixth General Assembly, at extra session, of State expenses and other bills.

Geo. A. Newman, Secretary.

## Also:

Mr. Speaker-I am directed to inform your honorable body that the Senate has adopted the conference committee report on substitute for Senate file No. 8, a bill for an act to revise, amend and codify the statutes in relation to the revenue and concurred in House amendment to page 30, section 6, line 9.

Geo. A. Nemman, Secretary.

## REPORT OF CONFERENCE COMMITTEE.

Mr. Temple, from the Conference Committee on substitute for Senate file No. 8, submitted the following report:
To the Speaker of the House and President on the Senate:
Your conference committee, to whom was referred the points of difference between the Houses in the substitute for Senate file No. 8, a bill for an act to revise, amend and codify the statutes in relation to the revenue, respectfully report that they have had the same under consideration and have agreed upon the following recommendations:

They recommend that the Senate concur in House amendment to line 2 , section 3, chapter 1 , striking out the words "thirty-three and one-third" and inserting in lieu thereof the words "twenty-five."

They further recommend that the words "thirty-three and one-third" wherever they may occur in the bill in reference to taxable value of property be changed to the words "twenty-five."

They further recommend that the House recede from its amendment substituting sections $27,28,29,30,31,32,33,34,35,36,37,38$ and 39 for Senate sections $27,28,29,30,38,39,43$ and 44 of chapter 1 of the Senate bill and that the following be substituted for section 27 of the Senate bill.
"Sec. 27. Every telegraph or telephone company operating a line in this State shall on or before the first day of May in each year furnish to the Auditor of State a statement verified by its president or secretary showing:

1. The total number of miles owned, operated or leased within the State with a separate showing of the number leased.
2. The average number of poles per mile and the whole number of poles on their lines in this State.
3. The total number of miles in each separate line or division thereof, also the average number of separated wires thereon.

4 The whole number of stations on each line and the value of the same including furniture.
5. The whole number of instruments on each separate line and the gross rental charges per instrument where the same are rented to patrons of the company making the return together with the number of stations maintained, other than railroad stations.
6. The gross receipts and operating expenses of said company for the year ending December 31st next preceding, on business originating or terminating in this State.
7. The gross receipts and operating expenses of said company for the year ending December 31st next preceding, and not included in the statement made under sub-section 6 hereof.
8. The total capital stock of said company.
9. The number of shares of capital stock issued and outstanding and the par or face value of each share.
10. The market value of such shares of stock on the first day of January next preceding, and if such shares have no market value, the actual value thereof.
11. All real estate and other property owned by such company and subject to local taxation within this State.
12. The specific real estate together with the permanent improvements thereon owned by such company and situated outside this State and taxed as other real estate in the State where located with a specific description of each piece, where, located and the purpose for which the same is used and the actual value thereof in the locality where situated.
13. All mortgages upon the whole or any part of its property together with the dates and amounts thereof.
14. a. The total length of the lines of said company.
b. The total length of the lines of said company outside this State."

They further recommend that the following be substituted as section 28 of the bill:
"Section 28. Upon the receipt of said statements from the several companies the Auditor of State shall lay the same before the Executive Council, and if it shall deem the same insufficient and that further information is
requisite, it shall require the offieer making same to make such other or further atatement as it may desire. In case of failure or refusal of any company to make out or deliver to the Auditor of State the statements required in this chapter, such company shall forfeit and pay to the State of Iowa one hundred dollars for each day such report is delayed beyond the first day of May, to be sued and recovered in any proper form of action in the name of the State and on the relation of the Auditor of State, and such penalty when collected shall be paid into the general fund of the State."

They further recommend that the following be adopted as section 29 of the bill:
"Section 29. The executive council shall at its meeting on the second Monday in July in each year proceed to find the actual value of the property of such companies in this State, taking into consideration the information obtained from the statement above required and any further information they can obtain, using the same as a means for determining the aetual cash value of the property of such companies within this State, also taking into consideration the valuation of all property of such companies, including franohises, and the use of the property in connection with lines outside the State, and making such deductions as may be necessary on account of extra value of property outside the State as compared with the value of property in the State in order that the actual cash value of the property of the company within this State may be ascertained, and after finding the actual cash value of the property of the company within this State it shall deduct from the total amount of same the actual cash value of the property belonging to the company assessed for taxation in local taxing districts in this State, and shall assess the property of such company at its taxable value as thus found."

Renumber the sections of chapter 1, from 29, making section 29 of the bill section 30 and so on to the end of the chapter.

They also recommend that section 38 of the bill be amended by inserting in line 4 thereof after the word "made" "the value of each car so used."

> M. L. Temple,
> P. Finch,
> R. E. Cook,
> O. A. Byington, Confereeg for the House.
> W. H. Berrx, N. M. Pusey, John Everall, A. B. Funk, Conferees for the Senate.

The House took up Senate file No. 112, just messaged from the Senate.

The clerk read the bill first and second time.
Mr. Wood moved that the rule be suspended, and that the bill be read a third time now, which motion prevailed, and the bill was read a third time.

On the question, "Shall the bill pass?" the yeas were:
Messrs. Allen, Bailey, Baker, Bell, Bird, Bowen, Brady, Brant, Brighton, Brinton, Byington, Chapman, Clark, Classen, Cook, Crow, Davis, Doubleday, Dowell, Early, Edwards, Frazee, Frink, Funk, Good, Griswold, Grote, Gurley, Haugen, Hauger, Hayes, Hazen, Hendershot, Hinkhouse, Hinman, Huntley, Johnston of Franklin, Klemme, Ladd, Lambert, Lauder, Lavender, Loomis, Lowry, McAchran, McArthur, McDowell, McNulty, Manahan, Marti, Martin, Mayne, Merriam, Miller of Buena Vista, Miller of Cherokee, Miller of Warren, Morrison of Grundy, Morrison of Keokuk, Mullin, Nietert, Nolan, Parker, Perrott, Porter, Potter, Prentis, Putnam, Ray, Reed, Scott, Smith, Spaulding, St. John, Sullivan, Temple, Thompson, Tibbitts, Voelker, Watters, Weaver, Wheeler, Whelan, Whittier, Williams, Wilson, Wood, Mr. Speaker-87.

The nays were:
None.
Absent or not voting:
Messrs. Cornwall, Evans, Finch, Garner, Hunt, Jackson, Jay, Johnson of Webster, McDonald, McQuin, Power, Van Houten, Wells-13.

So the bill passed and the title was agreed to.
Mr. Allen offered the following concurrent resolution:
Resolved by the House, the Senate Concurring, That the Secretary of State be directed to publish 5,000 additional copies of the Iowa official register for 1897, from which number twenty copies shall be distributed to each member of the present General Assembly.

Mr. Haugen moved to amend by reducing the number of copies to be printed from 5,000 to 3,000 .

Lost.
The resolution was adopted.

## REPORT OF JOINT COMMITTEE ON ENROLLED BILLS.

Mr. Hauger, from Joint Committee on Enrolled Bills, sub. mitted the following report:

Mr. Speaker-Your Joint Committee on Enrolled Bills respectfully report that they have carefully examined the following bills, and find them correctly enrolled:

Senate file No. 103, a bill for an act to legalize the corporation of the town of Arnolds Park, Dickinson county, Iowa, and the notice for the election of the officers thereof and the election of the officers of said town.

Senate file No. 91, a bill for an act to revise, amend and codify the statutes in relation to public printing and binding.

Joint resolution No. 6, a bill for an act relating to the use of committee rooms by the supreme court.

W. E. Hauger, Chairman House Committee. G. S. Gilbertson, Chairman Senate Committee.

Ordered passed on file.
REPORT OF COMMITTEE ON ENROLLED BILLS.
Mr. Hauger, from the Committee on Enrolled Bills, submitted the following report:

Mr Sphaker-Your Committee on Enrolled Bills respectfully report that they have this day sent to the Governor for his approval:

House file No. 112, a bill for an act to legalize the incorporation of the town of Rathbun, Iowa, and all ordinances and acts passed by the town council.

House file No. 104, a bill for an act legalizing the acts of C. A. O'Harrow, a justice of the peace in and for Owen township, Cerro Gordo county, Iowa.

House file No. 111, a bill for an act to legalize the action of the clerk of the district court and the auditor of Tama county, Iowa, in preparing and depositing in boxes the ballots of the grand and petit jurors and talesmen for use in Tama county for the year 1897.

May 8, 1897.
W. E. Hajuer, Chatrman.

Also:
Mr. Speaker-Your Committee on Enrolled Bills respectfully report that they have this day sent to the Governor for his approval:

House file No. 101, a bill for an act to legalize a certain ordinance of the town council of the town of Ossian, Winneshiek, county, Lowa.

House file No. 100, a bill for an act to legalize the action of the board of supervisors of Dallas county, Iowa, relating to the levy for county revenue for 1896.

House file No. 113, a bill for an act to legalize the ordinances and acts of the council of the incorporated town of Renwick, Humboldt county, Iowa.

> W. E. HAUGER, Chairman.

May 8, 1897.
Also:
Mr. Speakmr-Your Committee on Enrolled Bills respectfully report that they have this day sent to the governor for his approval:

House file No. 114, a bill for an act to to legalize the incorporation of the town of Pocahontas, Pocahontas county, lowa, the election of its officers and all acts done and ordinances passed by the council of said town, including the offioial acts of the present officers.

House file No. 99, a bill for an act to legalize the acts of and to establish the independent school district of Washington Mills.

> W. E. HAUGER, Chairman.

May 8, 1897.

The House took up conference committee report on Senate file No. 8, relating to the revenue.

Mr. Temple moved that the report of the committee be adopted.

On the question "Shall the report be adopted?" the yeas were:

Messrs. Allen, Bailey, Baker, Bell, Bird, Bowen, Brady, Brant, Brighton, Brinton, Byington, Chapman, Clark, Classen, Cook, Cornwall, Crow, Davis, Doubleday, Dowell, Early, Edwards, Evans, Finch, Frazee, Frink, Funk, Good, Griswold, Grote, Gurley, Haugen, Hauger, Hayes, Hazen, Hendershot, Hinkbouse, Hinman, Huntley, Johnston of Franklin, Klemme, Ladd, Lambert, Lauder, Lavender, Loomis, Lowry, McAchran, McArthur, McDowell, McNulty, McQuin, Manahan, Marti, Martin, Mayne, Merriam, Miller of Buena Vista, Miller of Cherokee, Miller of Warren, Morrison of Grundy, Morrison of Keokuk, Mullin, Nietert, Nolan, Parker, Perrott, Porter, Prentis, Putnam, Ray, Reed, Scott, Smith, Spaulding, Sullivan, Temple, Thompson, Tibbitts, Van Houten, Voelker, Watters, Weaver, Wheeler, Whelan, Whittier, Williams, Wilson, Wood, Mr. Speaker-90.

The nays were:
None.
Absent or not voting:
Messrs. Garner, Hunt, Jackson, Jay, Johnson of Webster, McDonald, Potter, Power, St. John, Wells-10.

So the report was adopted.

## MESSAGE FROM THE SENATE.

The following message was received from the Senate:
Mr. Speaker-I am directed to inform your honorable body that the Senate has passed the following concurrent resolution in which the concurrence of the Senate was asked:

Relative to publishing five thousand additional copies of the Iowa official register for 1897.

Geo. A. Newman,
Secretary.
The Speaker signed in the presence of the House, Senate file No. 112, and joint resolution No. 9.

On motion of Mr. Potter, House adjourned till 10 A. m., Monday.

Hall of the House of Representatives. $\}$ Des Mornes, Iowa, Monday, May 10, 1897. $\}$
House met at 10 A. m. Speaker Byers in the chair. Prayer by Rev. Joshua Jester. Journal of Saturday corrected and approved.
Messrs. Allen and Prentis granted leave of absence on account of sickness.

REPORT OF COMMITTEE.
Mr. Cornwall, from the Code Supervising Committee, submitted the following report:

Mr. Speaker and Mr. President-Your Code Supervising Committee beg leave to report that they have had the matter under consideration and recommend the following concurrent resolution relative to supplying the committee with typewritten copies of enrolled bills with the recommendation that the aame do pass.
J. H. Trewin, L. A. Ellis, Parley Finch, W. W. Cornwall, Jno. T. P. Power. Committee.
Ordered passed on file. CONCURRENT RESOLUTION.
Whereas, As the law provides that the Secretary of State shall cause to be made two copies of all laws enacted, and

Whereas, The secretary has been keeping up such work during this session, and under the law providing for the publication of the Code, the secretary will have no use for such copies; therefore, be it

- Resolved, That the Secretary of State complete such typewritten copies of the Code and compare the same with the enrolled bills and furnish two accurate copies thereof to the Code Supervising Committee.

Adopted
Also:
Mr. Speaker and Mr. President-Your Code Supervising Committee beg leave to report that they have had the matter of annotating and publishing the Code under consideration and have received a proposition from Emlin McClain in relation to the annotation of the Code, and respectfully
submit the attached preamble and resolution, with the recommendation that the same be adopted.

J. H. Trewin,<br>L. A. Ellis, Parley Finch, W. W. Cornwall, Jno. T. P. Power, Committee.

Ordered passed on file.
JOINT RESOLUTION NO. 2.
Authorizing the Code Supervising Committee to employ Emlin McClain to annotate the Code.

Whereas, Emlin McClain has submitted to the Code Supervising Committee the following proposition, namely:
To the Honorable Committee to Supervise the Publication of the Code:
In response to a euggestion of members of your committee I agree to enter into a contract with the State of Iowa, if such contract be authorized by the present Legislature, that for the sum of seven thousand five hundred dollars, the sum which the honorable Supervising Committee are authorized to expend for annotating the proposed Code of Iowa, which sum shall be paid in installments on the certificate of the honorable Supervising Committee, as may be agreed upon, that I will furnish for said proposed Code the annotations required by the act providing for its publication, and in the manner and within the time required by said act;

That I will prepare, to be placed at the end of each section, the references to sections of previous Codes and statutes as required by said acts;

That I will read the proof of said annotations and references.
That I will not prepare for publication by any other party, nor myself publish in competition with the said State Code any annotated code of Iowa, or annotations to be used in connection with such proposed State Code;

That I will enter into any other or further stipulations which may be necessary and proper for carrying out the general purpose of this proposition to furnish the annotations contemplated for said Code and not in any way to interfere with the sale thereof.

Very respecfully,
Emlin MoClain.
Des Moines, Iowa, May 8, 1897.
Whereas, The act authorizing the annotation and publication of the Code contemplates the employment by the state of not less than three annotators at $\$ 10$ per diem, and does not authorize the said committee to accept the proposition above set forth and to enter into the contract contemplated thereby, and,

Whereas, It is deemed to be for the best interests for the state to procure said Emlin McClain to annotate the said Code, therefore, be it

Resolved by the Twenty-sixth General Assembly of the State of Iowa, That the Code Supervising Committee is hereby authorized to accept the proposition hereinbefore set forth, and to enter into a contract with said

Emlin McClain to annotate said Code upon such terms and conditions as shall be deemed expedient by the committee and shall insure the State of Iowa the faithful performance of said work at total cost not exceeding seven thousand five hundred dollars, and shall secure to the State the sole and absolute ownership of the said Code of Iowa, and the annotation thereof, and its future publication. The committee may require a bond for the faithful performance of such contract.

Mr. Cornwall asked that the joint resolution be taken up now and moved its adoption.

Mr. Dowell in the chair.
On the question "Shall the joint resolution be adopted?" the yeas were:

Messrs. Allen, Bailey, Baker, Bell, Bird, Bowen, Brady, Brighton, Brinton, Byington, Chapman, Clark, Classen, Cook, Cornwall, Crow, Davis, Doubleday, Dowell, Early, Edwards, Evans, Finch, Frazee, Frink, Funk, Good, Griswold, Gurley, Haugen, Hayes, Hendershot, Hinman, Huntley, Jackson, Jay, Johnston of Franklin, Ladd, Lavender, Loomis, Lowry, McAchran, McArthur, McDowell, McNulty, McQuin, Marti, Martin, Miller of Buena Vista, Miller of Cherokee, Miller of Warren, Morrison of Grundy, Morrison of Keokuk, Mullin, Nietert, Nolan, Parker, Perrott, Porter, Power, Putnam, Ray, Scott, Smith, Spaulding, St. John, Sullivan, Temple, Thompson, Tibbitts, Van Houten, Watters, Wheeler, Whelan, Whittier, Williams, Wilson, Mr. Speaker-78.

Mr. Reed voted in the negative.
Absent or not voting:
Messrs. Brant, Garner, Grote, Hauger, Hazen, Hinkhouse, Hunt, Johnson of Webster, Klemme, Lambert, Lauder, McDonald, Manahan, Mayne, Merriam, Potter, Prentis, Voelker, Weaver, Wells, Wood-21.

So the joint resolution was adopted.
Mr. Morrison of Grundy offered the following resolution and moved its adpotion:

Resolved by the House, the Senate concurring, That the postmistress, assistant postmistress, mail carrier, file clerk, bill clerk, chief clerk, and his assistants be required to remain at the capitol and perform their respective duties as such for a period of two days after the close of the extra session of the Twenty-sixth General Assembly for the purpose of arranging and preserving the record of this session and closing up the business of their respective offices, and that they receive the same compensation per day for said extra time as they now receive.

Carried by a vote of 27 yeas to 23 nays.
Mr. Van Houten having objected to the consideration of the resolution at this time, which objection was overruled, now
raised the point of order that the resolution must receive a twothirds'vote to prevail, since it was necessary to suspend rule 34 in ordet "tolke it up now.

The Speaker declared the point not well taken.
My. Win Houten filed the following protest:
Mr. Speaker-I desire to file a protest against the decision of the temporary presiding officer in declaring the resolution presented by Mr. Morrison of Grundy as being carried, as I insisted that the resolution should go over under rule 34, and it would require a two-thirds majority to suspend the inale topass the resolution, and the resolution did not receive such twothirds majority.

Geo. h. Van houten.
Speaker Byers resumed the chair.
Mr. Shith moved to reconsider the vote just taken.
Mr. Morrison of Grundy moved to lay this motion on the table.

Messrs. Porter and Gurley demanded the yeas and nays on the question which resulted as follows:
On the question, "Shall the motion to lay on the table prevailo the yeas were:

Messrs. Baker, Clark, Crow, Davis, Doubleday, Dowell, Flich, Hayes, Ladd, Lavender, McArthur, McNulty, McQuin, Mitiler of Warren, Morrison of Grundy, Morrison of Keokuk, Suflivan, Temple, Tibbitts, Mr. Speaker-20.

## The nays were:

Messrs. Bailey, Bell, Bowen, Brady, Byington, Chapman, Classen, Cornwall, Edwards, Frazee, Frink, Funk, Good, Griswoid Gurley, Haugen, Hazen, Hendershot, Hinman, Huntley, Jay, Johnson of Webster, Lowry, McAchran, McDonald, McDowêll,"Marti, Martin, Miller of Cherokee, Mullin, Nietert, Nolan, Parker, Perrott, Porter, Power, Putnam, Reed, Smith, Spaulding, Thompson, Van Houten, Watters, Wheeler, Whelau, Whititer, Williams, Wilson-48.

Absent or not voting:
MedsteqAllen, Bird, Brant, Brighton, Brinton, Cook, Early, Evans Ganner, Grote, Hauger, Hinkhouse, Hunt, Jackson, Johnston of Franklin, Klemme, Lamiert, Lauder, Loomis, Manalant, Mayne, Merriam, Miller of Buena Vista, Potter, Prentis, Ray, Scott, St. John, Voelker, Weaver, Wells, Wood -32.

So the motion to lay on the table was lost.
On the question, "Shall the motion to reconsider prevail?" the yeas were:

Messrs. Bailey, Bell, Bowen, Chapman, Classen, Edwards, Frazee, Frink, Funk, Griswold, Gurley, Haugen, Hazen, Hinman, Huntley, Lowry, McDonald, McDowell, Marti, Martin, Miller of Cherokee, Mullin, Nietert, Nolan, Parkeh; 野orter, Power, Reed, Smith, Spaulding, Thompson, Tibibittis, Van Houten, Watters, Wheeler, Whelan, Whittier, Williáms, Wilson -39.

## The nays were:

Messrs. Bird, Brady, Byington Clark, Crow, Davis, Doubleday, Dowell, Evans, Finch, Good, Hendershot, Johnson of Webster, Ladd, Lavender, Loomis, McAchran, MeNulty, McQuin, Miller of Warren, Morrison of Grundy, Morrison of Keokuk, Sullivan-23.

Absent or not voting:
Messrs. Allen, Baker, Brant, Brighton, Brinton, Cook, Cornwall, Early, Garner, Grote, Hauger, Hayes, Hinkhouse, Hunt, Jackson, Jay, Johnston of Franklin, Klemme, Lambert, Lpuder, McArthur, Manahan, Mayne, Merriam, Miller of Buena Vista, Perrott, Potter, Prentis, Putnam, Ray, Scott, St. John, Temple, Voelker, Weaver, Wells, Wood, Mr. Speaker--38.

So the motion to reconsider prevailed.
Mr. Dowell moved to lay this resolution on the table.
Mr. Morrison of Grundy asked leave to withdraw the resolution.

Granted.
On motion of Mr. Spaulding House adjourned till 2 P. M.

## AFTERNOON SESSION.

House met at 2 p. m., Speaker Byers in the chair: Speaker resumed the chair.

## MESSAGES FROM THE SENATE.

The following message was received from the Senate: $:$
Mr. Speaker-I am directed to inform your honorable body that the Senate has concurred in the following Concurrent Resolution, in which the concurrence of the Senate was asked:

To have Secretaries of State furnish type-written copies of enrolled bills.

Also:
Mr. Speaker-I am directed to inform your honorable body that the Senate has passed the following Joint Resolution No. 2, in which the concurrence of the Senate was asked:

Joint Resolution No. 2, authorizing the Code Supervising Committee to employ Emlin McClain to annotate the Code.

> GEO. A. Newman, Secretary.

Chief Clerk Rowen took the floor and addressed the Speaker as follows:

I desire the attention of this House for a few moments and especially the attention of the Speaker of this House.

During all the last session and this session that is about to close, the work assigned to the different officers and employes of this House has in a good many instances been very laborious and in a great many instances been met with difficulties, and in the discharge of the duties of the various officers the kind words of the Speaker and his advice has been of untold benefit to us.

We have therefore decided to present to him a testimonial of the affection and regard in which he is held by all the officers and employes of this House. We recognize our obligation to all the members of this House. In our intercourse with them we have met with nothing but that which is of the very pleasantest, but we have been particularly more in contact with the Speaker of this House, and in the selection of this testimonial we wanted in a measure to remember that patient wife of his at home; we wanted to remember the little Byers' that was christened in this House, and in the selection we have made, this is something that will record the departing dey, and the tick of the clock will be sweet music and will keep time to that growing son, who will rise to greater achievement than the Senior Byers at present.

There is not so much value attached to this, but when it goes to the Speaker of this House, it carries with it the affection and the love that is held for him in the heart of every individual employe of this House.

## The Speaker in reply said:

I desire at this time to express my gratitude to the officers and employes of this House, and particularly for the kind words that the Clerk of the House has spoken in presenting this token of their friendship and esteem.

I can testify to the splendid work of the employes of this body, and I doubt whether the same number of persons ever before carried the same burden, and their work has been, in all respects, satisfactory and well done, and I am sure that all the members of this House will extend to them the same expression of work well done.

Continuing, the Speaker addressed himself to the House, and spoke as follows:

Gentlemen of the House-As your presiding officer, and yet your obedient servant, I desire to say a few words at the hour of parting in appreciation of the faithful work done by you on behalf of the people
of the State and in acknowledgment of your many kindnesses to me individually. This General Assembly will pass into history as one of the most important in the past existence of our State. We have been confronted with a task the magnitude of which can only be realized upon a thoughtful and careful analysis of the work done and the conditions surrounding us. Past revisions of the Code of the laws of this State were far less difficult than this for many reasons; all of the law relating to the control and regulations of corporations has grown up and found a place upon our statute books since the revision of the Code of 1873. The regulation of the railroad corporations begun with the Fifteenth General Assembly, in 1874, and marks an era in legislative control, but in that historic session the people were aroused and united ready to support the General Assembly to any extent. The art of lobbying had not been so thoroughly reduced to a science and the political organizations of the corporations had not been perfected, the business interests of the State were not so diverse nor so complex; many conditions exist now which are embarrassing which did not exist then. And I might say here that there is such a thing as legitimate lobbying, but the professional lobbyist is a nuisance if not a curse; these fellows sometimes worm themselves into subordinate positions about the Legislature and there, under the guise of disinterested friendship for members, ply their nefarious trade, often misleading good men. It is a growing evil, and the sooner it is eradicated and destroyed the better it will be for the good name of the State.

The growth of State institutions, charitable, educational, reformatory and penal, with their growing necessities for appropriations and the great scope of control necessarily assumed by the State over the railroads, insurance companies, banks, building and loan associations and like interests has increased the mass of work in the several departments of the State government, requiring a great increase in the revenues of the State, to which the old revenue law was entirely inadequate. The development of our educational system has required new and amendatory legislation at every session. The growth of large cities and thriving towns has demanded and received, bi-annually, attention at the hands of the Legislature, until what was once a well-arranged, orderly and systematic Code had become complex, illy arranged and in many parts contradictory.

In the Twenty-fourth General Assembly a commission was appointed to revise the revenue law, later it was proposed to revise the school laws and the laws relating to the government of cities and towns; this agitation resulted in the passage of a bill in the Twenty-fifth General Assembly for the codification of the whole body of our laws, and a commission of five gentlemen, eminent in ability and learning, was appointed, the result of whose labors was what has become familiar to you as the "Black Code." Their work was a marvel of excellence and accuracy, as we must all admit after the careful examination we have given it. They have been harshly criticized in some quarters for apparently exceeding their authority in presenting new matters, but this criticism was unwarranted, and is technical rather than just.

Many sections of the old law were obsolete by reasons of changed conditions, many provisions were contradictory and incapable of being harmonized; to rewrite these required the presentation of new matter. In all
cases where new matter was presented entirely it was only advisory and in nearly every instance has been helpful as presenting a starting point from which to consider the subject. It was not expected that in the preparation of the new Code, we should merely codify and retain the imperfections of the old knowingly in either form or substance, neither was it to be expected that a body of one hundred fifty intelligent men coming fresh from the people and representing all the varied interests of the State would accept literally the recommendations of any five men of one profession, however able and honest they might be, butit is a matter worthy of note that so much of the Black Code has been enacted into law and remains unchanged in our finished work. We shall ever be debtors to the pains-taking care, accuracy and fidelity of the Code commissioners; it is to be regretted that the members of this General Assembly could not have had access to the commissioners' Code for a longer time so as to have acquired something of familiarity with it before being convened in regular session, but this was impossible.

When we convened on the 13th day of January, 1896, in regular session, fully two-thirds of our members were new to legislative work and had been elected but about sixty days previous. Many were strangers to each other and under the most favorable circumstances it took considerable time to get acquainted with one anothers methods, views and adaptation to the work. Many of us were under obligations to our constituents to introduce and work for the passage of particular measures, and it would have been an act of bad faith for such members to surrender the right to urge these messures. This made the general work of the session necessary and obstructed the work of revision; your work was thus made doubly hard and you prosecuted it faithfully and diligently, and while the Speaker was reluctantly compelled to admit that the work of the revision could not be finished at the regular session, he is now glad to bear testimony from close personal observation at the extra session that your work at the regular session was not thrown away, for he has seen the matured fruit at this session spring from the tentative planting of the former labors.

When we had demonstrated to every reasonable mind that the work could not be accomplished in regular session and recommended that the Governor call us together at a future time to finish the work, some complaint was made and much opposition developed and a great deal of indiscriminate, harsh and unjust criticism was indulged in, so that I connot forbear to compliment our worthy Governor for his patriotism and courage in issuing his proclamation convening you for the finishing of the task so well begun. We are under many obligations to him for the wise suggestions contained in his message, and for the aid and assistance he has given the individual members of this body in their efforts to properly dispatch the business of the session, and I firmly believe that when the people fully realize the beneficial results of the session they will hasten to commend the Governor for his wise judgment and faithful efforts in their behalf. While the time consumed has been more than was expected, we each and all have the consciousness that if we have been at fault in any respect it is in having worked under too great pressure; the making of a code of laws for the government of two and one half millions of people, affecting every industry and every right is a matter which should not be unduly hurried.

Our task was imposed upon us at a most inauspicious time; we were passing through a transition period of unexampled depression in all lines of business and our people are restless and impatient; every interest in the State is peculiarly sensitive and timid, so that we have labored under pressure, feeling that our task and our exertion was greater than our constituents appreciate. The cost of the two hundred days session during which we have done the regular work of the General Assembly and that of making the Code is large in the aggregate, but I believe will be well spent by the State. In addition to the making of the perfected Code you have given to the people additional revenues and retrenched expenditures which will be a permanent gain to them. I have kepta partial account of these which I desire to summarize briefly.

We have saved to the people by the reduction of salaries and expenses of State officers in round numbers the sum of $\$ 45,000$; employes about the State capitol, $\$ 22,000$; county officers salaries and expenses estimated, $\$ 50,000$; printing and binding from $\$ 20,000$ to $\$ 25,000$; State institutions, expenses, salaries, etc., $\$ 25,000$; increased revenue, notaries public, estimated, $\$ 25,000$; corporations, $\$ 100,000$, or in round numbers a grand total of $\$ 300,000, \$ 165,000$ of which will be a net saving to the people of Iowa each year, or in a decade a saving of nearly $\$ 2,000,000$.

In addition to this showing, I believe the new revenue bill will reach property that has heretofore escaped taxation, thus reducing the great burdens already too long borne by the people whose property was in sight, and if the next General Assembly carry out, as I believe they will, the suggestions of the special investigating committee with reference to employes about the Legislature there can be a further saving made to the people of from $\$ 15,000$ to $\$ 25,000$ every two years. This great work in the interest of the tax payers has been accomplished without injustice to or oppression of any class or any business. I desire to congratulate the members upon their industry and their fairness. You have avoided the extreme; you have in my judgment been fair to the great interests corporate, and otherwise, without yielding to undue or improper influence; you have enacted new and firmly maintained old provisions for their control without losing sight of the fact that they had rights to be respected.

I desire to return to you my personal thenks for your loyal support and your patience and indulgence when I may have been hasty and unjust; if I have crowded labors upon you when you were already overworked, if I have complained without apparent cause, it was because you had of your own choice placed me in a responsible position where your highest interests were for the time being in my keeping; because I realized fully the conditions under which you were laboring and was keenly alive to all the dangers by which we were surrounded. You elected me your presiding officer and I have tried faithfully to discharge the trust and I am proud to testify that you have been loyal to me, working willingly and faithfully. I extend my earnest and heartfelt thanks especially to those willing workers who without chairmanships or distinguishing marks of favor have early and late without other reward than the consciousness of duties well done, helped along this work by their presence, their counsel and timely suggestions and advice, which have been valuable beyond expression. The memory of the members of the Twenty-sixth General Assembly will
remain green in my heart while life is spared to me, and the recollection of all strife dies with the end of the labor and the worry that at times havemade us petulant and cross.

We go out from these walls with the moral certainty that it will never be our privilege to all meet again; other bodies will meet and dissolve under the gilded dome of our splendid capitol, but the highest good I can wish for them is that they may be as loyal and devoted, as incorruptible as the House of Representatives of the Twenty-sixth General Assembly and on behalf of the members of this body I appeal to the press and the people of Iowa to withhold their judgment until they have investigated the work of this extra session, and I confidently believe that when they fully understand and appreciate the benefits surs to come to the State they will respond with a hearty "well done thou good and faithful servant."

Mr. McArthur moved that 5,000 copies of the address of the Speaker be printed in pamphlet form.

Adopted.
On motion of Mr. Ladd, the House adjourned till $10 \mathrm{~A} . \mathrm{M}$. to-morrow.

House met at 10 A. m., Speaker Byers in the chair.
Prayer by Rev. W. A. Black, Des Moines, Iowa.
MESSAGES FROM THE SENATE.
The following message was received from the Senate:
Mr. Speaker-I am directed to inform your honorable body that the Senate has passed the following concurrent resolution, in which the concurrence of the House is asked:

Relative to the Secretary of State forwarding Senate and House Journals. to the members of the Twenty-sixth General Assembly, extra session.

Geo. A. Newman,
Secretary.
CONCURRENT RESOLUTION.
Resolved by the Senute, the House conourring, that the Secretary of State be directed to complete and forward to the general assembly their House and Senate Journals of the extra session of the Twenty-sixth General Ausembly.

Also:
Mr. Speaker-I am directed to inform your honorable body that the Senate has passed the following substitute for Joint Resolution No. 5, in which the concurrence of the House is asked:

Relating to the taking of a recess by the General Assembly and the discharging of its employes.

> Geo. A. Newman,
> Secretary.

SUBSTITUTE FOR JOINT RESOLUTION NO. 5.
Relating to the taking of a recess by the General Assembly and the discharging of its employes.

Whereas, the constitution provides that acts passed at an extra session of the General Assembly shall take effect ninety days after adjournmentthereof, and,

Whereas, it is not practicable to index, annotate and publish the Code within such time; therefore, be it

Resolved by the General Assembly of the State of Iowa, That the General Assembly take a recess until the first day of July, A. D. 1897, at 2 o'clock $F$. M., and that final adjournment be had as soon thereafter as may be.

Resolved, That all employes of the General Assembly except the Secretary and Sergeant-at-arms of the Senate, and the Chief Clerk and Sergeant-at-arms of the House be and are hereby discharged.

Resolved, That the Secretary, the Chief Clerk and the Sergeants-at-arms shall not receive any compensation during such recess.

The Speaker ordered a roll call on House file No. 10 as enrolled, there being some discrepancies in the record on the same, and in order to ascertain that the House endorsed the bill as enrolled.

The clerk read the bill first and second time.
The motion that the rule be suspended and the bill be considered engrossed and read a third time was put and carried and the clerk read the bill.

On the question, "Shall the bill pass?" the yeas were:
Messrs. Bailey, Baker, Bell, Bird, Bowen, Brighton, Byington, Clark, Classen, Cornwall, Crow, Davis, Doubleday, Dowell, Early, Edwards, Finch, Frazee, Good, Griswold, Grote, Gurley, Haugen, Hauger, Hazen, Hendershot, Hinkhouse, Hinman, Hunt, Huntley, Jackson, Jay, Johnson of Webster, Johnston of Franklin, Ladd, Lavender, Loomis, Lowry, McDowell, McQuin, Marti, Merriam, Miller of Cherokee, Miller of Warren, Morrison of Grundy, Morrison of Keokuk, Mullin, Nietert, Nolan, Parker, Porter, Power, Prentis, Putnam, Reed, Scott, Smith, Spaulding, Sullivan, Tibbitts, Van Houten, Watters, Wells, Wheeler, Whelan, Whittier, Williams, Wilson, Wood, Mr. Speaker-70.

The nays were:
None.
Absent or not voting:
Messrs. Allen, Brady, Brant, Brinton, Chapman, Cook, Evans, Frink, Funk, Garner, Hayes, Klemme, Lambert, Lauder, McAchran, McArthur, McDonald, McNulty, Manahan, Martin, Mayne, Miller of Buena Vista, Perrott, Potter, Ray, St. John, Temple, Thompson, Voelker, Weaver-30.

So House file No. 10 as enrolled was declared passed and the title agreed to by the House.

The concurrent resolution to require the Secretary of State to complete the files of the House and Senate Journals upon adjournment was taken up.

On motion of Mr. Smith the concurrent resolution was laid on the table.

Mr. Funk in the chair.
Mr. Morrison of Keokuk, offered the following concurrent resolution:

Resolved by the House, the Senate concurring, Ihat the Secretary of State is hereby authorized to issue 2,000 copies, in pamphlet form, of the election laws and 5,000 copies of the revenue laws, properly authenticated, to the end that the county and township officers be fully informed as to their duties in due time, and prepare the proper blank in due time for the November election and the assessment in 1898, said official pamphlets to be appropriated among the committee pro rata.

Mr. Edwards moved to amend by striking out figures "2,000" and inserting figures " 5,000 ," relative to the election laws.

Carried.
Resolution as amended adopted.
MESSAGE FROM THE SENATE.
The following message was received from the Senate:
Mr. Speaker-I am directed to inform your honorable body that the Senate has passed and agreed to the following bill in which the concurrence of the Senate was asked:

House file No. 10, a bill for an act to revise, amend, and codify the statutes in relation to the judicial department.

Geo. A. Nhwman, Secretary.
The Speaker signed in the presence of the House the substitute for Senate file No. 8.

On motion of Mr. Merriam the House adjourned till 2 P. m.

## AFTERNOON SESSION.

House met at 2 p. m., Speaker pro tem. Dowell in the chair.
Mr. Van Houten offered the following resolution and moved its adoption:

Resolved, That the thanks of the House of Representatives are hereby extended to Jas. D. Rowen, chief clerk; Sherman Myers, first assistant clerk; Mrs. Mollie Heist, engrossing clerk; Miss Minnie Nebergall, enrolling clerk; Miss Lorena McQuin, assistant postmistress; J. H. Wilson, ser-geant-at-arms; J. M. Bixler, journal clerk; F. W. Beckman, assistant journal clerk; Miss Bell Metcalf, bill clerk; H. F. Burns, file clerk; Capt. A. C. Boals and his assistant doorkeepers; to the pages and other employes of the House, who have rendered faithful and efficient service and have materially aided in the work of the session, and we commend them to the people of the state of Lowa for their efficient aid in conducting the business of the Twenty-sixth General Assembly.

Adopted.
Mr. Hauger, from the Committee on Enrolled Bills, submitted the following report: [See table "Code Bills."]

Speaker Byers in the chair.
Journal of yesterday corrected and approved.
Mr. Doubleday in the chair.
Speaker Byers in the chair.
On motion of Mr. Manahan the House adjourned until 7:30
P. M.

## EVENING SESSION.

House met as per adjournment with Speaker Byers in the chair.

## MESSAGE FROM THE GOVERNOR.

To the House of Representatives:
I have the bonor to inform the honorable House of Representatives that I have approved, signed, and caused to be deposited with the Secretary of State, the following bills:

House file No. 6, an aet providing for the publication and construction of the statutes; approved May 11.

House file No. 7, an act relating to the Code and its operation; approved May 11.

House file No. 19, an act to revise, amend and codify the statutes in relation to banks and banking institutions; approved May 10.

House file No. 20, an act to revise, amend and codify the statutes in relation to building and loan associations; approved May 6.

House file No. 26, an act to revise, amend and codify the statutes in relation to the construction and operation of telegraph and telephone lines; approved May 8.

House file No. 33, an act to revise, amend and codify the statutes in relation to intoxicating liquors; approved May 8.

House file No. 82, an act to revise, amend and codify the statutes in relation to procedure in particular cases; approved May 8.

House file No. 84, an act to revise, amend and codify the statutes in relation to evidence; approved May 6.

House file No. 115, an act to abolish the Iowa Soldiers' and Sailors' Monument Commission and transferring their duties to the Executive Council; approved May 10.
House file No. 99, an act to legalize the acts of, and to establish the independent school-district of Washington Mills; approved May 10.
F. M. Drake.

May 11, 1897.

The Speaker signed in the presence of the House, House files Nos. 96, 103, 66, 10, 16, 18, 9, 98, 85, and Joint Resolution No. 2.

## REPORT OF COMMITTEE ON ENROLLED BILLS.

Mr. Hauger, from the Committee on Enrolled Bills, submitted the following report:

Mr. Speaker-Your Committee on Enrolled Bills respectfully report that they have carefully examined the following bills, and find them correctly enrolled:

House file No. -, a bill for an act to revise, amend, and codify the statutes in relation to the rights of property.

House file No. 103, a bill for an act to legalize the action of the electors of the incorporated town of Audubon, Iowa, in voting to sell its electric light plant; and the action of the common council of said town in selling said property.

House file No. 9, a bill for an act to revise, amend, and codify the statutes in relation to the executive department.

House file No. 10, a bill for an act to revise, amend, and codify the statutes in relation to the judicial department.

House flle No. 16, a bill for an act to revine, amend and codify the statutes in relation to corporations.

House file No. 96, a bill for an act to revise, amend, and codify the statutes in relation to city and town government.

## Also:

Mr. Speaker-Your Committee on Enrolled Bills respectfully report that they have this day sent to the Governor, for his approval, House file No. 96, a bill for an act to revise, amend and codify the statutes in relation to city and town government.

May 11, 1897.

W. E. Hauger, Chairman.

Also:
Mr. Sphaker-Your Committee on Enrolled Bills respectfully report that they have carefully examined the following bills and find them correctly enrolled:

Joint Resolution No. 2, authorizing the Code Supervising Committee to employ Emlin McClain to annotate the Code.

House flle No. 85, a bill for an act to revise, amend and codify the statutes in relation to crimes and punishmenta.

House flle No. 98, a bill for an act to revise, amend and codify the statutes in relation to cities acting under special charter.

House file No. 18, a bill for an act to revise, amend and codify the statutes in relation to insurance.

W. E. Hauger,<br>Chairman.

REPORT OF JOINT COMMITTEE ON ENROLLED BILLS.
Mr. Hauger, from the Joint Committee on Enrolled Bills, submitted the following report:

Mr. Speaker-Your Joint Committee on Enrolled Bills reapectfully report that they have examined, and find correctly enrolled, Senate file No. 8, a bill for an act to revise, amend and codify the statutes in relation to the revenue.

W. E. Haugre, Chairman House Committee.<br>G. S. Gilbertson, Chairman Senate Committee.

Ordered passed on file.
Also:
Mr. Speaker-Your Joint Committee on Enrolled Bille respectfully report that they have examined, and find correctly enrolled, House file No. 18, a bill for an act to revise, amend and codify the statutes in relstion to insurance.

W. E. Hajaer, Chairman House Committee.<br>G. S. Gilbrrtison, Chairman Senate Committee.

Ordered passed on file.
Also:
Mr. Speaker-Your Joint Committee on Enrolled Bille reepectfully report that they have examined, and find correctly enrolled, House file No. 98, a bill for an act to revise, amond and codify the statutes in relation to cities aoting under special charters.

> W. E. Havarr, Chairman House Committee.
> G. S. Grlbertson, Chairman Senate Committee.

Ordered passed on file.
Also:
Mr. Speaker-Your Joint Committee on Enrolled Bills respectfully report that they have examined, and find correctly enrolled, House file No. 96, a bill for an act to revise, amend and codify the statutes in relation to city and town government.

W. E. Hauger, Chairman House Committee.<br>G. S. Gilbertson, Chairman Senate Committee.

Ordered passed on file.

Also:
Mr. Speaker-Your Joint Committee on Enrolled Bills respectfully report that they have examined, and find correctly enrolled Joint Resolution No. 2, authorizing the Code Supervising Committee to employ Emlin McClain to annotate the Code.

W. E. Hauger, Chairman House Committee.<br>G. S. Gilbertson, Chairman Senate Committee.

Ordered passed on file.
Also:
Mr. Speaker-Your Joint Committee on Enrolled Bills respectfully report that they have examined, and find correctly enrolled, House file No. 85, a bill for an act to revise, amend and codify the statute in relation to crimes and punishments.

> W. E. HaUGEr, Chairman House Committee. G. S. Gilbrrtson, Chairman Senate Committee.

Ordered passed on file.
Also:
Mr. Speakir-Your Joint Committee on Enrolled Bills respectfully report that they have examined, and find correctly enrolled, House file No. 16, a bill for an act to revise, amend and codify the statutes in relation to corporations.

> W. E. HAUGER, Chairman House Committee.
> G. S. GILBERTSON, Chairman Senate Committee.

Ordered passed on file.

## Also:

Mr. Speaker-Your Joint Committee on Enrolled Bills respectfully report that they have examined, and find correctly enrolled, House file No. 10, a bill for an act to revise, amend and codify the statutes in relation to the Judicial Department.

W. E. Hauger,<br>Chairman House Committee.<br>G. S. Gilbertson, Chairman Senate Committee.

Ordered passed on file.
Also:
Mr. Spfaker-Your Joint Committee on Enrolled Bills respectfully report that they have examined, and find correctly enrolled, House file No.

9 , a bill for an act to revise, amend and codify the statutes in relation to the Executive Department.

W. E. Hauger, Chairman House Committee.<br>G. S. Gilbertison, Chairman Senate Committee.

Ordered passed on file.
Also:
Mr. Speaker-Your Joint Committee on Enrolled Bills respectfully report that they have examined, and find correctly enrolled, Senate file No. 112, a bill for an act to make appropriation for the payment of the compensation of members of the Twenty-sixth General Assembly, at extra session, of State expenses and other bills.

W. E. Hauger, Chairman House Committee.<br>G. S. Gilbertson, Chairman Senate Committee.

Ordered passed on file.
Also:
Mr. Speakmr-Your Joint Committee on Enrolled Bills respecfully report that they have examined, and find correctly enrolled, Senate Joint Resolution No. 9, in relation to fixing the number of employes at the seat of government and their compensation.

> W. E. Havger, Chairman House Committee.
> G. S. Gilbertson, Chairman Senate Committee.

Ordered passed on file.
Also:
Mr. Speaker-Your Joint Committee on Enrolled Bills respectfully report that they have examined, and find correctly enrolled, House file No. 66, a bill for an act to revise, amend and codify the statutes in relation to the rights of property.

> W. E. Havarr, Chairman House Committee.
> G. S. Gilbertson, Chairman Senate Committec.

Ordered passed on file.
Also:
Mr. Speaker-Your Joint Committee on Enrolled Bills respectfully report that they have examined, and find correctly enrolled, House file No. 103, a bill for an act legalizing the action of the electors of the incorporated town of Audubon, Iowa, in voting to sell its electric light plant, and the action of the common council of said town in selling said property.
W. E. Hauger, Chairman House Committee.
G. S. Gilbertson, Chairman Senate Committee.
Ordered passed on file.

## REPORT OF COMMITTEE ON ENROLLED BILLS.

Mr. Hauger, from Committee on Enrolled Bills, submitted the following report:

Mr. Speaker-Your Committee on Enrolled Bills respectfully report that they have this day sent to the Governor for his approval:

House file No. 16, a bill for an act to revise, amend and codify the statutes in relation to the rights of property.

House file No. 103, a bill for an act to legalize the action of the incorporated town of Audubon, Iowa, in voting to sell electric light plant, and the action of the common council of said town in selling said property.

House file No. 9, a bill for an act. to revise, amend and codify the statutes in relation to the Executive Department.

House file No. 10, a bill for an act to revise, amend and codify the statutes in relation to the Judicial Department.

House file No. 16, a bill for an act to revise, amend and codify the statutes in relation to corporations.

Joint Resolution No. 2, authorizing the Code Supervising Committee to employ Emlin McClain to annotate the Code.

House file No. 85, a bill for an act to revise, amend and codify the stat$u$ tes in relation to crimes and punishments.

House file No. 98, a bill for an act to revise, amend and codify the statutes in relation to cities acting under special charter.

House file No. 18, a bill for an act to revise, amend and codify the statutes in relation to insurance.
W. E. Hauger, Chairman.
May 11, 1897.
Mr. Cornwall offered the following concurrent resolution and moved its adoption:

## CONCURRENT RESOLUTION.

Resolved by the House, the Senate concurring, That a committee of three from the House and two from the Senate be appointed by the Speaker of the House and President of the Senate to notify the Governor that the General Assembly is about to adjourn until July 1, 1897, and to ascertain if he has any further commanication to submit to the General Assembly before adjournment.

Adopted.

## MESSAGE FROM THE SENATE.

## The following message was received from the Senate:

Mr. Speaker-I am directed to inform your honorable body that the Senate has passed the following concurrent resolution in which the concurrence of the Senate was asked:

Relative to the appointment of a committee to notify the Governor that the General Assembly is about to take recess, and that the President of the Senate appointed as committee on the part of the Senate, Senators Lothrop and Bonson.

Geo. A. Newman,
Secretary.

The Speaker appointed as House members of the committee to notify the Governor, Messrs. Scott, Hinman and Wheeler.

Committee appointed to notify the Governor that the General Assembly is about to take a recess till July 1st, reported duty performed and were discharged.

Senate substitute for Joint Resolution No. 5, relative to a recess of the General Assembly until July 1st, was taken up and adopted by the following vote.

Those in favor of the joint resolution were:
Messrs. Bailey, Baker, Bell, Bowen, Brady, Brant, Brighton, Brinton, Byington, Clark, Classen, Cornwall, Crow, Davis, Doubleday, Dowell, Early, Edwards, Finch, Frazee, Frink, Funk, Good, Griswold, Gurley, Haugen, Hauger, Hazen, Hendershot, Hinkhouse, Hinman, Hunt, Huntley, Jay, Johnston of Franklin, Ladd, Lauder, Lavender, Loomis, Lowry, McNulty, McQuin, Manahan, Marti, Martin, Merriam, Miller of Cherokee, Miller of Warren, Morrison of Grundy, Morrison of Keokuk, Mullin, Nietert, Nolan, Parker, Perrott, Porter, Prentis, Putnam, Reed, Scott, Smith, Spaulding, St. John, Sullivan, Tibbitts, Van Houten, Watters, Wells, Wheeler, Whelan, Whittier, Williams, Wilson, Wood, Mr. Speaker-72.

Those opposed were:
None.
Absent or not voting:
Messrs. Allen, Bird, Chapman, Cook, Evans, Garner, Grote, Hayes, Jackson, Johnson of Webster, Klemme, Lambert, Lauder, Lavender, McAchran, McArthur, McDonald, McDowell, Mayne, Miller of Buena Vista, Potter, Power, Ray, Temple, Thompson, Voelker, Weaver-28.

So the Joint Resolution No. 5 was adopted.
REPORT OF JOINT COMMITTEE on enrolled bills.
Mr. Spraker-Your Joint Committee on Enrolled Bills respectfully report that they have examined, and find correctly enrolled, Senate joint. resolution relating to taking of a recess by the General Assembly, and the diseharging of its employes.

> W. E. Ha UGEr,
> Chairman House Committee.
> G. S. GrLberrson, Chairman Senate Committee.

Ordered passed on file.
On motion of Mr. Dowell the House adjourned until 2 p. m., July 1, 1897.

CODE BILLS PASSED.


Hall of the House of Repesentatives, $\}$ Des Moines, Iowa, Thursday, July 1, 1897.
The House met at 2 p. m. July 1, as per adjournment.
The House was called to order by Speaker Byers.
Prayer was offered by Hon. Geo. H. Van Houten.
Messrs. Doubleday, Morrison of Keokuk, Voelker, Miller of Buena Vista and McNulty were excused on account of sickness.

The following Joint Resolution No. 3, was offered by Mr. Reed, who moved its adoption:

JOINT RESOLUTION NO. 3.
Relating to the use of a committee room by the board of educational examiners:

Whereas, It has been the custom of the board of educational examiners to use from time to time one of the committee rooms for the examination of applicants for state certificates, and

Whereas, The board has no suitable place at its disposal for that purpose, therefore

Resolved by the General Assembly of the State of Iowa, That the custodian be authorized to provide the board of educational examiners with a suitable room in the capitol, for the purpose of such examination, at each meeting of the board.

On the question, "Shall the joint resolution be adopted?" the yeas were:

Messrs. Bailey, Baker, Bowen, Brady, Brant, Brighton, Brinton, Byington, Chapman, Clark, Classen, Cook, Cornwall, Crow, Davis, Dowell, Early, Edwards, Evans, Finch, Frazee, Frink, Funk, Garner, Good, Griswold, Grote, Haugen, Hauger, Hayes, Hazen, Hendershot, Hinkhouse, Hinman, Huntley, Jay, Johnson of Webster, Johnston of Franklin, Ladd, Lambert, Lauder, Lavender, Loomis, Lowry, McAchran, McArthur, McDonald, McDowell, McQuin, Manahan, Marti, Martin, Mayne, Merriam, Miller of Cherokee, Miller of Warren, Morrison of Grundy, Mullin, Nietert, Nolan, Parker, Perrott, Porter, Potter, Power, Prentis, Putnam, Ray, Reed, Scott, Spaulding, St. John, Sullivan, Temple, Thompson, Tibbitts.

Van Houten, Watters, Wells, Wheeler, Whelan, Whittier, Williams, Wilson, Wood, Mr. Speaker-86.

The nays were:
None.
Absent or not voting:
Messrs. Allen, Bell, Bird, Doubleday, Gurley, Hunt, Jackson, Klemme, McNulty, Miller of Buena Vista, Morrison of Keokuk, Smith, Voelker, Watters-14.

So the joint resolution was adopted.
Mr. Davis moved that Sherm F. Myers be elected First Assistant Clerk to serve during the remainder of this extra session.

Carried.
Mr. Dowell moved that Ford Howell be elected Second Assistant Clerk to serve during the remainder of this extra session.

Carried.
Mr. Grote moved that F. W. Beckman be elected Journal Clerk to serve during the remainder of this extra session. .

Carried.
Messrs. Sherm F. Myers, Ford Howell, and F. W. Beckman were then duly sworn as employes of the House of Representatives.

## REPORT OF COMMITTEE.

Mr. Finch, from the supervising committee on annotating and publishing the Code, offered the following partial report: To the General Assembly:

Mr. President and Mr. Speaker:-Your committee to whom was entrusted the supervision of printing, binding and annotating the Code, respectfully report that they met May 7,1897 , organized by electing J. H. Trewin, chairman; L. A. Ellis, vice-chairman, and ParleyFinch, secretary.

In pursuance of the resolution adopted May 10, 1897, your committee entered into a contract with Emlin McClain to furnish annotations for the Code as provided in said resolution, at the agreed price of $\$ 7,500$; said annotations to be furnished at such times as not to delay the work of publishing the Code, and to be completed August 15, 1897. Said MeClain furnished a bond in the sum of $\$ 10,000$ for the faithful performance of said contract.

Your committee also found that the type written copies of enrolled bills required careful comparsion with the originals.

Your committee also found that the editor was unable to make the catch words, the same being an arduous and tedious work, and employed Emlin McClain to make and furnish the same for each seetion of said Code, except a portion already prepared by the editor, for the sum of $\$ 250$.

Your committee also found it necessary to employ a proof reader and assistants as the editor was unable to perform said work and give the necessary time to the preparation of the index.

The reading of the proof involves great labor, as it is not only necessary to read the printer's proof, but the electrotyper's also, making a second and frequently a third reading necessary.

Deeming it indispensable that we have a complete and exhaustive index we have directed the editor hereafter to devote his entire time thereto.

Different offers to furnish the paper for the Code were made and finally the executive council concluded a contract with a St. Louis firm for $\$ 3.70$ a hundred pounds, which we considered a low price for the kind of paper selected. It was estimated that it would require one hundred and thirtyfive thousand pounds of paper, the total cost of which was near $\$ 5,000$. The paper has been furnished.

We entered into contract with the Star Engraving Company of Des Moines, to make and furnish electrotype plates for fifty-five cents per page, to be done in a neat and workmanlike manner, and upon the guarantee of said company that all pages should be entirely satisfactory to your committee. The work of the electrotyper is being furnished in as perfect a condition as practicable for such work.

The entire work has progressed to such extent that the manifest errors in enrolled bills have been corrected and all bills punctuated by the editor; the copies furnished by the secretary of state have all been compared with enrolled bills and placed in the hands of the annotator, and the work of annotation is completed and the copy for the printer prepared up to and including Title VI, and the copy can be furnished the printer as rapidly as he can possibly handle it.

The prefix, consisting of Declaration of Independence, Articles of Confederation, Constitution of the United States and State of Iowa, Naturalization Laws, Ordinance of 1787, Organic Law of Michigan, Wisconsin and Iowa, admission of Iowa and other matters numbering over one hundred pages, has been electrotyped and printed. Of the Code proper about one hundred and thirty pages have been set up, proof read and electrotyped.

Nothing remains for the editor to do but to make the index and have general supervision of the work of proof reading.

We found it almost indispensable to have the enrolled bills kept in the editorial rooms, and to secure their entire'safety and prevent.their being interfered with or destroyed we rented a fire proof safe in which to keep the bills.

As some question has been raised as to whether the resolution diverting the fund provided for annotating the Code from several to one annota-tor-Hon. Emlin McClain-authorizes the issuance of warrants by the Auditor, we recommend that an act be passed amending the act providing for the publishing, printing and annotating the Code, so that the Auditor will issue warrants in payment for such annotations.

| June 2, Emlin MeClain | 500.00 |
| :---: | :---: |
| June 15, White Transfer Company, moving safe | 10.00 |
| June 16, Miss C. E. Sunderland, editor's stenographer | 50.00 |
| June 30, Miss Capitola Mardis, clerk supervising committee | 75.00 |
| June 30, Miss Olive Conger, elerical service. | 87.00 |
| June 30, Mrs. C. A. Neidig, proof reader | 30.80 |
| June 30, E. C. Ebersole, editorial work. | 300.00 |

The comparison of copies furnished by the Secretary of State and numbering of sections of the Code having been completed, we have reduced the clerical help to the proof reader and the clerk of the committee acting as assistant, the compensation of each being $\$ 75$ a month.

Your committee has received a large number of requests from members of the bar of the State, to cite the Northwestern Reporter in the annotations in addition to the Iowa reports. The provisions for annotating do not authorize this to be done, the expense and delay would be considerable and the book enlarged. Part of the Code was already printed, so your committee found it impossible to comply with these requests, except as to decisions of the United States courts and of the Supreme Court of Iowa not officially reported, but will issue a circular letter explaining the reasons for not doing it.

We find that the work of the extra session in the enrollment of the laws is practically free from error.

The work is progressing in a satisfactory manner; the editor reports that he can finish the index within a brief time after the last of the printing is done. The State printer reports that he can finish the printing by September 5, 1897, if there are no unnecessary delays in furnishing copy and reading proof. The work is so organized that no such delay will occur.

Your committee is confident that the Code will be completed by October 1, 1897.

Respectfully submitted,
J. H. Trewin,
L. A. Ellis,

Parley Finch,
W. W. Cornwall,

Jno. T. P. Power, Supervising Committee.

Ordered passed on file.

## INTRODUCTION OF BILLS.

By Mr. Cornwall, House file No. 116, a bill for an act to amend an act entitled "an act to provide for the annotation, indexing, publication, distribution and sale of the Code and statutes hereinafter enacted, and the appointment of a supervising committee, the election of an editor, and prescribing his duties," approved May 4th, 1897, and to legalize the action of the supervising committee.

Read first and second time.

Mr. Cornwall moved that the rule be suspended and that House file No. 116 be taken up and considered now.

Carried.
Mr. Cornwall moved that the rule be suspended, and that the bill be considered engrossed and read a third time now, which motion prevailed, and the bill was read a third time.

On the question, "Shall the bill pass?" the yeas were:
Messrs. Bailey, Baker, Bowen, Brady, Brant, Brighton, Brinton, Byington, Chapman, Clark, Classen, Cook, Cornwall, Crow, Davis, Dowell, Early, Edwards, Evans, Finch, Frazee, Frink, Funk, Garner, Good, Griswold, Grote, Haugen, Hauger, Hayes, Hazen, Hendershot, Hinkhouse, Hinman, Huntley, Jackson, Jay, Johnson of Webster, Johnston of Franklin, Ladd, Lambert, Lauder, Lavender, Loomis, Lowry, McAchran, McArthur, McDonald, McDowell, McQuin, Manahan, Marti, Martin, Mayne, Miller of Cherokee, Miller of Warren, Morrison of Grundy, Mullin, Nietert, Nolan, Parker, Perrott, Porter, Potter, Power, Prentis, Putnam, Ray, Reed, Scott, Spaulding, St. John, Sullivan, Temple, Thompson, Tibbitts, Van Houten, Voelker, Watters, Wells, Wheeler, Whelan, Whittier, Williams, Wilson, Wood, Mr. Speaker-87.

The nays were:
None.
Absent or not voting:
Messrs. Allen, Bell, Bird, Doubleday, Gurley, Hunt, Klemme, McNulty, Merriam, Miller of Buena Vista, Morrison of Keokuk, Smith, Weaver-13.

So the bill passed and the title was agreed to.
MESSAGE FROM THE SENATE.
The following message was received from the Senate:
Mr. Speaker-I am directed to inform your honorable body that the Senate has passed the following bill, in which the concurrence of the House is asked:

Senate file No. 113, a bill for an act to amend the act to provide for the annotation, indexing, publication, etc., of the Code.

Geo. A. Newman, Secretary.
SENATE MESSAGES.
Senate file No. 113, just messaged from the Senate was read first and second time.

Mr. Cornwall moved that the bill be taken up now.
Carried.

Mr. Cornwall moved that the rule be suspended, and that the bill be read a third time now, which motion prevailed, and the bill was read a third time.

On the question, "Shall the bill pass?" the yeas were:
Messrs. Bailey, Baker, Bowen, Brady, Brant, Brighton, Brinton, Byington, Chapman, Clark, Classen, Cook, Cornwall, Crow, Davis, Dowell, Early, Edwards, Evans, Finch, Frazee, Frink, Funk, Garner, Good, Griswold, Grote, Haugen, Hauger, Hayes, Hazen, Hendershot, Hinkhouse, Hinman, Huntley, Jackson, Johnson of Webster, Johnston of Franklin, Ladd, Lambert, Lauder, Lavender, Loomis, Lowry, McAchran, McArthur, McDonald, McDowell, McQuin, Manahan, Marti, Martin, Mayne, Merriam, Miller of Cherokee, Miller of Warren, Morrison of Grundy, Mullin, Nietert, Nolan, Parker, Perrott, Porter, Potter, Power, Prentis, Putnam, Ray, Reed, Scott, Spaulding, St. John, Sullivan, Temple, Thompson, Tibbitts, Van Houten, Watters, Wells, Wheeler, Whelan, Whittier, Williams, Wilson, Wood, Mr. Speaker-86.

The nays were:
None.
Absent or not voting:
Messrs. Allen, Bell, Bird, Doubleday, Gurley, Hunt, Jay, Klemme, McNulty, Miller of Buena Vista, Morrison of Keokuk, Smith, Voelker, Weaver-14.

So the bill passed and the title was agreed to.
House file No. 116 was taken up and all action thereupon reconsidered and the bill indefinitely postponed, since Senate file No. 113 covers the same ground.

INTRODUCTION OF BILLS.
By Mr. Cornwall, House file No. 117, a bill for an act to amend section 70, chapter 6, title XII, of the Code of laws passed at the extra session of the Twenty-sixth General Assembly, entitled, "Of intoxicating liquors."

Read first and second time.
Mr. Cornwall moved that the rule be suspended, and that House file No. 117 be taken up now.

Carried.
Mr. Cornwall moved that the rule be suspended, and that the bill be considered engrossed and read a third time now, which motion prevailed, and the bill was read a third time.

On the question, "Shall the bill pass?" the yeas were:
Messrs. Bailey, Bowen, Brady, Brant, Brinton, Byington, Chapman, Clark, Classen, Cook, Cornwall, Crow, Davis, Dowell, Early, Edwards, Evans, Finch, Frink, Funk, Garner, Good, Griswold, Grote, Haugen, Hauger, Hendershot, Hinman, Huntley, Jackson, Johnson of Webster, Johnston of Franklin, Ladd Lauder, Lavender, Loomis, McAchran, McArthur, McDonald, McQuin, Martin, Mayne, Merriam, Miller of Cherokee, Miller of Warren, Morrison of Grundy, Mullin, Nietert, Parker, Perrott, Porter, Potter, Prentis, Putnam, Reed, Scott, Spaulding, Temple, Thompson, Tibbitts, Watters, Wells, Whelan, Whittier, Williams, Wood, Mr. Speaker-67.

The nays were:
Messrs. Baker, Frazee, Hayes, Hazen, Hinkhouse, Lambert, Lowry, McDowell, Manahan, Marti, Nolan, Power, Sullivan, Wheeler, Wilson-15.

Absent or not voting:
Messrs. Allen, Bell, Bird, Brighton, Doubleday, Gurley, Hunt, Jay, Klemme, McNulty, Miller of Buena Vista, Morrison of Keokuk, Ray, Smith, St. John, Van Houten, Voelker, Weaver-18.

So the bill passed and the title was agreed to.
Mr. Funk moved that a committee of three be appointed to notify the Governor that the House of Representatives is now ready to adjourn sine die and is in readiness to receive any communication which he may desire to make.

Carried.
The Speaker appointed as this committee, Messrs. Funk, Thompson and Lowry.

Mr. Morrison of Grundy, was called to the chair.

## MESSAGE FROM THE SENATE.

The following message was received from the Senate:
Mr. Speaker-I am directed to inform your honorable body that the Senate has concurred in the following Joint Resolution No. 3, in which the concurrence of the Senate was asked:

Joint Resolution No. 3, relative to the use of a committee room by the board of educational examiners.

> Geo. A. Newman, Secretary.
Speaker resumed the chair.
The following "errata" contained in the journal of this extra session was read by the clerk and ordered printed in the
journal, and by unanimous consent these corrections were ordered made in the journal:

On page 71, the ninth line from bottom of the page "House file No. 36," should read "House file No. 30."

On page 82, "House file No. 5" should read "House file No. 29."
On page 82 , insert immediately after the line "Carried," the words "Committee amendment to section 1 was adopted."

On page 82, insert immediately after the line "Adopted" the words "Committee amendment as amended adopted."

On page 181, strike out Mr. Frink's name, under heading 'petitions presented."

On page 192, in the third line, strike out the word "dates" and insert in lieu thereof the word "data."

On page 209, strike out the first two lines, and insert in lieu thereof, the following: "Amend chapter 1, page 1005, by inserting after section 2, a section numbered " 2 a " as follows: "Section 2a. Any sheriff, city marshall or chief of police, having in his care or custody any prisoner under the age of 18 years, shall keep such prisoner separate and apart, and prevent eommunication by such prisoner with prisoners above that age, while such prisoners are not under the personal supervision of such offeer, provided suitable buildings or jails are now or hereafter may be provided for that purpose. But the foregoing provisions may at the discretion of such officer, be suspended as to any such prisoner, who in his judgment is likely to, or does exercise an immoral influence over those with whom he is associated. Any officer having charge of prisoners who without just cause or excuse neglects or refuses to perform the duties imposed on him by this section may be suspended and removed from office therefor."

Amend chapter 2, page 1014, by inserting after section 33, the following:
"Section 33a. It shall be the duty of the warden of the penitentiary to keep prisoners under the age of eightaen years, when not under the personal supervision of the offcers of the penitentiary or at work, separate from the prisoners above that age, and to prevent personal communication between such classes, except as to such prisoner under eighteen years of age, who is likely to or does exercise an immoral influence over those with whom he is associated. Any warden who shall fail or refuse to obey the provisions of this section may be removed from office therefor."
"Amend section 7, chapter 2, page 1010, by striking out the word "five" in the third line, and insert the word "forty" in lieu thereof.
"Amend section 57, chapter 2, page 1019, by striking out of line three the word "seventy" and inserting the words "one hundred" in lieu thereof.

On page 263, "Senate file No. 30 " should read "Senate file No. 36."
On page 336, insert before the fourteenth line from bottom of page, these words: "In section 9 , between words "shall" and "become" insert the words "file with the county clerk a written request for release or."

On page 348, immediately after the second line from top of page, insert "The committee amendment to section 9 , line 13 , was adopted."

On page 349, insert after the word "bidder" in a nendment to section 59, the words "was adopted."

On page 385, "Senate file No. 80 " should read "Senate file No. 86."

On page 391, strike out all after the word "also" in lines one and two, and insert in lieu thereof 'strike out of Senate amendment to section 152, the words 'to be recorded by the other party' and insert in lieu thereof the words 'by the party aggrieved.'"

On page 543, in the eighteenth line from the top, the word "grantee" should read "grantor."

On page 621, insert under the heading "message from the Senate" the following:
"Mr. Speaker-I am directed to inform your honorable body that the Senate has passed the following bill, in which the concurrence of the Senate was asked:"

House file No. 65, a bill for an act to revise, amend and codify the statutes in relation to the State Historical society.

Gro. A. Newman,
Secretary.
On page 639, strike out the five lines commencing with "Mr. Temple moved that the report," etc., and insert in lieu thereof: "Mr. Temple moved that the House concur in Senate amendment to section 12, chapter 8."
"On the question, 'Shall the motion prevail?' the yeas were:"
On page 640, strike out the word "committee," in the tenth line from the top, and insert the word "Senate"

On page 661, in amendment by Mr. Frink, "section 16," should read "section 63."

On page 666, strike out the word "House," in the first line, and insert the word "Senate."

On page 754, "House file No. 67," should read "House file No. 66."
On page 768, strike out the word "Senate," in the ninth line from the bottom of the page, and insert the word "House" in lieu thereof.

On page 812 , "House file No. 97 ," should read "Senate flle No. 97."
On page 958, insert after the figure " 1, ," in the last line, the words "and in Senate amendment to House amendment to section 71, chapter 1, line 5 (old numbering).

On page 975 , insert after "chapter 1 ," in the third line, "also, to Senate amendment to House amendment to section 71, chapter 1, line $52 . "$

On page 1071, insert the figures " 66 ," in the blank space in the tenth line from the top.

The committee appointed to notify the Governor of the approaching of the adjournment of the legislature reported that duty performed and that the Governor had no communication to make.

The committee was discharged.
INTRODUCTION OF BILLS.
By Mr. Dowell, House file No. 118, a bill for an act to make an appropriation to pay for indexing and supervising the printing of the House and Senate Journals.

Read first and second time.

Mr. Dowell moved that this bill, House file No. 118, be taken up now.

Carried.
Mr. Dowell moved that the rule be suspended, and that the bill be considered engrossed and read a third time now, which motion prevailed, and the bill was read a third time.

On the question, "Shall the bill pass?" the yeas were:
Messrs. Bailey, Baker, Brady, Brant, Brinton, Byington, Chapman, Clark, Classen, Cook, Cornwall, Crow, Davis, Dowell, Early, Evans, Frink, Good, Griswold, Grote, Gurley, Hazen, Hendershot, Jackson, Jay, Johnson of Webster, Johnston of Franklin, Ladd, Lambert, Lauder, Lavender, Lowry, McAchran, McDonald, McDowell, McQuin, Marti, Martin, Mayne, Merriam, Miller of Cherokee, Morrison of Grundy, Mullin, Nietert, Perrott, Potter, Power, Prentis, Putnam, Ray, Reed, Scott, St. John, Sullivan, Temple, Thompson, Tibbitts, Van Houten, Watters, Wells, Wheeler, Whelan, Whittier, Williams, Wilson, Wood, Mr. Speaker-67.

The nays were:
None.
Absent or not voting:
Messrs. Allen, Bell, Bird, Bowen, Brighton, Doubleday, Edwards, Finch, Frazee, Funk, Garner, Haugen, Hauger, Hayes, Hinkhouse, Hinman, Hunt, Huntley, Klemme, Loomis, McArthur, McNulty, Manahan, Miller of Buena Vista, Miller of Warren, Morrison of Keokuk, Nolan, Parker, Porter, Smith, Spaulding, Voelker, Weaver-33.

So the bill passed and title was agreed to.
message from the senate.
The following message was received from the Senate:
Mr. Speaker-I am directed to inform your honorable body that the Senate has passed the following bill in which the concurrence of the House is asked:

Senate file No. 114, a bill for an act to amend subsection 1 , of section 9 , chapter 2, title $V$, of the Code of laws passed at the extra session of the Twenty-sixth General Assembly.

The bill was read first and second time.
The House took up for consideration Senate file No. 114, just received from the Senate.

On the question that the rule be suspended, and that the bill be read a third time now, the motion prevailed, and the bill was read a third time.

On the question, "Shall the bill pass?" the yeas were:
Messrs. Baker, Bowen, Brady, Brant, Brighton, Brinton, Byington, Chapman, Clark, Classen, Cook, Crow, Davis, Dowell, Early, Evans, Frazee, Frink, Funk, Good, Griswold, Grote, Gurley, Haugen, Hayes, Hazen, Hendershot, Hinkhouse, Huntley, Jackson, Jay, Johnson of Webster, Ladd, Lambert, Lauder, Loomis, Lowry, McAchran, Manahan, Marti, Martin, Mayne, Merriam, Miller of Cherokee, Morrison of Grundy, Mullin, Nietert, Nolan, Perrott, Potter, Power, Prentis, Putnam, Ray, Reed, Scott, Spaulding, St. John, Sullivan, Thompson, Tibbitts, Watters, Wells, Wheeler, Whelan, Whittier, Williams, Wilson, Mr. Speaker-69.

The nays were:
None.
Absent or not voting:
Messrs. Allen, Bailey, Bell, Bird, Cornwall, Doubleday, Edwards, Finch, Garner, Hauger, Hinman, Hunt, Johnston of Franklin, Klemme, Lavender, McArthur, McDonald, McDowell, McNulty, McQuin, Miller of Buena Vista, Miller of Warren, Morrison of Keokuk, Parker, Porter, Smith, Temple, Van Houten, Voelker, Weaver, Wood-31.

So the bill passed and the title was agreed to.
REPORT OF COMMITTEE ON ENROLLED BILLS.
Mr. Hauger, from Committee on Enrolled Bills, submitted the following report:

Mr. Speaker-Your Committee on Enrolled Bills respectfully report that they have carefully examined the following Joint Resolution No. 3 and find it correctly enrolled:

Joint Resolution No. 3, relating to the use of a committee room by the board of educational examiners.

> W. E. Havger, Chairman.

Ordered passed on file.

## REPORT OF JOINT COMMITTEE ON ENROLLED BILLS.

Mr. Hauger from the Joint Committee on Enrolled Bills submitted the following report:

Mr. Speaker-Your Joint Committee on Enrolled Bills respectfully report that they have examined, and find correctly enrolled, Joint Resolution No. 3, relating to the use of a committee room by the board of educational examiners.

W. E. Hauger, Chairman House Committee.<br>G. S. Gilbertson, Chairman Senate Committee.

Ordered passed on file.

The Speaker signed in the presence of the House Joint Resolution No. 3.

## MESSAGES FROM THE SENATE.

The following message was received from the Senate:
Mr. Speaker-I am directed to inform your honorable body that the Senate has amended the title and passed the following bill, in which the concurrence of the Senate was asked:

House file No. 117, a bill for an act to amend section 70, chapter 6, title XII, relating to intoxicating liquors.

Geo. A. Newman, Secretary.

## Also:

Mr. Speaker-I am directed to inform your honorable body that the Senate has passed the following concurrent resolution, in which the concurrence of the House is asked:

Relative to the adjournment of the extra session.
Resolved by the Senate, the House concurring, that the extra session of the Twenty-sisth General Assembly do adjourn, sine die, July 2, 1897, at 10 o'clock A. m.

Geo. A. Newman, Secretary.
The House took up Senate concurrent resolution relative to final adjournment.

Mr. Evans moved to amend the resolution by striking out the words "July 2d, 1897, at 10 o'clock A. M.," and inserting in lieu thereof the words, "July 1st, 1897, at 5 o'clock P. m."

Carried.
The resolution as amended was adopted.
The House took up House file No. 117, with Senate amendment to the title thereof and by unanimous consent the Senate amendment was concurred in.

Mr. Hinman was called to the chair.
REPORT OF COMMTTTEE ON ENROLLED BILLS.
Mr. Hauger, from the Committee on Enrolled Bills, submitted the following report:

Mr. Speaker-Your Committee on Enrolled Bills respeatfully report that they have this day presented to the Governor for his approval, Joint Resolution No. 3, relating to the use of a committee room by the board of educational examiners.

July 1, 1897.

W. E. Hauger,<br>Chairman.

MESSAGES FROM THE SENATE.
The following message was received from the Senate:
Mr. Speaker-I am directed to inform your honorable body that the Senate has concurred in the following bill, in which the concurrence of the Senate was asked:

House file No. 118, a bill for an act to make an appropriation to pay for indexing House and Senate Journals.

Geo. A. Newman.
Secretary.
Also:
Mr. Speakfr-I am directed to inform your honorable body that the Senate has passed the following bill in which the concurrence of the House is asked:

Senate file No. 115, a bill for an act to amend section 5, chapter 7, of the acts of the Twenty-sixth General Assembly.

Geo. A. Newman,
Secretary.
The bill was read first and second time.
On motion of Mr. Miller of Cherokee, Senate file No. 115 was taken up and considered.

Mr. Miller of Cherokee moved that the rule be suspended, and that the bill be read a third time now, which motion prevailed, and the bill was read a third time.

On the question, "Shall the bill pass?" the yeas were:
Messrs. Baker, Bowen, Brady, Brant, Brinton, Byington, Chapman, Clark, Cook, Cornwall, Crow, Davis, Dowell, Early, Edwards, Finch, Frazee, Frink, Funk, Good, Grote, Gurley, Haugen, Hayes, Hazen, Hendershot, Hinkhouse, Hinman, Huntley, Jackson, Johnson of Webster, Johnston of Franklin, Ladd, Lauder, Loomis, Lowry, McAchran, McDowell, McQuin, Manahan, Marti, Martin, Miller of Cherokee, Morrison of Grundy, Mullin, Nietert, Nolan, Parker, Perrott, Porter, Potter, Power, Prentis, Putnam, Ray, Reed, Scott, Spaulding, St. John, Sullivan, Temple, Thompson, Watters, Wheeler, Whelan, Whittier, Williams, Wilson, Wood, Mr. Speaker-69.

The nays were:
None.
Absent or not voting:
Messrs. Allen, Bailey, Bell, Bird, Brighton, Classen, Doubleday, Evans, Garner, Griswold, Hauger, Hunt, Jay, Klemme, Lambert, Lavender, McArthur, McDonald, McNulty, Mayne, Merriam, Miller of Buena Vista, Miller of Warren, Morrison of Keokuk, Smith, Tibbitts, Van Houten, Voelker, Weaver, Wells-31.

So the bill passed and the title was agreed to.

## MESSAGE FROM THE SENATE.

## The following message was received from the Senate:

Mr. Speaker-I am directed to inform your honorable body that the Senate has passed the following bill, in which the concurrence of the House is asked:

Senate file No. 116, a bill for an act to amend section 42, chapter 10, title IV, of the acts of the special session of the Twenty-sixth General Assembly.

Gro. A. Newman, Secretary.
The bill was read first and second time.
The Speaker resumed the chair.
Senate file No. 116, just received from the Senate was taken up and considered.

On the question shall the rule be suspended and the bill be read a third time now. The motion prevailed and the bill was read a third time.

On the question, "Shali the bill pass?" the yeas were:
Messrs. Baker, Bowen, Brady, Brant, Brighton, Brinton, Byington, Chapman, Clark, Cook, Cornwall, Crow, Davis, Dowell, Early, Edwards, Evans, Finch, Frazee, Frink, Funk, Good, Griswold, Gurley, Haugen, Hauger, Hayes, Hazen, Hendershot, Hinkhouse, Huntley, Johnson of Franklin, Ladd, Lauder, Loomis, Lowry, McDowell, McQuin, Martin, Mayne, Miller of Cherokee, Morrison of Grundy, Mullin, Nietert, Perrott, Potter, Power, Prentis, Putnam, Scott, Spaulding, St. John, Sullivan, Temple, Van Houten, Watters, Wells, Whelan, Williams, Wood, Mr. Speaker-61.

The nays were:
Messrs. Jackson and Nolan-2.
Absent or not voting:
Messrs. Allen, Bailey, Bell, Bird, Classen, Doubleday, Garner, Grote, Hinwan, Hunt, Jay; Johnson of Webster, Klemme, Lambert, Lavender, McAchran, McArthur, McDonald, McNulty, Manahan, Marti, Merriam, Miller of Buena Vista, Miller of Warren, Morrison of Keokuk, Parker, Porter, Ray, Reed, Smith, Thompson, l'ibbitts, Voelker, Weaver, Wheeler, Whittier, Wilson-37.

So the bill passed and title was agreed to.
report of joint committee on enrolled bills.
Mr. Hauger, from the Joint Committee on Enrolled Bills, submitted the following report:

Mr. Speaker-Your Joint Committee on Enrolled Bills respectfully report that they have examined, and find correctly enrolled, House file No. 117, a bill for an act to amend section 70, of chapter 6, title XII, of the Code of laws passed at the extra session of the Twenty-sixth General

Assembly, entitled "of intoxicating liquors," being an act to revise, amend and codify the statutes in relation to intoxicating liquors.
W. E. Haugre, Chairman House Committee. G. S. Gilbertson, Chairman Senate Committee.

## Ordered passed on file.

Also:
Mr. Speaker-Your Joint Committee on Enrolled Bills respectfully report that they have examined, and find correctly enrolled, Senate file No. 114, a bill for an act to amend subsection 1, of section 9, of chapter 2, of title $V$, of the Code of laws passed at the extra session of the Twentysixth General Assembly, being an act to revise, amend and codify the statutes in relation to city and town government.

W. E. Hauger, Chairman House Committee. G. S. Gilbertson, Chairman Senate Committee.

Ordered passed on file.
Also:
Mr. Speaker-Your Joint Committee on Enrolled Bills respectfully report that they have examined, and find correctly enrolled, Senate file No. 115, a bill for an act to amend section 5, of chapter 7, of the acts of the Twenty-sixth General Assembly.

W. E. Hauger, Chairman House Committee. G. S. Gilbertson, Chairman Senate Committee.

Ordered passed on file.
Also:
Mr. Speaker-Your Joint Committee on Enrolled Bills respectfully report that they have examined, and find correctly enrolled, Senate file No. 113, a bill for an act to amend an act entitled " an act to provide for the annotation, indexing, publication, distribution, and sale of the Code, and statutes hereafter enacted, and the appointment of a supervising committee, the election of an editor, and prescribing his duties," approved May 4th, 1897, and to legalize the action of the supervising committee.
W. E. Hauger, Chairman House Committee. G. S. Gilbertson, Chairman Senate Committee.
Ordered passed on file. REPORT OF COMMITTEE ON ENROLLED BILLS.
Mr. Hauger, from Committee on Enrolled Bills, submitted the following report:

Mr. Speaker-Your Committee on Enrolled Bills reapectfully report that they have carefully examined the following bills, and find them correctly enrolled:

House file No. 117, a bill for an act to amend section 10, of chapter 6, title XII, of the Code of laws passed at the extra session of the Twentysixth General Assembly entitled "of intoxicating liquors," being an act to revise, amend and codify the statutes in relation to intoxicating liquors.

House file No. 118, a bill for an at to make an appropriation to pay for the indexing, and supervising the printing of the House and Senate Journals.

W. E. Hauger, Chairman.

REPORT OF JOINT COMMITTEE ON ENROLLED BILLS.
Mr. Hanger from the Joint Committee on Enrolled Bills, submitted the following report:

Mg. Speaker-Your Joint Committee on Enrolled Bills respectfully report that they have examined, and find correctly enrolled, House file No. 118, a bill for an act to make an appropriation to pay for indexing and supervising the printing of the House and Senate Journals.,

Senate file No. 116, a bill for act to amend section 42, chapter 10, title IV, of the acts of the special session of the Twenty-sixth General Asmembly, the same being " $a$ bill for an act to revise, amend and codify the statutes in relation to county and township government."
W. E. Havger,
Chairman House Committee.
G. S. Gilbertson,
Chairman Senate Committee.

Ordered passed on file.
The Speaker signed in the presence of the House, House files Nos. 117 and 118.

## REPORT OF COMMITTEE ON ENROLLED BILLS.

Mr. Hauger, from the Committee on Enrolled Bills, submitted the following report:

Mr. Spraker-Your Committee on Enrolled Bills respectfully report that they have this day presented to the Governor for his approval, House file No. 118, a bill for an act to make an appropriation to pay for indexing and eupervising the printing of the House and Senate Journals.
W. E. Haughe, Chairman.

## Also:

Mr. Speaker-Your Committec on Enrolled Bills respectfully report that they have this day presented to the Governor for his approval, House flle No. 117, a bill for an act to amend mection 10, of chapter 6, title XII of the Code of laws passed at the extra session of the Twenty-sixth General Assembly, entitled "of intoxiaating liquors," being an act to revise, amend and codify the laws in relation to intoxicating liquors.
W. E. Hauger,

## MESSAGE FROM THE SENATE.

The following message was received from the Senate:
Mr. Spraker-I am directed to inform your honorable body that the Senate has refused to concur in the House amendment to concurrent resolution in relation to adjournment.

Geo. A. Newman,
Secretary.
The House took up concurrent resolution relative to final adjournment in which the Senate refused to concur in House amendments thereto.

On the question, shall the House recede from its amendment to said resolution, the yeas were 40 , nays 24 , and the House receded.

Mr. Allen moved the House adjourn till 9 A. M. to-morrow Carried.
So the House adjourned.

Hall of the Hoube of Represintatives, Des Moines, Iowa, Friday July 2, 1897. \}
The House met at 9 A. m., pursuant to adjournment, with Speaker Byers in the chair.

Prayer was offered by Rev. W. B. Baldridge, of Des Moines. The Speaker signed in the presence of the House, Senate files Nos. 113, 114, 115 and 116.

A committee from the Senate appeared and informed the House that the Senate was in readiness to adjourn.

The time having arrived for adjournment, Mr. Smith moved that the House of Representatives of the Twenty-sixth General Assembly do now adjourn sine die.

Mr. Weaver seconded the motion.
The motion was carried and Speaker Byers declared the House of Representatives of the Twenty-sixth General Assembly adjourned sine die.

## INDEX.

PAGE
ANNOTATION OF CODE-
Report of Joint Committee on plan for ..... 681
Senate File No. 1, relating to.
House File No. 95, relating to the.
ALLEN, REV. W. F.-Officiates as chaplain1005
ALLEN, W. S.-REPRESENTATIVE FROM THE COUNTY OF VAN Buren, Second District-
On standing committees: Ways and means; Code, chairman;Judiciary; Appropriations; Insurance; Federal relations;Claims; Printing.
 ..... 1000
Motions $31.32 .33,34,35,36,37,61,65,70,75,76,77$, ..... 167
$179,280,317,393,394,396,418,439,444,449$, ..... 467
507, 525, 556, 590, 677, 740, 752, 954, 1009, 1010, ..... 1093
Introduces bills $32,33,34,36,37,43,58,75$, ..... 364
Demands yeas and nays ..... 590
$42,146,149,508,516$,
Presents petitions ..... 454
Granted leave of absence
Called to the chair ..... 634
Explains votes ..... 435
Offers resolutions ..... $105 \pm$
ARNOLD'S PARK, TOWN OF-
Senate File No. 103, to legalize the incorporation of the.
ATWOOD, REV.-Officiates as chaplain181
AUDITOR OF STATE-Report of, to Governor8
AUDUBON, TOWN OF-House File No. 183, to legalize certain action of the electors of the.
Bailey, C. F-Representative from the County of Sioux, Seventy-ninth District-
On standing committees: Telegraph, telephone and express; Agriculture; Roads and highways; Mili ary; Horticulture; Pardons; Judicial districts, chairman; Code.
Presents petitions ..... 169
On special committees
On special committees ..... 881 ..... 881
BAKER, GEORGE T.-Representative from the County of SCOTT, FORTY-THIRD DISTRICT-
On standing commitiees: Suppression of intemperance; Private corporations; Municipal corporations; Labor; County and township organization; Pharmacy; Judicial districts; Code; Public lands and buildings, chairman.
On special committees. 59, 180, 494, 795, ..... 925
BAKER, GEORGE T.-REPRESENTATIVE, ETC -Continued- PAGT
Presents petitions.............63, 127, 151, 156, 169, 181, 189, 269, 289, ..... 551
Offers resolutions ..... 517
Motions by 276, 393, 351, 739, 822, ..... 984
Demands yeas and nays ..... 343
BALDRIDGE', REV. W. R.-
Officiates as chaplain ..... 1094
BALL, REV. M. A.-
Offciates as chaplain ..... 848
BANKS AND BANKING-
House File No. 19, in relation to.BARRETT, REV. E. W.-Officiates as chaplain730
BECK日ART, REV. MR.-
Officiates as chaplain ..... 248
BECKMAN, FRED W. ..... 2
BEET SUGAR
Joint convention to hear addresses on ..... 645
BeLL, W. B.-Representative from the County of Wash- INGTON, IWENTY-THIRD DISTRICT-
On standing committeer: Ways and means; Code; Telpgraph, telephone and express; Building and loan; Military, chairmin; Normal schools; Public health; Fish and game
On special committees
On special committees $4,358,700,803,960$, $4,358,700,803,960$, ..... 966 ..... 966
Presents petitions 40, 52, 94, 127, 13b, ..... 1043
Motions by $122,230,248,328,353,416.434,4 \cdot 0$, ..... 484
$516,531,736,763,968,1009,1026$, ..... 1031
Called to the chair ..... 126
Offers resolutions ..... 495
Granted leave of abserce ..... 605
Demands yeas and nays ..... 927
Introduces bill ..... 968
BILLS, READING OF-
Report of committee concerning ..... 171
BIRD, HON. BUTLER-
Resolution for appointment of committee to draft resolutions on the death of ..... 870
Appointment of committee ..... 870
Report of committee ..... 879
BIRD, J. W.-REPRESENTATIVE FROM the COUNTY of CERRO Gordo, Eighty-fourth District-
On standing committees: Insurance; Agriculture; Retrenckment and reform; Federal relations; Board of public chariiies, chairman; Horticulture; senatorial districts; Fish and game; Code.
Presents petitions ..... 163
Offers resolutions ..... 129
Motions by-..............309, 366, 460, 487, 659, 803, 910, $925,981,1034$ ..... 1035
Demands yeas and nays ..... 488
On special committees ..... 837
Introduces bill ..... 869
Explains vote. ..... 970
BIXLER, JOHN M. -
Elected Journal Clerk ..... 2
BLACK, REV. A. S.-
Officiates as chaplain ..... 793
BLACK, REV. W. A.-
Officiates as chaplain $40,9 t, 118,169,701,834,962$ ..... 1067
BLIZZARD, R.-
Elected Assistant Doorkeeper ..... 2
BOALS, A. C.-
Elected Doorkeeper ..... 2
BOWEN, D. H. -Representative from the County of Allama- PAGIIKee, Eighty-seventh District-
On standing committees: Agriculture; Public health. chairman;Claims; County and township organization; Hospital for theinsane; Componsation of public officers; Paarmacy; Code
Presents petitions .52, 151, 163,169
Motions by ....................233, 240, 367 429, 476 592, 625, 812, 824, ..... 907
On special committees ..... 925
626 ,
BOYD, R. M. -
TElected Assistant Doorkeeper ..... 2
BOYD, REV.S. R-
Officiates as chaplain ..... 883
BRADY, E. M.-REPRESENTATIVE FROM the COUNTIES OF Lyonand O'Brien, Eightieth Distritt -
On standing committees: Railroadsand commerce; Public health; Compensation of public officers; Normal schools; Board of pub- lic charities; Senatorial districts; Le $\quad$ resentative districts; Agriculture; Code.
Granted leave of absence ..... 32
Presents petitions ..... 260
On special committees ..... 925
BRANT, DAVID-REPRESENTATIVE FROM THE COUNTY OF LINN, Forty-mighth District-
On standing committees: Insurance; Printing; Public libraries; Institution for Feeble-Minded; Munic pal corporations; Pri- vate corporations; Police regulations; Earolled bills; Code. Motions by-........42, 62, 131, 160, 190, 242, 261, 282, 284, 326, 368, ..... 460461, 492, 510, 514, 516, 517, 555, 561, 567, 580, 669, 707, 708715, 725, 747, 748, 792, 803, 821. 850, 896, 927, 943, 971,1026
Presents petitions...... 52, 136, 170, 181, 207, 316, 357, 370, 454, 551, ..... 574
Demands yeas and nays..........................................92, 145, 440, ..... 472
Offers resolutions...-....................- ................... . 137,160 , ..... 705
On special committees ..... 866
Introduces bills ..... 190
Raises point of order ..... 399
Called to the chair ..... 1045
BRIGHTON, H. H.-REPRESENTATIVE FROM THE COUNTY OF Jefferson, Nineteenth District-
On standing committees: Ways and mesns; Code; Sudiciary; Publichealth; Constitutional amendments, chairman; Compensationof public officers; Pardons; Pnarmacy.
On special committees ..... 36. 785, ..... 960
Introduces bills ..... 75
Motions by. 61, 117. 257, 311, 562, ..... 601
Presente petitions ..... 948
Called to the chair ..... 1044
BRINTON, M. H.-Representative from the County of Ham- ILTON, SIXTY-THIRD DISTRICT -
On standing committees: Waye and means; Code, chairman; Railroads and commerce; Banks and banking; Federal rela- lations; Animal industry; Domestic manufactures; Peniten- tiaries.
Granted leave of absence ..... 51
Motions by-.........................77 78. 79. 103, 104, 114, 115, 119, 123, ..... 142
$262,313,527,579,605,606,925,1018$, ..... 1040
Presents petitions ..... 248
On specisl committees ..... 463
Demands yeas and nays ..... 579
BROWN, REV. BRUCE-
Officiates as chaplain ..... 254
BUILDING AND LUAN ASSOCIATIONS-
House file No. 20, relating to. Report of lobby of ..... 510
BUILDING AND LOAN ASSOCLATIONS-CONTINUED-
Resolution and appointment of committee to investigate certainmatters relating to516
Report of committee ..... 548
Report of joint committee ..... 663
BURNS, H. F.-
Elected File Clerk ..... 2
BUREAU OF LABOR STATISTICS-
House file No. 35, relating to.
BUTTERFIELD, REV. FRED E-Officiates as chaplain715
BYERS, H. W.-KEPRESENTATIVE FROM THE COUNTY OF SHelby, Thirty-third District-
Speaker of the House.
Presents petitions ..... 40, 71, 136, 189, 236, 297, ..... 883
Explains votes ..... 283
Congratulated on birth of son ..... 400
Offers resolution. ..... 513
Resolution of confidence in ..... 514
Report of committee on ..... 548
Motions by ..... 970
Presented with clock by employes of the House ..... 1062
Addresses the House ..... 1062
BYingTon, O. A.-Representative from the County of John-son, Forty-first District-
On standing committees: Judiciary; State University; Federal relations; Domestic manufactures; Police regulations; Sena- torial districts; Fish and game; School and text books: Code. Presents petitions ..... 834
Offers resolutions ..... 50
On special committees $30,51,514,594,700,790,795$, ..... 1031
Motions by-....................65, 112, 379, 381, 439, 451, 578, 66 ', 714, ..... 851
Explains vote ..... 670
Presents gavel to Speaker ..... 133
Demands yeas and nays ..... 577
Granted leave of absence ..... 752
CATHELL, REV. J. E.-
Officiates as chaplain ..... 107
CHAPMAN, W. B.-Representative from the County of Wood-bury, Fifty-eighth District-
On standing committees: Ways and means; Suppression of intem- perance, chairman; Mines and mining; Domestic manufac- tures; Woman's suffrage; Normal schools; Agriculture: Code.
Motions by .... $81,303,343,348,349,351,353,354,725,727,841,842$, ..... 947
Demands yeas and nays ..... 450
On special committees ..... 879
Called to the chair ..... 896
CEIEF' CLERK-Temporary elected ..... 1
James D. Rowen elected ..... 1
Authorizing to appoint Clerk ..... 125
Calls House to order ..... 514
Instructed to sign subpoenas in blank ..... 418
Instructed to return certain papers to Representative Lambert ..... 525
Instructed to cast the vote of the House ..... 981
CITIES AND TOWNS-
House File No. 12, relating to the government of.House File No. 89, relating to those organized under specialcharter.
House File No. 96, in relation to the government of.
House File No. 98, relating to those acting under special charter.
Senate File No. 91, to issue bonds for payment of indebtedness.
senate File No. 93, relating to indebtedneas of.
CLARK, JAMES M.-Representative from the County ofAdams, Thirterenth District-
On standivg committees: Retrenchment and reform; Compensationof public officers; Hospitals for insane; Board of public chari-ties; Senatorial districts; Fish and game; Code.
On special committees 4, 343, 526, 532,796
Presents petitions ..... 260
Granted leave of absence ..... 803
Explains votes ..... 342
Motions by ..... 575
Offer: resolution ..... 917
CLASSEN, JOHN B.-REPRESENTATIVE FROM THE COUNTY OFMarseall, Fifty-first District-
On standing committees: School and text-books; Police regula- tions; County and township organization, chairman; Military; Agricultural College; Horticulture; Institution for Deaf and Dumb; Senatorial districte; Code.
Presents petitions ..... 883 ..... 883
On special committees ..... 824
Motions by
730
730
Granted leave of absence ..... 628
CODE-
Report of joint committee on plan of annotating ..... 681
Senate file No. 1, relating to annotating, etc. Supervising committee for, elected ..... 931
Report of supervising committee on ..... 1078
COLE. ReV. JESSE- ..... 574
COLLOWAY, REV. R. K.-
Officiates as chaplain445
COMMITTEE CLEHKS-Motion to appoint committee to ascertain number needed38
Appointment of committee on ..... 45
Report of committee on ..... 73
Names of ..... 106
Resolution to discbarge ..... 357
COMMITTEE KOOMS-Report of committee making assignment of31
COOK, DR. ELMINA F.-
Officiates as chaplain ..... 1043
COOK, $R$ E-Representative from the County of Monigom- ery. Twelfth District-
On standing committees: Roads and highways; County and town- ship organization; Institution for Feeble-Minded, chairman; Board of public charities; Police regulations; Congressional districts; Code.
On special committees ..... 4, 1031
Presents petitions ..... 470
Motions by ..... 961
Demands veas ard nays ..... 641
COONS, REV. C. L.-Officiates as chaplain811
CORPORATIONS
House File No. 16, relating to.
CORY, REV. A. E.-Oficiates as chaplain359
CORNW ALs, W. W.-Representative From the Counties of Clay and Palo alto, Eighty-second District-
On standing committees: Code; Judiciary, chairman; Municipalcorporations; State University; Normal schoole; Judicial dis-tricts; Representative districts; Rules.
Offers resolutions5, 1075
PAGI
CORN W ALL, W. W -REPRESENTATIVE, ETC-CONTINUED-
Motions by $-29,37,42,78,14 \times, 149,155,186,230,231,310,316,358,362$,$380,382.388,389,390,391,342,418,420,446,532,539,545$,$565,566,567,568,669,570,583,593,602,605,628,659,662,700$$719,723,741,744,745,746,770,771,772,794,849,856,875$,887895, 905, $911,937,943,976,455,999,1016,1035,1059,1081,1082$
On special committees ..... 971
Introduces bills $43,46,57,74,75,1080$, ..... 1082
Presents petitions ..... 495
Granted leave of absence ..... 62
Demands yeas and nays ..... 314
Called to the chair ..... 669
Elected member of supervising committee ..... 981
COUNTY AND TOWNSHIP GOVERNMENT-
House File No. 11, relating to.
Senate File No. 3, relating to.
COZIEH, REV. B F W.-
Officiates as chaplain ..... 363
CROW, W. G.-REPRESENTATIVE FROM THE COUNTY OF WAP-ELLO, EIGHTEENTH DISTRICT-
On s'anding committees: Ways and means; Soldiers' Orphans' Home, chairman; Animal industry; Military; Judicial dis- tricts; Representative districts; Fish and game; Code.
Called to the chair ..... 82 ..... 82
Presents petitions 169, 297, 342, ..... 359
Motions by ..... 1025
Demands yeas and nays ..... 340
On special committees ..... 790
CRIMES AND PUNISHMENTS-
House File No. 85 , in relation to.
CRUM, REV. DR.-Officiates as chaplain66
CURTIS, REV. E. W.-
Officiates as chaplain ..... 144, ..... 394
DALLAS COUNTY-
House File No. 100, to legalize the action of the board of super-visors of.
DAIRY COMMISSIONER-Senate File No. 30, relating to.
DAVIS, M. J -Representative from the County of Cass,Thirtieth District-
On standing committees: Railroads and commerce; Mines and mining; Public health; Hospitals for insane; Pharmacy, chairman; Industrial schools: Judicial districts; Code.
Presents petitions ..... 260
On special commit!ees 180, 626, ..... 881
Motions by $242,244,311,383,387$, ..... 1078
DE WATER, REV. A. B. C.-Officiates as chaplain ..... 695
DIXON, W. J.-
Elected trustee Iowa Agricultural College ..... 252
Certificate of election ..... 253
DOAN, W. H-
Elected Assistant Doorkeeper ..... 2
DOUBLEDAY, OLIVER E-REPRESENTATIVE FROM THE COUNTYof Polk, Thirty-seventh District-
On standing committees: Roads and highways; Constitutional amendments; Claims; County and township organization; Code; College for the Blind, chairman; Horticulture; Senator- ial districts; Judicial districts
Motions by ..... $35,168,206,249,266,354,379,628$, ..... 631 ..... 631 ..... 660, 701, 727, 740, 849, 899, 910, 932, 1031
Presents petitions 52, 107, 144, 156, 189, 254, 730, 740, 785, ..... 811
page
DOUBLEDAY, OLIVER E.-Representative, etc.-Continued- .....
639 .....
639
Explains votes
Explains votes
485
485
Introduces bill ..... 869
On special committee ..... 925
Offers resolution ..... 948
Called to the chair ..... 1070
Granted leave of absence ..... 1077
DOUGLASS, REV CLINTON-Officiates as chaplain ..... 551
DOUGLASS, REV. N. F.-Officiates as chaplain ..... 663
dowell, C. C.-Representative from the County of Polk, Thirty-seventh District-
On standing committee:: Code; Judiciary; Appropriations;Municipal corporations, chairman; Labor; Public libraries;Pharmacy; Rules.
Nominates James D Rowen for temporary Chief Clerk ..... 1
Elected Speaker pro tem ..... 30
Motions by .... $31,23,147,205,303,340,390,398,439,440,463$, ..... 470508, 532, 539, 659, 737, 746, 748, 756, 784, 788, 790818, 824, 856, 867, 875, 894, 896, 898, 899, 901, 925 946, $947,960,986,1004,1020,1061,1076.1078$, ..... 1086
Presents petitions.
Presents petitions. $63,151,169,181,207,236,248,278$, ..... 359
Called to the chair-..-143, $206,269,401,448,477,518,530,545$, 558 , ..... 564569, 602, 604, 705, 719, 758, 771, 812, 1051, 1059
On'special committees .190, 357, 594, 803, 824, 881, ..... 947
Offers resolutions ..... 516
Introduces bill ..... 1085
Demands yeas and nays ..... 670
DUDLEY, REV. H. T.-Officiates as chaplain ..... 63
EARLY, CEARLES L.-Representative from the County of Sac, Sixtieth District-
On standing committees: Code; Appropriations; Railroad and commerce; Insurance, chairman; Mines and mining; Tele- graph, telephone and express; Building and loan; Public charities; Elections; Rules.
40, 107, 170, ..... 207
Offers resolutions. ..... 236
Motions by 66, 117, 206, 241, 246, 250, 267, 275, 285, 296, 345, ..... 346 392, 393, 396, 448, 464, 465, 467, 470, 471, 473, 474 487, 524, 556, 597, 601, 647, 717, 718, 722, 723, 738767, 800, 804, 806, 807, 816, 817, 863, 928, 975, 1031
On special committees 343, 574, 700, 701, 857, ..... 985
Explains votes ..... 844
Demands yeas and nays ..... 804
EBERSOLE, E. C.-Elected editor of Code ..... 983
EDDY, REV. MR -Officiates as chaplain ..... 370
EDW ARDS, A. H.-REPRESENTATIVE FROM THE COUNTY OF AUDU- bon, Thirty-fodrth District-
On standing committees: Ways and means; Roads and highways;Labor; Elections; Congressional districts, chairman; Senator-ial districts; Judicial districts; Code.
Motions by ..... 1069
On special committees ..... 1018
Introduees bill ..... 869
Called to the chair ..... 990
ELECTIONS AND OFFICERS-Senate File 10, relating to.
ENGLISB, HEV. CHARLES J.-Officiates as chaplain ..... 469
ERRATA ..... 1083
EVANS, REV. THOMAS M.-Officiates as chaplain ..... 540
PAGE
EVANS, H K.-Representative from the County of Wayne, Fifth District-
On atanding committees: Code; Judiciary; Building and loan;State University; Inetitution for Deaf and Dumb; Labor, chair-man; Representative districts.
Offers resolutions ..... 3,288
Motions by 35, 76, 231. 273, 275, 294, 305, 349, 452, 694, ..... 706
712, 737, 745, 748, 753, 755, 756, 976, 1026, ..... 1088
On special committees 51, 357, 626, 881, ..... 981
Presents petitions ..... 287
Demands yeas and nays. ..... 350
Granted leave of absence ..... 678
Called to the chair ..... 1044
EVERLY, REV H. J.-Officiates as chaplain ..... 418
EWELL, REV. EDWIN-()fficiates as chaplain ..... 136
EXECUTIVE DEPARTMENT-House File 9, relating to the.
FEEBLE-MINDED, INSTITUTION FOR-
Report of trustees of to governor ..... 24
House File 1, relating to.
House File 2, to pay certain employes in.Visiting committee appointed59
House File 55, relating toReport of visiting committee to153
finch, Parley-Representative from the Counties ofHumboldt and Pocahontas, Seventy-sixth District-On standing committees: Code, chairman; Judiciary; Banks andbanking; Building and loan; Constitutional amendments; Pri-vate corporations; Enrolled bills; Representative districts.
Offers resolutions24,62 ,822
Motions by_-..... 34, 61, 65, 81, 83, 91, 113, 120, 121, 123, 135, ..... 158179, 187, 231, 234, 256, 260, 262, 267, 272, 275, 307,1377$\begin{array}{lll}379,380,389, & 400,417,431, & 432,443,444,448, \\ 452,459, & 466,470,471,480,481,491,493, & 495, \\ 535, & 543\end{array}$552, 570, 572, 578, 581, 584, 604, 662, 722, 743, 744, 747752, 753, 773, 792, 803, 804, 805, 874, 896, 1021, 1022
Presents petitions ..... 248
Explains vote ..... 67
Demands yeas and nays ..... 631
On special committees ..... 1031
Elected member of supervising committee ..... 981
Introduces bills ..... 1019
FORSYTHE, REV. J. D.-Officiates as chaplain ..... 869
FRAZEE, JOHN-REPRESENTATIVE FROM THE COUNTY OF CHICKA-saw, Eighty-sixth District-
On standing committees: Mines and mining; Insurance; Retrench-ment and reform; County and township organization; Publiclands and buildings; Enrolled bills; Fish and game; Code.
Presents petitions94
On special committees ..... 790
FRINK, O. H.-Rmpresentative from the County of Pagr, NINTH DISTRICT-
On standing committees; Ways and means; Compensation ofpublic officers; County and township organization; Military;Public lands and buildings; Pharmacy; Representative dis-tricts; Code.
On special committees. 29, 712 ..... 769
Presents petitions 52, 156, 181, 254, 359, 363, 589, ..... 917 ..... 917
Motions by ..... 61, 103, 132, 304, 309, 312, 362, ..... 378
387, 460, 486, 660, 641, ..... 745
Explains vote. ..... 92
FUNK, J. H.-Representatve from the County of Hardin,Sixty-Fourth District-On standing committees: Ways and means, chairman; Code; Sup-pression of intemperance; Building and loan; Animal industry;Insurance; Engrossed bills; Representative districts; Rules.Nominates James D. Rowen for Chief Clerk1
Nominates Mr. Dowell for Speaker pro tem ..... 30
Offers resolutions ..... 514
Motions by....32, 34, 41, 67, 93, 103, 106, 113, 130, 131, 190, 264, ..... 265
327, 345, 354, 449, 44, 491, 561, 565, 588, 591. 647, 661, ..... 669
672, 681, 722, 726, 727, 745, 759, 785, 842, 966, 976, ..... 1083
 ..... 1083
Presents petitions ..... 882
40, 52, 151, 190, 363,
Introduces bills ..... 75
Called to the chair 70, 265, 365, 528, 859, 980, 1004, ..... 1068
Demands yeas and nays ..... 759
GaRNER. J.A.-Reprrsentative from the County of Mabaska, TwENTY-FIFTH DISTRICT-
Onstanding committees: Schools and text books; Municipal corpor- ations; Private corporations; Printing; Public lands and build- ings; Engrossed bills; Senatorial districts; Pharmacy; Code.
Presents petitions $52,63,127,181$, ..... 269
Motions by-...............66, 67, 261, 518, 523, 524, 577, 592, 658, 712, ..... 719
Demands yeas and nays ..... 712
Granted leave of absence ..... 278
Explzins votes ..... 558
Offers resolutions ..... 715
On special committees ..... 880
GASTON, A. C.-Elected Assistant Doorkeeper ..... 2
GENERAL ASSEMBLY-Report of committee to distribute to the code committees the laws of Twenty-sixth ..... 109
House File 5, defining the organization, powers and duties of.GILLEN, REV.J. L.-Officiates as chaplain.289
GOLDEN, REV. A. L.-Officiates as chaplain ..... 316
GOODE, ED -Elected janitor.
GOOD, J. L.-Representative from the County of Boone, Fifity-third District-
On standing committees: Insurance; Mines and mining; Banksand bsnking; Industrial schools; Military; Horticulture; Sena-torial districts; Code.
Presents petitions 52, 94, 151, 169, 243, ..... 254
On special committees ..... 870841
GOVERNOR - Committee appointed to notify that the House was organized ..... 4
Messages from ..... 1070
GRAFTON, REV. W. M.-Officiates as chaplain ..... 818
GREENLEAF, HON. D. C.-Resolution for appointment of commit- tee to draft resolutions on death of ..... 574
Appointment of committee ..... 574
Report of committee ..... 673
GRISWOLD, H. J.-REPRESENTATIVE FROM THE COUNTY OFBuchanan, Sixty-seventh District-
On standing committees: Code; Appropriations; Railroads andcommerce; Banks and banking; Mines and mining, chairman;Constitutional amendments; Public libraries; Enrolled bills.
Presents petitions $45,52,156,169$,207
Motions by 61, 82, 339, 395, 396, 431, 442, 443, ..... 493
Called to chair ..... 753 ..... 167
On special committees ..... 919
Introduces bill ..... 953
GROTE, JOHN F.-Representative from the County of Craw-ford, Fifty-sixth Distriot-On standing committees: Ways and means; Suppression of intem-perance; Telegraph, telephone and express; Building and loan;Retrenchment and reform; Private corporations; Pharmacy;Code; Engrossed bills, chairman.
Presents petitions ..... 52,
Granted leave of absence ..... 151
On special committees ..... 235859
Motion by ..... 1078
On standing committees: Ways and means; Code; Appropriations;Insurance; Mines and mining; Municipal corporations; Con-stitutional amendments; Penitentiaries; Claims, chairmanOffers resolutions30,
GURLEY, Z 由 - Kepresentative From the Countyor Deciatur, Sixth District-
On special committees ..... 31,
Motions by-...-.-... 35, 80, 150, 241, 284, 305, 311, 341, 346, 347, 487, ..... 520 ..... 928695565, $881,584,631,697,736,802,867,877$,
Presents petitions ..... 454
Called to the chair ..... 233
Demands yeas and nays ..... 677
HAINES, REV. MR.-Officiates as chaplain ..... 163
HALL, KEV. JOAN COX-Officiates as chaplain ..... 629
HANDSAKER, REV. T. S.-Officiates as chaplain ..... 758
HANDY, REV. ELIAS-Officiates as chaplain ..... 646
HARD, REV. J. H.-Officiates as chaplain ..... 482
HARRIMAN, B. S.-Elected Assistant Doorkeeper ..... 2
HARRIS, CLARK H.-Elected janitor ..... 2
HARVEY, REV. LEON-Officiates as chaplain. ..... 740
HaUGen, $\mathbf{G}$. $\mathbf{N}$-Representative from the Counties of Worth and Winnebago, Ninety-first District-
On standing committees: Ways and means; Code; Private corpor- ations, chairman; Suppression of intemperance; Municipal corporations; Telegraph, telephone and express; Public health; Normal schools.
Motions by-. $42,65,67,105,147,186,294,309,325,340,384,416,433$,
Motions by-. $42,65,67,105,147,186,294,309,325,340,384,416,433$, ..... 440 ..... 440
$466,482,493,516,519,520,521,522.556,573,632,638$, ..... 816
$851,854,861,881,905,960,983,996,1013,1032,1033$, ..... 1054
Presents petitions .....................................................107, 316, ..... 602
 ..... 522
523, 557, 641, 1020 , ..... 1033 ..... 1033
On special committees ..... 852
Called to the chair ..... 660
Explains vote ..... 970
HAUGER, W. E.-Representative from the County of BlackHawk, Sixiy-sixth District-
On standing committees: School and text-books; Suppression ofintemperance; Agriculture; Normal schools; College for Blind;Industrial schoole; Penitentiaries; Enrolled bills, chairman;Representative districts; Code.
Motions by . 61, 65, 66, 122, 131, 150, 245, 264, ..... 378 490, 517, 601, 653, 656, 739, 490, 517, 601, 653, 656, 739, ..... 850 ..... 850
Presents petitions 136, 156, 254, 357, 495, 522, 540, 629, ..... 948
Called to the chair ..... 680
Introduces bill ..... 378
On special committee ..... 773
HAYES, WALTER I.-REPRESENTATIVE FROM the COUNTY OF Clinton, Forty-fifirh District-On standing committees: Lode; Judiciary; Insurance; Private cor-porations; Police regulations; Engrossed bills.
HAYES, WALTER I.-REPRESENTATIVE, ETC. - CONTINUED- ..... PAGTI
Presents certificate of election and sworn in ..... 40
On special ccmmittees 51, 137, 343, 357, 532, 626, ..... 645857, 881, 842, 943,944 ,
Called to the chair ..... 120 ..... 401960
Motions by $143,343,344,345,351,392,450,463$
$467,474,487,849,953,954,981$
Presents petitions ..... 1036 ..... 287
HAZEN, J. B-REPRESENTATIVE FROM THE COUNTY OF LEE, FIRST DISTRICT-
On standing committees: Domestic manufactures; Compensation of public officers; Agricultural College; Horticulture; Board of public charities; Institution for Feeble-Minded; Enrolled bills; Code.
Presents petitions, ..... 70
On special committees ..... 533
HEFFELFINGER, J.-Elected Assistant Doorkeeper ..... 88 ..... 88
HEIST, MRS. MOLLIE-Elected Engrossing Clerk. ..... 2
HELMICK, REV. D. M.-Officiates as chaplain ..... 673
Hendershot, I. B.-Representative from the County ofMarion, Twenty-sixth District-
On standing committees: Railroads and commerce; Federal rela- tions; Agricultural College; College for Blind; Penitentiaries; Horticulture; Senatorial districte; Rules, chairman; Code.
Presents petitions 127, 248, 254, 917,967
Motions by ..... 757
HILL, REV. ENOCH-Officiates as chaplain ..... 877
HiNkhouse, R. W.-Representative from the County ofChdar, Forty-fourth District
On standing committess: Banks and banking; Industrial schools; Agricultural College; Public libraries; Printing; Senatorial districts; Code.
Presents petitions ..... 189
Offers resolutions ..... 137
On special committees ..... 712
Motions by ..... 719
hinman, S. N.-Representative from the Counties of han-cock and Wright, Seventy-fifth District-
On standing committees: Ways and means; Suppression of intem- perance; Animal industry; Roads ard highways; Industrial schools, chairman; Agricultural College; Institution for Feeble-Minded; Pardons; Agriculture; Code.
Motions by .......... 35, 81, 253, 345, 461, 464, 478, 604, 654, 680, 744, ..... 1017
Granted leave of absence ..... 52
Presents petitions ..... 789
Offers resolutions ..... 281
Demands yeas and nays ..... 671
On special committee ..... 1076
Called to the chair ..... 1088
HOUSE FILES-
1-By Parker. A bill for an act mak- ing a special appropriation for the Institution for Feeble- Minded Children, at Glenwood, Iowa.
Introduced and referred ..... 31
Referred to chairman of committee ..... 194
Passed ..... 264
Returned ..... 483
House concurred ..... 429
435
Oorrectly enrolled..
Signed by Governor ..... 964

1-By Parker. A bill for an act mak-
GE.

2-By Parker. A bill for an act to
provide for the payment of cer
tain sums to employes of the
Institution for Feeble-Minded
Children, at Glenwood, on ac
count of losses sustained by

- fire, August 29, 1806.

Introduced and referred

31

Reported recommending reference
to Twenty-seventh General As
to Twenty-seventh General As
sembly
$\qquad$

Bill Withdrawn by author, May 10,
1897.

## HOUSE FILES-CONTINUED-

3-By Tibbitts. A bill for an act tolegalize the election held atSumner, Iowa, October 12. 1894for the issuance of bonds forwater works.
Introduced and rejected
Reconsidered and referred
Reported unfavorably ..... 675 ..... 8
Bill witl

1897. 

Allen. A bill for an act in re- lation to the sovereignty and jurisdiction of the state.
Introduced, rules suspended and passed

[^6]Returned from the Senate with amendments
House concurred an
Oorrectly enrolled
signed by Governor
5-By Allen. A bill for an act to dëefine the organization, powers and duties of the general assembly of the state of Inwa.
Introduced, rules suspended and lost on passage.
Action reconsidered and bill referred
Reported with amendiments............
Passed
Returned from the Senate with amendments.
House refused to concur
Senate insists on its amendment and conference committee appointed
Senate recedes fromits amendionent
Recalled by the Senate $\qquad$
Senate recedes from its amendments.
Oorrectly
Signe enrolled. 482
Signed by Governor......................... 962

- By Allen. A bill for an act providing for the publication and construction of the statutes.
Introduced, rules suspended and passed
Returned from the senate with amendments 967
House concurred 967
Correctly enrolled.............................. 1046
Signed by Governor.......................... 1070
7-By Allen. A bill for anact relating to the Code and its operation.
Introduced, rules suspended and passed
Returned from Benate with amend ments
1041
House concurred. ........................... 1041
Correctly enrolled........................... 1046
Signed by Governor....................... 1070
8-By Allen. A bill for an act relating to the submission of constitutional amendments.
Introduced, rules suspended and passed
Returned from the Senate with amendments
37
House concurred ......................
Correctls 283
Slened by Governor ... ................ ${ }_{062}^{29}$
$\rho-B y$ Funk. $A$ bill for an act to rovise, amend and codify the statutes in relation to the executive department.
Introduced and referred.
Reported with amendmenta..........
Passed
Returned from the genate with amendments
665
Referred..................................................... 67731
,

Reported recommending conchaz rence in part of Senate amendments

727
Report of committee adoptea in
nart insists on ail.....................
732
Senate insists on all its amend-
ments......................
798
Oonference committee appointed. 803
Report of conference committee filed....................................
Action on bill reconsidered........... 970
Returned from senate, re-passed and amended by the Senate....
House concurs and amends Senate amendments........................
Senate concurs in House amendments.

970
Oorrectly enroiled ............................. 877
10- By Temple. A biil for an act to revise, amend and codify the statutes in relation to the judicial department.
Introduced and referred.

Returned from the senate with amendments.................
Referred ................................ rence in part of Senate amendments.
Report adopted in part.............. 632
Senate insists on tts amendments. 768
Conference committee appointed.. 768
Report of conference committee adopted ..............................
Report of conference commlttee adopted by the Senate..... .... 81
Re-passed................................. 1068
Re-passed the Senate...................... 1069
11-By Oornwall. A bilifor an act to revise, amend and codify the statutes in relation to county and township government.
Introduced and referred............. 4
Reported and re-referred.............. 63
Indefinitely postponed.................. 730
12-By Brighton. $A$ bill for an act to. revise, amend and codify the statutes in relation to city and town government.
Introduced and referred.
Re-referred................................... 116
Reported with substitute. Eubsiti-
tute is known as House fle No. 96
13-By Ailen. A b bilior an act to re. vise, amend and codify the statutesin relation to elections and officers.
Introduced and referred............. 48
Re-referred................................ 68
Indefinitely postponed.......................767
14-By Funk. A bill for an act to revise, amend and codify the statutes in relation to the revenue.
Introduced and referred.
Re-referred............................................... 364
Reported with substitute........
Indefinitely postponed.................. 862
15-By Temple. A bill for an act to revise, amend and codify the statutes in relation to roads, bridges and ferries.
Introduced and referred............. 4
Re-referred............................. 70
Reported with amendments........ 333
Reported with amendments......................................... 364
Motion filed to reconsider ............. 378
Motion to reconsider laid on the
table..................................... 387

## HOUSE FILES-CONTINUED-

Returned from the Senate with amendments Referred
Referred.. . . . . . . . . . . . . . . . . . . . . . . . . . . . 598
Reported recommending concurrence in part of Senate amendments
House insists on 1ts amendments.. 82
Senate insists on part of its amendments.

71
Conference committee appointed.. 712
Report of conference committes adopted
Report of conference committee adopted by the Senate
Oorrectly enrolled.
742
Slgned by Governor. .1.....................
10-By Oornwall. A bill for an act to revise, amend and codify the statutes in relation to corporathons.
Introduced and referred
Reported with amendments ..... 184
Passed ..... 186, 202

Returned from the Senate with substitute

871
Re-referred .............................. . . . 874
Reported with emendments....... . 887
Report withdrawn and re-referred 898
Reported with amendments ........ 950
Pasted..................................
Returned from the Senate. Senate refuses to concur in House amendments.
onference committer appointed............... 971
Report of conference committee filed
House refused to adopt report of
conference committee........... 868
Further conference committee appointed
Senate adopts report of conference

committeeHouse adopts report of conferencecommittee1007, 1011
Oorrectly enrolled ..... 1071

17-By Cornwall. A bill for an act to revise, amend and codify the statutes in relation to agricultural and horticultural societies and stock breeders' associations.
Introduced and referred
Reported with amendments. ..... 180
Re-referred ..... 31
Reported with amendments ..... 319
Passed ..... 32
Returned from ..... 586
Reforred ..... 536
Reported recommending concur-rence in part in yenate smend-ments.324
Report of committee adopted ..... 627
enate concurred. ..... C 6
Correctly enrolled ..... 710
Recf lea from the Governor ..... 756
Referred ..... 757
Reperred.....i.................. ..... 765
Passed ..... 765
Returned from the Benate with amendments ..... 818
Houge concurred ..... 890
Dorrectly enrolled ..... 872
Slgued by Governor ..... 862
18-By Oornwall. A bill for anact to revise, amend and codify the stirutes in relation to ingur- ance.
Introduced and referred48
Re-referred ..... 54
Madespeoial order
Madespeoial order ..... 401

Passed...................447, 459, 470, 486
Returned from the Senate with gmendments ......................... . . . . 738
Reforred....................................... 740
Reported with amendments........ 777
Concurred in part of Senate smendments, and amends Senate amendments ........................... 800
Senate insists on its amendments,. 834
Oonfersnce committee appointed.. 857
Report of conference committes fled

915
Senate adopts report of conference committee
House adopts report of conference committee
Oorrectly enrollead ..... 1071

12-By Cornwall. $\triangle$ bilifor anact to revise, amend and codify the statutes in relation to banks and banking.
Introduced and referred............. 46
Re-referred .................................... . . . 288
Reported substitute. . .................... 495
Passed .............................. 593, 003, 640
Returned from the Senate with amendments

818
Referred ..... 817Reported recommending concur-rence in part of Senate amend-ments.846
House concurred in part of Senate amendments ..... 866
Senate insists on its amendments ..... 878
Conference committee appointed.eport of conference committeefiled$80 \%$
Report of conference committee sdopted ..... eas
Report of conference committes adopted by Senate. ..... 909
Correctly enrolled ..... 985
Signed by Governor ..... 1070revise, smend and codify thestatutes in relation to buildingand loan associations.
Introduced and referred. ..... 46
Re-referred ..... 102
Reported substitute ..... 416
Made special order ..... 416
Lost on passage. . ..... 506
Motion fled to reconsider
5
5
Passed ..... 657
Motion filed to reconsider and that motion laid on table ..... 658
Returned from the Senate with smendrients ..... 771
Referred ..... 772
Reported recommending concur- rence in part of Senate amend-reents799
Doncurred in part of senate amend- ments ..... 812
Recalled from Senate. ..... 826
Action in refusing to concur in certain Penate amendments re- considered ..... 828
Senate insists on its amendments. ..... 848
Oonference committee appointed.. ..... 852
Report of conference committee ..... 870
Report of conference commitiee adopted by Senate.
870
870
Refused to adopt report of confer- ence commítte ..... 871
Motion fled to reconsider ..... 875
Action reconsidered ..... 881 ..... 881
Report of conference committee adopted. ..... 881
Correctly onrolled ..... 979
1076

## HOUSE FILES-CONTINUED-

21-By Brighton. A bill for an act to revise, amend and codify the statutes in relation to internal improvements.
Introduced and referred.
Reported with amendments........... 152
Passed..................................... 187
Returned from the Senate with

amendments ..... 624
Referred ..... 826
Reported ..... 865
Concurred in Senate amendments. .....  88
Oorrectly enrolled.
Signed by Governor ..... 96222-By Brighton. A bili for an act torevise, amend and codify thestatutes in relation to takingprivate property for works ofinternal improvements.
Introduced and referred.... ..... 44
Reported with amendments ..... 69
Passt
Passt ..... 75 ..... 75
amendments ..... 281
Referred ..... 285
Reported ..... 372
Concurred in Sena ..... 898
509
Signed by Governor ..... 962
23-By Brighton. A bili for an act torevise, amend and codify thestatutes in relation to the con-struction and operation of rail-ways.
Introduced and referred ..... 47
Re-referred
37
37
Reported with amendments ..... 787
Indefinitely postponed revise, amend and codify the767statutes in relation to theBoard of Railroad Commission-ers.
47
Introauced and ieferred
4:9
4:9
Re-reterred
374
374
Indefinitely postponed. ..... 647
5-By Brighton. A bill for an act torevies, amend and codify thestatutes in relation to the regu-lation of carriers by rallway.
Introduced and referred ..... 47
Re-referred ..... 428
Reported with amendments. ..... 534
Passed ..... 55Returned from the Senate with
amendments. ..... 843
Concurred in Senate amendments. ..... 646
Correctly enrolled. ..... 764
Signed by Governor ..... 962
revise, amend and codify the statutes in relation to the construction and operation of telegraph and telephone lines.
Introduced and referred. ..... 47
Re-referred ..... 100
Reported with amendments ..... 332
Passed. ..... 381
Returned from the Senate with amendments ..... 818
Referred ..... 823
Reported ..... 837Refused to concur in certain Sen-ate amendments.827
Senate insists on its amendment ..... 846
Conference committee appointed. ..... 859
Report of conference committee. ..... 878
Refused to adopt report ..... 880- pointed880
Report of conference committee filed ..... 938

HOUSE FILES-Sontinded -
PAGE
Returned from the Senate with amendments

476
Referred
476
Reported...........................................................
Concurs in certain Senate amendmenis.

533
Senate insists on its amendments.............. 598
Conference committee appointed.. 628
Report of conference committee.
Report of conference committee adopted
Report of conference committee adopted by Senate

731

Correctly enrulled...............................
Correctly enrulled.
764
Signed by Governor ......................... 963
32-8y Funk. A bill for an act to revise, amend and codify the statutes in relation to lost goods.
Introduced and referred
Reported
43

## Passed

Motion fled to reconsider....................
Returned from the Senate with amendments.
h
Concurred in.
388
Correctly enrolled
(10..................... 482

Slaned by Governor. ......................... 988
33-By Funk. A bill for an act to revise, amend and codify the statutes in relation to intoxicating liquors.
Introduced and referred ............. 48
Re-referred................................... 6
Reported with amendments........ 336
Passed................................... 34
Returned from the Senate with amendments

787
Referred . . . . . . . . . . . . . . . . . . . . . . . . . . . . . 488
Made special order..................... rence in Senate amendments ..
Amended Senate amendments and concurred
Senate concurs in House amendment.

841

Correctly enrolled................................ 978
Signed by Governor............................... 1070
34-By Funk. A bill for an act to reviss, amend and codify the statutesir relation to fire companies.
Introduced und referred.............. 48
Passed................................................ 572
Passed the Senate 658
Oorrectly enrolled..... ................... . . . 710
Signed by Governor
35-By Funk. A bill for an act to revise, smend and codify the statutes in relation to the Burean of Labor Statistics.
Introduced and referred.... ........ 4
Reported substitute.

| 48 |
| :--- |
| 84 |

Passed .....................................................
Roturned from the Senate with amendments

113

Referred....................................................... 358
Reported recommending concurrence in Senate amendments... 371
Concurred in Senate amendments. 877
Correctly enrolled........................
Signed by Governor.
809
803
36 -By Funk. A bill for an act to revise, amend and codify the statates in relation to mines and mining.
Introduced and referred.
48
Re-referred ................................ as Senate file No. 29 covers same ground.

37-By Funk. A bill for an act to
revise, amend and codify the
statutes in relation to the geo
logical survey.

Introduced and referred

Re-referred
Reported with amendments
89

Passed.. ........................................ 378

Returned from the Senate wlth
nate amendments concurred in.
423
431

Correctly enrolled..
431
482

Signed by Governor. 983
38-By Funk. A bill for an act to revise, amend and codify the statutes in relation to the inspection of petroleum products.
Introduced and referred
48
Re-referred........................................... 88
Reported with amendments.............. 424
Passed ..................................... 44
Returned from the Senate with
amendments .......................... 870
Referred................................................... 874
Reported. ............................... 90
Amends certain Senate amend-
ments................................
907
Senate insists on its amendments. 924
Conference committee appointed.. 925
Report of conference committee fled.

978
Report of conference committee adopted by Senate...................
Report of conference committee
adopted by House.................. 979
Correctly enrolled.............................. 1046
$39-B y$ Funk. A bill for an act to revise, amend and codify the statutes in relation to the inspection of passenger boats.
Introduced and referred.............. 48
Reported favorably ........................ 107
Passed............................................ 121
Passed the Senate............................. 268
Correctly enrolled................................... 298
Signed by Governor ...................... 963
$40-B y$ Eunk. A bill for an act to revise, amend and codify the statutes in relation to the bairy Commissioner and imitation of dairy products.
Introduced and referred.............. 49
Re-referred....................................... 88
Indefinitely postponed . . . . . . . . . . . . . 767
41-By Funk. A bill for an act to revise, amend and codify the Statutes in relation to the State Veterinary Surgeon.
Introduced and referred............... 49
Reported with amendments......... 103
Passed.......................................... 119
Returned from the Senate with amendments

268
Concurred in Senate amendments. 878
Correctly enrolled....................... 298
Signed by Governor. .......................... 983
42-By Funk. A bill for an act to revise, amend and codify the statutes in relation to the care and propagation of fish.
Introduced and referred............. 49
Re-referred ................................. 8
Reported substitute......................... 541
Indefinitely postponed ...................... 688
43-By Funk. $A$ bill fur an act to revise, amend and codify the statutes in relation to the State Board of Health,
Boara of Heqith,
Introduced and referred .............. 40.
Re-referred ............................. 88

HOUSE FILES-CONTINUED-

| R$\mathbf{R}$$\mathbf{R}$$\mathbf{P}$$\mathbf{R}$ |
| :---: |
|  |  |
|  |  |
|  |  |
|  |  |
|  |  |
|  |  |
|  |  |
|  |  |

44-By Funk. A bill for an act to evise, amend and codify the statutes in relation to the practice of medicine.
Introduced and referred............ ${ }^{4}$
45-By Funk. A bill for a act to revise, amend and codify the statutes in relation to the practrice of pharmacy.
Introduced and referred ............ 49
Re-referred ............................. 108
Reported with amendments........ 194
Passed..... .......................... ${ }^{241}$
Returned from the Senate with
amendments.................. 56 565
Referred, 582; reported ................. 712
Ooncurred in Senate amendments. 712
Correctly enrolled 744
Signed by Governor:.................. 063
46-By Funk. A bill for an act to revise, amend and codity the statutes in relation to the practice of dentistry.
Introduced and referred........... 49
Re-referred............. .............. 108
Reported with amendments .. .... 249
Indefnitely postponed. ........ ${ }^{39}$
47-By Funk. A bill for an act to revise, a mend and codi'y thestatutes in relation to the Soldiers' Home.
Introduced and referred
48
Reported with amendments ......... 103
Passed
122
Recalled from Senate.................... 190
Returned from the Senate ........... 204
Indefinitely postponed................ 531
48-By Funk. A bill for an act to revise, amend and codify the statutes in relation to the regents and trustees of state instituthons.
Introduced and referred.
Reported with amendments........ 107
Recommitted to first division Oode committipe

135
Reported with amendments.......... 185
Recommitted to third division Oode committee
$49-\mathrm{By}$ Temple. A bili for an act to revise, amend and codify the statutes in relation to Superintendent of Public Instruction.
Introduced and referred.
55
Re-referred
58
Reported with amendments.........
Passed. $\begin{aligned} & \text { Returned from the senate with }\end{aligned}$ amendments.
Concurred in Senate amendments.
Oorrectly enrolled................... 179
139
50-By Temple. A bll for an act to revise, amend and codify the statutes in relation to the Educational Board of Examiners.
Introduced and referred.............
Re-referred
${ }_{58}^{55}$
Reported with amendments..........
Passed.................................. 120
Passed in................................... 180

51-By Temple. A blll for an act to revise, amend and codify the revise, amend and codiry the University.

Introduced and referred.

55

Reported with amendments.......... 68
 amendments

281
Referred ..................................... 285
Reported ……........................ ${ }^{335}$
Ooncurred in Senate amendments. 338
Correctly enrolled..................... 458
Signed by Governor...................... g83
52-By Temple A bill for an act to revise, amend and codify the statute in relation to the state College of Agriculture and Mechanic Art.
Introduced and referred ............ 55
ReDorted with amendments........ ${ }^{90}$
Passed............................... ${ }^{104}$
Returned from the Benate with amendments.

284
Ooncurred in 8enate amendments. 235
Motion fled to reconstder ......... 288
Motion to reconsider laid on the table.

470
Oorrectiy enrolled......................... 599.
Stgned by Guvernor. ................. 983
59-By Temple. A bill for an act to revise, amend and coaify the statates in relation to the Normal school.
Introduced and referred 55
Reported wilh amendments......... 69
Passed......................... 78
Returned from the Senate with amendments

284
Concurred in Senate amendments. 285
Correctly enrolled ................... 297
Signed by Governor.................... 883
51-By Temple. A bill for an act to revise, amend and codify the statutes in relation to the Orphans' Home and Home for Destitute Ohlldren.
Introduced and referred
Reported whih amendments......... 88
Passed....... ........................ r $_{9}$
Returned from the Benate with amendments.
Concurred in Senate amendments. 429
Correctly enrolled .................: 482
55-By Temple. A bill for an act to revise, amend and codify the statutes in relation to the Institution for Feeble-Minded Uhildren.
Introduced and referred ........... 55
Reported with amendments.......... 89
Passed.... ......................... 10
Returned from the senate with amendments...................... 20
Oncurred in Senate amendments. 310
Correctly enrolled .................. ${ }^{457}$
Stgned by Governor................... 933
66--By Temple. A bill for an act to revise, amend and codify the statutes in relation to the 1 n dustrial school.
Introduced and referred............ 56 .
Reported with amendments......... 102
passed. ......................... 119
Returned from the Senate with 290
Concurred in Senate amendments. 295
Correctly enrolled ................... ${ }^{330}$
signed by Governor........................ 963

## HOUSE FILES-CONTINUED-

87-By Temple. A bill for an act to revise, amend and codify the statutes in relation to the College for the Blind.
Introduced and referred.
58
Reported with amendments ......... 101
Passed .....................................
Returned from the Senate with amendments.

453
Doncurred in Senate amendments.
Oorrectly enrolled..
Signed hy Governor
111 - .... ............. 96 revise, amend and an act to revise, amend and codiry the statutes in relation to the Industrial Home for the Blind.
Introduced and referred.
Reported with amendments.......... 10
Re-referred............................. 11
Reported with amendments......... 184
Passed .....................................
Returned from the Senate with amendments.
Genate amendments concurred in.
Correctly enrolled
313
Signed by Governor......................... 86
69-By Temple. A bill for an act to revise, amend and codity the statutes in relation to the School for the Deaf.
Introduced and referred

Reported with amendments. | 58 |
| :---: |
| 102 |
| 115 |

Passed ...................................
Returned irom the senate with amendments.

115
Concurred in Senate amendments.
Indefinitely postpnned.................
$60-\mathrm{By}$ Temple. A bill for an act to revive, amend and codify the statutes in relation to county high schools.
Introduced and roferred
Re-refered............................... 58
Reported unfavorably ................. 137
Indefinitely postponed ............... 13
61-By Temp: A bill for an act to revise, amend and codify the statutes in relation to county superintendents
Introduced and referred ............
Re-referred ............. ............... 58
Reported with amendments........... 157
Lost on passage ........................ 160
Motion filed to reconsider........... 162
Motion laid on the table ............ 326
$62-\mathrm{By}$ Temple. A bill for an act to revise, amend and codify the statutes in relation to the system of common scho lls.
Introduced and referred.
Re-referred
Reported with amendments
Passed.
56
mitto............... tute for Senate fle No. 45 and House file No. 62, known as Senate file No. 94.
63-By Temple. A bill for an act to revise, amend and codify the statutes in relation to the school fund.
Intruduced and referred............. ${ }_{58}^{56}$
Re-referred ..................
Reported with amendments............ 193
Passed..................................... 28
Returned from the Senate with amendments.......................... 2
Referred.
275
Reported ........................................... 300
genate amend ments concurred in. 319
Correctily enrolled 475
Signed by Governor ..... 964

PAGE
64-By Temple. A bill for an act to revise, amend and codify the statutes in relation to the State Library.
Introduced and referred. ..... 56
Re-referred ..... 109
Reported with amendments ..... 420
Passed
438
438
438
Vote by which biil passed reconsid- ered ..... 439
Motion to reconsider vote by which bill ordered to third reading
lost.
lost. ..... 439 ..... 439
Lost on passage. ..... 439
63-By Temple. A bill for an act torevise, amend and codify thestatutes in relation to the StateHistorical society.
Introduced and referred ..... 57
Reported favorably ..... 108
Passed ..... 123
Passed the Senate March $27,1897$.
Oorrectly enrolled. ..... 666
Signed by Governor ..... 934revise, amend and codily thestatutes in relation to therights of property.
Introduced and referred ..... 57
Reported with amendments. ..... 110
Re-referred ..... 155
Reported with amendments.
20
20
Passed................................... ..... 265 amendments ..... 674
Referred ..... 677
Report: ${ }^{\text {d }}$ ..... 749
Concurs In certain Senate amend- ..... 751Senate insists on certain amend-
ments.. ..... 82Oonference committee appointed...
Report of conference ctommittee
fled ..... 933
Report of conference committee adopted by Senate................. ..... 934
Report of conference committee adopted by House. ..... 985
Oorrectly enrolled ..... 1071
67-By Brighton. A bill for an act torevise, amend and codify thestatutes in relation to welghte,measures and inspection.
Introduced and referred. ..... 57
Introduced and refe ..... 109
Passed
141
141
Returned from the Senate with amendments ..... 275
Concurs in Senate amendments ..... 318
Correctly enrolled ..... 457
8--By Brighton. A bill for an act torevise, amend and codify thestatutes in relation to moneyof account and interest.
Introduced and referied ..... 57
Reported favorably ..... 110
Passed. ..... 140
Returned from the senate with amendments ..... 276
Concurred in Senste amendments. ..... 235
Oorrectly enrolled. ..... 829
Signed by Governor $1 i$ for an act torevise, mend and codify thestatutes in relabion to nutesand bills
Introduced and referred ..... 57
Reported with amendments ..... 209
878
Motion fled to reconsider. ..... 386

## HOUSE FILES-CONTINUED-

Motion to reconsider laid on the table.

485
Returned from the Benate.
935
Indefinitely post poned.
70-By Brighton. A bill for anact to revise, amend and codify the statutes in relation to tender.
Introducs and referred
57
Reported with amendments.......... 117
Passed
139
Passed the Senate 276
Correctly enrolled 298
Signed by Governor ............................... 984
71--By Brighton. A bill for an act to revise, amend and codify the statutes in relation to sureties.
Introduced and referred
Reported favorably........................ 1
Passed.. ..........................................
Senate file No. 66 substituted there-
2-By Brighton. A bill for an act to
124 revise, amend and codify the statutes in relation to private seals.
Introduced and referred 57
Reported favorably ...................... 116
Passed.. ...................................... 18
Returned from the Senate with amendments 276
Concurred in Senate amendments. 295
Oorrectly enrolled
Signed by Governor rerise, amend and codify the statutes in relation to assignments for creditors.
Introduced and referred ........... 67
Reported with amendments. ....... 116
Returned from the Senate with amendments
Concurred in certain Senate amendments
Senate insists on certain amendments
Conference committee appointed.
Conference committee reported..
Report of conference committee adopted
Report of conference committee adopted by Senate
Correctly enrolled.
486

Signed by Governor....................... 934
74-By Brighton. A billfor an act to revise, amend and codify the statutes in relation to mechanics'liens.
Introduced and referred
58
Reported with amendments. ......... 154
Passed.
159
Motion fled to reconsider............................ 159
Returned from the Senate with amendments

586
Concurred in Senate amendments. 586
Correctly enrolled
667
Slgned by Governor.......................
$75-B y$ Brighton. A bili for an act to revise, amend and codify the statutes in relation to limited partnerships
Introduced and referred
Reported favorably ........................... 116
Passed .......................................... amendments.......................
Concurred in Senate amendments.
276
Oorrectly enrolled.
Signed by Governor

[^7]76-By Brighton. A bill for an act to revise, amend and codify the statutes in relation to warehousemen, carriers, hotel keepers, Ilvery stable keepers:and herders.
Introduced and referred
Reported favorabiy..................... 116
Passed................................................. 166
Returned from the Senate with amendments

304
Concurred in senate amendments. 316
Correctly enrolled...................... . . 458
Signed by Governor.......................... 984
77-By Allen. A bill for an act to revise, amend and codify the statutes in relation to the domestic relations.
Introduced and referred ............. 57
Indefinitely postponed.
78-By Funk. A bill for an act to reVige, amend and codify the statutes in relation to estates of decedents.
Introduced and referred
Reported with amendments ....... 387
Indefinitely postponed ................. 4
79-By Temple. A blll for an act to revise, amend and codify the statutes in relation to procedure in courts of original jurisdiction.
Introduced and referred
Indefinitely postponed ............... 7
80-By Cornwall. A bill for an act to revise, amend and codify the statutes in relation to artachments, garnishment, executions and supplementary proceedings.
Introduced and referred 74
Indefinitely postponed.
81-By Brighton. A bill for an act to revise, amend and codify the statutes in relation to procedure to revise, vacate or modify judgments.
Introduced and referred
[ndefinitely postponed.752 vise, amend and codify the statutes in relation to procedure in particular cases.
Introduced and referred.
Reported with amendments............ 199
Passed ..... ................................. 234
Returned from the Senate with amendments

711
Referred............................................ 712
Reported .................................... 761
Certain Senate amendments con-
curred in..................................
761
Senate insists on certain amend-
ments.................................. 864
Conference committes appointed.. 886
Report of conference committee udopted by Senate............... 870
Report of conference committes 873
Oorrectly enrolled ............................... 972
Signed by Governer..................... . 1070
83-By Funk. A bill for an act to revise, amend and codify the statutes in relation to justices of the peace and their courts.
Introduced and referred
75
Reported with amendments........ 89
Lost on passage..................106, 111, 112
Motion fled to recons!der.......... 118
Action on bill reconsidered... .... 131

PAGF
Passed ....................................... 132
Returned from the Senate with amendments.

304
All Senate amendments concurred in except to section 63.............
Senate recedes from its a mendment to section 63

313
Correctly enrolled ............... . . . . . . 475
Slgned by Governor. . . . . . . . . . . . . . . . . 984
84. By Temple. A bill for an act to revise, amend and codity the statutes in relation to evidence.
Introduced and referred.
75
Re-referred....................................
Reported with amendments ........ 182
Passed .............................. amendments
483

Reported ...................................... 455
Ooncurs in part of Senate amendments.
Senate insists on certain amendments.

529
Report of conference committes fled.......................................
Report of conference committee adopted by House................... 66
Action on conference committee report reconsidered.

729
Bill and report sent back to committee

72
Recalled by Senate..................................................
Denate insists on certain amendments
Oonference committee appointed... 798
Reported................................. 8 adopted.

856
Report of conference committee adopted by Senate .................. 846
Correctily enrolled....................... . . 930
Signed by Governor. . . . . . . . . . . . . . . . . 1070
85-By Cornwall. A b!ll for an act to revise, amend and codify the statutes in relation to crimes and puaishments.
Introduced and referred
Feported with amendments........... 195
Passed............................ 248, 255, 260
Returned from the Senate with amendments ......................... . . . . 8
Referred. ....... . .......................... . . . . 885
Reported ..... . . . . . . . . . . . . . . . . . . . . . . . 919
Concurred in certain Renate amendments. ..........935, 942, 953
Senate insists on its amendments.. 968
Conference committee appoioted.. 986
Report of conference committee adopted bэ Senate . . . . . . . . . . . . . 1013
House refused to adopt conference committee report 1017
Further conference committee appointed . . . . . . . . . . . . . . . . . . . . . . . . . 101
Report of conference committee filed
Senate adopts report of conference committee.
House adopts report of conference committee

1040
Correctly enrollè̉.................................. 1071
80-By Brighton. A bill for an act to revise, amend and codily the statut"s in relation to criminal procedure.
Introduced and referred 75
Re-referred 117
Reported with amendments........... 546
Indefinitely postponed 698

87-By Allen. A bll for an act to revise, amend and codify the statutes in relation to the discipline and government of jails and penitentiaries.
Introduced and referred
75
Reported with amendments............. 208
Passed........................................
Returned from the Senate with amendments............................ 795
799
Concurred in Senate amendments. 799
Correctly enrolled ..................... 808
Slgned by Governor........ A bill for an act to provide for the payment of paper folders for three days'labor performed after the adjournment of the regular session of the Twenty-sixth General Assembly
Introduced and referred.............. 155
Reported substitute, 536; passed... 587
Passed the Senate. .................... . . . . 985
Cerrectly enrolled ....................... . . . . 955
Signed by Governor . . . . . . . . . . . . . . . . . 964
89-By Brant. A bill for an act to amend sections 17,18 and 24 of chapter 62 of the Acts of the Twenty-fifth General Assembly, and to make the same applicable to cities organized and operating under special charters.
Introduced, rules suspended and passed

Passed the Senate

258

Oorrectly enrolled................................... 258
Slgned by Governor ....................
80-By Oommittee. A bill for an act to revise, amend and codify the statutes relative to express companies.
Introduced and placed on fle.
861
Passed, 38?; passed the Senate...... 701
Correctly enrolled........................... 716
Signed by Governor. 962
日1-By Oommíttee. A bill for an act to revise, amend and codify the statutes in relation to drains and levees.
Introduced and referred.............. 364
Reported favorably .................... . . 372
Passed, 393 ; passed the Senate...... 864
Correctly enrolled....................... . . . 872
Signed by Governor . . . . . . . . . . . . . . . . . 882
92-By Allen. A bill for an act in relation to convict labor.
Introduced and referred.............. 364
Reported unfavorably...................... 730
Indefinitely postponed..................... 745
93-By Hauger. $A$ bill for an act to revlse, amend and codify the statutes in relation to the Normal scho 1
Introduced, rules suspended and passed
Passed the Senate.............................. 599
Corrertly enrolled 867
Signed by Governor ..................................... 963
91-By Reed. A bill for an act to revise, amend and codify the statutes in relation to the uniformity, purchase and loaning of text-books
Introduced and placed on file ..... 550
Passed........................................... 558
Returned from the Senate with amendments............................ 665
Concurred in Senate amendments. 689
Correctly entolled....................... . . 599
Signed by Governor....................... . . . 983

## HOUSE FILES-CONTINUED-

PAGI
95-By Joint Oommittee. A bill for an net to provide for the annotation, indexing, publication, distribution and ale of the Oode and statutes hereafter enacted, and the appointment of a supervising committee and the election of an editor, and prescribing their duties.
Introduced and placed on file...... 69
Referred
Reported with amendments.......... 772
Indefinitely postponed................. 1006
96-By Oommittee. A bill for an act to revise, amend and codify the statates in relation to city and town government.
Introduced and placed on file...... 737
Passed .ni............................ 739, 745
Motion filed to reconsider ............ 756
Motion withdrawn ..................... 766
Returned from the Senate with amendment
Referred
Referred
868
artain senate amendments and amends certain Senate smendments .............. 884,
Senate refuses to concur
House insists on its amendments to Senate amendments.
Oonference committee appointed.
Oonference committee appointed by Eenate.
Reported......................................
Conference committee report adopted.......................... 95
Conference committee report
Correctly enrolled.
$\qquad$

adopted by Senate. ..... 960Correctly enrolled

97-By Merriam. A bill for an act providing for the annual settlement of accounts and the publication of an itemized statement of all moneys paid out by the state.
Introduced and referred
Reported favorably................. . . 794
Passed 810
Returned from the senate.............. 889
Indefinitely postponed.
88-By Committee. A bill for an act to revise, amend and codify the statutes in relation to citios acting under special charter.
Introduced.

Passed.Passed....................................amendments....................

Concurs in and amonde senate amendments........................
Senate concurs in House amend ments to Senate amendments.. 977
Oorrectly enrolled.
09-By Nolan. A bill for an act to legalize the acts and to establish the Independent School District of Washington Mills.
Introduced and referred............. 84
Reported unfavorably.................. 885
Indefinitely postponed................ 909
Motion fled to reconsider............ 983
Action reconsidered.................... 989
Passed.
990
Passed the senaite............................. 1005
Oorrectly enrolled.......................... 1049
Signed by Governor......................... $10 \%$1070

100-By Perrott. A bill for an act to legalize the action of the board of supervisore of Dallas county, Iowa, relating to the levy for county revenue for 1896.
Introduced and referred............. 85
Reported unfavorably................. 88
Indefinitely postponed................... 909
Motion filed to reconsider ........... . 947
Action reconsidered. ................. 685
Passed. ...................................... 996
Passed the sinate............................. 1038
Oorrectly enrolled.................. 1049
101-By Klemme. A bill for an act to legalize certain ordinances of the town council of the town of Ossian, Winneshiek county, Iows.
Introduced and referred
Reported unfavorably.................. 886
Bill withdrawn........................... 210
Bill refnstated....... ..................... 993
Passed ..................... 1018
Passed the Senate........................ 1035
Oorrectly enrolled........................... 1049
102-By Doubleday. A bill for an act to legalize certain errors and omissions of the board of supervisors and of the county auditor of Polk county, Iowa.
Introduced and referred
Reported unfavorably................... 887
Indefnitely postponed..................... 910
103--By Edwards. A bill for an act to legalize the action of the electors of the incorporated town of Audubon, Iowa, in voting to sell its electric light plant, and the action of the common-councll of satd town in selling said proparty.
Introduced and referred............ 86
Reported unfavorably................. 888
Indefinitely postponed.................. 910
Action reconsidered..................... 1001
Passed
Passed the Senste............................ 1039
Oorrectly enrolled.......................... 1071
104-By Bird. A bill for an act legai1zing the acts of O.O. O'Herrow, a justice of the peace in and for Owen township, Cerro Gorão county, lowa.
Introduced and referred ..... ...... 869
Reported unfavorably................ 886
Indefinitely postponed................. 911
Motion filed to reconsider............ 825
Action reconsidered...................... ${ }^{987}$
Passed.... ... ............ .............. 987
Passed the Senate...... .............. 1005
Oorrectly enrolled ........................... 1049
105-By dullivan. A blll for an act to legalize certain elections held in the incorporated town of Volga City, county of Olayton, and state of Iowa.
Ini roduced and referred............. 877
keported unfavorably................ 885
Bill withdrawn
106-By Power. A bill for an act to legalize the acts and resolutions of the clty of Keoknk, relative to the curbing, guttering and paving of Eleventh strest in said city, from the north line of Main street to the south line of Blondeau street and the issuance of certificates therefor.
Introduced and referred
Reported unfavorably 951
Indefinitely postponed 1904

## HOUSE FILES-CONTINUED-

107-By Power. A bill for an act to

107-By Power. A bill for an act to

107-By Power. A bill for an act to

107-By Power. A bill for an act to

107-By Power. A bill for an act to

107-By Power. A bill for an act to

107-By Power. A bill for an act to

107-By Power. A bill for an act to

107-By Power. A bill for an act to         legalize the mets of the city of         legalize the mets of the city of         legalize the mets of the city of         legalize the mets of the city of         legalize the mets of the city of         legalize the mets of the city of         legalize the mets of the city of         legalize the mets of the city of         legalize the mets of the city of         Keokuk, Iowa, in changing the         Keokuk, Iowa, in changing the         Keokuk, Iowa, in changing the         Keokuk, Iowa, in changing the         Keokuk, Iowa, in changing the         Keokuk, Iowa, in changing the         Keokuk, Iowa, in changing the         Keokuk, Iowa, in changing the         Keokuk, Iowa, in changing the         grade of Orleans street from         grade of Orleans street from         grade of Orleans street from         grade of Orleans street from         grade of Orleans street from         grade of Orleans street from         grade of Orleans street from         grade of Orleans street from         grade of Orleans street from         Frane of street to the top of the         Frane of street to the top of the         Frane of street to the top of the         Frane of street to the top of the         Frane of street to the top of the         Frane of street to the top of the         Frane of street to the top of the         Frane of street to the top of the         Frane of street to the top of the         piling between Thira and         piling between Thira and         piling between Thira and         piling between Thira and         piling between Thira and         piling between Thira and         piling between Thira and         piling between Thira and         piling between Thira and         fourth streets in said clty, in         fourth streets in said clty, in         fourth streets in said clty, in         fourth streets in said clty, in         fourth streets in said clty, in         fourth streets in said clty, in         fourth streets in said clty, in         fourth streets in said clty, in         fourth streets in said clty, in         improving said street, and in         improving said street, and in         improving said street, and in         improving said street, and in         improving said street, and in         improving said street, and in         improving said street, and in         improving said street, and in         improving said street, and in         levying the tax against the         levying the tax against the         levying the tax against the         levying the tax against the         levying the tax against the         levying the tax against the         levying the tax against the         levying the tax against the         levying the tax against the         abutting property for the costs         abutting property for the costs         abutting property for the costs         abutting property for the costs         abutting property for the costs         abutting property for the costs         abutting property for the costs         abutting property for the costs         abutting property for the costs         of said improvements and in         of said improvements and in         of said improvements and in         of said improvements and in         of said improvements and in         of said improvements and in         of said improvements and in         of said improvements and in         of said improvements and in         issuing certificates therefor.         issuing certificates therefor.         issuing certificates therefor.         issuing certificates therefor.         issuing certificates therefor.         issuing certificates therefor.         issuing certificates therefor.         issuing certificates therefor.         issuing certificates therefor.         Introduced and referred         Introduced and referred         Introduced and referred         Introduced and referred         Introduced and referred         Introduced and referred         Introduced and referred         Introduced and referred         Introduced and referred .....  .....  .....  .....  .....  .....  .....  .....  ..... 878 .....  .....  .....  .....  .....  .....  .....  .....  ..... 878 .....  .....  .....  .....  .....  .....  .....  .....  ..... 878 .....  .....  .....  .....  .....  .....  .....  .....  ..... 878 .....  .....  .....  .....  .....  .....  .....  .....  ..... 878 .....  .....  .....  .....  .....  .....  .....  .....  ..... 878 .....  .....  .....  .....  .....  .....  .....  .....  ..... 878 .....  .....  .....  .....  .....  .....  .....  .....  ..... 878 .....  .....  .....  .....  .....  .....  .....  .....  ..... 878

Reported unfavorably

Reported unfavorably

Reported unfavorably

Reported unfavorably

Reported unfavorably

Reported unfavorably

Reported unfavorably

Reported unfavorably

Reported unfavorably .....  .....  .....  .....  .....  .....  .....  ..... 951 .....  .....  .....  .....  .....  .....  .....  ..... 951 .....  .....  .....  .....  .....  .....  .....  ..... 951 .....  .....  .....  .....  .....  .....  .....  ..... 951 .....  .....  .....  .....  .....  .....  .....  ..... 951 .....  .....  .....  .....  .....  .....  .....  ..... 951 .....  .....  .....  .....  .....  .....  .....  ..... 951 .....  .....  .....  .....  .....  .....  .....  ..... 951 .....  .....  .....  .....  .....  .....  .....  ..... 951

Indefinitely postponed

Indefinitely postponed

Indefinitely postponed

Indefinitely postponed

Indefinitely postponed

Indefinitely postponed

Indefinitely postponed

Indefinitely postponed

Indefinitely postponed .....  .....  .....  .....  .....  .....  ..... 1004 .....  .....  .....  .....  .....  .....  ..... 1004 .....  .....  .....  .....  .....  .....  ..... 1004 .....  .....  .....  .....  .....  .....  ..... 1004 .....  .....  .....  .....  .....  .....  ..... 1004 .....  .....  .....  .....  .....  .....  ..... 1004 .....  .....  .....  .....  .....  .....  ..... 1004 .....  .....  .....  .....  .....  .....  ..... 1004 .....  .....  .....  .....  .....  .....  ..... 1004

108-By McDonald. A bill for an act to

108-By McDonald. A bill for an act to

108-By McDonald. A bill for an act to

108-By McDonald. A bill for an act to

108-By McDonald. A bill for an act to

108-By McDonald. A bill for an act to

108-By McDonald. A bill for an act to

108-By McDonald. A bill for an act to

108-By McDonald. A bill for an act to      eradicate hog cholera and swine      eradicate hog cholera and swine      eradicate hog cholera and swine      eradicate hog cholera and swine      eradicate hog cholera and swine      eradicate hog cholera and swine      eradicate hog cholera and swine      eradicate hog cholera and swine      eradicate hog cholera and swine      plague in the state of Iowa.      plague in the state of Iowa.      plague in the state of Iowa.      plague in the state of Iowa.      plague in the state of Iowa.      plague in the state of Iowa.      plague in the state of Iowa.      plague in the state of Iowa.      plague in the state of Iowa.

Introduced and placed on file

Introduced and placed on file

Introduced and placed on file

Introduced and placed on file

Introduced and placed on file

Introduced and placed on file

Introduced and placed on file

Introduced and placed on file

Introduced and placed on file .....  .....  .....  .....  ..... 912 .....  .....  .....  .....  ..... 912 .....  .....  .....  .....  ..... 912 .....  .....  .....  .....  ..... 912 .....  .....  .....  .....  ..... 912 .....  .....  .....  .....  ..... 912 .....  .....  .....  .....  ..... 912 .....  .....  .....  .....  ..... 912 .....  .....  .....  .....  ..... 912

Passed

Passed

Passed

Passed

Passed

Passed

Passed

Passed

Passed .....  .....  .....  ..... 018 .....  .....  .....  ..... 018 .....  .....  .....  ..... 018 .....  .....  .....  ..... 018 .....  .....  .....  ..... 018 .....  .....  .....  ..... 018 .....  .....  .....  ..... 018 .....  .....  .....  ..... 018 .....  .....  .....  ..... 018

Returned from the senate with

Returned from the senate with

Returned from the senate with

Returned from the senate with

Returned from the senate with

Returned from the senate with

Returned from the senate with

Returned from the senate with

Returned from the senate with    amendments    amendments    amendments    amendments    amendments    amendments    amendments    amendments    amendments .....  .....  .....  ..... 934 .....  .....  .....  ..... 934 .....  .....  .....  ..... 934 .....  .....  .....  ..... 934 .....  .....  .....  ..... 934 .....  .....  .....  ..... 934 .....  .....  .....  ..... 934 .....  .....  .....  ..... 934 .....  .....  .....  ..... 934

Senate amendments concurredin.

Senate amendments concurredin.

Senate amendments concurredin.

Senate amendments concurredin.

Senate amendments concurredin.

Senate amendments concurredin.

Senate amendments concurredin.

Senate amendments concurredin.

Senate amendments concurredin. .....  .....  ..... 937 .....  .....  ..... 937 .....  .....  ..... 937 .....  .....  ..... 937 .....  .....  ..... 937 .....  .....  ..... 937 .....  .....  ..... 937 .....  .....  ..... 937 .....  .....  ..... 937

Oorrectly enrolled.

Oorrectly enrolled.

Oorrectly enrolled.

Oorrectly enrolled.

Oorrectly enrolled.

Oorrectly enrolled.

Oorrectly enrolled.

Oorrectly enrolled.

Oorrectly enrolled. .....  ..... 955 .....  ..... 955 .....  ..... 955 .....  ..... 955 .....  ..... 955 .....  ..... 955 .....  ..... 955 .....  ..... 955 .....  ..... 955
Signed by Governor
Signed by Governor
Signed by Governor
Signed by Governor
Signed by Governor
Signed by Governor
Signed by Governor
Signed by Governor
Signed by Governor ..... 964 ..... 964 ..... 964 ..... 964 ..... 964 ..... 964 ..... 964 ..... 964 ..... 964 .....  .....  .....  .....  .....  .....  .....  .....  ..... 
109-By Griswold. A blll for an act toamend chapter 136 of the lawsof the Twenty-fifth General As-sembly, relating to appropria-tions for the Hospital for theInsane at Oherokee, and to ex-pedite the completion of its firstbuildings.

Introduced and referred ..... 953
Reported unfavorably ..... 1017
Indefinitely postponed ..... 1041
110-By Bell. A bill for an act to pro-hibit the sale or furnishing in-toxicating liquors to memberstoxicating liguors to member
of the Iow Soldiers' Home.Introduced and referred068
111-By Jackson. A bill for an act to legalize the action of the clerk of the district court and the auditor of Tama county, Iowa, in preparing and depositing in boxes the ballots of the grand and petit jurors and talesmen for use in Tama county for the year 1897.
Introduced ..... 989
Passed the Senate ..... 1000
112-By Porter. A bill for an act to legalize the incorporation of the town of Rathbone, Iowa, and all ordinances and acts passed by the town council.
introduced ..... and passed. ..... , 994
Passed the Senate ..... 1049
Correctly enrolled ..... 049118-By Finch. A bll for an act toPLGElegalise the ordinances andacts of conacil of incorporatedtown of Renwick, Humboldtcounty, Iows.
Introduced and referred ..... 1019
Reported favorably. ..... 1021
Passed. ..... 1021
Passed the Senate. ..... 1040
Oorrectly enrolled. ..... 1049
114-By Finch. $A$ bill for an act to le-galize the incorporation of thetown of Pocahontas, Poca-hontas county, Iowa, the elec-tion of its offleers, and all actsdone and ordinances passed bythe council of said town, in-cluding the official acts of thepresent officers.
Introduced and referred1019
Reported favorably, 1021 passed ..... 1022
Passed the Benate. ..... 1040
115-ByVan Houten. A bill for an actto abolish the Soldiers and Sail-ors Monument Oommission andtransfer their duties to the Ex-ecutive Oouncll.
Introduced, rules suspended andpassed1023
Passed the Senate ..... 1039
Oorrectly enrolled. ..... 1046
SIgned by Governor ..... 1070
110-By Cornwall. A bill for an act toamend an act entitled "An actto provide for the annotation,indexing, publication, distribu;tion and sale of the Code andstatutes herelnufter eliacted,and the appointment of a su-pervising committee, the elec-tion of an editor and prescrib-ing his duties," approved May4, 1897, and to legalize the ac-tion of the supervising com-míttee.
Introduced and passed ..... 1080
Indefinitely postponed ..... 1082
117-By Cornwall. A bill for an act toamend section 70, chapter 6 ,title xil, of the ocde of lawspassed at the extra session ofthe Twenty-sixth General As-sembly, entitled "of intoxicat-ing liquors."
Introduced and passed. ..... 1082
Passed the Senate. ..... 1088
Oorrectly enrolled ..... 1090118-By Dowell. A bill for an act tomake an appropriation for in-dering and supervising thepriating of the House and Sen-ate Journals.
1085
Introduced and passed
1089
1089
Passed the Benate. ..... 1092
HOWELL, REV. A. F.-Officiates as chaplain ..... 967
HOWELL, FORD-Elected Second Assistant Clerk ..... 2
HUGHES, REV. R. W.—Officiates as chaplain ..... 207
HUNT, WILLLAM B.-Representative from the County ofDes Moines, Twentr-First District-
On standing committees: Banks and banking; Hospital for theInsane; Agriculturai College; Woman's suffrage; Peniten-tiaries; Horticulture; Code.
Presents petitions ..... 793
On special committees ..... 837
Motions by ..... 740, ..... 743
HUNTLEY, L. S.-REPRESENTATIVE FROM THE COUNTY OF Lucas, Sixteenth District-On standing committees: Banks and banking; Federal relations;Military; Institution for Feeble-Minded; Normal scbools;Woman's suffrage; Enrolled bills; Code.
Motions by 3, 111, 367, 720,741
Presents petitions ..... 260
Offers resolutions ..... 526
On special committees ..... 526
HUSKINS, HON. JOHN P-Resolutions to appoint committee to draft resolutions on the death of ..... 358
Appointment of committee ..... 358
Report of committee. ..... 469
INSUR ANCE-House File 18, relating to.
INTOXICATING LIQUORS-House File 33, relating to.
Jackson, A. E-Representative from the County of Tama, Fiftieth District-
On standing committees: Sshool and text-bouzs; Banks and bank- ing; Building and loan; Private corporations; Public health; Industrial schools; College for the Blind.
On special committees ..... 852
Presents petitions ..... 370
Granted leave of absence ..... 155
Explains votes ..... 355
Motions by ..... 990
Called to the chair ..... 521
Introduced bill ..... 989
JARVIS. REV. LEVI-Officiates as chaplain ..... 622
Jay, JoHn T.-Representative from the County of Carroll, Fifty fifth District-
On standing committees: Railroads and commerce; Retrench- ment and reform; Public health; Board of public charities; Code; Senatorial districts; Fish and game.
On special committees 45, 181, ..... 919
JESTER, REV. JO 3HUA-Officiates as chaplain ..... 1057
JOHNSON, REV. F. S.-Officiates as chaplain ..... 260
JOHNSON, HENRY-Elected Assistant Doorkeeper ..... 2
JOHNSON, REV. MR.-Officiates as chaplain ..... 243
JoHNSON, J. P.-Representative from the County of Web-Ster, Sixty-shcond Distriot -
On standing committees: Retrenchment and reform; Animal industry; Agricultural College; Induatrial schools; Labor; Code; Public lands and buildings; Police regulations.
Presents petitions $45,118,170,190,269,342,424,551$, ..... 785
Motions by ..... 262
johnston, C.f-Representative from the County of Frank- Lin, Seventy-fourth District-
On standing committees: Ways and means; Code; Judiciary; Building and loan; Federal relations; Private corporations; Industrial schools; Elections, chairman; Rules.
Presents petitions ..... 70
Motions by $117,206,266,277,286,307,369,380$, ..... 417
Offers resolutions ..... 828
Called to the chair .....
On special committees ..... 066
Explains vote ..... 670
JOHNSTON, REV. FRANK L.-Officiates as chaplain ..... 533
JOINT CONVENTION-To elect trustees Agricultural College ..... 251
On beet sugar industry ..... 645
To elect editor of Code ..... 982
JORDAN, REV. W. H.-Officiates as chaplain ..... PAGGJUDICIAL DEPARTMENT-House File 10, relating to the.JUSTICE OF THE PEACE-House File 83, relating to the courts of.
KENDALL, REV. MILO H.-Officiates as chaplain ..... 917
KENNEDY, REV. GEORGE H.-Officiates as chaplain ..... 269
KEOKUK, CITY OF-Senate File 105, 106, and House File 106 and 107, to legalize certain acts and resolutions of the council of the.
KING, REV. W. D.-Officiates as chaplain ..... 526
KLEMME, W. H.-Representative from the County of Win- NESHIEK, EIGHTY-EIGHTH DISTRICT-
On standing committees: Railroads and commerce; Agriculture;Code; Municipal corporations; Institution for Deaf and Dumb;Printing; Elections; Enrolled bills; Senatorial districts, chair-man.
Presents petitions 40, 63, 164,20
Motions by ..........- 59, 191, 245, 261, 262, 266, 274, 279, 308, 368, ..... 380
382, 389, 434, 437, 519, 544, 564, 567, 596, 632, ..... 661
6y7, 792, 803, 810, 849, 852, 993, 1018, 1020, ..... $103!$
Offers resolutions ..... 398
Explains votes ..... 676
Demands yeas and nays ..... 987
Introduces bill ..... 867
LadD, W. G.-Representative from the County of Butler, SEventy-third District-
On standing committees: Railroads and commerce; Insurance;Code; Agriculture; Retrenchment and reform; Animal Indus-try, State University; Soldiers' and Orphans' Home; Publiclands and buildings; Representative districts.
Motions by $-\ldots . . . . . . . . . .-57,62,187,308,339,385,439,466,494,518$, ..... 524
$564,645,654,656,657,720,726,797,876$, ..... 1066
Presents petitions ..... 883
Demands yeas and nays ..... 725
Explains votes ..... 385
On special committees ..... 919
LAIDL $\bar{Y}$, REV. W. F.-Officiates as chaplain ..... 1021
LAMBERT, THOMAS-REpresentative from the County of Jackson, Forty-sixth District-
On standing committees: Appropriations; Agricultural College; Constitutional amendments; Printing; College for the Blind;Institution for Deaf and Dumb; Senatorial districts; Code.
Called to the chair65
Presents petitions $156,163,169,181,371$, ..... 629
Offers resolutions 164, 418, ..... 663
On special committees ..... 1000 ..... 180, 887.
Motions by ..... 587
Demands yeas and nays ..... 440
Explains vote ..... 1013
LAUDER, J. W.-REPRESRNTATIVE FROM THE COUNTY OF UNION, Fourteenth Distriot-On standing committees: Code; Appropriations; Railroads andcommerce, chairman; Insurance; Suppression of intemperance;Public health; Pharmacy.
 669, 672, 743, 767, 788, 791, 854, 926, ..... 829
Granted lesve of absence ..... 81
Presents petitions ..... 360
On special committees. ..... 960
Demands yeas and nays ..... 840
Lavender, J. F.-Representative from the County of Cal- houn, Sixty-first Distriot-
On standing committees: Code; Judiciary; School and text-books;Building and loan; Private corporations; Agricultural College,chairman; Rules.
Motions by ..... 125, 143,
Presents petitions
254162Granted leave of absence.169,
On special committees ..... 768
LARRABEE, TOWN OF-Senate File 100, to legalize elections, acts done and ordinances passed by council of the.
LEMON, REV. F. H.-Officiates as chaplain ..... 45
Loomis, A. M.-Representative prom tee County of Jones, Forty-seventh District -
On standing committees: Banks and banking; Agriculture; Building and loan; College for Blind; Institution for Feeble- Minded; Military; Fish and game; Enrolled bills; Code.
Presents petitions ..... 52, 127, ..... 169
Motlons by 66, 131, 277, 305, 477, 676, ..... 932
Called to the chair ..... 104
On special committees ..... 464, 535, ..... 881
LOWRY, J. J.-REpresentative from the County of Howard, EIGHTY-NINTH DISTRICT-
On standing committees: Mines and mining; Federal relations; Roads and highways; Constitutional amendments; Claims; Pharmacy; Code.
On special committees $4,45,170,190,343,626,701$, ..... 1083
Presents petitions ..... 52
Granted leave of absence ..... 170
McACHRAN, W. H.-Representative from the County of Davis, Third District-
On standing committees: Retrenchmont and reform; Board of public charities; Claims; Penitentiaries, chairman; Pardons; Pharmacy; Code.
Granted leave of absence ..... 163 ..... 163
Motions by ..... 752
Presents petitions ..... 388
Demands yeas and nays ..... 451
Offers resolutions ..... 574
On special committees ..... 574
MCARTHUR, WILLIAM CORSE-REPRESENTATIVE FROM THE County of Des Moines, Twenty-first District-
On standing committees: Code; Judiciary; Suppression of intem- perance; Mines and mining; Municipal corporations; Labor; Public health; Public libraries, chairman; Pardons.
Motions by $\ldots . .29,83,135,143,177,187,241,274,280,358,436,437$, ..... 448468, 474, 561, $578,621,654,669,758,759,765,823,976$Demands yeas and nays.......................................................... 131 ,274
Presents petitions ..... 437
Explains votes ..... 328
On special committees. ..... 966
MCCASH, REV. I. N.-Officlates as chaplain ..... 454
MCCLAIN, EMLIN-Joint resolution authorizing his employment as annotator ..... 1058
MoDONALD, M.-Representative from the County of Guth- rie, Thirty-fifth District-
On standing committees: Ways and means; Agriculture; Animal industry, chairman; Domestic manufactures; Congressional districts; Judicial districts; Code.
Granted leave of absence ..... 32
McDONALD, M-Representative, etc-Continued-
PAGE
Presents petitions 45, 144, 151, 169, 243, 297, 602,
Motions by 366, 592, 918, ..... 789 ..... 937
Offers resolutions ..... 769
On specisl committees ..... 1018
Introduces bill ..... 912
McDOWell, J. P.-Representative from the County of Iowa, FORTIETH DISTRICT-
On standing committees: Agriculture; Retrenchment and reform; Roads and highwaye; Institution for Deal and Dumb; Horti- culture; Judicial districts; Code. ..... 30
Motions by ..... 849
Demands yeas and nays ..... 64
Presents petitions ..... 297
Explains vote ..... 845
Granted leave of absence ..... 363
On special committees ..... 859
Called to the chair ..... 989
MCGUIRE, REV. W. W.-Officiates as chaplain ..... 705
MOHOGH, HON.JOHN-Resolution for committee to draft resolutions on the death of ..... 170
Appointment of committee ..... 170
Report of committee ..... 254
MCKIM, REV. S. T.-Offciates as chaplain ..... 907
MCMILLEN, REV D. A. W.-Officiates as chaplain ..... 357
MoNULTY, FRANCIS-Representative from the County ofWoodbury, Fifty-eighth District-On standing committees: Code; Judiciary; Telegraph, telephoneand express; Municipal corporations; Police regulations, chair-man; Labor; Public libraries; Congressional districts.
Motions by $2,39,104,134,151,262,266,275,276$, ..... 494
508, 579, 597, 666, 721, 647, 861, 836, 944, ..... 958
On special committees ..... 880
Called to the chair ..... 738
Granted leave of absence ..... 1077
MCQUIN, B. M.-REPRESENTATIVE FROM THE COUNTY OF BENTON, Forty ninth District-
On standing committees: Insurance; Mines and mining; Collegefor Blind; Board of public charities; County and townshiporganization; Soldiers' and Orphans' Home; Printing;Engrossed bills; Representative districts, chairman; Code.
Granted leave of absence ..... 144
Motions by ..... 605
On special committees ..... 824
MCQUIN, LORENA-Elected Assistant Postmistress ..... 2
Vote of thanks to ..... 1069
MAIL CARRIER-Appointment of committee to confer with Senate committee on ..... 29
Henry Cain elected ..... 31
MANAHAN, F. B.-REPRESENTATIVE FROM THE COUNTY OF Plymodth, Seventy-eighth District-
On standing committees: Code; Municipal corporations; Insurance; Printing; Public lands and buildings; Compensation of public officers; Police regulations.
Offers resolutions ..... 5, 44, ..... 384
Motions by $35,359,368,443,579$, ..... 1071
Presents petitions ..... 243
Explains votes ..... 191
Granted leave of absence ..... 470. ..... 705
MARTI, CERIS-REPRESENTATIVE FROM THE COUNTY OF ScOtt, FORTY-THIRD DISTRICT-
On standing committees: Ways and means; Railroads and com-merce; Telegraph, telephone and express; Private corporations;Code; Soldiers' and Orphans' Home; Institution for Feeble-Minded; Public lands and buildings.
_136, 151, Presents petitions673
On special committees ..... 824
MARTIN, W. B.-REPRESENTATIVE FROM the County of Adair, TWEnty-ninth District -
On standing committees: Code; Appropriations; Suppression ofintemperance; Banks and banking; Building and loan, chair-man; Domestic manufactures; Representative districts.

$29,34,65,148,186,187,203,259,260,304$,

$29,34,65,148,186,187,203,259,260,304$,

$29,34,65,148,186,187,203,259,260,304$,   325, 353, 389, 431, 449, 450, 460, 465, 487,   325, 353, 389, 431, 449, 450, 460, 465, 487,   325, 353, 389, 431, 449, 450, 460, 465, 487, .....  .....  ..... 305 .....  .....  ..... 305 .....  .....  ..... 305  524, $525,579,597,603,657,703,718,744$,  524, $525,579,597,603,657,703,718,744$,  524, $525,579,597,603,657,703,718,744$, .....  ..... 16 .....  ..... 16 .....  ..... 16
806, 812, 813, 842, 850, 871, 910, 913, 976, 931,
806, 812, 813, 842, 850, 871, 910, 913, 976, 931,
806, 812, 813, 842, 850, 871, 910, 913, 976, 931, ..... 747 ..... 747 ..... 747
Motions by
Motions by
Motions by ..... 989 ..... 989 ..... 989
Granted leave of absence ..... 117
Explains vote ..... 76
Presents petitions ..... 785 ..... 94, 144
On special committees ..... 852
Called to the chair ..... 868
Demands yeas and nays ..... 813
Offers resolntions ..... 884
MARTYN, DR. CARLOS-Officiates as chaplain ..... 329
MASON, REV. O. H. L.-Officiates as chaplain ..... 518
MAYNE, S.--Representative from the County of Kossuth, Eighty-third District-On standing committees: Code; Judiciary; Building and loan;
State University, chairman; Private corporations; Normalschoole; Elections.
Presents petitions ..... 40,
On special committees
Granted leave of absence ..... 981127
Motions by $158,249,261,364,463,464,480,524,696$, ..... 697
$741,755,830,848,850,875,881,946,980$, ..... 981
Called to the chair ..... 976
MERRELL, HON. N. A-Resolution to appoint committee to draft resolutions on death of ..... 4
Appointment of committee ..... 4
Report of committee on ..... 45
MERRILL, HON. P. G. C.-Resolution to appoint committee to draft resolutions on the death of ..... 594
Appointment of committee ..... 594
Report of committee ..... 766
MERRIAM, FRANK F--Representative from the County ofDelaware, Sixty-eighte Distriot-
On standing committees: Appropriations; Telegraph, telephone and express; Mines and mining; Compensation of public off- cers, chairman; Agricultural College; Hospital for Insane; Printing; Labor; Elections. ..... 30
On special committees ..... 394
Motions by $\ldots$. $62,64,117,131,145,160,186,282,311,327,387,399$, ..... 449
$464,467,492,517,520,521,536,537,538,554,565,601$, ..... 603
621, 625, 645, 686, 721, 739, 748, 754, 810, 850, 1048, ..... 1069
Presents petitions ..... 730
Called to the chair ..... 579
Demands yeas and nays ..... 582
Introduces bill ..... 762
METCALF, MISS BELL-Elected Bill Clerk ..... 2
MILEAGE-Resolution for appointment of committee on ..... 30
Appointment of committee on ..... 31
Report of committee on ..... 38
MEMORIAL, HISTORICAL AND ART BUILDING-Senate File 89, making an appropriat'on for.
MIDDLETON, NATE-Elected janitor-
pageMILITIA-Senate File 15, relating to the.MILLER, D. C.-Representative from the County of BuenaVista, Seventy-seventh District-
On standing committees: Binks and banking; Woman's suffrage;College for Blind; Penitentiaries; Public lands and buildings;Hospitals for Insane; Engrossed bills; Code
Presents petitions . $63,118,144,181,287,342,566$,785
Granted leave of absence ..... 159, ..... 1077
Motions by 288, ..... 866
MILLER, WIREMAN-REPRESENTATIVE FROM THE COUNTY OFCherokee, Fifty-ninth District-
On standing committees: Military; Woman's suffrage; Hospitalsfor Insane, chairman; College for Blind; Institution for Fee-ble-Minded; Penitentiaries; Congressional districts; Code
Granted leave of absence_..39, 160, 285, 394, 470, 538, 605, 700, 754,812
Motions by ..... 1089
MILLER, J. H.-Representative From the Codnty of War- ren, Twenty-seventh District-
On standing committees: Compensation of public officers; Animal industry; Penitentiaries; Public lands and buildinge; Engrossed bills; Judicial districts; Military; Fish and Game; Code.
On special committees ..... 29, ..... 712
Granted leave of absence
Introduces bill ..... 165
Motions bv ..... 392
MOORE, REV. H. F.-Officiates as chaplain ..... 602
MORRISON, REV C. C.-Officiates as chaplain ..... 495
MORRISON, J. D.-REPRESENTATIVE FROM tHE COUNTY QFGrundy, Sixty-fifth District -
On standing committees: Code; A ppropriations; Banks and bank- ing; Building and loan; Suppretsion of intemperance; Domes- tic manufactures, chairman; Public lands and buildings; Public libraries; Judicial districts; Rules.
Motions by ...64, 114, 132, 180, 284, 292, 351, 358, 443, 464, 473, 525, ..... 553
582,660, , $72,680,696,697,709,720,739,743802,814$, ..... 817
839, 854, 867, 910, 960, 961, 981, 10:5, 1044, 1060, ..... 1061
Explains votes ..... 92
Presents petitions 156,169 , ..... 357
Called to the chair ..... 1083
Demands yeas and nays ..... 493
On special committees ..... 852
Offers resolutions ..... 1059
MORKISON, JOHN-REPRESENTATIVE FROM THE COUNTY OF Keokdk, Twenty-fourth District-
Ol standing committees: Ways and means; Code; Telegraph, te'ephone and express; Suppression of intemperance; Domes- tic manufactures; Woman's suffirage; Federal relations, chair- man.
$-4,76,77,125,133,159,160,177,241,256,257$,
$288,296,360,400,401,447,449,489,519$, ..... 283 ..... 283
563, 586, 590, 603, 641, 655, 747, 802, 817, ..... 544 ..... 1023
866
On special committees
533
533
Demands the yeas and nays. $52,137,156,169,181,342$, $52,137,156,169,181,342$, ..... 79
Offers resolutions ..... 1068
Moves a call of the House ..... 745
Called to the chair ..... 875
Granted leave of absence ..... 1077
MULLIN, W.-Representative from the County of Henry, TWENTIETH DISTRICT-
On standing committees: Municipal corporations; Private corpor-ations; County and township organization; Roads and high.ways; Penitentiaries; Soldiers' and Orphans' Home; Normalschools; Pardons; Horticulture; Judicial districts; Code.
Presents petitions ..... 52, 118, 181, ..... 207
Motions by ..... 540
On special committees ..... 540
MURDOCK, SAMUEL-
Resolution for appointment of committee to draft resolutions on the death of ..... 111
Appointment of committee ..... 111
Report of committee ..... 128
MYERS, SHERM F.-Elected First Assistant Clerk ..... 2
Vote of thanks to ..... 1069
NEITERT, H. J.-Representative from the County of Linn, Forty-eighth District-
On standing committees: Code; Appropriations; Railroads and commerce; Banks and banking, chairman; Telegraph, tele- phone and express; Insurance; Suppression of intemperance; Mines and mining; Building and loan.
181
181
Called to the chair ..... 239
Demands yeas and nays ..... 324
Explains votes ..... 435
Motions by ..... 879
On special committees ..... 879
NEBERGALL, MISS MINNIE-Elected Enrolling Clerk ..... 2
Vote of thanks to ..... 1069
NOBLE, REUBEN - Reaolution to appoint committee to draft resolu- tions on the death of ..... 111
Appointment of committee ..... 111
Report of committee ..... 127
NOLAN, THOMAS F.-REPRESENTATIVE FROM THE COUNTY OF DUbuque, Sixty-ninth Distriot-
On standing committees: Retrenchment and reform; Agriculture; Animal industry; Institution for Feeble-Minded; Elections; Congressional districts; Code.
Presents petitions 52, 136, 137, 144, 145, 163, 181, ..... 189 ..... 189
207, 254, 278, 495, 551, 793, 811, ..... 877
On special committees ..... 111, 755,
Motions by ..... 985
490
Demands yeas and nays ..... 573
Offers resolutions ..... 552
Explains vote3 ..... 585
Introduces bill ..... 848
OFFICERS-Of House elected ..... 1, ..... 2
Of State, resolution to appoint committee to investigate.
Report of committee on certain ..... 773
OGILVIE, REV. D. M.-Officiates as chaplain ..... 785OSSIAN, TOWN OF-House File 101, to legalize certain ordinancesof the council of the.
O'HARROW, C. O.-House File 101, to legalize certain acts of.
Parker, JOHN-Representative from the County of Mills, Eleventh District-
On standing committees: A griculture; Retrenchment and reform; Animal industry; Hospitals for Insane; Institution for Deaf and Dumb, chairman; Institution for Feeble-Minded; Congressional districte; Judicial districts; Code.
PARKER, JOHN-Representative, etc.-Continued-
page
Motions by $3,266,293,310,314,401,584,703,741,746$, ..... 752
Introduces bills ..... 31
Presents petitions ..... 948
Granted leave of absence, 524; explains vote ..... 639
On special committee ..... 947
PENSION AGENCY AT DES MOINES - Senate joint resolution No. 2, relating to. ..... 984
PERROTT, E. G.-Representative from the County of Dal-las, Thirty-seventh Distriot-
On standing committees: Railroads and commerce; School and text-books; Retrenchment and reform; Agricultural College; Police regulations; Labor; Representative districts; Code.
Granted leave of absence ..... 169
Presents petitions ..... 254
Motions by ..... 995
Introduces bill. ..... 859
PIKE, REV. J. C.-Officiates as chaplain ..... 422
POCAHONTAS, TOWN OF-House File 114, to legalize the incorpor- ation of the.
POLK COUNTY-Senate File 101 and House File 102, to legalize cer- tain errors and omissions of the board of supervisors of.
PORTER, C. R.-Representative from the County of Appa-noose, Fodrth District-
On standing committees: Code; Judiciary; School and text-books;Compensation of public officers; Military; College for theBlind; County and township organization; Engrossed bills.
Presents petitions 52, 151, ..... 359
Motions by 76, 112, 369, 378, 381, 401, 451, ..... 484
544, 578, 583, 591, 641, 681, 726, ..... 994
Called to the chair ..... 899
394, $532,768,803,824$, On special committees ..... 971
Demands yeas and nays ..... 1060
Introduces bill991
POTTER, L. F.-REPRESENTATIVE FROM THE COUNTY OF POTTA- wattamie, Thirty-first District-
On standing committees: Code; Telegraph, telephone and express, chairman; Municipal corporations; Ways and means; Banks and banking; Police regulations; Labor.
Granted leave of absence705
Presents petitions $-\ldots \ldots-\ldots-\ldots-\ldots-\ldots, 81,127,163,164,370,371$, ..... 917
Motions by .-122, 147, 148, 203, 293, 381, 382, 383, 391, 491, 492, 725, ..... 735
744, 746, 751, 772, 794, 823, 837, 859, 861, 866, 897, 916, ..... 1056
Arose to a question of personal privilege ..... 166
Explains votes ..... 341
Demands jeas and nays ..... 391
On special committees ..... 879
POTTS, MISS ELLA-Resolutions on the death of ..... 695
POWER, J. T. P.-Representative from the County of LesFIRST DISTRICT-
On standing committees: Judiciary; Federal relations; Policeregulations; Hospitals for Insane; Pardons; Elections; Code.
Offers resolutions834
On special committees ..... 30, 51, 532, 626, 790, ..... 803
Presents petitions......70, 181, 207, 235, 289, 357, 363, 370, 663, 716, ..... 869
Explains votes. ..... 856
Metions by-.............-139, 147, 150, 241, 322, 395, 421, 460, 479, 489, ..... 589$633,669,694,814,824,849,908,994,1002,1004$
Demards yeas and nays ..... 675
Called to the chair ..... 970
Introduces bills ..... 878
Elected member of supervising committee ..... 981
PRENTIS, P. L -REPRESENTATIVE FROM THE COUNTY OF RING-GOLD, SEVENTH DISTRICT-
On standing committees: Railroads and commerce; Suppressionof intemperance; Mines and mining; State University; Publichealth; Claims; Agricultural College; Soldiers' and Orphans'Home; Pharmacy; Code.
Presents petitions 45, 127, 163, 207, 248. 342, 424,551
Motions by -. $241,247,443,450,653,658,665,681,702,865,1013,1044$, ..... 1045
On special committees. ..... 880
Called to the chair ..... 647
Granted leave of absence ..... 1057
Offers resolutions ..... 865
PRESIDENT OF THE UNITED STATES-Resolutions of congrat- ulation on selection of eecretary of agriculture ..... 133
Support pledged to ..... 384
PRINTER AND BINDER, STATE-Resolution to appoint commit- tee to investigate the offices of ..... 164
Appointment of committee ..... 180
Report of committee to investigate ..... 607
Kesolution to print transcribed evidence ..... 674
Senate File 91, relating to.
Putnam, G. M.-Representative from the County of Potta- wattamie, Thirty-First District-
On standing committees: Insurance; Suppression of intemper- ance; Constitutional amendments; Institution for Deaf and Dumb; Agricultural College; Congressional districts; Code.
On special committees 31,1000
Presents petitions 136, 287, 551 , ..... 917
Motions by ..... 1042
Granted leave of absence ..... 705
RAILWAYS-House File 23, in relation to the construction and ope- ration of.
House File 24, relating to the Board of Commissioners of
House File 25, in relation to regulation of carriers by.
Senate File 19, relating to the Board of Commissioners of.
Senate File 20, relating to the construction and operation of.RATHBONE, TOWN OF-House File 112, to legalize the incorpora-tion of the.
RAY, W.G.-Representative from the County of Poweshiek,Thirty-ninte District-
On standing committees: Code; Appropriations; School and text- booke; State University; Normal schools, chairman; Building and loan; Agricultural College; Institution for Deaf and Dumb; Penitentiaries; Congressional districts.
Motions by 30, 32, 37, 41, 122, 126, 162, 245, 268. 274, 30, 32, 37, 41, 122, 126, 162, 245, 268. 274,282293, 324, 326, 355, 449, 451, 452 463, 719743, 753, 805, 837, 911, 1012. 1032,1036
On special committees ..... 773
Demands yeas and nays ..... 41
Presents petitions ..... 269
Offers resolutions ..... 1077
Called to the chair ..... 604
REED, J. F.-Representative from the County of Story, Fifty-second District-
On standing committees: Code; School and text-books, chairman;Suppression of intemperance; Agriculture; State University;Agricultural College; Domestic manufactures; College forBlind.
Offers resolutions ..... 279
Presents petitions $40,118,127,144,189$, ..... 207
PAGB
REED, J. F.-Representative, etc.-Continued-
Motions by-....92, $93,120,122,138,139,143,148,149,160,161,178$, ..... 206 239, 245, 247, 275, 300, 311, 319, 326, 327, 353, ..... 355
$436,450,451,470,558,593,629,696,697,701$, ..... 76
704, 707, 741, 744, 768, 811, 856, 865, 906, 973,
357
Called to the chair ..... 702
Demands yeas and nays ..... 550
RENWICK, TOWN OF-House File 113, to legalize the ordinances and acts of council of. ..... 589
RESOLUTIONS-Nominating and electing officers of the House2
Authorizing Chief Clerk to appoint clerk ..... 125
For committee to draft resolutions on death of Hon. N. A. Merrell- ..... 4
Directing Sergeant-at-Arms ..... 5
Relating to digtribution of Code work ..... 5
In reference to introduction of Code bills ..... 29
Relating to rules ..... 30
To appoint committee on mileage ..... 30
To assign seats to newspaper correspondents. ..... 32
Instructing Doorkeeper ..... 44
On death of Hon. N. A. Merrell ..... 45
To distribute session laws ..... 51
To appoint committee to present resolutions on the death of Samuel Murdock and Reuben Noble. ..... 111
On death of Reuben Noble ..... 127
On death of Samuel Murdock ..... 128
To appoint committee to draft resolutions on death of W. P. Wolf. ..... 137
Providing for committee to investigate the various State depart- ments ..... 164
To investigate State printing and binding ..... 164
To appoint committee to draf 6 resolutions on death of Hon. John McHugh ..... 170
To appoint committee to draft resolutions on death of Hon. A. J. Wood ..... 190
Relating to bills on Calendar ..... 208
To hold afternoon sessions ..... 255
On death of Hon. W. P. Wolf ..... 272
As to adjournment ..... 355
To discharge committee clerks ..... 357
To appoint committee to draft resolutions on death of Hon. J. P. Huskins ..... 358
On death of Hon. A J. Wood ..... 363
Pledging support to President of United States ..... 384
Relating to leave of absence, etc ..... 398
Relative to money embezzled by Rankin ..... 394
Congratulating Speaker Byers and wife ..... 400
Instructing Chief Clerk to sign subpœenas in blank ..... 41.
On death of Hon. J. P. Huskins ..... 469
To discharge certain employes ..... 495
Of confidence in Speaker Byers ..... 514
To appoint committee to investigate certain matters contained in report of building and loan lobby ..... 516
Asking certain papers be returned to Representative Lambert ..... 517
To appoint committee to draft resolutions on death of Hon. S. D. Wheeler ..... 526
To appoint committee to draft resolutions on death of Hon. S. L. Steel ..... 540
On the death of Hon S. D. Wheeler ..... 542
To appoint committes to draft resolutions on death of Hon. D. C. Greenleaf ..... 574
To permit introduction of legalizing bills ..... 552
PAGE
RESOLUTIONS-CONTINUED-
To appoint committee to draft resolutions on death of Hon. P. G.
To appoint committee to draft resolutions on death of Hon. P. G. C. Merrill C. Merrill ..... 594 ..... 594
To print tran cribed evidence in full in Journal ..... 663
Oa death of Miss Ella Potts ..... 695
Relating to sessions of printing committee. ..... 705
Relating to investigation of state printing and binding ..... 715
On death of ifon. P. G. C. Merrill ..... 766
To a ppoint committee to drait resolutions on death of Hon. Thos. seeley ..... 769
On dfath of Hon. S. L. Steel ..... 793
Instructing the Attorney General ..... 834
To appoint committee to draft resolutions on death of Hon. Butler Bird ..... 870
On death of Hon. Butler Bird ..... 879
On death of Hon. Thos. Seeley ..... 884
Relating to text-books ..... 884
Relative to election of supervisory committee ..... 917
To elect three members of supervisory committee. ..... 937
Instructing printing committee to report ..... 948
Thanking the officers and employes ..... 1069
RESOLUTIONS, HOUSE CONCURRENT-

Ooncerning ref rence to Code and laws. Introluced, 29
To arrange proposed dode into bills. Introduced and adopted, 30 ; passed the Senヶte, 34.
To requ!re secretary of State to furnish Journals and $s \rightarrow$ ssion laws. Offered and adopted, 58: pissed the Senate, 80 .
To appoint conmittee to visit Feeb'eMinded Institution at Glenwhod. Offrred and adopted, 59; passed the Senate, 60.
To appolnt committee to designate where ce tain luws were to go in new oode. Offered, 62; adopted, 65; passed the Senate, 77.
To nave secretary of State furnish McClain's Code and session laws to Hon. W. I Hays. Offered and adopted, 74; passed the Senate, 82.
Relative to stationery for members. Offered and adopted, 129; passed the Senate, 139.
Congratulating Hon. James Wilson. Offered and adopted, 133; passed the Senate, 139.
Relating to stationery for reporters. Offered and adopted, 137; passed the Senate, 275.
To copyright the Oode. Offered, 180; adopte d, 179.
To hola $j$,int convention. Offered and adopted. 236; passed the Senase, 243.
Relating 10 billin Congress afferting salaries of jetter carriers. Offered and adopted, 28 .
Instructicg Rallroad Commissioners to confer with rallways as to farm produets. Uffered, 281.

To appoint committee to get estimates as to cost of printing and blading the new Code. Offered. 228; adopted, 294; passed the Senate, 304.
To appoint committee to investigate enactment of building and loan law. Offered and adopted, 513; passed the Senate, 518.
To recall from the Governor House file No. 17. Offered and adopted, 754; passed the Senate, 756
Relaling to reports of conference committees. Offired and adopted, 822; passed the Senate, 853.
Memorial to the Iowa members in Oongress. Offered and adopted, 865; passed the Senate, 879.
To assign rooms in capltol. Offered, 948.
Relating to the Soldiers' Home. Offered, 949; adopted, 968.
Instructing Joint Supervising Committee. Offered and adopted, 973; passed the Senate. 977 .
To retain mail carrier after adjournment. Offered, 1005; withdrawn, 1020.
To print 5,000 Official Registers Offered and adopted, 1054 ; passed the Senate, 1056.

Auth rizing Secretary of State to furnish conies of laws Offered and adopted, 1057; passed the Benate, 1081.
To retain certain employes after adjournment. Offered and lost, 1059, 1061.
Authorizing Secretary of State to print certain laws. Offered and adopted, 1069.

To appoint committee to wait on the Governor. Offered and adopted, 1075; passed the Senate, 1076.

## RESOLUTIONS, SENATE CONCURRENT-

To adopt a common plan for consideration of Code work. Received from the Serate and adopted, 65
To save time in considering Oode work. Received from the Senate and adopted, 112
Relative to the conference of committees on Ond $s$ bills. Recelved from the Senate, 129.
To separate Code bills. Received from the renate and adopted, 179.
Relative to Sylvester Scovel. Recelved from the Senate, 298; adopted, 294.

Relat ve to rules of the supreme court. Received from the Sonate, 323 ; adopted, 358.

Relative to joint convention on the beet sugar industry Received from the Senate, 613; adopted, 644
To elect an editor of the Code. Received from the Senate, 935 ; amended and adopted, 937 .
To make the wild rose the flower of the state. Recelved from the Senate, 1024; adopted, 1025.

To give preference to Unlon soldiers in tha Senate, 1024; referred, 1025, 1031.
Relating to Journals of House and Senats. Recelved from the Senate, 1067 ; rejected, 1068.
RE IOLUTIONS, HOUSE JOINT

1--By Reed. Relativa to evidence in support of claims for pensions. Adopted by House, 279, 327; adopted by Senate, 423.

2- By Committee. Authorizing the Onde Supervising Committee to employ EmlinMcClain to annotate the code Introduced, 1058; adopted by Hous9, 1059;

Relating to final adjournment. Received from the Senate, 1088; amended and adopted, 1038 ; Senate refused to concur, 1093; House recedes, 1093.
adopted by Senate, 1071; correctly enrolled, 1071.
3-By keed. Relating to use of committee room by the Board of Educational Examiners. Intraduced and adopted, 1077; passed the Senate, 1083; correctly enrolled, 1087.

RESOLUTIONS, SENATE JOINT-
2-By Hotchkiss. Relative to the removal of the pension office from Des Moines. Raceived from the Senate, 204 ; adopted, 205.

3-By Oarney. Providing for the appointment of a joint committee to investiFate the reports of trustees, rugents, commissioners or other officers of stateinstitutions. Received from the Senate, 232; referred, 234; reported with substitute, 269; laid on table, 234; action reconsidered, 337 ; motion to refer to Governor, 328; adopted, 339; returned from the Senate with amendments, 385 ; referred, 385 , reported, 387 ; Senate amendments concurred $1 \mathrm{n}, 387$; correctly enrolled, 461.
6-By Trewin. Relative to taking a recess by the General Assembly and the discharging of the employes. Received from the Senate, 1067; adopted, 1076; correctly enrolled, 1076.
6-By Trewin. Relating to the use of committee rooms by the supreme
court. Received from the Senate, 1024; adopted, 1026; correctly enrolled, 1055.
7-By Trewin. Relating to the use of committee rooms by the Supervising Committee and allowing stathonery, stamps. etc. Received from the Sen: ate, 1000 ; adopted, 1003 ; correctly enrolled, 1047.
8-By Waterman. Relative to the certifcation of the Journals to the Secretary of State and providing for indexing sume. Recelved from the Senate, 1001; referred, 1019; recalled by Senate, 1048
9-By Committee. Fixing the number of employes at the seat of government and their compensation. Revelved from the Senate, 1027; amended and adinted, 1031; Senate refuses to concur in certain House amendments, 1044; House recedes from certain amendments, 1015 ; correctly enrolled, 1074.
REVENUE—House File 14, relating to the.Senate File 8, relating to the.
ROB RBAUGH, REV. D. A.-Officiates as chaplain ..... 752
ROSENBERGER, REV. H. C.-Officiates as chaplain ..... 287
ROW EN, SEN ATOR J. E.-Officiates as chaplain ..... 278
ROW EN, JAMES D -Elected Chief Clerk ..... 1
Vote of thanks tendered ..... 1069
Presents clock to Speaker on behalf of employes ..... 1062
SAFFORD, REV. MISS-Officiates as cbaplain ..... 71
SCHOOL FOR THE DEAF-Senate File 90, relating to the.
SCHOOLS-House File 62, relating to the system of.Senate File 45, relating to the system of.Senste File 58, relating to county high.
Senate File 94 , relating to the system of common.
SCOTT, D H -Representative from the County of MonroeSEVENTEENTH DISTRICT-
On standing committees: Constitutional amendments; Claims; State University; Soldiers' and Orphans' Home; Institution for Deaf ard Dumb; Fish and game; Code.
-4, 803, ..... 1076
On special commit ..... 289
Granted leave of absence ..... 111
Called to the chair ..... 818
SCOVEL, SYLVESTER-Concurrent resolution concroning ..... 293
SEELEY, HON. THO S.-Resolution for appointment of committee to draft resolutions on the death of ..... 769
A poointment of committee ..... 769
Report of committee ..... 884
SENATE-Messages from.34, 60, 65, 77, 82, 112, 129, 139, 150, 152, 156,
PAGF
161
290 178, 187, 204, 206, 232, 243, 258, 263, 267, 274, 276, 281, 284, 293, 304, 306, 323, 342, 348, 362, 284, 388, 397, 400, 422, 435, 472, 476, 486, 515, 518, 529, 530, 536, 560, 565, 571, 575, 576, $593,595,598,601,624,643,658,665,674,698,701,711,716,733$ 453 738; 742, 756, 759, 767, 770, 786 745, 809, 811, 818, 822, 826, 829 $852,864,868,870,875,878,885,896,909.9$ 3, ヶ23, 931, $934,{ }^{436}$ 947, 952, 955, 980, 966 967, ४69, 971. 977, 979, 984, 985, 1000, 1004 1005, 1011, 1013, 1023, 1027, 1039, 1040, 1041, 1043, 1044, 1044, 1051 1056, 1061, 1067, 1069, 1076, 1081, 1083, 1086, 1088, 1089, 1093

## SENATE FILES-

1-By Committee. A bill for an act to provide tor the annotation, indexing, publication, distribution and sale of the code and statutes hereafter enacted, and the appointment of a supervising committee and the election of an editor, and prescribing the duties.
Received from the Senate
Piaced on file.
Made syecial order 812
Made spectal ordier........................... 812
Substitute offered. 824
. di............. . . 830
Read frst and second time............................... 8394
Amended and passed ............. 848, 8.54
Senate refuses to concur in certain House amendments.
House insists on its a,mendmen . . 878
ments.. 831
Conference committee appointed.
Recalled by House
Recalled by conc............. ments ...... ..... .....................
Report of conference committee

Report of conference committee adopted by Senate.................. eport of conference committee adopted by House. . . . . . . . . . . . . . . 925
Oorrectly enrolied 964
3-By Committee. A bill for an act to revise, amend and codify tha statutes in relation to county and township government
Received from the Senate and referred
Reported with amendments.............................. 271
Amended and passed...............291, 803
Senate refuses to concurin certain House amendments and amends House amendments 472
Beferred........................................ 481
House insists on its amendments.. 485
Conference committee appointed.. 494
Returned from the Senate with report of conference committee. . 571
Recalled by Benate
571
576
Returned from the Senate with conference committee report. .......
Report of conference committee adopted.

585

Oorrectiy onrolled................................................. 74
4-By Oommittee. A bill for an act to revise, amend and codify the starutes in relation to procedure in courts of original jarisdiction.
Recelved from the Senate 152
Referred. ................................ . . . 155
Reported with amendments ......... 375
Amended and passed............. 388
Senate refuses to concur in certain House amendments
House insists on all its amendments

529

Conference committee appointed. 538
Returned from the genate with conference committee report .. 595

Peport of conference committar
Report of conference committee adopted by Senate ................ 60
Report of conference committee adopted by House................... 605
Recalled by the Senate............... 62
Motion to reconsider fled................. 888
Report of conference committee adopted by Senate.................. 6
Report of conference committee adopted by House $\qquad$
Correctly enrulled. ............................. 883
Substitute for S. F. No. 8-By Committee. A bill for an act to revise, amend and codify the statutes in relation to the revenue.
Recelved from the Senate........... 598
Referred.......... ...........................
Reported with amendments..... 622
Amended and passed...647, 666, 677, 717
Senate non-concurs in and amends certain House amendments.... 913
Referred, 815; reported................ 958:
Made special order....................... 959
House insists on its amendments.. 974
Oonference committee appointed.. 985
Report filed.................................. 1019
Senate adopts report of conference committee............................
House adopts report of conference committee.................................
Further conference committee ap-
pointed................................. 1031
Senate adopts report of conference committee ................................
House adopts repart of conference committee .............. . . . . . . . . . . . . . 1056
Correctly enrolled ...........................10\%2
10-By Oommittee. A bill for an act to revise, amend and codify the statuties in relation to elections and offices.
Recelved from the Senate............ 288
Referred ....................................... 273
Reported with amendments ........ 425
Made special order..................... 454
Amended and passed...588, 530, 574, $58 \%$
Senate refuses to concur in certain House amendments........ ..... 711
Referred . . . . . . . . . . . . . . . . . . . . . . . . . . . . . 712
Reported......................................... 739
House insists on certain amendments.

750
Conference committee appointed.. 755
Oonference committee appointed by Senate

756
Report of conferenee committee 797 fled.... . ..............................
Report of conference committee
adopted by Senate ................ 826
Report of conference committee 828 adopted bv House . . . . . . . . . . . . . . 898
Correctly enrolled ...................
15-By Uummittee. A bill for an act to revise, amend and cudify the statutes in relation to the milltia
Recelved from the Senate and referred......................................
Reported substitute ..... PAGE ..... 416
Passed
Returned from the senate withamendments.760
Referred, 760; reported ..... 763
Ooncurs in certain Senate amend- ments. ..... 763
Senate insists on its amendments. ..... 795
Conference committee sppointed. . ..... 808
Roport fled ..... 878
Further conference committee ap- pointed by Senate ..... 878
Further conference committes ap- pointed by House. ..... 880
Oonference committee report897
adopted by Senate
Conference committee report adopted by House ..... 897
Oorrectly enrulled. ..... 961
19-By Committee. A bill for an actto revise, smend and codify thestatutes in relation to theBoard of Railroad Commissioners.

Received from the Senate
Referred ..... 383
Reported with amendmenta. ..... 386
Recalled by Senate ..... 368
Returned from the Senate. ..... 398
Referred ..... 898
Reported with amendments ..... 462
581
Amended and passed545
laid on the table.
Senate refuses to concur in House amendments ..... 575
Recalled by Senate. ..... 476Senate refuses to concur in Houseamendment to section $7 . . . .$.House recedes from its amend-585
ment to section 7Motion filed to reconsider vote bwhich Honse receded from its
amendment to section 7593
Recalled by House ..... 548
Correctly enrolled ..... 688
20-By Committee. A bili for an actto revise, amend and codify thestatutes in relation to the con-struction and oparation of rall-ways.
Received from the Senate204
Referred, 206; reported favorably. ..... 238
Amended and passed279, 280
Senate non-concurs in part of ..... 787
Made spectal order ..... 788
Refuses to concur in Berry substi tute ..... 791
Motion filed to reconsifer, and that motion aid on table ..... 799
Senate insists on Berry substitute ..... 802
Oon ference committee appointed. ..... 818
Report fled930
urther con960
Report of conference committee.. ..... 988
Report of conference committes adopttid by Senate .................. ..... 969Report of conference committee
sdopted by House ..... 969
Correctly enrolled
20-By Oommittee A bili for an actto revise, amend and codify thestatutes in relation to minesand mining.
Received from the Senate ..... 291
Referred ..... 294
Reported iavorably ..... 540
Amended and passed
699
699
Correctly enrolled ..... 699

3C-By Oommittee. A bill for an PAGE to revise, amend and codify the statutes in relation to the Dairy Commissioner and imitation duiry products
Recelved from the Senste ........... 32
Referred ..................................... 364
Reported with amandments........ . 425
Amended and pa. sed ................. . 433
Aotion reconsidered ..................... . 440
Passed. ...................................... . . 442
Correctly enrolled ..................... . 51
Substitute for 8 . F. No 358 and H. F.
No. $42-R y$ Committee. A bili 542 for an act to revise, mmend und codify the statutes in relation to the care and propagation of fish and the protection of birds and game.

Recelved fiom the Senate.
576
Referred. ..... 582
Reported with amendments ..... 695
Amended and passed ..... 698
Regalled by House ..... 738
senate non-concurs in part of House amendments ..... 770
Referred. 7727 reported ..... 789
House insists on part of its amend- ments. ..... 790
Oonference committee appointed. ..... 790
Conference committee appointed by Senate ..... 796
Report of conference committee filed ..... 830
Report of conference committee adopted by Senate. ..... 835
House refused to adopt report of con ference committee ..... 836
Further conference committee ap- pointed ..... 837
Motion filed to reconsider ..... $8: 9$
Action reconsidered. ..... 840
House refused to adopt report of840
conference committee
Report of conference committee filed ..... 861
Report of conference committee adopted by House.... ...........Repert of conference committeeudopted by Senate.898
911Correctily enrolled
36-By Oommittee. A bill for an acttn revise, amend and codify thestatutes in relation to dent-istry
Recelved from the Senate ..... 263
Keferred, 264 ; rucommitted ..... 311
Keported with amendments ..... 371
Amended and passed ..... 383
Oorrectly enroled ..... 48-4
Recalled fiom Governor ..... 586
Recelved from the Senate refusingto concur in House amendments6.4
House insists on certain amead ments ..... 635
Conference committee appointed.. ..... 626
Benste adopts report of conference committee ..... 688
House refuses to adopt report of conference commituee ..... 700
Further cunference committee ap. pointed, ..... 703
Further conference committee ap- pointed by Senate ..... 711
Recalled by Senate ..... 716
Conference committee report iled.Conference committee repoitadopted...............................
Oonference committeereprtadopted by sienate. ..............
Correctly enrolled ..... 783 ..... 788

## SENATE FILES-CONTINUED-

37-By Committee. A bill for an act to revise, amend and codify the statutes in relation to the prac- tice of medicine

R-celved from the Senate ..... 576
Referred ..... 582
A mended and passed ..... 589
Mistion fled to reconstder ..... 805
Mistion to reconsider lost ..... e65
(nrrectly enrolled ..... 788
to revise, amend and codify the statutes in relation to the sol- statutes in 1
Recelved from the Senate ..... 400
Reforred ..... 418
Reported with amend ..... 526
Correctly enrolled ..... 688 to revise, amend and codify the statutes in relation to the re- gents and trustees of state in- stitutions.
Recetved from the Senate ..... 643
Referred worted with amendme................... ..... 615
Amended and passed ..... 752
senate non-concurs in certain House amendments ..... 771
772
Referred ..... 773
Conference committee appointed.. ..... 773 by Senate ..... 808
Report ..... 828
Report of conference committee ..... 829
Report of conference committee adopted by House ..... 820
Correctly enrolled A bili for an act to revise, amend and codify the statutes in relation to the do- mestic relations
Received from the Senate ..... 156
Referred ..... 158
Correctly enrolled ..... 208
Substitute for S. F. No. 45 and H. F. No. 62-By Committee. A bili for an act to revise, amend and codify the statutes in relation to the system of common schools.

Received from the Senate and re- ferred.
Reported substitute ..... 677
S. W. No. 94 substituted therefor.
48-By Committee. A bill for an actto revise, amend and codify thestatutes in relation to the StateLibrary and Eistorical Oolleg-tion
Recelved from the Senate ..... 625
Referred ..... 62
Reported with amendments. ..... 757
A mended and passed ..... 758, 765
Senate refuses to concu
819
House insists on its amendments. ..... 823
Oinference committee appointed.. ..... 824
onference co
by Senate
Report of conference committee ..... 910Further conference committee ap-pointed by Senate.924

Further conference commitites ap. pointed by House919

## PAGE

Report of conference committee978
Report of conference comanittee adopted by Senate
979
Report of conference committee adopted by House ..... 980
Correctly enrolled ..... 1048
49-By Committee. A bili for an actto revise, amend and codify thestatutes in relation to countysuperiatendent.
Received from the Senate and re-ferred.
Reported with amendments ..... 170
Amended and passed ..... 177
Returned from the Senate with
Returned from the Senate with amendments ..... 206
House concurred in certain Senate amendments ..... 245
Recalled by House ..... 264
Ooncurred in Senate amendments
Ooncurred in Senate amendments to House amendments ..... 281
Correctly enrolled ..... 287
50-By Committee. A bill for an actto revise. amend and codify thestatutea in relation to the Edu-cational Board of Examiners.
Received from the Senate ..... 162
Referred ..... 178
Reported favorably ..... 300
Passed ..... 311
58-By Committee. A bili for an actto revise, amend and codify thestatutes in reiation to countyhigh schools.
Recelved from the Senate ..... 129
Referred ..... 131 ..... 131
Reported favorably. ..... 138
Passed ..... 138
Correctiy entoll Ay Oommittee. aili for an actto revise, amend and codify thestatutes in relation to sureties.
Recelved from the Senate ..... 129
Rules suspended and passed ..... 130
Correctly enrolled ..... 165
70-By Oommittee. A bill for an actto revise, amend and codify thestatutes in relation to notesand bills
Received from the Senate ..... 818
Referred
828
858
88
Reported favorably
Passed ..... 858
Oorrectly enrolled ..... 872
72-By Committee A bill for an actto revise, amend and codify thestatutes in reiation to the es-tates of decedents.
Received from the Senate ..... 485
Referred. ..... 438
Reported with amendments ..... 446
Amended and passed ..... 477
Senate refuses to concur in House amendments ..... 529
House insists on its amendments. ..... 632
Oonference committee appointed.by Senate.596
Report of conference committee adopted by Senate ..... 601
Report of confarence committee adopted by House ..... 602 ..... 700
Correctly enrolled76-By Committee. A bili for an actto revise, amend and codify thestatutes in relation to attach-ments, garnishments, execu-tions and supplementary pro-ceedings.

Recelved from the Senate

SENATE FILES-CONTINUED-
Referred........................................... 347
Reported with amendments........ 397
Amended and passed.. .......... . 430, 417
Recalled by House
Returned from the Senate .............
Action on blll reconsidered ....... 543
Amended and passed . . . . . . . . . . . . . . . 543
Correctly enrolled........................... 679
riy-By Committee. A bill for an act to revise, amend and codify the statutes in relation to criminal procedure.
Received from the Senate............ 580
A mended and passed ........564, 566, 569
Senate non-concurs in part of House amendments .............. .
Referred.... .................................... 788
R $\rightarrow$ ported. . . . . ................................... 788
House insists on it a amendments.. 789
Conference coramittee appointed. 790
Conference committee appointed by Senate.
Report of conference committee adopted by Menate...................
Report of conference committee filed.
Report of conference committes adopted by House
Correctly enrolled
8-By Committee A bili for an ac. ${ }^{-3}$ to revise, 0 bill 10 an act tres amend and codify the sta utes in relation to procedure to reverse, vacate or modify judgments.
Recelved from the Benate............ 290
Referred.
Ke-referred
R ported with amendments........ 54
A mended and passed.................... 545
Senate refuses to concur in certain amendments
House insists on all its amendments
ments............................... 62
Conterence committee appointed.. 626
Report of conference committee adopted.
Report of conference committee adopted by Senate.
... 820
2-By Committee. A bill for an act to exonerate from penaltifs under the prohibitory law in cittes acting under special charters.
$R$ sceived from the Senate
Rules suspended, amended and passed

83-By Hobart. A bill ior an act to legalize acknowledgments of instruments in writing heretofore taken by notaries public.
Received from the Nenate.
Kules suspended and passod.........
Correctly enrolled
84-By Committee. A bili for an act to amend section 3756 of the Code of 1873, as amended by chapter 118 and chapter 125 , acts of the Twenty-first General Assembly, relative to collectlon of fees by the Secretary of State.
Recelved from the Senate........... 42
Krferred .......... .......................... 438
Reported favorably.......................... 445
Passed
Currectiy enrolied 461

85-By Blanchard. A bill for an art to amend sections 289 and 290 of the Code of 1873, as amended by chapter 76 of the acts of the Twenty-sixth General Assembly, relating to bonding of county indebtedness.
Recelved from the Senate...........
Referred . . . . . . . . . . . . . . . . . . . . . . . . . . . . . 385
Reported favorab!y ... . . . . . . . . . . . . . . . 419
Pass 3 d. ........... . ....... . ............. . 420
Correctly enrolled ......... . . . . . . . . . . 462
8i-By Eilison. A bill for an act to repeal chapter 63 of the laws of the Twenty-third General Assembly and enact a substitute therefor, and providing for the appropriation of money in procuring a llbrary for the Penitentiary at Anamosa.
Received from the Senate .......... 931
Referred........................................... 981
Rules suspended and passed........ 932
Correctly enrolled....................... 965
88-By Oommittee. A bill for an act $t)$ provide for the payment of the mileage of the committee appointed to visit the Institution for Feeble-Minded at Glenwood.
Recelved from the Senate........... AR8

Reported favorably....................... 527
Correctiy enrolled ....................................... 601
89-By Committee. A bill for sn act authorizing the Executive Oouncil to purchase or condemn a site on which to erect a memorial, h'storicel and art building, to procure plans and specifications therefor, and take other preliminary steps toward its construction, and making an appropriation therefor, and tn repeal chaptar 115 , laws of the Twenty-sixth General Assembly, regular session.
Received from the Senate .......... 423

Re referred . . . . . . . . . . . . . . . . . . . . . . . 469
Keported favorably ..................... . . 597
Passed. ...................................... 536
Correctly enrolled .................... 601
$90-B y$ Blanchard. A bill for an act to revise, amend and codify the statutesin relavionto tho School for the Deaf.
Received from the Senate .......... 576
keferred ............................... 58 ?
Reported favorably.......... . . . . . . . 603
Passed ....................................... 605
Correctly enrolled........ .... . . . . . . . . 687
91-By Botchkiss. A bill for an act to revise, amend and codify ths statutes in relation $t$, State printing and binding.
Received from the Benste. . . . . . . . . 560
Recalled by the Senate ............. 565
Returned from the Senate ... ..... 586
Referred ................................... 587
Reported with amendments ........ 991
Amended and passed. .............. 1012
Senate amends curtain House amendmeots

1035
House concurs in Senate amendments. ................................................ 1029

## SENATE FILES-CONTINUED-

PAGE

92-By Blanchard. A bill for an act to authorize cities of the second class to issue bonds for extending the time of payment of its indebtedness.
Recelved frum the Senate ${ }^{7} 67$
Referred ................................... 788
Reported favorably

769
83-By Committee. A bili for an act to apply to cities of the first class the provisions of chapter 78, laws of the Twenty-first General Assembly, as amended by chapter 17, laws of the Twenty-second General Assembly, chapter 15 , laws of the Twenty-fousth General Assembly, chapter 3, laws of the Twenty-fifth General Assembly, and chapter 3, laws of the Twenty-sixth General Assembly, regular session, relating to indebtedness of cities and towns.
Recelved from the Senate. 767
Referred ..... 768
Reported favorably ..... 769
Passed820
Oorrectly enrolled.
to revise, amend and cudify the statutes in relation to the system of common schools.
Recelved from the senate.
Rules suspended and lost on pass

age
Motion filed to reconsider ..... 701 ..... 704
Passed ..... 707
Correctly enrolied. ..... 78796-By Pusey. A bill for an act to le-galise the levy and collectionof a poor tax and a tax of fourmills on the dollar for ordinarycounty revenue by countits inthe state of Iowa in the years1892, 1893, 1894. 1895 and 1896
Received from the Senate771
Referred ..... 72
Reported substitute
7
Passed ..... 812
Oorrectly enrolled
Oorrectly enrolled
to revise, amend and codify thestatutes in relation to the in-spection of petroleum prod-ucts.
Recelved from the Senate ..... 795
Referred.
800
800
Reported unfavorably ..... 81
Indefinitely postponed
99-By Commifttee. A bill for an act84to amend sub-division 2 of sec-tion 798 of the Code, as amendedand re-enacted by chapter 4of the acts of the Trenty-sec-ond General Assembly, and toamend sectirn 1381 of the Code,as amendad by chapter 149 of theacts of the Sixteenth GeneralAssembly, chapter 166 of theacts of the SeventeenthGeneralAssembly and chapter 10 of theacts of the Twenty-first Gen-
eral Assembly.
Recelved from the Senate ..... 875
Rules suspended and passed
918
Correctly enrolled

100-By Hobart. A bill for an act to legalize the incorporation of the town of Larrabee, Oherokee county, Iowa. election of its officers. acts done and ordinances passed by the councll of said town.
Received from the Senate
Referred
Reported unfavorably 831
Passed ..... 851
Correctly enrolled ..... 047

101--By Oheshire. A bili for an act to legalize the acts of the board of supervisors and county auditor and the vote of the people of Polk county, in relation to levging a tax to raise funds to buila an asylum in said county for the care of the insane.
Recelved from the Senate........... 924
Referred
${ }_{831}^{924}$
Reported unfavorably............................... 949
Recalled by 8enate........................ 960
Keturmed from the Senate ... ..... 985
Passed ............................... 989
Onssed
102-By Gilbertson. A bili for an act to legalize the location of public highways on all section lines in townships numbers 94 and 99 north, runge number 25 wfst, also townships numbers 98 and 99 north, range number 26 west, Winnebago county, Iowa.
Received from the Senate..... .... 994
Referred.................................. 932
Reported unfavorably................ 952
Passed. 996
Correctly enrolled.............................. 1047
103-By Eunk. A bill for an act to legalize the corporation of the town of Arncld's Park, Dickinson country, Iowa, and the notice for the election of the offcers thereof, and the election of the officers of said town.
Received from the Senate........... 9
Referred.... .......................... чз
Reported unfavorably................... 949
Amended and passed................... 1018
Oorrectly enrolled 1054
104-By Everall. A blil for an act to legalize certain elections held in the incorporated town of Volga Oity, county of Olayton, and State of Lowa.
Received from the Senate.......... 923
Referred ................................. 931
R॰ported unfavorably.................. 951

105-By Downey. A bill for an act to legalize the acts and resolutions of the city of Keokulr, relative to the curbing. guttering and paving of Eleventh street in said city, from the north line of Main street to the south line of Blondeau stryet and the issuance of certific tes therefor.
Received from the st nato 952
Indefinitely prstponed................ 952
Recalled from the Senate ............ 994
Returaed by the Senate .............. 1000
Action on bill reconsidered .... ..... 1002
Passed
Correctiy enrolied...............................$~$
1004
1048
Correctly enrolled

## SENATE FILES-CONTINUED-

106-By Downey. A bill for an act to legalize the acts of the city of Keokuk, Iowa, in changing the grade of Orleans streat from Fourth street to the top of the piling b-tween Third and Fourth streets in said city, and in improving satd street, and in levying the tax agalnst the abutting property for the costs of said improvements and in issuing certificates therefor.

> Recelved irom the Senate.

952
Bill indefinitly postponed............. 95
Recalled by the House. .............. 99
Returned from the Senate .......... 1000
Action on bill reconsidered .... .. 1002
Passed …........................................... 10027
108-By Trewin. A bill for an act to legalize certain ordinances of the incorp rated town of Waucoma. Fayette county, Iowa.
Recelved from the Benate .......... 92
Referred
923
Reported unfavorably................... 9
Passed... ....
Oorrectiy enrolled ........................... 1047
110-By Ellis. A bill for an act to authorize boards of supervisors to transfer to the county road fund so much of the surplus of the general fund as arises from the taxation of the traffic in intoxicating liquors
Received from the Senate 984
Rules suspended and passed ......... 884
Oorrectly enrolled 1047
111-By Oraig. A bill for an act to legalize the election held at Sumner, Iowa, on Octeber 12, 1884, for the issuance of bonds for waterworks.

PAGE
Recelved from the senate.......... 1050
Kules suspended and passed...... 1006
Correctly enrolled
112-By Oommiltee. A bili for an act to make aopropriations for the payment of the compensation of members of the Twentysixth General Assembly at extra session, of state expenses and other bills.
Rec-ived from the Senate.
Kules suspended and passed........ 1058
Oorrectly enroiled
113-By Committee. A bill for an act to amend the act to provide for the annotation. indexing, publication, etc., ri the Uode.
Recelved from the Senate and passed.

1081
Coriectly enrolled ....................... 1091
114-A bill for an act to amend subsection 1 of secti $n 9$, chapter 8, title V., of the Oode of laws, passed at the extra session of the Twenty-sixth General Assembly
Recelved from the Senate and passed

1088
Correctly enrolled ............................ 1091
115-A bill for an act to amend section 5 , chapter 7 , of the acts of the Twenty-sixth General Assembly.
Recelved from the Senate and passed
Correctly enrolied …..............................091
116-A bill for an act to amend section 42, chapter 10, title 1V., of the special session of the Twentysixth General Assembly.
Recelved from the Senate and passed

1090
Correctly enroiled.............................. 1092
SMITH, G. W.-Elected Assistant Doorkeeper 2
SMITH, P. A:-REPRESENTATIVE FROM THE COUNTY OF GREENE, FIFTY-FOURTH DISTRICT-
On standing committees: Appropriations; Building and loan; Fed-
eral relations; Military; Institution for Deaf and Dumb; Sol-
diers' and Orphans' Home; Printing, chairman; Elections;
Congressional districts; Code.
On special committees

Offers resolutions
Motions by ... 241, 249, 256, 358, 484, 561, 850, 1012, 1029, 1060, 1068, 1094
Called to the chair........................................................................ 268


SOLDIERS' AND SAILORS'MONUMENT COMMISSION-House File 115, to abolish the.
SPAULDING, E. C. - REPRESENTATIVE FROM THE COUNTY of FLOYD, EIGHTY-FIFTH DISTRICT-


Motions by .... $83,246,284,286,312,356,603,654,678,709,862,911,1061$
Demands yeas and nays............................................................... 367
Called to the chair....................................................... 465, 927
STATE BOARD OF HEALTH-House File 43, relating to.
STATE HISTORICAL SOCIETY-House File 65, relating to. STATE LIBRARY-House File 64, relating to. STATE VETERINARY SURGEON-House File 41, relating to. STETSON, MRS. C. P.-Officiates as chaplain ..... 127
STEEL, HON. S. L.--Resolution for the appointment of committee to draft resolutions on the death of ..... 540
Appointment of committee ..... 540
Report of committee ..... 793
STOVALL, GEORGE--Elected Janitor ..... 2
ST. JOHN, R. T.-Representative from the County of Mitch- ell, Ninetieth District-
On standing committees: Code; Appropriations; Railroads and commerce; Agriculture, chairman; School and text-books; Banks and banking; soldiers' and Orphans' Home.
Presents petitions ..... 52, ..... 156
 ..... 1025
On special committees 626, ..... 1000
SULLiVan, T. J.-Representative from the County of Clay-ton, Seventieth District-
On standing committees: Agriculture; Board of public charities;Public health; Normal schools; Printing; Enrolled bills; Code.
On special committees .31, 111, 526, 540, 818,981
Presents petitions ..... 848
Offers resolutions ..... 111
Called to the chair ..... 123
Motions by ..... 994
Demands yeas and nays ..... 1034
Introduces bill ..... 877
SUPERINTENDENT OF PUBLIC INSTRUCTION—House File 49, relating to.
SUMNER, TOWN OF-Senate File 111 and House File 3, legalizingelection held in.
TAMA COUNTY-House File 111, to legalize the acts of the clerk ofthe district court and auditor of.
TEMPLE, M. L.-Bepresentative from the County of Clarke,Fifteenth District-
On standing committees: Code, chairman; Judiciary; Appropria- tions; Constitutional amendments; State University; Claims;Rules.
Motions by...... 35, 44, 46, 59, $€ 0$, 81, 67, 70, 145, 148, 159, 186, 203, ..... 244
266, 277, 279, 311, 323, 325, 448, 479, 480, 532, 558, ..... 587
$606,637,639,662,669,732,757,765,817,836,970$, ..... 1056
On special committees... $36,45,180,514,532.768,796,803,818,971$, ..... 1031
Introduces bills ..... 765
Presents petitions ..... 144
Demands yeas and nays ..... 257
Offers resolutions ..... 754
THOMPSON, J. A.-REPRESENTATIVE FROM THE COUNTY OF Fayette, Seventy-first District-
On standing committees: A ppropriations; Insurance; Roads and highways; Compensation of public officers; Woman's suffrage; Institution for Feeble-Minded; Normal schools; Pardons; Code.
Presents petitions ..... 45, 52, 136, 189, 207, ..... 342
Motions by ..... 996
Demands yeas and nays ..... 203
On special committees. ..... 1083
TIBBITTS, O. O.-Representative from the County of Bremer,Seventy-second District-On standing committees: Code; Roads and highways; Institutionfor Deaf and Dumb; Elections; Industrial schools; Pardons;Engrossed bills; Suppression of intemperance.Introduces bills31
Presents petitions 10, 207, 287, 342, ..... 388
Motions by 41, 132, 187, 188, 256, 312, 459, 670, ..... 705
744, 825, 849, 947, 1006, 1039, ..... 1045
Called to the chair ..... 132
TODD, W. M.-Officiates as chaplain ..... 297
VAN HOUTEN, G. H.-Representative from the County of Taylor, Eighth District-
On standing committees: Appropriations; Roads and highways;Institution for Deaf and Dumb; Hospitals for Insane; soldiers'and Orphans' Home; Horticulture, chairman; Engrossed bills;Code.
$36,115,148,318,366,367,379,383,387,418$,434
$484,535,552,554,563,661.6 i 6,680,696$, ..... 697
$748,765,810,854,1004,1010,1023$, ..... 1034
Demands yeas and nays ..... 1025
Called to the chair ..... 103
Presents petitions ..... 151
Offers resolution ..... 1069
Granted leave of absence ..... 601
Thanks the House on behalf of Mr. Potts for kindness shown his daughter Ella ..... 730
On special committees ..... 837
Introduces bill ..... 1023
Files protest ..... 1060
Officiates as chaplain ..... 1077
VOELKER, C. A.-Representatve from the County ofDUbuque, Sixty-Ninth District-
On standing committees: Ways and means; Railroads and com- merce; Telegraph, telephone and express; Suppression of intemperance; Building and loan; Private corporations; Police regulations; Labor; Code.
Presents petitions ..... 907 ..... 866
On special committees
On special committees
Granted leave of absence ..... 1077
VOLGA CITY, TOWN OF-Senate File 104 and House File 105, tolegalize certain elections held in the.
WASHINGTON MILLS-House File 99, to legalize the independent district of.
WATters, h. B.-Representative from the County of Mus-catine, Forty-second District-
On standing committees: Appropriations; Insurance; Roads andhighways, chairman; Military; Soldiers' and Orphans' Home;Public libraries; Code.
Presents petitions ..... 63, 71, 127, 137, 156, 157, 169,Motions by ............................................. 325, 361, 362, 365, 368, 570,248
On special committees ..... 734
881nances of the.
WEAVER, H. O.-Representative from the County of Louisa, Twenty-second District-
On standing committees: Code, chairman; Judiciary; Appropria-
tions; Municipal corporations; Federal relations; Public health; State University; County and township organization; Congressional districts.
Called to the chair 115, 349, 470, ..... 1031
WAUCOMA, TOWN OF-Senate File 108, to legalize certain ordi-
WEAVER, H. O.-Representative, etc.-Continued-
PAGRMotions by .......124, 125, 126, 130, 131, 134, 139, 140, 141, 165, 166,$265,267,288,292,357,358,379,380,453$,453,$479,549,559,586,593,603,707,709,735$,463
 ..... 478
On special committees ..... 824
Demands yeas and navs ..... 708
WEAVER, REV. S. T.-Officiates as chaplain ..... 948
WeLLS, N. A.-Representative from the County of Jasper, Thirty-eighth District-
On standing committees: Municipal corporations; Agriculture;Conatitutional amendments; Animsl industry; Hoads andhighways; Woman's suffrage; County and township organi-zation; Industrial schools; Pardons; Code.
Presents petitions52, 118,127
Motions by ..... 1034
Offers resolutions ..... 948
On special committees ..... 919
Explains vote ..... 1013
WHEELER J. R.-Representative from the County of Har- rison, Thirty-second District-
On standing committees: Building and loan; Municipal corpora- tions; Suppression of intemperance; Roads and higbways; Woman's suffrage; Industrial schools; Code. ..... 136
On special committees ..... 1076
WHEELER, HON. S. D.-Resolution to appoint committee to draft resolutions on death of ..... 526
Appointment of committee ..... 526
Report of committee ..... 542
Whelan, M. K -Representative from the Counties of Dick- inson, Emmet and Osceola, Eighty-first District-
On standing committees: Code; Appropriations; Railroads and commerce; Constitutional amendments; State University; Normal schools; Fish and game, chairman; Representative districts.
Motions by---------.-.-.....-41, 249, 283, 307, 577, 584, 696, 748, 783, ..... 836
On special committees ..... 818 ..... 818
Presents petitions. ..... 156
Explains votes ..... 205
Called to the chair. ..... 1012
WHitTIER, LYMAN-Representative from the Counties of Monona and Ida, Fifty seventh District-
On standing committees: Municipal corporations; Suppression of intemperance; Claims; School and text-books; Pardons, chair- man; Labor; Industrial schools; Code.
Presents petitions ..... 289
On special committees ..... 837
Motions by ..... 863 ..... 863
Williams, S.-Representative from the County of Fre- mont, Tenth District- stitutional amendments; Domestic manufactures; Woman's suffrage, chairman; Labor; Public libraries; Elections; Code.
Presents petitions629
Motions by ..... 740
WILLIAMS, REV. M.-Officiates as chaplain ..... 822
WILLIAMS, REV. W. W.-Officiates as chaplain ..... 858
WILSON, J. H.-Elected Sergeant-at-arms ..... 2
WILSON, HON JAMES-Resolution of congratulations ..... 139
Addresses the House ..... 133
WILSON, REV. W. E.-Officiates as chaplain
PAG狸
WILSON, J. L.-Representative from the County of Clinton,FORTY FIFTH DIStRICT-
On standing committees: Ways and means; Railroads and com- merce; Claims; Compensation of public officers; Roads and highways; Animal industry; Industrial schools; Representa- tive districts; Code.
Offers resolutions ..... 4
On special committees $4,464,535,773,947$, ..... 1018
Motions by ..... 262
Presents petitions ..... 166
Called to the chair ..... 246
Explains votes ..... 355
WOLF, HON. W. P-Resolution to appoint committee to draft resc- lutions on the death of ..... 137
Appointment of committee ..... 137
Report of committee ..... 272
WOOD, HON. A. J.-Resolution to appoint committee to draft resolu- tions on the death of ..... 190
Appointment of commmittee ..... 190
Report of committee ..... 363
WOOD, A. L.-Representative from the County of Madison,Twenty-eighth District -
On standing committees: Code; Appropriations, chairman;School and text-books; Banks and banking; Printing; Repre-sentative districts; Rules.
Presents petitions ..... 40, 107, 342, ..... 359
Offers resolutions ..... 869
On special committees 59, 701, 795, ..... 870
Motions by ..... $150,243,264,275,276,282,292,429$, ..... 522
$550,605,666,707,756,847,976$, ..... 1053
Demands yeas and nays ..... 355
YOUNG REV. JOHN-Officiates as chaplain ..... 386


[^0]:    Mr. Speaker-I am directed to inform your honorable body that the Senate has passed the following concurrent resclution, in which the concurrence of the House is asked:

    Relative to separation of Code bills.

[^1]:    Wherfas, The Hon. A. J. Wood, recently deceased, was an honored and useful member of the Iowa House from Poweshiek county during the Seventeenth and Eighteenth General Assemblies; therefore, be it

    Resolved, That a committee of three be appointed to draft fitting resolutions commemorating the character and usefulness of Mr. Wood as a legislator and as a citizen.

[^2]:    Substitute adopted.

[^3]:    Resolved, That on March '8 all House committee clerks be discharged except the following: Clerk of Ways and Means, clerk of Municipal Corporations and clerk of Judiciary, who shall be discharged March 15; and the clerk on Committee on Enrolled Bills, who shall serve to the end of the ession.

[^4]:    Also:
    Mr. Sphaker-I am directed to inform your honorable body that the Senate herewith returns Senate file No. 1, a bill for an act to provide for

[^5]:    Mr. Speaker-I am directed to inform your honorable body that the Senate has passed the following bill in which the concurrence of the House is asked:

[^6]:    32

[^7]:    961

