

# Journal of The House

of the

Extra Session

of the

## Thirty-Second General Assembly

of the

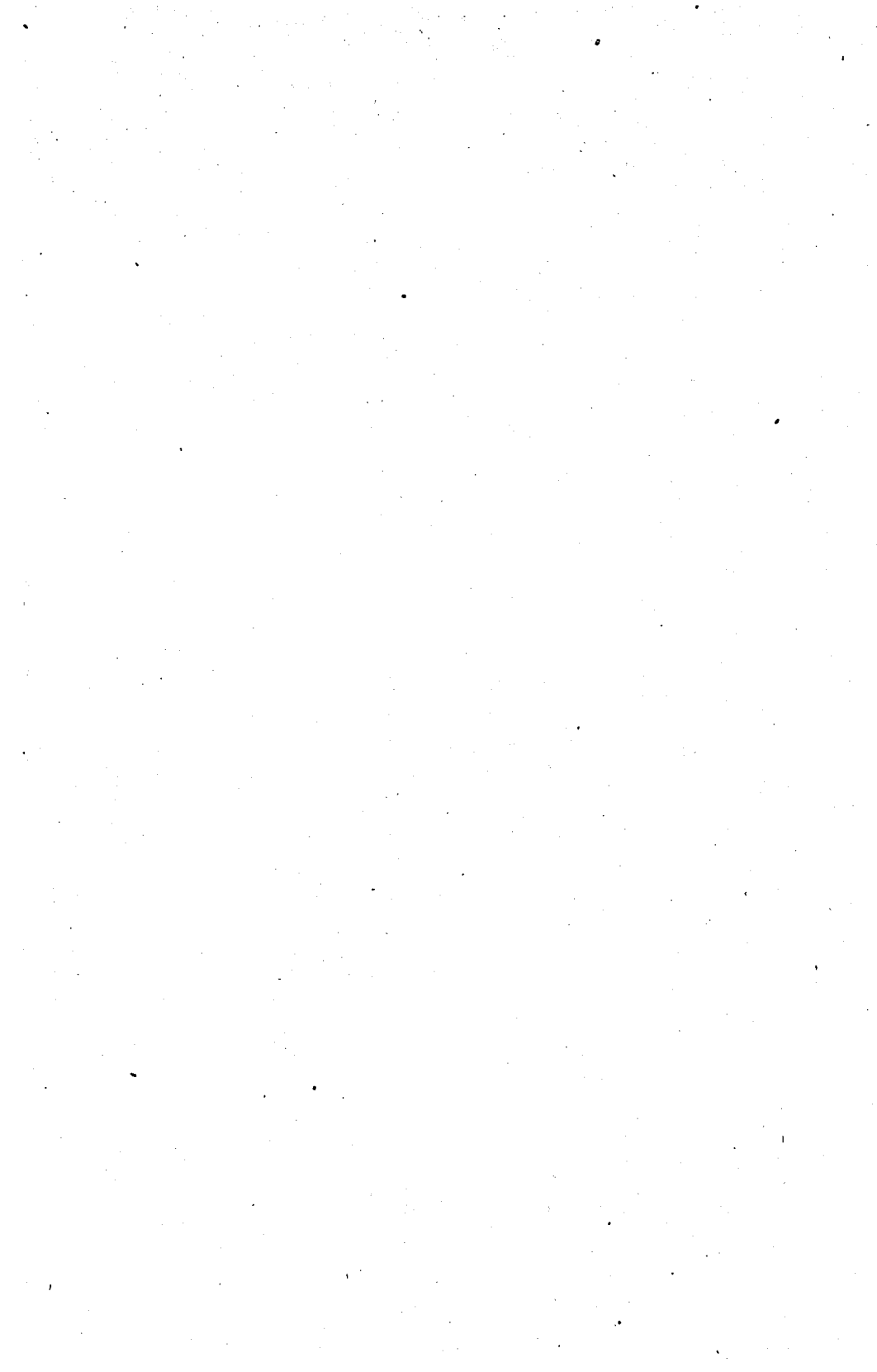
State of Iowa

**WHICH CONVENEED AT THE CAPITOL AT DES MOINES,  
AUGUST 31, 1908, ADJOURNED TEMPORARILY  
SEPTEMBER 10, 1908, RECONVENED  
NOVEMBER 24, 1908 AND AD-  
JOURNED SINE DIE NO-  
VEMBER 24, 1908.**

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DES MOINES  
EMORY H. ENGLISH, STATE PRINTER  
E. D. CHASSELL, STATE BINDER  
1908

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## OFFICERS OF THE HOUSE.

### Speaker:

N. E. KENDALL,  
Albia, Monroe County.

### Speaker Pro Tempore:

A. F. N. HAMBLETON,  
Oskaloosa, Mahaska County.

### Chief Clerk:

C. R. BENEDICT,  
Shelby, Shelby County.

Assistant Chief Clerk E. J. Frisk, Des Moines, Polk County.  
Journal Clerk.....Eva Seevers, Oskaloosa, Mahaska County.  
Sergeant-at-Arms.....T. W. Hazleton, Calmar, Winneshiek County.  
Chief Doorkeeper.....R. C. Kenneley, Stuart, Guthrie County.

### OTHER EMPLOYES.

Speaker's Clerk.....Ruth Woodruff, Des Moines, Polk County.  
Speaker's Page.....Leo Pickett, Des Moines, Polk County.  
Messenger .....Everett McDonald, Des Moines, Polk County.  
Messenger .....Kenneth Robinson, Webster City, Hamilton County  
Janitor.....R. N. Hyde, Des Moines, Polk County.

THE HOUSE OF REPRESENTATIVES OF THE EXTRA SESSION OF THE THIRTY-SECOND GENERAL ASSEMBLY.

District	NAME	P. O. ADDRESS	COUNTY COMPOSING DISTRICT	OCCUPATION	NATIVITY	Years	Age
						in Iowa	
5	Allred, William P.	Corydon	Wayne	Farmer	North Carolina	54	58
63	Anderson, William	Jewell	Hamilton	Banker and Farmer	Canada	35	56
51	Arney, Wallace H.	Marshalltown	Marshall	Farmer and Stock	Iowa	48	48
40	Baird, E. D.	North English	Iowa	Banker and Stock	New York	54	59
43	Balluff, Frank	Davenport	Scott	Insurance	Iowa	36	36
97	Bascom, J. L.	Milford	Dickinson	Attorney	Iowa	48	48
2	Bauman, S. H.	Birmingham	Van Buren	Veterinarian and Farmer	Iowa	53	53
20	Beery, Enoch	Salem	Henry	Farmer and Stock	Iowa	58	58
84	Vacancy†						
68	Bixby, R. J.	Edgewood	Delaware	Farmer and Stock	Iowa	54	51
94	Blackmore, A. C.	Northwood	Worth	Retired	New York	42	65
84	Bonwell, John C.	Ross	Audubon	Agriculturalist	Ohio	39	66
81	Brandes, H. C.	Trancock	Pottawattamie	Farmer	Germany	32	56
13	Calkins, George C.	Mount Etna	Adams	Farmer	New York	37	74
57	Cassady, E. M.	Whiting	Monona	Banker, Merchant, Farmer	Ohio	41	80
19	Clarke, James F.	Fairfield	Jefferson	Physician and Surgeon	Iowa	44	44
89	Clary, Tim C.	New Hampton	Chickasaw	Lawyer	Wisconsin	36	45
73	Conn, Stanley	Parkersburg	Butler	Farmer	Canada	53	58
59	Corrie, S. M.	Ida Grove	Ida	Farmer	New York	45	50
80	Cottrell, J. C.	Kingsley	Plymouth	Farmer	New York	38	48
16	Darrah, John H.	Chariton	Lucas	Merchant	Illinois	39	34
3	DeMar, John C.	Belknap	Davis	Superintendent Schools	Iowa	29	29
44	Dewell, Hiram	Clarence	Cedar	Farmer	Indiana	53	59
21	Dodds, William D.	Danville	Des Moines	Farmer	Iowa	38	38
53	Doran, Justin R.	Beaver	Boone	Farmer	New York	37	56
74	Dow, D. W.	Hampton	Franklin	Lawyer	Michigan	49	73
60	Drury, Will	Wall Lake	Sac	Farmer and Stock	Iowa	46	43
46	Dunn, Henry	Miles	Jackson	Retired Farmer	Ireland	53	71
6	Dye, C. C.	Llneville, R. F. D. 2	Decatur	Farmer	Iowa	48	49
81	Dye, Willoughby	Macedonia	Pottawattamie	Banker and Merchant	Iowa	56	56
90	Earle, Willard C.	Waukon	Allamakee	Agriculturalist	Pennsylvania	54	75
9	Elliott, Jesse D.	Hawleyville	Page	Physician	Illinois	40	56
99	Feay, Samuel A.	Rock Rapids	Lyon	Hardware Merchant	Pennsylvania	52	56
66	Feely, Guy A.	Waterloo	Black Hawk	Lawyer	Iowa	33	33
83	Felt, B. F., Jr.	Spencer	Clay	Farmer	Illinois	27	46
16	Fenn, Joel M.	Murray	Clarke	Farmer	Ohio	52	61

†Caused by removal from district of Berges J. Bergeson.

THIRTY-SECOND GENERAL ASSEMBLY—EXTRA SESSION

95	Flugum, C. N.	Leland	Winnebago	Farmer	Norway	35	49
36	Fox, John	Dallas Center	Dallas	Farmer	England	40	57
24	Geneva, Thos.	What Cheer	Keokuk	Merchant and Stock	England	50	51
11	Greenwood, C. G.	Silver City	Mills	Banker and Lumberman.	Maine	28	72
39	Grier, Geo. E.	Deep River	Poweshiek	Banker	Iowa	32	32
62	Hackler, Chas. W.	Fort Dodge	Webster	Lawyer	Illinois	18	33
25	Hambleton, A. F. N.	Oskaloosa	Mahaska	Real Estate and Examiner of Titles.	Iowa	51	51
49	Hanna, W. H.	Garrison	Benton	Farmer and Stock	Iowa	49	49
76	Hanson, Thor. O.	Bode	Humboldt	Bank Cashier	Wisconsin	39	49
53	Harding, W. L.	Stoux City	Woodbury	Attorney	Iowa	31	61
98	Harvey, Mahlon	Sibley	Osceola	Farmer	New York	35	81
69	Heles, Philip	N. Buena Vista, R. F. D. 2.	Dubuque	Farmer	Iowa	48	48
79	Vacancy**						
85	Holmes, Otis H.	Algona	Kossuth	Clergyman	Iowa	12	39
93	Hume, Thos. H.	St. Ansgar	Mitchell	Lumber and Grain	Iowa	39	39
88	Inman, Loren W.	Marble Rock	Floyd	Farmer and School-teacher	Iowa	32	36
91	Jewell, P. M.	Decorah	Winneshiek	Physician and Surgeon.	Ohio	23	60
12	Jones, F. F.	Villisca	Montgomery	Banker and Merchant.	New York	23	53
37	Kelley, John H.	Altoona	Polk	Farmer	Ohio	23	33
32	Kellogg, Geo. A.	Missouri Valley	Harrison	Banker	Iowa	33	33
45	Kendall, A. W.	Delmar	Clinton	Farmer	Iowa	51	51
17	Kendall, N. E.	Albia	Monroe	Lawyer	Iowa	40	40
41	Koontz, Geo. W.	Iowa City	Johnson	Banker	Pennsylvania	53	62
92	Kull, Hermann	Cresco, R. F. D. 7.	Howard	Farmer	Wisconsin	9	32
96	Lee, N. J.	Estherville	Emmet	Lawyer	Iowa	35	35
65	Lister, John	Conrad	Grundy	Farmer and Stock	Illinois	33	54
61	Lowrey, J. H.	Pomeroy	Calhoun	Banker	Illinois	40	56
48	McAllister, John	Cedar Rapids	Linn	Retired Farmer	Ireland	42	62
55	McDonald, Edward	Coon Rapids	Carroll	Live Stock Dealer	Iowa	46	46
58	McElrath, Wm. W.	Moville	Woodbury	Banker and Farmer.	Ireland	27	60
86	Maben, O. K.	Forest City, R. 7.	Hancock	Farmer	Iowa	40	40
10	Mann, Asahel	Hamburg	Fremont	Farmer	Indiana	47	65
87	Marston, Chas. L.	Mason City	Cerro Gordo	Physician and Surgeon.	Illinois	15	33
1	Mason, John B.	Fort Madison	Lee	Printer	Iowa	52	52
77	Mercer, James	Fonda	Pocahontas	Farmer	Canada	53	61
30	Meredith, C. A.	Atlantic	Cass	Lawyer	Iowa	45	45
72	Miller, Charles	Waverly	Bremer	Printer	Iowa	49	46
69	Miller, Simon	Dubuque	Dubuque	Teamster	Wisconsin	26	47
48	Moore, Ernest R.	Cedar Rapids	Linn	Banker and Manufacturer	Iowa	39	39
81	Morris, James F.	Ireton	Sloux	Farmer and Stock	Illinois	53	54
14	Nix, B. T.	Afton	Union	Farmer	Kentucky	40	63

\*\*Caused by death of William H. Hickey.

THE HOUSE OF REPRESENTATIVES OF THE EXTRA SESSION OF THE THIRTY-SECOND GENERAL ASSEMBLY.

District	NAME	P. O. ADDRESS	COUNTY COMPOSING DISTRICT	OCCUPATION	NATIVITY	Years in Iowa	AGE
38	O'Fall, John F.	Prairie City	Jasper	Farmer and Stock	Kentucky	45	64
47	Paul, Clifford B.	Anamosa	Jones	School Teacher	Iowa	31	51
75	<i>Pierce, H. L.</i>	Linn Grove	Buena Vista	Bank Clerk	Illinois	28	41
27	<i>Price, Clint L.</i>	Indianola	Warren	Publisher	Illinois	46	49
22	Reaney, Robert J.	Columbus Junction	Louisa	Lumber Dealer	Ireland	37	52
1	<i>Reitz, Henry H.</i>	Donnellson	Lee	Farmer	New York	41	51
21	<i>Ritter, Henry</i>	Burlington	Des Moines	Brick Manufacturer	Iowa	56	53
28	<i>Schoenenberger, John</i>	East Peru	Madison	Farmer	Ohio	58	58
56	<i>Schroeder, H. C.</i>	Schleswig	Crawford	Farmer	Germany	30	54
70	<i>Schulte, G. H.</i>	Elkader	Clayton	Attorney	Iowa	42	42
71	Shaffer, J. D.	Elgin, R. F. D. 1.	Fayette	Farmer	Iowa	50	50
7	Sheldon, F. E.	Mount Ayr	Ringgold	Banker and Real Estate	Iowa	49	42
29	<i>Sidey, E. J.</i>	Greenfield	Adair	Publisher	Canada	31	46
75	Smith, John R.	Eagle Grove	Wright	Farmer	New York	28	70
18	<i>Sparks, Clyde G.</i>	Eldon	Wapello	Lawyer	Kansas	37	25
67	<i>Springer L. F.</i>	Independence	Buchanan	Attorney	Pennsylvania	29	55
23	<i>Stewart, J. Warren</i>	Keota	Washington	Stockbuyer and Feeder	Indiana	58	62
54	Stillman, Paul E.	Jefferson	Greene	Publisher	Illinois	24	40
43	Stoltenberg, A. H.	Davenport	Scott	Manufacturer	Iowa	45	45
37	Sullivan, John B.	Des Moines	Polk	Attorney	Iowa	39	39
4	Swan, George W.	Piano R. F. D. 2.	Appanoose	Minister and Farmer	Pennsylvania	38	34
33	<i>Swift, Curran F.</i>	Harlan	Shelby	Real Estate and Farmer	Iowa	47	47
26	Teter, Lorenzo D.	Knoxville	Marion	Lawyer	Iowa	38	38
8	Van Houten, G. H.	Lenox	Taylor	Editor and Publisher	Missouri	60	61
42	Webster, D. D.	Muscatine	Muscatine	Farmer	Iowa	50	50
35	Weeks, Elbert W.	Guthrie Center	Guthrie	Lawyer	Ohio	53	58
64	Welden, William	Iowa Falls	Hardin	Merchant	Wisconsin	40	62
52	White, Geo. C.	Nevada	Story	Farmer, Grain and Coal Dealer	Illinois	16	43
50	Wilson, Ward	Traer	Tama	Farmer	Iowa	43	43
45	<i>Wolfe, John L.</i>	Clinton	Clinton	Lawyer	Iowa	28	23
82	Youde, Charles	Sutherland	O'Brien	Farmer	England	36	51

Republicans in roman—74. Democrats in italic—32. Vacancies—2.

## ADDITIONAL INFORMATION.

*Former Legislative Service*:—Bixby, H. 30, 31; Clary, H. 30, 31; Conn, H. 30, 31; Cottrell, H. 28; Darrah, H. 31; DeMar, H. 31; Dodds, H. 28, 29; Doran, H. 30, 31; Dow, H. 30, 31; Earle, H. 19, S. 21; Geneva, H. 30, 31; Hambleton, H. 30, 31; Heles, H. 30, 31; Hume, H. 30, 31; Jones, H. 30,31; Kendall (N. E.) H. 28, 29, 30, 31; Koontz, H. 27, 28, 29, 30, 31; Lister, H. 30, 31; Lowrey, H. 30, 31; McAllister, H. 30, 31; McElrath, 30, 31; Maben, H. 30, 31; Mercer, H. 23; Meredith, H. 31; Morris, H. 30, 31; Ofill, H. 30, 31; Ritter, H. 30, 31; Shaffer, H. 30, 31; Springer, H. 29, 30, 31; Stoltenberg, H. 30, 31; Teter, H. 30, 31; Van Houten, H. 26, 27; Weeks, H. 30, 31; Welden, H. 30, 31;

*Military Service*:—Allred, Private Co. H, 46th Iowa Infy; Blackmore, 1st Lieut. Co. I, 64th N. Y. Infy; Bonwell, 60th and 175th Ohio Vol. Infy; Cassady, Private 10th U. S. Infy; Clarke, Major Surgeon 49th Iowa Infy. S. A. W.; Dow, 2d Lieut. Co. G, 44th Iowa Infy; Dunn, Wagoner Co. A, 24th Iowa Infy; Earle, Private and Captain Co. B, 12th Iowa Infy; appointed Colonel 71st U. S. C. I.; Feely, Private Co. B, 49th Iowa Infy. S. A. W.; Fox, Private Co. G, 20th Ohio Infy; McAllister, Sergeant Co. I, 69th O. V. V. I.; Mann, 1st Lieut. Co. A, 4th Iowa Cav.; Mercer, Private 6th Iowa Cav.; Moore, 1st Lieut. and Quartermaster 49th Iowa Infy. S. A. W.; Nix, Capt. Co. B, 32d Ky., and Co. D, 53d Ky. Mounted Infy; Ofill, Private Co. A, 3d Iowa Cav.; Van Houten, Co. E, 4th Mo. Cav.; Welden, Corporal Co. C, 43d Wis Infy.

*Education*:—*Rural School*:—Conn, Corrie, Dodds,, Heles, Kendall (N. E.), McDonald.

*Common School*:—Allred, Blackmore, Brandes, Cassady, Dewell, Doran, Dunn, Feay, Fox, Hanna, Kendall (A. W.), McAllister, Mann, Miller (Simon), Ofill, Schoenberger, Shaffer, Sheldon, Sidey, Sparks, Swan, Van Houten, Webster, Welden.

*Graded School*:—Cottrell, Drury, Mason, Miller (Chas.), Price, Schroeder, Youde.

*High School*:—Baird, Dye (C. C.), Felt, Jones, Kelley, Koontz, Lowrey, Moore, Morris, Reaney, Reitz.

*Business College*:—Fenn, Geneva, Pierce, Ritter, Stoltenberg.

*Academy*:—Anderson, Beery, Calkins, Darrah, Dow, Dye (W.), Earle, Elliott, Harvey, Hume, Jewell, Maben, Mercer, Meredith, Nix, Smith, Stewart.

*College*:—Arney, Balluff, Bascum, Bauman, Bixby, Bonwell, Clarke, Clary, DeMar, Feely, Flugum, Greenwood, Grier, Hackler, Hambleton, Hanson, Harding, Holmes, Inman, Kellogg, Kull, Lee, Lister, McElrath, Marston, Paul, Schulte, Springer, Stillman, Sullivan, Swift, Teter, Weeks, White, Wilson, Wolfe.

Married, 92. Widowers, Kelley, Lowrey, Welden; Single, DeMar, Hackler, Harding, Paul, Schulte, Smith, Sparks, Springer, Swan, Teter, Wolfe.

# JOURNAL OF THE HOUSE

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HALL OF THE HOUSE OF REPRESENTATIVES,  
DES MOINES, IOWA, AUGUST 31, A. D. 1908.

Pursuant to the proclamation of the Governor of the State convening the Thirty-second General Assembly in extra session, the House of Representatives convened at 2 o'clock p. m., Monday, August 31, A. D. 1908.

The House was called to order by Speaker N. E. Kendall.

Prayer offered by the Rev. C. W. Sweet of Des Moines, Iowa.

Weeks of Guthrie moved that C. R. Benedict be elected temporary Chief Clerk.

Motion prevailed.

Mr. Benedict then took the following oath, administered by the speaker:

I do solemnly swear that I will support the Constitution of the United States, and of the State of Iowa, and that I will faithfully perform the duties of my office to the best of my ability, so help me God.

The roll call disclosed the following members present:

Allred, Anderson, Arney, Baird, Balluff, Bascom, Bauman, Beery, Bixby, Blackmore, Bonwell, Brandes, Calkins, Cassady, Clarke, Clary, Conn, Corrie, Darrah, DeMar, Dewell, Dodds, Doran, Dow, Drury, Dunn, Dye of Decatur, Dye of Pottawattamie, Earle, Elliott, Feay, Feely, Felt, Fenn, Fox, Geneva, Greenwood, Grier, Hackler, Hambleton, Hanna, Hanson, Harding, Heles, Hume, Inman, Jewell, Jones, Kelley, Kellogg, Kendall, Koontz, Kull, Lee, Lister, Lowrey, McAllister, McDonald, McElrath, Maben, Mann, Marston, Mason, Mercer, Meredith, Miller of Bremer, Miller of



Dubuque, Moore, Morris, Nix, Offill, Paul, Pierce, Price, Reaney, Reitz, Ritter, Schoenenberger, Schroeder, Schulte, Shaffer, Sheldon, Sidey, Smith, Sparks, Springer, Stewart, Stillman, Stoltenberg, Sullivan, Swan, Swift, Teter, Van Houten, Webster, Weeks, Welden, White, Wolfe, Youde, Mr. Speaker—102.

Members absent were:

Cottrell, Flugum, Harvey, Holmes, Wilson—5.

The Speaker declared a constitutional majority present and the House duly organized.

Committee from the Senate notified the House that the Senate was duly organized and ready to receive any communication that the House desires to transmit.

Dow of Franklin moved that a committee of three be appointed to notify the Senate that the House is organized and ready to receive any communication the Senate desires to transmit.

Motion prevailed.

The Speaker named as such committee Dow of Franklin, Kellogg of Harrison and Sparks of Wapello.

Paul of Jones moved that a committee of three be appointed to notify the Governor that the House is organized and ready to receive any communications he may desire to transmit.

Motion prevailed.

The Speaker named as such committee Paul of Jones, Drury of Sac and Miller of Bremer.

Feely of Blackhawk moved that the rules of the Thirty-second General Assembly be adopted as the rules of this session so far as applicable.

Motion prevailed.

The committee named to notify the Senate that the House is organized and ready for business appeared and reported that it had so acted.

Weeks of Guthrie moved that the following officers be elected:

C. R. Benedict, chief clerk; E. J. Frisk, assistant chief clerk; Eva SeEVERS, journal clerk; Ruth Woodruff, speaker's clerk; J. W. Hazelton, sergeant-at-arms; R. C. Kenneley, chief doorkeeper.

Motion prevailed.

Hambleton of Mahaska moved that the members occupy the same seats as during the last session.

Motion prevailed.

The officers of the house assembled at the speaker's desk and took oath of office.

#### 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 adopted the following Concurrent Resolution in which the concurrence of the House is asked:

Concurrent resolution relative to a joint session of the House and Senate for the purpose of inviting the Governor to read his message before the joint convention.

GEO. A. NEWMAN,  
*Secretary of the Senate.*

**MR. SPEAKER:** I am directed to inform your honorable body that the President of the Senate has appointed as members of the joint committee on the part of the Senate to invite the Governor to read his message before the joint convention, Senator Saunders of Pottawattamie, and Senator Jamison of Clarke.

GEO. A. NEWMAN,  
*Secretary of the Senate.*

Sullivan of Polk moved that the house concur in the concurrent resolution relative to a joint session of the House and Senate for the purpose of inviting the Governor to read his message.

Motion prevailed, so the House concurs.

The Speaker named as committee on the part of the House to invite the Governor to read his message: McAllister of Linn, Cassady of Monona and Earle of Allamakee.

The Speaker appointed as Committee of the House to notify the Senate that the House is now ready to receive it: Smith of Wright, Nix of Union and Pierce of Buena Vista.

The committee appointed to notify the Senate that the House was ready to receive it appeared and reported that it had so acted.

The members of the Senate appeared and took seats on the west side of the hall of the House.

JOINT SESSION.

In accordance with the Senate concurrent resolution duly adopted, the joint session was called to order by Lieutenant Governor Garst.

The roll was then called, and the following members responded:

Allen, Allred, Anderson, Arney, Baird, Balluff, Bascom, Bauman, Beery, Bixby, Blackmore, Bleakly, Brandes, Bruce, Burgess, Calkins, Cassady, Clarke, Clark, Clary, Conn, Corrie, Darrah, DeArmand, DeMar, Dewell, DeWolf, Dodds, Doran, Dow, Dowell, Drury, Dunn, Dunham, Dye of Decatur, Dye of Pottawattamie, Earle, Eckles, Elerick, Elliott, Ericson, Feay, Feely, Felt, Fenn, Foley, Fox, Frudden, Gale, Gilliland, Geneva, Greenwood, Grier, Hackler, Hambleton, Hanna, Hanson, Harding, Heles, Hopkins. Hughes, Hume, Inman, Jackson, Jamieson of Page, Jamison of Clarke, Jewell, Jones of Montgomery, Jones of Mahaska, Kelley, Kellogg, Kendall, Kimmel, Kinne, Koontz, Kull, Lee, Lister, Lowrey, McAllister, McDonald, McElrath, McKlveen, Maben, Mann, Marston, Mason, Mattes, Maytag, Mercer, Meredith, Miller of Bremer, Miller of Dubuque, Moon, Moore, Morris, Newberry, Nichols, Nix, Ofill, Paul, Peterson, Pierce, Price, Reaney, Reitz, Ritter, Saunders, Schoenenberger, Schroeder, Schulte, Seeley, Shaffer, Sheldon. Sidey, Smith of Wright, Smith of Des Moines, Smith of Mitchell, Sparks, Springer, Stewart, Stillman, Stirton, Stoltenberg, Stookey. Stuckslager, Sullivan, Swan, Swift, Taylor, Teter, Turner, Van Houten, Wade, Warren, Webster, Weeks, Welden, Whipple, White. Whiting, Wilson of Tama, Wilson of Fayette, Wilson of Clinton, Wolfe, Youde, Young, Mr. Speaker—148.

Absent members were:

Cottrell, Flugum, Harvey, Holmes, Lambert, McManus— 6

President Garst declared a constitutional majority of the General Assembly present at the joint convention.

The joint committee named to invite the Governor to read his message reported and presented the Governor to the joint convention.

## MESSAGE OF THE GOVERNOR.

to the Thirty-second General Assembly in extra session.

*Mr. President, Mr. Speaker, Senators and Representatives of the Thirty-second General Assembly.*

Exercising the authority given to the Governor by the constitution, I have convened the Thirty-second General Assembly in extra session, and it now becomes my duty to state the purpose for which I have brought you together. I have called this extra session in order that you might consider and adopt, if it seems wise to do so, an amendment to the Primary Election Law that will enable the voters of any political party to again express their preference as between candidates for the office of senator in congress when the choice made by any such party at the June primary is rendered unavailing by death or withdrawal.

Firmly believing that the failure to provide for such a contingency, coupled with the death of the candidate chosen by the voters of the republican party on June 2d present an extraordinary occasion within the meaning of the constitution, it is due to you and to the people whom we represent that the reasons which have led me to the proclamation, under which you have assembled, be fully and fairly set forth.

The increasing difficulties of government, the supreme necessity of inspiring confidence in the wisdom and justice of our laws, and in the fidelity of our law makers, have gradually established the policy in the great majority of the western and southern states, of taking the opinions of the individual or primary voters upon the candidates for the senate, in order to guide, advise or instruct the legislators whose duty it is to elect senators. This policy was established in Iowa by the present General Assembly in its regular session in 1907, and it is my abiding conviction that the privilege thus accorded to the people is as deeply cherished as any political right which they now enjoy. Whatever view may be held elsewhere, it cannot be doubted that the men of this State look upon the right to select their senators as vitally important. The Thirty-third General Assembly must elect a senator whose tenure of office is six years. During this period there will come before the Senate of the United States many questions of the gravest concern to the people, not only of Iowa but of the nation.

The attempt on the part of congress to fairly and justly regulate and control transportation companies and other corporations doing an interstate business, to prevent monopolies and oppressive combinations, to protect the country against the undue might of unnecessary concentration is yet but experimental and incomplete. I believe that the voters are inherently entitled to say, and say directly, who shall deal with these questions in their behalf. You so believed and so provided; but human prevision was not clear enough to cover the condition which death has created. In accordance with the law, all the political parties made their choice for senator in June. The choice made by one of the principal parties cannot be carried into effect; and one of two things is inevitable; either the voters of this party must be denied their right

for six years, or the General Assembly must supply the omission in the law. Confronted by these conditions and these alternatives, I have unhesitatingly determined that the constitution warrants and the welfare of the people demands an extra session.

I have heard it said that the session is called for the benefit of one party, and therefore improperly called. It is not true and he who so contends is either insincere in his words or superficial in his thought. The men who make up the democratic party are just as much concerned in preserving to the voters of the republican party the privilege of selecting their candidate for senator as they are in preserving the privilege to themselves, if the privilege is an aid to good government, and he who condemns the action I have taken from the low standpoint of party advantage forgets his obligation to the higher standards of patriotism. It has been urged also that if it was my purpose in calling the session to promote the general good, it could only be accomplished by a law that would permit all the voters, without regard to party, to nominate a candidate, and thus abolish party organization. This is but a partisan pretense, and is intended not to give the people more power, but rather to deprive a large portion of them of the power which under the spirit of the law they now have. The time may come, although I doubt it, when party organizations will be abandoned, but it has not yet come, nor do I perceive any tendency in that direction. All our elective officers, both national and state, are nominated through party organizations, and if senators were elected by direct vote they would still be nominated by party primaries, caucuses, or conventions.

It is the extreme of prejudice, therefore, to insist that in order to justify an extra session the measure to be considered must provide for a nomination without respect to party affiliation.

For the reasons I have already stated, I recommend the adoption of an amendment to the primary election law that will authorize the voters of a party in which the choice for senator made at the primary election has been rendered ineffective through death or withdrawal, to again express their preferences as between candidates for the office, at the November election; or, to put it differently, to enable the voters of the party whose choice has become unavailing to fill the vacancy by another election. I recommend that the additional expression be taken at the November election in order to avoid the expense of an independent primary, for it is manifest that if the vote be taken as suggested, there will be no substantial outlay in addition to that which is necessarily involved in the general election.

It does not fall within the scope of my duty to advise you with regard to the specific form of the desired amendment. The object to be attained is clear and plain and I am sure there will be no serious difficulty in reaching it. I may, however, without impropriety, say that the proposed amendment should confine the privilege of voting for senator, under it, to the members of the party which has been or may be, deprived of its choice. In the particular instance now under consideration the vacancy exists in the republican party and none but the republicans should be permitted to fill it. When you have an-

swered the question, what is required to be a republican, you will have discovered the test that should be applied. It is generally believed that there are in Iowa more than three hundred thousand men belonging to that party. Not one of them should be excluded from the privilege, nor should any others be admitted to it.

My reference to the condition immediately before us must not be misunderstood. At the present time a vacancy in the republican choice is to be filled; but at some future time the vacancy may be in the choice of another political party. The amendment will necessarily be as general in its terms and as comprehensive in its application as the statute which it amends. Therefore it must be right for all parties and for the future as well as the present. The test for the privilege to be exercised must be fair and just for peace and quiet as well as for stress and storm.

I submit the whole matter to you, confident that there never assembled a legislative body more deeply devoted to the cause of good government than is the Thirty-second General Assembly of the state of Iowa.

There has been much discussion respecting the manner in which the existing vacancy in the office of senator in congress should be filled. A great deal of it has been carried on without an examination of the law governing the subject and I think it is only fair both to you and to me that this message express the law as I understand it.

Section 3, paragraph 2, of the constitution of the United States is as follows:

"And if a vacancy happens by resignation or otherwise during the recess of the legislature of any state, the executive thereof may make temporary appointments until the next meeting of the legislature, which shall then fill such vacancies."

According to the well settled interpretation of this clause of the constitution, if I had made an appointment it would have expired with this session of the General Assembly, and if you adjourn without filling the vacancy my power will not be revived, but the vacancy must continue until a legislature fills it.

The act of congress relating to the subject is as follows:

"Whenever on the meeting of the legislature of any state a vacancy exists in the representation of such state in the senate, the legislature shall proceed, on the second Tuesday after meeting and organization, to elect a person to fill such vacancy in the manner prescribed in the preceding section for the election of a senator for a full term."

The authority, responsibility and duty are wholly yours.

Respectfully submitted,

*Albert B. Cummings*

Governor.

Senator Gilliland of Mills moved that the joint convention dissolve.

Motion prevailed.

The House reconvened.

Speaker Kendall in the chair.

Darrah of Lucas moved that a committee of fifteen be named to consider the Governor's message and to report thereon by bill or otherwise as soon as possible.

Motion prevailed.

The Speaker named as such committee: Darrah of Lucas, Beery of Henry, Stillman of Greene, Jones of Montgomery, Lee of Emmett, Hackler of Webster, Sullivan of Polk, Moore of Linn, Grier of Poweshiek, Harding of Woodbury, Price of Warren, Geneva of Keokuk, DeMar of Davis, McDonald of Carroll, Pierce of Buena Vista.

Chief Clerk Benedict made the following assignment of seats in the press gallery:

12. Brown, Avery, Des Moines Daily News.
13. Garrett, Tracy, Chicago Record-Herald; Register & Leader;
8. Hill, Joseph, Register & Leader.
9. Jarnagin, W. E., Des Moines Capital; Dubuque Times-Journal.
10. Stevenson, B. D., Omaha Bee; Dubuque Telegraph-Herald; Marshalltown Times Republican; Mason City Times Herald; St. Paul Dispatch.
11. Woodhouse, J. A., Des Moines Daily News; Davenport Democrat; Omaha World-Herald.
14. Weaver, Chauncey A., Sioux City Journal; Chicago Examiner; Chicago Inter-Ocean; New York Sun; Washington Star.

On motion of Sullivan of Polk, the House adjourned until 10 o'clock tomorrow morning.

# JOURNAL OF THE HOUSE

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HALL OF THE HOUSE OF REPRESENTATIVES,  
DES MOINES, IOWA, September 1, A. D. 1908.

House met pursuant to adjournment.

Speaker Kendall in the chair.

Prayer was offered by the Rev. A. L. Frisbie of Des Moines.

Journal of Monday, August 31st, corrected and approved.

## INTRODUCTION OF BILLS.

By Paul of Jones, House File No. 1, a bill for an act to amend the law as it appears in Chapter Fifty-one (51) of the Acts of the Thirty-second General Assembly, relating to the expression of choice of candidates for Senator in the Congress of the United States.

## HOUSE FILE NO. 1.

A BILL for an Act to Amend the Law as it appears in Chapter Fifty-one (51) of the Acts of the Thirty-second General Assembly, relating to the Expression of Choice of Candidates for Senator in the Congress of the United States.

*Be It Enacted by the General Assembly of the State of Iowa:*

SECTION 1. The law as it appears in Chapter Fifty-one (51) of the Acts of the Thirty-second General Assembly is hereby amended as follows:

SEC. 24-a. Provided that should a vacancy occur in the office of Senator in the Congress of the United States after the holding of any election as herein contemplated and more than thirty days prior to the election in November, or should the choice of candidate for such office as expressed at the primary be by death, withdrawal or otherwise rendered unavailing



between said dates, an expression of choice may be taken at the time of holding the general election as follows:

The names of candidates of any party for the office of Senator in the Congress of the United States shall be printed upon the regular election ballot following the list of candidates of the party in the way contemplated by the provision of the Primary Election Law, but the names of such candidates shall be separated from the regular ballot and shall be preceded by the words ".....party."

(The name of the party to be inserted in the blank space.)

Candidates for the office of Senator in the Congress of the United States. (Vote for one.)

Here printed instructions as to who is entitled to vote.

- JOSEPH SMITH
- JOHN JONES
- WILLIAM THOMPSON

The voter shall express his preference for candidates in the same manner as is contemplated by the provisions of the Primary Election Law.

Any elector who votes for the candidates for Governor, Lieutenant Governor, member of Congress, and members of the Legislature of any party and at least some of the candidates for elector of such party in the year in which a Presidential election occurs, shall be entitled to express his preference for a candidate for such party for the office of Senator in the Congress of the United States. A ballot cast not in conformity with these provisions shall not be counted for the office of United States Senator.

The ballots cast for candidates for Senator in the Congress of the United States at any general election as herein contemplated, shall be canvassed by the election board, certified and returned in all respects as contemplated by the provisions of the Primary Election Law for the certification and return as to such candidates in the provisions under the regular Primary Law.

Petitions of nomination for candidates for the office of Senator in the Congress of the United States shall be filed in case of a vacancy, or defeat of choice as herein contemplated in the same manner as is contemplated by the provisions of the Primary Election Law, except that such petitions are to be filed at a date not later than noon of the fifteenth day preceding the date of the November election and the names of the candidates properly filed with the Secretary of State on or before such date shall be by him certified to the county auditors in the same manner as the regular nominees to be voted for at the general election.

Read first and second time and referred to Special Committee on Elections.

## RESOLUTIONS.

DeMar of Davis presented the following Joint Resolution:

WHEREAS, By the act of Divine Providence, in the fullness of time, the people of the State of Iowa have been deprived of one of their representatives in the Senate of the United States, therefore,

*Be it resolved by the House, the Senate concurring,* That a joint convention be held in the House Chamber on Tuesday, September 8, 1908, at 2 o'clock P. M., for the purpose of electing a Senator in the Congress of the United States to complete the unexpired term of the late Senator Wm. B. Allison.

Read first and second time and referred to Special Committee on Elections.

Allred of Wayne presented the following resolution in memoriam of William H. Hickey, deceased:

WHEREAS, The Hon. William H. Hickey, an honored member of the House of Representatives of the Thirty-second General Assembly of Iowa, has been removed from our midst by the hand of death, therefore be it,

*Resolved,* That as a token of the high esteem in which he was held by the members of this House, that the Sergeant-at-Arms be hereby directed to properly drape his desk during the term of this session.

Adopted.

Weeks of Guthrie in the chair.

McAllister of Linn presented the following resolution:

*Resolved,* That the House take immediate action in regard to additional employes, so that those who are waiting on its action may know what to do as they are paying their expenses and if their services are not needed they may return to their homes.

Referred to Committee on Retrenchment and Reform.

Kendall of Monroe presented the following concurrent resolution relative to the life and character of Honorable William B. Allison:

## CONCURRENT RESOLUTION.

*Resolved by the House, the Senate concurring,* That a joint committee consisting of three members of the House and three members of the Senate be appointed to prepare and present a suitable memorial respect-

ing the life, character and public services of the Honorable William B. Allison, deceased, late a Senator in the Congress of the United States from the State of Iowa.

By unanimous consent the same was adopted.

Speaker Kendall in the chair.

Grier of Poweshiek moved that a committee of three be named to determine the amount of mileage due each member and report the same to the House.

Motion prevailed.

The Speaker named as such committee: Grier of Poweshiek, McAllister of Linn, Miller of Dubuque.

On motion of Teter of Marion the House adjourned until 10 o'clock tomorrow morning.

## JOURNAL OF THE HOUSE

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HALL OF THE HOUSE OF REPRESENTATIVES,  
DES MOINES, IOWA, September 2, A. D. 1908.

House met pursuant to adjournment.

Speaker Kendall in the chair.

Prayer was offered by the Rev. C. T. Ilsley of Indianola.

Journal of Tuesday, September 1, corrected and approved.

Lister of Grundy presented petition of the voters of Grundy County asking to have the circle at the head of each ticket on the official ballot replaced.

Referred to special committee on elections.

### 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 adopted the following Concurrent Resolution in which the concurrence of the House is asked.

Concurrent Resolution, relative to rules governing joint conventions of the Senate and House during the extra session of the Thirty-second General Assembly.

GEO. A. NEWMAN,  
*Secretary.*

Also:

MR. SPEAKER: I am directed to inform your honorable body that the Senate has concurred in the following House Concurrent Resolution in which the concurrence of the Senate was asked.

Relative to the appointment of a joint committee to prepare and present suitable memorial respecting the life, character and public services of the Honorable William B. Allison, (deceased); and the president of the Senate appoints as committee on part of the Senate, Senators Frudden, Saunders, Dunham.

GEO. A. NEWMAN,  
*Secretary.*

Miller of Bremer presented the following Concurrent Resolution and moved that the same be made a special order for 3 o'clock this afternoon.

CONCURRENT RESOLUTION.

WHEREAS, It being desirable that this special session of the Thirty-second General Assembly of Iowa shall come to a speedy close:

*Be it resolved by the House of Representatives, the Senate concurring,* That sine die adjournment shall be taken at twelve (12) o'clock M. Thursday, September 3, 1908.

Hambleton of Mahaska presented the following substitute for the Concurrent Resolution and moved the rules be suspended and the same be considered at once.

SUBSTITUTE CONCURRENT RESOLUTION.

*Resolved by the House, the Senate concurring,* That this special session of the Thirty-second General Assembly take a recess on Friday, September 4, 1908, at 3 p. m. until Monday, November 9th, 1908 at 2 p. m.

Roll call demanded by Sullivan of Polk and McAllister of Linn.

On the question, Shall the rules be suspended and the Substitute Concurrent Resolution be considered now.

The yeas were:

Allred, Balluff, Beery Bixby, Blackmore, Bonwell, Brandes, Cassidy, Clary, DeMar, Dodds, Dow, Dunn, Dye of Decatur, Dye of Pottawattamie, Elliott, Fox, Greenwood, Hambleton, Hanna, Harding, Harvey, Heles, Inman, Kellogg, Koontz, Kull, McAllister, McElrath, Mann, Mason, Meredith, Miller of Bremer, Miller of Dubuque, Moore, Nix, Ofill, Paul, Reaney, Ritter, Schoenenberger, Schroeder, Schulte, Sheldon, Sparks, Springer, Swan, Swift, Webster, Wolfe, Mr. Speaker—51.

The nays were:

Anderson, Arney, Baird, Bascom, Bauman, Calkins, Clarke, Conn, Corrie, Cottrell, Darrah, Dewell, Doran, Drury, Earle, Feay, Feely, Felt, Fenn, Flugum, Geneva, Grier, Hackler, Hanson, Jewell, Jones, Kelley, Kendall, Lee, Lister, Lowrey, McDonald, Maben, Marston, Mercer, Morris, Pierce, Price, Reitz, Shaffer, Sidey, Smith, Stewart, Stillman, Stoltenberg, Sullivan, Teter, Van Houten, Weeks, Welden, White, Wilson, Youde—53.

Absent or not voting:

Holmes, Hume—2.

So the House refused to consider the substitute now.

On the question, Shall the Concurrent Resolution be considered now:

The yeas were:

Baird, Balluff, Beery, Calkins, Clary, Cottrell, DeMar, Dodds, Feay, Geneva, Hambleton, Harding, Harvey, Heles, Kendall, Koontz, Kull, Miller of Bremer, Miller of Dubuque, Reitz, Ritter, Schoenenberger, Schroeder, Schulte, Sparks, Springer, Stewart, Swift, Wolfe—29.

The nays were:

Allred, Anderson, Arney, Bascom, Bauman, Bixby, Blackmore, Bonwell, Brandes, Cassady, Clarke, Conn, Corrie, Darrah, Doran, Dow, Drury, Dunn, Dye of Decatur, Dye of Pottawattamie, Earle, Elliott, Feely, Felt, Fenn, Flugum, Fox, Greenwood, Grier, Hackler, Hanna, Hanson, Holmes, Hume, Inman, Jewell, Jones, Kelley, Kellogg, Lee, Lister, Lowrey, McAllister, McDonald, McElrath, Maben, Mann, Marston, Mason, Mercer, Meredith, Moor, Morris, Nix, Offill, Paul, Pierce, Price, Reaney, Shaffer, Sheldon, Sidey, Smith, Stillman, Stoltenberg, Sullivan, Swan, Teter, Webster, Weeks, Welden, White, Wilson, Youde, Mr. Speaker—77.

Absent or not voting:

Holmes, Hume, Van Houten—3.

So the House refuses to consider the resolution now.

## REPORT OF COMMITTEE.

Teter of Marion, from the committee on Retrenchment and Reform, submitted the following report:

MR. SPEAKER: Your committee on Retrenchment and Reform to whom was referred a certain resolution relative to employment of additional help, beg leave to report that we have had the same under consideration, and we recommend that this House employ one page and two messengers, one clerk of special committee, and one janitor as such additional help, and no more; therefore,

*Be it resolved by the House:* That Leo Pickett be employed as speaker's page; that Everett McDonald and Kenneth Robinson be employed as messengers; that Duane Samson be employed as clerk to the special committee heretofore appointed; and that R. N. Hyde be employed as janitor. The compensation of each to begin September 1, 1908.

L. D. TETER,  
E. W. WEEKS,  
F. F. JONES,

*Committee.*

Adopted.

Price of Warren in the chair.

## RESOLUTIONS IN MEMORIAM.

Kelley of Polk presented the following resolutions in memoriam of Hon. T. E. Haines, deceased:

WHEREAS, The Honorable T. E. Haines, an honored member of the House of Representatives during the Nineteenth General Assembly, died at his home in Altoona, Polk county, Iowa, on the 9th day of May, 1908, therefore be it

*Resolved,* That this House has heard with deep sorrow of the death of one of Iowa's pioneer lawmakers, and honored citizens, and pauses at this time to pay its tribute of respect to his memory and join with his friends in an expression of sorrow and deep regret. To his grief stricken family we extend our sympathy in the loss of an honored man; be it further

*Resolved,* That these resolutions be spread upon the records of the House, and that a properly engrossed copy, duly authenticated, be sent to the members of his family.

Adopted.

Hambleton of Mahaska presented the following resolution:

*Resolved*, That a committee of three be appointed to prepare appropriate resolutions of respect occasioned by the death of Hon. Joseph H. Evans, a former member of the Eighteenth General Assembly of Iowa, recently deceased.

Adopted.

Speaker pro tem Price named as such committee, Hambleton of Mahaska, McAllister of Linn, Schulte of Clayton.

#### CONCURRENT RESOLUTION.

Hambleton of Mahaska presented the following Concurrent Resolution:

*Resolved by the House, the Senate concurring*, that a committee of five be appointed, two from the Senate and three from the House to prepare appropriate resolutions in memory of Hon. Lucien C. Blanchard, a former member of the Twenty-fifth House, and Twenty-sixth, Twenty-sixth Extra, Twenty-seventh, Twenty-eighth and Twenty-ninth Senate, General Assemblies of Iowa, who died on March 2, 1908.

Adopted.

Speaker pro tem Price named as such committee on part of the House, Hambleton of Mahaska, Pierce of Buena Vista, Dow of Franklin.

Hambleton of Mahaska presented the following resolution:

*Resolved*, That a committee of three be appointed to prepare appropriate resolutions of respect occasioned by the death of the Hon. Andrew J. Jewell, a former member of the Twenty-third General Assembly of Iowa, recently deceased.

Adopted..

Speaker pro tem Price, named as such committee, Hambleton of Mahaska, Clary of Chickasaw, Lowrey of Calhoun.

Speaker pro tem Price named as committee on part of House in pursuance to Concurrent Resolution relative to preparing suitable memorial respecting the life, character and public service of the late Honorable William B. Allison: Kendall of Monroe, Heles of Dubuque, Hackler of Webster.



Speaker Kendall in the chair.

In pursuance to the Speaker's order, the roll call disclosed the following members in their seats:

Allred, Anderson, Arney, Baird, Balluff, Bascom, Bauman, Beery, Bixby, Blackmore, Bonwell, Brandes, Calkins, Cassady, Clarke, Clary, Conn, Corrie, Cottrell, Darrah, DeMar, Dewell, Dodds, Doran, Dow, Drury, Dunn, Dye of Decatur, Dye of Pottawattamie, Earle, Elliott, Feay, Feely, Felt, Fenn, Flugum, Fox, Geneva, Greenwood, Grier, Hackler, Hambleton, Hanna, Hanson, Harding, Harvey, Heles, Inman, Jewell, Jones, Kelley, Kellogg, Kendall, Koontz, Kull, Lee, Lister, Lowrey, McAllister, McDonald, McElrath, Maben, Mann, Marston, Mason, Mercer, Meredith, Miller of Bremer, Miller of Dubuque, Moore, Morris, Nix, Offill, Paul, Pierce, Price, Reaney, Reitz, Ritter, Schoenenberger, Schroeder, Schulte, Shaffer, Sheldon, Sidey, Smith, Sparks, Springer, Stewart, Stillman, Stoltenberg, Sullivan, Swan, Swift, Teter, Van Houten, Webster, Weeks, Welden, White, Wilson, Wolfe, Youde, Mr. Speaker—104.

Absent or not Voting:

Holmes, Hume—2.

On motion of Lee of Emmet the House adjourned till 10 A. M. tomorrow morning.

# JOURNAL OF THE HOUSE

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HALL OF THE HOUSE OF REPRESENTATIVES,  
DES MOINES, IOWA, September 3, A. D. 1908.

House met pursuant to adjournment.

Speaker Kendall in the chair.

Prayer was offered by the Rev. W. N. Yates of Ida Grove.

Journal of Wednesday, September 2, 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 adopted the following concurrent resolution, in which the concurrence of the House is asked:

Concurrent resolution relative to the holding of a joint convention for the purpose of electing a Senator in the Congress of the United States.

GEO. A. NEWMAN,  
*Secretary of Senate.*

## REPORT OF COMMITTEES.

Darrah of Lucas, from the special committee on elections, submitted the following report:

MR. SPEAKER: Your Special Committee on Elections, to whom was referred concurrent resolution by DeMar, 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 words "Tuesday, September 8th, 1908, at 2

o'clock P. M.", and inserting in lieu thereof the words "Wednesday, September 9th, 1908, at 12 o'clock noon", and when so amended that the concurrent resolution do pass.

JOHN DARRAH,  
*Chairman.*

Passed on file.

Grier of Poweshiek from the Committee on Mileage submitted the following report:

MR. SPEAKER: Your committee appointed to fix the amount of mileage due each member submits the following report:

NAME.	No. of Miles.	Amt.
W. P. Allred .....	200	\$10.00
William Anderson .....	120	6.00
W. H. Arney.....	120	6.00
E. D. Baird.....	236	11.80
Frank Balluff .....	350	17.50
J. L. Bascom .....	340	17.00
S. H. Bauman .....	240	12.00
Enoch Beery .....	300	15.00
R. J. Bixby.....	427	21.35
A. C. Blackmore.....	350	17.50
John C. Bonwell.....	162	8.10
H. C. Brandes.....	226	11.30
George C. Calkins.....	296	14.80
E. M. Cassady.....	420	21.00
J. F. Clark.....	256	12.80
T. C. Clary.....	322	16.60
Stanley Conn .....	260	13.00
S. M. Corrie .....	310	15.50
J. C. Cottrell.....	420	21.00
J. H. Darrah.....	224	11.20
J. C. DeMar.....	228	11.40
H. Dewell .....	360	18.00
W. D. Dodds.....	310	15.50
J. R. Doran.....	132	6.60
D. W. Dow.....	300	15.00
Will Drury .....	314	15.70
Henry Dunn .....	436	21.80
C. C. Dye.....	200	10.00
Willoughby Dye .....	250	12.50
W. C. Earle.....	700	35.00
J. D. Elliott.....	284	14.20
S. A. Feay.....	428	21.40
G. A. Feely.....	210	10.50
B. F. Felt.....	314	15.70
Joel M. Fenn.....	136	6.80

C. N. Flugum.....	296	14.80
John Fox .....	42	2.10
Thomas Geneva .....	180	9.00
C. G. Greenwood.....	326	16.30
G. E. Grier.....	180	9.00
C. W. Hackler.....	176	8.80
Mahlon Harvey .....	356	17.80
A. F. N. Hambleton.....	128	6.40
W. H. Hanna.....	242	12.10
T. O. Hanson.....	246	12.30
W. L. Harding.....	452	22.60
Phil Heles .....	414	20.70
T. H. Hume.....	360	18.00
L. W. Inman.....	334	16.70
F. M. Jewell.....	420	21.00
F. F. Jones.....	250	12.50
J. H. Kelley.....	24	1.20
George A. Kellogg.....	352	17.60
A. W. Kendall.....	408	20.40
G. W. Koontz.....	242	12.10
H. Kull .....	538	26.90
N. J. Lee.....	360	18.00
Jno. Lister .....	206	10.30
J. H. Lowrey.....	230	11.50
John McAllister .....	288	14.40
Edw. McDonald .....	142	7.10
W. W. McElrath.....	460	23.00
O. K. Maben.....	288	14.40
A. Mann .....	372	18.60
C. L. Marston.....	340	17.00
John B. Mason.....	458	22.90
James Mercer .....	230	11.50
C. A. Meredith.....	164	8.20
Chas. W. Miller.....	260	13.00
Simon Miller .....	414	20.70
E. R. Moore.....	288	14.40
J. F. Morris.....	448	22.40
B. F. Nix.....	130	6.50
J. F. Ofill.....	48	2.40
C. B. Paul.....	342	17.10
H. L. Pierce.....	332	16.60
Clint L. Price.....	44	2.20
R. J. Reaney.....	314	15.70
H. H. Reitz.....	290	14.50
Henry Ritter .....	336	16.80
John Schoenenberger .....	70	3.50
H. C. Schroeder.....	340	17.00
G. H. Schulte.....	674	33.70
J. D. Shaffer.....	330	16.50
F. E. Sheldon.....	130	9.00

E. J. Sidey.....	240	12.00
J. R. Smith.....	176	8.80
Clyde G. Sparks.....	208	10.40
L. F. Springer.....	258	12.90
J. W. Stewart.....	204	10.20
Paul E. Stillman.....	132	6.60
A. H. Stoltenberg.....	350	17.50
John Sullivan.....	.....	.....
George W. Swan.....	244	12.20
C. F. Swift.....	230	11.50
L. D. Teter.....	70	3.50
G. H. Van Houten.....	186	9.30
D. D. Webster.....	340	17.00
E. W. Weeks.....	120	6.00
W. Welden.....	150	7.50
George C. White.....	70	3.50
Ward Wilson.....	274	13.70
Jno. L. Wolfe.....	450	22.50
Charles Youde.....	361	18.05
N. E. Kendall.....	136	6.80

GEO. E. GRIER,  
JNO. MCALLISTER,  
SIMON W MILLER,  
*Committee.*

We recommend that such mileage be duly certified.

GEO. E. GRIER,  
*Chairman.*

Passed on file.

#### PETITIONS.

Hambleton of Mahaska presented memorial of County Superintendent of Public Schools relative to restoring the circle to the ballot.

Referred to Special Committee on Elections.

#### RESOLUTIONS IN MEMORIAM.

Sidey of Adair presented the following resolution:

WHEREAS, The Honorable K. R. Madden, an honored member of the Twenty-seventh General Assembly from Adair County, departed this life at his home in Bridgewater in the year 1906; therefore be it

*Resolved*, That a committee of three be appointed to present resolutions commending his life and service to the State.

Adopted.

Speaker named as such committee, Sidey of Adair, Stewart of Washington and Nix of Union.

In pursuance of the Speaker's order, the roll was called and disclosed the following members in their seats:

Allred, Anderson, Arney, Baird, Balluff, Bascom, Bauman, Beery, Bixby, Blackmore, Bonwell, Brandes, Calkins, Cassady, Clarke, Clary, Conn, Corrie, Cottrell, Darrah, DeMar, Dewell, Dodds, Doran, Dow, Drury, Dunn, Dye of Decatur, Dye of Pottawattamie, Earle, Feay, Feely, Felt, Fenn, Flugum, Fox, Geneva, Greenwood, Grier, Hackler, Hambleton, Hanna, Hanson, Harding, Harvey, Heles, Hume, Inman, Jewell, Jones, Kelley, Kellogg, Kendall, Kontz, Kull, Lee, Lister, Lowrey, McAllister, McDonald, McElrath, Maben, Mann, Marston, Mason, Mercer, Meredith, Miller of Bremer, Miller of Dubuque, Moore, Morris, Nix, Offill, Paul, Pierce, Price, Reaney, Reitz, Ritter, Schoenenberger, Schroeder, Schulte, Shaffer, Sheldon, Sidey, Smith, Sparks, Springer, Stewart, Stillman, Stoltenberg, Sullivan, Swan, Swift, Teter, Van Houten, Webster, Weeks, Welden, White, Wilson, Wolfe, Youde, Mr. Speaker.

#### RESOLUTIONS.

Substitute concurrent resolution relative to taking a recess on Sept. 4 to Nov. 9 was taken up for consideration.

Inman of Floyd moved that the substitute concurrent resolution be amended by striking out the word and figure, "Friday, 4th" and insert in lieu thereof the word and figure, "Saturday 5th."

Motion prevailed and the amendment was adopted.

Swift of Shelby presented the following substitute for substitute concurrent resolution and moved its adoption.

*Resolved, by the House, the Senate concurring,* That this special session of the Thirty-second General Assembly adjourn sine die on Wednesday, September 9, 1908, at 4 o'clock p. m.

Paul of Jones moved the previous question, seconded by Moore of Linn, previous question being ordered.

Substitute for Substitute Concurrent Resolution was lost.

On the question, Shall the substitute concurrent resolution be adopted:

The yeas were:

Allred, Beery, Bixby, Blackmore, Brandes, Cassady, Dewell, Dow, Dunn, Dye of Decatur, Dye of Pottawattamie, Fox, Greenwood, Hambleton, Hanna, Harding, Harvey, Inman, Jones, Kellogg, McAllister, McElrath, Mann, Miller of Bremer, Moore, Nix, Offill, Paul, Reaney, Sheldon, Swan, Swift, Teter, Webster, Mr. Speaker—35.

The nays were:

Anderson, Arney, Baird, Balluff, Bascom, Bauman, Bonwell, Calkins, Clarke, Clary, Conn, Corrie, Cottrell, Darrah, DeMar, Dodds, Doran, Drury, Earle, Elliott, Feay, Feely, Felt, Fenn, Flugum, Geneva, Grier, Hackler, Hanson, Heles, Hume, Jewell, Kelley, Kendall, Koontz, Kull, Lee, Lister, Lowrey, McDonald, Maben, Marston, Mason, Mercer, Meredith, Miller of Dubuque, Morris, Pierce, Price, Reitz, Ritter, Schoenenberger, Schroeder, Schulte, Shaffer, Sidey, Smith, Springer, Stewart, Stillman, Stoltenberg, Sullivan, Weeks, Welden, White, Wilson, Wolfe, Youde—69.

Absent or not voting: Holmes, Van Houten—2.

So the substitute concurrent resolution was lost.

Darrah of Lucas, moved that the report of the Special Committee on Elections be adopted.

Roll call demanded by Moore of Linn and Offill of Jasper.

On the question, Shall the report of Special Committee be adopted:

The yeas were:

Anderson, Arney, Baird, Balluff, Bascom, Bauman, Calkins, Clarke, Clary, Conn, Corrie, Cottrell, Darrah, DeMar, Dodds, Doran, Drury, Earle, Feay, Feely, Felt, Fenn, Flugum, Fox, Geneva, Grier, Hackler, Hanson, Heles, Hume, Jewell, Jones, Kelley, Kendall, Koontz, Kull, Lee, Lister, Lowrey, McDonald, Maben, Marston, Mason, Mercer, Miller of Bremer, Miller of Dubuque, Morris, Nix, Pierce, Price, Reitz, Ritter, Schoenberger, Schroeder, Schulte, Shaffer, Sidey, Smith, Sparks, Springer, Stewart, Stillman, Sullivan, Swift, Teter, Weeks, Welden, White, Wilson, Wolfe, Youde, Mr. Speaker—72.

The nays were:

Allred, Beery, Bixby, Blackmore, Bonwell, Brandes, Cassady, Dewell, Dow, Dunn, Dye of Decatur, Dye of Pottawattamie, Greenwood, Hambleton, Hanna, Harding, Harvey, Kellogg, McAllister, McElrath, Mann, Meredith, Moore, Offill, Paul, Reaney, Sheldon, Stoltenberg, Swan, Webster—29.

Absent or not voting: Elliott, Holmes, Inman, Stoltenberg, Van Houten—5.

So the report was adopted.

On motion of Sullivan of Polk the House adjourned until 2 o'clock this afternoon.

#### AFTERNOON SESSION.

House met pursuant to adjournment.

Speaker Kendall in the chair.

#### RESOLUTIONS.

Fenn of Clarke presented the following resolutions in memoriam of Hon. F. M. Kyte, deceased.

WHEREAS, The Honorable F. M. Kyte, an honored member of the House of Representatives in the Twenty-Third General Assembly, died at his home in Osceola, Iowa, in June, 1908, therefore be it



*Resolved*, That this House has heard with sorrow of the death of Iowa's pioneer and honored citizen, Hon. F. M. Kyte, and pauses at this time to pay tribute of respect to his memory and join with his friends in an expression of sorrow and regret; to his grief-stricken family we extend our sympathy in the loss of a good man. Be it further

*Resolved*, That these resolutions be spread on the records of this House and that a copy duly authenticated be sent to his family.

Adopted.

SENATE MESSAGES CONSIDERED.

CONCURRENT RESOLUTION.

*Resolved by the Senate, the House concurring*, That the joint rules of the Thirty-second General Assembly be adopted as the rules for the extra session of the Thirty-second General Assembly now convened.

Laid over under rule 34.

DeMar of Davis called up Senate concurrent resolution and moved that the House concur.

CONCURRENT RESOLUTION.

WHEREAS, by act of Divine Providence, in the fullness of time, the people of the State of Iowa have been deprived of one of their representatives in the Senate of the United States, therefore

*Be it Resolved by the Senate, the House concurring*, That a joint assembly be held in the House Chamber on Wednesday, September 9, 1908, at 12 o'clock noon, for the purpose of taking such procedure in connection with the election of a Senator in the Congress of the United States, to fill the vacancy caused by the death of the late Senator William B. Allison, as is prescribed by law.

Roll call demanded by Moore of Linn and Offill of Jasper.

On the question, Shall the House concur:

The yeas were:

Anderson, Arney, Baird, Balluff, Bascom, Bauman, Blackmore, Bonwell, Calkins, Clary, Conn, Corrie, Cottrell, Darrah, DeMar, Dodds, Doran, Drury, Earle, Feay, Feely, Felt, Fenn, Flugum, Geneva, Grier, Hackler, Hanson, Heles, Hume, Jewell, Jones, Kel-

ley, Kendall, Kull, Lee, Lister, Lowrey, McDonald, Maben, Marston, Mason, Mercer, Miller of Dubuque, Morris, Pierce, Price, Reaney, Reitz, Ritter, Schoenenberger, Schroeder, Schulte, Shaffer, Sidey, Smith, Sparks, Stewart, Stillman, Stoltenberg, Sullivan, Swift, Weeks, Welden, White, Wilson, Wolfe, Youde—67.

The nays were:

Allred, Beery, Bixby, Brandes, Dewell, Dow, Dunn, Dye of Decatur, Dye of Pottawattamie, Fox, Greenwood, Hambleton, Hanna, Inman, Kellogg, McAllister, McElrath, Mann, Meredith, Miller of Bremer, Moore, Nix, Ofill, Sheldon, Swan, Teter, Mr. Speaker—27.

Absent or not voting: Cassady, Clarke, Elliott, Harding, Harvey, Holmes, Koontz, Paul, Springer, Van Houten, Webster—11.

So the House concurs in the Senate concurrent resolution.

On motion of Moore of Linn the House adjourned until 10 o'clock tomorrow morning.

# JOURNAL OF THE HOUSE

HALL OF THE HOUSE OF REPRESENTATIVES,  
DES MOINES, IOWA, SEPTEMBER 4, A. D. 1908.

House met pursuant to adjournment.

Speaker Kendall in the chair.

Prayer was offered by the Rev. R. R. Moser of Altoona.  
Journal of Thursday, September 3d, corrected and approved.

## SENATE MESSAGE CONSIDERED.

Senate Concurrent Resolution relative to Joint Rules was taken up for consideration. Sullivan of Polk moved that the House concur.

Motion prevailed, so the House concurs.

## INTRODUCTION OF BILLS.

By Weeks of Guthrie, House File No. 2, a bill for an act providing for the nomination of United States Senators by a primary vote at the regular general election.

## HOUSE FILE NO. 2.

A BILL for an act Providing for the Nomination of United States Senators by a Primary Vote at the Regular General Election.

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

SECTION 1. Candidates for the office of United States Senator shall be nominated at the general election in November of the years preceding the expiration of the term of either or both United States Senators.

SEC. 2. A separate senatorial primary ballot shall be printed for each political party upon which ballot shall appear the name of the political party and the names of the candidates of the party for the office of United States Senator. The following shall substantially be the form for the ticket:

REPUBLICAN SENATORIAL PRIMARY TICKET.

For Senator in the Congress of the United States.

(Vote for one only.)

- John H. Darrah
- C. G. Greenwood
- W. H. Hanna

Upon the back of said ballot shall be printed appropriate words substantially as follows:

PRIMARY SENATORIAL BALLOT.

..... Party.

..... Township (or Precinct) ..... Ward  
 (City or Town) of....., County of ..... State of Iowa.  
 Senatorial primary election held on the ..... day of November, 19..  
 (Fac simile of County Auditor.)

SEC. 3. The general provisions of law regarding ballots for constitutional amendments as to number, distribution, etc., so far as applicable shall apply to these senatorial ballots.

SEC. 4. The judges of election when they give a voter the regular election ballot shall also give him a senatorial ballot, if any there be of the party to which the voter is shown to belong by the alphabetical list made up from the regular primary election of the preceding June as corrected or changed according to law.

If the name of the voter does not appear upon the alphabetical primary list of the voting precinct and he desires to vote a senatorial primary ticket, he shall be required to declare his party affiliation and to state that it is his intention to vote for a majority of the candidates on the ticket of the party thus declared. Upon making his declaration of party affiliation, the primary senatorial ballot of his party shall be given to him by the judges of election. No party declaration shall be required of any voter who does not desire to vote any senatorial primary ticket.

SEC. 5. The voter shall mark his senatorial primary ticket by placing a [X] in the square opposite the name of the candidate of his choice. The ticket shall be folded so as to conceal the names of the candidates and the voter shall return it with his regular election ballot separately folded to the judges of election upon his retirement from the booth.

SEC. 6. Two special columns shall be provided in the regular poll books of the election in the form for "List of Voters" at the right of the spaces for names and number. The first column shall be headed "Party Senatorial Ticket." The second column shall be headed "Declaration Required." In the first column the clerks of election shall insert the name of the party of the senatorial ticket given to the voter. If the voter does not accept a senatorial primary ticket from the judges, a check mark shall be marked in the column by the clerks. When the name of the voter does not appear in the alphabetical list of the previous primary and he declares his party affiliation and is given a primary senatorial

ballot then the word "declaration" shall be written in the second column in addition to writing the name of the political party in the first column.

SEC. 7. It is hereby made the duty of the county auditor to prepare the alphabetical lists in time for use at the general election in the years when a senatorial primary is to be held. It is further made the duty of the county auditor to add to the alphabetical lists before the next June primary the names of electors which the election poll book show to have been given senatorial primary tickets on their declaration of party affiliation.

SEC. 8. The primary election returns on United States Senator shall be recorded in the regular poll books and shall be canvassed and certified the same as the returns on other state officers and shall be certified the succeeding General Assembly by the Secretary of State.

SEC. 9. The name of no person shall be permitted to appear upon both the primary senatorial election ballot and also upon the regular election ballot.

SEC. 10. The candidates of the several political parties for the office of United States Senator, receiving the highest number of votes of their respective parties shall be treated as the regular legislative caucus nominees of their parties for the office of Senator in the Congress of the United States and entitled to consideration and support of their full legislative party strength as such.

SEC. 11. Nomination papers shall be filed with the Secretary of State at least forty days before the regular November election in order that names may be printed on the senatorial ballot. Further provisions of chapter 51 Acts of the Thirty-second General Assembly relative to nomination papers so far as practicable shall be observed.

SEC. 12. Political parties that have candidates for the United States Senate regularly and legally nominated at the time of the taking effect of this act and no vacancy occurring in said nomination prior to the time for final filing of nomination papers, shall not be subject to the provisions of this act in the year 1908.

SEC. 13. This act, being deemed of immediate importance, shall take effect and be in force immediately after publication in the Des Moines Register and Leader and the Des Moines Daily Capital, newspapers published in Des Moines, Iowa.

Read first and second time and referred to Special Committee on Elections.

By Reitz of Lee, House File No. 3, a bill for an act appropriating \$5000.00 for the purpose of assisting in the holding of a centennial commemoration of the establishment of Fort Madison and for a suitable monument to preserve to posterity the location of this fort as one of the advance posts marking time in the progress of civilization in its westward course upon this continent.

## HOUSE FILE NO. 3.

A BILL for an act Appropriating Five Thousand Dollars (\$5,000), for the Purpose of Assisting in the Holding of the Centennial Commemoration of the Establishment of Fort Madison and for a Suitable Monument to Preserve to Posterity the Location of this Fort as one of the Advanced Posts Marking Time in the Progress of Civilization in its Westward Course upon this Continent.

WHEREAS, The citizens of Fort Madison, Lee county, Iowa, are to celebrate, commencing October 26th to 30th, 1908, the Centennial Commemoration of the establishment of Fort Madison and to erect a suitable monument to preserve to posterity the location of this fort as one of the advanced posts at that time thrown across on the west bank of the Mississippi river, "The Father of Waters," marking time in the progress of civilization, in its westward course upon this continent, therefore,

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

SECTION 1. The sum of five thousand dollars (\$5,000), or so much thereof as may be needed is hereby appropriated of any money in the state treasury, not otherwise appropriated, for the purposes herein set forth.

SEC. 2. This act, being deemed of immediate importance, it shall take effect and be in force from and after its publication in the Register and Leader and the Des Moines Capital, newspapers published in Des Moines, Iowa.

Read first and second time and on motion of Van Houten of Taylor referred to the Thirty-third General Assembly.

By Arney of Marshall, House File No. 4, a bill for an act providing for the nomination of candidates for Senator in the Congress of the United States by direct vote of the qualified electors of the State of Iowa.

## HOUSE FILE NO. 4.

A BILL for an act Providing for the Nomination of Candidates for Senator in the Congress of the United States by Direct Vote of the Qualified Electors of the State of Iowa.

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

SECTION 1. From and after the passage and taking effect of this act, candidates for the office of Senator in the Congress of the United States shall be nominated at the general election in November of the even-numbered years prior to the expiration of the term of office of a Senator.

SEC. 2. The names of the candidates for the office in Congress of the respective parties shall be printed at the head of the respective party

tickets on the regular ballot immediately following the name designating the political party in the following general style and manner surrounded by a heavy rule or border:

Republican Ticket.  
For United States Senator.

(Vote for only one candidate for U. S. Senator.)

- Wm. P. Allred  
 N. E. Kendall  
 G. H. Van Houten

The foregoing to be followed by the regular election ticket in the usual form and style.

SEC. 3. The requirements for nomination papers shall be the same as provided in chapter 51 Acts of the Thirty-second General Assembly, except that the time of filing said papers shall be at least forty days prior to the time of the general election in November.

SEC. 4. The nomination for United States Senator being a party nomination the vote shall be counted only when the party ticket on which it appears has, in presidential years been voted either for the presidential electors or for a majority of the candidates on the State, Congressional and Legislative tickets, and in general elections other than presidential elections when the ticket has been voted for a majority of the State, Congressional and Legislative candidates.

SEC. 5. The vote shall be counted and the returns canvassed and certified the same as the vote for Governor and Lieutenant Governor.

SEC. 6. The candidate for United States Senator of each political party receiving the highest number of votes for said office shall be considered the nominee of the legislative caucus of his party and entitled to the vote of all members of the legislature belonging to his party.

SEC. 7. Any political party having a candidate for the United States Senate regularly nominated in the year 1908 prior to the passage of this act and no vacancy occurring therein shall not be required to make a nomination in accordance with the provisions of this act in said year.

SEC. 8. The name of no person shall be printed on the ticket as a candidate for the office of United States Senator and also as a candidate for any other office named on the ballot.

SEC. 9. Section 1106 of the Code Supplement of 1907 and chapter 51 Acts of the Thirty-second General Assembly and all other acts and parts of acts affected are hereby amended to conform herewith.

SEC. 10. This act being deemed of immediate importance shall take effect and be in force from and after its passage and publication in the Register and Leader and Des Moines Capital, newspapers published in Des Moines, Iowa.

Read first and second time and referred to Special Committee on Elections.

#### PETITION.

Reitz of Lee presented petition of citizens of Lee county relative to House File No. 3.

Referred to Thirty-third General Assembly.

Grier of Poweshiek moved that the report of the committee on mileage be adopted.

Motion prevailed, and the report was adopted.

RESOLUTION IN MEMORIAM.

Pierce of Buena Vista presented the following resolution:

WHEREAS, The Hon. W. H. Hickey, an honored member of the Thirty-second General Assembly from Cherokee county, departed this life at his home in said county since the regular session of the General Assembly, therefore be it

*Resolved*, That a committee of three be appointed to present resolutions commending his life and services to the State.

Adopted.

Speaker named as such committee, Pierce of Buena Vista, Earle of Allamakee and Youde of O'Brien.

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 Concurrent Resolution, in which the concurrence of the Senate was asked:

Relative to the appointment of a joint committee to prepare suitable resolutions in memory of the late Hon. Lucian C. Blanchard, and the President of the Senate appoints as committee on part of the Senate, Senators Jones and Ericson.

GEO. A. NEWMAN,  
*Secretary of Senate.*

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:

Concurrent Resolution relative to the holding of a joint convention on Saturday, September 5th, at 2 p. m., for the purpose of holding memorial services in honor of the late Hon. Wm. B. Allison.

GEO. A. NEWMAN,  
*Secretary of Senate.*



Unanimous consent having been given Senate Concurrent Resolution relative to the holding of a joint session on Saturday, September 5th, at 2 o'clock, for the purpose of holding memorial services in honor of the late Hon. Wm. B. Allison, was taken up for consideration.

Jones of Montgomery moved that the House concur.

Motion prevailed, so the House concurs.

LEAVE OF ABSENCE GRANTED.

On request of Allred of Wayne, leave of absence was granted Elliott of Page until Saturday.

On request of Hambleton of Mahaska, leave of absence was granted Dye of Decatur until Tuesday.

On request of Allred of Wayne, leave of absence was granted Hambleton of Mahaska until Tuesday.

On request of McAllister of Linn, leave of absence was granted Fox of Dallas until Saturday.

On request of Kelley of Polk, leave of absence was granted Arney of Marshall until Tuesday.

On request of Anderson of Hamilton, leave of absence was granted Hanson of Humboldt until Tuesday.

On request of Marston of Cerro Gordo, leave of absence was granted Welden of Hardin until Tuesday.

In pursuance to the Speaker's order, the roll was called and disclosed the following members in their seats:

Allred, Anderson, Arney, Baird, Baluff, Bascom, Bauman, Beery, Bixby, Blackmore, Bonwell, Brandes, Calkins, Cassady, Clarke, Clary, Conn, Corrie, Cottrell, Darrah, DeMar, Dewell, Dodds, Doran, Dow, Drury, Dunn, Dye of Pottawattamie, Earle, Elliott, Feay, Feely, Felt, Fenn, Flugum, Fox, Geneva, Greenwood, Grier, Hackler, Hambleton, Hanna, Hanson, Harding, Harvey, Heles, Hume, Inman, Jewell, Jones, Kelley, Kellogg, Kendall, Koontz, Kull, Lee, Lister, Lowrey, McAllister, McDonald, McElrath, Maben, Mann, Marston, Mason, Mercer, Meredith, Miller of Bremer, Miller

of Dubuque, Moore, Morris, Nix, Ofill, Paul, Pierce, Price, Reaney, Reitz, Ritter, Schoenenberger, Schroeder, Schulte, Shaffer, Sheldon, Sidey, Smith, Sparks, Springer, Stewart, Stillman, Stoltenberg, Sullivan, Swan, Swift, Teter, Van Houten, Webster, Weeks, Weiden, White, Wilson, Wolfe, Youde, Mr. Speaker.

On motion of Stillman of Greene the House adjourned until 10 o'clock tomorrow morning.

## JOURNAL OF THE HOUSE

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HALL OF THE HOUSE OF REPRESENTATIVES,  
DES MOINES, IOWA, SEPTEMBER 5, A. D. 1908.

House met pursuant to adjournment.

Speaker pro tem. Hambleton in the chair.

Prayer was offered by Representative G. H. Van Houten of Taylor.

Journal of Friday, September 4th, 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 reconsidered and amended Concurrent Resolution, relative to the holding of memorial services in honor of the late Honorable William Boyd Allison, changing the date for such services from Saturday, September 5th, at 2 o'clock p. m., to Tuesday, September 8th, at 3 o'clock p. m.

GEO. A. NEWMAN,  
*Secretary of the Senate.*

Unanimous consent having been given Senate amended Concurrent Resolution relative to memorial services in honor of the late Honorable William Boyd Allison, was taken up and considered.

Jones of Montgomery moved that the House concur.

Motion prevailed, so the House concurs.

Sullivan of Polk moved that when the House adjourns it will adjourn until Tuesday morning at 10 o'clock.

Motion prevailed.

In pursuance to the Speaker's order, the roll was called and disclosed the following members in their seats:

Allred, Arney, Baird, Balluff, Bascom, Bauman, Beery, Bixby, Blackmore, Bonwell, Brandes, Calkins, Cassady, Clary, Cottrell, Darrah, DeMar, Dewell, Doran, Dow, Dunn, Dye of Decatur, Dye of Pottawattamie, Earle, Elliott, Feay, Feely, Felt, Fenn, Flugum, Geneva, Greenwood, Grier, Hackler, Hambleton, Hanna, Harding, Harvey, Heles, Hume, Jewell, Jones, Kelley, Kellogg, Kendall, Koontz, Kull, Lee, Lowrey, McAllister, McDonald, McElrath, Maben, Mann, Mason, Mercer, Meredith, Miller of Bremer, Miller of Dubuque, Moore, Morris, Nix, Offill, Paul, Pierce, Price, Reaney, Reitz, Ritter, Schoenenberger, Schulte, Shaffer, Sheldon, Smith, Sparks, Springer, Stillman, Stoltenberg, Sullivan, Swan, Swift, Teter, Van Houten, Webster, Weeks, White, Wilson, Wolfe, Youde.

Roll call was verified.

LEAVE OF ABSENCE GRANTED.

On request of Felt of Clay, leave of absence was granted Lister of Grundy until Tuesday.

On request of Darrah of Lucas, leave of absence was granted Wilson of Tama until Tuesday.

On request of Doran of Boone, leave of absence was granted Corrie of Ida until Tuesday.

On request of Baird of Iowa, leave of absence was granted Schroeder of Crawford until Tuesday.

On request of Clary of Chickasaw, leave of absence was granted Miller of Dubuque until Tuesday.

On request of White of Story, leave of absence was granted Arney of Marshall until Tuesday.

On request of Heles of Dubuque, leave of absence was granted Dodds of Des Moines until Tuesday.

On request of Hambleton of Mahaska, leave of absence was granted Hanna of Benton until Tuesday.

On request of Fenn of Clarke, leave of absence was granted Inman of Floyd until Tuesday.

On request of Dow of Franklin, leave of absence was granted Fox of Dallas until Tuesday.

On request of Brandes of Pottawattamie, leave of absence was granted Hanson of Humboldt until Tuesday.

On request of Stillman of Greene, leave of absence was granted Conn of Butler until Tuesday.

On request of Shaffer of Sheldon, leave of absence was granted Marston of Cerro Gordo until Tuesday.

On request of Sullivan of Polk, leave of absence was granted Drury of Sac until Tuesday.

On request of Bauman of Van Buren, leave of absence was granted Clark of Jefferson until Tuesday.

On request of Hume of Mitchell, leave of absence was granted Heles of Dubuque until Tuesday.

#### RESOLUTION.

Price of Warren presented the following resolution:

WHEREAS, Honorable M. A. Dashiell, who was at one time an honored member of this House and later a member of the Senate and again a member of this House, who died at his home in Indianola, Iowa, on the 3rd day of July, 1907; therefore

*Be it Resolved by the House, the Senate concurring,* That a committee consisting of three members of the House and two of the Senate be named to prepare suitable resolutions commemorating his life and public services to the State and his manhood as a citizen of this commonwealth.

Adopted.

On request of Paul of Jones unanimous consent was given to print bill on report of Special Committee on Elections, in Journal that may be prepared before Tuesday.

On motion of Dow of Franklin the House adjourned.

## JOURNAL OF THE HOUSE

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HALL OF THE HOUSE OF REPRESENTATIVES,  
DES MOINES, IOWA, September 8, A. D. 1908.

House met pursuant to adjournment.

Speaker pro tem. Hambleton in the chair.

Prayer was offered by the Rev. E. E. Douglass of Indianola.

Speaker Kendall in the chair.

Journal of Saturday, September 5th, corrected and approved.

### PETITIONS.

Bixby of Delaware presented the following petition and moved that same be printed in the journal.

Motion prevailed.

TO THE HONORABLE MEMBERS OF THE HOUSE OF REPRESENTATIVES OF THE  
STATE OF IOWA:

We, the women of Des Moines, representing the following organizations whose influence touches every home in the State of Iowa, namely,—

Women's Christian Temperance Union,  
Federation of Mothers' Clubs,  
Women's Home Missionary Society,  
Inglewood Club,  
Political Equality Club,  
Humane Society,  
Women's Relief,  
Salvation Army, and  
Y. W. C. A.,

in mass meeting assembled Saturday afternoon in the parlors of the Savery Hotel passed the following resolutions:

*Resolved*, That it is the sense of this meeting that no form of license or segregation of the social evil should be tolerated, and in furtherance thereof

We petition the Iowa Legislature now in session to strike out the word "restraint" in Section 704 of the Code.

By order of the mass meeting assembled.

MRS. IDA B. WISE,

*Chairman.*

MRS. ANNA M. EDWORTHY,

*Secretary.*

Paul of Jones presented petition of citizens of Jones county relative to the restoration of the circle on the ballot.

Referred to Special Committee on Elections.

#### RESOLUTIONS.

Feely of Black Hawk presents the following resolution:

WHEREAS, The Honorable George W. Hayzlett, an honored member of the Twentieth and Twenty-first General Assemblies from Black Hawk County, departed this life at his home in LaPorte City, Iowa, on the 6th day of June, 1908; therefore be it

*Resolved*, That a committee of three be appointed to present resolutions commending his life and service to the State.

Adopted.

Speaker named as such committee: Feely of Black Hawk, Clary of Chickasaw and Morris of Sioux.

Feely of Black Hawk presents the following resolution:

WHEREAS, The Honorable D. F. Hoover, an honored member of the Twenty-fourth and Twenty-fifth General Assemblies from Black Hawk County, departed this life at his home in Long Beach, California, on the 4th day of April, 1908; therefore be it

*Resolved*, That a committee be appointed to present resolutions commending his life and service to the State.

Adopted.

Speaker named as such committee: Feely of Black Hawk, Miller of Bremer and Blackmore of Worth.

On motion of Van Houten of Taylor the Special Committee on Elections were excused.

## 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 Senate was asked:

Relative to the appointment of a joint committee to prepare suitable resolutions commemorative of the life and services of the late Hon. M. A. Dashiell, and the President of the Senate appoints as such committee on part of the Senate, Senators Jamison of Clarke and Ericson.

GEO. A. NEWMAN,  
*Secretary.*

Speaker named as such committee on part of the House, Price of Warren, Van Houten of Taylor and Weeks of Guthrie.

In pursuance to the Speaker's order, the roll was called and disclosed the following members in their seats:

Allred, Anderson, Arney, Baird, Balluff, Bascom, Bauman, Beery, Bixby, Blackmore, Bonwell, Brandes, Calkins, Cassady, Clarke, Clary, Conn, Corrie, Cottrell, Darrah, DeMar, Dodds, Doran, Dow, Drury, Dunn, Dye of Decatur, Dye of Pottawattamie, Earle, Elliott, Feay, Feely, Felt, Fenn, Flugum, Fox, Geneva, Greenwood, Grier, Hackler, Hambleton, Hanna, Hanson, Harding, Harvey, Heles, Hume, Inman, Jewell, Jones, Kelley, Kellogg, Kendall, Koontz, Kull, Lee, Lister, Lowrey, McAllister, McDonald, McElrath, Maben, Mann, Marston, Mason, Mercer, Meredith, Miller, of Bremer, Miller of Dubuque, Moore, Morris, Nix, Offill, Paul, Pierce, Price, Reaney, Reitz, Ritter, Schoenenberger, Schroeder, Schulte, Shaffer, Sheldon, Sidey, Smith, Sparks, Springer, Stewart, Stillman, Stoltenberg, Sullivan, Swan, Swift, Teter, Van Houten, Webster, Weeks, Welden, White, Wolfe, Youde, Mr. Speaker.

Roll call verified.

Marston of Cerro Gordo moved that House take a recess until 11:30 o'clock this morning.

Motion prevailed.

House reconvened.

Speaker Kendall in the chair.



White of Story moved that the House proceed to the election of a United States Senator.

Motion prevailed.

The House then proceeded to ballot for United States Senator.

Those voting for Albert B. Cummins were:

Anderson, Arney, Bascom, Blackmore, Bonwell, Conn, Corrie, Darrah, Doran, Drury, Feely, Felt, Fenn, Flugum, Grier, Hacker, Hanson, Hume, Jewell, Jones, Kelley, Lee, Lister, Lowrey, Maben, Marston, Mason, Mercer, Meredith, Morris, Shaffer, Smith, Stillman, Stoltenberg, Sullivan, Teter, Van Houten, Webster, Weeks, Welden, White, Youde, Mr. Speaker—43.

Those voting for Claude R. Porter were:

Baird, Balluff, Bauman, Calkins, Clarke, Clary, Cottrell, DeMar, Dodds, Earle, Feay, Geneva, Heles, Kendall, Koontz, Kull, McDonald, Miller of Bremer, Miller of Dubuque, Pierce, Price, Reitz, Schoenenberger, Schroeder, Schulte, Sidey, Sparks, Springer, Stewart, Swift, Wolfe—31.

Those voting for Walter I. Smith were:

Brandes, Cassidy, Dewell, Dow, Dunn, Dye of Decatur, Dye of Pottawattamie, Elliott, Greenwood, Hanna, Kellogg, Sheldon—12.

Those voting for A. B. Funk were:

Allred, Harding, Harvey, Inman, Paul—5.

Those voting for John F. Lacey were:

Hambleton, Offill—2. —

Those voting for W. P. Hepburn were:

Mann, Nix—2 .

Those voting for George W. Clarke were: Fox—1.

Those voting for G. N. Haugen were: Beery—1.

Those voting for Albert F. Dawson were: Bixby—1.

Those voting for James H. Troewin were: McAllister—1.

Those voting for George D. Perkins were: McElrath—1.

Those voting for Joseph R. Lane were: Moore—1.

Those voting for Wm. Larrabee were: Reaney—1.

Those voting for A. J. Baker were: Swan—1.

Absent or not voting were:

Holmes, Ritter, Wilson—3.

The Speaker announced that no candidate had received a majority of all the votes cast by the House for the office of Senator in the Congress of the United States.

#### EXPLANATION OF VOTE.

The following explanations of vote were filed:

I believe that the Republicans at large should select their candidate for Senator. It is within the power of this Legislature to adjourn until November next. At that time, if an amendment to the primary law is passed, we will have received an expression of the Republican voters of the State indicating their choice, and can, and in good conscience will be bound to name as Senator for the short term the person named by the voters for the long term. We cannot at this time elect a United States Senator, and be assured that such election will meet with the approval of the Republican electors. We can by resolution, on Thursday next, adjourn to a day in November "without imposing any additional expense upon the taxpayers" except for one day's session. The law expressly provides, that members of the Legislature, when convened in special session, shall receive not to exceed \$6.00 per day while in actual session. On Saturday morning last we adjourned until the following Tuesday. Clearly the members of this Assembly are not entitled to a per diem for the intervening Sunday and Monday. A Legislature cannot be said to be in session, after adjournment, until it has convened again upon a day named.

W. P. ALBRED.

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ENOCH BEEBY.

I have strenuously opposed the Special Session of the Legislature and felt the attempt to elect a United States Senator at this Special Session would be disastrous to the Republican Party. I used every effort to prevent it to the extent of refusing to attend the Republican caucus. I now feel the opposition to Governor Cummins has been carried far enough by his opponents in the Republican Party, and now, for the good of the grand old party I cast aside any personal objections to the Republican nominee and vote for A. B. Cummins for United States Senator.

J. C. BONWELL.

I believe that the Republicans at large should select their candidate for Senator. It is within the power of this Legislature to adjourn until November next. At that time, if an amendment to the primary law is passed, we will have received an expression of the Republican voters of the State indicating their choice, and can, and in good conscience will be bound to name as Senator for the short term the person named by the voters for the long term. We cannot at this time elect a United States Senator, and be assured that such election will meet with the approval of the Republican electors. We can by resolution, on Thursday next, adjourn to a day in November "without imposing any additional expense upon the taxpayers" except for one day's session. The law expressly provides, that members of the Legislature, when convened in special session, shall receive not to exceed \$6.00 per day while in actual session. On Saturday morning last we adjourned until the following Tuesday. Clearly the members of this Assembly are not entitled to a per diem for the intervening Sunday and Monday. A Legislature cannot be said to be in session, after adjournment, until it has convened again upon a day named.

R. J. BIXBY.

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H. C. BRANDES.

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E. M. CASSADY.

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HIRAM DEWELL.

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D. W. Dow.

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HENRY DUNN.

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C. C. DYE.

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WILLOUGHBY DYE.

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J. D. ELLIOTT.

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JOHN FOX.

I believe that the Republicans at large should select their candidate for Senator. It is within the power of this Legislature to adjourn until November next. At that time, if an amendment to the primary law is passed, we will have received an expression of the Republican voters of the State indicating their choice, and can, and in good conscience will be bound to name as Senator for the short term the person named by the voters for the long term. We cannot at this time elect a United States Senator, and be assured that such election will meet with the approval of the Republican electors. We can by resolution, on Thursday next, adjourn to a day in November "without imposing any additional expense upon the taxpayers" except for one day's session. The law expressly provides, that members of the Legislature, when convened in special session, shall receive not to exceed \$6.00 per day while in actual session. On Saturday morning last we adjourned until the following Tuesday. Clearly the members of this Assembly are not entitled to a per diem for the intervening Sunday and Monday. A Legislature cannot be said to be in session, after adjournment, until it has convened again upon a day named.

C. G. GREENWOOD.

I desire the privilege to make a brief statement of my reasons for casting my vote as I shall. As I have been misquoted through the press in my public statements, I ask the privilege to submit in writing my position in casting my vote.

The line of my obligations to duty I consider to maintain in order first to my Creator, second to my Country, and third to my political party. I must be guided in this first by my conscience, second by my constituency.

For the first time in Iowa we meet in legislative capacity after the adoption of the primary principle, submitting to the people the choice of candidates for United States Senator. I had no thought this duty would be forced upon me, but that the expressed purpose of the call, of the Chief Executive, would be speedily met, and by amendment to the law, for which I voted, the oversight be remedied, by giving opportunity to meet the unforeseen contingency, caused by death; and submit back to the Republicans, for new expression, their choice of a candidate. This I consider our first duty. Up to this time no obligation rests with me, because of the failure to do this thing.

It is conceded the caucus principle was supplanted by the primary when adopted. I consider that the obligation to continue to give to the people this right, is greater to carry out my constituencies' choice, than to submit to a caucus, attended by fifty-eight members only, out of a membership of 111.

Therefore I have in an imperfect way, after strenuous effort to give my party constituency their legal right granted, of primary expression again, withdrawn from the caucus having a bare majority of two, and tried to consult my constituency, to know my duty as their Representative.

The last primary expression showed more than two-thirds of it in favor of the nomination of the late lamented Hon. Wm. B. Allison. If I could but carry out this expression, under the constitution, I would gladly vote two-thirds of a vote for a man of his type, and one-third of a vote for Hon. Albert B. Cummins, but I cannot do this. So I now believe I should, after having the best I could ascertained my Republican constituencies present desire, vote now for my honorable fellow citizen and townsman, the Hon. John F. Lacey, whose unimpeachable character and high statesmanship is unquestioned.

A. F. N. HAMBLETON.

I believe that the Republicans at large should select their candidate for Senator. It is within the power of this Legislature to adjourn until November next. At that time, if an amendment to the primary law is passed, we will have received an expression of the Republican voters of the State indicating their choice, and can, and in good conscience will be bound to name as Senator for the short term the person named by the voters for the long term. We cannot at this time elect a United States Senator, and be assured that such election will meet with the approval of the Republican electors. We can by resolution, on Thursday next, adjourn to a day in November



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W. H. HANNA.

I believe that the Republicans at large should select their candidate for Senator. It is within the power of this Legislature to adjourn until November next. At that time, if an amendment to the primary law is passed, we will have received an expression of the Republican voters of the State indicating their choice, and can, and in good conscience will be bound to name as Senator for the short term the person named by the voters for the long term. We cannot at this time elect a United States Senator, and be assured that such election will meet with the approval of the Republican electors. We can by resolution, on Thursday next, adjourn to a day in November “without imposing any additional expense upon the taxpayers” except for one day’s session. The law expressly provides, that members of the Legislature, when convened in special session, shall receive not to exceed \$6.00 per day while in actual session. On Saturday morning last we adjourned until the following Tuesday. Clearly the members of this Assembly are not entitled to a per diem for the intervening Sunday and Monday. A Legislature cannot be said to be in session, after adjournment, until it has convened again upon a day named.

W. L. HARDING.

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M. HARVEY.

In harmony with the message of Governor Cummins to this extra session I believe that the Republicans at large should select their candidate for Senator. It is within the power of this Legislature to adjourn until November next. At that time, if an amendment to the primary law is passed, we will have received an expression of the Republican voters of the State indicating their choice, and can, and in good conscience will be bound to name as Senator for the short term the person named by the voters for the long term. We cannot at this time elect a United States Senator, and be assured that such election will meet with the approval of the Republican electors. We can by resolution, on Thursday next, adjourn to a day in November "without imposing any additional expense upon the taxpayers" except for one day's session. The law expressly provides, that members of the Legislature, when convened in special session, shall receive not to exceed \$6.00 per day while in actual session. On Saturday morning last we adjourned until the following Tuesday. Clearly the members of this Assembly are not entitled to a per diem for the intervening Sunday and Monday. A Legislature cannot be said to be in session, after adjournment, until it has convened again upon a day named. As I am uninstructed by my constituency, and not taking part with the caucus, I vote independently of their choice.

Respectfully submitted,

LOREN W. INMAN.

I have earnestly protested against the program that brings about this election at this time. I am a Republican, not a factionalist. I vote for the caucus nominee—A. B. Cummins.

F. F. JONES.

I believe that the Republicans at large should select their candidate for Senator. It is within the power of this Legislature to adjourn until November next. At that time, if an amendment to the primary law is passed, we will have received an expression of the Republican voters of the State indicating their choice, and can, and in good conscience will be bound to name as Senator for the short term the person named by the voters for the long term. We cannot at this time elect a United States Senator, and be assured that such election will meet with the approval of the Republican electors. We can by resolution, on Thursday next, adjourn to a day in November "without imposing any additional expense upon the taxpayers" except for one day's session. The law expressly provides, that members of the Legislature, when convened in special session, shall receive not to exceed \$6.00 per day while in actual session. On Saturday morning last we adjourned until the following Tuesday. Clearly the members of this Assembly are not entitled to a per diem for the intervening Sunday and Monday. A legislature cannot be said to be in session, after adjournment, until it has convened again upon a day named.

GEO. A. KELLOGG.

I believe that the Republicans at large should select their candidate for Senator. It is within the power of this Legislature to adjourn until November next. At that time, if an amendment to the primary law is passed, we will have received an expression of the Republican voters of the State indicating their choice, and can, and in good conscience will be bound to name as Senator for the short term the person named by the voters for the long term. We cannot at this time elect a United States Senator, and be assured that such election will meet with the approval of the Republican electors. We can by resolution, on Thursday next, adjourn to a day in November "without imposing any additional expense upon the taxpayers" except for one day's session. The law expressly provides, that members of the Legislature, when convened in special session, shall receive not to exceed \$6.00 per day while in actual session. On Saturday morning last we adjourned until the following Tuesday. Clearly the members of this Assembly are not entitled to a per diem for the intervening Sunday and Monday. A Legislature cannot be said to be in session, after adjournment, until it has convened again upon a day named.

JOHN MCALLISTER.

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W. W. McELRATH.

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ASAHEL MANN.

MR. SPEAKER: I am aware that the Constitution and statutes contemplate the election of a Senator for the short term at this Session. I am also aware that we have been clamoring for, and now have, a general primary law covering the senatorship generally, but not applying to vacancies similar to that now existing; therefore, from the opening day of this session, I have done all that I honorably could as a Republican to amend the primary law at this particular time so as to cover the present contingency, and then postpone the legislative caucus and all reference to the election of a Senator for the short term until after the people of the State have spoken on the subject at the November Republican primary, and so adjourn, or take a recess of, this extra session until that time, and then return and elect the Republican candidate receiving a majority of the Republican votes of the State at said Republican primary. But a majority of all the Republican members of this Legislature outvoted me in my contention and refused to postpone such action, and, being a Republican who has always advocated submission to the majority in the caucus, I therefore vote for the caucus nominee.

C. A. MEREDITH.

I believe that the Republicans at large should select their candidate for Senator. It is within the power of this Legislature to adjourn until November next. At that time, if an amendment to the primary law is passed, we will have received an expression of the Republican voters of the State indicating their choice, and can, and in good conscience will be bound to name as Senator for the short term the person named by the voters for the long term. We cannot at this time elect a United States Senator, and be assured that such election will meet with the approval of the Republican electors. We can by resolution, on Thursday next, adjourn to a day in November “without imposing any additional expense upon the taxpayers” except for one day’s session. The law expressly provides, that members of the Legislature, when convened in special session, shall receive not to exceed \$6.00 per day while in actual session. On Saturday morning last we adjourned until the following Tuesday. Clearly the members of this Assembly are not entitled to a per diem for the intervening Sunday and Monday. A Legislature cannot be said to be in session, after adjournment, until it has convened again upon a day named.

ERNEST R. MOORE.

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B. T. NIX.

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J. F. OFFILL.

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CLIFFORD B. PAUL.

I believe that the Republicans at large should select their candidate for Senator. It is within the power of this Legislature to adjourn until November next. At that time, if an amendment to the primary law is passed, we will have received an expression of the Republican voters of the State indicating their choice, and can, and in good conscience will be bound to name as Senator for the short term the person named by the voters for the long term. We cannot at this time elect a United States Senator, and be assured that such election will meet with the approval of the Republican electors. We can by resolution, on Thursday next, adjourn to a day in November "without imposing any additional expense upon the taxpayers" except for one day's session. The law expressly provides, that members of the Legislature, when convened in special session, shall receive not to exceed \$6.00 per day while in actual session. On Saturday morning last we adjourned until the following Tuesday. Clearly the members of this Assembly are not entitled to a per diem for the intervening Sunday and Monday. A Legislature cannot be said to be in session, after adjournment, until it has convened again upon a day named.

R. J. REANEY.

I believe that the Republicans at large should select their candidate for Senator. It is within the power of this Legislature to adjourn until November next. At that time, if an amendment to the primary law is passed, we will have received an expression of the Republican voters of the State indicating their choice, and can, and in good conscience will be bound to name as Senator for the short term the person named by the voters for the long term. We cannot at this time elect a United States Senator, and be assured that such election will meet with the approval of the Republican electors. We can by resolution, on Thursday next, adjourn to a day in November "without imposing any additional expense upon the taxpayers" except for one day's session. The law expressly provides, that members of the Legislature, when convened in special session, shall receive not to exceed \$6.00 per day while in actual session. On Saturday morning last we adjourned until the following Tuesday. Clearly the members of this Assembly are not entitled to a per diem for the intervening Sunday and Monday. A Legislature cannot be said to be in session, after adjournment, until it has convened again upon a day named.

F. E. SHELDON.

I believe that the Republicans at large should select their candidate for Senator. It is within the power of this Legislature to adjourn until November next. At that time, if an amendment to the primary law is passed, we will have received an expression of the Republican voters of the State indicating their choice, and can, and in good conscience will be bound to name as Senator for the short term the person named by the voters for the long term. We cannot at this time elect a United States Senator, and be assured that such election will meet with the approval of the Republican electors. We can by resolution, on Thursday next, adjourn to a day in November "without imposing any additional expense upon the taxpayers" except for one day's session. The law expressly provides, that members of the Legislature, when convened in special session, shall receive not to exceed \$6.00 per day while in actual session. On Saturday morning last we adjourned until the following Tuesday. Clearly the members of this Assembly are not entitled to a per diem for the intervening Sunday and Monday. A Legislature cannot be said to be in session, after adjournment, until it has convened again upon a day named.

Geo. W. SWAN.

On motion of Hambleton of Mahaska, the House adjourned until 2:45 o'clock this afternoon.

#### AFTERNOON SESSION.

House met pursuant to adjournment.

Speaker Kendall in the chair.

Van Houten of Taylor moved that a committee of three be named to notify the Senate that the House is ready to receive them.

Motion prevailed.

Speaker named as such committee: Van Houten of Taylor, Allred of Wayne, and Pierce of Buena Vista.

Committee returned and reported that it had so acted.

The Sergeant-at-arms announced the arrival of the President and members of the Senate, who took seats on the west side of the House Chamber.

JOINT MEMORIAL SESSION IN HONOR OF THE LATE WILLIAM BOYD  
ALLISON.

The joint session was called to order by Lieutenant Governor Garst, President of the Joint Session.

Hanson of Humboldt moved that Hon. G. L. Tremain of Humboldt be accorded a seat upon the platform.

Motion prevailed, and the President named Hanson of Humboldt to conduct Hon. G. L. Tremain to the speakers station.

Kelley of Polk moved that a committee be named to escort the Governor to the speaker's station.

Motion prevailed and the President named Kelley of Polk to escort the Governor to the President's Station.

The following program was rendered:

Invocation .....	A. L. Frisbie
Music, Jesus Savior Pilot Me .....	Hylo Quartet
Memorial resolution of Joint Committee, .....	
.....	Senator Dunham
Address .....	Senator Frudden
Address .....	Representative Harding
Music, Nearer My God to Thee .....	Hylo Quartet
Address .....	Senator Allen
Music, Someday, Sometime .....	Hylo Quartet
Address .....	Representative Hackler
Music, Better Land .....	Hylo Quartet
Address .....	Senator Saunders
Music, Lead Kindly Light .....	Hylo Quartet

Report of Joint Committee on memorial of William Boyd Allison, presented by Senator Dunham.

MEMORIAL AND RESOLUTIONS.

The State and Nation mourn the death of William Boyd Allison, senior Senator of the State of Iowa, who died at his home in Dubuque, Iowa, August 4, 1908, and was there borne to his tomb August 8, 1908, with every evidence of respect and devotion from the people of the Nation he had so long and faithfully served. It is with full apprecia-



tion of our loss that we meet here to-day to make fitting note upon the records of the State our great appreciation of his services to the people and our love for him as a man.

Senator W. B. Allison was born in Wayne County, Ohio, March 2, 1829. His early life was passed upon the farm and in the schools of his native state. He was admitted to the bar of Wayne County, Ohio, in 1852, and began the practice of law at Ashland in that State. He came to Iowa in 1857, locating at Dubuque and that was his home until his death. He took an immediate and continual interest in the politics of his country. Two years after his arrival in the State, his name appears as delegate to the Republican State Convention in Iowa, which nominated Samuel J. Kirkwood for Governor, and as a delegate to and a secretary of the National Republican Convention in 1860, which nominated Abraham Lincoln for President. In 1862 he was elected to represent Iowa in Congress and was three times re-elected, serving until 1871. He took his seat in the United States Senate March 4, 1873, remaining in continuous service in that body until his death. He has served as a member of the Finance Committee in the Senate since 1877 and has been chairman of the Committee of Appropriations in that body since 1881. By him, as head of the Appropriation Committee, billions in dollars of our country's money has been distributed. No man can truthfully say that a suspicion of dishonesty in the exercise of his duty attached in the expenditure of a single dollar of that vast sum. We need not here make a record of his works. His has been a moulding and guiding hand in all important national legislation during his eventful and busy life. Future generations will find his work indelibly stamped upon the history of this country to which he gave his life service. He had been frequently considered an available candidate for President and failed to get the nomination of his party for that high office in 1888 by the narrowest margin, or, as stated by Senator Hoar, of Massachusetts: "I think no other person ever came so near the Presidency of the United States and missed it" He was invited to take the portfolio of the Treasury in the cabinets of both President Garfield and President Harrison. He was tendered the position of Secretary of State by President McKinley, but each time chose to continue his work in the Senate to which the citizens of this State had elected him. He was a modest, a kindly, a lovable man. Both in his private life and as a servant of the people he was attentive to the call of high and lowly alike. He has been the counselor, the confidant of the Presidents. His kindly letters of friendship and service are treasured to-day in very many homes throughout the land. Others may have had a more eloquent tongue; others been more free to lead into new fields of legislation, but he has stood always as the rock of safety to which all patriots turned in case of storm and around which the waves of impulse and passion surged without moving him. The Nation has reason to be thankful for his life and to sorrow at his death. Such, too briefly told, has been the life and service of this great man, therefore be it,

*Resolved.* That we hereby express our appreciation of the noble life and and faithful service of William Boyd Allison, who, called to many

positions of trust, has, by his sterling manhood and great ability, honored every position which he has held.

That as Congressman and Senator of the State of Iowa, he has ably and faithfully served the people and has greatly honored the State and greatly profited the Nation.

A. F. FRUDDEN,  
GEO. W. DUNHAM,  
C. G. SAUNDERS,  
*Committee of Senate.*  
N. E. KENDALL,  
C. W. HACKLER,  
PHILIP HELES,  
*Committee of House.*

Senator Frudden moved that the Resolutions of the Joint Committee commemorating the life, character and public service of the late William Boyd Allison, be adopted by a rising vote.

Motion prevailed and resolutions were unanimously adopted.

Remarks by Senator Frudden.

MR. PRESIDENT—Named as a member of the committee by you, and chosen by the people of the home of Senator Allison to represent them in the Thirty-second General Assembly, it has fallen upon me to take part in the exercises of this day, and to make a few brief remarks before I move the adoption of the resolution just read. I confess I feel the absolute inability to do justice in not having that eloquent tongue to fully voice the sentiment of my heart, and those of my people at this time on the passing of this great statesman, and to fitly express what seems to me due such a man who has served his State and Nation so long and so well, and it is only fitting and proper to pause and mark time for a while at the grave of a man whose name in Iowa, in all its history has been made so familiar to the Iowa household. A man, who faithful in the service of the Republic through vigorous manhood, and zealot in its interests until death, who, honored by the State that he loved, brought honor to that State, by continuous distinguished service in the counsel of the Union from 1862 to August, 1908. He was always what might be termed a true guide to men regardless of their politics or station in life, and he was especially a friend of the young men. It is said that once a young man came to him to thank him for what he had done for him, when he asked Allison if there was anything he could do in return, it is said, that the Senator's reply was about like this, "Yes, my boy, you can do much for me by doing well for yourself, be industrious and be honest." Certainly good advice. He was actuated only by a desire for the perpetuity of our institutions and the happiness of our people, and when a man like Wm. B. Allison lays down by the wayside, how-

ing and submitting to the inevitable laws of nature at the ripe age of eighty, it is well for us, and those who remain for the time being, to take up the burden where he left off, to pause and review that most honorable public career as well as the blameless private life of Wm. B. Allison, late Senator in the Congress of the United States from the commonwealth of Iowa. When that is done we must then come to the conclusion that it is well worthy of emulation. He may not have been the brightest man, but he was a good man. He may not have been as progressive as some, but he was a safe man. He may not have been what you would call a polished orator, but when he said something, it usually meant something. He was useful rather than brilliant, careful rather than original; successful rather than famous. In Congress he was looked upon by members of both political parties as a prudent, conservative statesman and his advice on political, as well economic questions was often sought, and no man in Washington could count so many political friends, or so few enemies. Allison's wish came to be looked upon as a command which his colleagues were glad to follow in all but partisan measures. Governor Cummins said of him at the time of his death, Allison will long be remembered not only in Iowa, but throughout the whole country. He rendered most useful service to the Nation during his public career which for length has scarcely a parallel in the history of the United States. For years Senator Allison was chairman of the Appropriation Committee in the Senate and his responsibility at times was great, but he seemed always equal to the emergency, and I believe when the history from the time of Garfield to Roosevelt is written, yes, I might say from 1862 to 1908, the name of William B. Allison of Iowa will appear foremost on its pages. It is often quoted that, a prophet is without honor in his own country, and more especially in the vicinity of his own home; that, Mr. President, I assure you could not apply to Allison; if we had no other proof to the contrary, this one would be sufficient.

When early in August we took what remained of Senator Allison from his beautiful residence on Locust Street to beautiful Linwood where we laid him along side his former colleague and friend, David B. Henderson, amidst the greatest profusion of flowers, thousands of people, from his old friends down to the children in the kindergarten, lined up on both sides of the street for over one and a half miles, not for idle curiosity, but to pay their last respects to Dubuque's most illustrious citizen that we were about to lay away in its final resting place, and as at that time the people of Dubuque assembled to do honor to him who had lived among them for so many years, so does now the Thirty-second General Assembly of the State of Iowa, in joint convention assembled, representing the people of the State, in whose service for many years he lived, and in whose service he died, that we here inscribe as an expression of our sorrow and regret at our loss the cheering and re-assuring conviction that the examples of his fidelity and virtues live on.

In conclusion, Mr. President, permit me to extend the thanks from our people at home to the officers and members of the Thirty-second

General Assembly, and those ladies and gentlemen outside of the General Assembly who have honored us with their presence on this occasion to-day. I now move, Mr. President, that the resolution prepared by the committee and read here be adopted by a rising vote. I thank you.

### Remarks by Representative Hackler.

MR. PRESIDENT—In the midst of strife, turmoil, acrimonious discussions and feverish anxiety, it is peculiarly fitting that the General Assembly of Iowa should pause to pay tribute to the memory of William Boyd Allison, one of the kindest, serenest and most lovable statesmen of all time. Words are feeble in expressing emotions, inadequate quite, when a whole nation is bowed in profound sorrow.

The public services of the lamented Senator demand the skill of the historian; an analysis of his character requires the efforts of an inspired genius. A great man has passed from our midst. Iowa has lost its wisest and safest counsellor; the nation has suffered an irreparable loss. He has answered the final roll call—the last decree in equity has been entered. "After life's fitful fever he sleeps well."

His youth and young manhood are of little moment; the balance of his life is so entwined with the history of our country that it is familiar to every student of national affairs. Born in a log cabin in the State of Ohio, he experienced the hardships and vicissitudes incident to the life of every son of poverty. In early manhood he removed to the State of his adoption, where he abode upon the banks of the Father of Waters until the end of his illustrious career. Soon after his removal to Iowa the public pulse was throbbing with excitement. Differences of thought and interest divided our people; the momentous issue of State sovereignty was taking form. Young Allison soon found an opportunity for the engagement of those remarkable faculties that have served his country so well. Serene in temperament, well-poised, courteous to all, affable in every relationship of life, the public service commanded and he obeyed.

Senator Allison's career has been unique. Unique in the period of time it has embraced; unique in the influence he has exerted upon legislation in times of national travail; unique in that he died without a personal enemy. For the last forty-five years, save an interim of two years, he assisted in shaping and molding the destinies of this Republic. He has made more of Iowa's history than any other man. He has written into the statute books of his country more useful legislation than any man of his time.

When the dark shadows of disunion hung heavily over our young Republic, when armed treason was organizing to hurl its shining lancet into the Nation's heart, the political party to which he owed allegiance received its birth.

Since our Constitution was ordained differences of opinion were entertained respecting the character of the Union. One school of thought contended that the Union was a mere voluntary association of States from which any member could withdraw at pleasure; the other held that

the Union was a nation, indivisible and indissoluble, and any attempt to withdraw therefrom was treason. These different opinions were crystallized into convictions—conviction that the time had arrived for the South to assert its right to withdraw from the Union and administer its own affairs; conviction that the institution of human slavery was eternally wrong—that not one star should fall from that bright galaxy that formed the American Union.

Strange, indeed, that each side misunderstood the other. Strange that some light from a superior power could not have shone in upon the stubborn, unyielding minds and consciences of imperfect creatures before the appalling tragedy was enacted. Estranged from each other, divided by interest, each side believing that the other did not dare submit to the arbitrament of the sword, events drifted steadily toward war, and soon was heard the clash of arms and the steady tread of disciplined feet.

It would be difficult to picture Senator Allison a militant character, unsheathing his sword to sacrifice his fellow-being. Imagination cannot conceive that kind, considerate, beneficent soul, even in the days of stalwart young manhood, embarking upon a course of ruin, devastation and sacrifice of human life. God gave it to him to conciliate, to alleviate, to compose, to instil into the hearts of his countrymen the divine attribute, love.

Sometimes in the career of great men we can plainly see the guiding hand of an overruling Providence.

Allison was appointed by Governor Kirkwood a member of his staff to raise troops for the dreaded conflict. He organized two regiments, and would have gone to the front had not the stern hand of disease disarmed and restored him to the larger and more congenial duties of peace. In the department of our government where policies are determined, and ways and means provided for their execution, there was need for such men as Allison. So in the following year he was elected to Congress. Those were days when men's souls were being tried, when men's passions were inflamed and reason dethroned. There was demand for the cool, calm and deliberate judgment of an Allison. Thus began the public career that has embraced nearly one-third of the life of the Nation and made our departed friend the supremest authority upon the intricate questions of revenues and expenditures of our government.

It is too early to place a proper estimate upon the public services of the lamented Senator. Some there are who think his services upon the Appropriations Committee of the Senate, where the disbursement of over a billion dollars a year passed under his scrutiny, will fix his place in political history; others that the financial policies that bear the impress of his masterful hand, while it is probable that the verdict of the historian will be that his fame rests upon his ability to produce harmony out of many discordant notes.

Wherever the responsibility of government rests with the individual, wherever the humblest citizen may voice his convictions in the conduct of public affairs, the estimate placed upon those clothed with official authority must necessarily vary. We have the radical leader and the conservative leader. The American people are an heroic people, full of

energy, originality and enterprise. Upon the instant the dash, the daring and courage of the radical gains our adherence and elicits our unqualified approval. Radicalism combats wrong in its multifarious forms; it enlists on the side of the weak and oppressed and wages relentless war against the oppressor; it is intolerant of delay, and demands speedy action; it is quick in discernment, enterprising in execution, distrustful of compromise, and follows principles to their ultimate conclusion. It is essential to the onward progress of government and the promulgation and execution of needed reforms, but there is always danger that in the moment of victory, unless checked, it may cross the boundary line of equal and exact justice.

Conservatism is never destructive. It is more inclined to suffer wrongs than to seek a remedy; it is never erratic; it demands proof; with it reform is an evolutionary process, and never unduly hasty. It holds fast to that which is good and seeks to gradually eliminate the bad. Its aim is equality, equity and justice. Conservatism watches from the heights the contest of opposing forces, and in the crisis of the moment dictates the terms of settlement.

Both radicalism and conservatism are necessary in our form of government; both are needed in our Hall of Congress; both contribute to the solution of the many intricate and perplexing problems that underlie self-government.

To the latter class belonged Senator Allison. He did not believe in strife; his heart was too full of human kindness to attempt to gain a selfish advantage. He never shirked a duty nor shunned a responsibility, but his ear was ever attuned to catch the wishes of the people he loved so well and served so faithfully.

He was not a conspicuous figure in political life. Seldom did he engage in debate, but his words always carried conviction. When a great public question inflamed the mind, he listened to the clash of ideas and with almost superhuman sagacity discerned the lines of division. Without ever violating a moral principle or surrendering a conviction of what was right, he had the remarkable faculty of eliminating the non-essentials and pointing out the principle upon which the opposing forces could agree. While a member of the Senate, he was to a large degree over and above the Senate counseling and advising. "His soul was like a star and dwelt apart."

And so he lived, a quiet, modest, unassuming man, full of honor and conscious to the last of the unfaltering love of his people. When the lengthening shadows fell they rested upon one in whose bosom no storm of unsatisfied ambition raged, "but being weary for a moment he laid down by the wayside, and, using his burden for a pillow, fell into that dreamless sleep that kissed down his eyelids still." A beautiful life, a beautiful death

"Life is a narrow vale between the cold and barren peaks of two eternities. We strive in vain to look beyond the heights. We cry aloud, and the only answer is the echo of our wailing cry. From the voiceless lips of the unreplying dead there comes no word; but in the night of death hope sees a star, and listening love can hear the rustle of a wing."

Borrowing the thought of another and employing the language of Theodore Parker upon a similar occasion, we can now truly say that—

“He died with his harness on; died like a Senator in the Capitol of the Nation; died like an American in the service of his country; died like a Christian, full of immortality.”

#### Remarks by Senator Allen:

MR. PRESIDENT—By nature I am not an orator, and the meager ability I do possess is rarely used, hence you will understand me when I say that I feel truly sorry that to the committee it has seemed expedient to ask me to take part in the exercises of this most memorable occasion. I appreciate this honor and crave the language of a Phillips and the magnetism of a Webster that I might properly portray the worth of one of the greatest of Iowa's great men—William Boyd Allison.

Only a few weeks ago Iowa, the nation, yes, the world, was called upon to mourn his loss. Without warning, when his children, the State and Nation, were at peace with all the world, and with their benediction upon his brow, in the quiet of a summer day his great spirit went out. The light of his countenance and counsel, which from the early dawn of his young manhood had illumined our pathway, was dimmed. The shadow which first fell on his home city with the speed of the lightning bolt enveloped our whole country. The farmer in his field, the merchant at his counter, the mechanic at his forge, the banker at his desk, everyone in every walk of life pause with feelings of sadness in personal sorrow.

“The shadow of his loss moved like eclipse,  
Darkening the world. We have lost him; he is gone;  
We know him now. All narrow jealousies  
Are silent, and we see him as he moved.  
How modest, kindly, all-accomplished, wise.  
With what sublime repression of himself,  
And in what limits, and how tenderly;  
Not swaying to this faction or to that;  
Not making his high place the lawless perch  
Of winged ambitions, nor a vantage-ground  
For pleasure; but through all this tract of years  
Wearing the white flower of a blameless life.”

That he was fully and evenly developed in all that makes for well-balanced manhood, peculiarly fitting him for the unique position he held, is well stated by those who knew him best. James G. Blaine, in his “Thirty Years in the American Congress,” says: “He was more noted for industry, good judgment and common sense than for brilliancy.” Burrow of Michigan thus took his measure: “He was more noted for knowledge of facts than skill in presenting them.” Senator Aldrich says: “He was an encyclopedia of knowledge concerning Congressional legislation.” While Pete Hepburn, in speaking of Allison's place in history, declares: “He will be classified with the useful men.”

Senator Allison was really great. By nature not brilliant, by fate not a hero, his worth was his work. He is an exemplification of the old

saying, "That which is worth doing at all is worth doing well." To him the performance of duty was not only to do it acceptably, but to do more than was expected. His reward was work completed, not pay promised or hoped for. It is said that few men in the history of the world have given more unpaid service than he.

Each task finished developed and enlarged his capacity for doing things, until in his later years he overshadowed the strength and power of his associates as the oak overshadows the other trees of the forest.

Days, months and years of his life were spent in careful study of dry statistics, uninteresting schedules, facts and figures, that his country, this country of ours, might prosper. There was no stimulating applause, no blare of trumpets, no shouts of victory, no force to command and no commanding force save the silent monitor within. So well, so thoroughly he wrought that Presidents sought his counsel and associates, regardless of party, his advice.

As he was great, so he was plain in manner and plain in life. He was quiet and unassuming, modest and retiring. Peacefully and gently he went about his duties among his friends and neighbors, and in the same spirit did he perform his labor in Congress. He was humble but not servile. "He was slow to wrath" and therefore "of great understanding." Rarely if ever did an improper or an ill-considered criticism escape his lips even in speaking to or of political opponents. He solved the problems of state as he would those in mathematics, with reason and logic, always reaching the most expedient solution. He was strong in conviction, steadfast in purpose, yet always deferential and considerate.

Never were his motives impugned or his integrity questioned. Early in his public life all learned that he was fair and honest. He was therefore not subjected to the temptations of weaker men, for his line of conduct was established from the beginning. Ever true to his friends, and ever ready to sacrifice personal ease and comfort in their behalf, he was loved by all who knew him, and to know him was to love him. He was kindly in nature. No seeking heart knocked at his door in vain. His charity was such as knows not itself so freely does it flow, so gently and noiselessly does it fall.

What a heritage he has left! What an inspiration to a young man who is opening his books for his life accounts! If I were to epitomize the lessons of his life I would do it in these words: Start right, keep right, end right.

He is gone, but the inspiration of his life and the results of his labor will go on and on forever. To his children, Iowa and the Nation, he has left an inheritance written into statutes, outlined in policies and recorded in treaties that will endure as long as the ship of state shall sail.

"The good knight sleeps  
Where the daisies nod,  
And the clover hangs its head.  
Where the wild birds come  
And the wild bees hum,  
Alone in his lonely bed  
The good knight sleeps."



### Remarks by Representative Harding.

MR. PRESIDENT—A Senator has died. The length of his life was 79 years, 5 months and 2 days. We gather as Legislators today to pay tribute to his memory. It is always fitting when a man dies to pause and make note of his life. History is but the record of the deeds of men. When a Senator dies it is proper that the lawmaking body put in permanent record their measure of the man. Thus they make a memorial in conformity with an ancient and honored custom.

Representative government measured by the length of time in this western hemisphere, is yet an experiment. Whether it shall endure and become permanent will depend largely on the men around whose lives events center. In our form of government the representative must be as good as those from whom power is delegated.

Responsibility is shared alike by the elector and the elected.

The mortal life of this Senator, William Boyd Allison, began March 2, 1829, in Wayne County, Ohio, and came to a close August 4, 1908, in Dubuque, Iowa.

His early life was spent on a farm and did not attract unusual attention, but gave opportunity to assume responsibility and to act on the initiative of his own mind.

In 1862 he was elected to Congress, taking his seat March 4, 1863. His service to and for the Nation was begun in the darkest and most gloomy period of her history; it came to a close in the brightest and most prosperous period of the Nation's history.

What a time! What a scene! What a tumult, in the Congress of the United States in 1863! What problems confronted that Thirty-eighth Congress! There were questions of policy, questions of expediency, and questions of finance. They were all well solved. The great Lincoln with his heart torn and bleeding because of the Nation's struggle and strife, its rebellion in the South and the people's discontent in the North, labored and thought, but not alone. From the prairie state of Iowa came a man, not especially attractive, not striking in appearance, not an orator, not boastful, not proud, not opinionated, not forward, just a man with a clean heart, a clean mind, a clear conscience, a rugged body, a strong will, and a willingness to do the task which his Nation had called him to perform. The great Lincoln sought this young man's advice and it was given, not in a spirit of boast but in a spirit of true patriotism.

When this young man entered Congress, he began to work, a habit he followed until the close of his eventful life. The world has never before and may never again witness such a long public career, or one that will deal with so many great and world-wide problems. He was in the public service forty-five years and all these years active and energetic. He never shirked a task or an opportunity, nor did he ever assume the role of a dictator.

The history of our country during his activity in public life has witnessed the passing of such great men as Lincoln, Grant, McKinley, and many others. They have come on the stage of action, played their

part, gone to the great Beyond, and had their task taken up by others. He has all this time remained influentially connected with the drudgery of public life. What of the history he has helped to make? What of the civilization he has helped to build? The world has never seen it paralleled in an equal space of time. The Republic was young and not firmly established among the nations of the world when William Boyd Allison entered public life. It was torn by internal strife and civil war, it had no monetary system, it allowed human slavery. Today the American Republic is unequalled in all the nations of the world. She settles the disputes of the other nations, she carries their commerce, she keeps them in peace, she leads them in education and invention and furnishes an example of a people, the best employed, the best fed, and the best cared for the world has ever seen. William Boyd Allison helped to make this history as a member of the Congress of the United States. His life linked the old with the new, the past with the present.

The young men of this time are not well acquainted with Allison in a public way. He was of the old school in his political life; not much given to the blare of trumpet and the sound of drum. Some, because of these facts, thought he was out of sympathy with this time and age, thought that his heart did not warm to the public call. Such was not the case. Old Allison was ever young in heart. On the day of his death I talked with a young man who related an experience of his with the old Senator on his last campaign trip through Iowa. The young man was in college and preparing for a debate. He sought a conference with the Senator and when he told what his mission was Senator Allison dismissed the politicians and gave the young man a half hour of his time and expressed very freely his opinion of the question and helped to make an outline to overcome the opponent's argument.

On March 4, 1873, after serving four terms in the House of Representatives, Mr. Allison was elected by the people of this great agricultural State to serve them and the Nation in the Senate of the United States. He was again elected in 1879, again in 1885, again in 1891, again in 1897, again in 1903, and had he lived could have been re-elected again in 1909. During the time he served the State in the United States Senate he was chairman of the Appropriations Committee of that body from 1881 to 1893 and from 1895 to 1908. During all this period, it is said, that not a dollar of public money was ever appropriated that he did not know where it was going and for what purpose. Mr. Allison was a master of finance. His legislative work, however, was not confined alone to the one subject. He made a careful study of all the great problems that the Nation has had to deal with and helped to shape the policy of the Nation in both its internal and foreign affairs.

Allison in his political affiliation was a Republican. In his work in the legislative body he rose above party and worked for the good of all the people. Members of all parties sought his advice when questions of state policy were at issue. His friends were on both sides of the Senate and they loved him because of his fair and honest treat-

ment of every subject and measure. In the last years of his official life he was called the "father of the Senate."

The side of Allison's life the least known but of the greatest interest perhaps was his home life. He was twice married. His first wife died in 1860, and his second wife in 1883. Allison was essentially a home man and believed most truly in the purity of the American home. He represented in his life that which is purest and best in social affairs. After the death of his second wife there was a shadow of gloom that filled his heart and he worked the harder in his public office that this gloom might not find lodgment.

To whom does this great Senator belong? To the people of Iowa? No, to the people of the Nation and of all time. His was an unselfish toil. His first concern was for the people of the great State of Iowa. To them he gave of his life blood, throughout his life of nearly 80 years. He was so broad in his vision, so patriotic in his endeavor, that whatever he did for the people of his State was good for the people of the Nation and for all time.

Allison's political career was peculiar in this that he was satisfied with his place in the Senate in the United States. In 1881 he was offered the Secretaryship of the Treasury by President Garfield. In 1889 President Harrison made him a similar offer and in 1897 President McKinley offered to appoint him Secretary of State. All these offers were declined, but from the time he entered Congress in 1863 until his death he was the adviser of Presidents on matters of state. His advice, his counsel and help was as eagerly sought by the young and vigorous President of to-day as by Presidents of former times. In the recent legislation enacted by the national Congress looking to the control of transportation companies and trusts he was the President's counselor and adviser and the leader of thought in both branches of Congress. He grappled with the new problems of the Twentieth Century as easily and successfully as he did with the problems of the old century.

An inspired philosopher has observed, "There is a time for all things—a time to die." Death came in the fullness of years. The harvest time was upon us when he laid down to rise no more in this mortal body. The end was peaceful, calm and serene. He died as he lived. Quietly he "wrapped the drapery of his couch about him" and entered that long journey without a murmur.

Friends from every quarter of the Republic gathered at his grave side and the Nation mourned. There was no sound or martial tread, grave men, and bright faced children gathered to do honor to his memory. The flower of tribute that was laid upon his grave was the heart beat of a grateful Nation. William Boyd Allison did not die. A Senator died. He lives, for Iowa lives and the Nation lives stronger, better, nobler, purer and more secure. Republican representative government lives and has the example of an unselfish life to spur it on to stronger and better endeavor. The people of Iowa are grateful for this life and this man, the State has been given a place in the sisterhood of states, strong and secure. Young men from Iowa will find

their place easy in the national council because of his life work and Iowa will long have greater influence thereby. The people of the Nation may forget the name of Allison, but the people of Iowa never. His name has for nearly half a century stood for honesty in public as well as private life and this, in my judgment, makes it permanent in the thought of the State and Nation. His pure character and fidelity to right principles have left their imprint upon this commonwealth and the Republic in such a way that they can never be effaced. When the roll of the Nation's truly great and good men is called there will always be the name—William Boyd Allison.

#### Remarks by Senator Saunders:

Again has that awful fiat "Dust thou art to dust return," gone forth in our midst. Death, who ever seeks a shining mark, has summoned our bravest and best, and our heads are bowed in sorrow and grief. True to the instincts of our higher and better selves, this great legislative body, which stands for and shapes the destiny of the people of Iowa, has assembled in solemn convocation to do honor and reverence to the memory of Iowa's mighty dead. In this commonwealth, where every man is the equal of every other man, the General Assembly has seldom turned from the duties of legislation to pay a tribute of respect to any departed citizen, no matter how high his rank or station, but the honor is ours to-day when we cease from our labors, obedient to a common impulse to render our hearts' tributes of love and honor to Iowa's most distinguished citizen and Senator, William Boyd Allison, who so recently entered the Boatman's bark and crossed the river to the other side. Wealth could not buy nor influence secure the session we hold this afternoon. It comes as a tribute of esteem and regard for a plain, simple, old man who had no gold clanking in coffers, nor wealth in store, but who lived for his country and countrymen and who died secure in the love and esteem not only of the two million five hundred thousand who delighted to honor him by high position in State and Nation but of the ninety millions who revered him as the great, patriotic Senator from Iowa.

He was a great and good man, but when all is said he was but a high type of the institutions that surrounded him and the ancestors that had gone before. When the Mayflower sailed for the shore of the new world, she bore within her wooden walls as precious a human cargo as the world ever knew. They had no wealth, no titles of nobility, no goods and chattels of any great moment, they were fleeing as refugees from home and native land across a storm tossed ocean to an unknown shore, an inhospitable clime, and a savage foe; one purpose alone actuated their journey and that was to secure amid the primeval woods a place where they might worship God according to the dictates of their own conscience and be free men. Next to love of God, was their love of freedom. The word "slave" was not in their vocabulary. They brought nothing to Plymouth Rock except their sterling manhood and their principles of right and justice. Amid

the snows and the cold of a Massachusetts winter they raised the standard of liberty and taught to their children the lesson that all men of right are free and that they should be equal before the law. Those principles have animated and dominated the men of New England no matter where their footsteps may have wandered; they were a part of Otis when he stood before the British Governor and denounced the writs of assistance, they were at Bunker Hill and Valley Forge and Yorktown, they animated Wendell Phillips and William Loyd Garrison when they denounced human slavery; like invisible spirits they walked side by side with John Brown on his way to the scaffold; they struck the shackles from five million of bondmen and led the serried lines of loyal blue until they planted the flag on the shore of the Gulf and by the waters of the Rio Grande; they were written upon the battle flags of the eighty thousand brave men of Iowa when they marched away to the Southland and they are stamped to-day as indelibly upon the statute books of Iowa as upon the flags in yonder chamber.

The men of Massachusetts in time swept over the western border and across the states of New York and Pennsylvania into Ohio. In this new Western State they cleared the forests and raised their cabins. By the dim light of their fireplaces they told their children the story of liberty and what it had cost in privation, sorrow and blood. At the close of the Revolutionary war, a sturdy Scotch-Irish emigrant of splendid stock settled in Pennsylvania. He, too, belonged to a race that had sent its martyrs to the scaffold for conscience sake and that had been hunted amid the lochs and valleys of Scotland by the minions of tyrants. To this emigrant, in the year of 1798, was born a son, John Allison, who in his young manhood moved to Wayne County, Ohio. Like all who settled in Ohio at that date he was poor. In his humble home, on the second day of March, 1829, William B. Allison first saw the light of day. In the log cabin schools of that new State he acquired a common school education, and, what was equally important, learned to love the principles of Scotland and Plymouth Rock. Two years in college was added to his stock of learning and then he studied and essayed the practice of the law, commencing at Ashland in the year 1852. In the year 1857, attracted by the stories of the newer West, he moved to Dubuque where he dwelt until his friends and neighbors gently and tenderly laid him away—amid the scenes he had loved so well.

Imbued as Allison was by his love of justice, and actuated by his high sense of public duty which ever characterized the man, he soon entered actively into public affairs. At that time slavery was raising its insolent head in the Halls of Congress. Kansas was cursed with border ruffians and the Supreme Court of the United States had held that it was the duty of the courts of all the States to return the slave to his driver and give the slave master safe conduct to his home. Iowa, whose institutions were laid broad and deep in the principles of New England, was soon aroused as never before. She felt and her people proclaimed that no constitution of human fabrication could take away from any man the

right that God gave him to be free. To the vindication of those principles her people gave of their time and treasure, and in the forefront of this struggle stood young Allison. In 1860 we find him seated as a delegate in the Wigwam at Chicago, where was nominated the immortal Lincoln. From that convention emanated a platform that was the trumpet call of duty, and to it Allison responded. The war clouds lowered and at last broke in an awful deluge of civil strife and battle. In those troubled days of '61 Iowa, though rich in splendid manhood and civic virtue, was poor in purse and weak in credit. A savage foe threatened her west and northern borders, and her southern counties were constantly menaced by the armed forces of rebellion. Without money and without arms, Governor Kirkwood sought to raise and arm troops by pledging his private fortune many times over and by calling to his assistance brave, patriotic young men, among them Allison. Four regiments were soon recruited by him as an aide of Governor Kirkwood, but the zeal of youth soon exhausted a splendid physique, and for one year he was unable to work. But the lion could not brook restraint, and his voice was soon calling the patriotic citizens of Iowa to the defense of the Nation. Eighty regiments of Iowa soldiers went to the front, and ten of them were recruited through Allison's efforts. Is it any wonder that Kirkwood in that summer of 1862 asked him to join that bright galaxy of Congressmen from Iowa composed of James F. Wilson, Hiram Price, J. B. Grinnell, John A. Kasson and A. W. Hubbard? In the fall campaign of 1862 Allison saw the injustice that would come to the Union soldier fighting in the field and deprived of his vote, while the foe in the rear remained at home and exercised the right of suffrage. At his suggestion Kirkwood convened the Legislature in extra session and the soldier in the field was given an opportunity to vote as he was shooting. Other States followed the example of Iowa, and soon nearly the whole Union forces were registering their ballots for the preservation of the Union. In 1864 more than a million of men were in arms, and nearly all cast their votes for Lincoln. Without this vote Lincoln might have failed of election and the war been given a different conclusion.

From March 4, 1863, to March 4, 1871—a period of eight years—Allison served in the House of Representatives. And what fateful years they were! Lee swept up through the fields of Maryland into Pennsylvania and then recoiled from the bloody slopes of Gettysburg. Grant, with his gallant Western men, saw the proud flag of the Confederacy fall at Vicksburg and the Mississippi “flow unvexed to the sea.” In those years the soldiers of the Union planted the flag on Lookout's heights, Sherman with that peerless army marched to the sea and the nation saw the glorious morn of Appomattox. Lincoln fell just as the laurels of peace were to be placed upon his brow, and joined his “boys” who had fallen in defense of their country. Allison served through the trying period of reconstruction and voted against the impeachment of Andrew Johnson. Though severely criticised, time has done him justice and today there are few who wish that vote had been registered otherwise.

His services in the House won for him distinction, and soon he was known as one of the working members. To the discharge of every duty

he brought an honest heart and thereby gained the confidence and esteem of his associates. He it was who devised the commission plan of government for the District of Columbia. This system has since been adopted by other cities and is now known as the Galveston or Des Moines plan. An improved system of collecting the public's revenue was also the product of his fertile brain, and its use has continued to this hour without serious suggestion of repeal. This honorable career of eight years closed leaving him the friend of all and beloved by his State.

On the 4th of March, 1873, he entered the Senate of the United States, where he served for more than thirty-five years—a longer term of continuous service than that vouchsafed to any other person in the history of the Nation. The years came and went, ever presenting their new and complicated problems, but Allison was, *facile princeps*, a leader. Never aggressive, in the offensive sense of the term, he was ever safe and true to his convictions of duty. The tongue of slander rarely sought him for a victim of its malice, and the smell of fire was never upon his garments. For more than twenty years he served upon the Appropriations Committee, and most of that time he was its Chairman. During that period it recommended appropriations amounting to many billions of dollars, yet when he died his estate scheduled less than one hundred thousand dollars, and most of that came from his wife. How the blush of shame should mantle the cheek of those who were his traducers. In his early history in Congress he gave his support to a measure because it was, as he believed, calculated to prove of great public benefit. After its passage a block of stock was sent him by a corporation that profited through the legislation. He promptly returned it with the suggestion that he could accept no compensation where he had acted for the public welfare. Allison was too modest to tell the story, and it came to the knowledge of a few through his associates in legislation. He was not of that breed of statesmen who stand in the public places proclaiming their many virtues. To mold legislation was all the reward he sought. The Almighty made him childless that he might live for his country alone, and after the tragic death of his wife in 1883 those who were nearest to him knew that in his heart of hearts he had determined to consecrate the remaining years of his life to the service of his country.

During the later years of his service in the Senate his position was almost ideal and unlike that ever enjoyed by any other member of the Senate in all the years of its history. His high character and unselfish devotion to the public had won the confidence of all and the dislike of none. When the storms of debate and partisan passion swept over the Senate Allison stood unmoved, and it was ever his hand that guided when all others had failed. "Let Allison fix the matter" became a common expression among his associates, and the recitation of that term is the highest encomium that we can pay to him at this hour. A safe repository of the secrets of faction, party and state made him the confidant of all, and he was the trusted adviser of every President from Lincoln to Roosevelt. Few great measures passed the Senate in the last twenty-five years that did not bear the impress of his labors. The Bland-Allison Act demonstrated his ability as a financier, and all conceded to

him a greater knowledge of public expenditures than any other man of his time. He dwelt in the plain, unpretentious Grimes homestead at Washington, surrounded by his books and faithful friends who delighted to sit at his feet to catch the words of wisdom that fell from his lips. The carriages of cabinet ministers and diplomats seeking his advice were a familiar sight at his door, and none departed without feeling that he had listened to the words of a master who knew the world's problems and who helped to bear its burdens. One remarkable characteristic of Allison was his ability to draw all men to him. In the Senate of the United States party lines are closely drawn and party bitternesses are often engendered, but Allison ever enjoyed the confidence of those who were not of his political faith. A friend of mine a few months since rode for a half day in the company of Senator Tillman of South Carolina, and the distinguished Senator devoted nearly the whole time to a dissertation upon the many virtues of Senator Allison.

His knowledge of public affairs was so great that his judgment became almost intuition. Three times was he tendered a Cabinet portfolio as Secretary of the Treasury, and once was he so near to the White House that only the prejudice of a disappointed candidate deprived him of the position. He, however, did not need the Presidency to make him great and to give him a place in history. The statutes of his country are his monument and the storms of time cannot destroy the influence that he exerted nor sweep away the good he has done.

Iowa mourns today for the Sage of Dubuque, her great Senator who has passed to the majority, but amid her sorrow she rejoices because he wore for more than thirty-five years, with honor to her, the Senatorial toga she placed about him; she rejoices because at the end of life he sleeps in her sacred soil and among her grateful children. Like the majestic river, bluff and forest crowned, that washes her eastern border, the influence of his life will flow on and on, a blessing to all mankind.

Hambleton of Mahaska moved that the Joint Session now dissolve.

Motion prevailed and the Joint Session dissolved.

#### HOUSE RECONVENED.

Speaker Kendall in the chair.

Dow of Franklin moved that the proceedings of the memorial session be printed in the House Journal.

Motion prevailed.

On motion of Moore of Linn the House adjourned till 10 o'clock tomorrow morning.



## JOURNAL OF THE HOUSE

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HALL OF THE HOUSE OF REPRESENTATIVES,  
DES MOINES, IOWA, September 9, A. D. 1908.

House met pursuant to adjournment.

Speaker Kendall in the chair.

Prayer was offered by the Rev. J. B. Metcalf of Beaman.

Journal of Friday, September 8th corrected and approved.

### REPORT OF COMMITTEE.

Darrah of Lucas from the Special Committee on Elections submitted the following report:

MR. SPEAKER—Your Committee on Special Committee on Elections, to whom was referred House File No. 1, a bill for an act to amend the law as it appears in Chapter Fifty-one (51) of the Acts of the Thirty-second General Assembly relating to the expression of choice of candidates for Senate in the Congress of the United States, 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 all after the enacting clause, and inserting in lieu thereof the following:

SECTION 1. That the law as it appears in Chapter Fifty-one (51) of the Acts of the Thirty-second General Assembly, be and the same is hereby amended by adding after the period at the end of Section Twenty-four (24) of said Chapter the following:

If the candidate of any party for the office of Senator in the Congress of the United States who has received the highest number of votes in his party at any primary election as a candidate for such office, die, resign or remove from the State of his residence, or for any other cause a vacancy in such candidacy shall occur after such primary election is held and before thirty days prior to the day of the general election in November next following, a new primary election shall be

held by the members of such party on the day of such general election for the purpose of again nominating or expressing their choice for a candidate for said office in the manner herein provided, viz.:

(A) Any person desiring to be a candidate for said office shall have the qualifications required by law, and shall file nomination papers with the Secretary of State in manner and form substantially as required by Section Ten (10) of Chapter Fifty-one (51) of the Acts of the Thirty-second General Assembly, at least twenty (20) days prior to the day of the general election next following.

(B) Each candidate for said office who has filed nomination papers as required by Sub-division (A) hereof shall be entitled to have his name printed on a primary election ballot which shall be prepared, arranged and printed by the Secretary of State substantially in the following form:

PRIMARY ELECTION BALLOT.

.....Party of the State of Iowa.

Primary election to be held on the.....day of November, A. D. ...., for the purpose of placing in nomination a candidate of the .....Party for the office of Senator in the Congress of the United States.

FOR UNITED STATES SENATOR.

(Vote for One.)

- John Doe.
- Richard Roe.
- .....

(C) Any member of the party holding a primary election under the provisions of this Act desiring to vote for a candidate for the office of Senator in the Congress of the United States shall make a written or printed request of the Judges of Election for a primary ballot in the following form:

"I request a primary election ballot for the purpose of voting at this primary election for a candidate of the.....Party for the office of Senator in the Congress of the United States. I declare that I affiliate with and am in sympathy with the principles of the..... Party; that it is my intention to support generally at this election the nominees of such party; that I have not enrolled with nor participated in any primary election or convention of any other political party since the first day of the last preceding year."

Upon the presentation of such request it shall be the duty of the Judges of Election to deliver to the applicant, if a qualified elector, a primary election ballot unless challenged on the ground that he is not a member of such political party; and if challenged on said ground it shall not be delivered to him unless he make oath to the statement he has made in his request to be administered by one of the Judges of Election, and if he make said oath he shall be entitled to receive and vote said primary ballot; provided that no person shall receive a primary ballot who participated in the last preceding primary election of any other political party, as shown by his enrollment.

(D) The officers of the general election shall be the officers of the primary election hereby authorized, provided, however, that in precincts in which more than four hundred votes were cast at the last general election an additional clerk may be employed and paid as other clerks of the general election.

(E) The names of the members of the party voting at said primary election shall be recorded in separate poll books, and the clerks of election shall designate the party affiliation of each person receiving a Senatorial primary ballot.

(F) The primary election provided for in this Act shall be held in each voting precinct of the State at the same time and concurrent with the holding of the general election.

(G) The votes of any political party cast at such primary election for the nomination of a Senator in the Congress of the United States shall be canvassed, recorded and certified the same as those cast for State officers, and the candidate of any party for such office at the primary election herein provided for receiving the highest number of votes of his party in the State shall be the nominee of his party for such office and the Secretary of State shall certify the result of such primary election to the next convening General Assembly.

(H) The Secretary of State shall distribute to each County Auditor in the State, at least fifteen days prior to the general election, a sufficient number of primary election ballots and request statements, as herein provided for, for the use of the members of any party holding a primary election under the provisions of this Act, and each County Auditor shall distribute a sufficient number thereof to the Judges of each election precinct at the same time and in the same manner as required by law for the distribution of the official ballots for the general election. The fac-simile signature of the Secretary of State shall be placed upon each primary election ballot.

(I) The provisions of Chapter Fifty-one (51), Acts of the Thirty-second General Assembly, shall apply to the primary election provided for in this Act so far as applicable, except as herein otherwise provided.

Sec. 2. This Act, being deemed of immediate importance, shall take effect and be in force from and after the date of its publication in the Register and Leader, Des Moines Capital and Des Moines Daily Tribune, newspapers published in the city of Des Moines, Iowa.

And when so amended that the bill do pass.

J. H. DARRAH,  
*Chairman.*

DeMar of Davis, presented the following minority report of the Special Committee on Elections and moved that it be substituted for the report of the committee:

MINORITY REPORT OF THE SPECIAL COMMITTEE.

MR. SPEAKER—We, the minority of your special committee, find ourselves unable to concur with the majority in recommending for passage House File No. 1, as amended by the majority of your committee, and recommend that the same be amended by substituting the attached bill:

A BILL for an Act relating to the nomination of candidates for members of the General Assembly; relating to the nomination and election of Senators in the Congress of the United States; relating to the filling of vacancies in nominations for office; amending Section Ten Hundred Eighty-seven a Ten, repealing Section Ten Hundred Eighty-seven a Twenty-four, of the Supplement to the Code, and enacting a substitute therefor; and amending Title Six, Chapter Three of the Code.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

SECTION 1. That Section ten hundred eighty-seven a ten of the Supplement to the Code be and the same is hereby amended by adding thereto the following:

In case an elector seeks the nomination for the office of Senator or Representative in the General Assembly, he shall be furnished, on application to the Secretary of State, an affidavit blank in form as required herein, save that there shall be printed on said blank form, and on the same sheet of paper, by way of addition thereto, the following two statements, either of which he may sign, but if he does not do so the Secretary of State shall not on that account refuse to file his nomination paper.

STATEMENT NO. 1.

I hereby declare that if elected to the office which I seek I will, during the term of my office, always vote for the candidate for Senator in the Congress of the United States who has received the highest number of votes for that office at the general election next preceding the election of a Senator in the Congress of the United States, without regard to my individual preference.

.....  
*Signature of the candidate for nomination.*

STATEMENT NO. 2.

I hereby declare that if elected to the office which I seek I shall consider the votes of the people for Senator in the Congress of the United States nothing more than a recommendation, and I shall feel free to wholly disregard them.

.....  
*Signature of the candidate for nomination.*

Not later than ten days after the passage of this Act the Secretary of State shall mail to each candidate for the office of Senator or Representative in the Thirty-second General Assembly at the time of the passage of this Act blank statements No. 1 and No. 2, in form as indicated above, one of which statements said candidate may sign and file with the Secretary of State not later than the first day of October, 1908.

SEC. 2. That Title Six, Chapter Three of the Code, be and the same is hereby amended by adding thereto the following:

At the general election next preceding the election of Senator in the Congress of the United States by the General Assembly there shall be placed upon the official ballot by each of the County Auditors the names of the candidates for Senator in the Congress of the United States of all political parties which have, as certified by the Secretary of State, been nominated by any of the methods provided by law, and the vote for said candidates shall be counted and certified to by the Election Judges and Canvassing Boards in the same manner as the vote for candidates for other offices. The certificate for the vote for Senator in the Congress of the United States shall be made in duplicate and sworn to by the Board of Canvassers of each County and returned to the Secretary of State, who shall transmit such certificates to the General Assembly, upon its organization at the next ensuing session, one of which shall be addressed to the President of the Senate and the other to the Speaker of the House of Representatives, which officers shall open and lay the same before the House and Senate when in session for the purpose of electing a Senator in the Congress of the United States as now required by law.

SEC. 3. That Section Ten Hundred Eighty-seven a Twenty-four of the Supplement to the Code be and the same is hereby repealed and the following enacted in lieu thereof:

In case of a tie vote resulting in no nomination for any office or the election of delegates or party committeemen, the tie shall forthwith be determined by lot by the Board of Canvassers or Judges of Election, as the case may be.

A vacancy in the nomination for any office to be filled by the voters of a County, existing after the holding of the June primary election, shall be filled by a convention composed of the delegates of the party in which the vacancy nomination exists, elected under Section Ten Hundred Eighty-seven a Twenty-five of the Supplement to the Code.

A vacancy in the nomination for any office to be filled by the voters of a Senatorial or Congressional District composed of more than one County, or by the voters of the whole State, shall be filled by a convention of delegates selected in County conventions of delegates of the party in which the vacancy nomination exists, elected under Section Ten Hundred Eighty-seven a Twenty-five of the Supplement to the Code.

Any such convention not called under the provisions of Sections Ten Hundred Eighty-seven a Twenty-five, Ten Hundred Eighty-seven a Twenty-six or Ten Hundred Eighty-seven a Twenty-seven of the Supplement to the Code shall be called by the Chairman of the party Central Committee of the County, District or State, as the case may be, and the time for holding such convention shall be fixed by him at a time not later than

thirty days prior to the first Tuesday after the first Monday in November; provided that if the vacancy occurs later than forty days prior to the first Tuesday after the first Monday in November the date for the holding of the convention shall be fixed at a time not later than ten days after such vacancy occurs.

In case of death, withdrawal or inability from any cause of a political party's candidate for Senator in the Congress of the United States as expressed by the vote at the regular primary in June to be a candidate before the General Assembly, then and in that case the foregoing provisions shall apply and be operative for the selection of another candidate for that party.

If a vacancy shall occur after the November election and before the first day of January next following, by the death, withdrawal or inability of the candidate of the people's choice for Senator in the Congress of the United States as expressed at the general election to be the candidate for election by the General Assembly, then the political party which nominated said candidate shall meet in convention called as provided herein, at a time not later than ten days after such vacancy occurs, and select a candidate for that office, and in such case members of the General Assembly who have signed Statement No. 1, as provided in Section One hereof, shall be released from their obligation in said statement.

SEC. 4. This Act, being deemed of immediate importance, shall be in full force and effect from and after its publication in the Register and Leader and Des Moines Capital, newspapers published in the city of Des Moines.

And that when so amended the same do pass.

JOHN DEMAR.

H. L. PIERCE.

CLINT PRICE.

EDWARD McDONALD.

THOS. GENEVA.

Roll call demanded by Clarke of Jefferson and Kull of Howard.

On the question, Shall the minority report be substituted as the report of the committee:

The yeas were:

Baird, Balluff, Bauman, Calkins, Clarke, Clary, Cottrell, DeMar, Dodds, Feay, Geneva, Hambleton, Heles, Kendall, Koontz, Kull, McDonald, Miller of Bremer, Miller of Dubuque, Offill, Pierce, Price, Reitz, Ritter, Schoenenberger, Schroeder, Schulte, Sidey, Sparks, Springer, Stewart, Sullivan, Swift, Weeks, White, Wolfe

The nays were:

Allred, Anderson, Arney, Bascom, Beery, Bixby, Blackmore, Bonwell, Brandes, Cassady, Conn, Corrie, Darrah, Dewell, Doran, Dow, Drury, Dunn, Dye of Decatur, Dye of Pottawattamie, Earle, Elliott, Feely, Felt, Fenn, Flugum, Fox, Greenwood, Grier, Hackler, Hanna, Hanson, Harding, Harvey, Holmes, Hume, Inman, Jewell, Jones, Kelley, Kellogg, Lee, Lister, Lowrey, McAllister, McElrath, Maben, Mann, Marston, Mason, Mercer, Meredith, Moore, Morris, Nix, Paul, Reaney, Shaffer, Sheldon, Smith, Stillman, Stoltenberg, Swan, Teter, Van Houten, Webster, Welden, Wilson, Youde—69.

Absent or not voting: Mr. Speaker—1.

Motion was lost, so the House refused to substitute the minority report.

#### CONSIDERATION OF BILLS.

Unanimous consent having been given on motion of Darrah of Lucas, House file No. 1, a bill for an act to amend the law as it appears in Chapter Fifty-one (51) of the Acts of the Thirty-second General Assembly relating to the expression of choice of candidate for Senator in the Congress of the United States, with report of committee recommending passage as amended was taken up, considered, and the report of the committee, with amendment, adopted.

Mr. Darrah moved that the rule be suspended, 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:

Allred, Anderson, Arney, Baird, Bascom, Bauman, Beery, Bixby, Blackmore, Bonwell, Brandes, Cassady, Conn, Corrie, Darrah, Dewell, Dodds, Doran, Dow, Drury, Dunn, Dye of Decatur, Dye of Pottawattamie, Earle, Elliott, Feay, Feely, Felt, Fenn, Flugum, Fox, Geneva, Greenwood, Grier, Hackler, Hanna, Hanson, Harding, Harvey, Heles, Holmes, Hume, Inman, Jewell, Jones, Kelley, Lee, Lister, Lowrey, McAllister, McElrath, Maben, Mann,

Marston, Mason, Mercer, Meredith, Moore, Morris, Nix, Offill, Paul, Pierce, Price, Reaney, Schoenenberger, Shaffer, Sheldon, Smith, Sparks, Stillman, Stoltenberg, Sullivan, Swan, Teter, Van Houten, Webster, Weeks, Welden, White, Wilson, Youde, Mr. Speaker—83.

The nays were:

Balluff, Calkins, Clarke, Clary, Cottrell, DeMar, Hambleton, Kendall, Koontz, Kull, McDonald, Miller of Bremer, Miller of Dubuque, Reitz, Ritter, Schroeder, Schulte, Sidey, Springer, Stewart, Swift, Wolfe—22.

Absent or not voting: Kellogg—1.

So the bill passed and the title was agreed to.

#### EXPLANATION OF VOTE.

I believe this amendment to our primary law to be inadequate and undemocratic. I also realize our primary law needs some such emergency amendment. Consequently I accept it as the best we can get at this time.

THOMAS GENEVA.

#### RESOLUTIONS.

Offill of Jasper presented the following concurrent resolution and moved that it be considered now:

#### CONCURRENT RESOLUTION.

MR. SPEAKER—WHEREAS, The present week should be deemed ample time in which to complete the transaction of the business for which this General Assembly was convened in extraordinary session, to-wit, the amending of the primary election law to the end that the voters be given opportunity to further express their sentiments in the nominating and electing of a United States Senator, therefore be it

*Resolved, the Senate concurring,* That this House adjourn Friday, September 11, 12 o'clock noon, 1908, until November 16, 2 o'clock p. m., 1908, upon that date to again convene—without expense to the State—to ratify the choice of United States Senator which the people shall have made on the general election day of Tuesday, November 3rd, 1908.

Miller of Bremer presented the following substitute to the concurrent resolution and moved its adoption.



*Resolved, by the House of Representatives of the State of Iowa, the Senate concurring, That this special session of the Thirty-second General Assembly adjourn sine die at 4 o'clock p. m. on Thursday, September 10th, 1908.*

Sparks of Wappello moved to amend the substitute resolution, offered by striking out the words "Thursday, September Tenth" and inserting in lieu thereof the words and figures, "Friday, September 11th."

Amendment adopted.

Substitute concurrent resolution as amended was lost.

On the question, Shall the rules be suspended and the concurrent resolution be considered now:

The yeas were:

Allred, Baird, Balluff, Bixby, Brandes, Calkins, Cassady, Clarke, Clary, Conn, DeMar, Dewell, Dodds, Dunn, Dye of Decatur, Dye of Pottawattamie, Earle, Elliott, Feay, Fox, Greenwood, Grier, Hambleton, Hanna, Harding, Harvey, Inman, Kellog, Kendall, Koontz, Kull, Lowrey, McAllister, McDonald, McElrath, Maben, Mann, Miller of Bremer, Miller of Dubuque, Moore, Morris, Nix, Offill, Paul, Pierce, Reaney, Reitz, Ritter, Schoenenberger, Schroeder, Schulte, Sheldon, Sidey, Sparks, Springer, Stewart, Swan, Swift, Teter, Van Houten, Wolfe, Mr. Speaker—62.

The nays were:

Anderson, Arney, Bascom, Bauman, Blackmore, Bonwell, Corrie, Cottrell, Darrah, Doran, Dow, Drury, Feely, Felt, Fenn, Flugum, Hackler, Hanson, Heles, Holmes, Hume, Kelley, Lee, Lister, Marston, Mason, Mercer, Meredith, Price, Shaffer, Smith, Stillman, Stoltenberg, Sullivan, Weeks, Welden, White, Wilson, Youde--39.

Absent or not voting: Beery, Geneva, Jewell, Jones, Webster—5.

So the motion to consider prevailed.

Swift of Shelby moved to amend the concurrent resolution by striking out all after the date "1908."

On the question shall the amendment to the concurrent resolution be adopted:

The yeas were:

Baird, Balluff, Bauman, Beery, Calkins, Clarke, Clary, Cottrell, DeMar, Dodds, Earle, Feay, Geneva, Hambleton, Heles, Kendall, Koontz, Kull, Lee, McDonald, Marston, Miller of Bremer, Miller of Dubuque, Pierce, Price, Reitz, Ritter, Schoenenberger, Schroeder, Schulte, Sidey, Sparks, Springer, Stewart, Stillman, Swift, Teter, Weeks, Welden, Wolfe, Mr. Speaker—42.

The nays were:

Allred, Anderson, Arney, Bascom, Bixby, Blackmore, Bonwell, Brandes, Cassady, Conn, Corrie, Darrah, Dewell, Doran, Dow, Drury, Dunn, Dye of Decatur, Dye of Pottawattamie, Feely, Felt, Flugum, Fox, Greenwood, Grier, Hackler, Hanson, Harding, Harvey, Holmes, Hume, Inman, Jewell, Jones, Kelley, Kellogg, Lister, Lowrey, McAllister, McElrath, Maben, Mann, Mason, Mercer, Meredith, Moore, Morris, Nix, Ofill, Paul, Reaney, Shaffer, Sheldon, Smith, Stoltenberg, Sullivan, Swan, Van Houten, Webster, Wilson, Youde—61.

Absent or not voting: Elliott, Fenn, Hanna—3.

So the amendment was lost.

Moore of Linn moved to amend the concurrent resolution by striking out the words "without expense to the state."

Amendment adopted.

Harding of Woodbury moved to amend the concurrent resolution by striking out the words "November 9th" and inserting "November 16th" in lieu thereof.

Amendment adopted.

On the question, Shall the concurrent resolution as amended be adopted:

The yeas were:

Allred, Bixby, Brandes, Cassady, Conn, Dewell, Dow, Dunn, Dye of Decatur, Dye of Pottawattamie, Elliott, Greenwood, Hambleton, Harding, Harvey, Inman, Kellogg, McAllister, McErlath, Mann, Moore, Nix, Ofill, Paul, Sheldon, Swan, Teter, Mr. Speaker—28.

The nays were:

Anderson, Arney, Baird, Balluff, Bascom, Bauman, Beery, Blackmore, Bonwell, Calkins, Clarke, Clary, Corrie, Cottrell, Darrah, DeMar, Dodds, Doran, Drury, Earle, Feay, Feely, Felt, Fenn, Flugum, Fox, Geneva, Grier, Hackler, Hanson, Heles, Holmes, Hume, Jewell, Jones, Kelley, Kendall, Koontz, Kull, Lee, Lister, Lowrey, McDonald, Maben, Marston, Mason, Mercer, Meredith, Miller of Bremer, Miller of Dubuque, Morris, Pierce, Price, Reaney, Reitz, Ritter, Schoenenberger, Schroeder, Schulte, Shaffer, Sidey, Smith, Sparks, Springer, Stewart, Stillman, Stoltenberg, Sullivan, Swift, Van Houten, Webster, Weeks, Welden, White, Wilson, Wolfe, Youde—77.

Absent or not voting: Hanna—1.

So the House refuses to adopt the concurrent resolution.

#### RESOLUTIONS IN MEMORIAM.

Feely of Black Hawk presented the following resolution:

MR. SPEAKER—Your committee appointed to present resolutions on the life, public character and service to the State and Nation of the late George W. Hayzlett, an honored member of the Twenty-first and Twenty-second General Assemblies of Iowa, beg leave to submit the following report:

WHEREAS, the life and character of the said deceased were such as to command the love and esteem of his friends, neighbors and the community in which he lived so many years, and his service to his State and Nation entitles him to the respect and gratitude of his fellow citizens; therefore be it

*Resolved*, That in his death the community in which he resided mourns the loss of an honest, patriotic citizen, and this State the loss of a useful, conscientious public servant.

*Resolved*, That in his death his family have been bereft of a kind and affectionate father and husband, and we hereby extend to the widow and children our sincere sympathy in this, their great affliction, and that the

Clerk of this House hereby is instructed to mail an engrossed copy of these resolutions to the family of the deceased, and to enter the same upon the Journal of the House.

GUY A. FEELY.

J. F. MORRIS.

TIM C. CLARY.

Adopted.

Also:

MR. SPEAKER—Your committee appointed to draft resolutions commemorative to the life, character and public service of D. F. Hoover respectfully submit the following report:

WHEREAS, D. F. Hoover, an honored member of this House in the Twenty-fourth and Twenty-fifth General Assemblies, and a most highly respected citizen where he has lived, passed from his earthly labors on the 4th day of April, 1908, at his home at Long Beach, California;

WHEREAS, the life and character of the deceased were such as to entitle him to the respect and esteem of all who knew him, and his services to the State and Nation were of such a character as to command the confidence and gratitude of his fellow citizens, therefore be it

*Resolved*, That in the death of this patriotic citizen and Legislator this State has lost an influential and upright citizen, his family is bereft of a kind and loving husband, his friends of an honest and esteemed man.

*Resolved*, That we extend to his family and those nearest to him, whose sorrow is so much greater, our sincere sympathy in their sorrow and affliction, and the Clerk of the House is hereby instructed to transmit an engrossed copy of these resolutions to the bereaved family and enter the same upon the Journal of the House.

GUY A. FEELY.

A. C. BLACKMORE.

C. W. MILLER.

Adopted.

Also:

Hambleton of Mahaska presented the following resolutions:

TO THE HOUSE OF REPRESENTATIVES OF THE THIRTY-SECOND GENERAL ASSEMBLY, EXTRA SESSION:

Your committee appointed by the House to draft a statement and resolutions relative to the life of the Honorable Joseph H. Evans, deceased, report:

Hon. Joseph H. Evans, who passed from earth on July 9th, 1908, was born in 1822, in Maryland, being left an orphan at the age of four years; was educated in Baltimore, preparing himself for a teacher, emigrating to Indiana first, and then in 1852 to Iowa, locating in Jones

County, where, while commencing the study of law, he heard and responded to the call of our martyred President Lincoln for "six hundred thousand more," enlisting in the celebrated regiment commanded by Colonel William Smythe, known as the "Hawkeye Hounds" because they marched so far, fought so well and never tired, the regiment being assigned to the Fifteenth Army Corps, under command of General Sherman. Enrolling as a private, within three months he received the commission of Captain of Company "G," in which he enlisted and from which he was mustered out at Louisville, Kentucky, on June 27th, 1865. He was commissioned to take eighteen hundred cattle to General Thomas, and therefore missed being with his command in the celebrated march through Georgia, but participated in many notable battles, among which were the battles of Atlanta and Jonesboro, and was with his company in the great parade of Grant's and Sherman's victorious armies in Washington, D. C., on May 23rd and 24th, 1865.

Becoming a resident of Mahaska County and a farmer in 1869, he served faithfully his State as Representative in the Eighteenth General Assembly of Iowa, and later his County two terms as member of the Board of Supervisors. He introduced the bill enacted into law creating the first Mine Inspector of Iowa. He belonged to the Masonic Fraternity and G. A. R. Post.

He leaves a wife, one son and two daughters to revere the memory of a long and useful career.

*Resolved*, That in his death we recognize the loss of a loving parent and valued soldier, a sturdy pioneer, a good neighbor, an honored official and an upright, honest, industrious, highly patriotic citizen of sterling character.

*Resolved*, That these resolutions be entered in the Journal of this House and that an engrossed copy be furnished his family by the Chief Clerk.

A. F. N. HAMBLETON,  
JOHN MCALLISTER,  
G. H. SCHULTE,

*Committee on part of the House.*

Adopted.

Also:

TO THE HOUSE OF REPRESENTATIVES OF THE THIRTY-SECOND GENERAL ASSEMBLY, EXTRA SESSION:

Report of your committee appointed on the part of the House to draft suitable resolutions on the life, character and public services of the late Honorable Andrew Jackson Jewell, who passed from earth on May 14, 1908:

He was born in Ohio February 14, 1830; was a resident of Iowa fifty-three years, and was a member of the regiment of Union soldiers that became famous in history as the "Squirrel Hunters."

His occupation was that of an active and successful stock raiser, being extensively engaged in raising fine sheep, and a practical farmer in every way.

As an ardent Republican in politics he was elected and faithfully represented his constituency in the Twenty-third General Assembly of Iowa. As an old pioneer, a successful business man, an agriculturist, a conscientious Legislator and a faithful friend and neighbor he lived an honorable life and died a triumphant death, leaving a wife, two sons and a host of friends to mourn his passing and cherish his memory.

*Resolved*, That in his death we have lost an honorable, upright and faithful man.

*Resolved*, That these resolutions be entered in the Journal of the House and that an engrossed copy be furnished the family of the deceased by the Chief Clerk.

A. F. N. HAMBLETON,  
T. C. CLARY,  
J. H. LOWREY,

*Committee on part of the House.*

Adopted.

Also:

TO THE SENATE AND HOUSE OF REPRESENTATIVES OF THE THIRTY-SECOND GENERAL ASSEMBLY, EXTRA SESSION:

Report of joint committee appointed on the part of the Senate and House in accordance with the concurrent resolution adopted by the House and Senate, relative to memorial resolutions as to the life of the Honorable Lucien C. Blanchard, who died March 1st, 1908.

Born at Diana, Lewis County, New York, April 15, 1839, he was reared on a farm and received his early education in the country schools. At the age of seventeen he started for the West, stopping at Mt. Morris, Illinois, where he continued his studies and taught school, combining also his work with the study of law. He was attracted to Colorado, but remained only one year, when he located at Newton, Iowa, and continued his teaching and study of law. He offered his services as a soldier in the Union Army, becoming a member of Company "K," Twenty-eighth Iowa Volunteers, and served about one and one-half years, engaging in the conflict at Fort Gibson, Champion Hills and the siege and capture of Vicksburg. He was discharged with his regiment at New Orleans. Coming north to Illinois again, he taught school, pursued his law course and graduated in the University of Michigan Law Department with honors in 1866.

Starting in practice in Montezuma, Iowa, and being elevated to the bench as Judge of the Circuit Court, he was continuously an honorable and distinguished Judge for the period of seventeen years. In 1885 he located in Oskaloosa, opening a law office, and was a most successful and brilliant practitioner during the balance of his life, excepting the time occupied as a member of the General Assembly of Iowa. Elected as

Representative of the Twenty-fifth General Assembly, and chosen State Senator for the Twenty-sixth, Twenty-sixth Extra, Twenty-seventh, Twenty-eighth and Twenty-ninth sessions, being a member of the Code Commission of 1897, he took a most important part in the legislation of this State and acquitted himself with great honor and able statesmanship. He was President of the Iowa Bar Association and member of the International Congress of Law, Vice Commander of the Iowa Department of the G. A. R., Grand Orator and Grand Treasurer of the Iowa Grand Lodge of Masons, associate editor of the Masonic Digest and a member of the Iowa Vicksburg National Commission.

A man widely known and highly honored, and ever respected as having an unimpeachable character. Married three times, he leaves, as the children of his first wife, one daughter and one son who honor his highly cherished memory, besides his widow. He was deliberate, conservative, reserved, dignified, but condescending and sympathetic, active, fearless in controversy, sharp with sarcasm but ever tactful and thoroughly successful.

*Resolved*, That in the loss of this most highly honored citizen the family lose a faithful parent and husband, the community an enterprising and influential citizen, the legal fraternity a brilliant jurist and practitioner, the State a notable statesman and the country a patriot who has left a lasting impress through his life's work upon the page of history.

*Resolved*, That these resolutions be entered in the Journals of the Senate and House, respectively, and each member of the family furnished an engrossed copy by the Secretary and Chief Clerk.

A. F. N. HAMBLETON,  
H. L. PIERCE,  
D. W. DOW,  
W. G. JONES,  
C. J. H. ERICSON,

*Joint Committee of Senate and House.*

Adopted.

Remarks of Hambleton of Mahaska, on the life and character of the late Hon. Lucien C. Blanchard:

MR. SPEAKER—In the adoption of these memorial resolutions presented we are reminded again not only of the inevitable end of all men, but that our bravest and best are being piloted across the dark stream by the silent boatman. Here are three men, within four months' time, who have taken their journey to the Great Beyond. Their lives have all been notable. I have known these men from boyhood. They were all personal friends, and in their passing I cannot but feel the personal as well as the public loss sustained. All of them started in life as poor boys, met the stern realities and hardships incident to pioneer life and by dint of toil, determined effort and faithful, honest service attained to positions of respect and high esteem among their fellowmen. They had positions

of high honor and distinction conferred upon them. They were each a splendid illustration of the possibilities of a self-made man. They knew not the taste of the bread of idleness. They cultivated their talents also, and left as their most enduring memorial sturdy characters, inflexible to duty and unswerving in integrity. All were Republicans of consistent and conscientious type. Each responded to his country's call and was valient, patriotic, heroic and entitled to a high place among our Nation's heroes of the Civil War.

Judge Blanchard's was a most distinguished life and occupies a most important place in the history of our State. In jurisprudence and in important legislation, and in the most prominent social and fraternal organizations of Iowa, he occupied a place in the front rank of its most intellectual and highly honored citizens.

Captain Evans in his early life followed the rough, rugged road of hardship, but by his indomitable will he came out conqueror.

Comrade Jewell attained to a position of respect and high esteem among his fellow men and was known and trusted as a faithful, conscientious man.

All have left a priceless heritage in their fulfillment of the true spirit of American citizenship. These good men have passed to their reward. Let the star of hope dispel our gloom in the comforting thought that to each of them "The welcome will sound in the heavenly world ere the farewell sounds in this."

Price of Warren presented the following resolutions:

MR. SPEAKER—Your committee appointed on the part of the House to draft suitable resolutions on the life, character and public services of the Honorable Mark A. Dashiell of Indianola, Warren County, Iowa, respectfully submit the following report:

Mark A. Dashiell was born at Moore's Hill, Dearborn County, Indiana, October 7, 1826, and was one of a family of fifteen children, two brothers surviving him. Doctor Dashiell graduated from Indianapolis High School and finally from the Medical College of Indianapolis, and practiced medicine two years in his native County. He moved to Iowa in 1853, locating at Hartford, Warren County. He was united in marriage to Miss Louisiana Noble, daughter of Doctor Noble of Indianapolis. Doctor Dashiell left surviving him his wife and two daughters, Mrs. Suel J. Spaulding of Des Moines and Mrs. F. S. Burberry of Indianola, Iowa. He was a member of the Presbyterian Church at Hartford in his early life, and later of the Presbyterian Church of Indianola, of which church he was a liberal supporter and faithful member at the time of his death. Doctor Dashiell resided in Warren County for more than fifty years, practicing medicine the entire time. He had held many places of public trust and honor, having been a member of the Board of Pension Examiners since 1863, when he was appointed by Abraham Lincoln. He was active in political life. Men of all parties loved and honored him regardless of his political faith. He served as Representative in the Twelfth General Assembly and in 1872 was elected to the State Senate, serving four years, and was re-elected in 1878 for a second term. He was again



called upon to represent his County in the House of Representatives in the Thirtieth and Thirty-first General Assemblies. He was always trusted and honored by his fellow lawmakers, was placed on important committees and was chairman of the committee which presented the prohibition amendment to the Legislature. During his public life he had served for ten years as a Trustee of the State Industrial Schools, which he was largely instrumental in establishing. He was a prominent member of the Pioneer Lawmakers' Association, besides being a trusted public servant, for which he had obtained the highest respect and esteem of his fellow citizens. He was a good private citizen, clean and trustworthy, and his private life was above reproach. He departed this life July 3, 1907.

*Resolved, By the House,* That we owe to the late Doctor Mark A. Dashiell a debt of gratitude for the public services and trust that he has performed to the State which can never be paid, and that in the death of this patriotic citizen the State has lost an honored and influential and upright man.

*Resolved further,* That these resolutions be entered upon the Journal of the House and that an engrossed copy be presented to the family of the deceased by the Clerk of this House.

JAS. H. JAMISON,  
C. J. A. ERICKSON,  
*Committee of the Senate.*

CLINT L. PRICE,  
E. W. WEEKS,  
G. H. VAN HOUTEN,  
*Committee of the House.*

Adopted.

Paul of Jones presented the following Joint Resolution:

#### HOUSE JOINT RESOLUTION NO. 1.

Joint Resolution of the Thirty-second General Assembly of the State of Iowa, making application to the Congress of the United States to call a convention for proposing amendments to the Constitution of the United States.

WHEREAS, We believe that Senators of the United States should be elected directly by the voters; and

WHEREAS, To authorize such direct election an amendment to the Constitution of the United States is necessary; and

WHEREAS, The failure of Congress to submit such amendment to the States has made it clear that the only practicable method of securing submission of such amendment to the States is through a Constitutional Convention to be called by Congress upon the application of the Legislatures of two-thirds of all the States; therefore

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

SECTION 1. That the Legislature of the State of Iowa hereby makes application to the Congress of the United States, under Article V of the Constitution of the United States, to call a Constitutional Convention for proposing amendments to the Constitution of the United States.

SEC. 2. That this resolution, duly authenticated, shall be delivered forthwith to the President of the Senate and Speaker of the House of Representatives of the United States, with the request that the same shall be laid before the said Senate and House.

Van Houten of Taylor moved that the Resolution be referred to the Thirty-third General Assembly.

Grier of Poweshiek moved that a committee be named to notify the senate that the House is ready to receive it

Motion prevailed.

Speaker named as such committee Grier of Poweshiek, O'fall of Jasper, and DeMar of Davis.

Committee returned and reported that they had so acted.

Sergeant-at-arms announced the arrival of the members of the Senate, who took places on the west side of the House Chamber.

#### JOINT CONVENTION.

Joint convention was called to order by Lieutenant Governor Garst, President of the joint convention at 12 o'clock noon.

The roll call disclosed the following members of the Senate and House in their seats.

Allen, Allred, Anderson, Arney, Baird, Balluff, Bascom, Bauman, Beery, Bixby, Blackmore, Bleakly, Bonwell, Brandes, Bruce, Burgess, Calkins, Cassady, Clark, Clarke, Clary, Conn, Corrie, Cottrell, Darrah, DeArmand, DeMar, Dewell, DeWolf, Dodds, Doran, Dow, Dowell, Drury, Dunn, Dunham, Dye of Decatur, Dye of Potawattamie, Earle, Eckles, Elerick, Elliott, Ericson, Feay, Feely, Felt, Fenn, Flugum, Foley, Fox, Frudden, Gale, Geneva, Gilliland, Greenwood, Grier, Hackler, Hambleton, Hanna, Hanson, Harding, Harvey, Heles, Holmes, Hopkins, Hughes, Hume, Inman, Jackson, Jamison of Clarke, Jamieson of Page, Jewell, Jones of Mahaska, Jones of Montgomery, Kelley, Kellogg, Kendall, Kimmel, Kinne, Koontz, Kull, Lambert, Lee, Lister, Lowrey, McAllister,

McDonald, McElrath, McKlveen, McManus, Maben, Mann, Marston, Mason, Mattes, Maytag, Mercer, Meredith, Miller of Bremer, Miller of Dubuque, Moon, Moore, Morris, Newberry, Nichols, Nix, Offill, Paul, Peterson, Pierce, Price, Reaney, Reitz, Ritter, Saunders, Schoenenberger, Schroeder, Schulte, Seeley, Shaffer, Sheldon, Sidey, Smith of Des Moines, Smith of Mitchell, Smith of Wright, Sparks, Springer, Stewart, Stillman, Stirtan, Stoltenberg, Stookey, Stuckslager, Sullivan, Swan, Swift, Taylor, Teter, Turner, Van Houten, Wade, Warren, Webster, Weeks, Welden, Whipple, Whiting, White, Wilson of Tama, Wilson of Fayette, Wilson of Clinton, Wolfe, Youde, Young, Mr. Speaker—155.

President Garst declared the joint convention duly organized, with a quorum of members present.

The Chief Clerk of the House then proceeded to read that part of the Journal of the House for Tuesday, September 8, 1908, pertaining to the vote for United States Senator in Congress.

The Secretary of the Senate then proceeded to read that part of the Journal of the Senate for Tuesday, September 8, 1908, pertaining to the vote for United States Senator in Congress.

From the reading of the Journals, it appeared that on Tuesday, September 8, 1908, the Senate and House of Representatives balloted separately for United States Senator in Congress, with the following result:

#### IN THE SENATE.

Albert B. Cummins received—21.  
 Claude R. Porter received—14.  
 Walter I. Smith received—4.  
 Joseph R. Lane received—4.  
 Frank D. Jackson received—3.  
 William Larrabee received—1.  
 George D. Perkins received—1.  
 Warren Garst received—1.

#### IN THE HOUSE.

Albert B. Cummins received—43.  
 Claude R. Porter received—31.  
 Walter I. Smith received—12.  
 A. B. Funk received—5.

John F. Lacey received—2.  
 W. P. Hepburn received—2.  
 Geo. W. Clarke received—1.  
 G. N. Haugen received—1.  
 Albert F. Dawson received—1.  
 James H. Trewin received—1.  
 Geo. D. Perkins received—1.  
 Joseph R. Lane received—1.  
 Wm. Larrabee received—1.  
 A. J. Baker received—1.

Senator Smith of Mitchell in nominating Albert B. Cummins said: Speaking in the name of the Republicans of the Thirty-second General Assembly meeting in a regularly called caucus held September 4th, I desire to place in nomination as a candidate for election to the office of Senator in the Congress of the United States the nominee of such caucus, our Governor, the Hon. A. B. Cummins.

Senator Gilliland nominated Walter I. Smith for Senator in Congress of the United States.

Senator Lambert nominated Claude R. Porter for Senator in Congress of the United States.

Roll call ordered by the President.

Those voting for Albert B. Cummins were:

Allen, Anderson, Arney, Bascom, Blackmore, Bonwell, Bruce, Burgess, Clark of Poweshiek, Conn, Corrie, Darrah, Doran, Dowell, Drury, Eckles, Ericson, Feely, Felt, Fenn, Flugum, Grier, Hackler, Hanson, Holmes, Hopkins, Hughes, Hume, Jewell, Jones, of Montgomery, Kelley, Kimmel, Kinne, Lee, Lister, Lowery, Maben, Marston, Mason, Mattes, Maytag, Mercer, Meredith, Morris, Newberry, Peterson, Saunders, Shaffer, Smith of Mitchell, Smith of Wright, Stillman, Stoltenberg, Sullivan, Teter, Turner, Van Houten, Warren, Webster, Weeks, Welden, White, Wilson of Tama, Wilson of Fayette, Youde, Young. Mr. Speaker—66.

Those voting for Claude R. Porter were:

Baird, Balluff, Bauman, Calkins, Clarke of Jefferson, Clary, Cottrell, DeArmand, DeMar, DeWolf, Dodds, Earle, Feay, Foley,

Frudden, Geneva, Heles, Jamieson of Page, Kendall of Clinton, Koontz, Kull, Lambert, McDonald, McManus, Miller of Bremer, Miller of Dubuque, Moon, Pierce, Price, Reitz, Ritter, Schoenenberger, Schroeder, Schulte, Sidey, Smith of Des Moines, Sparks, Springer, Stewart, Stirton, Swift, Taylor, Wade, Whiting, Wilson of Clinton, Wolfe—46.

Those voting for Walter I. Smith were:

Bixby, Brandes, Cassady, Dewell, Dunn, Dunham, Dyc of Decatur, Dye of Pottawattamie, Elerick, Elliott, Gilliland, Greenwood, Hanna, Kellogg, McAllister, McKlveen, Moore, Nix, Sheldon, Stookey—20.

Those voting for A. B. Funk were:

Allred, Harding, Harvey, Inman—4.

Those voting for Joseph R. Lane were: Jamison of Clarke, Stuckslager, Whipple—3.

Those voting for John F. Lacey were: Hambleton, Jones of Mahaska, Offill—3.

Those voting for Warren Garst were: Beery, Seeley—2.

Those voting for G. W. Clarke were: Dow, Fox—2.

Those voting for George M. Curtis were: Bleakly, Nichols—2.  
—2.

Those voting for George M. Curtis were: Bleakly, Nichols—2.

Those voting for Wm. Larrabee were: Gale, Reaney—2.

Those voting for F. D. Jackson were: Paul—1.

Those voting for A. J. Baker were: Swan—1.

Those voting for W. P. Hepburn were: Mann—1.

The President announced that no candidate had received a majority of all the votes cast by the joint convention for the office of Senator in the Congress of the United States.

On motion of Senator Dunham of Delaware the Joint convention adjourned.

The House reconvened.

Speaker Kendall in the chair.

REPORT OF COMMITTEE.

Grier of Poweshiek presented the following report:

MR. SPEAKER—Your committee appointed to fix the amount of mileage due each member submits the following supplemental report:

NAME.	No. of Miles.	Amt.
O. H. Holmes.....	125	\$12.50
	JNO. McALLISTER, SIMON MILLER, GEO. E. GRIER, <i>Committee.</i>	

We recommend that such mileage be duly certified.

GEO. E. GRIER,  
*Chairman.*

Passed on file.

On motion of Van Houten of Taylor the House adjourned till 10 o'clock tomorrow morning.

## JOURNAL OF THE HOUSE

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HALL OF THE HOUSE OF REPRESENTATIVES,  
DES MOINES, IOWA, September 10, A. D. 1908.

House met pursuant to adjournment.

Speaker pro tem. Hambleton in the chair.

Prayer was offered by the Rev. Joshua Jester of Des Moines.

Journal of Wednesday, September 9th, corrected and approved.

Consideration of House Joint Resolution No. 1 was resumed.

Van Houten of Taylor raised the point of order that the Resolution was not up for consideration at this time as it has been acted upon at the last regular session.

Point of order sustained by the Speaker.

### REPORT OF COMMITTEE.

Darrah of Lucas, from the Special Committee on Elections, submitted the following report:

MR. SPEAKER: Your Special Committee on Elections, to whom was referred House File No. 2, a bill for an act providing for the nomination of United States Senators by a primary vote at the regular general election, 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.

J. H. DARRAH,  
*Chairman.*

Adopted, so the bill was indefinitely postponed.

Darrah of Lucas, from the Special Committee on Elections, submitted the following report:

MR. SPEAKER: Your Special Committee on Elections, to whom was referred House File No. 4, a bill for an act providing for the nomination of candidates for Senator in the Congress of the United States by direct vote of the qualified electors of 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 be indefinitely postponed.

J. H. DARRAH,  
*Chairman.*

Adopted, so the bill was indefinitely postponed.

Grier of Poweshiek moved that the Supplemental Report of the Committee on Mileage be adopted.

Motion prevailed and report adopted.

#### RESOLUTIONS IN MEMORIAM.

Pierce of Buena Vista presented the following resolution:

MR. SPEAKER: Your committee appointed to draft resolutions of respect to the memory of the Honorable William H. Hickey respectfully submit the following:

WHEREAS, The Honorable William H. Hickey, an honored member of the Thirty-second General Assembly from Cherokee County, departed this life on the 30th day of January, 1908, and,

WHEREAS, The life and character of the deceased was such that it should command our respect and esteem; therefore,

*Be It Resolved*, That in his death this General Assembly loses the great benefit of his sound counsel, the State and the community in which he lived loses a valued citizen, and his family the guidance of a kind and loving husband and father, and that we, the representatives of this State, in special session assembled, instruct that these resolutions be printed in the journal of the House and that a copy of the same be sent by our chief clerk to the family of the deceased.

H. L. PIERCE,  
W. C. EARLE,  
CHAS. YOUDE.

Adopted.



Sidey of Adair presented the following resolution :

MR. SPEAKER: Your committee appointed to draft resolutions in respect to the memory of the late Hon. K. R. Madden respectfully submit the following:

WHEREAS, The Hon. K. R. Madden, an honored member of the Twenty-seventh General Assembly from Adair county, departed this life April 2nd, 1906;

WHEREAS, The life and character of the deceased were such as to command our respect and esteem, and his services to the community in which he lived were such as to commend him to the respect and gratitude of his fellow citizens; therefore, be it

*Resolved*, That we extend to the sorrowing wife our sympathy in her affliction, and that a copy of the resolutions be entered on the Journal of the House, and the Chief Clerk be instructed to send a copy to the family of the deceased.

E. J. SIDEY,  
J. W. STEWART,  
B. T. NIX.

Adopted.

#### CONCURRENT RESOLUTIONS.

Bixby of Delaware presented the following concurrent resolution, and moved that the rules be suspended and the resolution adopted.

*Be It Resolved by the House, the Senate concurring*, That 3,000 copies of the remarks of the members made at the Allison memorial services on Tuesday, September 8th, be printed and bound in pamphlet form and that 2,000 copies be furnished to members of this General Assembly and that 1,000 copies be distributed by the Secretary of State.

Motion prevailed and the concurrent resolution adopted.

Miller of Bremer presented the following concurrent resolution and moved its adoption:

*Resolved by the House of Representatives of Iowa, the Senate concurring*, That the special session of the Thirty-second General Assembly adjourn sine die on Thursday, September Tenth, Nineteen Hundred Eight, at three o'clock p. m.

White of Story moved as a substitute that the consideration of adjournment be made a special order for 3 o'clock this afternoon.

Motion prevailed, and substitute adopted.

In pursuance to the Speaker's order, the roll was called and disclosed the following members in their seats:

Allred, Anderson, Arney, Baird, Balluff, Bascom, Bauman, Beery, Bixby, Blackmore, Bonwell, Brandes, Calkins, Cassady, Clarke, Clary, Conn, Corrie, Cottrell, Darrah, DeMar, Dewell, Dodds, Doran, Dow, Drury, Dunn, Dye of Decatur, Dye of Pottawattamie, Earle, Elliott, Feay, Feely, Felt, Fenn, Flugum, Fox, Geneva, Greenwood, Grier, Hackler, Hambleton, Hanna, Hanson, Harding, Harvey, Heles, Holmes, Hume, Inman, Jewell, Jones, Kelley, Kellogg, Kendall, Koontz, Kull, Lee, Lister, Lowrey, McAllister, McDonald, McElrath, Maben, Mann, Marston, Mason, Mercer, Meredith, Miller of Bremer, Miller of Dubuque, Moore, Morris, Nix, Offill, Paul, Pierce, Price, Reaney, Reitz, Ritter, Schoenenberger, Schroeder, Schulte, Shaffer, Sheldon, Sidey, Smith, Sparks, Springer, Stewart, Stillman, Stoltenberg, Sullivan, Swan, Swift, Teter, Van Houten, Webster, Weeks, Welden, White, Wilson, Wolfe, Youde.

Kellogg of Harrison moved that the House take a recess until 11:55 o'clock this morning.

Motion prevailed.

House reconvened at 11:55 o'clock.

Speaker pro tem. Hambleton in the chair.

McAllister of Linn presented the following Concurrent Resolution and moved that the rules be suspended and the resolution adopted:

#### CONCURRENT RESOLUTION.

*Resolved by the House, the Senate concurring, That the memorial resolutions introduced in both Senate and House during the special session of the Legislature be printed in pamphlet form and five copies be sent to each member of the Senate and House.*

Motion was lost.

Weeks of Guthrie moved that the Committee on Enrolled Bills at the former session serve in the same capacity in this session.

Motion prevailed.

Swift of Shelby moved that a committee of two be named to notify the Senate that the House is now ready to receive it.

Speaker named as such committee Swift of Shelby and Van Houten of Taylor.

Committee returned and reported that they had so acted.

#### 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 amended and passed the following bill in which the concurrence of the Senate was asked:

House File No. 1, a bill for an act to amend the law as it appears in Chapter Fifty-one (51) of the Acts of the Thirty-second General Assembly relating to the expression of choice of candidates for Senate in the Congress of the United States.

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. 3, a bill for an act providing for the publication and distribution of the acts of the extraordinary session of the Thirty-second General Assembly.

GEO. A. NEWMAN,  
*Secretary.*

Sergeant-at-arms announced the arrival of the members of the Senate, who took places on the west side of the House Chamber.

#### JOINT CONVENTION.

Joint convention was called to order by Lieutenant Governor Garst, President of the joint convention, at 12 o'clock, noon.

The roll call disclosed the following members of the Senate and House in their seats:

Allen, Allred, Anderson, Arney, Baird, Balluff, Bascom, Bauman, Beery, Bixby, Blackmore, Bleakly, Bonwell, Brandes, Bruce, Burgess, Calkins, Cassady, Clarke, Clark, Clary, Conn, Corrie, Cottrell, Darrah, DeArmand, DeMar, Dewell, DeWolf, Dodds, Doran, Dow, Dowell, Drury, Dunn, Dunham, Dye of Decatur, Dye of Pottawattamie, Earle, Eckles, Elerick, Elliott, Ericson, Feay, Feely, Felt, Fenn, Flugum, Foley, Fox, Frudden, Gale, Geneva, Gilliland, Greenwood, Grier, Hackler, Hambleton, Hanna, Hanson, Harding, Harvey, Heles, Holmes, Hopkins, Hughes, Hume, Inman, Jackson, Jamison of Clarke, Jamieson of Page, Jewell, Jones of Mahaska, Jones of Montgomery, Kelley, Kellogg, Kendall, Kimmel, Kinne, Koontz, Kull, Lambert, Lee, Lister, Lowrey, McAllister, McDonald, McElrath, McKlveen, McManus, Maben, Mann, Marston, Mason, Mattes, Maytag, Mercer, Meredith, Miller of Bremer, Miller of Dubuque, Moon, Moore, Morris, Newberry, Nichols, Nix, Offill, Paul, Peterson, Pierce, Price, Reaney, Reitz, Saunders, Schoenenberger, Schroeder, Schulte, Seeley, Shaffer, Sheldon, Sidey, Smith of Des Moines, Smith of Mitchell, Smith of Wright, Sparks, Springer, Stewart, Stillman, Stirton, Stoltenberg, Stookey, Stuckslager, Sullivan, Swan, Swift, Taylor, Teter, Turner, Van Houten, Wade, Warren, Webster, Weeks, Welden, Whipple, Whiting, White, Wilson of Tama, Wilson of Fayette, Wilson of Clinton, Wolfe, Youde, Young—154.

President Garst declared the Joint Convention duly organized with a quorum of members present.

The Joint Convention then proceeded to ballot for United States Senator in Congress.

Those voting for Albert B. Cummins were:

Allen, Anderson, Arney, Bascom, Blackmore, Bonwell, Bruce, Burgess, Clark, Conn, Corrie, Darrah, Doran, Dewell, Drury, Eckles, Ericson, Feeley, Felt, Fenn, Flugum, Grier, Hackler, Hanson, Holmes, Hopkins, Hughes, Hume, Jewell, Jones of Montgomery, Kelley, Kimmel, Kinne, Lee, Lister, Lowrey, Maben, Marston, Mason, Mattes, Maytag, Mercer, Meredith, Morris, Newberry, Peterson, Saunders, Shaffer, Smith of Mitchell, Smith of Wright, Still-

man, Stoltenberg, Sullivan, Teter, Turner, Van Houten, Warren, White, Wilson of Tama, Wilson of Fayette, Youde, Young—65.

Those voting for Claude R. Porter were:

Baird, Balluff, Bauman, Calkins, Clarke, Clary, Cottrell, DeArmand, DeMar, DeWolf, Dodds, Earle, Feay, Foley, Frudden, Geneva, Heles, Jamieson of Page, Kendall, Koontz, Kull, Lambert, McDonald, McManus, Miller of Bremer, Miller of Dubuque, Moon, Pierce, Price, Reitz, Ritter, Schoenenberger, Schroeder, Schulte, Sidey, Smith of Des Moines, Sparks, Springer, Stewart, Stirton, Swift, Taylor, Wade, Whiting, Wilson of Clinton, Wolfe—46.

Those voting for Walter I. Smith were:

Bixby, Brandes, Dewell, Dunn, Dye of Decatur, Dye of Pottawattamie, Elerick, Elliott, Gilliland, Greenwood, Hanna, Harvey, Jackson, Kellogg, McKlveen, Mann—16.

Those voting for George W. Clarke were:

Allred, Cassady, Dow, Fox, McElrath, Moore, Nix, Sheldon—8.

Those voting for Warren Garst were:

Beery, Paul, Seeley, Whipple—4

Those voting for Geo. N. Curtis were:

Bleakly, Nichols—2.

Those voting for James H. Trewin were:

Dunham, McAllister—2.

Those voting for William H. Larrabee were:

Gale, Reaney—2.

Those voting for John F. Lacey were:

Hambleton, Jones of Mahaska, Ofill—3.

Those voting for Frank D. Jackson were:

Jamison of Clarke, Stookey—2.

Those voting for A. B. Funk were:

Harding, Inman—2.

Those voting for A. J. Baker were:

Swan—1.

Those voting for Joseph R. Lane were:

Stuckslager—1.

The President announced that no candidate had received a majority of all the votes cast by the Joint Convention for the office of Senator in the Congress of the United States.

On motion of Senator Allen the Joint Convention dissolved.

House reconvened.

Speaker pro tem. Hambleton in the chair.

#### CONSIDERATION OF BILLS.

On motion of Weeks of Guthrie, House File No. 1, a bill for an act to amend the law as it appears in Chapter Fifty-one (51) of the Acts of the Thirty-second General Assembly relating to the holding of party primary elections for the expression of choice of candidate for Senator in the Congress of the United States, with Senate amendments, was taken up and the amendments read and considered.

Darrah of Lucas moved that the House concur in the Senate amendments.

On the question, "Shall the House concur?"

The yeas were :

Allred, Anderson, Arney, Baird, Bascom, Bauman, Beery, Bixby, Blackmore, Bonwell, Brandes, Cassady, Clarke, Clary, Conn, Corrie, Cottrell, Darrah, DeMar, Dewell, Dodds, Doran, Dow, Drury, Dunn, Dye of Decatur, Dye of Pottawattamie, Earle, Elliott, Feay, Feeley, Felt, Fenn, Flugum, Fox, Geneva, Greenwood, Grier, Hackler, Hambleton, Hanna, Hanson, Harding, Harvey, Heles, Holmes, Hume, Inman, Jewell, Jones, Kelley, Kellogg, Kendall, Lee, Lister, Lowrey, McAllister, McDonald, McElrath, Maben, Mann, Marston, Mason, Mercer, Meredith, Miller of Dubuque, Moore, Morris, Nix, Offill, Paul, Pierce, Price, Reaney, Reitz, Ritter, Schoenenberger, Schroeder, Shaffer, Sheldon, Sidey, Smith, Sparks, Stewart, Stillman, Stoltenberg, Sullivan, Swan, Swift, Teter, Van Houten, Webster, Weeks, Welden, White, Wilson, Wolfe, Youde—98.

The nays were :

Balluff, Kull, Miller of Bremer, Schulte, Springer—5.

Absent or not voting :

Calkins, Koontz, Mr. Speaker—3.

So the House concurs.

On motion of Anderson of Hamilton the House adjourned until 2 o'clock this afternoon.

#### AFTERNOON SESSION.

House met pursuant to adjournment.

Speaker pro tem. Hambleton in the chair.

#### CONSIDERATION OF BILLS.

Unanimous consent having been given, on motion of Jones of Montgomery, Senate File No. 3, a bill for an act providing for the publication and distribution of the acts and Journals of the extraordinary session of the Thirty-second General Assembly, was taken up for consideration and read first and second time.

Mr. Jones moved that the rule be suspended, 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:

Allred, Anderson, Arney, Baird, Bascom, Bauman, Beery, Bixby, Blackmore, Bonwell, Brandes, Calkins, Cassady, Clarke, Clary, Conn, Corrie, Cottrell, Darrah, DeMar, Dewell, Dodds, Doran, Dow, Drury, Dunn, Dye of Decatur, Dye of Pottawattamie, Elliott, Feay, Felt, Fenn, Fox, Greenwood, Grier, Hambleton, Hanna, Hanson, Harding, Harvey, Heles, Holmes, Hume, Inman, Jewell, Jones, Kelley, Kellogg, Kendall, Kull, Lee, Lister, Lowrey, McDonald, McElrath, Maben, Mann, Marston, Mason, Mercer, Meredith, Miller of Bremer, Miller of Dubuque, Moore, Morris, Nix, Offill, Paul, Pierce, Price, Reaney, Reitz, Ritter, Schoenenberger, Schroeder, Schulte, Shaffer, Sheldon, Sidey, Smith, Sparks, Stewart, Stillman, Swan, Swift, Teter, Van Houten, Webster, Weeks, Welden, White, Wilson, Youde—93.

The nays were:

McAllister—1.

Absent or not voting:

Balluff, Earle, Feely, Flugum, Geneva, Hackler, Harvey, Koontz, Springer, Stoltenberg, Sullivan, Wolfe, Mr. Speaker—13.

So the bill passed and the title was agreed to.

#### INTRODUCTION OF BILLS.

By Hackler of Webster, House File No. 5, a bill for an act to make appropriations for the payment of the compensation of members of the Thirty-second General Assembly at extra session, and other expenses.



## HOUSE FILE NO. 5.

A BILL for an Act to Make Appropriations for the Payment of the Compensation of Members of the Thirty-second General Assembly at Extra Session, and Other Expenses.

*Be It Enacted by the General Assembly of the State of Iowa:*

SECTION 1. That the Auditor of State is hereby authorized and directed to issue warrants upon the Treasurer for the payment of the members of the extra session of the Thirty-second General Assembly upon the certificates of the presiding officers of each house, as now provided by law whenever the said General Assembly shall adjourn to meet at a future day; and that the warrants thus received shall be in full payment for all services of the members of the General Assembly at such extra session, and no compensation or mileage shall be allowed to the members of the General Assembly for assembling again at the date to which the said extra session shall adjourn.

SEC. 2. For expenses incurred in connection with the holding of memorial exercises by the General Assembly in memory of the late Senator William B. Allison, the sum of sixty-seven (\$67.00) dollars, and said sum is hereby appropriated from the funds in the state treasury not otherwise expended, said sum to be paid and distributed as follows:

J. F. Wilcox, for flowers.....	\$25.00
A. L. Frisbie, for services as chaplain.....	5.00
Alfred G. Lozier, for floral decoration.....	17.00
George Feige, manager Hylo Quartet.....	20.00

SEC. 3. This act, being deemed of immediate importance, shall take effect and be in force from and after the date of its publication in the Register and Leader and Des Moines Capital, newspapers published in Des Moines, Iowa.

Read first and second time.

## CONSIDERATION OF BILLS.

Unanimous consent being given, on motion by Hackler of Webster, House File No. 5, a bill for an act to make appropriations for the payment of the compensation of members of the Thirty-second General Assembly at extra session, and other expenses, was taken up and considered.

Mr. Hackler moved that the rule be suspended, 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:**

Allred, Anderson, Arney, Bascom, Bauman, Beery, Bixby, Blackmore, Brandes, Calkins, Cassady, Clary, Conn, Corrie, Darrah, Dewell, Doran, Dow, Drury, Dunn, Dye of Decatur, Dye of Pottawattamie, Earle, Elliott, Feay, Feely, Felt, Fenn, Flugum, Fox, Geneva, Greenwood, Grier, Hackler, Hambleton, Hanna, Hanson, Harding, Harvey, Heles, Holmes, Hume, Inman, Jewell, Jones, Kelley, Kellogg, Kendall, Kull, Lee, Lister, Lowrey, McAllister, McElrath, Maben, Mann, Marston, Mason, Mercer, Meredith, Miller of Bremer, Miller of Dubuque, Moore, Morris, Nix, Offill, Paul, Reaney, Ritter, Schroeder, Shaffer, Sheldon, Sidey, Smith, Sparks, Stoltenberg, Swan, Teter, Van Houten, Webster, Weeks, Welden, White, Wilson, Wolfe, Youde—87.

**The nays were:**

DeMar, Dodds, Pierce, Price, Schoenenberger, Schulte, Springer, Stewart, Swift—9.

**Absent or not voting:**

Baird, Balluff, Bonwell, Clarke, Cottrell, Koontz, McDonald, Reitz, Stillman, Sullivan, Mr. Speaker—11.

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 amended and passed the following bill in which the concurrence of the Senate was asked:

House File No. 5, a bill for an act making appropriation for the payment of the compensation of members of the Thirty-second General Assembly at extra session.

**GEO. A. NEWMAN,**  
*Secretary.*

**CONSIDERATION OF BILLS.**

Unanimous consent having been given, on motion of Hackler of Webster, House File No. 5, a bill for an act to make appropriations for the payment of the compensation of members of the Thirty-

second General Assembly at extra session, and other expenses, with Senate amendments, was taken up and considered.

Mr. Hackler moved that the House concur in the Senate amendments.

On the question, "Shall the House concur?"

The yeas were:

Allred, Bascom, Bauman, Beery, Bixby, Blackmore, Bonwell, Brandes, Cassady, Clarke, Clary, Conn, Corrie, Cottrell, Darrah, Dewell, Doran, Dow, Drury, Dunn, Dye of Decatur, Dye of Pottawattamie, Earle, Feay, Feely, Felt, Fenn, Flugum, Fox, Geneva, Greenwood, Hackler, Hambleton, Hanna, Hanson, Harding, Harvey, Holmes, Hume, Inman, Jewell, Jones, Kelley, Kellogg, Lee, Lister, Lowrey, McAllister, McDonald, McElrath, Maben, Meredith, Miller of Bremer, Moore, Morris, Nix, Ofill, Paul, Price, Reaney, Schoenenberger, Schroeder, Shaffer, Sheldon, Sidey, Sparks, Stewart, Stillman, Stoltenberg, Swan, Swift, Teter, Van Houten, Webster, Weeks, White, Wilson, Youde—78.

The nays were:

DeMar, Heles, Kendall, Kull, Miller of Dubuque, Schulte, Springer, Wolfe—8.

Absent or not voting:

Anderson, Arney, Baird, Balluff, Calkins, Dodds, Elliott, Grier, Koontz, McDonald, Marston, Mason, Mercer, Pierce, Reitz, Ritter, Smith, Sullivan, Mr. Speaker—19.

So the House concurs.

The time having arrived for special order for the consideration of Concurrent Resolution relative to adjournment, Sparks of Wapello moved to amend Concurrent Resolution by striking out the words "three p. m." and to insert in lieu thereof the words "five p. m."

Amendment lost.

Teter of Marion presented the following amendment to the Concurrent Resolution and moved that the rules be suspended and the resolution considered now :

*Be it Resolved by the House, the Senate concurring,* That this General Assembly do adjourn on Thursday, September 10, 1908, at 5 p. m., to meet again in session at 10 o'clock a. m. on November 24th, 1908, for the purpose of selecting a United States Senator to fill the unexpired term of the late Hon. William B. Allison, which said term will expire on March 4, 1909.

On the question, "Shall the Concurrent Resolution be considered now?"

The yeas were :

Allred, Anderson, Arney, Baird, Balluff, Bascom, Bauman, Beery, Bixby, Blackmore, Bonwell, Brandes, Calkins, Cassady, Clarke, Clary, Conn, Corrie, Cottrell, Darrah, DeMar, Dewell, Doran, Dow, Drury, Dunn, Dye of Decatur, Dye of Pottawattamie, Earle, Elliott, Feay, Feely, Felt, Fenn, Flugum, Fox, Geneva, Greenwood, Grier, Hackler, Hambleton, Hanna, Hanson, Harding, Harvey, Heles, Holmes, Hume, Inman, Jewell, Jones, Kelley, Kellogg, Kendall, Koontz, Kull, Lee, Lister, Lowrey, McDonald, McElrath, Maben, Mann, Marston, Mason, Mercer, Meredith, Miller of Bremer, Miller of Dubuque, Moore, Morris, Nix, Ofill, Paul, Pierce, Price, Reaney, Reitz, Ritter, Schoenenberger, Schroeder, Schulte, Shaffer, Sheldon, Sidey, Smith, Sparks, Springer, Stewart, Stillman, Stoltenberg, Swan, Swift, Teter, Van Houten, Webster, Weeks, Welden, White, Wilson, Wolfe, Youde—103.

The nays were :

None.

Absent or not voting :

Dodds, Sullivan, Mr. Speaker—3.

Motion prevailed.

Teter of Marion moved that the amendment be adopted.

On the question, "Shall the amendment be adopted?"

The yeas were:

Allred, Anderson, Arney, Bascom, Beery, Bixby, Blackmore, Bonwell, Brandes, Cassady, Conn, Corrie, Darrah, Dewell, Doran, Dow, Drury, Dunn, Dye of Decatur, Dye of Pottawattamie, Elliott, Feely, Felt, Fenn, Flugum, Fox, Greenwood, Grier, Hackler, Hambleton, Hanna, Hanson, Harding, Harvey, Holmes, Hume, Inman, Jewell, Jones, Kelley, Kellogg, Lee, Lister, Lowrey, McAllister, McElrath, Maben, Mann, Mason, Mercer, Meredith, Moore, Morris, Nix, Offill, Paul, Reaney, Shaffer, Sheldon, Stillman, Stoltenberg, Sullivan, Swan, Teter, Webster, Welden, Wilson, Youde—68.

The nays were:

Baird, Balluff, Bauman, Clarke, Clary, Cottrell, DeMar, Dodds, Earle, Feay, Geneva, Heles, Kellogg, Kendall, Koontz, Kull, McDonald, Marston, Miller of Bremer, Miller of Dubuque, Pierce, Price, Reitz, Ritter, Schoenenberger, Schroeder, Schulte, Sidey, Sparks, Springer, Stewart, Swift, Weeks, Wolfe—33.

Absent or not voting:

Calkins, Van Houten, White, Mr. Speaker—4.

Motion prevailed and amendment adopted.

Roll call demanded by DeMar of Davis and Swift of Shelby.

On the question, "Shall the Concurrent Resolution as amended be adopted?"

The yeas were:

Allred, Anderson, Arney, Bascom, Beery, Bixby, Blackmore, Bonwell, Brandes, Cassady, Conn, Corrie, Darrah, Dewell, Doran, Dow, Drury, Dunn, Dye of Decatur, Dye of Pottawattamie, Elliott, Feely, Fenn, Fox, Greenwood, Grier, Hackler, Hambleton, Hanna, Hanson, Harding, Harvey, Hume, Inman, Jewell, Jones, Kelley, Kellogg, Lee, Lister, Lowrey, McAllister, McElrath, Maben, Mann, Mason, Mercer, Meredith, Moore, Morris, Nix, Offill, Paul, Reaney, Shaffer, Sheldon, Smith, Stillman, Stoltenberg, Sullivan, Swan, Teter, Webster, Welden, White, Wilson, Youde—67.

The nays were:

Baird, Baluff, Bauman, Calkins, Clarke, Clary, Cottrell, DeMar, Dodds, Earle, Feay, Felt, Geneva, Heles, Kendall, Koontz, Kull, McDonald, Marston, Miller of Bremer, Miller of Dubuque, Pierce, Price, Reitz, Ritter, Schoenenberger, Schroeder, Schulte, Sidey, Sparks, Springer, Stewart, Swift, Van Houten, Weeks, Wolfe—36.

Absent or not voting:

Flugum, Holmes, Mr. Speaker—3.

So the Concurrent Resolution as amended was adopted.

#### EXPLANATIONS OF VOTES.

MR. SPEAKER: In explanation of my vote on substitute for pending resolution to adjourn to November 24, I desire to say that I vote "aye" for the reason that there is a failure to elect a United States Senator on account of the deadlock and unless an election is made by this General Assembly before December, 1908, the office of Senator in Congress would be vacant until late in January, 1909, and the State would not be represented during the interim, and being assured there will be no expense to the State to meet in adjourned session to elect to fill said vacancy, I favor the same.

N. J. LEE.

MR. SPEAKER: I voted "no" on the resolution to take a recess until November because I am in favor of adjourning now without delay.

CLYDE SPARKS.

I have been anxious for adjournment sine die at the earliest possible moment, but not for a recess to November.

THOMAS GENEVA.

#### 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 concurrent resolution in which the concurrence of the Senate was asked:

Relative to adjournment Thursday, September 10, 1908, at 5 p. m., to November 24 at 10 a. m., 1908.

GEO. A. NEWMAN,  
*Secretary of Senate.*

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 the printing and binding of the remarks of the members made at the Allison memorial services.

GEO. A. NEWMAN,  
*Secretary of Senate.*

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. 4, a bill for an act appropriating the sum of sixty-seven dollars to cover the expense of the memorial services incurred by the General Assembly in holding exercises in honor of the late Senator Allison.

GEO. A. NEWMAN,  
*Secretary.*

#### CONSIDERATION OF BILLS.

Unanimous consent having been given, on motion of Hackler of Webster, Senate File No. 5, a bill for an act to appropriate the sum of Sixty-seven Dollars (\$67.00) to cover expense incurred by the General Assembly in holding exercises in memory of the late Senator Allison, was taken up for consideration, read first and second time.

Mr. Hackler moved that the rule be suspended, 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:

Allred, Bascom, Bauman, Beery, Bixby, Blackmore, Bonwell, Brandes, Calkins, Clarke, Clary, Conn, Corrie, Cottrell, Darrah, DeMar, Dewell, Dodds, Doran, Dow, Drury, Dunn, Dye of Decatur, Dye of Pottawattamie, Earle, Feay, Feely, Felt, Fenn, Flugum, Fox, Geneva, Greenwood, Hackler, Hambleton, Hanna, Hanson, Harding, Harvey, Heles, Holmes, Hume, Inman, Jewell, Jones,

Kelley, Kellogg, Kendall, Kull, Lee, Lister, Lowrey, McAllister, McElrath, Maben, Mann, Marston, Mason, Mercer, Meredith, Miller of Bremer, Miller of Dubuque, Moore, Morris, Nix, Ofill, Paul, Price, Reaney, Reitz, Ritter, Schoenenberger, Schroeder, Schulte, Shaffer, Sheldon, Sidey, Smith, Sparks, Stewart, Stillman, Swan, Swift, Teter, Van Houten, Webster, Weeks, White, Wilson, Youde—78.

The nays were:

None.

Absent or not voting:

Anderson, Arney, Baird, Balluff, Elliott, Grier, Koontz, McDonald, Pierce, Springer, Stoltenberg, Sullivan, Welden, Mr. Speaker—14.

So the bill passed and the title was agreed to.

#### REPORT OF COMMITTEE ON ENROLLED BILLS.

Stillman of Greene, 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 to amend the law as it appears in Chapter Fifty-one (51) of the Acts of the Thirty-second General Assembly, relating to the holding of party primary elections for the expression of choice of candidates for Senator in the Congress of the United States.

PAUL E. STILLMAN,  
*Chairman.*

Adopted.

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. 1, a bill for an act to amend the law as it appears in Chapter Fifty-one (51) of the Acts of the Thirty-second General Assembly, relating to the holding of party primary elections for the expression of choice of candidates for Senator in the Congress of the United States.

PAUL E. STILLMAN,  
*Chairman.*

Adopted.



Also:

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 make appropriations for the payment of the compensation of members of the Thirty-second General Assembly at extra session.

PAUL E. STILLMAN,  
*Chairman.*

Adopted.

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. 5, a bill for an act to make appropriations for the payment of the compensation of members of the Thirty-second General Assembly at extra session.

PAUL E. STILLMAN,  
*Chairman.*

Adopted.

REPORT OF JOINT COMMITTEE ON ENROLLED BILLS.

Stillman of Greene, 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 to amend the law as it appears in Chapter Fifty-one (51) of the Acts of the Thirty-second General Assembly relating to the holding of party primary elections for the expression of choice of candidates for Senator in the Congress of the United States.

PAUL E. STILLMAN,  
*Chairman House Committee.*

W. B. SEELEY,  
*Chairman Senate Committee.*

Adopted.

Also:

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 make appropriations for the payment of the compensation of members of the Thirty-second General Assembly at extra session.

PAUL E. STILLMAN,  
*Chairman House Committee.*

W. B. SEELEY,  
*Chairman Senate Committee.*

Adopted.

The Speaker announced that as Speaker of the House in the presence of the House he had signed House Files Nos. 1 and 5 and Senate Files Nos. 3 and 4.

Swift of Shelby moved that the Chief Clerk be authorized to correct the House Journal of today's proceedings, and that he be instructed to direct the Secretary of State to mail copies thereof to the House members.

Motion prevailed.

The Speaker declared the House adjourned until 10 o'clock A. M., November 24, 1908.

## JOURNAL OF THE HOUSE

HALL OF THE HOUSE OF REPRESENTATIVES,  
DES MOINES, IOWA, NOVEMBER 24, A. D. 1908.

Pursuant to adjournment of the Thirty-second General Assembly in extra session, the House of Representatives convened at 10 o'clock a. m. Tuesday, November 24, A. D. 1908.

The House was called to order by Speaker N. E. Kendall.

Prayer offered by the Rev. C. S. Medbury of Des Moines, Iowa.

### LEAVE OF ABSENCE GRANTED.

On request of Swift of Shelby, Baird of Iowa, was excused.

On request of McAllister of Linn, Greenwood of Mills was excused.

The roll call disclosed the following members present:

Allred, Anderson, Arney, Baird, Balluff, Bascom, Bauman, Beery, Bixby, Blackmore, Bonwell, Brandes, Calkins, Cassady, Conn. Corrie, Darrah, DeMar, Dewell, Doran, Dow, Drury, Dunn, Dye of Decatur, Dye of Pottawattamie, Elliott, Feely, Felt, Fenn, Flugum, Fox, Geneva, Grier, Hackler, Hambleton, Hanna, Hanson, Harding, Harvey, Heles, Holmes, Hume, Inman, Jewell, Jones, Kelley, Kellogg, Kendall, Koontz, Lee, Lister, Lowrey, McAllister, McDonald, McElrath, Maben, Mann, Marston, Mercer, Meredith, Miller of Bremer, Miller of Dubuque, Moore, Morris, Nix, Offil, Paul, Pierce, Price, Reaney, Reitz, Ritter, Schoenberger, Schroeder, Shaffer, Sheldon, Sidey, Smith, Springer, Stewart, Stillman, Stoltenberg, Sullivan, Swan, Swift, Teter, Van Houten, Webster, Weeks, Welden, White, Wilson, Wolfe, Youde, Mr. Speaker.—95.

## 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 following Concurrent Resolution, in which the concurrence of the House is asked:

Relative to the appointment of a Joint Committee on Inauguration, and the President of the Senate names as committee on the part of the Senate Senators Dowell, Newberry, Dunham, Turner and Jamieson of Page.

GEO. A. NEWMAN,  
*Secretary.*

Sullivan of Polk moved that the House concur in Senate Concurrent Resolution.

Motion prevailed, so the House concurs.

The speaker named as such committee on part of the House. Sullivan of Polk, Hackler of Webster, Hanson of Humboldt, Harding of Woodbury, McDonald of Carroll.

Sullivan of Polk presented the following Concurrent Resolution:

*Be it Resolved by the House, the Senate concurring,* That the use of the basement and corridors of the Capitol building be extended to the National Creamery Buttermakers Association for the purpose of exhibiting their produce and machinery, said use to extend for a period of one week, either the last week in February or the first week in March, 1909; all spacing and installation of machinery to be done under the direction of the custodian.

Van Houten of Taylor moved that the Concurrent Resolution be considered at this time.

Motion prevailed.

Sullivan of Polk moved that the Concurrent Resolution be adopted.

Motion prevailed and Concurrent Resolution was adopted.

On motion of Van Houten of Taylor, the House took a recess until 11:50 o'clock this morning.

House reconvened.

Speaker Kendall in the chair.

Speaker appointed Shaffer of Fayette and Inman of Floyd as a committee to conduct Governor and Mrs. Larrabee to the platform.

The following certificate of Secretary of State, relative to the Votes cast for Senator in the Congress of the United States, at the Republican Primary election, held November 3, 1908, was received and placed on file:

OFFICE OF SECRETARY OF STATE,

CERTIFICATE.

*To the Thirty-second General Assembly:*

I, W. C. Hayward, Secretary of State of the State of Iowa, in compliance with sub-division "G" of section one (1) of an act to amend the law as it appears in chapter fifty-one (51) of the acts of the Thirty-second General Assembly, do hereby certify that at the primary election held on November 3, 1908, for the expression of choice of republican candidates for Senator in the Congress of the United States, there were cast, as shown by certificate on file in my office, executed by the Executive Council of the State of Iowa, as a Board of Canvassers, 235,046 votes of which number:

Albert B. Cummins received 138,840 votes.

John F. Lacey received 96,193 votes.

Scattering, 13 votes.

Therefore it is declared that Albert B. Cummins was duly nominated as the candidate of the republican party of Iowa for the office of Senator in the Congress of the United States.

In testimony whereof, I have hereunto set my hand and affixed the seal of the Secretary of State of the State of Iowa.

Done at Des Moines, the capital of the State, this 23d day of November, A. D. 1908.

[SEAL]

W. C. HAYWARD,  
*Secretary of State.*

Sullivan of Polk presented the following report from the Joint Committee on the Inauguration of Governor Warren Garst:

*To the President of the Senate and Speaker of the House of Representatives:*

The undersigned, your Committee on Inauguration, beg leave to submit the following report:

We recommend that the Inauguration of the Governor be held in the Chamber of the House of Representatives on Tuesday afternoon, November 24th, at 3:00 o'clock, and submit the following program:

- Prayer .....Dr. A. Frisbie, Des Moines, Iowa
- Solo .....Mabel Wagner-Shank
- Administration of oath of office to Governor Warren Garst by.....
- .....Chief Justice Scott M. Ladd
- Inauguration Address.....Governor Warren Garst
- Solo .....Mabel Wagner-Shank

We recommend that the galleries of the House be opened to the public.

**PUBLIC RECEPTION.**

The Thirty-second General Assembly of the State of Iowa, extends a cordial invitation to the people of the State to attend the public reception to be tendered to Governor Warren Garst by the members of the Assembly at the State Capitol on Tuesday evening November 24, 1908, from 8:00 to 11:00 o'clock.

C. C. DOWELL,  
 BYRON W. NEWBERRY,  
 D. W. TURNER,  
 GEO. W. DUNHAM,  
 W. D. JAMIESON,  
*On part of the Senate.*

JOHN B. SULLIVAN,  
 CHARLES W. HACKLER,  
 W. L. HARDING,  
 T. O. HANSON,  
 EDWARD McDONALD,  
*On part of the House.*

Report adopted.

Meredith of Cass moved that a committee of three be named to notify the Senate that the House is ready to receive it.

Motion prevailed.

The speaker named as such committee: Meredith of Cass, Dye of Pottawattamie, Koontz of Johnson.

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 Senate was asked:

Relative to the use of the basement and corridors of the Capitol building for exhibition purposes by the National Creamery Buttermakers Association.

GEO. A. NEWMAN,  
*Secretary.*

Meredith of Cass from the committee appointed to notify the Senate reported that the committee had so acted.

Sergeant at Arms announced the arrival of the President and members of the Senate who took places on the west side of the House Chamber.

JOINT CONVENTION.

Joint Convention was called to order by Lieutenant Governor Garst, President of the Joint Convention, at 12 o'clock noon.

The roll call disclosed the following members present:

Allen, Allred, Anderson, Arney, Balluff, Bascom, Bauman, Beery, Bixby, Blackmore, Bleakly, Bonwell, Brandes, Bruce, Burgess, Calkins, Cassady, Clark of Poweshiek, Conn, Corrie, Darrah, DeArmond, DeMar, Dewell, DeWolf, Doran, Dow, Dowell, Drury, Dunn, Dunham, Dye of Decatur, Dye of Pottawattamie, Eckles, Elerick, Elliot, Ericson, Feely, Felt, Fenn, Flugum, Folcy, Fox, Frudden, Gale, Geneva, Gilliland, Grier, Hackler, Hambleton, Hanna, Hanson, Harding, Harvey, Heles, Holmes, Hopkins, Hughes, Hume, Inman, Jackson, Jamison of Clarke, Jamieson of Page, Jewell, Jones of Montgomery, Kelley, Kellogg, Kendall, Kimmel, Kinne, Koontz, Lambert, Lee, Lister, Lowrey, McAllister, McDonald, McElrath, McKlveen, McManus, Maben, Mann, Marston, Mattes, Maytag, Mercer, Meredith, Miller of Bremer, Miller of Dubuque, Moon, Moore, Morris, Newberry.

Nichols, Nix, Offil, Paul, Peterson, Pierce, Price, Reaney, Reitz, Ritter, Saunders, Schoenenberger, Schoeder, Seeley, Shaffer, Sheldon, Sidey, Smith of Mitchell, Smith of Wright, Springer, Stewart, Stillman, Stirton, Stoltenberg, Stookey, Stuckslager, Sullivan, Swan, Swift, Taylor, Teter, Turner, Van Houten, Wade, Warren, Webster, Weeks, Welden, Whipple, Whiting, White, Wilson of Tama, Wilson of Fayette, Wilson of Clinton, Wolfe, Youde, Young, Mr. Speaker—143.

President Garst declared a quorum of members present. The Joint Convention then proceeded to ballot for the election of Senator in the Congress of the United States to fill the unexpired term ending March 4, 1909.

Those voting for Albert B. Cummins were:

Allen, Allred, Anderson, Arney, Bascom, Beery, Bixby, Blackmore, Bleakly, Bonwell, Brandes, Bruce, Burgess, Cassady, Clark, of Poweshiek, Conn, Corrie, Darrah, Dewell, Doran, Dow, Dowell, Drury, Dunn, Dunham, Dye of Decatur, Dye of Pottawattamie, Eckles, Elerick, Elliott, Erickson, Feely, Felt, Fenn, Flugum, Fox, Gale, Gilliland, Grier, Hackler, Hambleton, Hanna, Hanson, Harding, Harvey, Holmes, Hopkins, Hughes, Hume, Inman, Jackson, Jamison of Clarke, Jewell, Jones of Montgomery, Kelley, Kellogg, Kimmel, Kinne, Lee, Lister, Lowrey, McAllister, McElrath, McKlveen, Maben, Mann, Marston, Mattes, Maytag, Mercer, Meredith, Moore, Morris, Newberry, Nichols, Nix, Offil, Paul, Peterson, Reaney, Saunders, Seeley, Shaffer, Sheldon, Smith of Mitchell, Smith of Wright, Stillman, Stoltenberg, Stookey, Stuckslager, Sullivan, Swan, Teter, Turner, Van Houten, Warren, Webster, Weeks, Welden, Whipple, White, Wilson of Tama, Wilson of Fayette, Youde, Young, Mr. Speaker—107.

Those voting for Claude R. Porter were:

Balluff, Bauman, Calkins, DeArmand, DeMar, DeWolf, Foley, Frudden, Geneva, Heles, Jamieson of Page, Kendall, Koontz, Lambert, McDonald, McManus, Miller of Bremer, Miller of Dubuque, Moon, Pierce, Price, Reitz, Ritter, Schoenenberger, Schroeder, Sidey, Springer, Stewart, Stirton, Swift, Taylor, Wade, Whiting, Wilson of Clinton, Wolfe.—35.



## Absent or not voting:

Baird, Clary, Clarke of Jefferson, Cottrell, Dodds, Earle, Feay, Greenwood, Jones of Mahaska, Mason, Schulte, Smith of Des Moines, Sparks—13.

President Garst declared that Albert B. Cummins, having received a majority of all votes cast, elected Senator in the Congress of the United States to fill the unexpired term ending March 4, 1909.

The following certificate of election of Albert B. Cummins as Senator in the Congress of the United States to fill the unexpired term ending March 4, 1909, was signed in the presence of the Joint Convention.

## CERTIFICATE.

Des Moines, Iowa, November 24, 1908.

This is to certify that at a meeting of the two Houses of the General Assembly of the State of Iowa in joint assembly, held on Wednesday, the 9th day of September, 1908, at noon, a majority of all the members being present, it was found, upon examination of the journals of the Houses that upon the day before, the same being the second Tuesday after the meeting and organization of the General Assembly convened in extra session, the Senate had by roll call of the members present, constituting a majority of the Senate, voted upon the election of a Senator in Congress to fill the vacancy caused by the death of William B. Allison, and for the unexpired term of the said William B. Allison, with the following result, to-wit:

Total number of votes cast—49, of which

Albert B. Cummins received.....	21
Claude R. Porter received.....	14
Walter I. Smith received.....	4
Joseph R. Lane received.....	4
Frank D. Jackson received.....	3
William Larrabee received.....	1
George D. Perkins received.....	1
Warren Garst received.....	1

It is further certified that at a meeting of the two Houses of the General Assembly of the State of Iowa in joint assembly held on Wednesday, the 9th day of September, 1908, at noon, a majority of all the members being present, it was found, upon examination of the Journals of the Houses that upon the day before, the same being the second Tuesday

after the meeting and organization of the General Assembly convened in extra session, the House of Representatives had by roll call of the members present, constituting a majority of the House of Representatives, voted upon the election of a Senator in Congress to fill the vacancy caused by the death of William B. Allison, and for the unexpired term of the said William B. Allison, with the result following, to-wit:

Total number of votes cast—103; of which

Albert B. Cummins received.....	43
Claude R. Porter received.....	31
Walter I. Smith received.....	12
A. B. Funk received.....	5
John F. Lacey received.....	2
W. P. Hepburn received.....	2
George W. Clarke received.....	1
G. N. Haugen received.....	1
Albert F. Dawson received.....	1
James H. Trewin received.....	1
George D. Perkins received.....	1
Joseph R. Lane received.....	1
William Larrabee received.....	1
A. J. Baker received.....	1

It appearing that no person had received a majority of the votes cast in said Senate and House, voting separately, the said joint assembly proceeded to the election of a Senator in Congress for said unexpired term. Upon roll call of the said General Assembly so sitting in joint assembly, the result was as follows, to-wit:

Total number of votes cast—153, of which

Albert B. Cummins received.....	66
Claude R. Porter received.....	46
Walter I. Smith received.....	20
A. B. Funk received.....	4
Joseph R. Lane received.....	3
John F. Lacey received.....	3
Warren Garst received.....	2
George W. Clarke received.....	2
George M. Curtis received.....	2
Walliam Larrabee received.....	2
F. D. Jackson received.....	1
A. J. Baker received.....	1
W. P. Hepburn received.....	1

Whereupon the said joint assembly adjourned to meet on the following day as provided by law.

This is to further certify that upon the tenth day of September, 1908, at noon, the said joint assembly reconvened, and another vote by roll call was had upon the election of a Senator in Congress for said unexpired term, with the following result, to-wit:

Total number of votes cast—154, of which

Albert B. Cummins received.....	65
Claude R. Porter received.....	46
Walter I. Smith received.....	16
George W. Clarke received.....	8
Warren Garst received.....	4
George M. Curtis received.....	2
James H. Trewin received.....	2
William Larrabee received.....	2
John F. Lacey received.....	3
F. D. Jackson received.....	2
A. B. Funk received.....	2
A. J. Baker received.....	1
Joseph R. Lane received.....	1

Whereupon the said joint assembly dissolved.

This is to further certify that the said General Assembly of the State of Iowa, having adjourned on the 10th day of September, 1908, to meet on the 24th day of November, 1908, at 10 o'clock, a. m. the said joint assembly reconvened at noon on the said 24th day of November, and pursuant to law again voted by roll call of the members present upon the election of Senator in Congress for said unexpired term, with the following result, to-wit:

Total number of votes cast—142, of which

Albert B. Cummins received.....	107
Claude R. Porter received.....	35

Whereupon, it appearing that in said joint assembly the said Albert B. Cummins received a majority of all the votes cast, a majority of the said General Assembly being present and voting, the said joint assembly formally declared said Albert B. Cummins, of Des Moines, Polk county, Iowa, duly elected Senator to represent the State of Iowa in the Congress of the United States for the unexpired term to which William B. Allison was elected, ending on the 4th day of March, A. D. 1909.

WARREN GARST,

*President of Senate and Joint Assembly.*

N. E. KENDALL,

*Speaker of the House.*

GEO. A. NEWMAN,

*Secretary of Senate.*

C. R. BENEDICT,

*Clerk of House of Representatives.*

Hambleton of Mahaska moved that a committee of five be named to notify Governor Albert B. Cummins of his election as Senator in the Congress of the United States and to conduct him to the Speaker's station.

President Garst named as such committee: Hambleton of Mahaska, Dowell of Polk, Smith of Mitchell, Marston of Cerro Gordo, Springer of Buchanan.

The committee returned and escorted the Senator to the Speaker's station.

Senator Cummins then delivered the following address:

*Mr. President, Mr. Speaker, and Gentlemen of the Thirty-second General Assembly:*

I deeply appreciate the honor you have conferred upon me. I am grateful to the voters of the republican party who nominated me for Senator in the Congress of the United States, and I am grateful to the republican members of the General Assembly who have, with unanimity, elected me to that high office. Speaking to that host of loyal, steadfast friends, both within and without this body, who have for so many years strengthened and sustained me, I have sought in vain some formula of words that would express the profound emotions of a heart that is overflowing with the memories of unparalleled devotion. To thank you adequately or sufficiently is utterly impossible; and I must content myself with the expression of the hope that I may be able, in the days to come, to vindicate, in some small measure, the generous confidence which you have so lavishly bestowed upon me. To you who are before me, and to them who are beyond the sound of my voice, I pledge all the strength I have in the effort to be worthy of the trust you have been willing to give into my keeping.

Speaking to those republicans, here and elsewhere, who have preferred some other candidate for Senator, I am sure you will believe me when I say that there is no tinge of ill will in my mind by reason of this natural, and, indeed necessary difference of opinion. A manly fighter leaves no wounds upon me that do not quickly heal, and no scars that do not speedily disappear. You have known me long enough and well enough to be sure that while I have loved victory, I have accepted defeat without bitterness, and that my life has never been shadowed with malice or revenge. To you, also, I have a pledge to make. I sincerely covet your approval of my work in the new field I am about to enter, and if, by diligent study of public questions, and a faithful attempt to perform my full duty, I can win it, I intend to have it. Furthermore, whatsoever I can do to commit to oblivion the acrimony of past campaigns, and to exclude it from all future campaigns, that I intend to do.

This somewhat personal phase of the occasion would not be complete without a word to the men of the democratic party with whom I have been associated in public affairs. I cannot leave the office I have held for nearly seven years without thanking them most heartily for their unvarying kindness to me, and for their patriotic and efficient assistance in the legislation that has been adopted in this period of stress and storm. To them, with like pleasure, I record a promise which shall be sacredly kept. I will hold the welfare of my country and my state high above every other consideration, and will follow truth and justice, as they appear to me, wherever they may lead the way.

The suggestion just made moves me to a further reflection upon party allegiance and fidelity. I am a party man; and in so declaring I do not disparage the unattached reformer. He may be of great value. He may be, often is, capable of high service to his fellow men. He may, and often does stir the conscience, arouse activity and purify ideals. But to create, to construct, to substitute honest and efficient civic regulation, for unjust or ineffective laws, require co-operation, not spasmodic or intermittent, but fairly permanent and reasonably continuous. Co-operation in affairs which pertain to the government means political organization, and political organization is a synonym for political parties. They are, therefore, the necessary instruments of government, and he who desires to accomplish anything must act and ally himself with that party which, taken altogether, will give to his country the wisest laws and the most abundant and enduring moral and material prosperity.

As you all know, I am, in political faith, a republican. I believe in the essential principles of that party; and I shall do my utmost to carry them into effect, for thus, and thus only, as I view my duty, can I promote the welfare of all the people. I beg to illustrate my meaning. I am deeply convinced of the justice and wisdom of the economic system which imposes protective duties upon imports, and with my voice and vote in the Senate of the United States, I shall do everything in my power to preserve it. To me, this established policy of the republican party means duties upon competitive products high enough to fully protect the American producer in his home market against the unfair rivalry of other countries, but upon the other hand, low enough to insure to the American consumer a fair American price. I am in absolute harmony with the definition announced in the most recent national republican platform. I stand, as you all know, for a revision of the tariff schedules; an honest revision, keeping the promise to the hope as well as to the ear; a revision tested by the standard declared in the platform; and what little influence I may have will be exerted to fulfill the pledge upon which the coming administration was entrusted with political power.

I recognize, however, that but comparatively few of the problems which confront Congress are partisan in their character, and upon all questions which lie above or beyond party lines I hold myself free to act according to my judgment of the public needs. Without in the slightest degree disparaging the wonderful work done in each decade of the century and a half which practically covers our national life, yielding to the men of

former times the extreme tribute that can be rendered to patriotic greatness, I think it may still be said that the decade immediately before us will be crowded with issues more vital, and with problems more perplexing, than any which have heretofore absorbed the energies of student or statesman. We are already far out upon a new and troubled sea, but we have not yet discerned clearly the port of rest and safety. We know that in the field of private industry, the corporation, which is but another term for combined wealth, skill, genius, power and experience, must be controlled, to the end, first, that it shall not dominate the government, and to the end, second, that it shall not destroy the force of healthy, reasonable competition, upon which alone those who deal with it must depend for protection from unjust exactions.

I am equally opposed to rash experiment and indifferent inaction. Step by step, carefully but resolutely taken, we must move forward. We cannot expect to see from the beginning every consequence that may follow change, and if we pause until all possibility of error be excluded, we will pause forever. You have a right to know what my general course will be upon this subject, and, reserving to myself the privilege of changing my mind whenever I am convinced that I have been wrong, I say to you that I will do what I can, first to prevent the overcapitalization of all corporations over which Congress has jurisdiction; second, to guarantee to every corporation, and individual as well, the right to use our transportation facilities upon the same terms, under substantially like conditions; third, to make more stringent still the laws which are directed against the attempt to establish a monopoly. I have long believed that eventually there must be a limitation upon the amount of capital which any corporation is permitted to employ, carefully graduated according to the business in which it is engaged. I thoroughly favor the enlargement of any enterprise so that the maximum of economy can be attained, but beyond that limit, the growth of a corporation becomes a distinct menace to the country, without any advantage to legitimate capital.

You have heard so frequently my opinions respecting the regulation of public corporations that it is not necessary for me to repeat them at this time. We must all unite in the effort to see that they are given a chance to earn a fair return upon the value of the property used to render the service required, but we must be equally diligent to see that they are not allowed to earn more. While the amount of the charge made by these companies, and especially the transportation companies, must be kept carefully in mind, it is still more important to give heed to the distribution of their charges. We have already made giant strides toward the abolition of discrimination for or against individual patrons, but the discrimination practiced for and against localities still continues with unabated injustice. I fear that the power conferred upon the Interstate Commerce Commission in this respect will not accomplish the purpose for which it was given, and it will be well to turn our thought in another direction. I believe it is possible to so amend the Interstate Commerce law as to change the burden of proof and investigation; or to phrase it differently, to make the Commission the judge of the exception, and not of the rule. I feel,

and have long felt, that our own state is, in an especial way, the object of unwarranted discrimination in interstate railway rates, and I go to my new work fully determined to remedy, if I can, the wrong under which we have so continuously suffered.

Among the many subjects which might appropriately claim my attention at this time, I shall mention but one other. The conservation of our natural resources will be prominent in the discussions of the future. They have been so abundant, and apparently so exhaustless, that we have consumed them without a thought that we were gradually impoverishing ourselves. We can already see the end of our lumber, our coal, and our iron. These are the basic materials of our growth and greatness. We cannot restore our coal and iron, but we can take measures to postpone the time at which our supply will be gone. Our forests, we can partially restore, and the government of the United States has no more sacred duty than to give back to the people, in some degree, the trees that it has squandered upon avaricious speculators. The strength of our soil must be preserved, and if he who tills it is not willing to so use it that it may go down to future generations still fruitful and productive, then the government must direct him in his energies. Our water powers must be developed, for thus only can the life of our coal deposits be lengthened.

I must not, however, detain you further. It seems to me that the years of the past, brilliant as they have been, were only periods of preparation for the present. We shall need all the virtue and all the strength that we can draw from our forefathers to equip us for the struggle which lies before us. I am wholly conscious of my inability to meet, as you would have me meet, the duties that are now confronting me. I can only again promise you that one motive, and one only, shall inspire me,—an abiding sense of the responsibility I undertake, and a whole-hearted desire to serve the people to whom I must account.

Speaker Kendall in the chair

Senator Saunders of Pottawattamie moved that the address of Senator Albert B. Cummins be printed in the Journal.

Motion prevailed.

On motion of Dow of Franklin the Joint Convention dissolved.

House reconvened.

Speaker Kendall in the chair.

On motion of Youde of O'Brien the House adjourned to 2:30 p. m.

## AFTERNOON SESSION.

House met pursuant to adjournment.

Speaker Kendall in the chair.

The resignation of Albert B. Cummins, as Governor, was received and placed on file.

EXECUTIVE OFFICE, DES MOINES, IOWA,  
November 24, 1908.

*To the Thirty-second General Assembly of the State of Iowa:*

Having been elected to the office of Senator from Iowa in the Congress of the United States, I hereby resign the office of Governor of the State of Iowa, my resignation to take effect immediately.

ALBERT B. CUMMINS.

## 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. 5, a bill for an act making an appropriation to defray the expenses of the Inaugural of Governor Warren Garst.

GEO. A. NEWMAN,  
*Secretary.*

## CONSIDERATION OF BILLS.

Unanimous consent having been given, on motion of Jones of Montgomery, Senate file No. 5, a bill for an act to make appropriation for the expenses of the inauguration of Governor Warren Garst and other expenses was taken up and considered, the bill was read first and second time.

Jones of Montgomery moved to amend Senate file No. 5, to wit:

That the title to the bill be amended by adding thereto the words "and for Chaplains of the Senate and House of the Thirty-second General Assembly in extra session," also add an "s" to the word appropriation.

That the following be added as section — of said bill and that Section 2 be renumbered Section 3.



Section 2. There is hereby appropriated out of any money in the state treasury not otherwise appropriated, the sum of One Hundred Dollars, or so much thereof as may be necessary, for Chaplains of the Senate and House of the Thirty-second General Assembly in extra session; warrants therefor to be drawn in favor of the persons entitled thereto, who shall be determined by the auditor of State upon the certified statement of the President of the Senate and Speaker of the House.

Amendment adopted.

Mr. Jones moved that the rule be suspended, 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:

Allred, Anderson, Bascom, Bauman, Beery, Bixby, Blackmore, Bonwell, Calkins, Cassady, Conn, Darrah, Dewell, Doran, Dow, Dunn, Dye of Decatur, Feely, Felt, Fenn, Flugum, Geneva, Grier Hambleton, Hanna, Hanson, Harding, Harvey, Holmes, Inman, Jewell, Jones, Kelley, Koontz, Lee Lister, Lowrey, McAllister, Maben, Mann, Marston, Mercer, Meredith, Morris, Offil, Reaney, Ritter, Schoenenberger, Schroeder, Shaffer, Smith, Springer, Stewart, Stillman, Sullivan, Swan, Teter, Van Houten, Weeks, Welden, White, Wilson, Wolfe, Youde, Mr. Speaker—65.

The nays were:

DeMar, Kendall, Miller of Dubuque, Pierce, Reitz—5.

Absent or not voting:

Arney, Baird, Balluff, Brandes, Clarke, Clary, Corrie, Cottrell, Dodds, Drury, Dye of Pottawattamie, Earle, Elliott, Feay, Fox, Greenwood, Hackler, Heles, Hume, Kellogg, Kull, McDonald, McElrath, Mason, Miller of Bremer, Moore, Nix, Paul, Price, Schulte, Sheldon, Sidey, Sparks, Stoltenberg, Swift, Webster.—36.

So the bill passed, and the title as amended was agreed to.

Weeks of Guthrie moved that a committee of three be named to notify the Senate that the House is ready to receive it.

Speaker named as such committee, Weeks of Guthrie, Dunn of Jackson, and Pierce of Buena Vista.

The committee returned and reported that it has performed its duty.

Sergeant at Arms announced the arrival of the members of the Senate who took seats on the west side of the House Chamber.

### JOINT CONVENTION.

President pro tem Smith called the Joint Convention to order.

The roll call disclosed the following members present:

Allen, Allred, Anderson, Arney, Bascom, Bauman, Beery, Bixby, Blackmore, Bleakly, Bonwell, Brandes, Burgess, Cassady, Clark of Poweshiek, Conn, Corrie, Darrah, DeArmond, DeMar, Dewell, DeWolf, Doran, Dow, Dowell, Drury, Dunn, Dunham, Dye of Decatur, Dye of Pottawattamie Eckles, Elerick, Elliott, Ericson Feely, Felt, Fenn, Flugum, Foley, Frudden, Geneva, Gilliland, Grier, Hackler, Hambleton, Hanna, Hanson, Harding, Harvey, Heles, Holmes, Hopkins, Hughes, Hume, Inman, Jackson, Jamison of Clarke, Jamieson of Page, Jewell, Jones of Montgomery, Kelley, Kendall, Kimmel, Kinne, Koontz, Lambert, Lee, Lister, Lowry, McAllister McDonald, McManus, Maben, Mann, Marston, Mason, Mattes, Maytag, Mercer, Meredith, Miller of Dubuque, Moon, Moore, Morris, Newberry, Nichols, Nix, Offil, Paul, Peterson, Pierce, Price, Reaney, Reitz, Ritter, Saunders, Schoenenberger, Schroeder, Seeley, Shaffer, Sheldon, Sidey, Smith of Mitchell, Smith of Wright, Springer, Stewart, Stillman, Stoltenberg, Stookey, Stuckslager, Sullivan, Swan, Swift, Taylor, Teter, Turner, Van Houten, Wade Warren, Weeks, Welden, Whipple, Whiting, White, Wilson of Tama, Wilson of Fayette, Wilson of Clinton, Youde, Young, Mr. Speaker.—130.

The President Pro Tem declared a constitutional majority of all members of the Joint Convention present.

McDonald of Carroll moved that a committee of three be named to escort Governor Warren Garst and Senator Albert B. Cummins to the Speaker's station.

Motion prevailed.

President pro tem named as such committee, McDonald of Carroll, Wilson of Fayette and Offil of Jasper.

Committee returned and conducted Governor Garst and Senator Cummins to the Speaker's station.

Prayer was offered by Rev. A. L. Frisbie of Des Moines, Iowa.

Solo by Mabelle Wagner-Shank.

The oath of office was then administered to Governor Warren Garst by Chief Justice Scott M. Ladd.

#### GOVERNOR GARST'S INAUGURAL ADDRESS.

*Gentlemen of the Joint Convention:*

In laying down the gavel today, I close a 15-year service in the legislative halls of the State, and I beg your indulgence for a few remarks which it seems to me are appropriate to the occasion. In that fifteen years much of permanent and inestimable value has been placed upon the statute books by you and your predecessors. It has been an era large with the things making for the uplifting of our people and the up-building of our beloved commonwealth.

This occasion does little more than mark another mile on the way. I am sure that those of you who continue in the work and others who follow, will meet the larger opportunities and greater responsibilities with patriotism and wisdom.

While not unmindful of the great work done by those who preceded you, including very much that is of enduring helpfulness to the state, brought to a successful conclusion by some of the most capable and high minded men that have served the people, I still feel that there is due you special praise for that which you have accomplished.

To this, the Thirty-second General Assembly, fell the duty of enacting into law a great deal of that which the experience of years had shown to be necessary. This duty extended to legislation affecting all the activities of the people. You have had the rare experience of meeting together after your work has been at least in part given a practical test.

The material prosperity of the people has been greatly enhanced and the health of the people preserved, by the enactment of the pure food law. It is perhaps one of the unfortunate things that men who take advanced positions in this and other remedial and reform legislation, meet with temporary disfavor on the part of those who are the real beneficiaries. This should not in any way discourage you, for unless you are willing

to meet conditions of this kind you would be but little less than time servers, a charge that in no sense applies to you as individuals or as a body. It is only a question of time when the importance of your work will be recognized and appreciated.

I am one of those who believe that in enacting the indeterminate sentence law our state has started in the right direction. In loosening the bonds of cruel environment, opportunity has been given many an unfortunate person to return to useful citizenship. The experience of most civilized countries is that punishment should, as far as possible, be eliminated, but that everything possible should be done along reformatory lines. The conclusions of your commission appointed to investigate this great subject seem to me to afford ample justification for the law placed upon the statute books.

There can be no reasonable doubt as to the wisdom of the appropriations made by you and your predecessors for the betterment of our educational institutions. No one, I am sure, can question your good judgment in making such magnificent provision for the agricultural college. It seems to be the consensus of opinion that the material interests of the state have been advanced each year many times the amount appropriated. In addition to this the citizenship of the state has, for the present and for all time, been greatly elevated. I think no one who has the good of the state at heart will question your wisdom in providing for a greater university, an institution that is turning out yearly a great number of young people, whose presence in the different sections of the state often act as a veritable benediction. With an expenditure of something like twelve million dollars for our common school system, nothing can be more essential than a well equipped normal school.

If I am not in error, history will accord to this legislature great credit for what it has done to harmonize our political methods with our ideals and the ideals of the founders of the republic. What you have done has, in a large measure, I sincerely hope, removed forever some of the pernicious influences that surrounded your predecessors. While in my fifteen years' experience, I have never known of a well authenticated case of legislative wrongdoing on the part of men entrusted with the sacred responsibilities of making the laws of the state, I still feel that you have made it easier for those who follow to serve with fidelity the interests of the people as a whole.

It is not too much to say that our constituents associate with this general assembly more often than anything else the passage of the primary bill. No legislation since the organization of the state has vindicated itself more quickly nor more completely than this. The action of the joint assembly today is perhaps the most complete vindication of the law. It has been, it seems to me, in the hearts and minds of the people for a long time, that they should select their representatives in the Senate of the United States. In accepting the mandate of the voters of Iowa you have today come just as near to this as it is possible under the Federal Constitution. Your successors will no doubt find some features of

the law that will need slight amendment; but the principle of the law has been, I hope, placed indelibly on the statute books of the state.

You are the representatives of one of the greatest people on this big earth. It is no wonder you have had just pride in serving them and that you rejoice in the material prosperity of their state.

Beautiful land, especially favored by an all-wise creator, home of a happy and sturdy people intelligently represented in executive, judicial and legislative hall since the state's organization.

The important work before you has been well done. You entered courageously into the spirit of the time—the purpose to make our public life and our political methods square with the eternal principles of right and justice. Your successors will have a great task, for which I have no doubt they will prove competent, that of keeping abreast of the movement started by you and your immediate predecessors.

Among you are some who have been associated with me during all the years of my public service. I appreciate these old time friends. There are still others among you of shorter acquaintanceship, but there is not one so far as I know, for whom I do not have the kindest feelings. In fact, you will agree with me that the only compensation for men occupying the exalted position you do is; first duty well done, and secondly, lasting friendships made. I am, to a large degree, the beneficiary of the latter.

Your action today has placed upon me a new responsibility and duty, though it be but for a short time. I confess to a feeling of timidity in taking up the unfinished work of my predecessor, one whose brilliant career as chief executive of the state will, for all time, illuminate our history. Today he has completed a record made possible by your hearty co-operation in the enactment of the remedial legislation of the last few sessions and especially the session of the Thirty-second General Assembly.

In accepting the responsibilities that attach to the executive office I can only pledge to you, and through you to the people of the state, my undying loyalty.

Senator Gilliland moved that the address of Governor Garst be printed in the Journal of the Joint Convention.

Motion prevailed.

Solo by Mabelle Wagner-Shank.

Senator Gilliland moved that a vote of thanks be tendered Mabelle Wagner-Shank, for the delightful entertainment with which she has favored the Joint Convention.

Motion prevailed.

On motion of Hambleton of Mahaska the Joint Convention dissolved.

House reconvened.

Speaker Kendall in the chair.

Van Houten of Taylor presented the following Concurrent Resolution and moved its adoption:

“Be it resolved by the House, the Senate concurring, that this General Assembly adjourn sine die November 24, 1908, at 5 o'clock p. m.

Motion prevailed and resolution was 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 concurred in House Amendments to Senate File No. 5 in which the concurrence of the Senate was asked.

GEO. A. NEWMAN,  
*Secretary.*

Also:

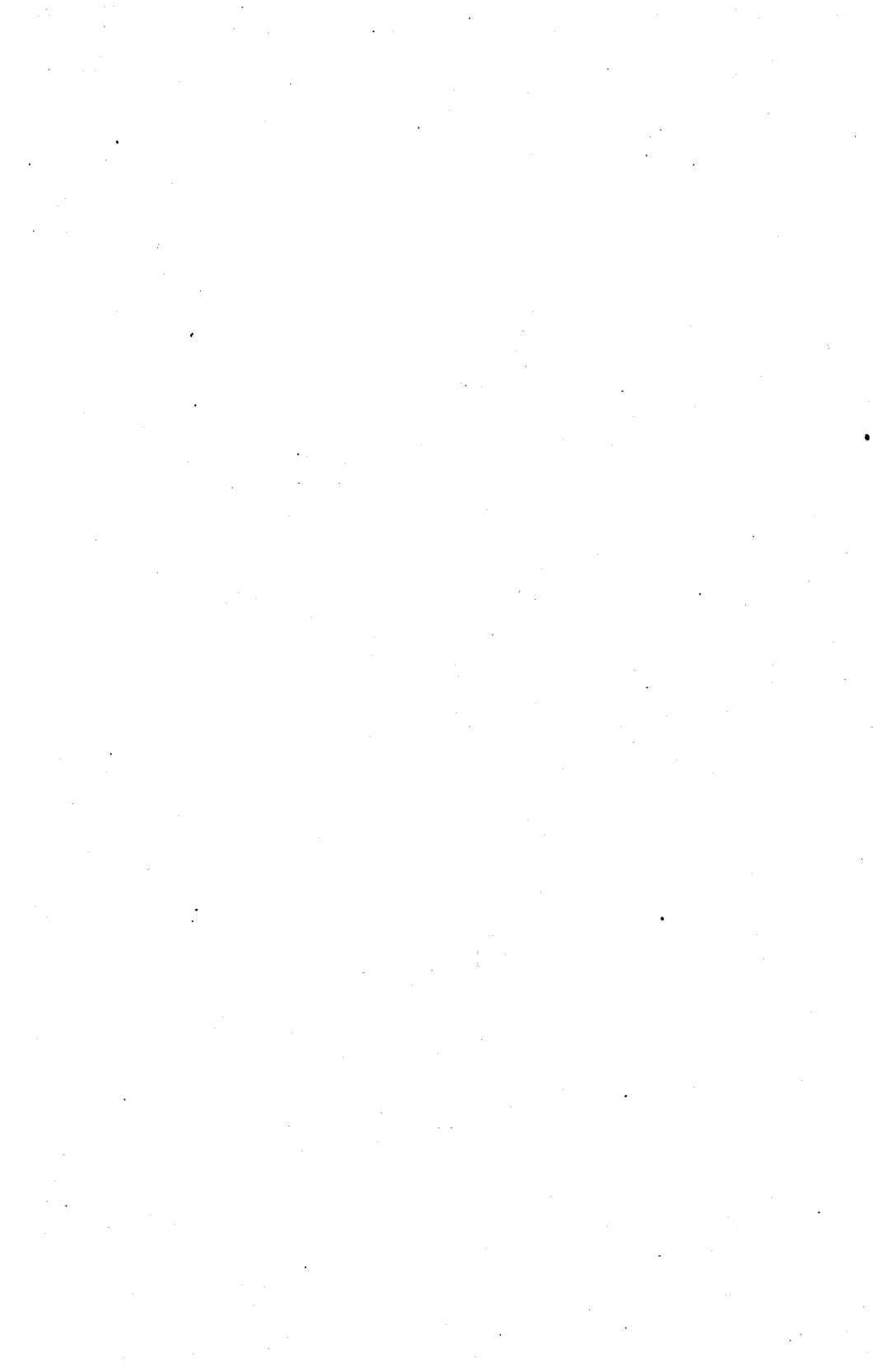
MR. SPEAKER,—I am directed to inform your honorable body that the Senate has concurred in House Concurrent Resolution relative to final adjournment, in which the concurrence of the Senate was asked.

GEO. A. NEWMAN,  
*Secretary.*

Weeks of Guthrie moved that Congressman-elect N. E. Kendall of the Sixth District, be heard.

Speaker Kendall in feeling words spoke of his happy associations and memories while a member of the assembly.

The hour having arrived for final adjournment, the Speaker declared the House of Representatives of the Thirty-second General Assembly in extra adjourned session, adjourned sine die.



## HOUSE BILLS.

### INTRODUCTION AND ACTION.

H. F.	Page.	H. F.	Page
1—By Paul. To amend the law as it appears in chapter fifty-one (51) of the acts of the thirty-second general assembly, relating to the expression of choice of candidates for senator in the congress of the United States.		Fort Madison and for a suitable monument to preserve to posterity the location of this fort as one of the advance posts marking time in the progress of civilization in its westward course upon this continent.	
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Reported with amendments	74	4—By Arney. Providing for the nomination of candidates for senator in the congress of the United States by direct vote of the qualified electors of the state of Iowa.	
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2—By Weeks. Providing for the nomination of United States senators by a primary vote at the regular general election.		Enrolled .....	114
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3—By Reitz. Appropriating five thousand (\$5,000.00) dollars for the purpose of assisting in the holding of a centennial commemoration of the establishment of			

## HOUSE JOINT RESOLUTION.

### INTRODUCTION AND ACTION.

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- By Kendall. Appointment of joint committee to prepare and present suitable memorial respecting the life and public services of Senator William B. Allison. Offered, 11; adopted, 12; Senate concurs, 13-14.
- By DeMar. Relative to holding joint convention Tuesday, September 8, 1908, to elect senator in the congress of the United States to succeed William B. Allison. Offered and referred, 11; reported with amendment, 19; report of committee adopted, 24-25.
- By Miller of Bremer. Adjournment sine die at noon September 3, 1908. Offered, 14; substitute offered, 14; consideration postponed, 15; substitute amended, 23; substitute for substitute offered, 23; both substitutes lost, 24.
- By Hambleton. Appointment of joint committee to prepare memorial resolutions in honor of Hon. Lucien C. Blanchard. Offered and adopted 17; Senate concurs, 33.
- By Price. Appointment of joint committee to prepare memorial resolutions in honor of Hon. M. A. Dashiell. Offered and adopted, 38; Senate concurs, 41.
- By Offill. Adjournment September 11, 1908, to reconvene November 16, 1908, to ratify choice of primary for United States senator. Offered, 81; substitute offered, 81; substitute amended and lost, 82; original resolution amended, 82-83; lost, 84.
- By Bixby. Publication and distribution of 3,000 pamphlet copies of memorial addresses in honor of William B. Allison. Offered and adopted, 98; Senate concurs, 112.
- By Miller of Bremer. Adjournment sine die at 3 P. M., September 10, 1908. Offered, 98; made a special order, 98; considered, 108; amended, 109-110; resolution as amended adopted, 110-111; explanation of vote, 111; Senate concurs, 111.
- By McAllister. Printing and distribution of pamphlets containing memorial resolutions adopted by House and Senate. Offered, 99; lost, 99.
- By Sullivan. Extending use of basement and corridors of capitol to the National Creamery Butter-makers' Association for exhibition purposes. Offered and adopted, 117; Senate concurs, 120.
- By Van Houten. Adjournment sine die November 24, 1908, at 5 o'clock P. M. Adopted, 135; Senate concurs, 135.

SENATE BILLS.

RECEPTION AND ACTION.

S. F.	Page.	S. F.	Page
<p>3—Providing for the publication and distribution of the acts of the extraordinary session of the thirty-second general assembly.</p> <p>Received ..... 100</p> <p>Considered ..... 104</p> <p>Passed ..... 105</p> <p>Signed ..... 115</p> <p>4—Appropriating the sum of sixty-seven (\$67.00) dollars to cover the expense of the memorial services incurred by the general</p>		<p>assembly in holding exercises in honor of the late Senator Allison.</p> <p>Received ..... 112</p> <p>Considered ..... 112</p> <p>Passed ..... 112-113</p> <p>Signed ..... 115</p> <p>5—Making appropriations for expenses of the inauguration of Governor Warren Garst and other expenses.</p> <p>Received ..... 129</p> <p>Amended ..... 129-130</p> <p>Passed ..... 130</p>	

## SENATE CONCURRENT RESOLUTIONS.

## RECEPTION AND ACTION.

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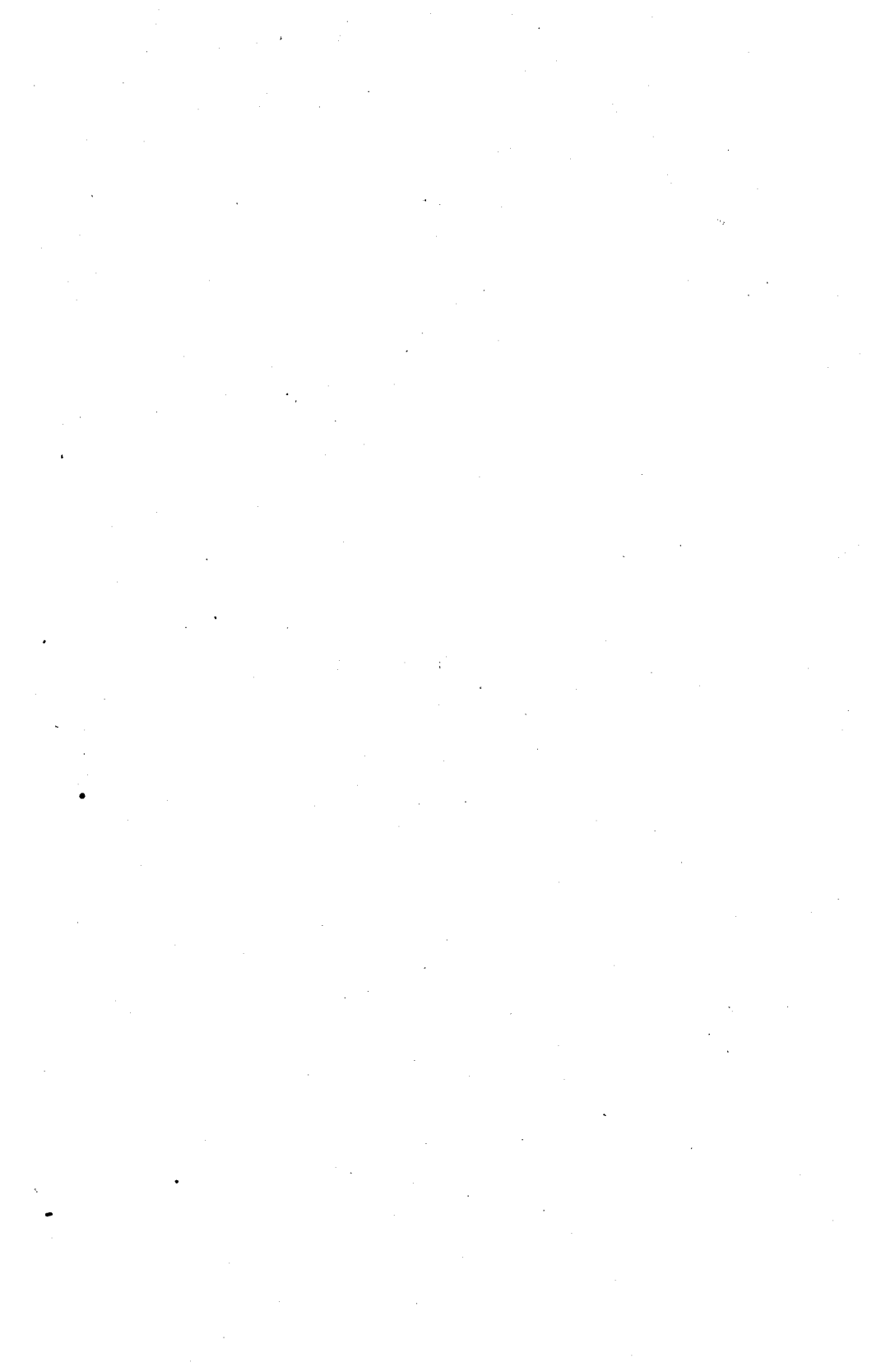
Relative to holding joint convention at noon, September 8, 1908, to elect a senator in the congress of the United States to succeed the late Senator William B. Allison. Received, 19; House concurs, 26-27.

Relative to adoption of joint rules of

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