

**JOURNAL**

OF THE

**HOUSE OF REPRESENTATIVES**

OF THE

**THIRTY-THIRD GENERAL ASSEMBLY**

OF THE

**STATE OF IOWA**

**WHICH CONVENEED AT THE CAPITOL AT DES MOINES,  
JANUARY 11, A. D. 1909, AND ADJOURNEED  
SINE DIE APRIL 9, A. D. 1909.**

**OHIO STATE  
UNIVERSITY**

DES MOINES  
EMORY H. ENGLISH, STATE PRINTER  
E. D. CHASSELL, STATE BINDER  
1909



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1909

STATE OF  
VIRGINIA

## OFFICERS OF THE HOUSE

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Speaker

GUY A. FEELY

Waterloo, Black Hawk County

Speaker Pro Tempore

NELSON J. LEE

Estherville, Emmet County

Chief Clerk

C. R. BENEDICT

Shelby, Shelby County

Assistant Clerk.....A. Cornelius Gustafson, Red Oak, Montgomery County  
Reading Clerk.....John Stevenson, Jefferson, Greene County  
Engrossing Clerk.....Mollie Heist, Des Moines, Polk County  
Enrolling Clerk.....Mabel Elwood, Elma, Howard County  
Journal Clerk.....Ruth Woodruff, Des Moines, Polk County  
Journal Clerk.....Ed. T. Alderman, Nevada, Story County  
File Clerk.....Henry C. Byers, Garner, Hancock County  
Assistant File Clerk.....Gus F. Shell, Des Moines, Polk County  
Bill Clerk.....John L. Crawford, Des Moines, Polk County  
Assistant Bill Clerk.....E. Arthur Wilmeth, Salem, Henry County  
Sergeant-at-Arms .....George H. Van Houten, Lenox, Taylor County  
Assistant Postmistress...Clara K. Hook, Columbus Junction, Louisa County  
Doorkeeper .....Trueman W. Hazleton, Calmar, Winneshiek County

THE HOUSE OF REPRESENTATIVES OF THE THIRTY-THIRD GENERAL ASSEMBLY.

District	NAME	P. O. ADDRESS	COUNTY COMPOSING DISTRICT	OCCUPATION	NATIVITY	Years in Iowa	Age
5	Allred, William P.	Corydon	Wayne	Farmer and Banker	North Carolina	54	32
63	Anderson, William	Jewell	Hamilton	Farmer and Banker	Canada	36	56
51	Arney, Wallace H.	Marshalltown	Marshall	Farmer and Banker	Iowa	46	46
43	Balluff, August A.	Davenport	Scott		Iowa	50	50
97	Bascom, John L.	Milford	Dickinson	Lawyer	Iowa	49	48
2	Bauman, Samuel H.	Birmingham	Van Buren	Farmer, Veterinarian	Iowa	53	53
25	Beans, Wellington I.	Oskaloosa	Mahaska	Banker, Farmer, Stock	Ohio	50	55
74	Beebe, Nathaniel W.	Hampton	Franklin	Banker	Illinois	33	57
20	Beery, Enoch	Salem	Henry	Farmer and Stock	Iowa	52	52
94	Blackmore, Albin C.	Northwood	Worth	Retired	New York	49	65
95	Boe, Lars W.	Forest City	Winnebago	Pastor and Teacher	Michigan	20	32
43	Boettger, Henry H.	Davenport	Scott	Cigarmaker	Iowa	24	24
34	Bonwell, John C.	Ross	Audubon	Farmer	Ohio	39	65
99	Boomgaarden, Habbe S.	Rock Rapids	Lyon	Farmer	Germany	42	53
48	Bowman, James W.	Marion	Linn	Banker and Farmer	Iowa	46	46
31	Brandes, Henry C.	Hancock	Pottawattamie	Farmer and Stock	Germany	32	56
8	Burt, Myron L.	Bedford	Taylor	Electrical Engineer	Illinois	6	30
47	Byerly, William M.	Anamosa	Jones	Farmer	Iowa	54	54
13	Calkins, George C.	Mt. Etna	Adams	Farmer and Stock	New York	37	73
57	Cassady, Edward M.	Whiting	Monona	Farmer and Merchant	Ohio	40	60
38	Cooper, William R.	Newton	Jasper	Attorney	Iowa	39	39
59	Corrie, Samuel M.*	Ida Grove	Ida	Farmer	New York	45	50
73	Cousins, John A.	New Hartford	Butler	Retired Merchant	Iowa	71	71
26	Crosier, George W. S.	Knoxville	Marion	Lawyer	Pennsylvania	51	64
77	Crummer, John A.	Pocahontas	Pocahontas	Farmer	Illinois	27	60
78	Cunningham, Edward H.	Newell	Buena Vista	Real Estate	Wisconsin	19	38
8	Dabney, Isaac T.	Bloomfield	Davis	Lawyer, Real Estate	Iowa	50	50
2	Daby, James T.	Orient	Adair	Lumberman, Banker	Iowa	51	51
16	Darrahan, John H.	Chariton	Lucas	Merchant	Illinois	32	34
84	Davidson, Freeman C.	Emmetsburg	Palo Alto	Lawyer	Iowa	37	57
79	Dawson, Wilfred P.	Aurelia	Cherokee	Farmer	Wisconsin	27	49
27	Derrough, John H.	Indianola	Warren	Banker	Ohio	52	61
44	Dewell, Hiram	Clarence	Cedar	Farmer	Indiana	53	59
35	Dewey, Henry K.	Guthrie Center	Guthrie	Abstractor	Vermont	39	62
12	DeWitt, Charles E.	Elliott	Montgomery	Farmer	Iowa	46	46
21	Dodds, William D.	Danville	Des Moines	Farmer	Iowa	39	39
60	Drury, Will	Early	Sac	Farmer and Stock	Iowa	46	46
31	Dye, Willoughby	Macedonia	Pottawattamie	Merchant and Banker	Iowa	56	56
9	Elliott, Jesse D.	Hawleyville	Page	Physician	Illinois	40	57

\*Mr. Robert Baxter, Dem., of Galva, was issued the certificate of election in the 59th District, but the House in the contest proceeding brought by Mr. Corrie seated the contestant.

46	Ellis, James W	Maquoketa	Jackson	Insurance	Indiana	66	60
24	Etter, William L	Siourney	Keokuk	Editor	Pennsylvania	25	48
66	Feely, Guy A	Waterloo	Black Hawk	Lawyer	Iowa	33	33
83	Felt, Benjamin F, Jr	Spencer	Clay	Farmer	Illinois	27	46
15	Fenn, Joel M	Murray	Clarke	Farmer	Ohio	53	64
65	Finlayson, Robert M	Grundy Center	Grundy	Banker	Illinois	40	64
90	Fourt, Edwin H	Waukon	Allamakee	Farmer	Wisconsin	28	44
36	Fox, John	Dallas Center	Dallas	Farmer	England	40	67
42	Fulliam, Edward B	Muscatine	Muscatine	Physician and Surgeon	Iowa	50	50
19	Fulton, Charles J	Fairfield	Jefferson	Manufacturer	Iowa	43	43
53	Goodykooztz, William W	Boone	Boone	Lawyer	Iowa	36	36
39	Grier, George E	Deep River	Poweshiek	Banker	Iowa	32	32
62	Hackler, Charles W	Fort Dodge	Webster	Lawyer	Illinois	18	39
78	Hanson, Thor O	Bode	Humboldt	Banker	Wisconsin	39	49
58	Harding, William L	Sioux City	Woodbury	Lawyer	Iowa	31	31
98	Harvey, Mahlon	Sibley	Osceola	Farmer	New York	34	64
17	Hickenlooper, Thomas	Abia	Monroe	Lawyer	Iowa	32	32
85	Holmes, Otis H	Algona	Kossuth	Clergyman	Iowa	12	39
11	Huffaker, Henry H	Silver City	Mills	Farmer	Illinois	38	66
37	Hunter, Fred H	Ankeny	Polk	Manufacturer	Iowa	39	39
14	Ide, George A	Creston	Union	Retired Farmer	Massachusetts	38	65
88	Inman, Loren W	Marble Rock	Floyd	Farmer, Teacher, Minister	Iowa	38	38
61	Jacobs, John W	Lake City	Calhoun	Attorney	Iowa	37	37
91	Jewell, Philo M	Decorah	Winneshiek	Physician	Ohio	28	60
93	Johnson, Karl J	Osage	Mitchell	Banker	Iowa	38	38
1	Jones, Leroy G	Ft. Madison, R 2	Lee	Farmer	Iowa	60	60
32	Kellogg, George A	Missouri Valley	Harrison	Banker	Iowa	36	36
45	Kendall, Albert W	Delmar	Clinton	Farmer	Iowa	51	51
81	Klay, Gerrit	Orange City	Sioux	Attorney	Holland	21	41
41	Koontz, George W	Iowa City	Johnson	Banker	Pennsylvania	55	64
92	Kull, Hermann	Cresco, R 7	Howard	Farmer	Wisconsin	9	32
71	Larrabee, William, Jr	Clermont	Fayette	Farmer	Iowa	37	37
66	Lee, Nelson F	Estherville	Emmet	Lawyer	Iowa	35	35
23	McCleery, Samuel M	Washington	Washington	Stockman	Illinois	34	55
55	McDonald, Edward	Coon Rapids	Carroll	Stockman	Iowa	47	47
87	Marston, Charles L	Mason City	Cerro Gordo	Physician and Surgeon	Illinois	15	38
30	Meredith, Camden A	Atlantic	Cass	Lawyer	Iowa	45	45
72	Miller, Charles W	Waverly	Bremer	Printer	Iowa	47	47
69	Miller, Simon	Dubuque	Dubuque	Teamster	Wisconsin	25	47
18	Moore, Edward J	Eldon	Wapello	Druggist	Iowa	58	53
48	Moore, Ernest R	Cedar Rapids	Linn	Banker	Iowa	39	39
80	Newell, Henry N	Le Mars	Plymouth	Farmer	Canada	29	53
89	O'Connor, Frank A	New Hampton	Chickasaw	Lawyer	Iowa	33	33
10	Penn, Alphonso V	Sidney	Fremont	Druggist	Pennsylvania	51	57
68	Perkins, Eli C	Delhi	Delaware	Attorney	Maine	42	58
22	Reaney, Robert J	Columbus Junc.	Louisa	Lumber Dealer	Ireland	37	59
1	Reitz, Henry H	Donnellson	Lee	Farmer	New York	41	54

REPRESENTATIVES—CONTINUED.

District	NAME	P. O. ADDRESS	COUNTY COMPOSING DISTRICT	OCCUPATION	NATIVITY	Years	Age
						in Iowa	
86	Ripley, Andrew C.	Garner	Hancock	Farmer and Attorney.	Ohio	36	59
21	<i>Ritter, Henry</i>	Burlington	Des Moines	Manufacturer	Iowa	56	53
6	<i>Sanke, Ezekiel J.</i>	Leon	Decatur	Real Estate and Loans	Pennsylvania	59	65
82	Schee, George W.	Primghar	O'Brien	Attorney and Banker.	Missouri	49	60
56	<i>Schroeder, Henry C.</i>	Schleswig	Crawford	Farmer	Germany	31	54
70	<i>Schulte, George H.</i>	Elkader	Clayton	Attorney	Iowa	49	42
7	Sheldon, Frank E.	Mt. Ayr	Ringgold	Real Estate Broker.	Iowa	43	43
75	Smith, John R.	Bagle Grove.	Wright	Farmer	New York	23	70
54	Stillman, Paul E.	Jefferson	Greene	Publisher	Illinois	30	40
67	Stoddard, Benjamin F.	Jesup	Buchanan	Fruit Grower	Connecticut	54	60
37	Sullivan, John B.	Des Moines	Polk	Attorney	Iowa	39	39
4	Swan, George W.	Plano, R 2	Appanoose	Farmer and Minister.	Pennsylvania	33	34
33	<i>Swift, Curran F.</i>	Harlan	Shelby	Farmer, Real Estate.	Iowa	47	47
69	<i>Tegeler, Henry</i>	Dyersville	Dubuque	Farmer	Illinois	53	56
49	Thompson, Edward C.	Vinton	Benton	Farmer	Iowa	40	40
40	Tilton, George W.	Deep River	Iowa	Farmer and Stock.	Ohio	44	53
58	Ward, George E.	Sioux City	Woodbury	Farmer	England	25	43
64	Welden, William	Iowa Falls	Hardin	Merchant	Wisconsin	40	62
52	White, George C.	Nevada	Story	Farmer	Illinois	16	43
50	Wilson, Ward	Traer	Tama	Farmer	Iowa	48	43
45	<i>Wolfe, John L.</i>	Clinton	Clinton	Attorney	Iowa	28	29
28	Zeller, Elias R.	Winterset	Madison	Farmer	Ohio	37	64

Republicans in Roman—80. Democrats in italic—28.

### ADDITIONAL INFORMATION.

*Former Legislative Service*—Allred, H. 32; Anderson, H. 32; Arney, H. 32; Bascom, H. 32; Bauman, H. 32; Beery, H. 32; Blackmore, H. 32; Bonwell, H. 32; Brandes, H. 32; Calkins, H. 32; Cassady, H. 32; Corrie, H. 32; Darrah, H. 31, 32; Dewell, H. 32; Dodds, H. 28, 29, 32; Drury, H. 32; Dye, H. 32; Elliott, H. 32; Feely, H. 32; Felt, H. 32; Fenn, H. 32; Fox, H. 32; Grier, H. 32; Hackler, H. 32; Hanson, H. 32; Harding, H. 32; Harvey, H. 32; Holmes, H. 32; Inman, H. 32; Jewell, H. 32; Kellogg, H. 32; Kendall, H. 32; Koontz, H. 27, 28, 29, 30, 31, 32; Kull, H. 32; Larrabee, H. 29; Lee, H. 32; McDonald, H. 32; Marston, H. 32; Meredith, H. 31, 32; Miller (Charles W.), H. 32; Miller (Simon), H. 32; Moore (Ernest R.), H. 32; Reaney, H. 32; Reitz, H. 32; Ritter, H. 30, 31, 32; Sankey, H. 30, 31; Schee, H. 20, 21; Schroeder, H. 32; Schulte, H. 32; Sheldon, H. 32; Smith, H. 32; Stillman, H. 32; Sullivan, H. 32; Swan, H. 32; Swift, H. 32; Welden, H. 30, 31, 32; White, H. 32; Wilson, H. 32; Wolfe, H. 32.

*Military Service*—Allred, Private Co. H, 46th Iowa Inf.; Blackmore, 1st Lieut. 64th New York Inf.; Bonwell, Private Co. F, 60th Ohio Inf., and 1st Sergt. Co. A, 175th Ohio Inf.; Cassady, Private Co. A, 10th U. S. Inf.; Crozler, Private Co. A, 7th Iowa Cav.; Ellis, Private Co. H, 5th U. S. Inf.; Feely, Private Co. B, 49th Iowa Inf., S. A. W.; Fox, Private Co. G, 20th Ohio Inf.; Larrabee, Private Co. G, 52d Iowa Inf., and Capt., Commissary of Subsistence, S. A. W.; Moore, (Ernest R.) 1st Lieut. 49th Iowa Inf., S. A. W.; Ripley, Private Co. C, 189th Ohio Inf.; Sankey, Private Co. L, 3d Iowa Vet. Vol Cav.; Schee, Private 33d Iowa Inf.; Welden, Corporal Co. C, 43d Wis. Inf.; Zeller, Private Co. K, 167th Ohio Inf.

*Education—Rural School*—Brandes, Dawson, Dewell, Dodds, McDonald, Tegeler, Tilton.

*Common School*—Allred, Arney, Balluff, Blackmore, Boomgaarden, Cassady, Corrie, Cunningham, Ellis, Fox, Kendall, Koontz, Miller (Simon), Reitz, Sankey, Sheldon, Stoddard, Swan, Welden.

*Graded School*—DeWitt, Klay, Miller (Charles W.), Schroeder.

*High School*—Crummer, Dalby, Finlayson, Jones, Moore (Ernest R.), Newell, Penn, Reaney, Schee.

*Business College*—Dewey, Fenn, Fourt, Hickenlooper, Ritter.

*Academy*—Anderson, Beery, Boettger, Calkins, Cousins, Darrah, Derrough, Drury, Dye, Elliott, Felt, Harvey, Huffaker, Ide, Meredith, Smith, Thompson.

*College*—Bascom, Bauman, Beans, Beebe, Boe, Bonwell, Bowman, Burt, Byerly, Cooper, Crozler, Dabney, Davidson, Etter, Feely, Fulliam, Fulton, Goodykoontz, Grier, Hackler, Hanson, Harding, Holmes, Hunter, Inman, Jacobs, Jewell, Johnson, Kellogg, Kull, Larrabee, Lee, McCleery, Marston, Moore (Edward J.), O'Connor, Perkins, Ripley, Schulte, Stillman, Sullivan, Swift, Ward, White, Wilson, Wolfe, Zeller.

Married, 97. Widowers, Beans, Dabney, Drury, Ellis, Sankey, Welden. Single, Boe, Hackler, Smith, Swan, Wolfe.

# JOURNAL OF THE HOUSE

HALL OF THE HOUSE OF REPRESENTATIVES,  
DES MOINES, IOWA, JANUARY 11, A. D. 1909.

Pursuant to law, the House of Representatives of the Thirty-third General Assembly, convened at 10 o'clock A. M., Monday, January 11, A. D., 1909.

The House was called to order by the Hon. Fred H. Hunter, of Polk County.

Prayer was offered by the Rev. Frank W. Hodgdon, of Des Moines.

Holmes of Kossuth moved that C. R. Benedict be elected temporary Chief Clerk.

Motion prevailed.

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

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.

Meredith of Cass moved that Harding of Woodbury be elected temporary Speaker.

Motion prevailed.

Mr. Harding was sworn in by Mr. Hunter.

Harding of Woodbury in the chair.

Stillman of Greene moved that the following named persons be elected temporary officers:

A. C. Gustafson, Assistant Clerk; John Stevenson, Reading Clerk; Mrs. M. Heist, Engrossing Clerk; Mabel Elwood, Enrolling Clerk; Ruth Woodruff, Ed T. Alderman, Journal Clerks; H. C. Byers, File Clerk; J. L. Crawford, Bill Clerk; E. A. Wilmeth, Assistant Bill Clerk; G. H. Van Houten, Sergeant-at-Arms; Mrs. Clara K. Hook, Assistant Postmistress; T. W. Hazelton, Chief Doorkeeper; Chas. R. Harmon, Alba Miller, G. W. Young, Geo. Thomas, John Van Dirley, J. W. Long, P. R. Toll, John De-Boss, J. E. Stiles, C. Moore, Assistant Doorkeepers; Harold Reynolds, Neal Welden, Bert Byers, Harrison B. Jewell, John H. Jewell, Henry Byram, Ed Smith, J. Robinson, Chas. Devine, Albert Crooks, Fred Wilson, Harold Inman, Pages; Donald Patterson, Telephone Messenger; R. N. Hyde, Chief Janitor; F. Miller, A. Ford, Janitors.

Motion prevailed.

Grier of Poweshiek offered the following supplementary report:

As members of the nominating committee, we recommend the appointment of three additional doorkeepers as follows:

I. S. Jones, J. B. Melvin, H. B. Baldwin.

PAUL E. STILLMAN,  
GEO. E. GRIEB,  
WILL DEURY,  
ENOCH BEERY,  
WILLOUGHBY DYE,  
JNO. B. SULLIVAN,  
W. P. ALLRED,  
G. W. TILTON,  
WM. LARRABEE, JR.,  
*Committee.*

Mr. Grier moved the adoption of the report.

Motion prevailed.

The temporary officers assembled at the desk and took and signed the following oath:

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.

A. C. Gustafson,  
John Stevenson,  
Mrs. M. Heist,  
Mabel Elwood,  
Ruth Woodruff,  
E. T. Alderman,  
H. C. Byers,  
J. L. Crawford,

J. E. Stiles,  
Harold Reynolds,  
Neal Welden,  
Bert Byers,  
Harrison B. Jewell,  
John H. Jewell,  
Harry Byram,  
Ed Smith,



G. H. Van Houten,  
 Mrs. Clara K. Hook,  
 T. W. Hazelton,  
 J. B. Melvin,  
 G. W. Young,  
 Geo. D. Thomas,  
 John Van Dirley,  
 J. M. Long,  
 P. R. Toll,  
 John De Boss,

I. Robinson,  
 Chas. Devine,  
 Albert Crooks,  
 Fred A. Wilson,  
 Donald Patterson,  
 R. N. Hyde,  
 F. V. Miller,  
 I. S. Jones,  
 Wm. B. McMurray.

Hackler of Webster, moved that a committee of five be appointed on credentials, and that the accredited list of the Secretary of State be accepted.

Motion prevailed.

The Speaker appointed as such committee: Hackler of Webster, Jacobs of Calhoun, Klay of Sioux, Holmes of Kossuth, Koontz of Johnson.

The committee retired and returned the following report:

MR. SPEAKER: We, your committee on credentials, respectfully report that we find the following named gentlemen as duly elected and entitled to a seat in the House of Representatives of the Thirty-third General Assembly, as shown by the duplicate copies of the certificates of election on file in the office of Secretary of State:

Allred, William P., Fifth District.  
 Anderson, William, Sixty-third District.  
 Arney, Wallace H., Fifty-first District.  
 Balluff, August A., Forty-third District.  
 Bascom, John L., Ninety-seventh District.  
 Bauman, Samuel H., Second District.  
 Baxter, Robinson, Fifty-ninth District.  
 Beans, Wellington I., Twenty-fifth District.  
 Beebe, Nathaniel W., Seventy-fourth District.  
 Beery, Enoch, Twentieth District.  
 Blackmore, Albin C., Ninety-fourth District.  
 Boe, Lars W., Ninety-fifth District.  
 Boettger, Henry H., Forty-third District.  
 Bonwell, John C., Thirty-fourth District.  
 Boomgaarden, Habbe S., Ninety-ninth District.  
 Bowman, James W., Forty-eighth District.  
 Brandes, Henry C., Thirty-first District.  
 Burt, Myron L., Eighth District.  
 Byerly, William M., Forty-seventh District.  
 Calkins, George C., Thirteenth District.

Cassady, Edward M., Fifty-seventh District.  
Cooper, William R., Thirty-eighth District.  
Cousins, John A., Seventy-third District.  
Crozier, George W. S., Twenty-sixth District.  
Crummer, John A., Seventy-seventh District.  
Cunningham, Edward H., Seventy-eighth District.  
Dabney, Isaac T., Third District.  
Dalby, James T., Twenty-ninth District.  
Darrah, John H., Sixteenth District.  
Davidson, Freeman C., Eighty-fourth District.  
Dawson, Wilfred P., Seventy-ninth District.  
Derrough, John H., Twenty-seventh District.  
Dewell, Hiram, Forty-fourth District.  
Dewey, Henry K., Thirty-fifth District.  
DeWitt, Charles E., Twelfth District.  
Dodds, William D., Twenty-first District.  
Drury, Will, Sixtieth District.  
Dye, Willoughby, Thirty-first District.  
Elliott, Jesse D., Ninth District.  
Ellis, James W., Forty-sixth District.  
Etter, William L., Twenty-fourth District.  
Feeley, Guy A., Sixty-sixth District.  
Felt, Benjamin F., Jr., Eighty-third District.  
Fenn, Joel M., Fifteenth District.  
Finlayson, Robert M., Sixty-fifth District.  
Fourt, Edwin H., Ninetieth District.  
Fox, John, Thirty-sixth District.  
Fulliam, Edward B., Forty-second District.  
Fulton, Charles J., Nineteenth District.  
Goodykoontz, William W., Fifty-third District.  
Grier, George E., Thirty-ninth District.  
Hackler, Charles W., Sixty-second District.  
Hanson, Thor O., Seventy-sixth District.  
Harding, William L., Fifty-eighth District.  
Harvey, Mahlon, Ninety-eighth District.  
Hickenlooper, Thomas, Seventeenth District.  
Holmes, Otis H., Eighty-fifth District.  
Huffaker, Henry H., Eleventh District.  
Hunter, Fred H., Thirty-seventh District.  
Ide, George A., Fourteenth District.  
Inman, Loren W., Eighty-eighth District.  
Jacobs, John W., Sixty-first District.  
Jewell, Philo M., Ninety-first District.  
Johnson, Karl J., Ninety-third District.  
Jones, Leroy G., First District.  
Kellogg, George A., Thirty-second District.  
Kendall, Albert W., Forty-fifth District.  
Klay, Gerrit, Eighty-first District.  
Koontz, George W., Forty-first District.  
Kull, Hermann, Ninety-second District.

Larrabee, William, Jr., Seventy-first District.  
 Lee, Nelson J., Ninety-sixth District.  
 McCleery, Samuel M., Twenty-third District.  
 McDonald, Edward, Fifty-fifth District.  
 Marston, Charles L., Eighty-seventh District.  
 Meredith, Camden A., Thirtieth District.  
 Miller, Charles W., Seventy-second District.  
 Miller, Simon, Sixty-ninth District.  
 Moore, Edward J., Eighteenth District.  
 Moore, Ernest R., Forty-eighth District.  
 Newell, Henry N., Eightieth District.  
 O'Connor, Frank A., Eighty-ninth District.  
 Penn, Alphonso V., Tenth District.  
 Perkins, Eli C., Sixty-eighth District.  
 Reaney, Robert J., Twenty-second District.  
 Reitz, Henry H., First District.  
 Ripley, Andrew C., Eighty-sixth District.  
 Ritter, Henry, Twenty-first District.  
 Sankey, Ezekiel J., Sixth District.  
 Schee, George W., Eighty-second District.  
 Schroeder, Henry C., Fifty-sixth District.  
 Schulte, George H., Seventieth District.  
 Sheldon, Frank E., Seventh District.  
 Smith, John R., Seventy-fifth District.  
 Stillman, Paul E., Fifty-fourth District.  
 Stoddard, Benjamin F., Sixty-seventh District.  
 Sullivan, John B., Thirty-seventh District.  
 Swan, George W., Fourth District.  
 Swift, Curran F., Thirty-third District.  
 Tegeler, Henry, Sixty-ninth District.  
 Thompson, Edward C., Forty-ninth District.  
 Tilton, George W., Fortieth District.  
 Ward, George E., Fifty-eighth District.  
 Welden, William, Sixty-fourth District.  
 White, George C., Fifty-second District.  
 Wilson, Ward, Fiftieth District.  
 Wolfe, John L., Forty-fifth District.  
 Zeller, Elias R., Twenty-eighth District.

CHARLES W. HACKLER,  
*Chairman,*

JOHN W. JACOBS,  
 O. H. HOLMES,  
 GERRIT KLAY,  
 G. W. KOONTZ.

The report of the committee was adopted.

The following members assembled at the desk and subscribed to the following oath:

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

Allred, William P.,  
 Anderson, William,  
 Arney, Wallace H.,  
 Balluff, August A.,  
 Bascom, John L.,  
 Bauman, Samuel H.,  
 Baxter, Robinson,  
 Beans, Wellington I.,  
 Beebe, Nathaniel W.,  
 Beery, Enoch,  
 Blackmore, Albin C.,  
 Boe, Lars W.,  
 Boettger, Henry H.,  
 Bonwell, John C.,  
 Boomgaarden, Habbe S.,  
 Brandes, Henry C.,  
 Burt, Myron L.,  
 Byerly, William M.,  
 Calkins, George C.,  
 Cassady, Edward M.,  
 Cooper, William R.,  
 Cousins, John A.,  
 Crozier, Geo. W.,  
 Crummer, John A.,  
 Cunningham, Edward H.,  
 Dabney, Isaac T.,  
 Dalby, Jas. T.,  
 Darrah, John H.,  
 Davidson, Freeman C.,  
 Dawson, Wilfred P.,  
 Derrough, John H.,  
 Dewell, Hiram,  
 Dewey, Henry K.,  
 DeWitt, Charles E.,  
 Dodds, William D.,  
 Drury, Will,  
 Dye, Willoughby,  
 Elliott, Jesse D.,  
 Ellis, James W.,  
 Etter, William L.,  
 Feely, Guy A.,  
 Felt, Benjamin F., Jr.,  
 Fenn, Joel M.,  
 Finlayson, Robert M.,  
 Fourt, Edwin H.,

Fox, John,  
 Fulliam, Edward B.,  
 Fulton, Charles J.,  
 Goodykoontz, William W.,  
 Grier, George E.,  
 Hanson, Thor O.,  
 Hackler, Charles W.,  
 Harding, William L.,  
 Harvey, Mahlon,  
 Hickenlooper, Thomas,  
 Holmes, Otis H.,  
 Huffaker, Henry H.,  
 Hunter, Fred H.,  
 Ide, George A.,  
 Inman, Loren W.,  
 Jacobs, John W.,  
 Jewell, Philo M.,  
 Johnson, Karl J.,  
 Jones, Leroy G.,  
 Kellogg, George A.,  
 Kendall, Albert W.,  
 Klay, Gerrit,  
 Koontz, George W.,  
 Larrabee, William, Jr.,  
 Lee, Nelson J.,  
 McCleery, Samuel M.,  
 McDonald, Edward  
 Marston, Charles L.,  
 Meredith, Camden A.,  
 Miller, Charles W.,  
 Miller, Simon,  
 Moore, Edward J.,  
 Newell, Henry N.,  
 O'Connor, Frank A.,  
 Penn, Alphonso V.,  
 Perkins, Eli C.,  
 Reaney, Robert J.,  
 Reitz, Henry H.,  
 Ripley, Andrew C.,  
 Ritter, Henry,  
 Sankey, Ezekiel J.,  
 Schee, George W.,  
 Schroeder, Henry C.,  
 Schulte, George H.,  
 Smith, John R.,

Stillman, Paul E.,  
 Stoddard, Benjamin F.,  
 Sullivan, John B.,  
 Swan, George W.,  
 Tegeler, Henry.,  
 Thompson, Edward C.,  
 Tilton, George W.,

Ward, George E.,  
 Welden, William,  
 White, George C.,  
 Wilson, Ward,  
 Wolfe, John L.,  
 Zeller, Elias R.

Hackler of Webster nominated Hon. Guy A. Feely of Black Hawk as candidate for Speaker, preceding such motion by the following remarks:

It is a high privilege accorded me to name for the consideration of the members of the Thirty-third General Assembly the Republican nominee for permanent speaker. For such a distinguished honor the nominee should be a man broad and liberal in his political views and able at all times to rise above petty jealousies incident to political discussions.

The man who presides over the deliberations of the house should be able at all times to yield to the will of the majority and should have an eye single to the enactment of such legislation as will promote the best interests of our commonwealth. Such a man we have in the Republican nominee for this responsible office. I have the honor of nominating for permanent speaker of the house, Hon. Guy A. Feely of Black Hawk.

Koontz of Johnson nominated Hon. Charles W. Miller of Bremer as candidate for Speaker.

Upon the roll being called, the result was as follows:

Those voting for Feely were:

Allred, Anderson, Arney, Bascom, Beans, Beebe, Beery, Blackmore, Boe, Bonwell, Boomgaarden, Brandes, Burt, Cassady, Cooper, Cousins, Crummer, Cunningham, Dalby, Darrah, Davidson, Dawson, Derrrough, Dewell, Dewey, DeWitt, Drury, Dye, Elliott, Felt, Fenn, Finlayson, Fourt, Fox, Fulton, Goodykoontz, Grier, Hackler, Hanson, Harding, Harvey, Hickenlooper, Holmes, Hunter, Ide, Inman, Jacobs, Jewell, Johnson, Jones, Kellogg, Klay, Larrabee, Lee, McCleery, Marston, Meredith, Miller of Bremer, Moore of Wapello, Newell, Perkins, Reaney, Ripley, Smith, Stillman, Stoddard, Sullivan, Swan, Thompson, Tilton, Ward, Weldon, White, Wilson, Zeller—75.

Those voting for Miller were:

Balluff, Bauman, Baxter, Boettger, Byerly, Crozier, Dabney, Dodds, Ellis, Etter, Fulliam, Huffaker, Kendall, Koontz, McDon-

ald, Miller of Dubuque, O'Connor, Penn, Reitz, Ritter, Sankey, Schroeder, Schulte, Tegeler, Wolfe—25.

Absent or not voting:

Bowman, Calkins, Kull, Moore of Linn, Schee, Sheldon, Swift, Feeley—8.

Mr. Feeley having received a majority of the votes cast was declared elected Speaker.

Miller of Bremer moved that the election of Mr. Feeley be made unanimous.

Motion prevailed.

Drury of Sac, moved that a committee of two be named to escort the Speaker to the Chair.

Motion prevailed.

The Speaker named as such committee: Drury of Sac and Miller of Bremer.

Upon being sworn, and assuming the chair, Mr. Feeley made the following remarks:

MR. SPEAKER AND GENTLEMEN OF THE ASSEMBLY: Words cannot express my appreciation of the distinguished honor you have conferred upon me. I am profoundly grateful and sincerely appreciate the confidence you have reposed in me by electing me speaker of this Assembly. My earnest desire and single ambition will be to discharge to the best of my ability the duty of that high office with justice and impartiality to all. I desire to say to the minority members of this Assembly that to me as your speaker there will be no party lines. I will devote every energy I have at my command to aid with absolute fairness the great work which now lies before us. The problems of government which confront us are as important to our commonwealth as has engaged the attention of any former Assembly. The passing time with its ever changing conditions and new enterprises have brought us face to face with the need for new laws to deal out even handed justice to all our citizenship. It is for us to determine their true worth and value. We must be slow and conservative in our judgment of the necessary changes, but the people of the State of Iowa demand at our hands the enactment of wise and beneficial laws, and these laws must be in keeping with the rapid advance of our civilization. In the difficult position to which you have chosen me I ask your earnest co-operation. Gentlemen, again I thank you.

Anderson of Hamilton, moved that the following list of temporary officers be made permanent:

C. R. Benedict, Chief Clerk; A. C. Gustafson, Assistant Clerk; John Stevenson, Reading Clerk; Mrs. M. Heist, Engrossing Clerk; Mabel Elwood, Enrolling Clerk; Ruth Woodruff, Ed T. Alderman, Journal Clerks; H. C. Byers, File Clerk; J. L. Crawford, Bill Clerk; E. A. Wilmeth, Assistant Bill Clerk; G. H. Van Houten, Sergeant-at-Arms; Mrs. Clara K. Hook, Assistant Postmistress; T. W. Hazleton, Chief Doorkeeper; Chas. R. Harmon, Alba Miller, G. W. Young, Geo. Thomas, John Van Derley, J. W. Long, P. R. Toll, John DeBoss, J. E. Stiles, C. Moore, I. S. Jones, J. B. Melvin, H. B. Baldwin, Assistant Doorkeepers; Harold Reynolds, Neal Welden, Bert Byers, Harrison B. Jewell, John H. Jewell, Henry Byram, Ed Smith, I. Robinson, Chas. Devine, Albert Crooks, Fred Wilson, Harold Inman, Pages; Donald Patterson, Telephone Messenger; R. N. Hyde, Chief Janitor; F. Miller, A. Ford, Janitors.

Dodds of Des Moines, offered the following list as substitute for the temporary officers:

Chief Clerk—W. L. Van Eaton, Sidney, Iowa.  
 Assistant Clerk—Clyde Genung, Glenwood, Iowa.  
 Reading Clerk—John H. Gillespie, Burlington, Iowa.  
 Engrossing Clerk—Walter Bane, Knoxville, Iowa.  
 Enrolling Clerk—W. C. Mullen, Davenport, Iowa.  
 Journal Clerks—Edward Schrempf, Dubuque, Iowa; C. C. Hamilton, Des Moines, Iowa.  
 File Clerk—P. A. O'Mara, Petersville, Iowa.  
 Assistant File Clerk—J. P. Cruickshank, Fort Madison, Iowa.  
 Bill Clerk—Adam Eis, Muscatine, Iowa.  
 Sergeant-at-Arms—Clint L. Price, Indianola, Iowa.  
 Chief Doorkeeper—Col. Jno. O'Dea, New Hampton, Iowa.  
 Assistant Postmistress—Margaret E. Wing, Des Moines, Iowa.  
 Chief Janitor—Alex Roberts, Davenport, Iowa.  
 Assistant Janitors—To be selected by Janitor.  
 Assistant Doorkeepers—J. J. Lane, Milton, Iowa; Oliver Seaton, What Cheer, Iowa; Jas. Canada, Elkader, Iowa.  
 Pages—Edward Mayor, Iowa City, Iowa; Ray Rail, Birmingham, Iowa; Jerry Canty, New Hampton, Iowa; Loren Weidman, Burlington, Iowa; Vardiman Wilkers, Stevens City, Iowa.

On being put to a vote the substitute motion was lost.

On the question, "Shall the designated list of temporary officers be declared elected as permanent officers?"

The ayes were:

Allred, Anderson, Arney, Balluff, Bascom, Bauman, Beans, Beebe, Beery, Blackmore, Boe, Boettger, Bonwell, Boomgaarden,

Branden, Burt, Byerly, Cassady, Cooper, Cousins, Crozier, Crummer, Cunningham, Dabney, Dalby, Darrah, Davidson, Dawson, Derrough, Dewell, Dewey, DeWitt, Dodds, Drury, Dye, Elliott, Ellis, Etter, Felt, Fenn, Finlayson, Fourt, Fox, Fulliam, Fulton, Goodykoontz, Grier, Hackler, Hanson, Harding, Harvey, Hickenlooper, Holmes, Huffaker, Hunter, Ide, Inman, Jacobs, Jewell, Johnson, Jones, Kellogg, Kendall, Klay, Koontz, Larrabee, Lee, McDonald, Marston, Meredith, Miller of Bremer, Miller of Dubuque, Moore of Wapello, Newell, O'Connor, Penn, Perkins, Reaney, Reitz, Ripley, Ritter, Sankey, Schroeder, Schulte, Smith, Stillman, Stoddard, Sullivan, Swan, Tegeler, Thompson, Tilton, Ward, Welden, White, Wilson, Wolfe, Zeller, Mr. Speaker—99.

The nays were:—Baxter—1.

Absent or not voting:

Bowman, Calkins, Kull, McCleary, Moore of Linn, Schee, Sheldon, Swift—8.

So the motion prevailed and the permanent officers as designated in the motion, were declared elected.

A committee from the Senate reported that the Senate was duly organized and ready to receive any communications the House might transmit.

Hanson of Humboldt, moved that the rules of the Thirty-second General Assembly be in force and effect until the report of the Committee on Rules shall have been adopted.

Motion prevailed.

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

Motion prevailed.

The Speaker named as such committee: White of Story, Dawson of Cherokee, and Crozier of Marion.

Lee of Emmet, moved that a committee of three be appointed to notify the Senate that the House is duly organized and ready to receive any communication that it may desire to transmit.

Motion prevailed.



The Speaker named as such committee: Lee of Emmet, Brandes of Pottawattamie, and Wolfe of Clinton.

Larrabee of Fayette, offered the following concurrent resolution:

*Resolved, by the House, the Senate Concurring,* That a joint convention of the two Houses of the Thirty-third G. A. be held Monday afternoon, at 2 o'clock, and that when this House adjourn it adjourn to the said hour.

*Resolved,* That the Governor of the State be invited to read his message before the two Houses of the General Assembly, in joint convention assembled, and that the Speaker of the House and the President of the Senate be appointed a committee to deliver the invitation.

Unanimous consent having been given for immediate consideration, Mr. Larrabee moved the adoption of the resolution.

Motion prevailed, and the resolution was adopted.

Darrah of Lucas nominated Hon. N. J. Lee, of Emmet, Speaker Pro Tempore of the House of Representatives of the Thirty-third General Assembly.

O'Connor of Chickasaw nominated Hon. G. H. Schulte of Clayton, as Speaker Pro Tempore of the House of Representatives of the Thirty-third General Assembly.

Upon the roll being called the result was as follows:

Those voting for Lee were:

Allred, Anderson, Arney, Bascom, Beans, Beebe, Beery, Blackmore, Boe, Bonwell, Boomgaarden, Brandes, Burt, Cassady, Cooper, Cousins, Crummer, Cunningham, Dalby, Darrah, Davidson, Dawson, Derrough, Dewell, Dewey, DeWitt, Drury, Dye, Elliott, Felt, Fenn, Finlayson, Fourt, Fox, Fulton, Goodykoontz, Grier, Hackler, Hanson, Harding, Harvey, Hickenlooper, Holmes, Hunter, Ide, Inman, Jacobs, Jewell, Johnson, Jones, Kellogg, Klay, Larrabee, McCleery, Marston, Meredith, Moore of Wapello, Newell, Perkins, Reaney, Schulte, Smith, Stillman, Stoddard, Sullivan, Swan, Thompson, Tilton, Ward, Welden, White, Wilson, Zeller, Mr. Speaker—75.

Those voting for Schulte were:

Balluff, Bauman, Baxter, Boettger, Byerly, Dabney, Dodds, Ellis, Etter, Fulliam, Huffaker, Kendall, Koontz, Lee, McDonald, Miller

of Bremer, Miller of Dubuque, O'Connor, Penn, Reitz, Ritter, Sankey, Schroeder, Tegeler, Wolfe—25.

Absent or not voting :

Bowman, Calkins, Crozier, Kull, Moore of Linn, Schee, Sheldon, Swift—8.

Marston of Cerro Gordo in the chair.

On motion of Schulte of Clayton the election of Lee as Speaker Pro Tempore was made unanimous.

Klay of Sioux, moved that a committee of two be appointed to escort the Speaker Pro Tempore to the Chair.

The Speaker named as such committee: Klay of Sioux and Bauman of Van Buren.

Mr. Lee was escorted to the Chair as Speaker Pro Tempore, and after taking the oath of office, made the following remarks :

MR. SPEAKER AND GENTLEMEN OF THE HOUSE OF REPRESENTATIVES OF THE 33RD GENERAL ASSEMBLY—I want to acknowledge the appreciation I feel for the honor you have conferred upon me by unanimously electing me as your Speaker Pro tempore. I believe I am justified in construing your action as the spontaneous expression of the good will you bear me and as further evidence of the confidence you have uniformly shown in my acts and purposes.

In accepting the office of Speaker Pro tempore, I promise you I will do everything in my power to render aid to the Speaker of the House, to the end that the administration of his difficult office may be successful. I will perform all duties that may devolve upon me with such fidelity and impartiality as I can summon.

There is one thought I would like to impress upon the members, and that is that all proposed legislation should receive the most thorough and mature consideration, both in committee and on the floor, before enactment into law. We often hear the criticism made that there are too many laws passed. There is some ground for the criticism, but I think it could be confined to the statement that there are too many laws passed without being wrought into that perfect state which should characterize every piece of legislation. There will always be a demand for new laws to meet the constantly changing conditions and needs of society, and we should strive to interpret the will of the people, and give it authoritative expression in the form of law. When we do this conscientiously I have no fear of just criticism, but on the other hand I believe we will earn the approval and commendation of the people of this state.

I predict a most harmonious session, but I hope for that which is for greater importance, and that is that we may accomplish something of permanent value to the citizens of our great commonwealth.

#### 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 the appointment of a Joint Committee on Inauguration, and the President of the Senate appoints as such committee on part of the Senate: Senators Dowell, Gilliland, Hunter, Hammell, Larrabee, Taylor.

S. W. NEAL,  
*Secretary.*

Also

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 appointment of a Joint Committee upon Additional Employes.

S. W. NEAL,  
*Secretary.*

Bonwell of Audubon moved that a committee of three be appointed to assign committee rooms to the various standing committees of the House.

Motion prevailed.

The Speaker named as such committee: Bonwell of Audubon, Beery of Henry, Balluff of Scott.

Kellogg of Harrison called up the Senate concurrent resolution relative to additional help and asked unanimous consent for immediate consideration.

Unanimous consent having been given Kellogg of Harrison, moved that the House concur in said resolution.

Motion prevailed.

The Speaker appointed as such committee on the part of the House Kellogg of Harrison, Grier of Poweshiek and Boe of Winnebago.

Sullivan of Polk asked unanimous consent for immediate consideration of Senate concurrent resolution relative to inaugural ceremonies.

Consent having been given Mr. Sullivan moved that the House concur in said resolution.

Motion prevailed.

The Speaker named as such committee on the part of the House:

Sullivan of Polk, Harding of Woodbury, Goodykoontz of Boone, Dalby of Adair, Hunter of Polk, Dabney of Davis.

Allred of Wayne offered the following resolution:

*Resolved*, That a committee of three be appointed to arrange with different ministers of the state for opening the sessions with prayer.

Motion prevailed and the resolution was adopted.

Speaker appointed as committee on Joint convention on the part of the House: Larrabee of Fayette, Darrah of Lucas, Lee of Emmet.

Arney of Marshall offered the following resolution:

*Resolved*, That the maximum number of committee clerks employed by this House shall be 38, of which eight shall be assigned to the minority and 30 to the majority. Such clerks will be provided with badges and in order to draw per diem shall be on duty between the hours of 8 A. M. and 5 P. M., unless excused by the House. A special committee of three shall be appointed to determine the qualifications of candidates for the position of committee clerk, and to assign them to committees. Only expert stenographers and typewriters shall be considered qualified.

Unanimous consent having been given, Arney of Marshall moved the adoption of the resolution.

Motion prevailed and the resolution was declared adopted.

Jacobs of Calhoun moved that the Speaker and Chief Clerk be each allowed a page.

Motion prevailed.

Drury of Sac moved that the assignment of seats to the members of the House be made a special order for Wednesday morning at 10:30 A. M., that the names of the members be placed in a hat.

and drawn by the Chief Clerk, and as the names are called the members shall select their seats and remain in the same until the drawing has been completed. Members with defective sight and hearing shall be permitted to select special seats in front.

Beery of Henry moved as an amendment that all old members be permitted to occupy their former seats if they so desire.

Beery of Henry withdrew substitute motion, with consent of second.

Allred of Wayne offered the following amendment and moved its adoption.

That members of the minority be permitted to select their seats in the northeast section of the House chamber, if they so desire.

Motion prevailed and the amendment declared adopted.

Motion as amended was adopted.

#### MESSAGE FROM THE SENATE.

The following message was received from the Senate:

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

Relative to furnishing each member of the Thirty-third General Assembly with Codes and supplements to the Code.

S. W. NEAL,  
*Secretary.*

The committee appointed to notify the Governor that the House was duly organized and ready to receive any communications that might be transmitted reported that it had so acted.

The committee appointed to notify the Senate that the House was duly organized and ready to receive any communications the Senate might transmit reported that it had so acted.

Holmes of Kossuth moved that the remarks of Hackler of Webster, Feely of Black Hawk, as Speaker and Lee of Emmet, be included in the Journal of today.

Motion prevailed.

Dodds of Des Moines moved that Miller of Bremer be allowed to retain his former seat.

Motion prevailed.

Darrah of Lucas moved that when the House adjourn it adjourn to 10:00 o'clock A. M., Tuesday.

Motion prevailed.

Inman of Floyd, moved that a committee of three be appointed by the Speaker to determine the amount of mileage due each member and report the same to the House.

On request of Jacobs of Calhoun, leave of absence was granted Derrrough of Warren until Wednesday.

On request of Marston of Cerro Gordo, leave of absence was granted Moore of Linn and Bowman of Linn.

On request of Kellogg of Harrison leave of absence was granted Sheldon of Ringgold.

On request, leave of absence was granted Welden of Hardin.

#### 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 by substituting the following Concurrent Resolution in which the concurrence of the Senate was asked:

Relative to a Joint Committee of the Senate and House of Representatives, for the purpose of receiving the Governor's Message, and to canvass the vote on Governor and Lieutenant Governor.

*Resolved by the Senate, the House Concurring,* That a joint committee of the two Houses of the Thirty-third General Assembly be held Tuesday, January 12, at 2 o'clock P. M.

That the Governor of the State be invited to read his message before the two Houses of the General Assembly in Joint Convention assembled, and that the President of the Senate and the Speaker of the House be appointed to deliver the invitation.

Larrabee of Fayette, moved that the House concur in Senate amendment to concurrent resolution relative to Joint Convention.

Motion prevailed and resolution declared adopted.

Sankey of Decatur offered the following resolution:

*Resolved,* That the Committee on Retrenchment and Reform report to the House the necessary number of employes of the House at the beginning of this session, so that unnecessary employes may be dispensed with.

Laid over under Rule 34.

On motion of Marston of Cerro Gordo, the House adjourned.

# JOURNAL OF THE HOUSE

HALL OF THE HOUSE OF REPRESENTATIVES,  
DES MOINES, IOWA, JANUARY 12, A. D. 1909.

House met pursuant to adjournment, Speaker Feely in the Chair.

Prayer was offered by the Rev. C. K. Hudson of Northwood, Iowa.

Journal of Monday, January 11th, corrected and approved.

On request, leave of absence was granted Anderson of Hamilton until Wednesday.

On request, leave of absence was granted Fox of Dallas, until Wednesday.

On request, leave of absence was granted Kellogg of Harrison, until Wednesday.

On request, leave of absence was granted Welden of Hardin until Wednesday.

On request of Harding of Woodbury, leave of absence was granted Beans of Mahaska, until Wednesday.

The following members assembled at the desk and took and signed the following oath:

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

CURBAN F. SWIFT,  
HERMAN KULL.

The following officers assembled at the desk and took and signed the following oath:

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.

C. MOORE,  
ANDREW FORD,  
H. H. BALDWIN,  
E. A. WILMETH,  
ALBA MILLER.

Miller of Bremer, moved that the Chief Clerk be authorized to assign desks in the press gallery to accredited representatives of the press.

Motion prevailed.

Roll call to determine quorum.

Those present were:

Allred, Arney, Balluff, Bascom, Bauman, Baxter, Beans, Beebe, Beery, Blackmore, Boe, Boettger, Bonwell, Boomgaarden, Brandes, Burt, Byerly, Calkins, Cassady, Cooper, Cousins, Crozier, Crummer, Cunningham, Dabney, Dalby, Darrah, Davidson, Dawson, Dewell, Dewey, DeWitt, Dodds, Drury, Dye, Elliott, Ellis, Etter, Felt, Fenn, Finlayson, Fourt, Fox, Fulliam, Fulton, Goodykoontz, Grier, Hackler, Hanson, Harding, Harvey, Hickenlooper, Holmes, Huffaker, Hunter, Ide, Inman, Jacobs, Jewell, Johnson, Jones, Kendall, Klay, Koontz, Kull, Larrabee, Lee, McDonald, Marston, Meredith, Miller of Bremer, Miller of Dubuque, Moore of Wapello, Newell, O'Connor, Penn, Perkins, Reaney, Reitz, Ripley, Ritter, Sankey, Schee, Schroeder, Schulte, Smith, Stoddard, Sullivan, Swan, Swift, Tegeler, Thompson, Tilton, Ward, White, Wilson, Wolfe, Zeller, Mr. Speaker—99.

Those absent were:

Anderson, Bowman, Derrough, Kellogg, McCleery, Moore of Linn, Sheldon, Stillman, Welden—9.

Dye of Pottawattamie, moved that the Chief Clerk of the House be instructed to procure appropriate badges for the Sergeant-at-Arms, Chief Doorkeeper, Assistant Doorkeepers, Pages and Clerks of the House.

Motion prevailed.

The Speaker appointed as the committee to arrange for the selection of committee clerks: Arney of Marshall, Moore of Linn, Stillman of Greene.

The Speaker appointed as the Committee on Mileage: Bascom of Dickinson, Felt of Clay, Schulte of Clayton.

The Speaker appointed as the committee to arrange for ministers



to offer prayer: Inman of Floyd, Anderson of Hamilton, Bauman of Van Buren.

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

Geo. P. West, Register and Leader and Evening Tribune, 8; W. C. Janagin, Capital, 9; W. G. Stevenson, Daily News, 10; J. S. Woodhouse, general, 11; E. H. English, Mason City Times-Herald, 14; Benj. Blanchard, Forum, 1.

Speaker Pro Tempore in the Chair.

SENATE MESSAGE CONSIDERED.

Concurrent Resolution relative to furnishing each member of the Thirty-third General Assembly with Codes and Supplements to the Code, and also with a copy of the annotations and the session laws of the extra session of the Thirty-second General Assembly.

Sullivan of Polk asked unanimous consent for immediate consideration and moved its adoption.

Meredith of Cass moved to amend the Concurrent Resolution by striking out the words "extra session of the."

Amendment prevailed.

Question on original Concurrent Resolution as amended.

Motion prevailed and Concurrent Resolution adopted.

Hickenlooper of Monroe, presented the following resolution, and moved that the rule be suspended and the resolution adopted:

WHEREAS, the Hon. James M. Robb of Monroe county, an honored member of this House during the Eighteenth and Nineteenth General Assemblies, departed this life at his home in Albia on the 9th day of January, 1909, therefore be it

*Resolved*, That a committee of three be appointed to prepare and present resolutions respecting his life, character and public service.

Motion prevailed, and the resolution was adopted.

The Speaker named as such committee: Hickenlooper of Monroe, Stillman of Greene, and Crozier of Marion.

Speaker Feely in the Chair.

Speaker Feely announced the receipt of the following list of papers, which were placed in the hands of the Chief Clerk.

A petition from the Secretary of State signed by the residents of Lyon County, Iowa, asking an amendment to the constitution of the State prohibiting the manufacture and sale of intoxicating liquors in the State of Iowa.

Also joint resolutions adopted by the legislatures of the States of Louisiana, Wisconsin and Illinois, all relative to making application to Congress for the calling of a convention to propose an amendment to the constitution of the United States providing for the election of United States senators by direct vote of the people.

Also copy of joint resolutions adopted by the legislatures of the States of Illinois and Wisconsin asking the Congress of the United States to provide that the proposed report on employment of women and children be placed under the direction of the Bureau of Labor in the Department of Commerce and Labor, to the end that a scientific investigation may be made into the economic and social results of such employment.

Speaker Feely announced the receipt of papers relative to the Robb-Kendall contest in the Forty-fifth district.

Darrah of Lucas moved that a committee of five be appointed to investigate the contest.

Motion prevailed.

Speaker announced the receipt of papers relative to the Teter-Crozier contest in the Twenty-sixth district.

Hackler of Webster moved that a committee of five be appointed to hear the contest and report.

Motion prevailed.

Speaker announced the receipt of papers relative to the Corrie-Baxter contest in the Fifty-ninth district.

Stillman of Green moved that a committee of five be appointed to hear the contest and report.

Motion prevailed.

Speaker announced the receipt of papers relative to the Davidson-Penn contest in the Tenth district.

Lee of Emmet moved that a committee of five be appointed to hear the contest and report.

Motion prevailed.

Speaker announced the receipt of papers relative to the Springer-Stoddard contest in the Sixty-seventh district.

Davidson of Palo Alto moved that a committee of five be appointed to hear the contest and report.

Motion prevailed.

Swift of Shelby offered the following resolution:

WHEREAS, Captain John H. Louis, an honored member of the House in the Twenty-fourth General Assembly, died at his home in Harlan, Iowa, on the 9th day of January, 1909, therefore be it

*Resolved*, That a committee of three be appointed to present suitable resolutions commemorating his life and service to his State and Nation.

Swift of Shelby asked unanimous consent to consider the resolution at this time and moved its adoption.

Motion prevailed.

The Speaker appointed as such committee: Swift of Shelby, Koontz of Johnson, Meredith of Cass.

On motion of Dewey of Guthrie, the House adjourned until 1:45 o'clock Tuesday afternoon.

#### AFTERNOON SESSION.

House met pursuant to adjournment.

Speaker Feely in the Chair.

Harold Inman took and signed the following oath as Page:

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.

HAROLD INMAN.

Speaker appointed Johnson of Mitchell, as teller for canvass of votes on the part of the House.

Darrah of Lucas moved that a committee of three be appointed to notify the Senate that the House was ready to receive it.

Motion prevailed.

The Speaker appointed as such committee: Darrah of Lucas, Finlayson of Grundy, Zeller of Madison.

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

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

## JOINT CONVENTION.

In accordance with law and Concurrent Resolution duly adopted, the joint session was called to order, Hon. James A. Smith, President of the Senate, presiding.

The roll was then called and the following members responded:

Adams, Allen of Pocahontas, Allen of Van Buren, Allred, Arney, Balkema, Balluff, Bascom, Bauman, Baxter, Beebe, Beery, Bennett, Boe, Boettger, Bonwell, Boomgaarden, Brandes, Brown, Bruce, Burgess, Byerly, Calkins, Cassady, Chapman, Clarkson, Cosson, Cooper, Crummer, Crozier, Cunningham, Dabney, Dalby, Darrah, Davidson, Dawson, De Armand, Dewell, Dewey, DeWitt, Dodds, Drury, Dye, Elliott, Ellis, Etter, Fitchpatrick, Felt, Fenn, Foley, Fourt, Frudden, Francis, Fulliam, Fulton, Gates, Gilliland, Goodykoontz, Grier, Hackler, Hammill, Hanson, Harding, Harvey, Hickenlooper, Holmes, Hoyt, Huffaker, Hunter of Polk, Hunter of Woodbury, Ide, Inman, Jacobs, Jewell, Johnson, Jones, Kendall, Klay, Kull, Larrabee of Webster, Larrabee of Fayette, Lee, McCleery, McDonald, McCulloch, McManus, Marston, Mattes, Maytag, Meredith, Miller of Dubuque, Moon, Newell, Nichols, O'Connor, Parshall, Perkins, Peterson, Proudfoot, Ream, Reaney, Reitz, Ripley, Ritter, Sankey, Saunders, Schee, Schroeder, Schulte, Seeley, Smith of Des Moines, Smith of Mitchell, Smith of Wright, Stillman, Stuckslager, Sullivan, Swan, Swift, Taylor, Tegeler, Tilton, Van Law, Ward, White of Iowa, White of Story, Whiting, Wilson of Clinton, Wilson of Tama, Wolfe, Zeller, Mr. Speaker—131.

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

Senator Allen of Pocahontas moved that a committee of two from the House and one from the Senate be appointed to notify the Governor that the joint convention was in session.

Motion prevailed.

The President appointed Senator Allen, of Pocahontas, on the part of the Senate, and Representatives Dalby of Adair and Larrabee of Fayette, on the part of the House, as members of such committee.

The committee waited upon the Governor and escorted him to the Speaker's desk.

The President of the joint convention then presented Governor Garst, who read his message, as per previous invitation.

#### GOVERNOR'S MESSAGE.

*To the Senate and House of Representatives of the Thirty-third General Assembly:*

I congratulate you on the favorable conditions under which you assemble. Peace and tranquility in both state and national life bring about a condition encouraging to the best possible work on the part of a legislative body. Our State is particularly fortunate in the fertility of her soil and the abundance of crops, in the health and strength of the people and their enjoyment of all those blessings which come to an industrious and progressive people. Your labors will not be disturbed by contentions that might thwart the purpose for which you are assembled.

A somewhat prolonged experience in public life leads me to the conclusion that our state has been liberal in support of her institutions in a degree unexcelled by other states, and has yet sustained a conservatism which insists upon the expenditure of every dollar so there could be no rational ground for criticism. Meeting, as you do, under such favorable auspices, I have an abiding faith that you will continue this liberal conservatism in regard to all the matters that come before you.

The financial transactions of the State are shown in the printed reports of the State Treasurer and Auditor of State. These reports will show that the actual receipts of the state for the fiscal period ended June 30th last amounted to \$7,247,078, of which \$4,054,876 was derived from the state levy. The Treasurer reports a balance on hand of \$644,189. I am convinced that the accounts and funds of our state are admirably kept and that warrants have been drawn and money paid out strictly in accordance with the appropriations made. Our state is free of debt, taxation is not burdensome, we pay our way as we go, and our credit has been maintained, and thanks to the high character of those who have administered the affairs of the state, we are facing no vexatious problems in regard to finance.

The estimated receipts of the State, as computed by the State Auditor, for details of which I refer you to his report, will be for the biennial period ending June 30, 1911, about \$7,605,400. By off-setting this with the regular continuing appropriations and all appropriations made and not yet expended, he estimates that you will have available for extraordinary appropriations about \$1,500,000. Further on in what I have to say to you, I shall make recommendations that will materially increase the revenues of the state, and if you adopt these measures you will be entitled to take into account, in making up your appropriations, these additional revenues.

#### GENERAL AFFAIRS OF THE STATE.

The affairs of the State can only be reviewed in general terms, and I shall not enter into details of the many things done in which we all take

just pride; but I may at least point out clearly the direction of our progress as a help to you in meeting your immediate responsibility.

The Nation is passing through an era of change leading onward and upward to higher ideals in law and the administration of government, and to a better and sounder basis for the conduct of business. There has been an awakening to a sense of personal responsibility such as to sanction that which seems to some persons to be almost revolutionary; but that the people applaud the steps taken and a great majority have recently approved a program of further development of the best ideals, indicates they are sincere, earnest and firm in their demand that all the activities of our private and public life shall be made to harmonize with the eternal principles of right and justice.

An unbiased survey of the history of our beloved State shows that within the scope of our rights and the limits of our authority we have been meeting this demand of the people for the better things. You are to be congratulated, at least to this extent, that at a time when in some states and in the nation as a unit, men are still struggling for a right beginning, here in Iowa our contentions are all of the past and we have entered peacefully upon the agreeable task of making secure and permanent the advance which has been gained.

The perfection of our election system so as to give every voter the direct and independent participation in government contemplated by the founders of the republic was undertaken long ago. The polling places were cleared of the petty vote buyers and the voter was required to hide himself as he performed the most sacred duty of citizenship; but all this was insufficient so long as the selection of candidates was left to chance or the machinations of the few. The principle of legal regulation of party nominations was adopted to firmly establish the right of free choice of the representatives and servants of the people. As a still further protection from some of the grosser agencies for political evil, the political pass was banished and direct corporation activity in politics was forbidden under severe penalties, and finally requirement was made for publicity of campaign expenditures. Iowa has gone far in the direction of guaranteeing a perfectly clean political system.

But regeneration of political methods has been only a part. There has been honest effort, with what success may well be left to the future, to improve all our laws, and especially those which touch our business and industrial life. This has led to modifying and strengthening the laws with reference to corporations, railroads, drainage, transportation, banking, highways, insurance and kindred matters; preservation of the public health as by requiring pure food, safety appliances, limiting hours of labor and regulating child labor; acceptance of a code that all experience has shown to be best adapted to reformation of evil-doers; encouragement of agricultural and industrial education and support of fairs and expositions; adapting school laws to modern needs; aid has been given the poor victims of drug and liquor habits and a retreat has been provided for consumptives; and the too long delayed publication of a roster of Iowa soldiers has been commenced.

## REBUILDING OUR INSTITUTIONS.

While these things were being done there has been no neglect of the imperative duty of virtually rebuilding our state institutions—educational, charitable and reformatory. Iowa has today fifteen institutions under the Board of Control that will compare favorably in equipment and management with those of any community of similar population in the world. At the three state educational institutions there has been laid at least the foundation for enduring greatness. At these eighteen institutions there is being expended annually for support about \$1,900,000. More than 6,500 young people are receiving instruction at the educational institutions and more than 8,500 persons are cared for at the other institutions. It is immensely to the credit of our people that they have authorized this expenditure and a matter of congratulation that the disbursement of this large sum is so wisely made that all criticism is disarmed.

It is proper to digress here and to state that which is more or less familiar to all of us that these institutions are of comparatively recent development. The state of Iowa is now sixty-two years old. The territory passed over to the state a small structure used as a capitol and a cell house for a prison. The eighteen great institutions have been built by the State. In the first fifty years of statehood there was expended for permanent improvements on these institutions less than six million dollars; in the twelve years last past the expenditures aggregated more than nine million dollars—or, in other words, our state has invested 50 per cent. more in twelve years than it did in the first half century. There is being invested now in land, buildings and equipment an annual average of about \$800,000—at least a part of which represents unwise investments of the past.

I submit that it is immensely to the credit of the State that provision has been made for these great institutions so necessary to the proper development of our life, and that we are building permanently and making investments that will continue for all time, returning to us annual dividends in the form of better citizenship.

## STATE CAPITOL IMPROVEMENT.

I feel that you and all the people of the State ought to be deeply interested in the matter of providing a suitable setting for our magnificent State Capitol. It stands today a monument to the good judgment of those who planned it and provided for its creation, and to the faithfulness and integrity of the self-sacrificing men who devoted the best of their lives to its building. Iowa can never pay its debt to Finkbine, Dey, Foote, Wright, Foreman and others of the Capitol Commission. They did their full duty; and partly in their honor and partly that we may complete what they so well begun, it seems to me there is an obligation upon this generation that we make the surroundings and approach to this great structure comport with its dignity and architectural beauty. We have provided in part for the interior decoration; we have neglected the exterior and environment. I would recommend, therefore, a commission authorized to purchase land adjacent to the capitol grounds, with the

right of condemnation where necessary, and with funds sufficient to secure such land as may be deemed necessary to provide a beautiful boulevard of approach and surroundings. An appropriation of \$150,000 would probably suffice.

In making this recommendation I realize that there are those among you who may feel I have gone far out of my way; but I would call your attention to the fact that a very large part of the total cost of the present Capitol represents ornamentation. We ought to make the building and its surroundings beautiful. We ought to make the whole an object of pride to all our people, something that will be an inspiration to better citizenship and that will give Iowa higher standing in the family of states. I feel so deeply upon this question, I am loath to leave it for the more practical matters, but I have full faith that after mature consideration you will see your way clear to provide for this commission.

#### AGRICULTURAL AND MILITARY HALL.

In this connection I would suggest that we might well recognize at this time that our Capitol is not a sufficient workshop for all those who labor in the service of the state. It was not possible for those who planned the state house to understand how much work would be done by the officials and employes of the state. We should therefore take at least a first step looking to the erection of an agricultural, industrial and military hall. This might properly be similar in design to the historical hall and library. There should be ample offices for the Department of Agriculture, with its allied bureaus dealing with dairying, horticulture, stock breeding, veterinary, pure food and crop service; the Commissioner of Labor, Mine Inspectors and Geological Survey; the Board of Health, Dental Board and Pharmacy Board; the headquarters of the Iowa National Guard and a commodious armory. There should be a hall suitable for a drill room, for examination classes, and for public meetings. It is no exaggeration to state that more than half the business of the state is now done in offices wholly inadequate and that were originally intended for storage rooms. Already the state has started the policy of surrounding the capitol with small office buildings, a policy which can best be avoided by planning now for one commodious building such as I have suggested. At least the site should be secured and plans be adopted so that the work may be done as soon as convenient.

#### SCHOOL LAWS AND EDUCATION.

A commission was appointed under authority of the Thirty-second General Assembly to investigate and report to you upon the need of changes in the school laws, and I believe that the report which will be laid before you will show that the commission has devoted itself industriously and thoughtfully to the task, so that great good will result. The chief problem was that of suggesting amendments to bring our educational system, especially that part which relates to the rural schools, into conformity with modern ideas and enable us to get best possible results from the very large expenditure for schools. It needs little argument to show that codification of the school laws is advisable. The present laws



are notoriously vague, defective and conflicting, due to the fact that they have been built up piece-meal. The effort to graft new ideas upon the old laws has been only partially successful. I am convinced the codification in line with the recommendations of this commission is essential. Among the important changes suggested by the Commission is that of substitution of the county district for the township district, better facilities for consolidation of rural schools, greater economy in handling school finances, and preservation of the best features of our present certification plan. Important changes are also suggested in regard to the county superintendency and the scope of the State Board of Education.

I urge you to read the commission report, and in this connection the admirable report of the Superintendent of Public Instruction. All their recommendations should be taken into consideration, for I feel sure that there is no more important matter to come before your body. In the formation of the bill you should bear in mind that the ultimate object sought is that of improving our school system so as to benefit the largest number. Having provided for compulsory school attendance, we should make good schools compulsory.

We maintain worthy educational institutions for the blind and deaf children of the state, but we do not give to these children the same protection we do to those of normal faculties. You should investigate and determine whether we should not require the attendance of blind and deaf children at schools that are provided for them.

#### TRAINING THE YOUTH FOR LIFE WORK.

Within recent years there has been an awakening throughout the United States to the importance of providing as a part of our public school system something that will more definitely give to our young people training in the useful occupations and better prepare them for their life work. The demand seems to be just now for manual training and for instruction in scientific agriculture and the domestic sciences. Some of this is being done in the town and city high schools, and it is found to be very helpful. Our State College has done much to give the young people this special training. But the fact remains that there is a very large proportion of children who do not continue in school beyond the eighth grade and who cannot avail themselves either of the opportunities of our high schools or, of our colleges. These young people become the bread-winners of the state. They need special training in useful occupations. I am convinced we must meet these conditions in a way little dreamed of by our forefathers. Something must be done for this large class which does not now remain in school but a few years. I believe we can well afford to take a step in the direction of the establishment of special schools in manual training, domestic economy, practical agriculture and giving military training. The provision for military training is important, because it is from this class that will be recruited our army of national defense when needed. But the chief value of these schools would lie in the fact that we would be preparing to meet the coming world competition in the arts and industries. There is no doubt whatever that this competition will be felt far more in the future than in the past, and we should give to our state a body of trained and

skilled artisans capable of maintaining industries the equal of any in the world.

You are doubtless aware of the movement for co-operation of the federal government with the states in training the young people in useful occupations. The time is not far distant when we will be called upon to decide whether Iowa shall join in this co-operation. In other states schools of agriculture are already in operation. The success of the agricultural college extension work shows there is a real demand for this in Iowa. As a preliminary, we ought to begin to prepare our teachers to give instruction in agriculture and other industrial lines. This work should be taken up without delay at the state educational institutions. It has been suggested, and I believe with propriety, that the state might well assist private colleges and educational institutions in development of courses where this special training of teachers is made a feature.

This whole matter at least deserves your careful investigation, to the end that our state does not fall behind in a movement already of National proportions and which must inevitably add much of practical value to our school system.

#### INSTITUTIONS OF HIGHER LEARNING.

The people of Iowa are to be congratulated upon their State educational institutions. By reason of the liberality of your predecessors these institutions are being built up to the measure of greatness of our state. They are at a critical period in their history. They are entering upon an era of expansion far beyond the dreams of their founders, in which will be realized the fondest hopes of the good men and women whose lives have been devoted to their upbuilding. The reports from these institutions that will be laid before you will show that the past biennial period has been one of wonderful progress and development at all three of these institutions; that the work of higher education of the youth has been better done than ever before; that the student enrollment has been increasing steadily and at a rapid rate; and that all are crowded to the full capacity of the equipment and teaching forces. We must go forward and provide for the thorough education of those who present themselves at the doors of these institutions. Our failure to do so would discredit us everywhere. However devoted and forceful may be those who are at the head of the various departments of these institutions, they cannot do justice to themselves or to the people unless they are provided with buildings, equipment and a sufficient faculty. Your obligation cannot be evaded. It is for you to decide whether or not the forward movement shall be continued.

In this connection, I wish to emphasize the thought that appropriations made for these institutions are not to be considered as in any sense an extravagance. These are in the strictest sense permanent investments upon which we may reasonably expect to secure profitable returns indefinitely.

In considering the question of support, it is well to know that in view of the increased cost of living it is absolutely necessary there shall be readjustment of salaries, if we are to maintain the high standard. Support and contingent funds must keep pace with the changing conditions

of life. Everything should be done to strengthen and encourage those who are engaged in this noble work. There should be no deviation from the policy of affording facilities for the training of our own teachers, and the education of our boys and girls in the professions and for special industries.

#### THE STATE UNIVERSITY.

The University is properly the head and center of the whole educational system of the state. Our progress will always be measured to some extent by the success and standing of our University, which has already attained high rank among institutions of like character, but which is coming to a time when its power for good will be greatly increased. The growth of the student body continues at a rate which makes it imperative that there shall be continual adding to the teaching force. There should unquestionably be additions to the support fund, and I invite thoughtful study of the report of the Board of Regents, so that you may act with full knowledge of the needs of the University.

An inadequate campus has always been a serious obstacle to the development of the University. I recommend the purchase of additional land, and suggest an appropriation of \$100,000 for securing acreage across the river to the west. I believe the state must ultimately acquire this property, and when it is connected with the old campus by a concrete bridge, the University will then have opportunity for expansion as it should. The opportunity thus made for giving the University more beautiful surroundings will be an inspiration to all who come within its influence.

In view of the fact that the University is becoming a great institution for the education of young people of both sexes, provision should be made for a women's building. I would recommend an appropriation of \$125,000 for this purpose, with the restriction that the cost should not exceed \$1,000 per capita for those accommodated.

#### STATE AGRICULTURAL COLLEGE.

I am convinced that nothing has so added to the educational, material—and incidentally the spiritual—welfare of Iowa people as the great school of Agriculture and Mechanic Arts at Ames. It is world-wide in the scope of its influence, and in an increasing degree must go on shaping the destinies of a large proportion of our people. I believe it is one of the most profitable of the agencies our state maintains, and it is not entirely from philanthropic motives we desire that its sphere of usefulness be enlarged.

Our 56,025 square miles of the most fertile land known give us in abundance of the things which go to the making of the better life, but the future has greater things in store for our people. Secretary Wilson says, that while for years there seemed to be a decrease in the capacity of our soil to yield, there has been a material increase in the past decade—no doubt due to the general awakening for the necessity of better crop conditions. He believes, and I think you will agree with him, that we may make our farms still more productive. In this work the college at Ames has an important part to play.

The campus at Ames is ample, but buildings and equipment are needed. Here, as elsewhere, there is also special need of a material increase in the support fund, so that better salaries may be paid and the faculty can be enlarged to meet all needs.

There is a demand coming from the fathers and mothers of the state that the equipment of the college be the best, and in view of the desire for training in domestic science, there should be better facilities afforded for instruction in this important branch of education.

You are called upon to deal with an institution enrolling 1,900 in college courses, and giving indirect benefit to very many more. Through the agricultural extension work the influence of the institution is felt in every corner of the state, and it is at all times inspiring and helpful.

The report of the trustees discusses very fully the work and needs of the college, and you should familiarize yourself especially with that part which discusses the need of better support and increase of faculty.

#### STATE NORMAL SCHOOL.

The Normal School has shown wonderful growth and its usefulness has been extended to the entire state because of the supply of trained teachers going into every part of our community. The report of the president and trustees of this institution calls attention to the demand that the Normal School provide for the training of commercial teachers for high schools, and suggests the organization of a force equipped with farm and laboratory to commence the work of preparing for instruction in scientific agriculture. The needs of the school should carefully be considered.

We should have greater facilities for the training of teachers, and I am of the opinion that the time has come when we should decide upon the location of an additional normal school. It certainly is not extravagant to desire the thorough training of substantially every teacher in the state. Of the twelve million dollars expended annually for educational purposes there is a very large part wasted through the employment of inefficient teachers and the multiplicity of small schools. We should lessen this waste as rapidly as possible.

#### HISTORICAL DEPARTMENT AND LIBRARY.

Since the adjournment of the last general assembly the State Library has been moved into its new quarters, and the law library and the general library has been separated. The Historical Department, which occupies jointly with the State Library the fine building near the state capitol, has suffered an irreparable loss in the death of Hon. Charles Aldrich, its founder, and for many years its faithful curator. These events remind us that our laws in regard to the Historical Department and library are conflicting and there seems to be necessity for a re-organization of these departments. I would suggest that you counsel with the library board as to the best method of placing this educational work upon a sound and enduring basis. The Historical hall should be completed. There should also be some provision made for the acquisition of works of art that would be of influence in shaping the thought of our people.

Among the most valuable of the educational agencies of the state is the Free Traveling Library, under the direction of a State Library Com-

mission, and its field of service has steadily grown. Its mission is the dissemination of good literature throughout the State by a practical method of lending books. By this means in the remotest farm houses good books are made accessible that stimulate to higher ideals and aid in the development of the material welfare of our state. This work has expanded rapidly, which indicates that it is very much appreciated. The work of the Library Commission in stimulating sentiment in favor of local libraries has also been valuable. You should not neglect to make ample provision for continuing this work.

#### REGULATION OF THE LIQUOR TRAFFIC.

There is no doubt that the trend of the times is in the direction of the thorough control and reasonable restriction of the traffic in intoxicating liquors. The tendency to decrease rather than to enlarge the area in which the traffic is permitted under legal sanction meets the approval of the people generally.

I am a firm believer in local self-government, and each community should be left to the control of its own affairs just as far as possible without interfering with the interests of society as a whole. But I believe that the law should be amended so that the machinery for the enforcement of the regulations surrounding the saloons and the liquor traffic will be strengthened and be made effective in every community of the State. The Governor, and through him the Attorney General, should have the unquestioned power to fulfill the requirements of the constitution as to the enforcement of the laws. I feel sure that this would eliminate many of the abuses which have prevailed in the past.

I regret that the limit was placed at five years instead of at three years in the law requiring renewal of consent petitions. However, a year from coming July new petitions will be required before saloons can legally exist in any community, and I doubt not that it will result in materially reducing the so-called saloon area of the state.

In quite another way, I believe there should be reform in our attitude toward the liquor traffic as shown in our laws. I would recommend that you memorialize Congress for a change in the Revised Statutes so that it would be definitely provided that the initiative for issuing a federal license for the sale of intoxicating liquors would be with the local community directly interested. In other words, the United States should recognize the right of each community to regulate or restrain in a reasonable way the sale of intoxicating liquors. The federal government should not legalize so far as it can do so, the liquor traffic in places where the people do not want it to be legalized or tolerated. And when a federal license is issued, the holder thereof should be compelled to post it in a conspicuous place and to confine his dealings to a definite place of business. I believe this would go very far toward reducing to the minimum the evils of the system, and I am sure that if the Congress sets itself earnestly to the task, it will find a way to give to the people in this matter, as in others, a measure of self-government so vital to the people.

Our laws now recognize as an evil the traffic in intoxicating liquors, and we all know that the saloon and the saloon influence are baneful. I

believe it should be your policy, in every move you make, to strengthen the barriers we have tried to place between the saloon power and our boys and men, and to give to society the fullest measure of protection.

There is no more legitimate business in the state than the dispensing of drugs. A very large per cent. of these people comply strictly with the law, but there are exceptions that are so glaring in character that it seems almost necessary to throw additional safeguards around them. Men who are supposed to be dispensing medicine for the cure of the body often do that which is destructive of mind, body and soul. I would therefore recommend a most careful scrutiny of our law governing pharmacies, with the view to destroy, as far as possible, this nefarious branch of this very worthy business.

#### THE STATE'S LEGAL DEPARTMENT.

I desire to place especial emphasis upon the admirable and instructive report which has been made by the Attorney General with reference to the Legal Department of the State. If you will read this report, as you must, you will be led to the conclusion that this department ought to be expanded and strengthened and that by so doing its usefulness will be enhanced many fold. The Attorney General recommends that it be made possible for the Governor to "take care that the laws are faithfully executed," by giving him the power, upon proper complaint, to remove Peace Officers, Mayors and Prosecuting Attorneys. This may seem like a radical step but it is proposed as a measure to eliminate evils that are destructive to our whole social system. He suggests a re-organization of the Attorney General's department along the lines of the Department of Justice in the National Government and he gives reasons for this change which are worthy of your thoughtful consideration.

Other similar important recommendations are made by the Attorney General which I will not take time here to enumerate but I suggest to you that you cannot perform your full duty unless you have given this report a careful reading. That which he has in mind, I take it, is better enforcement of the laws of our state, and there is no one thing upon which we should all agree so readily as that the laws which we have should all be enforced impartially as to persons and places.

The State is fortunate indeed in having in its Legal Department men who regardless of criticism and possible political effect, have gone on and looked after the affairs of the Commonwealth. I especially commend to the people of Iowa the magnificent work done by Mr. Byers, and his assistants, Mr. Lyon and Mr. Cosson. I feel that we all owe to these men a debt of gratitude and that they have reduced the law violating portion of our people to a degree not reached before in a quarter of a century and have aided materially in the better development of that which we hold most sacred, better citizenship.

#### RAILROAD COMMISSION AND TRANSPORTATION.

Iowa was one of the first states to clothe its Railroad Commission with power for the settlement of all controversies relating to commerce within the state transportation lines. The right of the state to supervise and

regulate these matters has long been accepted as final and right, but there is insistence that with regard to rates, classification, assessment, taxation, discriminations and details of the service, there must be absolute fairness to all interests. The transportation problem, in its various state and interstate phases, is the greatest single problem confronting our people, and we should leave nothing undone that will further its early and satisfactory solution.

The State Railroad Commission has authority only within the state and over railroads and express lines, but there has been such changes in the business world and so great a development of conflicting interests, that a reasonable expansion of its powers seems to be necessary. The commission should have authority over the telegraph and telephone lines as much as over other common carriers. The Commission should also have some measure of authority over the public utilities of the State, such as street car lines, waterworks, gas and electric plants; but care must be exercised so that there is left with the municipalities sufficient power for the proper police regulation of these private enterprises. Matters purely local must be left to the local communities.

To enhance the efficiency of the Railroad Commission the salaries of members should be increased to not less than \$3,500 a year and they be required to devote their entire time to the work. Instead of being elective, these offices should be appointive, the Governor appointing the members subject to confirmation by two-thirds vote of the Senate. Provision should be made, however, for continuing in office to the end of their present terms the members who have been elected by the people. The term of office of members should be extended to six years.

For the enforcement of our general laws for the protection of society we have provided officers to represent the people, and in our courts those who pass judgment have long since ceased either to investigate or to prosecute; but our state and interstate commissions dealing with transportation still try to combine both functions or leave to chance the complete preparation of cases they are called upon to decide. If these tribunals are to properly dispose of their work and be free to judge impartially, they must have before them full information as to all questions involved, not on one side but on both sides, and to do this they must take on the character and methods of courts and be relieved of some of their responsibility for investigation and preparation of cases. It ought to be apparent to all of us that in the development of the system new and larger problems have come up, and these are so complicated and difficult that their investigation should be entrusted only to men of special skill and having opportunity for thorough preparation. We desire that these questions be settled and settled right. We want only justice and fairness. The state should be placed on an equality with the corporation. We should not seek advantages nor neglect our rights. Until this is done we cannot expect satisfaction from these tribunals having to deal with the controversies between shippers and common carriers.

I therefore recommend that you provide by appointment for an attorney on behalf of the state to have charge of all controverted questions before the Railroad Commission in which the rights of the people are in any

way involved, and who shall also appear before the executive council in all matters involving any of the activities which are under the Railroad Commission. He should be required to devote his entire time to the study of those questions that are likely to come before either of these bodies for adjustment or adjudication, and should have at his disposal facilities for making thorough investigation and preparation of all cases. He should be appointed by the State Executive Council, subject to removal at will by that body, should give his entire time to the work and receive a salary of not less than \$3,000.

It may be thought that in entering upon the field of interstate commerce we are going beyond our duty as a state, but when it is understood that a very large proportion of the transportation business of Iowa is interstate in character, it is imperative that we make ample provision for protecting ourselves.

#### HIGHWAY AND CONSERVATION COMMISSION.

The crying need of our times appears to be betterment of the social conditions upon the farm. Agriculture is and ever will be the backbone of our prosperity, and agricultural conditions are dependent to a large degree upon the social conditions in the rural communities. It needs no argument to show that these will be greatly improved by the construction of good roads.

I would, therefore, recommend the reorganization of our State Highway Commission and making it a commission to deal more broadly with highway construction, waterways, forestry, and the conservation of all our natural resources. I believe that this commission should consist of five persons, including at least one skilled engineer and two recognized experts in agricultural affairs; the commissioners should be paid a per diem of \$10 not to exceed sixty days each year; there should be a secretary of the commission devoting his entire time to the work, and offices should be maintained in the State Capitol.

This Highway and Conservation Commission should be empowered to investigate, plan for, and direct matters relating to the building of permanent highways, drainage, the development of rivers, the establishment of canals, water power, forestry, the disposition of noxious weeds and similar related subjects. The Commission should make a comprehensive report to be published for public distribution.

This commission should be empowered to appoint a State Superintendent of Highway Construction, who should have general charge of the construction of the roads where state aid is received. The Commission should approve all plans for construction as prepared by the County Highway Superintendents and indorsed by the Board of Supervisors.

This Commission should be directed to make at once a complete investigation of our rivers and waterways and be authorized to secure expert testimony as to the possibility of the development of canals and waterways within the state; the Commission should also determine and report upon the availability of our rivers for water power and the development of electricity where such rivers cannot be used for transportation purposes. The movement on the part of the federal government to develop our national waterways means that in a very short time we must decide



in Iowa whether or not our streams shall be used for transportation or be preserved for their water power. This commission should furnish to the next legislature sufficient data so that action would not be delayed. The commission should in general have direction of all matters pertaining to the conservation of our natural resources.

#### CONSTRUCTION OF GOOD ROADS.

The people of Iowa annually spend about \$4,000,000 in road building. It needs no argument to convince our people that this money could be expended to better advantage than it is at present. The state should enter upon a policy of general aid to the local authorities in the construction of permanent highways and I would recommend an appropriation equal to thirty cents per capita of the population distributed among the counties on this basis and this should all come from the state saloon tax as provided for in the suggestion made elsewhere. According to the census of 1905 this would make available for highway construction \$663,015. This money should be used in the construction of permanent highways upon the basis of the state paying 45 per cent. of the cost, the county paying 45 per cent., and the Township 10 per cent. Under certain conditions the Board of Supervisors might direct that the County pay 55 per cent., leaving the Township free of special obligation where it is not directly benefitted.

Provision should be made for a County Supervisor of Highways under appointment of the Board of Supervisors, he to be a civil engineer and who shall also act as the County Surveyor. He should have charge of the plans and specifications for highways where state aid is desired and the plans which he prepares should be approved by the Board of Supervisors, subject to the further approval of the State Highway and Conservation Commission.

This is an entirely new departure in road construction for our state but it is in line, as I believe, with the best systems that are in use elsewhere.

It has been suggested, and I believe with propriety, that if we are to enter upon this policy of State aid in the construction of permanent highways the local road levies might be changed. I would recommend that authority be given the counties to levy a tax of two mills and the townships three mills.

As drainage is one of the most efficient means of road construction, I recommend that the board of trustees or county boards be authorized, where it is thought desirable, to enter upon private property for the purposes of putting in sub-drainage, paying a reasonable compensation for any damage sustained by the property owner.

#### DEPARTMENT OF AGRICULTURE.

The general scope of usefulness of the Department of Agriculture has been so broadened that it is now regarded as one of the most valuable departments of the state. Its continued usefulness will depend upon the support it receives. The department should be encouraged to come into

the most intimate relationship with the people of the state, and to become the avenue through which is collected all information regarding agricultural resources and dissemination of such information where it will be most valuable.

If afforded the facilities for doing so, this department is capable of doing a great work in advertising to the world the opportunities which abound in our state. We have the finest agricultural lands known, and with this and other natural resources there is practically no limit to the capacity of our state for support of a vast industrial population. The facts should be known and the truth heralded to the world. This department should be equipped for engaging in publicity in a practical manner. The support fund should be increased.

The value of the State Fair, as a great summer school of agriculture and industry, cannot be over-estimated. The substantial increase in equipment for the State Fair is appreciated by the people, and attendance is steadily increasing. It seems to me we must continue, at least for a time, the policy of building permanent structures for the State Fair. I would recommend an appropriation for a fire-proof amphitheater to avoid the constant danger because of the present structure. It is unwise to invite our people to be our guests at the State Fair and expose them to unnecessary risk.

The State Board of Agriculture is asking for some minor changes in the law with a view to increasing the efficiency of the work now done, and these askings deserve your thoughtful consideration.

#### BOARD OF CONTROL.

The report of the Board of Control has been printed and is before you for consideration. I feel that beyond calling your special attention to this report, I need say little. The people of Iowa are to be congratulated upon the fact that this board has maintained the high standard which marked the inauguration of such a great reform, and its management of the various state institutions has been such as to fully satisfy the people. At the institutions under the control of this board there are now cared for more than 8,500 persons, and more than 1,300 employes are under the direction of the board. By reason of the careful management and thorough business methods which this board employs the cost of maintenance of these institutions has been materially decreased, despite the enormous increase in the cost of all supplies. The purchase of farms has been a considerable factor in keeping down the expenses of maintenance; at the same time there can be no doubt that our state wards are better cared for than ever before, and it is doubtful if there is a state in the Union where the management of the institutions is so entirely free from all political or local or selfish influence.

The appropriations asked for by this board are mainly for small items for the purpose of equipment or completing the buildings already under construction and for making material improvements in the grounds and work shops. The askings of the board seem to be modest and sensible.

The board renews its recommendation that it be relieved of the responsibility of reporting on the financial transactions of the State

University, State College and Normal School. This is the one absurdity in the Board of Control law and its repeal should be immediate.

The board recommends the purchase of land for the establishment of an epileptic colony. I am not sufficiently familiar with the facts to enable me to advise you in this regard, but the fact that the board recommends it indicates that there is merit in the proposition. The board also recommends additional buildings for the tuberculosis hospital and as this is the newest of our institutions, of course additions will be necessary from time to time.

Among other notable recommendations of the board which deserve your attention is that of the repeal of the law under which pension money is withheld from residents of the Soldiers' Home for infraction of the rules, as this is in conflict with the federal statutes; also that all children at the Orphans' Home be made wards of the state; also that there be a minimum allowance for support of the School for the Deaf and at the College for the Blind; also that no child under ten years be committed to either of the Industrial Schools, and also some simplifying of the laws regarding payment of certain claims at the Hospital for Inebriates.

#### PREVENTION OF TUBERCULOSIS.

Inasmuch as the public health is one of the largest assets of the state, measures which directly or indirectly benefit the health of our citizens should receive serious consideration. Our state recognizes the preventable nature of tuberculosis and that this terrible scourge is amenable to intelligent repressive measures. Not only have we an institution especially provided for those who are unable to properly care for themselves, but we have entered upon a policy of educating the people directly as to their dangers and duty, and pointing out to them what they can do to lessen the harm which comes from this cause. When we remember that more than 2,000 lives are sacrificed annually to the white plague, and about 80 per cent. of these victims die between the ages of fifteen and forty-five, and when it is known that every one dying spreads the infection, it is not hard to compute the financial loss to our state. An educational campaign extended generally throughout the state has brought much enlightenment to our citizens and bids fair to aid greatly in exterminating the white plague. This work under the Board of Control has been efficiently conducted, and it would be wise to continue it with more ample funds, if necessary.

#### PRIMARY ELECTION LAW AMENDMENT.

I hope and believe the primary election law is indelibly upon the statute books, for in my judgment it is the only system of making party nominations that will stand the test of time; but we should not hesitate to amend the law as its weaknesses come to our attention. Already we have been compelled to resort to a special session of the legislature to amend the law to meet conditions not foreseen. The alphabetical arrangement of names upon the official ballot is found to be unfair to candidates and to the voters, and some form of rotation of names ought to be provided so that all candidates shall be on an equal footing. It were better to have

no law than to thus fail of giving all candidates an equal chance. I am sure you will find a way to remedy this defect.

There has been considerable friction over the division of expense, and as it is immaterial to the taxpayer how this burden is distributed, I would suggest that the entire expense be borne by the counties, since the county boards have the best opportunity for scrutinizing the bills.

Uniformity in the printing of the bills should also be provided, to the end that the expense be not more on one community than another, and there would be a reduction in the total cost. The discrepancy in bills presented to the state indicates there should be limit to cost as a matter of safety to the taxpayers.

#### ADJUSTMENT OF OFFICIAL DUTIES.

Much progress has been made in the adjustment and re-arrangement of the duties of the various state officers and providing for a more perfect accounting system. One may now trace to its destination every dollar of taxes or fees received. The financial transactions of the State, large and small, are upon a business basis, but in order to do this new duties and responsibilities have been placed upon the state's servants. To lighten the burden, we might well go further by grouping together departments that are related, and in line with this thought I would urge these changes:

The Department of Public Accounts should be placed under the control of the Secretary of State.

The Department of Banking should be attached to the office of Treasurer of State.

The Department of Insurance should be a separate and independent department.

The task of compiling criminal statistics should be combined with similar duties of the Board of Parole.

All of these adjustments should be in the interest of more economical handling of the business of the state and would avoid duplication of work in many cases.

#### STATE INSURANCE DEPARTMENT.

I believe that the State Insurance Department should be independent and under the management of a Superintendent of Insurance, appointed by the governor, subject to approval by the senate, with an adequate salary and sufficient office force. This is in line with the recommendation of the Legislative Insurance Commission and of the State Auditor in various reports in the past. It would be simple recognition of the fact that our insurance interests have grown to such proportions that for the protection of the public, and the proper regulation of the business, Iowa should get in line with the other states having similar insurance interests.

Iowa is recognized as one of the great insurance states of the Union. My judgment is that this business can be extended almost indefinitely by proper legislation, bringing into the state a vast wealth from outside sources little dreamed of by those who have not given the matter special consideration. This all has a tendency to increase the wealth of the state and is ample justification for any slight additional expenditure that

may be occasioned by such a department over our present antiquated and inadequate system.

#### REVISING OUR TAXING METHODS.

There has been a growing sentiment in the state in favor of a commission to investigate our very inadequate laws governing taxation. I would recommend the appointment of such a commission, numbering three members especially qualified by their general knowledge of the subject to be treated, who should be required to make a report to the next General Assembly. This would cost but a small sum of money and if the commissioners are responsive to the duty imposed on them their work would no doubt be worth many times its cost.

#### MORTGAGES, MONEYS, AND CREDITS.

A number of states have enacted laws requiring mortgages to pay a small recording fee in lieu of all other taxes, with the result that while they have received substantially as much revenue, the burdens fall more equally upon the holders of this class of property. It is well known that mortgages of all kinds and character pay but a ludicrously small tax, and the tax that is paid is generally from those who should not have the burden placed upon them. I believe that under the system I suggest rates of interest would be so lowered that the borrower would receive even greater benefit than the lender, owing to the fact that under our present system the lender pays comparatively no tax while by the change no doubt the borrower would get a materially less rate. I would recommend that you place upon the statute books a law requiring that all mortgages recorded shall pay a fee of one-half of one per cent. in excess of the regular recording fee as now provided.

#### ANNUAL FEES FROM CORPORATIONS.

A bill should be passed similar to that introduced into the senate of the Thirty-second General Assembly by Ericson of Boone to require an annual report from all corporations and a filing fee. Men engaged in business seek to avoid financial responsibility through organization under our corporation laws. This is desirable and proper, but it seems to me that the exemption enjoyed is of such value that those who claim its benefits should be willing to pay for the same. This is no innovation, for we find that our corporations when doing business elsewhere are required to pay annual fees in many of the states. A law of this kind would probably add from one hundred fifty to one hundred seventy-five thousand dollars annually to our state exchequer and still be within the bounds of reason and fairness. I most earnestly recommend it for your consideration.

#### DIRECT INHERITANCE.

I recommend a direct inheritance tax substantially in the form of the bill which passed the senate of the Thirty-second General Assembly. This seems to me a fair and equitable proposition. It provides for the

exemption of the first ten thousand dollars of individual inheritance, then a tax of one per cent. on the second ten thousand dollars, and an additional one per cent. on each added ten thousand dollars, until a maximum of five per cent is reached, which is to be applied to all above fifty thousand dollars. In view of the fact that inheritances are made possible only through organized society it seems to me that the state has a right to exact these small sums which in the aggregate would add largely to the revenues of the state and be from a source where the burden would be felt less than in any other form.

#### TAXATION OF THE LIQUOR TRAFFIC.

The state has a law governing the saloons which are legally operated. At this time I desire to refer to their taxation or license fees. It is asserted that 85 per cent. of the destitution, crime and degradation of the state is due to the nefarious traffic in intoxicating liquors. This imposes upon the people an additional expense, which is borne by the communities where no saloons are tolerated as well as by the others, and it is only fair that all counties should share in the revenue derived from mulcting the traffic. With the thought that the saloons may be reduced in number and be under better control and surveillance, I recommend that the law be amended so as to require the payment of an annual license fee of \$1,200, divided so that one-third goes to the municipality, one-third to the county and one-third to the state. With the present number of saloons this state tax would amount to about \$700,000 annually, and this should be set apart to be used for permanent road construction and other public improvements as contemplated in connection with the State Highway and Conservation Commission before referred to. I believe that with substantial unanimity the people of Iowa would indorse a measure of this character.

#### ASSESSMENT OF NATIONAL BANKS.

Under the Revised Statutes of the United States the stock of national banks is now assessed as other moneys and credits but to a large degree they escape taxation. You should memorialize the Congress to permit assessment and taxation of national banks the same as state and savings banks in the state of their location. It seems impossible for us to change our system and it is manifestly unfair that banks organized under our laws should be taxed on their capital and surplus while sister institutions, enjoying special advantages, should be permitted in many instances to go scot free.

#### TRUST COMPANIES.

There is a growing demand in Iowa for financial institutions which are capable of handling the larger financial transactions of our people, especially in the negotiation of bonds and stocks of large corporations. There is also real need for home companies that can act as trustee, administrator or guardian in probate matters. I would recommend a law making it possible to organize and establish trust companies, keeping in mind that the demands of society require greatest care for the protection of the people. A short time ago it was called to my attention that when a

railroad company organized in Iowa desired to sell its bonds it was offered in New York 70 cents on the dollar for 5 per cent. bonds. When it is known that in October, 1907, Iowa people were lenders outside of the state to the amount of from one hundred fifty to two hundred million dollars, it would seem that there is abundance of money in Iowa for all purposes if the machinery was only at hand for bringing the lender and borrower together without going away and paying out so much for what belongs to our people.

#### PARDONS AND SUSPENSIONS.

As required by law, I submit to you a report upon pardons and suspensions of sentences, issued by the governor during the past two years. This report covers the work of my predecessor as I have taken up but very little of this during my brief term. This report shows that during the period seven pardons were issued, four upon the recommendation of the Board of Parole, two upon the motion of the Governor, and one by order of the General Assembly. Of suspensions or conditional paroles there were issued fifty-nine from the penitentiary, and thirty-eight from the county jails; also three suspensions upon recommendation of the Board of Parole, and one upon recommendation of the Board of Control. There were restored to citizenship from parole one hundred and nineteen persons, and in addition six restorations as recommended by the Board of Parole. Of those previously granted suspensions, the governor sent back to the penitentiary eleven convicts, and two to county jail. Of commutations of sentences of convicts, twenty-two were issued by the Governor and seven upon recommendation of the Board of Parole, to which were added eight upon recommendation of the warden to restore good time. Ninety-three fines were remitted, and two previously remitted were forfeited. To a large extent this responsibility will be removed from the office of governor in the future, but I am convinced that the duty has been performed conscientiously and with due regard to the interests of society.

In accordance with the law, I submit to you the names of prisoners convicted of murder in the first degree and sentenced to life imprisonment, who have applied to the Governor for pardon, so that you may take action and advise the Governor as to your wishes. Applications have been made by the following persons:

Will Adams, W. E. Alexander, W. P. Glyndon, Leonard W. Haley, W. M. H. Jones, Hugh L. Robbard, Thomas C. Robinson, Albert Parnitzka, John Penny, L. R. Van Tassel, Thomas W. Watson, C. H. Woodward.

#### BOARD OF PAROLE.

The working of the Board of Parole law seems to meet the expectation of its friends, but I would suggest that the board be given authority to consider cases before convicted persons are committed. Many cases have come to the notice of the Executive Department in which the ends of justice and the interests of society seem to require intervention before the stain of actual imprisonment. This latitude should be given the board. That section of the law requiring that paroled persons shall remain actual residents of the state, and requiring a specific term of employment, should

be changed so that the board would have discretion in these matters. The board should also have authority to fix a definite future time when a sentence shall expire, or a parole be granted. The law providing for good time of prisoners should also be made to apply to prisoners whose terms have been fixed by the Board of Parole, so that this inducement to reform would be present in all cases.

#### COMPENSATION OF PUBLIC OFFICIALS.

While we as a state have perhaps the largest per capita wealth of any state in the Union, we are paying for most faithful and conscientious services what seems to me inadequate salaries. In civil life men doing the service and having the responsibilities of affairs of the magnitude of the work done by the Board of Control are receiving from five to six thousand dollars annually. We have been paying in the past the members of our Board of Control \$3,000—a rate that was established ten years ago when the cost of living was certainly twenty-five per cent. less than it is today. I feel that this condition should not longer obtain; that the servant is worthy of his hire, and that the members of the Board of Control should receive annually \$3,500. The same is true of our Secretary of State, our Treasurer of State and the Auditor of State. These men are called upon to leave their homes, are subject almost incessantly of appeals for worthy objects of charity, and after the usual term of six years—unless they have outside sources of income—they have less property than when they entered public life. A railroad company or mercantile company asking for the same conscientious service, and getting it, that these men render the state, would not think of hiring them for less than \$3,500. I therefore recommend most earnestly that you increase their compensation to this amount.

#### ROSTER OF IOWA SOLDIERS.

I would recommend that you make an appropriation to carry on the work of publishing the roster of Iowa soldiers. The report of the Commission in charge of this work shows that substantially half of the compilation has been completed. The appropriation made for commencing this work has been exhausted, and it was well understood at the outset that additional appropriations would be necessary to complete the work. There is nothing more to the credit of the state than this compilation and the printing of the military record of the men who went from Iowa to sustain the cause of the national Union.

#### PROTECTION FOR LABOR.

While there has been great progress in the perfection of our laws relating to labor in recent years I believe that we can still further improve them. The laborers in the gypsum mines in Iowa deserve the protection of our laws and these mines should be placed on a par with other mines of the state. The growth of our industries has been such that there is an increasing number of accidents to employes in factories and I would suggest that you provide for reports of such accidents to be made



promptly to the State Labor Bureau. The child labor law, which has been in operation a few years, has justified its enactment but there is need of facilities for its better enforcement and to that end I would suggest a change in the law placing upon the employer the burden of proof that the law is strictly observed.

#### OTHER MATTERS.

Under an act of the last General Assembly two of the progressive cities of our state have dispensed with the cumbersome old methods of city government and have placed their affairs under the control of a commission. In my estimation this is the most important reform in municipal government that has ever been attempted anywhere. In my opinion the right of adopting this form of government should be extended to all of our first class and second class cities, without exception.

You would do well to investigate and consider suggestions made in the annual report of the Dairy and Pure Food Commissioner, especially with regard to legislation to check the tendency to concentrate the creamery business in large companies at the expense of the smaller and co-operative creameries.

I have been impressed with the fact that in view of the very large number of visitors who annually come to our State Capitol there should be provided a guide to direct them and possibly some provision should be made for publication of the history of the Capitol and detailed description of its many objects of interest.

I recommend that you prohibit indefinitely the killing of quails in Iowa. It is conceded by all well informed persons that the farmer has no greater friend than the beautiful "Bob White" and he should be given a welcome to our farms and gardens and be encouraged to destroy the innumerable enemies of vegetation.

In view of the great dangers attendant upon the spread of tuberculosis among our domestic animals, and the need of firm measures to eradicate this disease, you will find it advisable to strengthen our laws and to place additional funds at the disposal of those who are fighting the evil.

The State Board of Health in their annual report make a strong showing for the necessity of larger funds to enable them to carry on the work in which they are engaged.

#### CONCLUSION.

The reports of the State Officials and Chief Executive Officers of State Institutions and of Commissions and Boards are accessible to you for your guidance as to the details of the work that is being done, and the special needs of the various departments of state. In what I have said, I have not attempted to review these reports in full, nor to summarize for you the mine of information contained therein. Neither do I wish you to understand that I have attempted to cover all matters that require your attention; rather that I have pointed out some of the things which ought to be considered in connection with the desire which we all entertain for the best government and the cleanest citizenship.

I would again admonish you to remember that ours is a growing and developing commonwealth, and the needs of today and tomorrow may be vastly different from those of yesterday. Conditions change with the passing years, and new duties appear with the unfolding of the grander civilization. You have accepted trusteeship for the affairs of a great state. Your predecessors performed their duty well, and with motives of highest patriotism. As trustees with full responsibility for the financial administration of the state, you owe it to your constituents and associates, whose confidence you hold, that you do not permit the needless or wasteful expenditure of their money. This obligation cannot be fulfilled by skimping our institutions, or pinching a few petty salaries; but it can be by maintaining the effective safeguards which make certain that full value is received for all disbursements. Yet you must remember that it is not sufficient that our state should have had a glorious past, or that the present is serene. The future must be faced courageously and your planings must ever be, not for today alone, but for a tomorrow stretching out into an endless future. Duty to ourselves must ever be tempered with duty to posterity. Wise investments of today will bring returns in increasing ratio. I have full confidence that you will be able to decide fairly between the emotional outcry against extravagance, behind which the agitator and demagogue so often shield themselves, and the clamorous demand for almost unlimited appropriations, which too often represent thoughtless selfishness. Between your duty to be economical and your impulse to be liberal, you will find many hard problems.

You, gentlemen of the Thirty-third General Assembly, represent a great corporation, composed of two and a quarter million of the most intelligent people of the earth, they having a capital of approximately five billion dollars. You are called upon to make appropriations for the expenditure of taxes collected for public purposes, and it seems to me there should be one determining factor only; not how much is the cost, but whether that which you authorize is worth more than it costs to the corporation you represent. If the answer is affirmative, there would seem to be no chance for further argument.

It is a regrettable thing that many people look upon taxation as an evil. If all taxes were collected equitably and distributed fairly, it would be the greatest blessing of our civilization. Inadequate as the means are for the collection and disbursement of taxes, society could not dispense with this process until something better is provided.

It will be a part of your duty, in the limited time before you, to make provision as well as you can for a more equitable collection of taxes and the fairest disposition possible of the funds of the state. When this is done intelligently, as I know you will do it, the people will rise up and call you blessed.

WARREN GARST,  
*Governor.*

January 12, 1909.

President Smith announced that the time had arrived for the canvass of the votes cast for the offices of Governor and Lieutenant Governor at the election held November 3, A. D., 1908, and announced as teller on the part of the Senate, Senator Peterson of

Wright, and as assistant tellers, Senators Hoyt of Buchanan, Whiting of Monona.

Speaker Feely announced as teller on the part of the House, Representative Johnson of Mitchell, and as assistant tellers, Representatives Cooper of Jasper and O'Connor of Chickasaw.

The President further announced that in accordance with the statute, tellers Peterson and Johnson would constitute the judges of said canvass.

The Speaker then opened the returns in the presence of the joint convention and the tellers proceeded to canvass the vote for Governor and Lieutenant Governor, of the State of Iowa, at the election held in November, A. D. 1908.

The tellers reported as follows:

HALL OF THE HOUSE OF REPRESENTATIVES,  
DES MOINES, JANUARY 12, 1909.

MR. PRESIDENT AND GENTLEMEN OF THE JOINT CONVENTION—Your tellers appointed by the President of the Senate and Speaker of the House of Representatives, to canvass the vote cast for candidates for Governor and Lieutenant Governor, at the election held on November 3, 1908, beg leave to make the following report of the total vote cast for Governor:

	Votes.
Beryl F. Carroll received .....	256,980
Fred E. White received .....	194,129
K. W. Brown received .....	9,118
I. S. McCrillis received .....	7,140
D. C. Cowles received .....	228
L. H. Weller received .....	256
<b>Total</b> .....	<b>470,851</b>

And of the total vote cast for Lieutenant Governor at the election held November 3, 1908:

	Votes.
George W. Clarke received .....	258,883
D. A. Ray received .....	189,907
John W. Leedy received .....	8,752
Ernest Holtz received .....	7,196
Stephen Harvey received .....	205
A. J. Cronkhite received .....	252
<b>Total</b> .....	<b>465,195</b>

All of which is most respectfully submitted.

KARL J. JOHNSON,  
C. F. PETERSON,

*Tellers.*

Report adopted.

President Smith of the joint convention announced that Beryl F. Carroll, having received the highest number of votes cast for Governor, was declared duly elected to the office of Governor of the State of Iowa for the ensuing term, or until his successor is elected and qualified; and that George W. Clarke, having received the highest number of all votes cast for Lieutenant Governor, was duly elected to the office of Lieutenant Governor for the ensuing term, or until his successor is duly elected and qualified.

President Smith of the joint convention then directed the abstract of votes and Certificates of Election to be filed with the Secretary of State.

The following certificates were signed in the presence of the joint convention:

HALL OF THE HOUSE OF REPRESENTATIVES,  
DES MOINES, JANUARY 12, 1909.

This is to certify that upon a canvass in joint convention of the two Houses of the Thirty-third General Assembly of the State of Iowa of the votes cast at the General Election held November 3, A. D. 1908, for Governor of the State of Iowa, it appeared that Beryl F. Carroll received the highest number of all votes cast for any candidate at said election for said office, and was therefore declared duly elected to said office for the term of two years and until his successor is duly elected and qualified.

Signed in the presence of the joint convention this 12th day of January, A. D. 1909.

JAS. A. SMITH,  
*President of the Senate and President of the Joint Convention.*

GUY A. FEELY,  
*Speaker of the House.*

C. F. PETERSON,  
*Teller of the Senate.*

KARL J. JOHNSON,  
*Teller of the House.*

C. R. BENEDICT,  
*Clerk of the House and Clerk of the Joint Convention.*

HALL OF THE HOUSE OF REPRESENTATIVES,  
DES MOINES, JANUARY 12, 1909.

This is to certify that upon a canvass in joint convention of the two Houses of the Thirty-third General Assembly of the State of Iowa of the votes cast at the General Election held November 3, A. D. 1908, for the office of Lieutenant Governor of the State of Iowa, it appeared that George W. Clarke received the highest number of all votes cast for any candidate of said election for said office, and was thereupon declared duly elected to said office for the term of two years and until his successor is duly elected and qualified.

Signed in the presence of the joint convention this 12th day of January, A. D. 1909.

JAS. A. SMITH,  
*President of the Senate and President of the Joint Convention.*

GUY A. FEELY,  
*Speaker of the House.*

C. F. PETERSON,  
*Teller of the Senate.*

KARL J. JOHNSON,  
*Teller of the House.*

C. R. BENEDICT,  
*Clerk of the House and Clerk of the Joint Convention.*

Representative Klay of Sioux, moved that a committee of two be appointed to notify the Governor and Lieutenant Governor of the official result of the canvass of the votes.

Motion prevailed.

President Smith named as such committee: Senator Gilliland of Mills and Representative Klay of Sioux.

The minutes of the joint session were read and approved.

On motion of Senator Van Law of Marshall, the joint convention was dissolved.

Motion prevailed.

The House reconvened.

Speaker Pro Tempore in the Chair.

Arney of Marshall, offered the following resolution:

WHEREAS, The Honorable James Wilson, Secretary of Agriculture, has greatly advanced agricultural investigations, thereby materially benefiting the farming and other productive industries of the United States, and

WHEREAS, Many of these investigations are yet incomplete and promise, if successfully carried out, still greater benefits to the agricultural interests of the United States, therefore be it

*Resolved*, That we heartily and cheerfully recommend him to Honorable William H. Taft, President elect of the United States, as a man well qualified and thoroughly informed in the duties required at the hands of the Secretary of Agriculture; and it would be highly gratifying to the House of Representatives of the Iowa Legislature, and as we believe, would meet the unanimous endorsement of the people of Iowa, and the

agricultural interests of the United States generally, to have him retained in the office he now holds.

Unanimous consent having been given for the immediate consideration, Arney of Marshall moved its adoption.

Motion carried unanimously and resolution was declared adopted.

On request, leave of absence was granted Cunningham of Buena Vista.

On motion of Arney of Marshall, the House adjourned until 10:00 A. M., Wednesday, January 13th.

# JOURNAL OF THE HOUSE

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HALL OF THE HOUSE OF REPRESENTATIVES,  
DES MOINES, IOWA, JANUARY 13, A. D., 1909.

House met pursuant to adjournment.

Speaker Feely in the Chair.

Prayer was offered by the Rev. F. W. Thomas, of Wall Lake.

Journal of Tuesday, January 12th, corrected and approved.

Permanent officers of the House were sworn in.

Dewell of Cedar presented the following resolution:

WHEREAS, The Hon T. B. Miller, an honored member of this House in the Twenty-seventh and Twenty-eighth General Assemblies, died at his home in Stanwood, Iowa, September 4, 1907, therefore be it

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

Dewell of Cedar asked unanimous consent for immediate consideration and moved its adoption.

Motion prevailed and the resolution was adopted.

The Speaker appointed the following committee: Dewell of Cedar, Goodykoontz of Boone and Dodds of Des Moines.

Ritter of Des Moines presented the following resolution, and moved that the rule be suspended and the resolution adopted:

WHEREAS, The Hon. Louis M. Jaeger of Des Moines county, an honored member of this House during the Twenty-seventh, Twenty-eighth and Twenty-ninth General Assemblies, passed away at his home in Burlington, Iowa, on the 12th day of May, 1907, therefore be it

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

Motion prevailed, and the resolution was adopted.

The Speaker appointed the following committee: Ritter of Des Moines, Koontz of Johnson and Sullivan of Polk.

Goodykoontz of Boone presented the following resolution, and moved that the rule be suspended and the resolution as read adopted:

WHEREAS, The Hon. John H. Jennings, a pioneer citizen of Iowa and an honored member of the House in the Eighteenth General Assembly, died at Boone, Iowa, on November 5, 1908, therefore be it

*Resolved*, That a committee of three be appointed by the Speaker to prepare and present suitable resolutions respecting his life, character and public service.

Motion prevailed and the resolution was adopted.

The Speaker appointed the following committee: Goodykoontz of Boone, Meredith of Cass and Schulte of Clayton.

Stillman of Green presented the following resolution, and asked unanimous consent for immediate consideration and moved its adoption.

*Resolved*, That the Chief Clerk be instructed to purchase a typewriter for the use of the Enrolling Clerk.

Motion prevailed, and the resolution was adopted.

Balluff of Scott presented the following resolution, and moved that the rule be suspended and the resolution adopted:

WHEREAS, The Hon. Wm. O. Schmidt, an honored member of this House in the Nineteenth and Twentieth General Assemblies, died at his home in Davenport on August 3, 1908, therefore be it

*Resolved*, That a committee of three be appointed to present suitable resolutions commemorating his life and service to his State and Nation.

Motion prevailed, and the resolution was adopted.

The Speaker appointed the following committee: Balluff of Scott, Koontz of Johnson and Schee of O'Brien.

The Speaker announced the following committees to hear the various contests:

Davidson-Penn contest in the Tenth district: Lee of Emmet, Harding of Woodbury, Perkins of Delaware, Dabney of Davis and Kull of Howard.



Robb-Kendall contest in the Forty-fifth district: Darrah of Lucas, Bowman of Linn, Wilson of Tama, McDonald of Carroll and Byerly of Jones.

Teter-Crozier contest in the Twenty-sixth district: Hackler of Webster, Marston of Cerro Gordo, White of Story, Dodds of Des Moines and Schulte of Clayton.

Corrie-Baxter contest in the Fifty-ninth district: Stillman of Greene, Goodykoontz of Boone, Cooper of Jasper, Bauman of Van Buren and Calkins of Adams.

Springer-Stoddard contest in the Sixty-seventh district: Davidson of Palo Alto, Beebe of Franklin, Ripley of Hancock, O'Connor of Chickasaw and Swift of Shelby.

The time having arrived for the selection of seats, which had been fixed as a special order for Wednesday morning at 10:30 o'clock, Speaker Feely requested the members to vacate seats and authorized the Chief Clerk to commence the drawing.

O'Connor of Chickasaw moved that all members who had served three or more terms be permitted to select special seats.

Meredith of Cass raised the point of order that the matter had already been settled by resolution duly adopted. The Speaker ruled the motion out of order.

White of Story moved that all seats be vacated and those of defective sight and hearing proceed to make their selection.

Motion prevailed and such selection was made.

The drawing resulted in members securing the following numbered seats:

Allred .....	20	Bonwell .....	14
Anderson .....	48	Boomgaarden .....	37
Arney .....	72	Bowman .....	32
Balluff .....	75	Brandes .....	96
Bascom .....	108	Burt .....	42
Bauman .....	55	Byerly .....	21
Baxter .....	11	Calkins .....	5
Beans .....	85	Cassady .....	1
Beebe .....	44	Cooper .....	68
Beery .....	90	Cousins .....	31
Blackmore .....	4	Crummer .....	3
Boe .....	15	Crozier .....	53
Boettger .....	77	Cunningham .....	98

Dabney .....	103	Koontz .....	69
Dalby .....	107	Kull .....	67
Darrah .....	81	Larrabee .....	58
Davidson .....	97	Lee .....	56
Dawson .....	35	McCleery .....	10
Derrough .....	36	McDonald .....	73
Dewell .....	80	Marston .....	16
Dewey .....	34	Meredith .....	29
DeWitt .....	22	Miller of Bremer .....	59
Dodds .....	101	Miller of Dubuque .....	49
Drury .....	43	Moore of Wapello .....	60
Dye .....	94	Moore of Linn .....	50
Elliott .....	18	Newell .....	84
Ellis .....	47	O'Connor .....	65
Etter .....	57	Penn .....	63
Felt .....	78	Perkins .....	8
Fenn .....	6	Reaney .....	106
Finlayson .....	100	Reitz .....	7
Fourt .....	104	Ripley .....	62
Fox .....	2	Ritter .....	71
Fulliam .....	61	Sankey .....	23
Fulton .....	102	Schee .....	39
Goodykoontz .....	86	Schroeder .....	9
Grier .....	92	Schulte .....	19
Hackler .....	91	Sheldon .....	52
Hanson .....	82	Smith .....	33
Harding .....	87	Stillman .....	64
Harvey .....	99	Stoddard .....	83
Hickenlooper .....	12	Sullivan .....	41
Holmes .....	93	Swan .....	89
Huffaker .....	17	Swift .....	25
Hunter .....	88	Tegeler .....	51
Ide .....	30	Thompson .....	70
Inman .....	26	Tilton .....	38
Jacobs .....	74	Ward .....	54
Jewell .....	40	Welden .....	24
Johnson .....	76	White .....	28
Jones .....	46	Wilson .....	95
Kellogg .....	66	Wolfe .....	105
Kendall .....	45	Zeller .....	27
Klay .....	79	Mr. Speaker .....	13

Arney of Marshall, Chairman of the committee on Committee Clerks, submitted the following report:

MR. SPEAKER—Your committee appointed to determine the qualifications of candidates for the position of committee clerk, and to assign them to committees, have examined and selected for the temporary use of the House: Tress M. Claire, Mrs. Mabel Berry, Ray R. Sheehan, D. C. Cherrier, Jennie Andrews, Lucie Stevens, Lola Elliott, Rose Johnson, Chas. Pryor and Ethel Saylor.

Arney of Marshall moved the adoption of the report.

Motion prevailed.

The following committee clerks assembled at the desk, and took and subscribed to the following oath:

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: Ethel Saylor, Mrs. Mabel Berry, Lola Elliott, Lucie Stevens, Ray R. Sheehan, Tress M. Claire, Charles Pryor, D. C. Cherrier, Jennie Andrews, Rose Johnson.

Sullivan of Polk presented the following report of the Committee on Inauguration and moved its adoption:

MR. SPEAKER—The Joint Committee on Inauguration of the Governor and Lieutenant Governor beg leave to submit the following report:

The Inaugural Ceremonies will be held in the House Chamber at 2 o'clock P. M. on Thursday, January 14, 1909.

James A. Smith, Acting Lieutenant Governor, will have charge of the ceremonies.

PROGRAMME.

Music by Orchestra.

Calling to Order by Presiding Officer James A. Smith.

Invocation by Rev. W. B. Thompson, Des Moines, Iowa.

Song by Mabelle Wagner-Shank.

Administering Oath of Office to Governor B. F. Carroll and Lieutenant Governor Clark, elect, by Chief Justice W. D. Evans.

Inaugural Address by Governor B. F. Carroll.

Song by Mabelle Wagner-Shank.

Orchestra.

We recommend that the galleries of the House Chamber be opened to the public and that no tickets of admission be issued.

PUBLIC RECEPTION.

The Capitol Building will be open between the hours of Eight and Eleven o'clock P. M. on Thursday, January 14, 1909, and an informal reception will be held by the Governor, Lieutenant Governor, Speaker of the House, and other State Officers in the rooms of the Executive.

Music will be furnished by T. Fred Henry and his orchestral band.

The Thirty-third General Assembly of the State of Iowa extends a cordial invitation to the people of the State to attend this reception.

Respectfully submitted,

C. C. DOWELL,  
SHIRLEY GILLILAND,  
ROBERT HUNTER,  
JOHN HAMMILL,  
FRED LARRABEE,  
L. L. TAYLOR,

*On the part of the Senate.*

JOHN B. SULLIVAN,  
W. L. HARDING,  
W. W. GOODYKOONTZ,  
FRED H. HUNTER,  
J. T. DALBY,  
ISAAC T. DABNEY,  
*On the part of the House.*

Report adopted.

Drury of Sac moved that when the House adjourn it adjourn to  
10:00 o'clock A. M., Thursday.

Motion prevailed.

On motion of Kellogg of Harrison the House adjourned.

# JOURNAL OF THE HOUSE

HALL OF THE HOUSE OF REPRESENTATIVES,  
DES MOINES, IOWA, JANUARY 14, A. D., 1909.

House met pursuant to adjournment.

Speaker Feely in the Chair.

Prayer was offered by the Rev. A. M. Shea, of Ames.

Journal of Wednesday, January 13th, corrected and approved.

C. R. Harmon took and signed the following oath:

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.

C. R. HARMON.

On request, leave of absence was granted Cunningham of Buena Vista.

Zeller of Madison presented the following resolution, and moved that the rule be suspended and the resolution adopted:

WHEREAS, The Hon. J. H. Mack of Madison county, an honored member of the House during the Twenty-second and Twenty-third General Assemblies, departed this life at his home in Macksburg on the 16th day of March, 1908, therefore be it

*Resolved*, That a committee of three be appointed to prepare resolutions respecting his life, character and public services.

Motion prevailed, and the resolution was adopted.

The Speaker appointed the following committee: Zeller of Madison, Derrough of Warren and Swift of Shelby.

Finlayson of Grundy, presented the following resolution, and moved that the rule be suspended and the resolution adopted:

WHEREAS, The Hon Charles Aldrich, an honored member of this House in the Nineteenth General Assembly and who served in this House several times as Clerk, but whose most distinguished service to the State was in

the promotion and establishment of the Historical Department, of which he was the first Curator, died at his home in Boone, Iowa, March 8, 1908, therefore be it

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

Motion prevailed and the resolution was adopted.

The Speaker appointed the following committee: Finlayson of Grundy, Goodykoontz of Boone and Penn of Fremont.

#### 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 House Amendments to Senate Concurrent Resolution relating to the furnishing of Code and Supplement thereto to each member of the Thirty-third General Assembly.

S. W. NEAL,  
*Secretary.*

Also:

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 adjournment from Thursday, January 14, until Tuesday, January 19, at 10 A. M.

S. W. NEAL,  
*Secretary.*

Holmes of Kossuth moved to take up Senate Concurrent Resolution relative to adjournment.

Holmes of Kossuth asked unanimous consent for immediate consideration and moved that the House concur in said resolution.

White of Story moved to amend the Concurrent Resolution by striking out the words "Tuesday, January 19th, at 10 A. M." and insert in lieu thereof "Monday, January 18th, at 2 o'clock."

Amendment lost.

Question on original Concurrent Resolution.

Motion prevailed and resolution declared concurred in.

Klay of Sioux, of the committee appointed to notify the Governor and Lieutenant Governor of the official result of the canvass of the votes, reported as follows:

MR. SPEAKER—As a committee appointed at the Joint session to inform Hon. B. F. Carroll and Hon. Geo. W. Clarke of their election respectively to the offices of Governor and Lieutenant Governor, we beg leave to report that we have performed the duty assigned to us and that each officer assured us he was ready to enter upon the discharge of the duties of his office.

SHIRLEY GILLILLAND,  
*On the part of the Senate.*  
GERRITT KLAY,  
*On the part of the House.*

White of Story, presented the following resolution, and moved that the rule be suspended and the resolution adopted:

WHEREAS, The Hon. J. L. Dana of Story county, an honored member of this House during the Seventh General Assembly, passed away at his home in Nevada, Iowa, on the fifth day of June, 1906, therefore be it

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

Motion prevailed, and the resolution was adopted.

The Speaker named as such committee: White of Story, Davidson of Palo Alto and Baxter of Ida.

Anderson of Hamilton offered the following resolution and moved the suspension of the rule by unanimous consent and that it be adopted:

In view of the fact that the report of the Educational Commission has not been seen by the school people of the state, therefore be it

*Resolved*, That the preliminary statements in said report from pages seventy-three to ninety-four, inclusive, be printed in the Journal and 10,000 copies be printed and distributed over the state under the direction of the members of the House.

Objection being made, this resolution was laid over under Rule 34.

#### INTRODUCTION OF BILLS.

By Ellis of Jackson, House File No. 1, a bill for an act to make an appropriation for the removal of the remains of Ex-Governor Ansel Briggs from Omaha, Nebraska, to Andrew, Jackson County, Iowa, and for the erection of a monument in the cemetery at that place in commemoration of his memory.

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

The following report of the Board of Control of State Institutions was presented and ordered printed in the Journal:

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

We transmit herewith for the use of the Senate and House of Representatives a copy of the report required of us by Section 2 of Chapter 206 of the Acts of the Thirty-second General Assembly.

J. T. HAMILTON,  
JOHN COWNIE,  
G. S. ROBINSON,

*Board of Control of State Institutions.*

*To the General Assembly of the State of Iowa:*

We submit herewith a report as required by Section 2 of Chapter 206 of the Acts of the Thirty-second General Assembly:

### REPORT

#### SOLDIERS' HOME, MARSHALLTOWN.

Balances December 31, 1908—

Support .....	\$	5,265.47
Additional fire protection.....		140.24
Engine and generator.....		49.15
Hose cart .....		25.00

Total balances .....	\$	5,479.86
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Transfer of funds as follows—

Additional Fire Protection Fund.

For furniture G. A. R. Hall.....	\$	39.22
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Hose House Fund.

For furniture G. A. R. Hall.....		5.33
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Engine and Generator Fund.

For barn door track and hangers.....	\$	3.94
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For Quartermaster's Building.....	74.70	78.64
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Hose House Fund.

For part payment hot water heater.....		164.67
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Total funds diverted.....	\$	287.86
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#### SOLDIERS' ORPHANS' HOME, DAVENPORT.

Balances December 31, 1908—

Support .....	\$	13,920.60
Contingent and repair.....		2,512.14
Disposal of sewage.....		2,152.13
Fencing .....		300.00
Finishing cottage for girls.....		259.61
Gymnasium apparatus .....		200.00
Hog house .....		1,200.00
New engine and generator.....		20.42



Painting .....	595.65
Rebuilding and equipping Industrial Building .....	782.66
	<hr/>
Total balances .....	\$ 21,943.21
Transfer of funds as follows—	
From Painting Fund.	
For pipe covering .....	\$ 240.35

## COLLEGE FOR THE BLIND, VINTON.

Balances December 31, 1908—	
Support .....	\$ 2,081.51
Contingent and repair .....	2,662.31
Fire escapes .....	393.97
Hospital Building .....	5.25
New boilers .....	5,906.46
New coal house .....	2,500.00
Oculist fund .....	400.00
	<hr/>
Total balances .....	\$ 13,949.50
No transfer of funds.	

## SCHOOL FOR THE DEAF, COUNCIL BLUFFS.

Balances December 31, 1908—	
Support .....	\$ 28.13
Blackboard wall slating .....	161.25
Contingent and repair .....	884.57
Electric power .....	61.48
Fencing .....	488.27
Improvement of grounds .....	146.29
Library and binding .....	333.70
Rebuild plant .....	1,438.04
Soap house and vats .....	800.00
Storage and refrigerating plant .....	980.00
Tools and machinery, Industrial Building .....	51.78
Watchman's clock .....	300.00
	<hr/>
Total balances .....	\$ 5,673.51
No transfer of funds.	

## INSTITUTION FOR FEEBLE-MINDED CHILDREN, GLENWOOD.

Balances December 31, 1908—	
Support .....	\$ 16.57
Contingent and repair .....	890.84
Improvement of grounds .....	500.00
Paints and painting .....	297.92
Water supply .....	5,386.73
	<hr/>
Total balances .....	\$ 7,092.06

## Transfer of funds as follows—

## New Boiler Fund.

For bolts for generator.....	13.30	
For crash, Custodian Building for Boys....	8.33	21.63

## Water Supply Fund.

For wing new Custodian Building for Boys.....		4,875.76
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Total funds diverted .....	\$	4,897.39
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## STATE SANATORIUM FOR THE TREATMENT OF TUBERCULOSIS, OAKDALE.

## Balances December 31, 1908—

Support .....	\$	9,302.14
Building and equipment, etc.....		1,136.73

Total balances .....	\$	10,438.87
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No transfer of funds.

## INDUSTRIAL SCHOOL FOR BOYS, ELDORA.

## Balances December 31, 1908—

Support .....	\$	1,195.01
Agricultural implements .....		179.13
Band and orchestra instruments.....		97.50
Books and periodicals .....		21.84
Blacksmith shop .....		1,086.21
Contingent and repair.....		732.63
Draining land .....		1,718.44
Fencing .....		737.24
Fire station .....		1,500.00
Furniture and furnishings.....		857.42
Lectures, etc.....		249.12
Poultry house .....		51.63
Repair old barn .....		.76

Total balances .....	\$	8,426.93
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## Transfer of funds as follows—

## Repairing Old Barn Fund.

For lumber for temporary barn.....	\$	394.25
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## INDUSTRIAL SCHOOL FOR GIRLS, MITCHELLVILLE.

## Balances December 31, 1908—

Support .....	\$	26.29
Books and periodicals .....		608.22
Chaplain fund .....		239.50
Contingent and repair .....		.09
Cows and horses .....		377.90
Dental equipment .....		31.69
Enlarging power house .....		429.31
New cottage .....		6,527.81
Painting .....		46.35
Standpipe .....		600.00

Total balances .....	\$	8,887.16
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No transfer of funds.

## MOUNT PLEASANT STATE HOSPITAL.

## Balances December 31, 1908—

Support .....	\$ 4,649.99
Books and periodicals .....	416.50
Carpets and rugs .....	1,672.58
Contingent and repair .....	732.94
Furniture and furnishings .....	1,649.95
Installing spray baths .....	378.75
Laundry machinery .....	404.30
Lavatories and closets .....	515.64
New floors .....	113.89
New cisterns .....	29.68
Operating room .....	1,000.00
Painting .....	1,002.37
Repairs to coal house .....	135.00
Sewage disposal plant .....	5,198.39
Tiling land .....	982.00
Tunnels .....	2,595.98
Women's Infirmary .....	15,516.89
	<hr/>
Total balances .....	\$ 36,994.85
No transfer of funds.	

## INDEPENDENCE STATE HOSPITAL.

## Balances December 31, 1908—

Support .....	\$ 11.24
Boilers, etc. ....	3,525.50
Carpets and rugs .....	923.25
Changing elevator .....	1,500.00
Contingent and repair .....	20.46
Electric motors .....	1,500.00
Fencing land .....	157.83
Infirmary .....	114,225.00
Rebuild north wing greenhouse .....	1,000.00
Tiling farm .....	274.44
	<hr/>
Total balances .....	\$123,137.72

## Transfer of funds as follows—

Laundry Washers Fund.	
For part payment ventilating system .....	\$ 187.31

## CLARINDA STATE HOSPITAL.

## Balances December 31, 1908—

Support .....	\$ 11,815.91
Contingent and repair .....	3,032.36
Cottage for women .....	8,921.17
Painting .....	2,704.79

Plumbing and fixtures .....	705.00
Sewer tunnel .....	262.28
<b>Total balances .....</b>	<b>\$ 27,441.51</b>
<b>Transfer of funds as follows—</b>	
<b>From Smoke Stack Fund.</b>	
For lumber .....	\$ 38.82
For valves .....	21.64
For repairing down spouts.....	21.00
For repairing kitchen ventilator.....	14.34
For new kitchen ventilator .....	30.25
For labor on same.....	4.20
For part payment on steamer.....	26.22
<b>Total funds diverted .....</b>	<b>\$ 156.47</b>

CHEROKEE STATE HOSPITAL.

Balances December 31, 1908—

Support .....	\$ 6,617.06
Books and periodicals .....	368.32
Cement walks .....	250.00
Contingent and repair .....	1,161.59
Fencing .....	426.10
Increase water supply .....	2,779.84
Infirmary .....	113,930.50
<b>Total balances .....</b>	<b>\$125,533.41</b>

No transfer of funds.

STATE HOSPITAL FOR INEBRIATES, KNOXVILLE.

Balances December 31, 1908—

Support .....	\$ 12,866.35
Additional equipment .....	1,855.31
Additional fire protection .....	290.50
Contingent and repair .....	3,082.79
Engine and generator .....	535.77
Fencing .....	323.65
Purchase of land .....	507.00
Sewage disposal plant .....	305.94
Seating chapel .....	50.00
Shop building .....	5,000.00
Telephone system .....	850.00
Walks and improvement of grounds.....	247.76
Walks .....	250.00
Walks in front of grounds.....	95.64

**Total balances .....** \$ 26,260.71  
 No transfer of funds.

## PENITENTIARY, FORT MADISON.

Balances December 31, 1908—

Support .....	\$ 963.66
Books and periodicals .....	1,083.21
Building new cell house .....	32,429.25
Changing and improving buildings.....	1,735.31
Contingent and repair .....	419.75
Extension of smoke stack.....	200.00
Furnace warden's house .....	350.00
Hospital and library building .....	203.99
Lectures and entertainments .....	369.81
Locks for cells .....	1,200.00
New prison wall .....	391.23
Support of warden .....	125.00
Transportation discharged convicts.....	735.31
Ventilating cell house .....	799.62
Warden's house .....	.05
	<hr/>
Total balances .....	\$ 41,006.19
No transfer of funds.	

## REFORMATORY, ANAMOSA.

Balances December 31, 1908—

Support .....	\$ 447.66
Barn .....	2,000.00
Boilers and connections .....	118.50
Books and periodicals .....	1,523.04
Cell room floors .....	3,868.61
Complete cell bank .....	3,000.00
Contingent and repair .....	75.65
Derrick supplies .....	886.36
Electric light plant .....	1,655.45
Freight on stone .....	23.31
Lectures, etc. ....	83.79
Lime and cement .....	1,316.54
Powder and fuse .....	735.14
Power house .....	1,000.00
Salaries of foremen .....	3,359.79
Sewer pipe .....	77.05
Support of warden .....	125.00
Tools, shop and quarry .....	72.64
Transportation of discharged convicts.....	671.84
Warden's house .....	109.45
	<hr/>
Total balances .....	\$ 21,149.82
No transfer of funds.	

## RECAPITULATION OF BALANCES.

	Support	Special	Total
Soldiers' Home .....	\$ 5,265.47	\$ 214.39	\$ 5,479.86
Soldiers' Orphans' Home.....	13,920.60	8,022.61	21,943.21
College for the Blind .....	2,081.51	11,867.99	13,949.50
School for the Deaf.....	28.13	5,712.38	5,740.51
Institution for Feeble-Minded Children .....	16.57	7,075.49	7,092.06
State Sanatorium for the Treat- ment of Tuberculosis .....	9,302.14	1,136.73	10,438.87
Industrial School for Boys.....	1,195.01	7,231.92	8,426.93
Industrial School for Girls.....	26.29	8,860.87	8,887.16
Mt. Pleasant State Hospital....	4,649.99	32,344.86	36,994.85
Independence State Hospital....	11.24	123,126.48	123,137.72
Clarinda State Hospital.....	11,815.91	15,625.60	27,441.51
Cherokee State Hospital.....	6,617.06	118,916.35	125,533.41
State Hospital for Inebriates..	12,866.35	13,394.36	26,260.71
Penitentiary .....	963.66	40,012.53	40,976.19
Reformatory .....	447.66	20,702.16	21,149.82
<b>Total .....</b>	<b>\$ 69,207.59</b>	<b>\$ 414,244.72</b>	<b>\$ 483,452.31</b>

## RECAPITULATION OF FUNDS TRANSFERRED.

Soldiers' Home .....	\$ 287.86
Soldiers' Orphans' Home .....	240.35
Institution for Feeble-Minded Children.....	4,897.39
Industrial School for Boys.....	394.25
Independence State Hospital .....	187.31
Clarinda State Hospital .....	156.47
<b>Total .....</b>	<b>\$ 6,163.63</b>

IOWA STATE NORMAL SCHOOL SPECIAL FINANCIAL REPORT, FISCAL PERIOD JULY 1, 1906 TO JUNE 30, 1908—ESTIMATED INCOME AND EXPENSES FOR FISCAL PERIOD JULY 1, 1909, TO JUNE 30, 1911.

To the Members of the Thirty-third General Assembly of the State of Iowa:

GENTLEMEN—The officers of the State Normal School have already filed the following reports concerning the fiscal affairs of this State Educational Institution: (1) Report to the Governor (Code 1897, Sec. 2680); (2) Report to the Executive Council (Chapter 6, Acts of the 28th General Assembly).

It is necessary to refer to these for additional details should they be desired. This report is in conformity to Chapter 104, Laws of the 30th General Assembly. It contains the following:

1. Summaries of the several funds for the fiscal period.
2. An estimate of the income and the expenses that may be anticipated for the fiscal period 1909-1911.

The endeavor is made to fully comply with the requirements of the law and also to give such information as will aid the General Assembly to

properly and economically provide for the support and development of this College for the Education and Training of Public School Teachers.

SUMMARIES OF THE SEVERAL FUNDS FOR THE BIENNIAL PERIOD JULY 1, 1906,  
TO JUNE 30, 1908.

I. *Mileage Fund (1-10 Mill Tax.)*

On hand July 1, 1906 .....	\$	24.03
State warrants—1906-1908 .....		122,337.38
Freight refunded .....		1.20
Expended—1906-1908 .....	\$119,937.03	
Balance on hand, June 30, 1906 .....	2,425.58	
<b>Total .....</b>	<b>\$122,362.61</b>	<b>\$122,362.61</b>

II. *Teachers' Fund.*

On hand July 1, 1906 .....	\$	5,862.49
State Warrants—1906-1908 .....		155,000.00
From student fees .....		9,772.59
Expended—1906-1908 .....	\$170,635.08	
Account balanced, June 30, 1908 .....		
	<b>\$170,635.08</b>	<b>\$170,635.08</b>

III. *Contingent Fund.*

On hand July 1, 1906 .....	\$	7,016.57
State warrants—1906-1908 .....		68,000.00
Sale of material .....		2,040.46
From student fees .....		13,000.00
Tuition, Ind. Dist. Cedar Falls—1906-1907.....		2,002.65
Tuition, Ind. Dist. Cedar Falls—1907-1908.....		2,308.51
Tuition, Sch. Dist. No. Five—1906-1907.....		244.60
Tuition, Sch. Dist. No. 5—1907-1908 .....		240.02
Expended—1906-1908 .....	\$ 90,365.58	
Balance on hand, June 30, 1908 .....	4,487.23	
	<b>\$ 94,852.81</b>	<b>\$ 94,852.81</b>

IV. *Summer Term Fund.*

On hand, July 1, 1906 .....	\$	216.65
State warrants—1906-1908 .....		16,000.00
From student fees .....		11,361.85
Paid for instruction—1906-1907 .....	\$ 27,578.50	
Account balanced, June 30, 1908 .....		
	<b>\$ 27,578.50</b>	<b>\$ 27,578.50</b>

V. *Library Fund.*

On hand, July 1, 1906 .....	\$	1,114.15
State warrants—1906-1908 .....		7,500.00
From fines, lost books .....		220.50
Expended for books, periodicals, binding .....	\$ 6,380.97	
Balance on hand, June 30, 1908 .....	2,453.76	
	<b>\$ 8,834.73</b>	<b>\$ 8,834.73</b>

VI. *Librarian Salary Fund.*

On hand July 1, 1906 .....	\$	260.93	
State warrants—1906-1908 .....			6,000.00
From student fees .....			700.00
Salaries of librarians, 1906-1908 .....	\$	6,014.00	
Balance on hand, June 30, 1908 .....		946.93	
	\$	6,960.93	\$ 6,960.93

VII. *Commencement Contingent Fund.*

On hand, July 1, 1906 .....	\$	121.57	
From diploma fees, 1906-1908 .....			824.00
Class plays—1906-1907 .....			421.47
Commencement expenses—1907-1908 .....	\$	1,052.03	
Balance on hand, June 30, 1908 .....		315.91	
	\$	1,367.94	\$ 1,367.94

VIII. *Special Funds of All Kinds.*1. Paving, walks and improvement fund of the  
Thirty-first General Assembly.

On hand, July 1, 1906 .....	\$	498.99	
State warrants—1906 .....			750.00
From student fees .....			651.00
Expended—1906-1908 .....	\$	1,899.99	
Account balanced, June 30, 1908 .....			
	\$	1,899.99	\$ 1,899.99

2. Paving, walks and improvement fund of the  
Thirty-second General Assembly.

No balance, July 1, 1906 .....			
State warrants—1906-1908 .....	\$	5,000.00	
Expended—1906-1908 .....	\$	3,962.79	
Balance on hand, June 30, 1908 .....		1,037.21	
	\$	5,000.00	\$ 5,000.00

IX. *Statement of Student Fees, Collected During  
the Period of 1906-1908, With Disposal Made  
of the Same.*

Balance on hand July 1, 1906 .....	\$	13,270.03	
Fees received—1906-1908 .....			43,018.06
Paid to Teachers' Fund .....	\$	9,772.59	
Paid to Contingent Fund .....		13,000.00	
Paid to Summer Term Fund .....		11,361.85	
Paid to Librarian Salary Fund .....		700.00	
Paid to Paving, Walks and Improvement Fund .....		651.00	
Paid for Lecture Course and Expenses, summers 1906-1907 .....		1,009.80	
Balance on hand, June 30, 1908 .....		22,792.85	
	\$	59,288.09	\$ 59,288.09



*Statistical Information Required.*

	1906-1907	1907-1908
Number of Students in Teachers' Course .....	2,571	2,478
Number of Pupils in Training Schools .....	257	267
	<hr/>	<hr/>
	2,828	2,745

## FACULTY OF INSTRUCTION.

Regular School Year.	1906-1907	1907-1908
Number of Professors .....	36	37
Number of Assistant Professors .....	7	7
Number of Instructors .....	20	18
Number of Assistants .....	14	14
Professor—Part Time .....		1
Assistant Professor—Part Time .....		1
Instructor—Part Time .....		1
Assistants—Part Time .....	6	13
	<hr/>	<hr/>
	83	92

## FACULTY OF INSTRUCTION—SUMMER TERM.

	1906	1907	1908
Professors .....	33	30	27
Assistant Professors .....	4	4	4
Instructors .....	15	14	21
Assistants .....	8	5	3
	<hr/>	<hr/>	<hr/>
	60	53	55

Students Enrolled Summer Terms, already reported among Students Annually Enrolled.

	1906	1907	1908
Teacher Students .....	1,266	1,189	1,311

## AN ESTIMATE OF THE INCOME AND THE EXPENSES OF THE IOWA STATE NORMAL SCHOOL.

BIENNIAL PERIOD JULY 1, 1909 TO JUNE 30, 1911.

Financial Statement Condensed—showing present support, necessary expenditures, present demands and actual needs of the Biennial Period July 1, 1909, to June 30, 1911.

I. <i>Teacher's Fund.</i>	<i>Expense.</i>	<i>Income.</i>
1. Permanent Fund now granted annually ....		\$ 77,500.00
2. Additional Appropriation requested annually		15,000.00
3. Salaries of Teachers—1908-1909 .....	\$ 91,000.00	
4. Necessary readjustment of salaries of next biennial period .....	6,650.00	
5. Necessary New Teachers—		
(1) Supervisor of Advanced Training School .....	\$ 1,500.00	

(2) Professor of Commercial Teacher Work .....	1,500.00	1,500.00
(3) Instructor—Shorthand and Type-writing .....	1,000.00	
(4) Instructor—Penmanship and Book-keeping .....	1,000.00	
(5) Instructor in Domestic Science .....	1,000.00	6,000.00
6. Shortage to be supplied from Student Fees..		\$ 11,150.00
	<hr/>	<hr/>
	\$103,650.00	\$103,650.00

II. *Contingent Fund.*

	<i>Expense.</i>	<i>Income.</i>
1. Permanent Fund now granted annually....		\$ 34,000.00
2. Additional Appropriation requested annually		10,000.00
3. Estimated receipts for contracts with school districts and from sales of material.....		5,000.00
4. Salaries of employes—1908-09 .....	\$ 20,292.00	
5. Necessary increase to salaries of present employes .....	600.00	
6. Fuel estimated .....	10,000.00	
7. Department supplies estimated .....	7,000.00	
8. Office expenses—postage, printing, telegraph, telephone—estimated .....	1,400.00	
9. Quarterly Bulletin—estimated .....	3,500.00	
10. Water—estimated .....	1,000.00	
11. Superintendent's department — express, freight, special labor, many small unclassified items .....	6,000.00	
12. Electric light .....	1,000.00	
13. Shortage to be supplied from students' fees..		1,792.00
	<hr/>	<hr/>
	\$ 50,792.00	\$ 50,792.00

NOTE.—The increase of the service of the school necessitates more janitor work, more firemen, more repair force, more fuel, more light, and more water. The estimates that have been given during the past years have proven to be less than the actual demand made necessary. This estimate is prepared with the same plan of economy and good service that has been maintained in previous biennial periods. Employes cost a little more per man because of the advance in cost of expert labor than was necessary five years ago. The service of the institution demands the judgment and capability of experts and such are now the employes that are here engaged. Anything less would be wasteful and unduly expensive through incapability and unnecessary destruction of equipment and machinery.

III. *Summer Term Fund.*

	<i>Expense.</i>	<i>Income.</i>
1. Permanent fund now granted annually .....		\$ 8,000.00
2. Salaries of teachers—paid—fifty-five teachers summer of 1908 .....	\$ 13,375.00	
3. Lectures and other expenses estimated for year .....	500.00	

4. Additional teachers for the period—estimated .....	900.00	
5. Shortage to be supplied from students' fees..		6,775.00
	\$ 14,775.00	\$ 14,775.00

NOTE.—The Summer Term is one of the more important sessions of the school year, as a large number of students who are teachers having contracts for the rest of the year are in attendance. The session of 1908 enrolled 1,311 students, most of whom remained throughout the entire six weeks of the session.

<b>IV. Library Fund.</b>	<i>Expense.</i>	<i>Income.</i>
1. Annual appropriation requested .....		\$ 5,000.00
2. Annual necessary expenditure for books, periodicals and binding to maintain the library .....	\$ 5,000.00	
	\$ 5,000.00	\$ 5,000.00

NOTE.—This is not an appropriation that will make much growth to the library as the use of the equipment by so many students compels much repurchase and repair in order to keep the service in good condition. This fund is just what has been given for several years and should be larger as the needs of the work are constantly growing as efficiency is increased. This appropriation not only supplies the general library but also the special department libraries of geography, physics, chemistry, history, political science and natural science, all of which are worthy of much improvement.

<b>V. Librarian Salary Fund.</b>	<i>Expense.</i>	<i>Income.</i>
1. Annual appropriation requested .....		\$ 5,000.00
2. Salaries of librarians and assistants— 1908-1909 .....	\$ 4,172.50	
3. Additional assistance needed .....	827.50	
	\$ 5,000.00	\$ 5,000.00

NOTE.—This force of workers consists of a librarian at \$1,200.00; a cataloger at \$80.00 a month; of three assistants at salaries from \$80.00 to \$60.00 a month. These assistants are trained, educated women and are qualified to assist the students in their library work. This force is the minimum number that can make the service at all commensurate with the working demands.

<b>VI. Paving and Permanent Walks Fund.</b>	<i>Expense.</i>	<i>Income.</i>
1. Appropriation requested .....		\$ 5,000.00
2. Amount needed to do the work as planned on the most moderate basis of good material and good work .....	\$ 5,000.00	
	\$ 5,000.00	\$ 5,000.00

**NOTE.**—For the protection of the present property, including floors and interiors, as well as for maintaining a good sanitary condition as to cleanliness, it is necessary to pave the drives and put in permanent walks as rapidly as the buildings are completed. The amount here asked is necessary for the biennial period in order to complete the improvements. This work includes (1) 1,670 lineal feet of driveway 24 feet wide, estimated cost \$2,948.00; (2) 3,030 lineal feet curbing, estimated cost \$545.50; (3) 1,500 lineal feet sidewalk four feet wide, estimated cost \$600.00, and one block street paving, estimated cost \$900.

<b>VII. Pipe Organ Fund.</b>	<i>Expense.</i>	<i>Income.</i>
1. Appropriation requested to pay part purchase cost of pipe organ for Auditorium .....		\$ 5,000.00
2. Necessary expenditure to obtain such an organ as the school's work demands ....	\$ 10,000.00	
3. Shortage to be made up by money obtained from lecture course and other activities conducted by the faculty and students....		\$ 5,000.00
	\$ 10,000.00	\$ 10,000.00

**NOTE.**—The musical demands of the school for the annual May Festival and for concerts and recitals, as well as for daily chapel exercises, are such that this addition to the equipment ought to be cheerfully granted. It has been customary for some years to have the students render each spring one of the great oratorios.

<b>VIII. Nurse and Hospital Support Fund.</b>	<i>Expense.</i>	<i>Income.</i>
1. Appropriation requested for biennial period..		\$ 4,000.00
2. Expense of maintenance of such department, estimated .....	\$ 7,000.00	
3. Shortage to be made from fees .....		3,000.00
	\$ 7,000.00	\$ 7,000.00

**NOTE.**—This proposition means that there are no city hospital privileges in Cedar Falls and that it is important to the people of the State that students who become seriously ill should be given such care and attention. It is, therefore, imperative that immediate steps be taken to give this opportunity for protection and assistance to those who are unfortunately ill and away from the care of home and friends. The following statement of actual cases from September 1 to December 23 will indicate in a concrete way the conditions that exist:

- September 5—Miss H.—Typhoid fever.
- September 5—Miss L.—Appendicitis.
- September 7—Miss B.—Appendicitis.
- September 14—Miss B.—Very badly sprained ankle.
- September 16—Miss S.—Fever—three weeks.
- September 17—Miss L.—Acute bronchitis.
- September 17—Miss S.—Typhoid fever—eleven weeks.
- September 20—Miss B.—Stomach inflammation—four weeks.

September 22—Miss H.—Ptomaine poison—there were other cases but more mild.

September 30—Miss S.—Appendicitis.

October 8—Miss F.—Accidental fall—hip injured—disabled and treated several weeks.

October 9—Miss S.—Appendicitis.

October 21—Miss K.—Jaundice.

October 23—Miss S.—Appendicitis.

October 28—Miss G.—Quinsy.

October 28—Miss H.—Appendicitis.

November 5—Miss C.—Nervous prostration.

November 5—Miss C.—Heart and nerves.

December 10—Miss J.—Meningitis.

*Agricultural Education.*—The management of the Normal School recognizes that there is a growing demand for instruction of public school teachers in the elements of the science of agriculture and allied subjects. The preparation of teachers for this demand is an important problem. To inaugurate this new kind of work requires sufficient land for the experimental and laboratory work and support for the number of teachers that will need to be added. The preparation of teachers ought to precede the beginning of such work by at least three years. This fact is recognized by the Davis bill now pending in Congress.

Permission is asked of the General Assembly to begin this kind of work with the students in training for public school teaching.

*Teachers furnished to State.*—Of the teacher supply of the State, the Normal School furnished the school year 1907-08 of those in attendance—two hundred and fifty seniors of some course, more than 800 undergraduates and more than 1,300 summer term students. The demand for teachers in the schools paying very meager salaries is so large that it is impossible to furnish persons at the salaries paid. There would not be a student left in the school if those enrolled were willing to accept the positions at the salaries offered. The remedy is better salaries and then better standard of qualifications can be exacted.

*Final Word.*—It will be a special privilege for the Board of Trustees or the President to give any additional information regarding the Normal School or its management to any member of the General Assembly. It is true that the Normal School is a leading college for teachers and that it has no superior in the United States as investigation will easily establish. Its courses of instruction, its laboratories, its teaching corps, its special facilities for training and culture are very notable indeed. This is true because of the generosity of the people and the wisdom of the General Assembly who combined have permitted these things to be accomplished. To keep this proud place and be better able to serve the people and the schools of the State in the future is the ambition and the hope of the management.

Thanking the members of the General Assembly for liberal consideration and for evident confidence in the past, continued favor and co-operation is requested for the future. Respectfully submitted,

HOMER H. SEERLEY,  
President.

**By authority of Board of Trustees—**

John F. Riggs, President, Des Moines.

B. F. Osborn, Rippey.

E. H. Griffin, Iowa City.

I. J. McDuffie, LeMars.

Roger Leavitt, Cedar Falls.

G. W. Clarke, Adel.

J. B. Harsh, Creston.

Alfred Grundy, Secretary, Cedar Falls.

Cedar Falls, Iowa, December 31, 1908.

**THE STATE UNIVERSITY OF IOWA.**

IOWA CITY.

OFFICE OF THE SECRETARY OF THE BOARD OF REGENTS.

JANUARY 10, 1908.

*To the Members of the Thirty-third General Assembly of the State of Iowa:*

I submit herewith my special report for the year commenced July 1, 1906, and ended June 30, 1907, in accordance with the provisions of Chapter 104, acts of the Thirtieth General Assembly.

Very respectfully,

W. J. McCHESNEY.

*Secretary of the Board of Regents.*

BOARD OF REGENTS.

*Members Ex-Officio.*

His Excellency, Albert B. Cummins, Governor of Iowa.

John F. Riggs, Superintendent of Public Instruction.

*Terms Expire 1908.*

Fourth District—Alonzo Abernethy, Osage.

Eleventh District—Parker K. Holbrook, Onawa.

Tenth District—E. K. Winne, Humboldt.

Third District—Charles E. Pickett, Waterloo.

*Terms Expire 1910.*

Fifth District—Thomas B. Hanly, Tipton.

Eighth District—John W. Lauder, Afton.

Ninth District—Vernon L. Treyner, Council Bluffs.

*Terms Expire 1912.*

Sixth District—William D. Tisdale, Ottumwa.

First District—John J. Seerley, Burlington.

Second District—Joe R. Lane, Davenport.

Seventh District—Carroll Wright, Des Moines.

*Officers of the Board.*

W. J. McChesney, Iowa City, Secretary.

Lovell Swisher, Iowa City, Treasurer.

Parker K. Holbrook,

Alonzo Abernethy,

Joe R. Lane.

Executive Committee.

George E. McLean, President of the University.

THE STATE UNIVERSITY OF IOWA.

IOWA CITY.

Statement of Receipts and Disbursements for the year commenced July 1, 1906, and ended June 30, 1907.

RECEIPTS.

Funds for the erection of buildings, etc.—

(See page 6).....\$237,148.70

Income Fund—

(See page 7)..... 291,867.12

Special Funds—

(See page 8)..... 42,211.53

Total receipts .....\$571,227.35

The A. Whitney Carr Free Scholarship Interest Fund, the F. O. Lowden Oratory Prize Interest Fund, and the W. J. Bryan Prize Interest Fund, are not shown in this statement, as these funds are held in trust by the University, the income going to pay scholarships, prizes, etc., and in no way affecting the University's income.

The hospital funds are not included in the above statement. For accounts of these funds, see pages 9 and 17,

DISBURSEMENTS.

Funds for the erection of buildings, etc.—

Building Tax (See page 11) \$130,749.37

Engineer Building Fund

(See page 11) ..... 166.80

Hospital Wing Fund (See

page 11) ..... 16,301.71

\$147,217.88

Engineering Shops, etc.

Fund (See page 11)....\$ 26,617.22

Repair and Contingent Fund

(See page 12)..... 9,806.82

Equipment and Supply Fund

(See page 13)..... 8,026.84

Equipment Fund New Medical

Buildings (See page

13) ..... 355.12

Equipment Natural Science

Building Fund (See page

13) .....	563.30	45,369.30
Income Fund (See pages 14 and 15) .....		300,893.16
Special Funds—		
Library Fund (See page 15)	5,038.63	
Special Land Fund (See page 15) .....	21,456.09	
Donated Land Fund (See page 15) .....	1,109.18	
Paving and Sidewalks Fund (See page 16) .....	6,124.24	
Dam and Water Power Fund (See page 16)....	5,734.45	
New Boiler Fund (See page 16) .....	3,825.30	43,287.89
Total disbursements ....		<u>\$536,768.23</u>

## BALANCES IN FUNDS IN UNIVERSITY TREASURY, JUNE 30, 1907.

Funds for the Erection of buildings, etc.—		
Building Tax Fund .....	\$ 21,400.15	
University Hospital Wing Fund .....	3,698.29	
Equipment and Supplies Fund .....	23.81	
Equipment Fund New Medical Building..	619.79	
Equipment Fund, Natural Science Build- ing, etc. ....	15,436.70	
Engineering Shops, etc., Fund .....	3,382.73	
Income Fund (excluding hos- pital accounts for the year) .....	\$ 9,026.04	
Special Funds—		
Library Fund .....		6.91
Special Land Fund .....	1,775.78	
Donated Land Fund .....	1,239.05	
Paving and Sidewalks Fund.	575.49	
Tunnel and Extension Fund		28.95
	<u>\$ 11,377.31</u>	<u>\$ 45,836.43</u>
Less overdrafts .....		11,377.31
Balance, June 30, 1907..		<u>\$ 34,459.12</u>

The University has no balances in departments to report, since any unexpected balances in departmental appropriations revert to Income Fund at the close of each fiscal year.

Total Receipts, as shown .....		\$571,227.35
Total Disbursements .....	\$536,768.23	
Balances .....	34,459.12	
	<u>\$571,227.35</u>	<u>\$571,227.35</u>



Amount of moneys available from all sources, during the year commenced July 1, 1906, and ended June 30, 1907, for the erection, equipment, improvement, and repair of buildings at the University.

1-5 Mill Building Tax Fund (Twenty-ninth General Assembly, Chapter 171, Section 2.)

Balance in Bldg. Tax Fund July 1, 1906..\$	8,620.68	
Balance in Building Tax Fund carried under Engineering Building Fund.....	166.80	
Received—state warrants.....	145,000.00	
Received—sale of old material.....	30.75	
Credit to correct error of previous year under Natural Science Building Account .....	.09	
		<u>\$153,818.32</u>

University Hospital Wing Fund (Thirty-first General Assembly, Chapter 182, Section 2.)

Received—state warrants .....	\$ 20,000.00	
		<u>\$ 20,000.00</u>

Equipment and Supplies Fund (Thirty-first General Assembly, Chapter 182, Section 2.)

Balance on hand, July 1, 1906.....\$	50.65	
Received—state warrants .....	8,000.00	
		<u>\$ 8,050.65</u>

Equipment Fund New Medical Buildings (Thirtieth General Assembly, Chapter 183, Section 2.)

Balance on hand, July 1, 1906.....\$	974.91	
		<u>\$ 974.91</u>

Equipment Fund Natural Science Building (Thirty-first General Assembly, Chapter 182, Section 2.)

Received—state warrants .....	\$ 16,000.00	
		<u>\$ 16,000.00</u>

Repair and Contingent Fund (Thirtieth General Assembly, Chapter 156, Section 2.)

Balance on hand, July 1, 1906.....\$	4.42	
Received—state warrants .....	7,500.00	
Miscellaneous receipts .....	11.95	
Transferred from Income Fund.....	2,290.45	
		<u>\$ 9,806.82</u>

Engineering Shops, etc., Fund (Thirty-first General Assembly, Chapter 162, Section 2.)		
Received—state warrants .....	\$ 30,000.00	
		\$ 30,000.00
		<hr/>
		\$238,650.70
Transfer from Building Tax Fund to Dam and Water Power Fund .....	\$ 1,500.00	
Transfer from Building Tax Fund to Engineering Building Fund .....	2.00	1,502.00
		<hr/>
Total .....		\$237,148.70

Receipts from all sources, during the year commenced July 1, 1906, and ended June 30, 1907, going to make up the "Income Fund" of the University, except hospital receipts.

State Appropriations for Support—

Code, 1897, Section 2643 .....	\$ 65,500.00
Twenty-seventh General Assembly, Chapter 142, Section 1 .....	10,000.00
Twenty-eighth General Assembly, Chapter 152, Section 2 .....	50,000.00
Twenty-ninth General Assembly, Chapter 183, Section 2 .....	35,000.00
Thirtieth General Assembly, Chapter 156, Section 2 .....	25,000.00
Thirty-first General Assembly, Chapter 182, Section 2 .....	19,333.00
	<hr/>

\$204,833.33

Tuitions—

College of Liberal Arts .....	\$ 15,182.50
College of Applied Science .....	3,943.25
College of Law .....	9,375.25
College of Medicine .....	13,873.00
College of Homeopathic Medicine .....	2,158.25
College of Dentistry .....	9,903.66
College of Pharmacy .....	2,303.50
Graduate College .....	210.50
Summer Session and Library School .....	1,527.50
Special Examination Fees .....	184.00
School of Music .....	4,427.00
	<hr/>

\$ 62,088.41

Diploma fees .....	\$ 3,280.00
Ophthalmology, and Otology Receipts .....	567.08
Dental Clinic Receipts .....	7,490.08
Law Loan Book Account .....	241.25
Miscellaneous Cash—rents, material sold,	

laboratory breakage deposits, net, locker rents, etc. ....	1,690.95
Interest on permanent land endowment fund .....	12,086.93
Rent on permanent land endowment fund.	258.09
Interest on daily bank balance.....	1,253.08
Warrants cancelled .....	181.33
	<hr/>
Total .....	\$294,970.53
Balance on hand in Income Fund, July 1, 1906 less hospital balances.....	2,188.22
	<hr/>
	\$297,158.75
<b>Transfers—</b>	
Income to Dam and Water Power fund.... \$	2,675.88
Income to Repair and Contingent Fund..	2,290.45
Income to New Boiler Fund.....	325.30
	<hr/>
	5,291.63
	<hr/>
	\$291,867.12

Amount of moneys available for special purposes not connected with "erection, equipment, improvement, and repair of buildings," or going to make up the "Income Fund" of the University, during the year commenced July 1, 1906, and ended June 30, 1907.

<b>Library Fund (Thirty-first General Assembly, Chapter 182, Section 2.)</b>	
Balance in library fund, July 1, 1906.... \$	40.29
Received—State warrants.....	5,000.00
Received—from sale of supplies.....	5.25
	<hr/>
	\$ 5,045.54

<b>Special Land Fund (Thirty-first General Assembly, Chapter 182, Section 2.)</b>	
Balance in special land fund, July 1, 1906. \$	802.31
Received—State warrants.....	18,000.00
Received—rents .....	878.00
	<hr/>
	\$ 19,680.31

<b>Donated Land Fund—</b>	
Balance in donated land fund, July 1, 1906. \$	1,982.91
Received—rents .....	231.00
Athletic Union—bleachers .....	134.32
	<hr/>
	\$ 2,348.23

**Paving and Sidewalks Fund (Thirty-first General Assembly, Chapter 182, Section 2.)**

Balance in paving and sidewalks fund,		
July 1, 1906 .....	\$	2,987.40
Received—State warrants .....		2,500.00
Received—sale of material .....		61.35
		<hr/>
	\$	5,548.75
<b>Dam and Water Power Fund (Thirtieth General Assembly, Chapter 156, Section 2.)</b>		
Balance in dam and water power fund,		
July 1, 1906 .....	\$	1,558.57
Received—transfer from income fund....		2,675.88
Received—transfer from building tax fund .....		1,500.00
		<hr/>
		5,734.45
<b>New Boiler Fund (Thirty-first General Assembly, Chapter 182, Section 2.)</b>		
Received—State warrants.....	\$	3,500.00
Received—transfer from income fund....		325.30
		<hr/>
	\$	3,825.30
<b>Tunnel and Extension Fund—</b>		
Balance in tunnel and extension fund, July 1, 1906 .....		\$ 28.95
		<hr/>
		28.95
		<hr/>
Total .....	\$	42,211.53

The A. Whitney Carr Free Scholarship Interest Fund, the F. O. Lowden Oratory Prize Interest Fund, and the J. W. Bryan Prize Interest Fund, are not shown in this statement, as these funds are held in trust by the University, the income going to pay scholarships, prizes, etc., and in no way affecting the University's income.

Hospital receipts at the University for the year commenced July 1, 1906, and ended June 30, 1907.

**University Hospital—**

Balance to credit of University hospital,		
July 1, 1906 .....		\$ 930.53
Hospital earnings .....	\$	17,649.48
Nurses' earnings outside of hospital.....		257.35
Operating room fees .....		2,415.00
		<hr/>
Total receipts .....		20,321.83
		<hr/>
	\$	21,252.36

**University Homeopathic Hospital—**

Balance to credit of Homeopathic hospital,		
July 1, 1906 .....		1,240.64

Hospital earnings .....	\$ 6,901.78
Nurses' earnings outside of hospital.....	1,036.36
Operating room fees .....	817.50
	<hr/>
Total receipts .....	8,755.94
	<hr/>
	\$ 9,996.58

Expenditures from funds for the erection, equipment, improvement, and repair of buildings at the University, during the year commenced July 1, 1906, and ended June 30, 1907.

#### 1-5 Mill Building Tax Fund—

Expended under head of "Natural Science Building Fund," to pay for the erection of the Natural Science building. (For detailed account of this fund, see Secretary's printed annual report).....	\$ 96,920.58
Expended under head of "University Hospital Wing Fund." For detailed account of this fund, see Secretary's printed annual report.) Further expenditures on this building under University hospital wing fund.....	11,323.66
Expended on engineering building addition .....	700.00
Expended for erection of steam engineering laboratory .....	9,012.25
Expended for improvement of School of music building .....	1,320.21
Expended for erection of dental building addition .....	5,495.40
Expended for erection of Hydro-electric power plant .....	3,397.76
Expended for erection of greenhouse....	62.30
Expended for erection of animal house...	228.96
Expended for improvement of University hospital boiler house.....	476.75
Miscellaneous improvements on buildings.	11.50
G. H. Ellsworth—Salary as superintendent of construction .....	1,800.00
	<hr/>
Total expenditures, Building Tax.....	\$130,749.37
Balance in Building Tax Fund, July 1, 1906 .....	21,400.15
	<hr/>
	\$152,149.52

#### Engineering Building Fund—

Buffalo Forge Co.—Balance on contract for fan system, which closes fund.....\$	166.80
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## University Hospital Wing Fund—

Rawson & Son—on contract.....	\$ 13,844.57	
Proudfoot & Bird—plans.....	1,022.06	
Plumbing .....	1,070.19	
Electrical work .....	83.63	
Steam fitting .....	277.11	
Fair system .....	4.15	
		<hr/>
Total expenditures .....		\$ 16,301.71
Balance on hand, June 30, 1907.....		3,698.29
		<hr/>
		\$ 20,000.00

## Engineering Shops, Etc., Fund—

Power house foundation.....	\$ 6,126.52	
Transmission lines .....	4,462.75	
Steam laboratory .....	59.00	
Canal for hydraulic experiments.....	49.75	
Retaining wall .....	1,230.51	
Equipment hydro-electric power house...	14,007.48	
Head gates .....	279.58	
Trash racks .....	221.63	
Filling and grading .....	180.00	
		<hr/>
Total expenditures .....		\$ 26,617.22
Balance on hand, June 30, 1907.....		3,382.78
		<hr/>
		\$ 30,000.00

## Repair and Contingent Fund—

General repairs .....	\$ 1,766.49	
Steam fitting repairs .....	457.01	
Plumbing repairs .....	883.44	
Electrical repairs .....	641.32	
Repairs to boilers.....	385.82	
Old Capitol Building—painting and repairs	369.20	
Old Science Building—painting and repairs	12.10	
Unity Hall—painting and repairs.....	653.29	
University Hospital—painting and repairs	753.11	
Homeopathic Hospital—painting and repairs .....	403.62	
University Laundry—painting and repairs.	207.93	
Chemical Laboratory—painting and repairs .....	177.15	
Athletic Field—care and improvement...	236.19	
Dike—athletic field .....	1,269.55	
Care of campus .....	109.72	
Madison street sewer .....	594.90	
Steam Laboratory sewer.....	51.23	
Hydraulic Laboratory—U. S. Gov't. Ser...	594.90	
Department of Education—cases .....	71.88	

Hall of Liberal Arts—painting.....	48.00
Floor surfacing machine.....	322.57
Miscellaneous repairs .....	1.34

Total expenditures ..... \$ 9,806.82

Equipment and Supplies Fund—

College of Applied Science—equipment...\$	5,999.03
Physics and Mechanics—equipment.....	1,336.17
Commercial Museum—equipment .....	327.79
Philosophy and Psychology—equipment..	295.50
Gynecology and Obstetrics—equipment..	68.35

Total expenditures..... \$ 8,026.84

Balance on hand, June 30, 1907..... 23.81

\$ 8,050.65

Equipment Fund, New Medical Buildings—

Department of Anatomy—equipment...\$	355.12
Balance on hand, June 30, 1907.....	619.79

\$ 974.91

Equipment Fund, Natural Science Building, etc.—

Natural Science Building—equipment...\$	563.30
Balance on hand, June 30, 1907.....	15,436.70

\$16,000.00

Expenditures from Income Fund for the year commenced July 1, 1906, and ended June 30, 1907. (For itemized account of all disbursements summarized below, see Secretary's printed annual report.)

Cost of Instruction:

College of Liberal Arts.....\$	90,076.33
College of Applied Science .....	18,340.00
College of Law .....	12,650.01
College of Medicine .....	23,375.10
College of Homeo. Medicine.....	5,550.00
College of Dentistry.....	14,320.00
College of Pharmacy .....	3,700.00
Graduate College .....	3,530.15
Summer Session and Library School.....	5,343.33

Total cost of instruction..... \$176,884.92

Cost of Administration:

Salaries .....	\$ 12,325.00
Supplies .....	1,753.34

Total cost of administration..... \$ 14,078.34

## General Library:

Salaries .....	\$ 4,295.00
Supplies .....	621.55

Total expense of library from Income Fund .....	\$ 4,916.55
(Books, periodicals and binding are paid for from the special library appropriation; see page 15.)	

## Cost of Apparatus and Supplies of Departments:

College of Liberal Arts.....	\$ 7,496.07
College of Applied Science.....	2,802.08
College of Law.....	102.04
College of Medicine.....	9,749.20
College of Homeo. Medicine.....	92.37
College of Dentistry .....	11,498.08
College of Pharmacy.....	1,089.54
Graduate College .....	10.35
Summer Session and Library School.....	222.64

Total cost of apparatus and supplies of departments .....	\$ 33,062.37
University Extension Expenses.....	256.66
Fixed Charges, or General Expenditures—such as fuel, light, janitor service, services of engineer, firemen, etc.....	\$ 67,109.52
Tuitions refunded.....	157.75
Tuitions, School of Music—turned over to Effie Mae Proffitt, director of the school..	4,427.00
Charge on the Secretary's books to correct error .....	.05
Total Expenditures, Income Fund...	\$300,893.16

Transfer to Dam and Water Power Fund...\$	2,675.88
Transfer to Repair and Contingent Fund....	2,290.45
Transfer to New Boiler Fund.....	325.30
	5,291.63
	\$306,184.79
Overdraft on Income Fund, June 30, 1907...	9,026.04
	\$297,158.75

Expenditures for special purposes, not connected with the "erection, equipment, improvement, and repair of buildings," or going to make up the Income Fund of the University, during the year commenced July 1, 1906, and ended June 30, 1907.



## Library Fund—

Expended for books, binding and periodicals, as set out in the Secretary's printed annual report .....	\$ 5,038.63
Balance on hand, June 30, 1907.....	6.91

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\$ 5,045.54

## Special Land Fund—

Expended for land and for rent of buildings as set out in the Secretary's printed annual report .....	\$ 21,456.09
Overdraft on Special Land Fund, June 30, 1907 .....	1,775.78

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\$ 19,680.31

## Donated Land Fund—

Expended for erection of bleachers at Athletic Park .....	\$ 1,109.18
Balance on hand, June 30, 1907.....	1,239.05

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\$ 2,348.23

## Paving and Sidewalk Fund—

Expended for paving, curbing, sidewalks, etc., as set out in Secretary's printed annual report .....	\$ 6,124.24
Overdraft on Paving and Sidewalks Fund, June 30, 1907.....	575.49

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\$5,548.75

## Dam and Water Power Fund—

Expended for miscellaneous expense.....	\$ 184.05
Wm. Horrabin, on contract.....	5,550.40

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Total expenditures ..... \$ 5,734.45

## New Boiler Fund—

Expended for 330 h.-p. boiler, piping and setting .....	\$ 3,825.30
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EXPENDITURES FROM HOSPITAL RECEIPTS FOR THE YEAR COMMENCED JULY 1,  
1906, AND ENDED JUNE 30, 1907.

## University Hospital—

Salaries .....	\$ 4,071.62
Help .....	1,914.48
Provisions .....	8,458.25
Household .....	3,567.95
Medicine .....	2,873.81

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Total expenditures ..... \$ 20,886.11

Balance in Income Fund to credit of University Hospital .....		366.25
		<hr/>
		\$ 21,252.36
<b>University Homeopathic Hospital—</b>		
Salaries .....	\$ 1,903.00	
Help .....	435.52	
Provisions .....	2,839.52	
Household .....	1,829.39	
Medicine .....	1,319.34	
	<hr/>	
Total expenditures .....		\$ 8,326.77
Balance in Income Fund to credit of University Homeopathic Hospital.....		1,669.81
		<hr/>
		\$ 9,996.58

THE STATE UNIVERSITY OF IOWA.

IOWA CITY.

OFFICE OF THE SECRETARY OF THE BOARD OF REGENTS.

JANUARY 10, 1909.

*To the Members of the Thirty-third General Assembly of the State of Iowa:*

I submit herewith my special report for the year commenced July 1, 1907, and ended June 30, 1908, in accordance with the provisions of Chapter 104, acts of the Thirtieth General Assembly.

Very respectfully,

W. J. MCCHESENEY,  
*Secretary of the Board of Regents.*

THE BOARD OF REGENTS.

*Members Ex-Officiis.*

His Excellency, Albert B. Cummins, Governor of Iowa.  
John F. Riggs, Superintendent of Public Instruction.

*Terms Expire 1910.*

Fifth District—Charles A. Clark, Cedar Rapids.  
Eighth District—John W. Lauder, Afton.  
Ninth District—Vernon L. Treynor, Council Bluffs.

*Terms Expire 1912.*

Sixth District—William D. Tisdale, Ottumwa.  
First District—John J. Seerley, Burlington.  
Second District—Joe R. Lane, Davenport.  
Seventh District—Carroll Wright, Des Moines.

*Terms Expire 1914.*

Fourth District—Alonzo Abernethy, Osage.  
Eleventh District—Parker K. Holbrook, Onawa.

Tenth District—Thomas D. Healy, Fort Dodge.

Third District—Charles M. Pickett, Waterloo.

*Officers of the Board.*

W. J. McChesney, Iowa City, Secretary.

Lovell Swisher, Iowa City, Treasurer.

Parker K. Holbrook,

Alonzo Abernethy,

Joe R. Lane,

Executive Committee.

George E. MacLean, President of the University.

THE STATE UNIVERSITY OF IOWA.

IOWA CITY.

Statement of Receipts and Disbursements for the year commenced July 1, 1907, and ended June 30, 1908.

RECEIPTS.

Funds for the erection of buildings, etc.—	
(See page 6) .....	\$224,336.51
Income Fund—	
(See page 7) .....	330,204.82
Special Funds—	
(See page 8) .....	24,644.20
	<hr/>
Total receipts .....	\$579,185.53

The A. Whitney Carr Free Scholarship Interest Fund, the F. O. Lowden Oratory Prize Interest Fund, and the W. J. Bryan Prize Interest Fund, are not shown in this statement, as these funds are held in trust by the University, the income going to pay scholarships, prizes, etc., and in no way affecting the University's income.

The hospital funds are not included in the above statement. For accounts of these funds see pages 9 and 17.

DISBURSEMENTS.

Funds for the erection of buildings etc.—	
Building Tax (See page 10) .....	\$142,357.71
Hospital Wing (See page 11) .....	3,698.29
	<hr/>
	\$146,056.00
Equipment and Supplies Fund (See page 12) .....	\$ 8,909.99
Equipment Fund, New Medical Buildings (See page 12) .....	93.28
Equipment Fund, New Science Building, etc. (See page 13) .....	52,678.30

Repair and Contingent Fund (See page 11) .....	11,060.15	
Engineering Shops, etc., Fund (See page 12) .....	3,042.20	
		75,783.92
Income Fund (See pages 14 and 15...)		329,463.94
Special Funds—		
Library Fund (See page 15).....\$	5,054.26	
Special Land Fund (See page 15)..	10,766.70	
Paving and Sidewalks See page 16)	2,286.12	
Tunnel and Extension Fund (See page 15) .....	28.95	
Care and Improvement of Campus Fund (see page 16).....	1,982.98	20,119.01
Total disbursements .....		<u>\$571,422.87</u>

## BALANCES IN UNIVERSITY TREASURY, JUNE 30, 1908.

Funds for erection of buildings, etc.—		
Building Tax Fund.....\$	20,083.34	
Equipment and Supplies Fund.....	1,113.82	
Equipment Fund, New Medical Buildings.....	526.51	
Equipment Fund, Natural Science Building, etc. ....\$	19,741.60	
Repair and Contingent Fund.....	.50	
Engineering Shops, etc., Fund.....		515.02
Income Fund (excluding hospital surpluses for the year).....		740.88
Special Funds—		
Special Land Fund.....		2,794.30
Donated Land Fund.....		1,473.05
Paving and Sidewalks Fund.....		240.14
Care and Improvement of Campus Fund .....		17.70
	\$ 19,742.10	\$ 27,504.76
Less overdrafts .....		19,742.10
Total balances .....		<u>\$ 7,762.66</u>

The University has no balances in departments to report, since any unexpected balances in departmental appropriations revert to Income Fund at the close of each fiscal year.

Total receipts, as shown.....		\$579,185.53
Total disbursements .....	\$571,422.87	
Balances .....	7,762.66	
	<u>\$579,185.53</u>	<u>\$579,185.53</u>

Amount of moneys available from all sources, during the year commenced July 1, 1907, and ended June 30, 1908, for the erection, equipment, improvement, and repair of buildings at the University.

1-5 Mill Building Tax Fund (Twenty-ninth General Assembly, Chapter 171, Section 2)—

Balance in Building Tax Fund proper, July 1, 1907 .....	\$ 21,400.15
Received—state warrants.....	141,000.00
Transferred from Hospital Wing Fund.....	108.77
Received—sale of old material.....	40.90

\$162,549.82

University Hospital Wing Fund—

Balance in University Hospital Wing Fund	
July 1, 1907.....	3,698.29

Equipment and Supplies Fund (Thirty-second General Assembly, Chapter 214, Section 2)—

Balance in Equipment and Supplies Fund, July 1, 1907 .....	\$ 23.81
Received—state warrants .....	10,000.00

10,023.81

Equipment Fund, New Medical Buildings—

Balance in Equipment Fund, New Medical Buildings, July 1, 1907.....	619.79
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Equipment Fund, Natural Science Building, etc. (Thirty-second General Assembly, Chapter 214, Section 2)—

Balance in Equipment Fund, Natural Science Building, etc. ....	\$ 15,436.70
Received—state warrants .....	17,500.00

32,936.70

Repair and Contingent Fund (Thirty-second General Assembly, Chapter 214, Section 2)—

Received—state warrants .....	\$ 2,500.00
Received—state warrants (Thirty-second General Assembly, Chapter 212, Section 2).....	7,500.00
Received—sale of old material.....	66.05
Received—transferred from Income Fund.....	993.60

11,059.65

Engineering Shops, etc., Fund—

Balance on hand, July 1, 1907.....	\$ 3,382.78
Received—sale of old material.....	174.44

3,557.22

Total .....

\$224,445.28

Less transfer from University Hospital Wing Fund to Building Tax Fund, included under Building Tax expenditures .....

108.77

\$224,336.51

Receipts from all sources, during the year commenced July 1, 1907, and ended June 30, 1908, going to make up the "Income Fund" of the University, except hospital receipts.

State Appropriations for Support—

Thirty-second General Assembly, Chapter 212,	
Section 2 .....	\$204,125.00
Thirty-second General Assembly, Chapter 214,	
Section 2 .....	33,541.67

\$237,666.67

Tuitions—

College of Liberal Arts.....	\$ 16,165.50
College of Applied Science.....	3,937.00
College of Law.....	10,468.50
College of Medicine.....	13,227.00
College of Homeopathic Medicine.....	2,168.25
College of Dentistry.....	9,796.00
College of Pharmacy.....	2,693.25
Graduate College .....	195.25
Summer Session and Library School.....	955.00
Special Examination fees.....	196.00
School of Music.....	5,032.00

	64,833.75
Diploma fees .....	3,440.00
Ophthalmology and Otology receipts .....	671.61
Dental Clinic receipts.....	8,578.81
Interest on daily bank balances.....	1,271.46
Law Loan Book Account.....	321.25
Miscellaneous cash—rents, material sold, labora- tory breakage deposits, net, locker rental, etc.	1,972.16
Interest on permanent land fund.....	12,195.06
Rent on permanent land fund.....	200.00
Warrants canceled .....	95.00

Total .....		\$331,245.77
Less transfer from Income to Repair and Contingent Fund .....	\$ 993.60	
Less transfer from Income to Library Fund.....	47.35	1,040.95
		<u>\$330,204.82</u>

Amount of money available for special purposes not connected with "erection, equipment, improvement, and repair of buildings," or going to make up the "Income Fund" of the University during the year commenced July 1, 1907, and ended June 30, 1908.

Library Fund (Thirty-second General Assembly, Chapter 214, Section 2)—

Balance in Library Fund, July 1, 1907.....	\$ 6.91
Received—state warrants.....	5,000.00
Transferred from Law Loan Book Account.....	47.35

\$ 5,054.26

Special Land Fund (Thirty-second General Assembly, Chapter 214, Section 2)—

Received—state warrants .....	\$ 12,500.00
Rents .....	1,061.00

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13,561.00

Donated Land Fund—

Balance on hand, July 1, 1907.....	\$ 1,239.05
Rents .....	234.00

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1,473.05

Paving and Sidewalks Fund (Thirty-second General Assembly, Chapter 214, Section 2)—

Received—state warrants .....	\$ 2,500.00
Received from sale of old material.....	26.26

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2,526.26

Tunnel and Extension Fund—

Balance on hand, July 1, 1907.....	28.95
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Care and Improvement of Campus Fund (Thirty-second General Assembly, Chapter 214, Section 2)—

Received—state warrants .....	\$ 2,000.00
Warrants canceled .....	.68

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2,000.68

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\$ 24,644.20

The A. Whitney Carr Free Scholarship Interest Fund, the F. O. Lowden Oratory Prize Interest Fund, and the W. J. Bryan Prize Interest Fund, are not shown in this statement, as these funds are held in trust by the University, the income going to pay scholarships, prizes, etc., and in no way affecting the University's income.

Hospital receipts at the University for the year commenced July 1, 1907, and ended June 30, 1908.

University Hospital—

Balance to credit of hospital, July 1, 1907.....	\$ 366.25
Hospital earnings .....	\$ 24,083.71
Nurses' earnings outside of hospital	1,348.83
Operating room fees.....	3,020.00

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28,452.54

Total receipts .....

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\$ 28,818.79

University Homeopathic Hospital—

Balance to credit of hospital, July 1, 1907 .....	\$ 1,669.81
Nurses' earnings outside of hospital	746.20
Operating room fees .....	714.50
Hospital earnings .....	6,553.61

8,014.96

Total receipts .....	\$ 9,684.77
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Expenditures from funds for the erection, equipment, improvement, and repair of buildings at the University, during the year commenced July 1, 1907, and ended June 30, 1908.

**1-5 Mill Building Tax Fund—**

Expended for the erection of the Natural Science Building. (For detailed account of the expenditures on this building, see Secretary's printed annual report.).....	\$ 57,438.84
Expended for the erection of the East Wing of the University Hospital. (For detailed account of the expenditures from this Hospital Wing Fund, see Secretary's printed annual report.) .....	32,211.84
Expended for erection of greenhouse.....	3,384.96
Expended for erection of Steam Engineering Laboratory .....	178.74
Expended for erection of Engineering Building Addition. (For detailed account of the expenditures on this building, see Secretary's printed annual report.).....	32,607.42
Expended for erection of President's House. (For detailed account of the expenditures on this building, see Secretary's printed annual report.) .....	8,497.02
Repairs and improvements, University Hospital.	6,138.21
Repairs—Hydro-Electric Power House.....	9.45
G. H. Ellsworth—salary as Superintendent of Construction .....	2,000.00
<b>Total expenditures .....</b>	<b>\$142,466.48</b>
Balance on hand, July 1, 1908.....	20,083.34

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\$162,549.82

**University Hospital Wing Fund—**

Expended for erection of east wing of University Hospital. (Building completed from Building Tax Fund.) .....	\$ 3,589.52
Transferred to Building Tax Fund.....	108.77

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\$ 3,698.29

**Repair and Contingent Fund—**

General repairs .....	\$ 2,997.11
Plumbing repairs .....	742.14
Electrical repairs .....	718.76
Athletic Field—Bleachers and Ticket Office.....	372.02
Heating Plant repairs.....	1,148.22



Chemical Laboratory—painting and repairs.....	103.61	
Liberal Arts Building—painting, blackboards, etc .....	1,605.33	
University Hospital—painting and repairing....	494.22	
Homeopathic Hospital—painting and repairing..	210.77	
Physics Building—painting and repairing.....	5.00	
Electrical Engineering Building—painting and repairing .....	111.59	
Dental Building—painting and repairing.....	263.16	
Old Science Building—painting and repairing..	82.22	
Engineering Building—painting and repairing..	57.61	
Old Capitol Building—painting and repairing..	75.55	
Plumbing Shop—repairing .....	93.62	
Power House—repairing .....	18.40	
Extension of electric lighting system.....	145.47	
Campus lighting .....	445.32	
Sub-station tunnel .....	33.94	
Flood sewer—Natural Science Building.....	163.20	
Watchmen's clocks .....	150.00	
Laundry motor repairs.....	23.72	
Lighting fixtures .....	83.77	
Pharmacy hoods .....	29.01	
Botany—tables .....	95.79	
Fire hose .....	286.20	
Moving library .....	274.80	
Moving departments of zoology and animal biol- ogy, and museum .....	53.60	
Moving herbarium .....	175.94	
		<hr/>
	\$ 11,060.15	
Overdrawn June 30, 1908 .....	.50	
		<hr/>
		\$11,059.65
 Engineering Shops, Etc., Fund—		
Transmission .....	\$ 505.53	
Steam Laboratory .....	70.50	
Hydraulic Plant .....	2,403.73	
Filling .....	16.44	
Concrete floors .....	46.00	
		<hr/>
Total expenditures.....		\$ 3,042.20
Balance on hand June 30, 1908 .....		515.02
		<hr/>
		\$ 3,557.22
 Equipment and Supplies Fund—		
College of Applied Science—equipment.....	\$ 4,946.01	
Physics and Mechanics—equipment.....	913.29	
Commercial Museum—equipment .....	317.91	
Dental Laboratory—equipment .....	325.58	
University Laundry—equipment .....	498.38	

College of Medicine—equipment.....	340.33	
Chemical Laboratory—tables .....	231.55	
Electrical supplies .....	1,289.44	
Gas lighting fixtures.....	47.50	
		<hr/>
Total expenditures .....		\$ 8,909.99
Balance on hand, June 30, 1908.....		1,113.82
		<hr/>
		\$ 10,023.81
 <b>Equipment Fund, New Medical Buildings—</b>		
Equipment, department of anatomy.....	\$ 75.83	
Equipment, department of Pathology and bacteriology .....	17.45	
		<hr/>
Total expenditures .....		\$ 93.28
Balance on hand, June 30, 1908.....		526.51
		<hr/>
		\$ 619.79
 <b>Equipment Fund, Natural Science Building, Etc.—</b>		
<b>Natural Science Building:</b>		
Seating auditorium .....	\$ 5,627.18	
Lighting fixtures .....	7.90	
Furniture .....	2,016.20	
Library furniture .....	3,269.71	
Furniture — zoology.....	3,816.44	
Furniture—animal biology .....	6,361.91	
Furniture — museum.....	18,309.02	
Miscellaneous equipment .....	236.43	
		<hr/>
		\$ 39,644.79
 <b>Hospital Wing:</b>		
Sterilizers .....	\$ 1,179.47	
Equipment and furniture.....	5,292.43	
		<hr/>
		6,471.90
 <b>Steam Engineering Laboratory:</b>		
Equipment .....		6,561.61
		<hr/>
Total expenditures .....		\$ 52,678.30
Overdrawn, June 30, 1908.....		19,741.60
		<hr/>
		\$ 32,936.70

The Thirty-second General Assembly appropriated \$35,000 for the equipment of the Hall of Natural Science, the new wing to the University Hospital, and the Steam Engineering Laboratory. It was necessary to equip these buildings before all the money was available, only one-half being drawn before July 1, 1908, when the other one-half was drawn and deposited to the credit of this fund.

Expenditures from Income Fund for the year commenced July 1, 1907, and ended June 30, 1908. (For an itemized account of all disbursements summarized below, see Secretary's printed annual report.)

Cost of Instruction:

College of Liberal Arts.....	\$ 98,821.00
College of Applied Science.....	24,220.00
College of Law.....	13,750.00
College of Medicine.....	25,075.00
College of Homeopathic Medicine.....	5,300.00
College of Dentistry.....	14,373.00
College of Pharmacy.....	3,550.00
Graduate College .....	3,492.50
Summer Session and Library School.....	6,305.00

Total cost of instruction..... \$194,886.50

Cost of Administration:

Salaries .....	\$ 13,061.67
Supplies, etc. ....	1,384.05

Total cost of administration..... \$ 14,445.72

General Library:

Salaries .....	\$ 4,578.96
Supplies, etc. ....	683.49

(Books, periodicals, and binding are paid for from the special library apprn; see page 15.)

Total expense of library from Income Fund.. \$ 5,262.45

Cost of Apparatus and Supplies of Departments:

College of Liberal Arts.....	\$ 8,307.47
College of Law.....	202.34
College of Medicine.....	10,428.47
College of Homeopathic Medicine.....	167.29
College of Dentistry .....	6,562.07
College of Pharmacy .....	1,444.30
Graduate College .....	41.25
Summer Session and Library School.....	195.00

Total cost of apparatus and supplies of departments .....

\$ 27,348.19

University Extension Expenses..... 361.44

Law Loan Book Account Expenses—law books.... 388.75

Fixed Charges, or General Expenditures—such as fuel, light, janitor service, engineer, fireman, etc. 72,407.85

Tuitions refunded .....

305.00

Tuitions—School of Music—turned over to Effie

Mae Proffit, Director of the School..... 5,032.00

Total expenditures, Income Fund..... \$320,437.90

Overdraft of previous year..... 9,026.04

\$329,463.94

Transferred to Repair and Contingent Fund.....\$	993.60	
Transferred to Library Fund.....	47.35	
		<u>1,040.95</u>
		\$330,504.89
Balance on hand, June 30, 1908.....		740.88
		<u>\$331,245.77</u>

Expenditures for special purposes, not connected with the "erection, equipment, improvement, and repair of buildings," or going to make up the "Income Fund" of the University, during the year commenced July 1, 1907, and ended June 30, 1908.

Library Fund—

Expended for books, periodicals, and binding, as set out in the Secretary's printed report..... \$ 5,054.26

Special Land Fund—

Expended for land, as set out in the Secretary's printed annual report.....\$ 8,990.92

Overdraft of previous year..... 1,775.78

Balance on hand, June 30, 1908..... \$ 10,766.70  
2,794.30

\$ 13,561.00

Donated Land Fund—

Balance on hand, June 30, 1908..... \$ 1,473.05

Tunnel and Extension Fund—

Expended for material..... \$ 28.95

Paving and Sidewalks Fund—

Expended for cement walks and campus driveway .....\$ 1,710.63

Overdraft of previous year..... 575.49

Balance on hand, June 30, 1908 ..... \$ 2,286.12  
240.14

\$ 2,526.26

Care and Improvement of Campus Fund—

Expended for labor, seeding, planting, grading and hauling .....\$ 1,982.98

Balance on hand, June 30, 1908..... 17.70

\$ 2,000.68

EXPENDITURES FROM HOSPITAL RECEIPTS FOR THE YEAR COMMENCED JULY 1  
1907, AND ENDED JUNE 30, 1908.

University Hospital—

Salaries .....\$ 4,999.85

Help ..... 2,506.64

Provisions .....	8,554.52	
Household .....	7,199.30	
Medicine .....	3,248.88	
		<hr/>
Total Expenditures .....		\$ 26,509.19
Balance in Income Fund to credit of University Hospital, June 30, 1908.....		2,309.60
		<hr/>
		\$ 28,818.79
University Homeopathic Hospital—		
Salaries .....	\$ 2,150.00	
Help .....	506.11	
Provisions .....	3,687.07	
Household .....	2,140.92	
Medicine .....	1,110.15	
		<hr/>
Total Expenditures .....		\$ 9,594.25
Balance in Income Fund to credit of University Homeopathic Hospital, June 30, 1908.....		90.52
		<hr/>
		\$ 9,684.77

White of Story moved that the house adjourn until 1:45 P. M.,  
January 14th.

#### AFTERNOON SESSION.

House met pursuant to adjournment.

Speaker Feely in the Chair.

#### MESSAGE FROM THE SENATE.

The following message was received from the Senate:

MR. SPEAKER—I am directed to inform your honorable body that the Senate has adopted the following concurrent resolution in which the concurrence of the House is asked:

Concurrent resolution relative to extending an invitation to ex-Governor, the Hon. Wm. Larrabee, to address the Joint Convention, which will be held pursuant to law on Wednesday, January 20, 1909

S. W. NEAL,  
*Secretary.*

Reaney of Louisa, asked unanimous consent for the immediate consideration and moved that the House concur in said resolution.

Motion prevailed and resolution was concurred in.

The Speaker announced that the time for the inaugural ceremonies had arrived and requested the Inaugural Committee to

notify the Senate and escort that body, the Governor and Lieutenant Governor elect to the Speaker's station.

The Sergeant-at-Arms announced the arrival of Governor-elect Carroll, Lieutenant Governor-elect Clarke and the honored body of the Senate.

The Speaker directed that the Governor and Lieutenant Governor be escorted to the Speaker's desk and the Senate take seats on the west side of the Hall of the House.

#### JOINT CONVENTION.

In accordance with law and Concurrent Resolution, the joint convention was called to order by the Hon. James A. Smith, President of the Senate, at 2:00 o'clock P. M.

On roll call the following members responded:

Adams, Allen of Pocahontas, Allen of Van Buren, Allred, Anderson, Arney, Balkema, Balluff, Bascom, Bauman, Baxter, Beans, Beebe, Beery, Bennett, Blackmore, Boe, Boettger, Bonwell, Boomgaarden, Brandes, Brown, Bruce, Burgess, Burt, Byerly, Calkins, Cassady, Chapman, Clark, Clarkson, Cosson, Cooper, Cousins, Crummer, Crozier, Dabney, Dalby, Darrah, Davidson, Dawson, De Armand, Derrrough, De Wolf, Dewell, Dewey, DeWitt, Dodds, Dowell, Drury, Dye, Elliott, Ellis, Etter, Fitchpatrick, Felt, Fenn, Finlayson, Foley, Fourt, Fox, Frudden, Francis, Fulliam, Fulton, Gates, Gilliland, Goodykoontz, Grier, Hackler, Hammill, Hanson, Harding, Harvey, Hickenlooper, Holmes, Hoyt, Huffaker, Hunter of Polk, Hunter of Woodbury, Ide, Inman, Jacobs, Jamieson, Jewell, Johnson, Jones, Kellogg, Kendall, Klay, Koontz, Kull, Larrabee of Webster, Larrabee of Fayette, Lee, McCleery, McDonald, McCulloch, McManus, Marston, Mattes, Maytag, Meredith, Miller of Bremer, Miller of Dubuque, Moon, Moore of Wapello, Moore of Linn, Newell, Nichols, O'Connor, Parshall, Penn, Perkins, Peterson, Proudfoot, Quigley, Ream, Reitz, Reaney, Ripley, Ritter, Sankey, Saunders, Savage, Schee, Schroeder, Schulte, Seeley, Sheldon, Smith of Des Moines, Smith of Mitchell, Smith of Wright, Stoddard, Stuckslager, Sullivan, Swan, Swift, Taylor, Tegeler, Thompson, Tilton, Van Law, Ward, Welden, Whipple, White of Iowa, White of Story, Whiting, Wilson of Clinton, Wilson of Tama, Wolfe, Zeller, Mr. Speaker—153.

Absent or not responding:

Bowman, Cunningham, Reaney, Sammis, Stillman—5.

President Smith declared a quorum of the members present in the joint convention.

The following program was carried out:

Invocation by Rev. W. B. Thompson, Des Moines, Iowa.

Song by Mabelle Wagner-Shank.

Iowa Beautiful Land.

Annie Laurie.

The oath of office was administered to Lieutenant Governor Clarke by Chief Justice W. D. Evans.

The oath of office was administered to Governor B. F. Carroll, elect, by Chief Justice W. D. Evans.

Inaugural address by Governor B. F. Carroll.

Song by Mabelle Wagner-Shank.

Battle Hymn of the Republic,

Dixie,

The Last Rose of Summer.

Orchestra.

#### INAUGURAL ADDRESS OF GOVERNOR CARROLL.

*Members of the Thirty-third General Assembly and Fellow Citizens of Iowa:*

Conscious of the great responsibility that has been placed upon me by having been elected as your chief executive, I have taken this most solemn obligation required by our constitution and laws, and through the help of Divine Providence and by your aid and assistance I shall endeavor to fulfill it to the utmost of my ability. Fully realizing that to assume the duties of governor of our state is no light or trivial undertaking, I most solemnly implore the guidance of an over-ruling Providence and earnestly request the co-operation of all the people of our commonwealth to the end that I may succeed in giving you an administration that shall result is the greatest good to our citizens, and in promoting and advancing the many interests of our state. Notwithstanding the duties and responsibilities that must be assumed, I am, nevertheless, profoundly grateful for the high honor that has been conferred upon me.

It is not my purpose, in the short time that I shall detain you, to enter into a general discussion of all the various interests of the state which it might be proper to consider or review in a message to your honorable body, but I shall refer to some of them specifically and join most heartily with our retiring chief executive in recommending for your careful consideration the splendid and thoughtful message which he, in accordance with the laws and customs of our state, transmitted to you day before yesterday. In his review of the affairs of the state he has pointed out the various subjects which in his judgment require the greater attention.

I trust that you will consider most carefully and thoughtfully each and every suggestion which he has made, as his close connection with the affairs of the state, for many years, has given him a broad and comprehensive view of its needs and requirements and renders his opinions of great value.

TAKE NO BACKWARD STEPS.

We are just now passing through a period of public awakening that not only tries the mettle, but tests the judgment of men. The final result of it all must be either the success or the failure of the nation in its efforts to regulate and control large aggregations of capital and to establish a higher standard of political ethics. Some years ago the nation, and our state as well, were engaged in an effort to establish such industries and enterprises in our midst as were necessary to meet the needs and requirements of our people. In order to accomplish the undertaking we were ready to offer every inducement possible, even to the extent of giving large bonuses, land grants and special privileges. Today we are engaged in an effort to regulate and control these same concerns. The last task is no less difficult nor important than the first. I believe you will agree with me that it is a more delicate, if indeed not a more difficult, undertaking because there is a double responsibility, that of protecting the interests of the public and also maintaining, uninjured, the concerns we are seeking to regulate and control.

That great and substantial progress has been made in the direction of corporation regulation, I believe all will agree, but there is much yet to be done. There is, however, in all reform as in all periods of unusual prosperity, great danger of reaction. What shall we have accomplished if after all the effort that has been put forth, both by the state and the nation, to bring about reforms along the lines suggested, with all the attendant agitation and interference with business conditions necessarily resulting therefrom, we are to slacken our energy or lessen our efforts to secure better regulation and control of corporate interests?

The question of the right and duty of the state to regulate and control, not only its own corporations, but those seeking to do business within its borders, is so well established as not to need any argument in its support. I do not now refer to interstate business. Accepting this as the correct rule, the responsibility for action rests upon you as a body, and as individuals, representing a constituency of more than two and one-quarter millions of people who have empowered and authorized you to do all which they in person might direct you to do. This thought, however, should always be kept in mind, that corporations are entitled to the same fair and just treatment that should be given to individuals and no law should be passed or even proposed as to such interests unless its enactment is really necessary and its operations when enacted will better existing conditions. Constant agitation is always harmful. However, there is one thing in particular to which I want to call your attention, that is the necessity for holding on to all the good that has been accomplished by legislation and adding to it rather than receding from it. I do not mean to be understood as saying that you should not thoroughly scrutinize the legislation of the past for the purpose of detecting and cor-



recting any errors that may have been made, for it is my purpose to point out at least a few things which in my judgment should be corrected. In doing so I have in mind the importance of perfecting and perpetuating such laws as will best protect the interests of our people and of adding to or enacting such other laws as necessity may require rather than that any backward steps shall be taken or that there shall be any waning of interest.

#### HOW TO AMEND THE LAWS.

We have recently had all of the laws passed since 1897 codified and printed in the form of a Supplement to the Code. This codification reveals the fact that in a number of instances amendments to the laws were attempted, which by reason of improper references, are of questionable validity. It also reveals the fact that in many instances numerous amendments have been made to various sections of the Code and that without having the same codified it becomes a very difficult matter for one to know what the law really is and in order to determine the question as to what constitutes the law it becomes necessary to examine not only the Code and the Code Supplement, but all of the session laws made since the last codification and then engraft in or upon the original section all changes that may have been made. I desire to submit for your consideration the inquiry as to whether it would not be wise and desirable in amending any section of the law that the section be rewritten as it would appear when amended. By this means there is, in reality, a codification of the laws brought down to date of last amendment. There can then be no question as to what constitutes the law and the legislature will have a full understanding as to the effect of any proposed changes. This method of amending laws is in vogue in many other states and in my judgment is very much more satisfactory than our present method.

#### PRIMARY ELECTION LAW.

The last regular session of the General Assembly enacted a law providing that all nominations for state, congressional, legislative and county offices, except for judges of the various courts, shall be made by a vote of the people at a primary election to be held in the month of June of the year in which a general election is to be held. Under the provisions of this law, nominations for offices to be filled at the last general election were made. The working of the law was perhaps as satisfactory as could have been expected, but some weaknesses were apparent, which, in my judgment, should be considered by you at the present session. Before passing any criticism upon the statute, I want to assure you that I am in full sympathy with the principle of the primary and am of the opinion that no radical departure from the general plan of the law should be made at this time, but the weak places should be strengthened and the law should be given a fair test.

There is one thing, however, that causes me to fear that the statute may not meet with final approval, that is, the apparent inability of the voter to acquaint himself with the candidates, especially for the minor state offices and those below the head of the ticket. There seems to be a prevalent belief that the candidate whose name heads the list thereby

secures an advantage over his opponent. This has led many individuals to believe that the alphabetic arrangement of names should be abandoned and that names should be rotated upon the ballot. I have hesitated to suggest an amendment touching this point because such a provision must necessarily presume upon either the indifference of our people or their inability to acquaint themselves with candidates, either of which reflects mildly, at least, upon the intelligence of the voter.

But there seems to be some grounds for the belief that the candidate whose name appears first among the list of candidates does secure some advantage over others. If this be true and a reasonable means can be found whereby to obviate the difficulty it should be done, as all candidates should, so far as possible, stand upon absolutely equal footing.

There is another amendment which the experience of the executive council, in passing upon claims, in my judgment, demonstrates beyond question should be adopted, that is, the elimination of that provision which requires the state to pay one-half of the expense of holding the primary election. Each county should meet the expense of its own primary the same as it does the expense of the general election. By such means better economy will be observed and less friction in the payment of claims will follow. The present plan is practically equivalent to the state's collecting the money necessary to meet its portion of the expenses from the counties and then turning it back to them. In addition to this needless requirement, which of itself adds to the expense of the primary, there cannot but be a conflict of opinion, if not of authority, between the various boards of supervisors and the executive council as to the amount that should be paid for various items of expense incurred by the counties. Perhaps the most frequent sources of disagreement are as to the amount that should be allowed for printing the ballots and publishing the notices. As to the last item, it is my judgment that the most satisfactory way to handle that is for the legislature to fix a specific amount that shall be allowed for these publications, which amount should of course be reasonable.

I am impressed with the idea, also, that perhaps June is not the best month in the year for holding the primary. It is a month in which the farmers of necessity must be engaged in their farm work. No later date would obviate this difficulty unless it be some time after harvest and that, in my opinion, would bring the primary too near the date of the general election. I am inclined to believe that March would be a more satisfactory time. In your review of this very important measure, you will doubtless find many other features of it which should receive your careful consideration.

#### SIMPLIFY THE BALLOT.

In 1892 what is known as the Australian ballot system was adopted in this state. As originally adopted four methods of voting were provided. A straight ticket could be voted by placing a cross in the circle at the head of the ticket or by leaving the circle unmarked and placing a cross in the square in front of the name of each candidate of the party. A mixed ticket could be voted by placing a cross in the circle at the head of any party ticket and then placing a cross in the square in front of the

name of any candidate for whom it was desired to vote on any other ticket. Or a mixed ticket could be voted by omitting to mark the circle and by placing a cross in the square in front of the name of every candidate for whom it was desired to vote. The newness of the plan and the different methods of marking resulted in the making of many mistakes and led to a considerable demand for the removal of the circle. I must confess that the suggestion appealed very strongly to me, as it did also to many others. The matter was taken up by the extra session of the Twenty-sixth General Assembly and the law was so modified that the circle was to be used for straight voting only. In my judgment this last method was reasonable and should have remained the law. However, the demand for the removal of the circle continued until the Thirty-first General Assembly removed it.

We have now voted two or more times under each of the three methods above referred to and by comparison should be able to judge as to which is the better and more satisfactory. I have looked with some care as to the results under each of the plans and am thoroughly convinced that the present method does not afford sufficient ease with which to vote a straight party ticket, and by reason of this fact a loss of voters occurs to all candidates below the head of the ticket. This was not true under either of the former methods, or if true the loss was very much less. As proof of the correctness of this statement let me call your attention to the fact that in 1892 when the marking of the ballots was according to the original plan provided for under the Australian system, the combined vote of the republican and democratic parties for president was 416,162 and for secretary of state it was 416,147, or a difference of only 15 votes. In 1896 under the same method of marking, the vote for president was 513,034, while for secretary of state it was 513,527, or 493 more votes for secretary of state than for president. In 1900, under the second method provided, but while the circle was still upon the ballot, the combined vote of the two parties for president was 516,964, while for secretary of state it was 515,454, or only 1,510 more votes for president than for secretary of state. Again, in 1904, under the same method, the combined vote for president was 457,048 and for secretary of state it was 455,280, or only 1,768 difference. But in 1906, the first election held after the circle was removed from the ballot, the combined vote of the two parties for governor was 413,161, while for secretary of state it was only 392,071, or a loss of 21,090 votes, being a loss of more than one vote in every twenty cast for governor, and were the comparison made on some other office than that of secretary of state, the difference would be still greater. Likewise in the recent election, there were 475,981 votes cast for president and only 448,056 for secretary of state, or 27,925 more votes cast for president than for secretary of state, being a loss of about one vote in every seventeen cast for president. This loss of votes is, in my judgment, directly due to the removal of the circle from the ballot. The figures do not indicate that there would be any particular advantage to either party should the circle be restored, but I believe that an easier and quicker method should be provided for the man who wants to vote a straight ticket than that he should be compelled to mark each one of the forty or fifty candidates as he is required to do under the present plan.

The law now recognizes the use of the voting machine and the machine provides an easy method for straight voting. Why, therefore, should not the voter who uses a ballot instead of a machine have the same privilege.

It will doubtless be true for all time that some people will think that so long as the names of candidates for president and vice-president of the United States are printed upon the ballot the voter should in some way indicate his preference of a candidate for these positions. I am reliably informed that many hundreds, possibly thousands, of ballots were thrown out, not counted, that were cast at the recent election, because the voter had placed a cross in front of the name of the candidate for president. A citizen might as well be denied the right to vote at all as that his ballot should be rejected when his intention is so clearly expressed. I am not saying that under the law as it now exists, a ballot so marked should or should not be counted. I am only trying to convey the idea that the law should be changed so as to avoid a recurrence of so gross an injustice both to the voter and the candidate for whom he intended to and in fact did vote. The intention of the voter, especially where there can be no question about it, should far outweigh the remote possibility of the use of some irregular mark as a means of identification and if the law is in effect defeating innocent and honest voters of the right to cast a ballot and have it counted the law should be amended.

In short, I believe the method of voting should be such that it can be accomplished with ease rather than with effort and that every voter should decide for himself as to whether he desires to vote a straight or a mixed ticket, and once having decided the question should be enabled to carry out his wishes in the easiest and most expeditious manner. I know of no way to provide him such means better than to restore the circle to the ballot.

#### TARIFF REVISION.

There was written into the recent national platform of each of the leading political parties, a declaration in favor of a revision of the tariff. I believe that our people, without regard to political affiliation and almost without exception, want to see the platform promise faithfully kept, not only in spirit, but to the letter, and desire that such a revision be given us as will meet the necessities and requirements of the times. The present law, which is the greatest measure of its kind that has ever been enacted, should form the basis for the new law, adding to or deducting from the rate of duty provided in the various schedules as may seem proper. But that other declaration contained in the platform, viz.: The declaration for the maintenance of the protective principle, should be just as faithfully kept as should the declaration in favor of revision. This nation has attained its present greatness largely as a result of the application of the principle of protection and any abandonment of the principle now would, in my judgment, be as great a mistake as it would have been a half century ago.

Our people are not only in harmony with the declaration of the party platform upon the subject of tariff, but they are in accord with the president and with congress in the enactment of the many reform measures that have found their way into the statute books of the nation in recent

years, and there is a sincere desire that such additional laws be enacted as are necessary to make these statutes more effective. While we look with fear and disfavor upon any reckless or untimely legislation pertaining to the corporate interests of the country, there is, nevertheless, an earnest desire to see both congress and the various legislatures, in a careful and conservative manner, continue the efforts that have already been put forth to the end that such interests, everywhere, whether large or small, shall be made to respect and obey the law and regard the rights not only of the public, but of the individual.

#### PROTECT OUR RESOURCES.

On the 13th day of May, last, there convened at the White House in Washington, in response to an invitation from the president, the governors and other prominent citizens of the various states, to discuss and consider the question of the conservation and use of the national resources of the nation. The president, in his address of welcome to the gathering, declared the question which he had brought his distinguished visitors together to consider, to be "the weightiest problem now before the nation." If he is correct in his estimate of the importance of the matter, we can well afford to pause for a moment to consider how it affects us and what relation it bears to our commonwealth. In his discussion of the conservation and use of natural resources, the president divides them into two classes, viz: Those which can and those which cannot be restored or renewed when once they are exhausted. He declares that:

"We have become great by the lavish use of our resources and we have just reason to be proud of our growth. But the time has come to inquire seriously what will happen when our forests are gone; when the coal, the iron, the oil and gas are exhausted, when the soil shall have become still further impoverished and washed into the navigation. These questions do not relate only to next century or the next generation. It is time for us now, as a nation, to exercise the same reasonable foresight in dealing with our great natural resources that would be shown by any prudent man in conserving and wisely using the property that contains the assurance of well-being for himself and his children."

It is possible that our people, without stopping to consider the matter, do not fully realize the relation of our state to this very important and far reaching subject and its bearing upon our future welfare. We have well nigh reached the period already at which our forests are gone. Our supply of coal, while apparently almost inexhaustible, is being mined at an enormous rate and it is apparent that in some parts of the state, at least, the soil is not being protected as it should. I presume that few, if any, would argue that fertile land, such as is found in most parts of our state, should be devoted extensively to the growth of forests or timber and yet it might be well for us to consider whether it would not be wise and profitable if our people would devote a portion of the land skirting the rivers and lakes of the state and that which is least suitable for cultivation to the growth of such varieties of timber as do best in this climate and as will be in demand for future use. Forests fall within the class of

natural resources which the president refers to as being capable of restoration, even though it would require a number of years to grow timber of sufficient size as to be of commercial value. It requires no great stretch of the imagination, however, for one to reach the conclusion that future generations may be driven to the growing of timber for fuel when once the supply of coal, oil and gas shall have become exhausted, as is reasonable to assume will occur somewhere down the ages.

Were there an effort made to curtail the output of coal in the state in order that the time at which it shall have become exhausted may be pushed ahead by some years it would necessarily have to be done, to some degree at least, at the expense of present business enterprise and activity, unless present activities may be turned to other channels but there is a line of thought and action which we may pursue that is not only in accord with present business enterprise, but which would greatly add to the productive resources of the state if properly observed, that is, the building up and husbanding of the soil. So long as present prices of lands obtain the necessity for building up or even maintaining the productiveness of the soil does not seem so important, but the time is approaching when the necessity will be more apparent. While our people are to be highly commended for the great growth and progress which has been made in the way of better farming it is my judgment that the time will come when our farms will be made to produce, per acre, far in excess of what they now produce.

However, the waste of the soil itself is scarcely more subject to criticism than is the waste of the products of the soil. Frugality and the absence of it clearly mark the difference between the successful and the unsuccessful man. Especially is this true of those who reside upon the farms. The farmer who ploughs the corners, cultivates the fence rows, houses the machinery, shelters the live stock and leaves no forage or grain to waste in the fields is the man who usually has a bank account. Our people will have learned a great lesson, taken a great step in advance when they shall have reached the conclusion that it is more profitable to farm fewer acres and do it better. Landlordism is no particular advantage to our country. While there can be no objection to a man who does not reside upon a farm owning a reasonable number of acres, the owning of the farm by the man who tills it should be encouraged. The marked improvement, however, in farming and all kinds of agricultural pursuits in recent years is very gratifying and furnishes ample proof of the fact that there are still greater things in store for the future.

#### A COMMISSION ON CONSERVATION OF NATURAL RESOURCES.

It has been suggested that a commission be created for the purpose of studying the natural resources of the state and recommending to the people such means as may be employed to conserve those which are in danger of being exhausted and to develop those whose power and usefulness have remained latent, but which by proper effort might be brought into use. Especially is it desirable that careful consideration be given to the possibility of utilizing some of the larger streams of the state as a means of transportation and for furnishing power for the generating of electricity and the running of machinery, thereby serving the double purpose of not

only furnishing power and convenience in transportation, but also indirectly protecting the coal fields and other natural resources of the state. Those who have suggested the creation of such a commission believe that it could be maintained without expense to the state, that is, that persons could be found who would gladly meet their own expense in connection with their services as members of such commission. Personally, I am of the opinion that such an arrangement would perhaps fail to accomplish the best results. I do believe, however, that the commercial organizations of the various cities of the state which have already taken up the study of the conservation and development of our natural resources, would be glad to concentrate their efforts and contribute of their funds toward the maintenance of such a commission if the state will lend its moral influence and support to the proposition. It has, therefore, occurred to me that it might be profitable to consider the creation of a commission for conservation and development of natural resources, which should consist of at least five members, each of the five largest commercial clubs or business men's associations of the various cities of the state naming one member, the expense of the members and of the commission to be borne by the association represented, or it might be advisable to permit each club of the state desiring membership in such commission to name one member, if the club is willing to bear its share of the expenses as above provided. I would not, however, deem it wise that the membership of the commission exceed ten or fifteen at most. The state should issue a commission to each of the persons named in accordance with the above suggestions and it should be known as "The Iowa Conservation Commission," thereby giving the state's support and influence to the work contemplated.

#### A MERCHANT MARINE.

In my judgment our nation needs to be thoroughly aroused to the necessity for the re-establishment of a merchant marine. While we have been making great and rapid progress in almost every line or branch of trade, industry or business enterprise, we have signally failed as to a merchant marine. Some obvious reason must exist why this nation has not been able to compete with other nations in the matter of shipping upon the high seas. I do not pretend to understand fully what this cause is, but it seems to me that several elements enter into and effect it. First, let us look at the course of our foreign carrying trade in recent years. Statistics show that a change adverse to our interests has been going on almost constantly since 1860. During that year the value of our foreign carrying trade, carried in American vessels, was more than \$507,000,000, which was substantially two-thirds of the value of our entire foreign carrying trade for the year. This percentage has never been reached since that date and there has been a gradual falling off until in 1898 the value of our foreign trade carried in American vessels was only \$161,000,000, or only a trifle more than nine per cent of the whole, and was only about thirty per cent of the value of the trade in 1860 carried in American vessels. For the year 1907 only about ten and one-half per cent of our foreign trade was carried in American vessels.

Such a showing for the greatest commercial nation of the globe is anything but complimentary. To say that such a condition ought not to continue is but to voice the feelings and sentiments of every loyal American citizen who rejoices in the greatness and success of his country. This is not simply a matter of sentiment nor of choice as to whose vessels shall carry our products consigned to foreign markets. It is a question of vital importance to our nation. American labor is entitled to its share of the wages paid for handling the products of other American labor. American capital is entitled to invest in this great branch of business. But you may say there is nothing to prevent capital from so investing. That is true, but it must be admitted that foreign shipping has proven unprofitable for the investment of American capital or such investment would be made, as capital is always seeking profitable investments. The difficulty seems to be largely that of wages and subsidies.

Under a law enacted many years ago the coastwise trade between American ports is given exclusively to American vessels. The average wages paid to American seamen, we are informed, is \$25.00 per month and to firemen \$35.00 to \$40.00 per month. At Liverpool seamen are paid an average of \$18.00 per month and firemen \$20.00 per month. Add to this difference in cost of labor the amount paid to the English shipman by his government, as subsidies, and it can readily be seen what has driven our ships from the seas. There should be no thought to reduce the wages paid to American laborers to a level with that of the labor of other countries, consequently some other means must be found whereby the advantage in the cost of labor and of subsidies to the foreign shipper can be met. Congress alone can deal with this question, but it is entirely proper that an interest be taken in it by a hinking public.

It is not only labor and capital that are interested in the establishment of trans-oceanic shipping, but the security of the nation itself is involved. It is a regrettable fact that in recent years when the consequences of war made it necessary that our troops be transported, the ships of other nations had to be procured. What a spectacle, indeed, it is to see the army of a great nation of ninety millions of people carried from place to place under the flags of other nations. It is freely asserted that in the event of a foreign war this nation could not supply sufficient sea-going vessels to act as auxiliaries to our navy much less to transport troops. Other nations assist in the building of ships and by so doing are able to call them into service in times of war. With no merchant marine we employ no labor upon the seas, we invest no capital in ocean shipping, we train no sailors, we have no transports, we are at the mercy of others. How long will our nation permit itself to remain thus? I am not arguing for ship subsidies. I hope some other solution to the question can be found. The necessity for the establishment of this great enterprise is all that I am considering.

#### DOMESTIC COMMERCE.

In discussing questions of national interest we are liable to forget those things closer to ourselves and with which we as individuals should deal. The question of domestic transportation is of great importance to



our state. I refer now more especially to railway transportation. It is not only a question as to the cost of transportation, either passenger or freight, but more particularly a question as to discriminations against our state and in favor of other states, or against cities of our state as compared with other cities. I want to commend the action of the commercial clubs, not only of our capital city, but of other cities of the state, in their efforts to learn the facts as to such discriminations and to remove any existing disadvantages to our people. I trust that you, as members of the General Assembly, will interest yourselves in these matters and if you find additional legislation needed to protect our interests along the lines above suggested, such legislation should be promptly enacted.

#### PUBLIC UTILITIES COMMISSION.

The question of the establishment of a commission to regulate and control the public utilities of the state has been discussed to a greater or less extent by some of our people and is, in my judgment, a subject worthy of your careful consideration. Such a system has been adopted in several of the older and in some of the newer states. Just how to harmonize our present statutes to such a system I am not prepared to say. In the various states the power of the commission differs. The scope of the power in some states at least embraces railways, street railways, telephone lines, electric light plants, gas and water plants and possibly other interests. The commission is given authority to regulate the issue of stocks and bonds, the making of rates, the methods of accounting, has power to inspect, etc. The authority granted to the commission in other states is, in this state, lodged with various officials, viz.: The executive council of the state, the railway commission, the city councils and the people of cities by the granting of franchises. It would perhaps be more satisfactory if the exercise of these various powers were lodged with a single board or commission to be known as a "Public Utilities Commission." This might be done by the creation of an entirely new commission, by enlarging the powers of the railway commission or by converting the railway commission into a public utilities commission. Should this last suggestion be adopted I think it might be advisable to increase the membership of the commission to five. In such an event I believe that the additional members should be appointed by the governor and confirmed by the senate and as the terms of the present commissioners expire, their successors should be appointed and confirmed as above suggested. Should an entirely new commission be created, it should be placed in office by appointment and confirmation.

The fact that ours is a comparatively young state and has few large cities may lead to the conclusion that the same necessity for legislation along the lines above suggested does not exist as in older states, but it should be remembered that we legislate for the future as well as for the present. We have already enacted laws with reference to public weighing places in order that those who have commodities to sell may not be taken advantage of by those who buy. Is it not just as necessary that those who will buy shall not be wholly at the mercy of those who have to sell, especially where there can be no choice of places of buying, such as in the

purchase of water, gas and electricity, and is it not just as proper that the meters through which the measurements are made should be tested and read by a public official or employe who is in no way influenced by the corporation selling the commodity as it is that there be a public weighmaster to stand between the buyer and seller of commodities disposed of by weight? The cities of the state perhaps have authority over most of these matters now, but local influences are often such that the exercise of authorities granted is very meager.

This whole subject is one far reaching in its effect and of great importance to all of our people. In my judgment its consideration can not and should not be long deferred. I believe that it is entitled now to your most thoughtful consideration.

#### A REVENUE COMMISSION.

There has been inaugurated in our state, as in many other states, a movement in favor of a general revision of our revenue laws. This is, in my opinion, one of the very important subjects that you will be called upon to consider at this session. There is perhaps no other chapter in the entire code that so directly affects all of the people of the state as the chapter pertaining to the taxation of property. Neither is there another chapter more difficult to frame so as to meet with general approval. That there are many provisions in the present law which are both inequitable and indefensible cannot be denied, neither is it probable that any law will ever be enacted, which is not, to a greater or less degree, subject to these criticisms. But, it is desirable that such conditions be avoided, so far as is possible. Neither can it be denied that in some respects at least our tax laws are not up to date as compared with the laws of some other states.

It is proposed that a commission be appointed for the purpose of making a study of the question of revenues and taxation, which commission shall report to the next session of the General Assembly a bill embodying a proposed new law upon the question of taxation. Our past experience with such a commission has not been very satisfactory, the report of one or more such commissions having been rejected by the legislature, but the magnitude and importance of an attempted revision of the revenue laws is such that in my judgment it could not, with satisfaction, be accomplished during a regular session of the legislature unless the preparation of the bill is made during a recess. The last revision of the revenue laws was made at a special session of the legislature, that is, at the extra session of the Twenty-sixth General Assembly, and that after the Code commission had reported a bill and it had been worked upon by the Ways and Means committee of the preceding regular session. I believe that if a revision of the revenue laws of the state is deemed by you to be desirable, a commission, either composed of members of two houses, to be appointed by the presiding officers thereof, or of other persons to be selected in such manner as you may determine should be created for the purpose. The commission should be given power to make a thorough and searching inquiry and investigation into the laws of other states and should be given

abundant time to complete its work and make its report sufficiently early to enable the legislature and the people to give it a thorough study before the meeting of the session of the Thirty-fourth General Assembly.

#### REVISION OF SCHOOL LAWS.

The Thirty-second General Assembly created a commission to consider and report to this session of the legislature, a proposed revision of the entire school laws of the state. The work has been done and the report is now before you for consideration. I need not say to you that the importance of the measure is such as to require your best thought and attention. There are many provisions of the proposed law which are a wide departure from the present statute pertaining to schools. Indeed there are some very radical changes proposed. The fact that this wide difference between the two measures exists should neither condemn the proposed law nor commend it to you. It should only cause you to give it the more thoughtful consideration. Personally, I am favorably impressed with many features of the bill that is up for consideration. It must be admitted by all that there is much need of a change in our present school code. It has not been my privilege to study the proposed law sufficiently to feel warranted in passing criticism upon it, but I feel that the importance of the work can not be over-estimated.

#### THE AUDITOR'S OFFICE.

Having recently retired from the office of the auditor of state, I trust that you will not deem it improper if I make a few observations as to the affairs of that office. It is generally recognized not only by our own people, but by all those who are acquainted with the various interests now supervised by the auditor, as being one of the very important offices of the state. I know from experience, that the enormous amount of work connected with the various departments makes it impossible for anyone to familiarize himself with all the details of the office and with the law with reference thereto, so as to know when the several departments are being properly managed and supervised.

I have called attention, through my published reports, to the necessity for relieving the auditor of some portion of the work now enjoined upon him, and now that I am no longer directly connected with the office I can speak with more freedom and with much less embarrassment. I can say to you with assurance that I know whereof I speak, that neither time nor human endurance makes it possible for any man to personally supervise the auditing department, the revenue department, the insurance department, the banking department, the municipal accounting department and to serve as a member of the executive council with the enormous amount of business now connected with each of these branches of the auditor's office and the rapid increase in the business of each and all of them. I say it is impossible for any man to do all of the above without great injustice to himself or to some of the various interests of the state entrusted to his care. I do not now care to pursue this discussion to the extent of suggesting how relief should be given to this department of our state govern-

ment. That I shall leave for you to consider, but I am deeply in earnest as to the necessity for some action to be taken with reference thereto.

#### FEEES AND PER DIEM.

I wish also to suggest to you one other matter which touches, in a way, several departments of the state's business, that is, the question of fees and per diem. I have for a long time believed that in so far as it becomes possible the per diem and fee systems of compensation should be abolished. The more I observe the workings of each the more thoroughly I become convinced that they are wrong. Especially is the per diem system objectionable where the official who is compensated for his services upon a per diem basis is not under the direction or control of some other official whose compensation is a fixed amount and is in no way affected by the per diem. I believe that in almost every instance where the per diem system now prevails the scope of the work to be performed is such that it can readily be determined what would be a reasonable compensation therefor and that in all such cases a fixed salary should be provided.

#### DOCUMENTS AND PRINTING.

In my judgment, your committee on printing should look carefully into the question of the number of reports and documents that are now provided for in order to determine whether or not an unnecessarily large number of some of them is not now printed; also, to see if the demand for some kinds of reports and documents may not have increased so as to make it desirable that a larger number be supplied. The value and demand for some of the reports depends very largely upon the time at which they are ready for distribution. In the past the date at which some of these reports were ready for the public has been so late that many of them remain in the storage rooms of the state. I believe that the executive council should be clothed with some additional authority in the matter of printing and where it becomes apparent to the council that the state printer will be unable to furnish the work within the proper time, the council shall have authority to place it elsewhere at the price now allowed the state printer or upon competitive bids.

#### LAW ENFORCEMENT.

Events which transpired in comparatively recent months caused much comment and brought forth a demand for better enforcement of laws. There should be no division of sentiment among us upon the question of law enforcement. All good citizens ought to agree as to the necessity for proper respect for and compliance with the laws. The agitation referred to arose largely over matters pertaining to violations of the liquor statutes of the state. It is not my purpose here to discuss the provisions of our liquor laws nor to offer, except in a general way, a remedy for their violation. That which may be said as to the necessity for enforcement of the liquor statutes may also be said in favor of the enforcement of all laws. No law is self-enforcing. The fact that a law is not enforced may be due either to a lack of proper provision for its enforcement or to neglect upon the part of officials enjoined with the duty of seeing that the laws are

obeyed. If it be due to the former cause there should be better provision made for enforcement, and if to dereliction to duty then the means whereby neglectful officials can be punished or deposed should be made easy and effective. While the official who fails to do his duty as to the enforcement of the liquor statutes of the state is deserving of criticism, the official who fails to perform his duty as to the enforcement of other laws is equally entitled to public censure. There is a constant plea for liberality in the construction of statutes, especially of criminal statutes, which within reasonable limits perhaps ought not to be criticized, but such construction at times becomes almost if not quite equivalent to a disregard for the spirit of the law. Laws ought to be enforced, they should be strictly enforced. If perchance they be too drastic let them be amended but let them at all times be obeyed. Laxness in law enforcement leads to a disregard for the law itself and to disrespect for and distrust of public officials. In the main, I believe the people will be given just such official service as they demand. There may be, in fact there is, great difference between public officials as to their natural inclinations toward strict construction and enforcement of laws, but I believe that there are few men in official positions but what will respond to demand from the people. Therefore, I say to you, not as members of the legislature, but as citizens of our state, and through you to all the citizens of the state fix your own standard of official service, let your public servants know what you expect and require of them and he who fails to respond will soon find his official career at an end.

It is perhaps true that the liquor laws of the state are more difficult of enforcement than most other statutes, but in my opinion it is due rather to local influences than to the weakness of the law itself. A district judge and a county attorney fearless in the performance of duty, with a sheriff or constable of like character, will find little difficulty in commanding respect, not only for the liquor statutes, but for all laws of the state. I have said that in my opinion local influences have much bearing upon the situation. If it be that local officials will not require obedience to the statutes, then the power and authority to enforce the laws should be lodged with officials removed from these local influences, but if that be deemed necessary there should also be a provision requiring such local officials as fail to perform their duty to step aside and give place to others who will see that the laws are enforced and the means whereby this can be brought about should be effective.

I am not pleading for any particular statute nor for any particular plan. I am only saying what I believe every good citizen of the state will endorse and that is, that lawlessness ought not to and must *not* be permitted in our commonwealth.

#### LEGISLATIVE RESPONSIBILITY.

Members of the General Assembly, in closing I want to assure you that I fully appreciate the important position of the legislator, as I have been privileged to occupy a seat in your honorable body. No greater responsibility rests upon any official than the responsibility resting upon the men who make the laws. The executive or administrative officer wh-

is faithful to duty will carry into effect the laws which he finds upon the statute books. Therefore, the responsibility of determining the effect of a statute should rest with the legislature. You alone can determine the character of our laws. Others may suggest, others may assist, others may influence the course of legislation, but you alone can act or refuse to act. I want to assure you of my hearty co-operation in everything and in every way which my judgment leads me to believe to be for the best interests of the state. I have but one object in view and that is to see Iowa become a greater and grander state. Its advancement has been marvelous. We have it from so good authority as Hon. Samuel Merrill, a former governor of our state, that at the time of his inauguration in 1868 there were only twelve hundred miles of railroad in our state, and only one-sixth of our lands were then enclosed. We have, since that date, brought the remaining five-sixths of our lands into cultivation and have built fully nine thousand miles of railroad. These are mere suggestions as to the possibilities of our state. We have not yet even approached the limit of its greatness. With united effort and continued co-operation we shall still see greater accomplishments along the lines of agricultural and commercial attainments, intellectual advancement and moral strength and courage. But, I can not close without referring to one other subject, that is, to our state institutions. Especially do I want to recommend for them the most liberal treatment consistent with the condition of our public finances and a reasonable levy for state purposes. There is a universal desire that our educational institutions continue to furnish for our youth and young men and young women every possible opportunity for educational and intellectual advancement, and that eleemosynary and penal institutions continue to provide for those who find lodgment within their confines, the best possible means of care and improvement.

Our people are justly proud of our state and of its institutions and we should write it upon the tablets of our hearts and emblazon it upon our banners that in comparison with other states and with the institutions of other states there shall be none better than our own.

Minutes of the joint convention read and approved.

On motion of Senator Saunders, of Pottawattamie, the joint convention was dissolved.

The House reconvened.

Speaker Feely in the Chair.

Bascom of Dickinson, Chairman of Committee on Mileage, offered the following report:

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

	Miles.	Amount.
W. P. Allred .....	200	\$10.00
William Anderson .....	120	6.00

W. H. Arney .....	116	5.80
August A. Balluff .....	350	17.50
John L. Baseom .....	340	17.00
S. H. Bauman .....	240	12.00
R. Baxter .....	350	17.50
W. I. Beans .....	128	6.40
N. W. Beebe .....	188	9.40
Enoch Beery .....	300	15.00
A. C. Blackmore .....	318	15.90
L. W. Boe .....	310	15.50
H. H. Boettger .....	350	17.50
Jno. C. Bonwell .....	162	8.10
H. S. Boomgarder .....	466	23.30
Jas. W. Bowman .....	296	14.80
Henry C. Brandes .....	226	11.30
Myron L. Burt .....	254	12.70
W. M. Byerly .....	354	17.70
George C. Calkins .....	296	14.80
Edward M. Cassady .....	420	21.00
Wm. R. Cooper .....	70	3.50
John A. Cousins .....	254	12.70
John A. Crummer .....	210	10.50
Geo. W. Crozier .....	70	3.50
Edward H. Cunningham .....	260	13.00
Isaac T. Dabney .....	224	11.20
James T. Dalby .....	206	10.30
John H. Darrah .....	112	5.60
F. C. Davidson .....	302	15.10
W. P. Dawson .....	306	15.30
John H. Derrough .....	44	2.20
H. Dewell .....	360	18.00
H. K. Dewey .....	120	6.00
Chas. E. DeWitt .....	208	10.40
W. D. Dodds .....	310	15.50
Will Drury .....	314	15.70
W. Dye .....	250	12.50
Jesse D. Elliott .....	284	14.20
James W. Ellis .....	416	20.80
Wm. L. Etter .....	174	8.70
B. F. Felt .....	314	15.70
J. M. Fenn .....	140	7.00
R. M. Finlayson .....	194	9.70
Edwin H. Fourt .....	706	35.30
John Fox .....	42	2.10
Edward B. Fulliam .....	340	17.00
Charles J. Fulton .....	230	11.50
W. W. Goodykoontz .....	86	4.30
George E. Grier .....	174	8.70
Charles W. Hackler .....	176	8.80
T. O. Hanson .....	246	12.30
W. L. Harding .....	452	22.60

M. Harvey .....	344	17.20
T. Hickenlooper .....	136	6.80
O. H. Holmes .....	250	12.50
H. H. Huffaker .....	326	16.30
F. H. Hunter .....	0	.00
George A. Ide .....	184	9.20
L. W. Inman .....	302	15.10
J. W. Jacobs .....	236	11.80
P. M. Jewell .....	440	22.00
K. J. Johnson .....	343	17.15
L. G. Jones .....	324	16.20
Geo. A. Kellogg .....	352	17.60
A. W. Kendall .....	408	20.40
G. Klay .....	420	21.00
Geo. W. Koontz .....	242	12.10
H. Kull .....	538	26.90
W. Larrabee .....	334	16.70
N. J. Lee .....	360	18.00
S. M. McCleery .....	240	12.00
Edward McDonald .....	142	7.10
C. L. Marston .....	244	12.20
C. A. Meredith .....	164	8.20
Miller of Bremer .....	260	13.00
Miller of Dubuque .....	414	20.70
Moore of Linn .....	288	14.40
Moore of Wapello .....	206	10.30
H. N. Newell .....	396	19.80
F. A. O'Connor .....	322	16.10
A. V. Penn .....	372	18.60
E. C. Perkins .....	392	19.60
R. J. Reaney .....	314	15.70
H. H. Reitz .....	290	14.50
A. C. Ripley .....	324	16.20
H. Ritter .....	336	16.80
E. J. Sankey .....	174	8.70
Geo. W. Schee .....	390	19.50
H. C. Schroeder .....	340	17.00
G. H. Schulte .....	674	33.70
F. E. Sheldon .....	180	9.00
J. R. Smith .....	182	9.10
P. E. Stillman .....	132	6.60
B. F. Stoddard .....	240	12.00
J. B. Sullivan .....	0	.00
Geo. W. Swan .....	244	12.20
C. F. Swift .....	232	11.60
H. Tegeler .....	356	17.80
E. C. Thompson .....	240	12.00
G. W. Tilton .....	184	9.20
Geo. E. Ward .....	452	22.60
W. Welden .....	150	7.50
G. C. White .....	72	3.60



W. Wilson .....	234	11.70
J. L. Wolfe .....	450	22.50
E. R. Zeller .....	84	4.20
Mr. Speaker .....	210	10.50

J. L. BASCOM,  
B. F. FELT, JR.,  
G. H. SCHULTE.

*Committee.*

We recommend that such mileage be duly certified.

J. L. BASCOM,  
*Chairman.*

Bascom of Dickinson moved the adoption of the report.

Motion prevailed.

REPORT OF SECRETARY OF THE IOWA STATE COLLEGE OF AGRICULTURE AND MECHANIC ARTS.

*To the General Assembly of the State of Iowa:*

GENTLEMEN—In accordance with Chapter 104 of the Laws of the Thirtieth General Assembly, I herewith submit the following report showing:

*First.* The funds available for all college purposes during each of the fiscal years of the biennial period ending June 30, 1908, including the cash balances on hand at the beginning of the period.

*Second.* How such moneys were expended.

*Third.* The unexpended balances at the close of the biennial period to the credit of the several funds.

*Fourth.* The number of instructors employed and the number of students enrolled in each course during each year of the biennial period.

I. AVAILABLE FUNDS, 1906-8.

Balances on hand July 1, 1906—

In the hands of the College Treasurer—

Collège support, including student funds.....	\$ 23,788.59	
Agricultural Experiment Station.....	10,194.62	
Engineering Experiment Station.....	1,288.14	
Highway Commission .....	460.34	
Special Building Tax.....	.56	
Repairs and Improvements.....	323.19	
Central Heating Plant.....	.20	
Railroad damages, trust fund.....	38.00	\$ 36,143.64

In State Treasury—

Building Tax .....	\$ 38,038.55
Completing and furnishing Central Building...	28,371.79
Dairy Farm and Equipment.....	4,699.69
Central Heating Plant Appropriation.....	33,782.27

Pure Bred Stock Appropriation.....	.44	\$104,892.74
		<hr/>
Total Balances .....		\$141,036.38
Additional funds becoming available during fiscal years 1906-7 and 1907-8.		

## (a) 1906-7.

## Educational Support Funds—

From National Government .....	\$ 61,127.93	
From State appropriation.....	142,166.97	
From Student Fees.....	38,503.55	
From Tuition charged students from outside the State .....	1,902.00	
Special trust funds to be used according to terms of trust .....	1,406.46	\$245,106.61
		<hr/>

## Agricultural Extension Fund—

Annual State Appropriation.....		15,000.00
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## Experiment Funds—

## Agricultural Experiment Station—

From National Government.....	\$ 22,000.00	
From State Appropriation.....	25,000.00	\$ 47,000.00
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## Engineering Experiment Station—

Annual State Appropriation.....	3,500.00	
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## Good Roads Experimentation—

Annual State Appropriation .....	5,000.00	55,500.00
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## Building and Equipment Funds—

## Annual Repair and Contingent

Fund .....	23,000.00	
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Special Building Tax .....	127,216.34	
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## Special Appropriations of 31st General Assembly—

For purchase of Additional Land	5,500.00	
For buildings and equipment of dairy farm and poultry plant .....	10,000.00	
For equipment of College de- partments .....	5,000.00	20,500.00
		<hr/>

Special appropriations of 32nd  
General Assembly, part made  
available any time before  
'July, 1908 .....

75,000.00

Receipts from rental of rooms  
and sale of old building ma-  
terial .....

3,656.88 249,373.22

Total from all sources for 1906-7....

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\$564,979.83

## (b) 1907-8.

<b>Educational Support Funds—</b>		
From National Government .....	65,375.08	
From State Appropriations .....	158,000.00	
From Student Fees .....	49,813.68	
From Tuition charged students from outside the State .....	2,810.00	
Special trust funds to be used ac- cording to terms of trust.....	1,165.70	\$277,164.46
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<b>Agricultural Extension Fund—</b>		
Annual Appropriation by State.....		27,000.00
<b>Experiment Funds—</b>		
<b>Agricultural Experiment Station—</b>		
From National Government .....	24,000.00	
From State Appropriation .....	25,000.00	49,000.00
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<b>Horse Breeding Experimentation—</b>		
From National Government .....	1,125.00	
From State Appropriation .....	1,125.00	2,250.00
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<b>Engineering Experiment Station—</b>		
Annual State Appropriation .....	3,500.00	
<b>Good Roads Experimentation—</b>		
Annual State Appropriation .....	5,000.00	59,750.00
<hr/>		
<b>Building and Equipment Funds—</b>		
Annual Repair and Contingent Fund	23,000.00	
Special Building Tax .....	127,896.68	
Receipts from rental of room, sale of old building material, and from Interurban Railway Company for improvements .....	1,916.88	152,813.56
<hr/>		
Total from all sources for 1907-8....		\$516,728.02
II. <i>Expenditures.</i> .....		

## (a) 1906-7.

<b>Educational Support Funds—</b>		
Salaries, including administrative officers.....	\$129,172.10	
Department expenses and equipment .....	48,172.90	
Administrative and general expenses .....	16,369.38	
Maintenance of buildings and grounds, includ- ing heat, light and janitor service for build- ing, and care of campus .....	50,354.10	\$244,063.43
<hr/>		
<b>Agricultural Extension Fund—</b>		
Salaries of Extension Staff, including Secretary..	10,065.38	
Current expenses and equipment .....	4,934.62	15,000.00
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## Experiment Funds—

## Agricultural Experiment Station—

Salaries of Extension Staff and Assistants....	24,072.50	
Current Expenses and Equipment .....	22,455.76	46,528.26

## Engineering Experiment Station—

Salaries .....	1,644.96	
Current expenses and equipment .....	2,905.44	4,550.40

## Good Roads Experimentation—

Salaries .....	1,720.00	
Current expenses and equipment .....	3,590.70	5,310.70

## Building and Equipment Fund Expenditures—

Repairs and Contingencies .....	20,555.94	
Special Building Tax—		
Hall of Agriculture .....	48,995.38	
Central Building .....	28,485.99	
Central Heating Plant .....	10,000.00	
Dairy Building .....	6,104.71	
Dairy Farm Buildings .....	1,184.75	
Forge Shop .....	4,535.52	
Central Building Additional .....	28,371.79	
Central Heating Plant (\$54,500 appropriation)..	33,782.47	
Central Heating Plant (\$60,000 appropriation)..	2,244.23	
Dairy Farm Buildings and Farm Equipment....	1,924.62	
Equipment of Dairy Farm and Poultry Buildings	6,600.95	
Land Additional .....	5,500.00	
Remodeling Old Engineering Hall .....	140.00	
Machine Shop .....	254.60	
Special Equipment for College Departments....	2,535.49	
Room Rent fund .....	2,106.35	\$203,322.79

Total Expenditures for 1906-7 for all purposes..		\$518,780.63
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(b) 1907-8.

## Educational Support Funds—

Salaries, including administrative officers .....	\$146,594.89	
Department expenses and equipment .....	58,051.13	
Administrative and general expenses .....	16,815.63	
Maintenance of buildings and grounds, including heat, light and janitor service for buildings, and care of campus .....	52,460.43	\$273,922.08

## Agricultural Extension Fund—

Salaries of Extension Staff, including Secretary..	13,924.64	
Current expenses and equipments .....	7,392.85	21,317.49

## Experiment Funds—

## Agricultural Experiment Station—

Salaries of Station Staff and Assistants .....	27,846.48	
Current Expenses and Equipment .....	29,397.97	57,244.45
		<hr/>

## Horse Breeding Experiment—

Salaries .....	208.33	
Current expenses and horses purchased .....	2,041.67	2,250.00
		<hr/>

## Engineering Experiment Station—

Salaries .....	2,004.51	
Current expenses and equipment .....	969.76	2,974.27
		<hr/>

## Good Roads Experimentation—

Salaries .....	2,120.00	
Current expenses and equipment .....	2,865.55	4,985.55
		<hr/>

## Building and Equipment Funds—

Repairs and Contingencies .....	30,524.54	
Special Building Tax—		
Hall of Agriculture .....	129,538.62	
Central Building .....	182.53	
Central Heating Plant .....	5,610.25	
Dairy Building .....	43.13	
Dairy Farm Buildings .....	8,051.31	
Forge Shop .....	983.25	
Machine Shop .....	1,000.00	
Central Heating Plant (\$60,000 appropriation) ..	30,755.77	
Dairy Farm Buildings and Farm Equipment ...	2,338.93	
Equipment of Dairy Farm and Poultry Buildings	3,399.05	
Water System Improvement .....	5,000.00	
Walks and Grading .....	4,640.91	
Remodeling Old Engineering Hall .....	6,860.00	
Machine Shop .....	14,237.12	
Special equipment for College Departments .....	6,000.63	
Pure Bred Stock Purchase .....	4,342.15	
Room Rent Fund .....	2,708.69	\$256,216.88
		<hr/>
Total Expenditures for 1907-8 for all purposes		\$618,910.72

## SUMMARY.

## Receipts.

Balances in College and State treasuries,		
July 1, 1906 .....		\$ 141,036.38
Additional funds available in 1906-7.....	\$564,979.83	
Additional funds available in 1907-8.....	516,728.02	\$1,081,707.85
		<hr/>

Total funds available during biennial period from all sources and for all purposes	\$1,222,744.23
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Expenditures.

During fiscal year 1906-7.....	\$518,780.63	
During fiscal year 1907-8.....	618,910.72	1,187,691.35
Balance in College and State treasuries June 30, 1908.....		85,052.88
		<hr/>
Total .....		\$1,222,744.23

III. *Balances at Close of Biennial Period, June 30, 1908.*

The balances on hand June 30, 1908, belong to the following funds:  
In the hands of the College Treasurer—

College support including student	\$22,288.25
Agricultural extension fund.....	182.51

Experiment Funds—

Agricultural Experiment Station.	\$ 171.91	
Engineering Experiment Station.	763.47	
Good Roads Experimentation....	164.00	1,099.47

Building and Equipment Funds—

Machine Shop .....	2.30	
Walks and Grading .....	9.09	
Room rent account .....	819.00	
Tuition transferred to Repair account .....	963.28	1,793.67

Trust funds, railway damages...	88.00	\$25,451.90
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In State Treasury—

College Extension fund .....	\$ 5,500.00	
Agricultural Experiment Station.	2,250.00	
Building Tax fund .....	48,436.69	
Dairy farm and equipment.....	436.14	
Special department equipment...	492.32	
Pure bred stock appropriation...	.44	
Special appropriations of 32d General Assembly, unexpended balance of \$75,000 available.....	2,485.39	\$59,600.98

Total balances .....		<hr/> \$85,052.88
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It is the policy of the College not to draw funds from the State Treasury until needed. An exception to this occurs at the end of the fiscal year when balances are drawn to avoid any legal question regarding their reversion. The ordinary balance of State funds in the local depository average less than \$5,000.00. The balance in the hands of the State Treasurer is often as high as \$50,000.00. This has been helpful to the State Treasury during the past biennial period.

Under the law, sales of departments and hospital receipts are reported separately. The following are the receipts and expenditures on these accounts during the biennial period.

*Sales of Departments.*

For year 1906-7.....	\$51,490.12
For year 1907-8.....	57,027.03
<b>Total</b> .....	<b>\$108,517.15</b>

The proceeds of these sales are re-invested by the departments. This revolving fund as it comes and goes amounts simply to a change in department assets.

*College Hospital Account.*

**Receipts.**

Cash on hand July 1, 1906.....	\$ 695.38
Receipts from students and others in 1906-7.....	\$4,390.07
Receipts from students and others in 1907-8.....	3,854.81
<b>Total</b> .....	<b>\$8,940.26</b>

**Disbursements.**

For expenses of maintenance, 1906-7.....	\$3,971.46
For expenses of maintenance, 1907-8.....	3,097.87
Cash on hand July 1, 1908.....	1,870.93
<b>Total</b> .....	<b>\$8,940.26</b>

The hospital is self supporting. It neither adds to nor detracts from the income of the College. By the payment of a small fee each semester the student is insured the privileges of the hospital without further expense. The Board simply manages the fund in trust for the student body.

*IV. Number of Instructors and Student Enrollment.*

*Instructors.*

**1906-7.**

Professors, assistant professors and administrative officers.....	67
Instructors and assistants .....	82
<b>Total</b> .....	<b>149</b>

**1907-8.**

Professors, assistant professors and administrative officers.....	72
Instructors and assistants .....	38
<b>Total</b> .....	<b>160</b>

*Student Enrollment.*

1906-7.

Division of Agriculture—		
Science and Agriculture .....	12	
Animal Husbandry .....	291	
Agronomy .....	76	
Forestry and Horticulture .....	32	
Dairy .....	36	
Academic .....	14	461
<hr/>		
Division of Veterinary Science—		
Veterinary Medicine .....	82	82
<hr/>		
Division of Engineering—		
Civil Engineering .....	319	
Mechanical Engineering .....	152	
Electrical Engineering .....	293	
Mining Engineering .....	38	
Academic .....	1	803
<hr/>		
Division of Science—		
General Science .....	106	
General and Domestic Science .....	96	
Domestic Science .....	46	249
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Miscellaneous—		
Music .....	21	21
<hr/>		
Total .....		1616
Winter Short Course .....		765
<hr/>		
Grand Total .....		2381

1907-8.

Division of Agriculture—		
Animal Husbandry .....	298	
Agronomy .....	76	
Dairy .....	22	
Horticulture and Forestry .....	44	
Science and Agriculture .....	6	
Agriculture .....	29	475
<hr/>		
One year Dairy .....	17	17
<hr/>		
Division of Veterinary Medicine—		
Veterinary Medicine .....	108	108
<hr/>		
Division of Engineering—		
Civil Engineering .....	336	
Mechanical Engineering .....	153	



Electrical Engineering .....	301	
Mining Engineering .....	48	
Ceramics .....	5	843
<hr/>		
Division of Science—		
General Science .....	77	
General and Domestic Science .....	92	
Domestic Science .....	72	241
<hr/>		
Miscellaneous—		
Music .....	56	56
<hr/>		
Total .....		1740
Winter Short Course .....		642
<hr/>		
Grand Total .....		2382

Respectfully submitted,

E. W. STANTON,  
*Secretary Board of Trustees.*

#### COMMITTEE REPORT.

The committee appointed to determine qualifications of committee clerks filed the following report:

MR. SPEAKER—Your committee appointed to determine the qualifications of candidates for the position of committee clerk, and to assign them to committees, have examined and selected for the temporary use of the House:

Edna Boone.

Arney of Marshall moved the adoption of the report.

Motion prevailed.

Edna Boone took and subscribed to the following oath as committee clerk:

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:

EDNA BOONE.

On motion of Holmes of Kossuth, the House adjourned.

# JOURNAL OF THE HOUSE

HALL OF THE HOUSE OF REPRESENTATIVES,  
DES MOINES, IOWA, JANUARY 19, A. D. 1909.

House met pursuant to adjournment.

Speaker Feely in the Chair.

Prayer was offered by the Rev. Wm. Williamson, Des Moines, Iowa.

Journal of Thursday, January 14th, corrected and approved.

On request of Kull of Howard, leave of absence was granted Ritter of Des Moines until Wednesday.

On request of Darrah of Lucas, leave of absence was granted Klay of Sioux until Wednesday.

On request of McDonald of Carroll, leave of absence was granted Wolfe of Clinton until Wednesday.

Anderson of Hamilton, called up resolution laid over under Rule 34 relative to printing 10,000 copies of the preliminary statements of the Report of the Commission on School Laws, and moved the adoption of the resolution.

Motion prevailed and the resolution was adopted.

## PETITIONS, MEMORIALS AND REMONSTRANCES.

Drury of Sac, presented petition of the citizens of Sac County relative to the suppression of intemperance.

Referred to committee on Suppression of Intemperance.

## INTRODUCTION OF BILLS.

By Hackler of Webster, House File No. 2, a bill for an act to repeal sections ten hundred fifty-six-a-seventeen (1056-a-17), ten

hundred fifty-six-a-eighteen (1056-a-18), ten hundred fifty-six-a-twenty-six (1056-a-26) of Chapter Fourteen, C. (14, C.) of the Supplement to the Code of Iowa, and to enact substitutes therefor, and to amend sections ten hundred fifty-six-a-nineteen (1056-a-19), ten hundred fifty-six-a-twenty (1056-a-20), ten hundred fifty-six-a-twenty-one (1056-a-21), ten hundred fifty-six-a-twenty-four (1056-a-24), ten hundred fifty-six-a-twenty-five (1056-a-25), ten hundred fifty-six-a-twenty-eight (1056-a-28), ten hundred fifty-six-a-thirty-two (1056-a-32), ten hundred fifty-six-a-thirty-nine (1056-a-39), of Chapter Fourteen-C (14-C.) of the Supplement to the Code of Iowa, all relating to the government of certain cities.

Read first and second time and referred to Committee on Municipal Corporations.

By Harding of Woodbury, House File No. 3, a bill for an act to create a legislative commission to examine the subject of taxation for state and local purposes and the expediency of revising and amending the laws relating thereto and making an appropriation therefor.

Read first and second time and referred to Committee on Ways and Means.

By Meredith of Cass, House File No. 4, a bill for an act to establish the office of Commerce Counsel, and defining the powers and duties of the same.

Read first and second time and referred to Committee on Railroads and Transportation.

By Zeller of Madison, House File No. 5, a bill for an act to amend the law as it appears in section fifteen hundred thirty-two-a (1532-a), Code Supplement of 1907, relative to the duties of township trustees; the election and compensation of road superintendents; the division and consolidation of road districts and the collection of property road tax.

Read first and second time and referred to Committee on Roads and Highways.

By Hunter of Polk, House File No. 6, a bill for an act to repeal the law as it appears in section fourteen hundred fifty-seven (1457), of the supplement to the code, and to enact a substitute therefor relating to the subject of loaning or depositing of public funds.

Read first and second time and referred to Committee on Ways and Means.

By Davidson of Palo Alto, House File No. 7, a bill for an act for the preservation and improvement of Medium lake and the islands therein and placing the same within the jurisdiction of the city of Emmetsburg and making appropriation therefor.

Read first and second time and referred to Committee on Municipal Corporations.

By Miller of Bremer, House File No. 8, a bill for an act to compel manufacturers and owners of corn huskers, shuckers and shredders, to provide automatic feeders or other safety device to safeguard against accidents and making the sale or use thereof a misdemeanor and fixing a penalty for violation.

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

By Ripley of Hancock, House File No. 9, a bill for an act to repeal section three thousand three hundred and seven (3307) of the supplement to the Code, 1907, relating to administrations of the estates of absentees, and to enact a substitute therefor.

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

By Ripley of Hancock, House File No. 10, a bill for an act to amend section two thousand three hundred and ten-a-twenty-four (2310-a-24), relating to the sale of intoxicating liquors or narcotics to inebriates.

Read first and second time and referred to Committee on Suppression of Intemperance.

By Hickenlooper of Monroe, House File No. 11, a bill for an act to repeal section thirty-two hundred and sixty-eight (3268) of the Code, relative to the time and manner of examination of bonds of guardians, executors, administrators, and trustees, by clerk of the district court, and to enact a substitute therefor.

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

By Balluff of Scott, House File No. 12, a bill for an act to define an "absentee" and to provide for the care and management of the estate of such absentee and for the distribution of his or her estate by an administrator or executor.

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

By Balluff of Scott, House File No. 13, a bill for an act requiring that all bonds required to be given in any judicial proceeding shall contain a contract for the payment of attorney's fees and providing for their collection.

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

By Boettger of Scott, House File No. 14, a bill for an act to repeal section four hundred ninety-one (491) of the Code relating to compensation of deputy treasurers and enacting a substitute therefor.

Read first and second time and referred to Committee on Compensation of Public Officers.

By Boettger of Scott, House File No. 15, a bill for an act to repeal section four hundred eighty-one (481) of the Code, relating to compensation of deputy auditors and enacting a substitute therefor.

Read first and second time and referred to Committee on Compensation of Public Officers.

By Boettger of Scott, House File No. 16, a bill for an act to repeal section four hundred ninety-six (496) of the Code, relating to compensation of deputy recorders and enacting a substitute therefor.

Read first and second time and referred to Committee on Compensation of Public Officers.

By Boettger of Scott, House File No. 17, a bill for an act to repeal section five hundred and ten (510) of the Code, relating to compensation of deputy sheriffs, and enacting a substitute therefor.

Read first and second time and referred to Committee on Compensation of Public Officers.

By Fulliam of Muscatine, House File No. 18, a bill for an act to amend the law, as the same appears in section ten hundred eighty-seven-a-thirty-four (1087-a-34) of the Supplement to the Code relating to primary elections.

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

Kellogg of Harrison, Chairman of the joint committee on Additional Employes, presented the following report:

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

Your committee to whom was referred the employment of additional help for the Thirty-third General Assembly beg leave to report that they have had the subject under consideration and the committee have instructed us to introduce a joint resolution covering their recommendations, which is herewith submitted with the recommendation that the same do pass.

Respectfully submitted,

F. L. MAYTAG,  
CHARLES GATES,  
WM. S. ALLEN,  
GEO. A. KELLOGG,  
GEO. E. GRIER,  
L. W. BOE.

HOUSE JOINT RESOLUTION NO. 1, BY JOINT COMMITTEE ON ADDITIONAL EMPLOYES.

Joint Resolution relating to the selection of additional employes of the Thirty-third General Assembly, fixing their compensation and defining their duties.

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

SEC. 1. The Custodian is hereby authorized and directed to appoint nine persons to be designated as assistants to the Custodian, whose duties shall be by him determined, and whose salaries shall be sixty dollars per month each.

SEC. 2. The Secretary of State is hereby authorized and directed to appoint two clerks for service in the document room at a salary of sixty dollars per month each.

SEC. 3. The Secretary of the Executive Council is hereby authorized and directed to appoint a clerk for service in the supply department at a salary of sixty dollars per month.

SEC. 4. The Custodian is hereby authorized and directed to appoint three experienced elevator tenders at a salary of sixty dollars per month each.

SEC. 5. W. J. Jones of Monroe County is hereby appointed mail carrier.

SEC. 6. The Secretary of the Senate and Chief Clerk of the House are hereby directed to prepare a pay roll for all employes under this resolution, the same to be countersigned by the President of the Senate and the Speaker of the House and presented to the Auditor of State.

SEC. 7. The Secretary of State is hereby authorized to retain as many clerks, hereby appointed to serve in the document room, as he may deem necessary, for a period of time not exceeding two weeks after the adjournment of the Thirty-third General Assembly.

Read first and second time.

Kellogg of Harrison moved that the rule be suspended and that House Joint Resolution No. 1 be considered engrossed and read a third time now, which motion prevailed unanimously, and the Joint Resolution was read a third time.

On the question, Shall the Joint Resolution be adopted:

The ayes were:

Allred, Arney, Balluff, Bascom, Bauman, Baxter, Beans, Beebe, Beery, Blackmore, Boe, Boettger, Bonwell, Boomgaarden, Bowman, Brandes, Burt, Byerly, Calkins, Cassady, Cooper, Cousins, Crummer, Cunningham, Dalby, Darrah, Davidson, Dawson, Derrough, Dewell, DeWitt, Drury, Dye, Elliott, Ellis, Felt, Fenn, Finlayson, Fourt, Fox, Fulton, Goodykoontz, Grier, Hackler, Hanson, Harding, Hickenlooper, Holmes, Huffaker, Hunter, Ide, Inman, Jacobs, Jewell, Johnson, Jones, Kellogg, Kendall, Koontz, Larrabee, Lee, McCleery, Marston, Miller of Bremer, Miller of Dubuque, Moore of Wapello, Moore of Linn, Newell, Penn, Reaney, Reitz, Ripley, Sheldon, Smith, Stillman, Stoddard, Sullivan, Swan, Swift, Thompson, Tilton, Ward, Welden, White, Wilson, Zeller, Mr. Speaker—87.

The nays were:

Anderson, Crozier, Dabney, Dewey, Etter, Fulliam, Harvey, Kull, McDonald, Meredith, O'Connor, Perkins, Sankey, Schee, Schroeder, Schulte, Tegeler—17.

Absent or not voting:

Dodds, Klay, Ritter, Wolfe—4.

So the joint resolution passed and the title was agreed to.

Kellogg of Harrison, offered the following resolution:

Supplemental Resolution from House committee on Additional Employees.

MR. SPEAKER—Your committee on the part of the House submits the following:

*Resolved.* That C. F. Shell be employed as Assistant File Clerk at Sixty Dollars (\$60) per month, and that the salary of E. A. Wilmeth, Assistant Bill Clerk, be Sixty Dollars (\$60) per month.

GEO. A. KELLOGG,

GEO. E. GRIER,

L. W. BOE,

*Committee.*

Kellogg of Harrison asked unanimous consent that it be considered at this time, and moved its adoption.

Motion prevailed and resolution declared adopted.

Fulton of Jefferson, offered the following resolution and moved that the rule be suspended and the resolution adopted:

WHEREAS, Dr. J. W. Hayden, a pioneer of Iowa and a member of the House in the Eighteenth General Assembly, died at his home in Fairfield, Iowa, on January 12, 1909, therefore be it

*Resolved*, That a committee of three be appointed to prepare suitable resolutions in commemoration of his life and public service.

Motion prevailed, and the resolution was adopted.

The Speaker named as such committee: Fulton of Jefferson, Bauman of Van Buren and Goodykoontz of Boone.

Darrah of Lucas, moved that House proceed to ballot on United States senator.

Motion prevailed.

The Speaker announced that the roll would be called and the House proceeded to ballot on United States senator.

Those voting for Albert Baird Cummins were:

Allred, Anderson, Arney, Bascom, Beans, Beebe, Beery, Blackmore, Boe, Bonwell, Boomgaarden, Bowman, Brandes, Burt, Casady, Cooper, Cousins, Crummer, Cunningham, Dalby, Darrah, Davidson, Dawson, Derrough, Dewell, Dewey, DeWitt, Drury, Dye, Elliott, Felt, Fenn, Finlayson, Fourt, Fox, Fulton, Goodykoontz, Grier, Hackler, Hanson, Harding, Harvey, Hickenlooper, Holmes, Hunter, Ide, Inman, Jacobs, Jewell, Johnson, Jones, Kellogg, Larabee, Lee, McCleery, Marston, Meredith, Moore of Wapello, Moore of Linn, Newell, Perkins, Reaney, Ripley, Schee, Sheldon, Smith, Stillman, Stoddard, Sullivan, Swan, Thompson, Tilton, Ward, Welden, White, Wilson, Zeller, Mr. Speaker—78.

Those voting for Claude R. Porter were:

Balluff, Bauman, Baxter, Boettger, Byerly, Calkins, Crozier, Dabney, Ellis, Etter, Fulliam, Huffaker, Koontz, Kull, McDonald, Miller of Bremer, Miller of Dubuque, O'Connor, Penn, Reitz, Sankey, Schroeder, Schulte, Swift, Tegeler—26.

Absent or not voting:

Dodds, Klay, Ritter, Wolfe—4.



Hon. Albert Baird Cummins having received a constitutional majority, was declared elected by the House as United States senator for the term commencing March 4, 1909.

Perkins of Delaware offered the following concurrent resolution and moved that the rule be suspended and the resolution be adopted:

*Resolved, by the House, the Senate Concurring, That a joint convention be held in the House on Wednesday, January 20, 1909, at 12 o'clock M.*

Motion prevailed and the resolution was adopted:

Klay of Sioux, being absent when the vote was taken on United States Senator, filed the following statement and requested that it be printed in the Journal:

*Hon. Guy A. Feely, Speaker.*

Sir:—On account of inability to attend the session of the House on Tuesday, January 19, 1909, I desire to state that if I had been present my vote would have been cast for Albert B. Cummins for Senator of the United States.

GERRIT KLAY,

Speaker Feely announced the following assignment of standing committees:

STANDING COMMITTEES.

WAYS AND MEANS.

White of Story, Chairman,  
 Darrah of Lucas,  
 Wilson of Tama,  
 Hackler of Webster,  
 Hanson of Humboldt,  
 Welden of Hardin,  
 Arney of Marshall,  
 Moore of Linn,  
 Stillman of Greene,  
 Beery of Henry,  
 Smith of Wright,  
 Bonwell of Audubon,  
 Harding of Woodbury,  
 Fox of Dallas,  
 Dawson of Cherokee,  
 Drury of Sac,  
 Felt of Clay,  
 Brandes of Pottawattamie,  
 Elliott of Page,  
 Dewell of Cedar,  
 Allred of Wayne,

Blackmore of Worth,  
 Cassady of Monona,  
 Ward of Woodbury,  
 Dalby of Adair,  
 Davidson of Palo Alto,  
 Jacobs of Calhoun,  
 Cooper of Jasper,  
 Thompson of Benton,  
 Klay of Sioux,  
 Derrough of Warren,  
 Miller of Bremer,  
 Bauman of Van Buren,  
 Kull of Howard,  
 Ritter of Des Moines,  
 Schroeder of Crawford,  
 Calkins of Adams,  
 Miller of Dubuque,  
 McDonald of Carroll,  
 Huffaker of Mills,  
 Fulliam of Muscatine,  
 Boettger of Scott.

JUDICIARY.

Sullivan of Polk, Chairman,  
 Lee of Emmet,  
 Hackler of Webster,  
 Harding of Woodbury,  
 Meredith of Cass,  
 Bascom of Dickinson,  
 White of Story,

Perkins of Delaware,  
 Cooper of Jasper,  
 Schee of O'Brien,  
 Ripley of Hancock,  
 Klay of Sioux,  
 Hickenlooper of Monroe,  
 Schulte of Clayton,

Davidson of Palo Alto,  
Goodykoontz of Boone,  
Larrabee of Fayette,  
Jacobs of Calhoun,  
Johnson of Mitchell,

Wolfe of Clinton,  
Koontz of Johnson,  
O'Connor of Chickasaw,  
Dabney of Davis,  
Crozier of Marion,

## APPROPRIATIONS.

Moore of Linn, Chairman,  
Stillman of Greene,  
Grier of Poweshiek,  
Wilson of Tama,  
Kellogg of Harrison,  
Hanson of Humboldt,  
Inman of Floyd,  
Anderson of Hamilton,  
Felt of Clay,  
Lee of Emmet,  
Sheldon of Ringgold,  
Fenn of Clarke,  
Smith of Wright,  
Jewell of Winneshiek,  
Dewell of Cedar,  
Blackmore of Worth,  
Johnson of Mitchell,  
Larrabee of Fayette,  
Ward of Woodbury,

Beebe of Franklin,  
Ide of Union,  
Hickenlooper of Monroe,  
Derrough of Warren,  
Dewey of Guthrie,  
Zeller of Madison,  
Cunningham of Buena Vista,  
Fourt of Allamakee,  
Dalby of Adair,  
Tilton of Iowa,  
Boe of Winnebago,  
Fulton of Jefferson,  
Kendall of Clinton,  
McDonald of Carroll,  
Miller of Bremer,  
Dodds of Des Moines,  
Swift of Shelby,  
Schulte of Clayton,  
Fulliam of Muscatine,

## ELECTIONS.

Darrah of Lucas, Chairman,  
Meredith of Cass,  
White of Story,  
Lee of Emmet,  
Sheldon of Ringgold,  
Beery of Henry,  
Harding of Woodbury,  
Marston of Cerro Gordo,  
Hanson of Humboldt,  
Hackler of Webster,  
Anderson of Hamilton,  
Inman of Floyd,  
Felt of Clay,  
Blackmore of Worth,  
Bascom of Dickinson,  
Jewell of Winneshiek,

Grier of Poweshiek,  
Holmes of Kossuth,  
Arney of Marshall,  
Finlayson of Grundy,  
Jacobs of Calhoun,  
Tilton of Iowa,  
Johnson of Mitchell,  
Crummer of Pocahontas,  
Ripley of Hancock,  
Hickenlooper of Monroe,  
McDonald of Carroll,  
Reitz of Lee,  
Dabney of Davis,  
Ellis of Jackson,  
Penn of Fremont.

## AGRICULTURE.

Arney of Marshall, Chairman,  
Felt of Clay,  
Beery of Henry,  
Inman of Floyd,

Cunningham of Buena Vista,  
Perkins of Delaware,  
Ide of Union,  
Tilton of Iowa,

Fox of Dallas,  
 Anderson of Hamilton,  
 Cassady of Monona,  
 Bonwell of Audubon,  
 Dewell of Cedar,  
 Smith of Wright.  
 Fenn of Clarke,  
 Harvey of Osceola,  
 Allred of Wayne,  
 Wilson of Tama,  
 Brandes of Pottawattamie,  
 Blackmore of Worth,  
 Harding of Woodbury,  
 Ward of Woodbury,  
 Ripley of Hancock,  
 Fourt of Allamakee,  
 Zeller of Madison,  
 McCleery of Washington,

Jones of Lee,  
 Thompson of Benton,  
 Dawson of Cherokee,  
 Crummer of Pocahontas,  
 DeWitt of Montgomery,  
 Newell of Plymouth,  
 Hunter of Polk,  
 Beans of Mahaska,  
 Swan of Appanoose,  
 Finlayson of Grundy,  
 Boe of Winnebago,  
 Schroeder of Crawford,  
 Reitz of Lee,  
 Dodds of Des Moines,  
 Swift of Shelby,  
 Kull of Howard,  
 Tegeler of Dubuque.

## RAILROADS AND TRANSPORTATION.

Welden of Hardin, Chairman,  
 Meredith of Cass,  
 White of Story,  
 Marston of Cerro Gordo,  
 Lee of Emmet,  
 Sullivan of Polk,  
 Holmes of Kossuth,  
 Drury of Sac,  
 Dye of Pottawattamie,  
 Fulton of Jefferson,  
 Grier of Poweshiek,  
 Darrah of Lucas,  
 Stillman of Greene,  
 Reaney of Louisa,  
 Arney of Marshall,  
 Cassady of Monona,  
 Harding of Woodbury,  
 Elliott of Page,  
 Hanson of Humboldt,  
 Allred of Wayne,

Hackler of Webster,  
 Beery of Henry,  
 Stoddard of Buchanan,  
 Perkins of Delaware,  
 Bowman of Linn,  
 Klay of Sioux,  
 Hickenlooper of Monroe,  
 Moore of Wapello,  
 Derrough of Warren,  
 Burt of Taylor,  
 McCleery of Washington,  
 Ripley of Hancock,  
 Beans of Mahaska,  
 Dodds of Des Moines,  
 Koontz of Johnson,  
 Swift of Shelby,  
 O'Connor of Chickasaw,  
 Tegeler of Dubuque,  
 Sankey of Decatur,  
 Balluff of Scott.

## COMMERCE AND TRADE.

Hackler of Webster, Chairman,  
 Welden of Hardin,  
 Dye of Pottawattamie,  
 Wilson of Tama,  
 Reaney of Louisa,  
 Bascom of Dickinson,  
 Drury of Sac,  
 Meredith of Cass,  
 Grier of Poweshiek,  
 Darrah of Lucas,  
 Fulton of Jefferson,

Perkins of Delaware,  
 Klay of Sioux,  
 Finlayson of Grundy,  
 Tilton of Iowa,  
 Cousins of Butler,  
 Beebe of Franklin,  
 Fourt of Allamakee,  
 McCleery of Washington,  
 Dodds of Des Moines,  
 Kull of Howard,

Cassady of Monona,  
Allred of Wayne,  
White of Story,

Ritter of Des Moines,  
Penn of Fremont.

## MUNICIPAL CORPORATIONS.

Harding of Woodbury, Chairman,  
Hackler of Webster,  
Reaney of Louisa,  
Moore of Linn,  
Sullivan of Polk,  
Elliott of Page,  
Lee of Emmet,  
Arney of Marshall,  
Brandes of Pottawattamie,  
Goodykoontz of Boone,  
Moore of Wapello,  
Bowman of Linn,  
Beebe of Franklin,  
Hunter of Polk,

Davidson of Palo Alto,  
Jacobs of Calhoun,  
Ward of Woodbury,  
Burt of Taylor,  
Ide of Union,  
Jones of Lee,  
Wolfe of Clinton,  
Miller of Dubuque,  
Ritter of Des Moines,  
Schulte of Clayton,  
Koontz of Johnson,  
Falluff of Scott,  
Fulliam of Muscatine,

## INSURANCE.

Kellogg of Harrison, Chairman,  
Grier of Poweshiek,  
White of Story,  
Sheldon of Ringgold,  
Sullivan of Polk,  
Welden of Hardin,  
Dewell of Cedar,  
Beery of Henry,  
Moore of Linn,  
Cassady of Monona,  
Allred of Wayne,  
Marston of Cerro Gordo,  
Reaney of Louisa,  
Jewell of Winneshiek,  
Hanson of Humboldt,  
Inman of Floyd,  
Harding of Woodbury,  
Holmes of Kossuth,

Bonwell of Audubon,  
Wilson of Tama,  
Moore of Wapello,  
Perkins of Delaware,  
Jacobs of Calhoun,  
Ide of Union,  
Dewey of Guthrie,  
Cooper of Jasper,  
Johnson of Mitchell,  
Cousins of Butler,  
Cunningham of Buena Vista,  
Dawson of Cherokee,  
Swift of Shelby,  
Schroeder of Crawford,  
Dodds of Des Moines,  
Balluff of Scott,  
Byerly of Jones,  
O'Connor of Chickasaw.

## BANKS AND BANKING.

Grier of Poweshiek, Chairman,  
Anderson of Hamilton,  
Kellogg of Harrison,  
Hanson of Humboldt,  
Felt of Clay,  
Cassady of Monona,  
Moore of Linn,  
Dye of Pottawattamie,  
Sheldon of Ringgold,

Beans of Mahaska,  
Dewey of Guthrie,  
Derrough of Warren,  
Dalby of Adair,  
Schee of O'Brien,  
Cooper of Jasper,  
McDonald of Carroll,  
Ritter of Des Moines,  
Koontz of Johnson,

Arney of Marshall,  
Smith of Wright,  
Fox of Dallas,  
Johnson of Mitchell,  
Beebe of Franklin,  
Jacobs of Calhoun,  
Ripley of Hancock,  
Finlayson of Grundy,

Kull of Howard,  
Penn of Fremont,  
Huffaker of Mills,  
Sankey of Decatur,  
Balluff of Scott,  
Schroeder of Crawford,  
O'Connor of Chickasaw,  
Dabney of Davis.

## SCHOOLS AND TEXT BOOKS.

Stillman of Greene, Chairman,  
Hanson of Humboldt,  
Holmes of Kossuth,  
Anderson of Hamilton,  
Inman of Floyd.  
Harvey of Osceola,  
Wilson of Tama,  
Marston of Cerro Gordo,  
Swan of Appanoose,  
Dye of Pottawattamie,  
Reaney of Louisa,  
Grier of Poweshiek,  
Allred of Wayne,  
Bonwell of Audubon,  
Dewell of Cedar,  
Smith of Wright,

Larrabee of Fayette,  
Zeller of Madison,  
Finlayson of Grundy,  
Boe of Winnebago,  
Fulton of Jefferson,  
Perkins of Delaware,  
Dawson of Cherokee,  
Goodykoontz of Boone,  
Klay of Sioux,  
Stoddard of Buchanan,  
Dodds of Des Moines,  
Ellis of Jackson,  
Etter of Keokuk,  
O'Connor of Chickasaw,  
Dabney of Davis.

## CONSTITUTIONAL AMENDMENTS.

Lee of Emmet, Chairman,  
Stillman of Greene,  
Bascom of Dickinson,  
Darrah of Lucas,  
Beebe of Franklin,  
Ripley of Hancock,

Perkins of Delaware,  
Crummer of Pocahontas,  
Schulte of Clayton,  
Dodds of Des Moines,  
Crozier of Marion,

## TELEGRAPH AND EXPRESS.

Hanson of Humboldt, Chairman,  
Brandes of Pottawattamie,  
Swan of Appanoose,  
Bascom of Dickinson,  
Blackmore of Worth,  
Meredith of Cass,  
Boomgaarden of Lyon,  
Cooper of Jasper,  
Bowman of Linn,  
Stoddard of Buchanan,  
Boe of Winnebago,

Hunter of Polk,  
Ide of Union,  
Moore of Wapello,  
Crummer of Pocahontas,  
Tilton of Iowa,  
Calkins of Adams,  
Wolfe of Clinton,  
Etter of Keokuk,  
Fulliam of Muscatine,  
Reitz of Lee.

## TELEPHONES.

Sheldon of Ringgold, Chairman,  
Elliott of Page,

McCleery of Washington,  
Jones of Lee,

Drury of Sac,  
 Inman of Floyd,  
 Fox of Dallas,  
 Marston of Cerro Gordo,  
 Harvey of Osceola,  
 Bascom of Dickinson,  
 Dye of Pottawattamie,  
 Swan of Appanoose,  
 Davidson of Palo Alto,

Fourt of Allamakee,  
 Burt of Taylor,  
 Thompson of Benton,  
 Schee of O'Brien,  
 Balluff of Scott,  
 Kendall of Clinton,  
 Schoeder of Crawford,  
 Schulte of Clayton,  
 Tegeler of Dubuque,

## FOOD AND DAIRY.

Beery of Henry, Chairman,  
 Harvey of Osceola,  
 Drury of Sac,  
 Jewell of Winneshiek,  
 Beans of Mahaska,  
 Dewey of Guthrie,  
 DeWitt of Montgomery,  
 Fourt of Allamakee,

McCleery of Washington,  
 Moore of Wapello,  
 Stoddard of Buchanan,  
 Thompson of Benton,  
 Zeller of Madison,  
 Baxter of Ida,  
 Penn of Fremont,  
 Reitz of Lee,

## PARDONS.

Holmes of Kossuth, Chairman,  
 Inman of Floyd,  
 Meredith of Cass,  
 Kellogg of Harrison,  
 Dye of Pottawattamie,  
 Sheldon of Ringgold,  
 Darrah of Lucas,  
 Brandes of Pottawattamie,  
 Moore of Linn,  
 Stillman of Greene,  
 Hickenlooper of Monroe,

Bowman of Linn,  
 Cooper of Jasper,  
 Boomgaarden of Lyon,  
 Cousins of Butler,  
 McDonald of Carroll,  
 Swift of Shelby,  
 Crozier of Marion,  
 Byerly of Jones,  
 Dabney of Davis,  
 Ellis of Jackson.  
 Bauman of Van Buren.

## CONSERVATION OF FORESTS AND WATER POWER.

Anderson of Hamilton, Chairman,  
 Reaney of Louisa,  
 Jewell of Winneshiek,  
 Arney of Marshall,  
 Kellogg of Harrison,  
 McCleery of Washington,  
 Boe of Winnebago,  
 Fenn of Clarke,

Goodykoontz of Boone,  
 Miller of Dubuque,  
 Ellis of Jackson,  
 Miller of Bremer,  
 Etter of Keokuk,  
 Huffaker of Mills,  
 Schulte of Clayton,  
 Wolfe of Clinton.

## LABOR.

Marston of Cerro Gordo, Chairman,  
 Harding of Woodbury,  
 Darrah of Lucas,  
 Hackler of Webster,  
 Sullivan of Polk,  
 Holmes of Kossuth,

Burt of Taylor,  
 Ide of Union,  
 Jones of Lee,  
 Moore of Wapello,  
 Hickenlooper of Monroe,  
 Miller of Dubuque,

Moore of Linn,  
Goodykoontz of Boone,  
Cooper of Jasper,  
Hunter of Polk,

Ritter of Des Moines.  
Boettger of Scott,  
Byerly of Jones.

## MINES AND MINING.

Hunter of Polk, Chairman,  
Swan of Appanoose,  
Darrah of Lucas,  
Hackler of Webster,  
Sullivan of Polk,  
Jones of Lee,  
Hickenlooper of Monroe,

Moore of Wapello,  
Burt of Taylor,  
Cooper of Jasper,  
Beans of Mahaska,  
Miller of Dubuque,  
Ritter of Des Moines,  
Boettger of Scott.

## PUBLIC HEALTH.

Jewell of Winneshiek, Chairman,  
Elliott of Page,  
Marston of Cerro Gordo,  
Blackmore of Worth,  
Holmes of Kossuth,  
Johnson of Mitchell,  
Boe of Winnebago,  
DeWitt of Montgomery,  
Cousins of Butler,

Hunter of Polk,  
Moore of Wapello,  
Bauman of Van Buren,  
Fulliam of Muscatine,  
O'Connor of Chickasaw,  
Miller of Bremer,  
Penn of Fremont,  
Calkins of Adams.

## COMPENSATION OF PUBLIC OFFICERS.

Drury of Sac, Chairman,  
Meredith of Cass,  
Ward of Woodbury,  
Darrah of Lucas,  
Dye of Pottawattamie,  
Bonwell of Audubon,  
Fenn of Clarke,  
Finlayson of Grundy,  
Cunningham of Buena Vista,

Hickenlooper of Monroe,  
Dalby of Adair,  
Grier of Poweshiek,  
Dewey of Guthrie,  
Dodds of Des Moines,  
Swift of Shelby,  
Boettger of Scott,  
Fulliam of Muscatine.

## ROADS AND HIGHWAYS.

Bonwell of Audubon, Chairman,  
Beery of Henry,  
Inman of Floyd,  
Smith of Wright,  
Fox of Dallas,  
Darrah of Lucas,  
Cassady of Monona,  
Harvey of Osceola,  
Wilson of Tama,  
Dewell of Cedar,  
Brandes of Pottawattamie,  
Swan of Appanoose,  
Marston of Cerro Gordo,  
Stillman of Greene,  
Grier of Poweshiek,  
Boomgaarden of Lyon,  
Tilton of Iowa,

Thompson of Benton,  
Ide of Union,  
Ward of Woodbury,  
Klay of Sioux,  
Larrabee of Fayette,  
Newell of Plymouth,  
DeWitt of Montgomery,  
Stoddard of Buchanan,  
Sumner of Pocahontas,  
Ripley of Hancock,  
Fourt of Allamakee,  
Davidson of Palo Alto,  
Perkins of Delaware,  
Dabney of Davis,  
Ellis of Jackson,  
Huffaker of Mills,

Beebe of Franklin,  
Jones of Lee,  
Cousins of Butler,

Swift of Shelby,  
Tegeler of Dubuque.

**SUPPRESSION OF INTEMPERANCE.**

Elliott of Page, Chairman,  
Meredith of Cass,  
Fox of Dallas,  
Moore of Linn,  
Kellogg of Harrison,  
Wilson of Tama,  
Hanson of Humboldt,  
Jewell of Winneshiek,  
Harding of Woodbury,  
Allred of Wayne,  
Arney of Marshall,  
White of Story,

Grier of Poweshiek,  
Hunter of Polk,  
Crummer of Pocahontas,  
Cousins of Butler,  
Burt of Taylor,  
Larrabee of Fayette,  
Dewey of Guthrie,  
Koontz of Johnson,  
Wolfe of Clinton,  
Ritter of Des Moines,  
Miller of Bremer,  
Balluff of Scott.

**PUBLIC BUILDINGS.**

Goodykoontz of Boone, Chairman,  
Sheldon of Ringgold,  
Davidson of Palo Alto,  
Dawson of Cherokee,

Fulton of Jefferson,  
Schee of O'Brien,  
Dabney of Adair,  
Dodds of Des Moines.

**PUBLIC LANDS.**

Felt of Clay, Chairman,  
White of Story,  
Holmes of Kossuth,  
Drury of Sac,  
Reaney of Louisa,  
Sullivan of Polk,  
Jones of Lee,

Klay of Sioux,  
Ward of Woodbury,  
Schulte of Clayton,  
Kendall of Clinton,  
Baxter of Ida,  
Byerly of Jones.

**PUBLIC LIBRARY.**

Inman of Floyd, Chairman,  
Darrah of Lucas,  
Felt of Clay,  
Smith of Wright,  
Holmes of Kossuth,  
Hackler of Webster,  
Ward of Woodbury,

Fulton of Jefferson,  
Bowman of Linn,  
Dawson of Cherokee,  
Goodykoontz of Boone,  
Miller of Bremer,  
Koontz of Johnson,  
Crozier of Marion.

**PRINTING.**

Meredith of Cass, Chairman,  
Stillman of Greene,  
Marston of Cerro Gordo,  
Lee of Emmet,  
Grier of Poweshiek,  
Allred of Wayne,  
Anderson of Hamilton,  
Hanson of Humboldt,

Johnson of Mitchell,  
Zeller of Madison,  
Cunningham of Buena Vista,  
Ward of Woodbury,  
Jones of Lee,  
Newell of Plymouth,  
Larrabee of Fayette,  
Koontz of Johnson,



Welden of Hardin,  
 Darrah of Lucas,  
 Beebe of Franklin,  
 Hunter of Polk,

Miller of Bremer,  
 Boettger of Scott,  
 Etter of Keokuk,

## PUBLIC ACCOUNTING.

Moore of Wapello, Chairman,  
 Reaney of Louisa,  
 Bonwell of Audubon,  
 Fox of Dallas,  
 Brandes of Pottawattamie,  
 Tilton of Iowa,  
 Johnson of Mitchell,

McCleery of Washington,  
 Dalby of Adair,  
 Bowman of Linn,  
 Miller of Bremer,  
 Balluff of Scott,  
 Swift of Shelby,  
 Sankey of Decatur.

## CLAIMS.

Beebe of Franklin, Chairman,  
 Bascom of Dickinson,  
 Stillman of Greene,  
 Fenn of Clarke,  
 Beery of Henry,  
 Ide of Union,  
 Finlayson of Grundy,  
 Cunningham of Buena Vista,

Dalby of Adair,  
 Burt of Taylor,  
 Boomgaarden of Lyon,  
 Schroeder of Crawford,  
 Kendall of Clinton,  
 Reitz of Lee,  
 Dabney of Davis,  
 Crozier of Marion.

## STATE UNIVERSITY.

Larrabee of Fayette, Chairman,  
 Bascom of Dickinson,  
 Swan of Appanoose,  
 Beery of Henry,  
 Holmes of Kossuth,  
 Bonwell of Audubon,  
 Cassady of Monona,  
 Perkins of Delaware,  
 Finlayson of Grundy,  
 Moore of Linn,

Jacobs of Calhoun,  
 Johnson of Mitchell,  
 Davidson of Palo Alto,  
 Crummer of Pocahontas,  
 Koontz of Johnson,  
 McDonald of Carroll,  
 Fulliam of Muscatine,  
 O'Connor of Chickasaw,  
 Schulte of Clayton,

## NORMAL SCHOOLS.

Finlayson of Grundy, Chairman,  
 Hanson of Humboldt,  
 Blackmore of Worth,  
 Inman of Floyd,  
 Beebe of Franklin,  
 Dawson of Cherokee,  
 Perkins of Delaware,

Fulton of Jefferson,  
 Klay of Sioux,  
 DeWitt of Montgomery,  
 Etter of Keokuk,  
 Fulliam of Muscatine,  
 Miller of Bremer.

## PRIVATE CORPORATIONS.

Bascom of Dickinson, Chairman,  
 Sheldon of Ringgold,  
 Harvey of Osceola,  
 Dewey of Guthrie,  
 Goodykoontz of Boone,  
 Fulton of Jefferson,

Dalby of Adair,  
 Swift of Shelby,  
 Sankey of Decatur,  
 Boettger of Scott,  
 Huffaker of Mills,  
 Crozier of Marion,

## DOMESTIC MANUFACTURES.

Reaney of Louisa, Chairman,	Thompson of Benton,
Swan of Appanoose,	Tilton of Iowa,
Fenn of Clarke,	Miller of Dubuque,
Jewell of Winneshiek,	Fulliam of Muscatine,
Derrough of Warren,	Byerly of Jones.
Finlayson of Grundy,	

## AGRICULTURAL COLLEGE.

Cousins of Butler, Chairman,	Newell of Plymouth,
Anderson of Hamilton,	Boomgaarden of Lyon,
Wilson of Tama,	Schroeder of Crawford,
Welden of Hardin,	Bauman of Van Buren,
Dewell of Cedar,	Calkins of Adams,
Blackmore of Worth,	Kull of Howard,
White of Story,	Kendall of Clinton,
Harvey of Osceola,	Dodds of Des Moines,
Reaney of Louisa,	Baxter of Ida,
Ward of Woodbury,	Huffaker of Mills,
Ide of Union,	Tegeler of Dubuque.
DeWitt of Montgomery,	

## HORTICULTURE.

Ripley of Hancock, Chairman,	Newell of Plymouth,
Fenn of Clarke,	McCleery of Washington,
Harvey of Osceola,	Beans of Mahaska,
Allred of Wayne,	Boomgaarden of Lyon,
Wilson of Tama,	DeWitt of Montgomery,
Smith of Wright,	Fourt of Allamakee,
Dye of Pottawattamie,	Swift of Shelby,
Blackmore of Worth,	Huffaker of Mills,
Drury of Sac,	Calkins of Adams,
Zeller of Madison,	Tegeler of Dubuque.

## PHARMACY.

Miller of Bremer, Chairman,	Moore of Wapello,
Sheldon of Ringgold,	Hunter of Polk,
Anderson of Hamilton,	Jacobs of Calhoun,
Kellogg of Harrison,	Larrabee of Fayette,
Marston of Cerro Gordo,	Ellis of Jackson,
Cassady of Monona,	McDonald of Carroll,
Boomgaarden of Lyon,	Miller of Dubuque,
Ward of Woodbury,	Balluff of Scott.

## CONGRESSIONAL DISTRICTS.

Jacobs of Calhoun, Chairman,	Thompson of Benton,
Harvey of Osceola,	Kendall of Clinton,
Derrough of Warren,	Bauman of Van Buren,
Beans of Mahaska,	Baxter of Ida,
Fourt of Allamakee,	Etter of Keokuk.

## FEDERAL RELATIONS.

Cooper of Jasper, Chairman,	Thompson of Benton,
Darrah of Lucas,	Zeller of Madison,
Johnson of Mitchell,	Schulte of Clayton,
Schee of O'Brien,	O'Connor of Chickasaw,
Ripley of Hancock,	Dabney of Davis.

## WOMAN SUFFRAGE.

Fenn of Clarke, Chairman,	Cousins of Butler,
Elliott of Page,	Derrough of Warren,
Felt of Clay,	Boe of Winnebago,
Crummer of Pocahontas,	Meredith of Cass,
DeWitt of Montgomery,	Koontz of Johnson,
Hunter of Polk,	Dabney of Davis.

## HOSPITAL FOR INSANE.

Stoddard of Buchanan, Chairman,	Bowman of Linn,
Brandes of Pottawattamie,	Cunningham of Buena Vista,
Elliott of Page,	Swift of Snelby,
Jewell of Winneshiek,	Schroeder of Crawford,
Beery of Henry,	Reitz of Lee,
Dye of Pottawattamie,	
Welden of Hardin,	Fulliam of Muscatine,
Boomgaarden of Lyon,	Ritter of Des Moines,
Dawson of Cherokee,	Penn of Fremont.

## INSTITUTE FOR FEEBLE-MINDED.

Dye of Pottawattamie, Chairman,	Jones of Lee,
Zeller of Madison,	Penn of Fremont,
Newell of Plymouth,	Schulte of Clayton,
Burt of Taylor,	Kendall of Clinton,
Ide of Union,	Huffaker of Mills,
Fourt of Allamakee,	Byerly of Jones.

## SCHOOL FOR DEAF.

Brandes of Pottawattamie, Chairman,	Zeller of Madison,
Weldon of Hardin,	Bauman of Van Buren,
Dalby of Adair,	Crozler of Marion,
Schee of O'Brien,	Baxter of Ida.
Tilton of Iowa,	

## COLLEGE FOR BLIND.

Thompson of Benton, Chairman,	Dye of Pottawattamie,
Bascom of Dickinson,	McDonald of Carroll,
Sullivan of Polk,	Reitz of Lee,
Wilson of Tama,	Sankey of Decatur,
Klay of Sioux,	Fulliam of Muscatine

## INDUSTRIAL SCHOOLS.

Perkins of Delaware, Chairman,	Hunter of Polk,
Welden of Hardin,	Penn of Fremont,
Newell of Plymouth,	Sankey of Decatur.
Ritter of Des Moines,	

## SOLDIERS' AND ORPHANS' HOME.

Blackmore of Worth, Chairman,	Ripley of Hancock,
Harvey of Osceola,	Sankey of Decatur,
Fox of Dallas,	Ellis of Jackson,
Larrabee of Fayette,	Kendall of Clinton,
Moore of Lynn,	Balluff of Scott,
Darrah of Lucas,	Schroeder of Crawford.

## ANIMAL INDUSTRY.

Ward of Woodbury, Chairman,	Beans of Mahaska,
White of Story,	Larrabee of Fayette,
Anderson of Hamilton,	Newell of Plymouth,
Wilson of Tama,	Dewell of Cedar,
Swan of Appanoose,	McCleery of Washington,
Lee of Emmet,	Boe of Winnebago,
Jewell of Winneshiek,	Bauman of Van Buren,
Marston of Cerro Gordo,	Kull of Howard,
Cousins of Butler,	Huffaker of Mills,
Perkins of Delaware,	Dabney of Davis,
Boomgaarden of Lyon,	Tegeler of Dubuque,
Ide of Union,	Byerly of Jones.
Fourt of Allamakee,	

## PENITENTIARIES.

Johnson of Mitchell, Chairman,	Hickenlooper of Monroe,
Meredith of Cass,	Bauman of Van Buren,
Brandes of Pottawattamie,	Byerly of Jones,
Swan of Appanoose,	Reitz of Lee,
Schee of O'Brien,	Tegeler of Dubuque,
Bowman of Linn,	Boettger of Scott.
Cousins of Butler,	

## MILITARY.

Allred of Wayne, Chairman,	Arney of Marshall,
Blackmore of Worth,	Larrabee of Fayette,
Bonwell of Audubon,	Ripley of Hancock,
Cassady of Monona,	Schee of O'Brien,
Moore of Linn,	Sankey of Decatur,
Welden of Hardin,	Ellis of Jackson.
Fox of Dallas,	Zeller of Madison,

## POLICE REGULATION.

Davidson of Palo Alto, Chairman,	Derrough of Warren,
Drury of Sac,	DeWitt of Montgomery,

Felt of Clay,  
Jewell of Winneshiek,  
Sullivan of Polk,  
Jacobs of Calhoun,

Goodykoontz of Boone,  
McDonald of Carroll,  
Ritter of Des Moines,  
Miller of Dubuque.

## FISH AND GAME.

Koontz of Johnson, Chairman,  
Kellogg of Harrison,  
Arney of Marshall,  
Lee of Emmet,  
Marston of Cerro Gordo,  
Cousins of Butler,  
Jones of Lee,  
Boomgaarden of Lyon,  
Stoddard of Buchanan,

Bowman of Linn,  
Fourt of Allamakee,  
Cunningham of Buena Vista,  
Davidson of Palo Alto,  
Fulton of Jefferson,  
Perkins of Delaware,  
Calkins of Adams,  
McDonald of Carroll.

## STATE EDUCATIONAL INSTITUTIONS.

Boe of Winnebago, Chairman,  
Fox of Dallas,  
Ellis of Jackson,  
McCleery of Washington,

Thompson of Benton,  
Baxter of Ida,  
Tegeler of Dubuque,  
Wolfe of Clinton.

## COUNTY AND TOWNSHIP ORGANIZATIONS.

Bowman of Linn, Chairman,  
Smith of Wright,  
Elliott of Page,  
Dewell of Cedar,  
Crummer of Pocahontas,  
Dawson of Cherokee,

Davidson of Palo Alto,  
Tegeler of Dubuque,  
Boettger of Scott,  
Calkins of Adams,  
Ellis of Jackson.

## ENROLLED BILLS.

Klay of Sioux, Chairman,  
Elliott of Page,  
Goodykoontz of Boone,  
Cunningham of Buena Vista,  
Burt of Taylor,

Dawson of Cherokee,  
Dewey of Guthrie,  
Penn of Fremont,  
Etter of Keokuk,  
Huffaker of Mills.

## PUBLIC CHARITIES.

Swan of Appanoose, Chairman,  
Sullivan of Polk,  
Newell of Plymouth,  
Beans of Mahaska,  
Davidson of Palo Alto,  
Stoddard of Buchanan,

Schee of O'Brien,  
Schroeder of Crawford,  
Baxter of Ida,  
Calkins of Adams,  
Crozier of Marion.

## SENATORIAL DISTRICTS.

Burt of Taylor, Chairman,  
Sheldon of Ringgold,  
Dewell of Cedar,  
Davidson of Palo Alto,  
Ripley of Hancock,

Derrough of Warren,  
Dewey of Guthrie,  
Swift of Shelby,  
Crozier of Marion.

## REPRESENTATIVE DISTRICTS.

Smith of Wright, Chairman,	Newell of Plymouth,
Stoddard of Buchanan,	Kull of Howard,
Schee of O'Brien,	Sankey of Decatur,
Fulton of Jefferson,	Wolfe of Clinton.
Fenn of Clarke,	

## JUDICIAL DISTRICTS.

Dewell of Cedar, Chairman,	Lee of Emmet,
Stillman of Greene,	Jones of Lee,
Sullivan of Polk,	DeWitt of Montgomery,
Welden of Hardin,	Kull of Howard.
White of Story,	

## BUILDING AND LOAN.

Dewey of Guthrie, Chairman,	Stoddard of Buchanan,
Kellogg of Harrison,	Kull of Howard,
Derrough of Warren,	Reitz of Lee.
Felt of Clay,	

## ENGROSSED BILLS.

Hickenlooper of Monroe, Chairman.	Dalby of Adair,
Cooper of Jasper.	Kendall of Clinton,
Newell of Plymouth.	Miller of Dubuque,
Tilton of Iowa,	Byerly of Jones.

## RULES.

O'Connor of Chickasaw, Chairman.	Lee of Emmet,
Meredith of Cass,	Wilson of Tama,
Harding of Woodbury,	Wolfe of Clinton,
Hackler of Webster,	Mr. Speaker.

## REPRESENTATIVES AND THEIR RESPECTIVE COMMITTEES.

## ALLRED.

Military, Chairman,	Commerce and Trade,
Ways and Means,	Schools and Text Books,
Railroads and Transportation,	Suppression of Intemperance,
Insurance,	Printing,
Agriculture,	Horticulture,

## ANDERSON.

Conservation of Forest and Water	Schools and Text Books,
Power, Chairman,	Printing,
Appropriations,	Agricultural College,
Elections,	Pharmacy,
Banks and Banking,	Animal Industry.
Agriculture,	

## ARNEY,

Agriculture, Chairman,	Suppression of Intemperance,
Ways and Means,	Fish and Game,

Railroads and Transportation,  
Elections,  
Banks and Banking,  
Municipal Corporations,

Conservation of Forest and Water  
power,  
Military.

**BALLUFF.**

Railroads and Transportation,  
Insurance,  
Banks and Banking,  
Municipal Corporations,  
Suppression of Intemperance,

Public Accounting,  
Telephone,  
Pharmacy,  
Soldiers' and Orphans. Home,

**BASCOM.**

Private Corporations, Chairman,  
Judiciary,  
Elections,  
Commerce and Trade,  
State University,

Telegraph and Express,  
Telephone,  
Claims,  
College for Blind,  
Constitutional Amendments.

**BAUMAN.**

Ways and Means,  
Public Health,  
Agricultural College,  
Animal Industry,

Penitentiary,  
Congressional Districts,  
School for Deaf.  
Pharmacy.

**BAXTER.**

Public Lands,  
Agricultural College,  
School for Deaf,  
Congressional Districts,

Public Charities,  
State Educational Institutions,  
Food and Dairy

**BEANS.**

Railroads and Transportation,  
Banks and Banking,  
Agriculture,  
Mines and Mining,  
Horticulture,

Animal Industry,  
Public Charities,  
Congressional Districts,  
Food and Dairy.

**BEEBE.**

Claims, Chairman,  
Appropriations,  
Banks and Banking,  
Commerce and Trade,  
Municipal Corporations

Printing,  
Roads and Highways,  
Normal School,  
Constitutional Amendments.

**BERRY.**

Food and Dairy, Chairman,  
Ways and Means,  
Railroads and Transportation,  
Elections,  
Insurance,

Agriculture,  
State University,  
Roads and Highways,  
Claims,  
Hospital for Insane,

## BLACKMORE.

Soldiers' and Orphans' Home, Chair- man, Ways and Means, Appropriations, Elections, Agriculture,	Public Health, Telegraph and Express, Agricultural College, Normal School, Horticulture, Military.
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## BOE.

State Educational Institutions, Chairman, Appropriations, Agriculture, Schools and Text Books, Public Health,	Telegraph and express, Animal Industry, Conservation of Forest and Water Power, Woman's Suffrage.
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## BOETTGER.

Ways and Means, Mines and Mining, Labor, Printing, Penitentiaries,	Private Corporations, Compensation of Public Officers, County and Township Organiza- tions,
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## BONWELL.

Roads and Highways, Chairman, Ways and Means, Insurance, Agriculture, Schools and Text Books,	State University, Compensation of Public Officers, Public Accounting, Military,
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## BOOMGAARDEN.

Pardons, Telegraph and Express, Roads and Highways, Claims, Agricultural College,	Hospital for Insane, Horticulture, Animal Industry, Pharmacy, Fish and Game.
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## BOWMAN.

County and Township Organiza- tions, Chairman, Railroads and Transportation, Municipal Corporations, Pardons, Public Library,	Telegraph and Express, Hospital for Insane, Fish and Game, Penitentiaries, Public Accounting.
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## BRANDES.

School for Deaf, Chairman, Ways and Means, Agriculture, Municipal Corporations, Pardons,	Telegraph and Express, Roads and Highways, Hospital for Insane, Penitentiaries, Public Accounting.
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## BURT.

Senatorial Districts, Chairman,	Suppression of Intemperance,
Railroads and Transportation,	Telephone,
Mines and Mining,	Claims,
Municipal Corporations,	Institute for Feeble-Minded,
Labor,	Enrolled Bills.

## BYERLY.

Insurance,	Penitentiaries,
Pardons,	Engrossed Bills,
Labor,	Institute for Feeble-Minded,
Public Lands,	Domestic Manufacturing.
Animal Industry,	

## CALKINS.

Ways and Means,	Fish and Game,
Public Health,	County and Township Organiza-
Telegraph and Express,	tion,
Agricultural College,	Public Charities.
Horticulture,	

## CASSADY,

Ways and Means,	Commerce and Trade,
Railroads and Transportation,	State University,
Insurance,	Roads and Highways,
Banks and Banking,	Pharmacy,
Agriculture,	Military.

## COOPER.

Federal Relations, Chairman,	Mines and Mining,
Judiciary,	Pardons,
Ways and Means,	Labor,
Insurance,	Telegraph and Express,
Banks and Banking,	Engrossed Bills.

## COUSINS.

Agricultural College, Chairman,	Roads and Highways,
Insurance,	Fish and Game,
Commerce and Trade,	Animal Industry,
Pardons,	Penitentiaries,
Public Health,	Woman's Suffrage
Suppression of Intemperance,	

## CROZIER.

Judiciary,	Claims,
Pardons,	Private Corporations,
Constitutional Amendments,	Senatorial Districts,
Public Library,	Public Charities.
School for Deaf,	

## CRUMMER.

Elections,  
Agriculture,  
Suppression of Intemperance,  
State University,  
Telegraph and Express,

Roads and Highways,  
Constitutional Amendments,  
Woman's Suffrage,  
County and Township Organiza-  
tions.

## CUNNINGHAM.

Appropriations,  
Insurance,  
Agriculture,  
Printing,  
Claims,

Hospital for Insane,  
Fish and Game,  
Enrolled Bills,  
Compensation of Public Officers.

## DABNEY.

Judiciary,  
Elections,  
Banks and Banking,  
Schools and Text Books,  
Pardons,  
Animal Industry,

Claims,  
Public Buildings,  
Woman's Suffrage,  
Federal Relations,  
Roads and Highways.

## DALBY.

Ways and Means,  
Appropriations,  
Banks and Banking,  
Claims,  
School for Deaf,  
Compensation of Public Officers,

Animal Industry,  
Private Corporations,  
Public Accounting,  
Engrossed Bills.

## DARRAH.

Elections, Chairman,  
Ways and Means,  
Railroads and Transportation,  
Commerce and Trade,  
Federal Relations,  
Mines and Mining,  
Compensation of Public Officers,

Pardons,  
Labor,  
Soldiers' and Orphans' Home,  
Public Library,  
Printing,  
Roads and Highways.

## DAVIDSON.

Police Regulations, Chairman,  
Judiciary,  
Ways and Means,  
Municipal Corporations,  
State University,  
County and Township Organizations,

Telephones,  
Roads and Highways,  
Fish and Game,  
Senatorial Districts,  
Public Buildings,  
Public Charities,

## DAWSON.

Ways and Means,  
Insurance,  
Agriculture,  
Schools and Text books,  
Public Library,  
Normal Schools,

Hospital for Insane,  
Enrolled Bills,  
Public Buildings,  
Public Charities,  
County and Township organization.

## DERBOUGH.

Ways and Means,  
 Appropriations,  
 Railroads and Transportation,  
 Banks and Banking,  
 Police Regulation,

Congressional Districts,  
 Senatorial Districts,  
 Domestic Mfg.  
 Building and Loan,  
 Woman's Suffrage.

## DEWELL.

Judicial Districts, Chairman,  
 Chairman,  
 Ways and Means,  
 Appropriations,  
 Insurance,  
 Agriculture,  
 Schools and Text books,

Roads and Highways,  
 Agricultural College,  
 County and Township Organiza-  
 tions,  
 Animal Industry,  
 Senatorial Districts,

## DEWEY.

Building and Loan, Chairman,  
 Appropriations,  
 Insurance,  
 Banks and Banking,  
 Suppression of Intemperance,

Enrolled Bills,  
 Private Corporations,  
 Compensation of Public Officers,  
 Senatorial Districts,  
 Food and Dairy.

## DE WITT.

Agriculture,  
 Public Health,  
 Roads and Highways,  
 Agricultural College,  
 Normal Schools,  
 Horticulture,

Judicial Districts,  
 Food and Dairy,  
 Representative Districts,  
 Police Regulations,  
 Woman's Suffrage.

## DODDS

Appropriations,  
 Railroads and Transportation,  
 Insurance,  
 Agriculture,  
 Commerce and Trade,

Schools and Text Books,  
 Agricultural College,  
 Compensation of Public Officers,  
 Public Buildings,  
 Constitutional Amendments.

## DRURY.

Compensation of Public Officers,  
 Chairman,  
 Ways and Means,  
 Railroads and Transportation,  
 Commerce and Trade,

Telephones,  
 Public Lands,  
 Horticulture,  
 Police Regulations,  
 Food and Dairy.

## DYE.

Institute for Feeble-Minded,  
 Chairman,  
 Railroads and Transportation,  
 Banks and Banking,  
 Commerce and Trade,  
 Schools and Text Books,

Pardons,  
 Telephones.  
 Hospital for Insane,  
 College for Blind,  
 Horticulture,  
 Compensation of Public Officers.

## ELLIOTT.

Suppression of Intemperance, Chair- man,	Telephone,
Ways and Means,	Hospital for Insane,
Railroads and Transportation,	County and Township Organiza- tions,
Municipal Corporations,	Enrolled Bills,
• Public Health,	Woman's Suffrage.

## ELLIS.

Elections,	Pharmacy,
Schools and Text Books,	Conservation of Forest and Water Power,
Pardons,	County and Township Organiza- tions.
Soldiers' and Orphans' Home,	Roads and Highways.
State Educational Institutions,	
Military,	

## ETTER.

Schools and Text Books,	Conservation of Forest and Water Power,
Printing,	Enrolled Bills,
Telegraph and express,	Congressional Districts.
Normal Schools,	

## FELT.

Public Lands, Chairman,	Agriculture,
Ways and Means,	Public Library,
Appropriations,	Woman's Suffrage,
Elections,	Building and Loan,
Banks and Banking,	Police Regulations.

## FENN.

Woman's Suffrage, Chairman,	Domestic Manufactures,
Appropriations,	Representative Districts,
Agriculture,	Conservation of Forests and Water Power,
Claims,	Compensation of Public Officers.
Horticulture,	

## FINLAYSON.

Normal Schools, Chairman,	Schools and Text Books,
Elections,	State University,
Banks and Banking,	Claims,
Agriculture,	Compensation of Public Officers,
Commerce and Trade,	Domestic Manufactures.

## FOURT.

Appropriations,	Fish and Game,
Agriculture,	Animal Industry,
Commerce and Trade,	Congressional Districts,
Telephones,	Food and Dairy,
Roads and Highways,	Institute for Feeble-Minded.
Horticulture,	

## FOX.

Ways and Means,  
Banks and Banking,  
Agriculture,  
Suppression of Intemperance,  
Telephones,

Roads and Highways,  
State Educational Institutions,  
Military,  
Soldiers' and Orphans' Home,  
Public Accounting.

## FULLIAM.

Ways and Means,  
Appropriations,  
Municipal Corporations,  
Public Health,  
State University,  
Telegraph and Express,

Normal Schools,  
Hospital for Insane,  
College for Blind,  
Compensation of Pub. Officers,  
Domestic Manufactures.

## FULTON.

Commerce and Trade,  
Appropriations,  
Schools and Text Books,  
Public Library,  
Normal Schools,  
Fish and Game,

Private Corporations,  
Commerce and Trade,  
Public Buildings,  
Representative Districts.  
Railroads and Transportation.

## GOODYKOONTZ.

Public Buildings, Chairman,  
Judiciary,  
Schools and Text Books,  
Municipal Corporations,  
Labor,  
Public Library,

Private Corporations,  
Enrolled Bills,  
Conservation of Forest and Water  
Power,  
Police Regulations.

## GRIER.

Banks and Banking, Chairman,  
Appropriations,  
Railroads and Transportation,  
Elections,  
Insurance,  
Roads and Highways,

Commerce and Trade,  
Schools and Text Books,  
Suppression of Intemperance,  
Printing.  
Compensation of Public Officers,

## HACKLER.

Commerce and Trade, Chairman,  
Judiciary,  
Ways and Means,  
Railroads and Transportation,  
Elections,

Rules,  
Mines and Mining,  
Municipal Corporations,  
Labor.  
Public Library,

## HANSON.

Telegraph and Express, Chairman,  
Ways and Means,  
Appropriations,  
Railroads and Transportation,  
Elections,  
Suppression of Intemperance,

Normal Schools,  
Insurance,  
Banks and Banking,  
Schools and Text Books,  
Printing,

## HARDING.

Municipal Corporations, Chairman,	Insurance,
Judiciary,	Agriculture,
Ways and Means,	Labor,
Railroads and Transportation,	Suppression of Intemperance,
Elections,	Rules.

## HARVEY.

Agriculture,	Horticulture,
Schools and Text Books,	Soldiers' and Orphans' Home,
Telephones,	Private Corporations,
Roads and Highways,	Food and Dairy,
Agricultural College,	Congressional Districts.

## HICKENLOOPER.

Engrossed Bills, Chairman,	Mines and Mining,
Judiciary,	Pardons,
Appropriations,	Labor,
Railroads and Transportation,	Penitentiaries,
Elections,	Compensation of Public Officers.

## HOLMES.

Pardons, Chairman,	Public Lands,
Railroads and Transportation,	Labor,
Elections,	Public Health,
Insurance,	Public Library,
Schools and Text Books,	State University.

## HUFFAKER.

Ways and Means,	Enrolled Bills,
Banks and Banking,	Conservation of Forest and Water
Agricultural College,	Power,
Horticulture,	Private Corporations,
Animal Industry,	Roads and Highways.
Institute for Feeble Minded,	

## HUNTER.

Mines and Mining, Chairman,	Printing,
Agriculture,	Telegraph and Express,
Municipal Corporations,	Pharmacy,
Labor,	Woman's Suffrage,
Public Health,	Industrial Schools.
Suppression of Intemperance,	

## IDE.

Appropriations,	Roads and Highways,
Insurance,	Claims,
Agriculture,	Agricultural College,
Municipal Corporations,	Animal Industry,
Labor,	Institute for Feeble-Minded.
Telegraph and Express,	

## INMAN.

Public Library, Chairman,  
 Appropriations,  
 Elections,  
 Telephones,  
 Roads and Highways,

Agriculture,  
 Schools and Text Books,  
 Pardons,  
 Telephones,  
 Normal Schools.

## JACOBS.

Congressional Districts, Chairman,  
 Judiciary,  
 Ways and Means,  
 Elections,  
 Insurance,

Banks and Banking,  
 Municipal Corporations,  
 Police Regulations,  
 State University,  
 Pharmacy.

## JEWELL.

Public Health, Chairman,  
 Appropriations,  
 Elections,  
 Insurance,  
 Suppression of Intemperance,  
 Conservation of Forests and Water  
 Power,

Hospital for Insane,  
 Animal Industry,  
 Food and Dairy,  
 Police Regulations,  
 Domestic Manufactures.

## JOHNSON.

Penitentiaries, Chairman,  
 Judiciary,  
 Appropriations,  
 Elections,  
 Federal Relations,  
 Insurance,

Banks and Banking,  
 Public Health,  
 Printing,  
 State University,  
 Public Accounting.

## JONES.

Agriculture,  
 Mines and Mining,  
 Municipal Corporations,  
 Printing,  
 Labor,  
 Institute for Feeble-Minded,

Telephones,  
 Fish and Game,  
 Judicial Districts,  
 Roads and Highways,  
 Public Lands.

## KELLOGG.

Insurance, Chairman,  
 Appropriations,  
 Banks and Banking,  
 Pardons,  
 Suppression of Intemperance,

Pharmacy,  
 Fish and Game,  
 Building and Loan,  
 Conservation of Forest and Water  
 Power.

## KENDALL.

Appropriations,  
 Telephones,  
 Public Lands,  
 Claims,  
 Agricultural College,

Soldiers' and Orphans' Home,  
 Engrossed Bills,  
 Congressional Districts,  
 Institute for Feeble-Minded.

**KLAY.**

Enrolled Bills, Chairman,  
 Judiciary,  
 Ways and Means,  
 Railroads and Transportation,  
 Commerce and Trade,

Schools and Text Books,  
 Roads and Highways,  
 Public Lands,  
 Normal Schools,  
 College of Blind.

**KOONTZ.**

Fish and Game, Chairman,  
 Judiciary,  
 Railroads and Transportations,  
 Banks and Banking,  
 Municipal Corporations,

Suppression of Intemperance,  
 Public Library,  
 Printing,  
 State University,  
 Woman's Suffrage.

**KULL.**

Ways and Means,  
 Banks and Banking,  
 Agriculture,  
 Commerce and Trade,  
 Agricultural College,

Animal Industry,  
 Building and Loan,  
 Judicial Districts,  
 Representative Districts.

**LARABEE.**

State University, Chairman,  
 Judiciary,  
 Appropriations,  
 Schools and Text Books,  
 Suppression of Intemperance,  
 Soldiers' and Orphans' Home,

Printing,  
 Roads and Highways,  
 Pharmacy,  
 Animal Industry,  
 Military.

**LEE.**

Constitutional Amendments, Chair-  
 man,  
 Judiciary,  
 Appropriations,  
 Railroads and Transportation,  
 Elections,

Judicial Districts,  
 Municipal Corporations,  
 Printing,  
 Fish and Game,  
 Animal Industry,  
 Rules.

**M'CLEERY.**

Public Accounting,  
 Railroads and Transportations,  
 Agriculture,  
 Commerce and Trade,  
 Horticulture,  
 Animal Industry,

Conservation of Forest and Water  
 Power,  
 Food and Dairy,  
 State Educational Institutions  
 Telephones,

**M'DONALD.**

Ways and Means,  
 Appropriations,  
 Elections,  
 Banks and Banking,  
 Pardons,

State University,  
 Fish and Game,  
 College for Blind,  
 Police Regulations,  
 Pharmacy.



## MARSTON.

Labor, Chairman,  
 Railroads and Transportation,  
 Elections,  
 Insurance,  
 Schools and Text Books,  
 Public Health,

Printing,  
 Animal Industry,  
 Telephones,  
 Pharmacy,  
 Fish and Game.  
 Roads and Highways.

## MEREDITH.

Printing, Chairman,  
 Rules.  
 Judiciary,  
 Railroads and Transportation,  
 Elections,  
 Commerce and Trade,

Pardons,  
 Suppression of Intemperance,  
 Telegraph and Express,  
 Woman's Suffrage,  
 Penitentiaries,  
 Compensation of Public Officers.

## MILLER OF BREMER.

Pharmacy, Chairman,  
 Ways and Means,  
 Appropriations,  
 Public Health,  
 Suppression of Intemperance,  
 Public Library,

Printing,  
 Normal Schools,  
 Public Accounting,  
 Conservation of Forest and Water  
 Power.

## MILLER OF DUBUQUE.

Ways and Means,  
 Mines and Mining,  
 Municipal Corporations,  
 Labor,  
 Pharmacy,

Engrossed Bills,  
 Domestic Manufactures,  
 Police Regulations,  
 Conservation of Forest and Water  
 Power.

## MOORE OF WAPELLO.

Public Accounting, Chairman,  
 Railroads and Transportation,  
 Insurance,  
 Mines and Mining,  
 Municipal Corporations,

Labor,  
 Public Health,  
 Telegraph and Express,  
 Pharmacy,  
 Food and Dairy,

## MOORE OF LINN.

Appropriations, Chairman,  
 Ways and Means,  
 Insurance,  
 Banks and Banking,  
 Municipal Corporations,  
 Pardons,

Labor,  
 Suppression of Intemperance,  
 State University,  
 Military,  
 Soldiers' and Orphans' Home,

## NEWELL.

Agriculture,  
 Printing,  
 Roads and Highways,

Engrossed Bills,  
 Representative Districts,  
 Public Charities,

Agricultural College,  
Horticulture,  
Animal Industry,

Industrial Schools,  
Institute for Feeble-Minded,

## O'CONNOR.

Rules, Chairman,  
Judiciary,  
Railroads and Transportation,  
Insurance,  
Banks and Banking,

Schools and Text Books,  
Public Health,  
State University,  
Federal Relations,

## PENN.

Elections,  
Banks and Banking,  
Commerce and Trade,  
Public Health,  
Hospital for Insane,

Institute for Feeble-Minded,  
Enrolled Bills,  
Industrial Schools,  
Food and Dairy,

## PERKINS.

Industrial Schools, Chairman,  
Judiciary,  
Railroads and Transportation,  
Insurance,  
Agriculture,  
Schools and Text Books,  
State University,

Roads and Highways,  
Normal Schools,  
Animal Industry,  
Constitutional Amendments.  
Fish and Game,  
Commerce and Trade.

## REANEY.

Domestic Manufactures, Chairman-  
Railroads and Transportation,  
Insurance,  
Commerce and Trade,  
Schools and Text Books,  
Municipal Corporations,

Public Lands,  
Agricultural College,  
Conservation of Forest and Water  
Power,  
Public Accounting,

## REITZ.

Elections,  
Agriculture,  
Telegraph and Express,  
Clubs,  
Hospital for Insane,

Food and Dairy,  
Penitentiaries,  
Building and Loan,  
College for Blind.

## RIPLEY.

Horticulture, Chairman,  
Railroads and Transportation,  
Elections,  
Banks and Banking,  
Agriculture,  
Roads and Highways,

Senatorial Districts,  
Military,  
Judiciary,  
Constitutional Amendments,  
Federal Relations,  
Soldiers' and Orphans' Home,

**BITTER.**

Ways and Means,  
Banks and Banking,  
Commerce and Trade,  
Mines and Mining,  
Municipal Corporations,

Labor,  
Suppression of Intemperance,  
Industrial Schools,  
Police Regulations,  
Hospital for Insane,

**SANKEY.**

Railroads and Transportation,  
Banks and Banking,  
Military,  
Industrial Schools,  
Soldiers' and Orphans' Home,

Representative Districts,  
Private Corporations,  
Public Accounting,  
College for Blind,

**SCHEE.**

Judiciary,  
Banks and Banking,  
Telephones,  
School for Deaf,  
Penitentiaries,

Military,  
Representative Districts,  
Federal Relations,  
Public Charities,  
Public Buildings.

**SCHROEDER.**

Ways and Means,  
Insurance,  
Banks and Banking,  
Agriculture,  
Telephones,

Agricultural College,  
Hospital for Insane,  
Soldiers' and Orphans' Home,  
Public Charities.  
Claims.

**SCHULTE.**

Judiciary,  
Appropriations,  
Municipal Corporations,  
State University,  
Telephones,  
Constitutional Amendments,

Public Lands,  
Conservation of Forest and Water  
Power,  
Institute for Feeble-Minded,  
Federal Relations,

**SHELDON.**

Telephone, Chairman,  
Appropriations,  
Elections,  
Insurance,  
Banks and Banking,

Pardons,  
Pharmacy,  
Public Buildings,  
Senatorial Districts,  
Private Corporations.

**SMITH.**

Representative Districts, Chairman,  
Ways and Means,  
Appropriations,  
Banks and Banking,  
Agriculture,  
Schools and Text Books,

Public Library,  
Roads and Highways,  
Horticulture,  
County and Township Organiza-  
tions.

## STILLMAN.

Schools and Text Books, Chairman,	Printing,
Ways and Means,	Claims,
Appropriations,	Judicial Districts,
Railroads and Transportation,	Constitutional Amendments.
<b>Pardons,</b>	Roads and Highways.

## STODDARD.

Hospital for Insane, Chairman,	Railroads and Transportation,
Telegraph and Express,	Schools and Text Books,
Roads and Highways,	Representative Districts,
Fish and Game,	Building and Loan,
Food and Dairy,	Public Charities,

## SULLIVAN.

Judiciary, Chairman,	Police Regulations,
Railroads and Transportation,	College for Blind,
Insurance,	Public Charities,
Mines and Mining,	Public Lands,
Municipal Corporations,	Judicial Districts,
Labor,	

## SWAN.

Public Charities, Chairman,	Telephones,
Agriculture,	Roads and Highways,
Schools and Text Books,	Animal Industry,
Mines and Mining,	Penitentiaries,
State University,	Domestic Manufactures.
Telegraph and Express,	

## SWIFT.

Appropriations,	Railroads and Transportation,
Insurance,	Private Corporations,
Agriculture,	Public Accounting,
Pardons,	Compensation of Public Officers,
Hospital for Insane,	Senatorial Districts,
Horticulture,	Roads and Highways.

## TEGELER.

Railroads and Transportation,	Roads and Highways.
Agriculture,	Animal Industry,
Telephones,	State Educational Institutions,
Agricultural College,	Penitentiaries.
Horticulture,	
County and Township Organizations,	

## THOMPSON.

College for Blind, Chairman,	Food and Dairy,
Ways and Means,	State Educational Institutions,
Agriculture,	Federal Relations,
Telephones,	Congressional Districts,
Roads and Highways,	Domestic Manufactures.

## TILTON.

Appropriations,  
Elections,  
Agriculture,  
Telegraph and Express,  
Roads and Highways,

Domestic Manufactures,  
School for Deaf,  
Public Accounting,  
Engrossed Bills,

## WARD.

Animal Industry, Chairman,  
Ways and Means,  
Appropriations,  
Agriculture,  
Municipal Corporations,  
Public Library,

Pharmacy,  
Printing,  
Roads and Highways,  
Public Lands,  
Agricultural College,  
Compensation of Public Officers.

## WELDEN.

Railroads and Transportation,  
Chairman,  
Ways and Means,  
Insurance,  
Commerce and Trade,  
Printing,

Agricultural College,  
Military,  
Industrial Schools,  
School for Deaf,  
Judicial Districts.

## WHITE.

Ways and Means, Chairman,  
Judiciary,  
Railroads and Transportation,  
Elections,  
Insurance,  
Commerce and Trade,

Suppression of Intemperance,  
Animal Industry,  
Public Lands,  
Agricultural College,  
Judicial Districts.

## WILSON.

Ways and Means,  
Appropriations,  
Insurance,  
Agriculture,  
Commerce and Trade,  
Schools and Text Books,  
Suppression of Intemperance,

Roads and Highways,  
Agricultural College,  
Horticulture,  
College for Blind,  
Rules,  
Animal Industry,

## WOLFE.

Judiciary,  
Municipal Corporations,  
Suppression of Intemperance,  
Telegraph and Express,  
Rules,

Conservation of Forests and Water  
Power,  
Representative Districts,  
State Educational Institutions,

**ZELLER.**

Appropriations,  
Agriculture,  
Schools and Text Books,  
Printing,  
Horticulture,

Federal Relations,  
Institute for Feeble-Minded,  
Military,  
Food and Dairy,  
School for Deaf,

**MR. SPEAKER.**

Rules,

The following officer assembled at the desk and took and signed the following oath:

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:

C. F. SHELL,

The following members assembled at the desk and subscribed to the following oath:

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

ERNEST R. MOORE,  
JAMES W. BOWMAN,  
FRANK E. SHELDON.

On motion of White of Story, the House adjourned until Wednesday morning at 10 o'clock.

# JOURNAL OF THE HOUSE

HALL OF THE HOUSE OF REPRESENTATIVES,  
DES MOINES, IOWA, JANUARY 20, A. D. 1909.

House met pursuant to adjournment, Speaker Feely in the Chair.  
Prayer was offered by Representative O. H. Holmes of Kossuth.  
Journal of Tuesday, January 19th, corrected and approved.

## PETITIONS, MEMORIALS AND REMONSTRANCES.

Hackler of Webster, presented petition of citizens of Fort Dodge, requesting a bill for the commission form of government for cities in Iowa of 10,000 inhabitants or over.

Referred to committee on Municipal Corporations.

Bauman of Van Buren, presented petition of residents of Jackson Township, Van Buren County, relative to the road district plan.

Referred to committee on Roads and Highways.

Beery of Henry, presented petition of Board of Supervisors of Henry County, Iowa, relative to the quarantine law.

Referred to committee on Public Health.

Beery of Henry, presented petition of city council of Mt. Pleasant, in regard to the quarantine law.

Referred to committee on Public Health.

Penn of Fremont, presented petition of the Board of Supervisors of Fremont County, relative to the quarantine law.

Referred to committee on Public Health.

Felt of Clay, presented petition of the Board of Supervisors of Clay County, relative to the quarantine law.

Referred to committee on Public Health.

Zeller of Madison, Chairman of the committee appointed to draft resolutions respecting the life, character and public service of Hon. J. H. Mack, deceased, presented the report of that committee, and moved its adoption.

Motion prevailed, report adopted, and resolutions ordered printed in the Journal.

#### INTRODUCTION OF BILLS.

By Welden of Hardin, House File No. 19, a bill for an act to amend the law as it appears in section seven hundred and forty (740) of the 1907 Supplement to the Code, relating to aiding by taxation the maintenance of any institution of learning or benevolence including hospitals acquired by any county, city, town or school corporation by gift or devise.

Read first and second time and referred to committee on Municipal Corporations.

By Moore of Linn, House File No. 20, a bill for an act to amend section three thousand and fifty-three (3053) of the Code of 1897, relating to legal holidays.

Read first and second time and on motion of Moore of Linn, was made Special Order for Friday, January 22d, at 11 o'clock.

#### HOUSE FILE NO. 20.

A Bill for an Act to Amend Section No. Three Thousand and Fifty-three (3053) of the Code of 1897 Relating to Legal Holidays.

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

SECTION 1. That Section No. 3053 of the Code of 1897 relating to holidays is hereby amended by inserting in the second line of said section after the comma following the word "January" and before the word "the," the words "the 12th day of February," so that the section shall read when amended as follows:

"The first day of the week, called Sunday, the first day of January, the twelfth day of February, the twenty-second day of February, the thirtieth day of May, the fourth day of July, the first Monday in September, the twenty-fifth day of December, the day of the general election, and any day appointed or recommended by the governor of this state or by the president of the United States as a day of fasting or of thanksgiving, shall be regarded as holidays for all purposes relating to the presentation for payment of acceptance, and the protesting and giving notice of the dishonor of bills of exchange, drafts, bank checks, orders and promissory notes, and any blank or mercantile paper falling due on any of the days above named shall be considered as falling due on the succeeding business day."

SEC. 2. This act being deemed of immediate importance 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.

By Dabney of Davis, House File No. 21, a bill for an act to amend section twenty-one hundred sixty-five-a (2165-a) and twenty-one hundred sixty-five-b (2165-b) of the Code Supplement, pertaining to the duty of express companies maintaining an office at or near the business center of cities and towns, and the duty of the railroad commissioners as to the same.

Read first and second time and referred to committee on Telegraph and Express.

By Dabney of Davis, House File No. 22, a bill for an act to amend section two thousand seventy-seven (2077) of the Code Supplement, relative to passenger rates for transporting persons and baggage.

Read first and second time and referred to committee on Railroads and Transportation.

By Dabney of Davis, House File No. 23, a bill for an act to amend section four thousand six hundred sixty-one (4,661) of the Code, relative to fees paid witnesses in any court of record.

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

By Schulte of Clayton, House File No. 24, a bill for an act to repeal section two thousand five hundred and seventy-a (2570-a) of the Supplement to the Code, and to enact a substitute therefor, in relation to quarantine and the expenses thereof.

Read first and second time and referred to committee on Public Health.

By Crozier of Marion, House File No. 25, a bill for an act repealing chapter one hundred eighty-one (181), Acts of the Thirty-second General Assembly and defining the relations between employer and employe in the respect to assumption of risks.

Read first and second time and referred to committee on Labor

By Ward of Woodbury, House File No. 26, a bill for an act to provide for the taxation of mortgages of real property.

Read first and second time and referred to committee on Ways and Means.

By Finlayson of Grundy, House File No. 27, a bill for an act to amend section three thousand one hundred eighty-one (3181) of

the Code Supplement relating to the remarriage of divorced persons.

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

By Koontz of Johnson, House File No. 28, a bill for an act to amend section one, chapter five, of the Acts of the Sixteenth General Assembly of the State of Iowa, relating to the granting of power to the First Universalist Parish of Iowa City, Iowa, to transfer a portion of its property in Iowa City, Iowa.

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

By Boettger of Scott, House File No. 29, a bill for an act repealing section five hundred ninety-one (591) of the Code relating to the compensation of Township Clerks and enacting a substitute therefor.

Read first and second time and referred to committee on Compensation of Public Officers.

By Boettger of Scott, House File No. 30, a bill for an act repealing section five hundred and ninety-two (592) of the Code relating to the compensation of Township Assessors and enacting a substitute therefor.

Read first and second time and referred to committee on Compensation of Public Officers.

By Boettger of Scott, House File No. 31, a bill for an act repealing section five hundred and ninety (590) of the Code relative to the compensation of Township Trustees and enacting a substitute therefor.

Read first and second time and referred to committee on Compensation of Public Officers.

Allred of Wayne offered the following resolution and moved that the rule be suspended and the resolution be adopted:

WHEREAS, The Hon. James H. Crawford of Wayne county, an honored member of the House of Representatives in the Fourteenth General Assembly, departed this life at his home in Wayne County on the 24th day of June, 1908, therefore be it

*Resolved*, That a committee of three be appointed to prepare resolutions respecting his life, character and public services.

Motion prevailed and the resolution was adopted.

The Speaker named as such committee: Allred of Wayne, Elliott of Page and Koontz of Johnson.

Allred of Wayne offered the following resolution and moved that the rule be suspended and the resolution be adopted:

WHEREAS, The Hon. Elijah Glendenning of Wayne county, an honored member of the House of Representatives in the Tenth and Sixteenth General Assemblies, departed this life at his home in Lineville, Wayne county, in December, 1908, therefore be it

*Resolved*, That a committee of three be appointed to prepare resolutions respecting his life, character and public services.

Motion prevailed and the resolution was adopted.

The Speaker named as such committee: Allred of Wayne, Welden of Hardin and Calkins of Adams.

Crozier of Marion offered the following resolution and moved that the rule be suspended and the resolution be adopted:

WHEREAS, The Hon. Green T. Clark of Marion county, Iowa, an honored member of this House during the Fifth, Sixth, Fifteenth and Sixteenth General Assemblies, departed this life at his home in Pella, Iowa, on the 26th day of November, 1908, therefore be it

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

Motion prevailed and the resolution was adopted.

The Speaker named as such committee: Crozier of Marion, Bauman of Van Buren and Hickenlooper of Monroe.

Byerly of Jones, offered the following resolution and moved that the rule be suspended and the resolution adopted:

WHEREAS, The Hon. John Russell of Jones county, an honored member of the House during the Ninth, Tenth, Eleventh, Twelfth and Thirteenth General Assemblies, and a Senator during the Eighteenth and Nineteenth General Assemblies, and Auditor of State from 1871-1875, departed this life at his home in Jones County, Iowa, on the tenth day of October, 1908, therefore be it

*Resolved*, That a committee of three be appointed to present resolutions commemorating his pure life and great service to the great State of Iowa and the Nation.

Motion prevailed and the resolution was adopted.

The Speaker named as such committee: Byerly of Jones, Perkins of Delaware and Dewell of Cedar.

Arney of Marshall, Chairman of committee on Committee Clerks, submitted the following report:

MR. SPEAKER:—The special committee appointed to pass on the qualifications of committee clerks and to assign them to committees, beg leave to report as follows:

Chas. Pryor—Assigned to Ways and Means.  
Chas. Pryor—Assigned to Animal Industry.  
Thos. Watters—Assigned to Judiciary.  
Edna Boone—Assigned to Appropriations.  
Mattie Larimer—Assigned to Elections.  
Mattie Larimer—Assigned to Senatorial Districts.  
Lucie Stevens—Assigned to Agriculture.  
Lucie Stevens—Assigned to Congressional Districts.  
Gertrude Marshall—Assigned to Railroads.  
Gertrude Marshall—Assigned to Woman's Suffrage.  
Not Selected—Assigned to Commerce and Trade.  
Not Selected—Assigned to Horticulture.  
Jennie Andrews—Assigned to Insurance.  
Jennie Andrews—Assigned to Federal Relations.  
Ethel Whittle—Assigned to Banks and Banking.  
Ethel Whittle—Assigned to Building and Loans.  
Emma Swartzendruber—Assigned to Schools and Text Books.  
Emma Swartzendruber—Assigned to Domestic Manufactures.  
Chas. Reid—Assigned to Constitutional Amendments.  
Chas. Reid—Assigned to Agricultural College.  
Ida M. Huntington—Assigned to Telephones.  
Ida M. Huntington—Assigned to Private Corporations.  
H. L. Refsell—Assigned to Pardons.  
H. L. Refsell—Assigned to Police Regulations.  
Estelle Woodworth—Assigned to Food and Dairy.  
Estelle Woodworth—Assigned to Soldiers' and Orphans' Home.  
Rose Johnson—Assigned to Conservation of Forests.  
Rose Johnson—Assigned to Telegraphy and Express.  
Edith Burns—Assigned to Municipal Corporations.  
Edith Burns—Assigned to Hospital for Insane.  
A. L. Emmert—Assigned to Labor.  
A. L. Emmert—Assigned to Normal Schools.  
Maude Wilson—Assigned to Compensation of Public Officers.  
Maude Wilson—Assigned to County and Township Organizations.  
Sarah Gartland—Assigned to Public Health.  
Sarah Gartland—Assigned to Public Buildings.  
Ethel Saylor—Assigned to Roads and Highways.  
Ethel Saylor—Assigned to Mines and Mining.  
Myra Wheeler—Assigned to Suppression of Intemperance.  
Myra Wheeler—Assigned to Penitentiaries.  
Jennie C. McCray—Assigned to Public Lands.  
Jennie C. McCray—Assigned to Claims.  
John F. Dicus—Assigned to Printing.  
Lola S. Elliott—Assigned to Enrolled Bills.  
Preston Craig—Assigned to State University.  
Preston Craig—Assigned to Public Accounting.  
J. D. Yearous—Assigned to Representative Districts.

J. D. Yearous—Assigned to Judicial Districts.  
 J. D. Yearous—Assigned to State Educational Institutions.  
 Callie Cline—Assigned to Public Charities.  
 Callie Cline—Assigned to Public Libraries.  
 Irene Coye—Assigned to Institution for Feeble Minded.  
 Irene Coye—Assigned to College for Blind.  
 Helen E. Patterson—Assigned to Military.  
 Helen E. Patterson—Assigned to Industrial Schools.  
 Louise Pfund—Assigned to Institute for Deaf.  
 Louise Pfund—Assigned to Engrossed Bills.

## MINORITY.

Tress Claire—Assigned to Fish and Game.  
 Dan Cherrier—Assigned to Rules.  
 F. J. McCullough—Assigned to Pharmacy.  
 Mrs. Berry, Mary Neylan, Miss LaFollette, Emma Burke, Ray Sheehan—  
 Other Minority Committees.

We also recommend that five additional clerks be employed for the use of the five contest committees of the House, same to be appointed by the chairman of such contest committees.

W. H. ARNEY,  
 E. R. MOORE,  
 P. E. STILLMAN.

Arney of Marshall moved the adoption of the report.

Motion prevailed, and the report was adopted.

The following committee clerks assembled at the desk and took and subscribed to the following oath:

I do solemnly swear to support the Constitution of the United States and the State of Iowa and that I will faithfully perform the duties of my office to the best of my ability:

(Signed)

Maude Wilson,	Lola S. Elliott,
Ethel Whittle,	Mrs. Mable Berry,
Helen E. Patterson,	Mary Neylan,
Rose Johnson,	Emma Burke,
Sarah R. Gartland,	Irene Coye,
Chas. L. Pryor,	Gertrude Marshall,
H. Lloyd Refsell,	Chas. Reid,
A. L. Emmert,	Emma Swartzendraver,
Ida M. Huntington,	Edna Boone,
Callie Cline,	Dan C. Cherrier,
Tress M. Claire,	J. D. Yearous,
Estelle Woodworth,	F. J. McCullough,
Agnes Brennan,	Preston Craig,
Mrs. Jennie C. McCray,	Ray R. Sheehan,
Louise Pfund,	Ethel Saylor,
Thomas Watters,	John F. Dicus,
Lucie Stevens,	Mattie Larimer.
Mary LaFollette.	Jennie Andrews,

Miss Agnes Brennan was selected as clerk for the committee appointed to hear the Springer-Stoddard contest in the Sixty-seventh district.

Meredith of Cass moved that a committee of two be appointed to notify the Senate that the House is ready to receive it in joint convention.

Motion prevailed.

Speaker named as such committee: Meredith of Cass and McDonald of Carroll.

The 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.

The joint convention was called to order by Lieutenant Governor Clarke President of the joint convention, at 12:00 o'clock, noon.

The roll was then called and the following members responded as present:

Adams, Allen of Pocahontas, Allen of Van Buren, Allred, Anderson, Arney, Balkema, Balluff, Bascom, Bauman, Baxter, Beans, Beebe, Beery, Bennett, Blackmore, Boe, Boettger, Bonwell, Boomgaarden, Bowman, Brandes, Brown, Bruce, Burgess, Burt, Byerly, Calkins, Cassady, Chapman, Clark, Clarkson, Cosson, Cooper, Cousins, Crummer, Crozier, Cunningham, Dabney, Dalby, Darrah, Davidson, Dawson, De Armand, Derrough, De Wolf, Dewell, Dewey, DeWitt, Dowell, Drury, Dye, Elliott, Etter, Fitchpatrick, Felt, Fenn, Finlayson, Foley, Fourt, Fox, Frudden, Francis, Fulliam, Gates, Gilliland, Goodykoontz, Grier, Hackler, Hammill, Hanson, Harding, Harvey, Hickenlooper, Holmes, Hoyt, Huffaker, Hunter of Polk, Hunter of Woodbury, Ide, Inman, Jacobs, Jamieson, Jewell, Johnson, Jones, Kellogg, Kendall, Klay, Koontz, Kull, Larrabee of Webster, Larrabee of Fayette, Lee, McCleery, McDonald, McCulloch, McManus, Marston, Mattes, Maytag, Meredith, Miller of Bremer, Miller of Dubuque, Moon, Moore of Wapello, Moore of Linn, Newell, Nichols, O'Connor, Penn, Perkins, Peterson, Proudfoot, Quigley, Ream, Reaney, Reitz, Ripley, Sammis, Sankey, Saunders, Savage, Schee, Schroeder, Schulte, Seeley, Sheldon, Smith of Des Moines, Smith of Mitchell, Smith of Wright, Stillman, Stoddard, Stuckslager, Sullivan, Swan, Swift, Taylor, Tegeler, Thompson, Tilton, Van Law, Ward, Welden, Whipple, White of Iowa, White of Story, Whiting, Wilson of Clinton, Wilson of Tama, Wolfe, Zeller, Mr. Speaker—153.

President Clarke announced the joint convention duly organized, with a quorum of members present.

The Secretary of the Senate then proceeded to read that part of the Journal of the Senate for Tuesday, January 19, 1909, pertaining to the vote for United States Senator in Congress.

The Chief Clerk of the House then proceeded to read that part of the Journal of the House for Tuesday, January 19, 1909, pertaining to the vote for United States Senator in Congress.

From the reading of the Journals, it appeared that on Tuesday, January 19, 1909, the Senate and House of Representatives balloted separately for United States Senator in Congress, with the following result:

In the Senate: Albert Baird Cummins received 34; Claude R. Porter received 14.

Absent or not voting:

Senators Jamieson and Wilson—2.

In the House: Albert Baird Cummins received 78; Claude R. Porter received 26.

Absent or not voting: Four.

Senator Saunders of Pottawattamie, moved that the joint convention now proceed to the election of a United States Senator in Congress for the term commencing March 4, 1909.

Motion prevailed.

Roll call was ordered.

Those voting for Albert Baird Cummins were:

Adams, Allen of Pocahontas, Allen of Van Buren, Allred, Anderson, Arney, Balkema, Bascom, Beans, Beebe, Beery, Bennett, Blackmore, Boe, Bonwell, Boomgaarden, Bowman, Brandes, Brown, Bruce, Burgess, Burt, Cassady, Chapman, Clark, Cosson, Cooper, Cousins, Crummer, Cunningham, Dalby, Darrah, Davidson, Dawson, Derrough, Dewell, Dewey, DeWitt, Dowell, Drury, Dye, Elliott, Fitchpatrick, Felt, Fenn, Finlayson, Fourn, Fox, Francis, Fulton, Gates, Gilliland, Goodykoontz, Grier, Hackler, Hammill, Hanson, Harding, Harvey, Hickenlooper, Holmes, Hoyt, Hunter of Polk, Hunter of Woodbury, Ide, Inman, Jacobs, Jewell, Johnson, Jones, Kellogg, Klay, Larrabee of Webster, Larrabee of Fayette, Lee, McCleery, McCulloch, Marston, Mattes, Maytag, Meredith, Moore of Wapello, Moore of Linn, Newell, Nichols, Perkins, Peterson, Proudfoot, Reaney, Ripley, Sammis, Saunders, Savage, Schee,

Seeley, Sheldon, Smith of Mitchell, Smith of Wright, Stillman, Stoddard, Stuckslager, Sullivan, Swan, Thompson, Tilton, Van Law, Ward, Welden, Whipple, White of Story, Wilson of Tama, Zeller, Mr. Speaker—113.

Those voting for Claude R. Porter were:

Bauman, Baxter, Boettger, Byerly, Calkins, Clarkson, Crozier, Dabney, De Armand, De Wolf, Ellis, Etter, Foley, Frudden, Fulliam, Huffaker, Jamieson, Kendall, Koontz, Kull, McDonald, McManus, Miller of Bremer, Miller of Dubuque, Moon, O'Connor, Parshall, Penn, Quigley, Ream, Reitz, Sankey, Schoeder, Schulte, Smith of Des Moines, Swift, Taylor, Tegeler, White of Iowa, Whiting, Wilson of Clinton—41.

Absent or not voting:

Balluff, Dodds, Ritter, Wolfe—4.

It thus being shown that Hon. Albert Baird Cummins received a majority of all votes cast in the Senate on Tuesday, January 19, 1909, a majority of all votes cast in the House on Tuesday, January 19, 1909, and a majority of all votes cast in the joint convention on Wednesday, January 20, 1909, President Clarke declared Hon. Albert Baird Cummins duly elected as United States Senator in Congress for the term of six years commencing March 4, 1909.

Senator Dowell of Polk moved a committee of five be appointed to notify Senator Cummins of his election and escort him to this chamber.

Motion prevailed.

President Clarke appointed such committee on part of the Senate: Senators Dowell of Polk and Maytag of Jasper; and Speaker Feeley appointed as such committee on the part of the House: Representatives Lee of Emmet, Larrabee of Fayette and Kull of Howard.

Stillman of Greene, offered the following resolution and moved its adoption:

*Resolved, by the Joint Convention of the Thirty-third General Assembly, That Emory H. English be and is hereby elected State Printer for the term beginning January 1, 1911, and that E. D. Chassell be and is hereby elected State Binder for the term beginning January 1, 1911.*

Roll call ordered on the resolution.

On the question "Shall the resolution be adopted?"

The ayes were:



Adams, Allen of Pocahontas, Allen of Van Buren, Allred, Anderson, Balkema, Bascom, Bauman, Baxter, Beans, Beebe, Beery, Bennett, Blackmore, Boe, Boettger, Bonwell, Boomgaarden, Bowman, Brandes, Brown, Bruce, Burgess, Burt, Byerly, Calkins, Casady, Chapman, Clark, Clarkson, Cosson, Cooper, Crummer, Crozier, Cunningham, Dabney, Dalby, Darrah, Davidson, Dawson, Derrough, Dewey, De Wolf, Dewell, DeWitt, Drury, Dye, Elliott, Ellis, Etter, Fitchpatrick, Felt, Fenn, Finlayson, Fourt, Fox, Frudden, Francis, Fulliam, Fulton, Gates, Gilliland, Goodykoontz, Grier, Hackler, Hammill, Hanson, Harding, Harvey, Hickenlooper, Holmes, Hoyt, Huffaker, Hunter of Polk, Hunter of Woodbury, Ide, Inman, Jacobs, Jamieson, Jewell, Johnson, Jones, Kellogg, Kendall, Klay, Koontz, Larrabee, McDonald, McCulloch, McManus, Marston, Mattes, Meredith, Miller of Bremer, Miller of Dubuque, Moon, Moore of Wapello, Moore of Linn, Newell, Nichols, O'Connor, Parshall, Penn, Perkins, Peterson, Proudfoot, Quigley, Ream, Reaney, Reitz, Ripley, Sammis, Sankey, Saunders, Savage, Schroeder, Schulte, Seeley, Sheldon, Smith of Des Moines, Smith of Mitchell, Smith of Wright, Stillman, Stoddard, Stuckslager, Sullivan, Swan, Swift, Taylor, Tegeler, Thompson, Tilton, Van Law, Ward, Welden, Whipple, White of Iowa, White of Story, Whiting, Wilson of Clinton, Wilson of Tama, Zeller, Mr. Speaker—143.

The nays were:

None.

Absent or not voting:

Arney, Balluff, Cousins, De Armand, Dodds, Dowell, Foley, Kull, Larrabee of Fayette, Lee, McCleery, Maytag, Ritter, Schee, Wolfe—15.

So the resolution was declared adopted.

President Clarke announced that Emory H. English having received a majority of all the votes of the joint convention was declared duly elected State Printer, for the term of two years commencing January 1, 1911, and E. D. Chassell, having received a majority of all the votes of the joint convention, was declared duly elected State Binder, for the term of two years commencing January 1, 1911.

The special committee appointed to notify Senator Cummins of his election, appeared and escorted him to the Speaker's station. He was introduced by President Clarke and then addressed the members of the joint convention as follows:

MR. PRESIDENT, MR. SPEAKER, SENATORS AND REPRESENTATIVES OF THE THIRTY-THIRD GENERAL ASSEMBLY:—To the Republican voters of Iowa, who prepared the way for the honor that has been bestowed upon me, and to you, who have made the voice of these voters effective, I am most grateful. There is but one way in which I can prove how highly I value the confidence that has been given to me. It is not by attempting to express the appreciation which fills my heart, but by the faithful performance of the duties of the office to which I have been elected. That, as I thread my path through the intricacies and difficulties of national legislation, I will make many mistakes, may be taken for granted. I make no pledge to be always right, but I do pledge you, and through you the people of Iowa, all my strength of mind and conscience in a constant endeavor to discover what is right, and then courage enough to say what is true as I see the truth and to do what is just as I understand justice.

A commission from the people of any state to represent them in the Senate of the United States is a distinguished honor, but I firmly believe that it is a greater honor to represent this commonwealth than any other state in the Union. There are states with a larger population, with five- or ten-fold the wealth, with more industries and more commerce; but there is no state whose people, as a whole, have continuously so true a conception of government, its scope and its limitations, so lofty a standard of public duty, so intelligent a comprehension of public questions; and who are so quick to rebuke infidelity and so loyal in their support of the faithful public servant, as the state of Iowa. To represent such a people in the most exalted legislative tribunal of the world is the highest distinction in human affairs, and I recognize not only its extraordinary character but its unequalled responsibilities as well.

Whether I can answer the tests which such a people exact; whether I can successfully bear the burdens which such a constituency creates; whether I can keep pace with such a people in the rushing march of progress, the future alone can determine. Of one thing, however, I am certain: I enter the work assigned to me conscious that in these people there rules over me a judge keen of vision, pure of purpose, tolerant of honest difference of opinion, but stern and relentless in its decree against inability to perceive the common welfare or treason to the common good.

I congratulate the Thirty-third General Assembly upon the state whose destinies it controls, and upon the opportunities before it for wise and wholesome legislation. I confess to just a shade of envy when I reflect upon the plain, simple and direct methods which you will employ in reaching your ends and compare them with the rules and usages under which the body of which I am a member acts. I do not desire to disparage Congress, but I cannot suppress the suggestion that it would do the national tribunal a world of good if it could sit here for a few days and see the General Assembly of Iowa at work and observe how easy it is to do things in a speedy, orderly and effective way. There is a certain kind of slowness in legislation which no right-thinking man ought to criticise or of which he ought to complain. There is a certain kind of conservatism which not only should not be condemned, but which is in the highest degree praiseworthy, for it is essential to all permanent pro-

gress. The conservatism which recognizes an existing wrong and carefully deliberates upon the remedy is patriotic; but the conservatism which stands still because it has neither the inclination nor the courage to go forward, which refuses to know the truth because the truth may hurt somebody or some thing, is at the present moment the most powerful enemy of good government.

It is but natural that upon this occasion our minds should turn toward the work that Congress must do, if it is to be done at all. Instinctively, I think, we always feel that the questions of the immediate future are the most important and the most vital which have ever arisen. It is well that we look forward, under the impulse of this sentiment, for it better prepares us for the difficulties that must be encountered.

As I look ahead, it seems to me that Congress is about to meet some of the most perplexing problems which have ever engaged the thought of the people of the United States. We are fast reaching the moment when the flexibility of our Constitution must again be tried. For instance, there is now pending before the Senate a measure establishing what are called postal savings depositories—or, to use the term in which they are commonly described, postal savings banks. The Constitution gives Congress the authority to establish postoffices, and somewhere in this grant of power must be found, if it exists, the authority to create a savings bank system. While I am in profound sympathy with the effort to stimulate a habit of saving among our people, I realize, first, that it will tax the ingenuity of the constitutional lawyer to find a safe footing for adding to the ordinary functions of a postoffice the business of a bank. I realize, also, that it will require great care to prevent the postal savings bank from introducing disorder into our existing commercial and financial adjustment.

Again, the most serious menace in our industrial affairs is the tendency toward the absorption by a single corporation of its competitors in manufacture or in business, with a resulting monopoly. I think we will all agree that the ninety millions of people who compose the American republic must not be required to resort to a single seller for any product, or be limited to a single buyer for any product. Monopoly in any important thing has always been and is now an intolerable condition. In the very nature of things the states cannot furnish the remedy, whatever it may be, which will protect us against the tendency so marked in these modern times. When you turn to Congress for relief, it must find its sole authority to act in that single phrase, "the regulation of commerce between the states." It is clear that in order to prevent the thing which we condemn, we must begin with the organization of the corporation. We must be able to require a proper capitalization. We must be able to limit the operations of the corporation when once created. And as I view the subject, the next few years will demand a constitutional interpretation compared with which the liberality of former years was plain and literal.

One of two things must be true. Either the national authority must be extended by construction beyond anything heretofore recognized, or the Constitution must be amended. The latter course seems almost

impossible, and the former, therefore, is the one upon which we are driving our way.

In what I have said I have been thinking only of the industrial or private corporations engaged in inter-state commerce; but there still remain the transportation companies, in the regulation of which we have just made a beginning. It is a matter of congratulation that the first step has been safely taken. The power of the government to see that transportation rates are reasonable in themselves, and that they do not discriminate against either persons or localities, has been established, and, in a way, this authority has been conferred upon the Inter-state Commerce Commission. We must before long, as I think, take another step. As it is now, a shipper can secure justice only through an individual appeal to the Inter-state Commerce Commission, with all its attendant difficulties and expense. While the authority of the Commission is ample, experience has shown us that if it is exercised only in the way now provided, the relief hoped for will never come. It is high time that the people should think carefully of a further proposition, namely, that rates shall be fixed, either by the general operation of a law, or by the action of the Commission in the establishment of freight tariffs upon its own initiation, giving to the transportation companies the right and imposing upon them the burden of securing a modification upon a clear showing of injustice. It will not be until some such provision is made that we will enjoy the benefits of the struggle which culminated in the enactment of the present inter-state commerce law.

There are many other phases of our commercial and industrial life which might with equal propriety be instanced to indicate the gravity of the work before us, but I forbear. My purpose at this time is not to discuss these things, but to point out that we are entering a period in which the duties that govern both state and nation will be more difficult and more important than ever before. You have commissioned me to bear a part in this work, and I want you to know that I look upon that commission as a call to labor, and to the utmost limit of my strength I will do what I can to reach a fair solution of the problems of legislation, with an eye single to the welfare of my fellow-men.

Senator Allen of Pocahontas, offered the following resolution:

*Resolved by the Joint Convention of the Thirty-third General Assembly, That Carl F. Kuehnle be and is hereby elected a member of the Board of Regents of the State University from the Tenth Congressional District for the short term ending May 1, 1909, and for the long term commencing May 1, 1909, to succeed the late Thomas D. Healy, deceased.*

Senator Allen of Pocahontas, moved the adoption of the Resolution.

Roll call was ordered.

On the question: "Shall Carl F. Kuehnle be elected as regent from the Tenth district?"

The ayes were:

Adams, Allen of Pocahontas, Allen of Van Buren, Allred, Anderson, Arney, Balkema, Bascom, Bauman, Beans, Beebe, Bennett, Blackmore, Boe, Boettger, Bonwell, Boomgaarden, Bowman, Brandes, Brown, Bruce, Burgess, Burt, Byerly, Calkins, Cassady, Chapman, Clark, Clarkson, Cosson, Cooper, Crummer, Crozier, **Cunningham**, Dalby, Darrah, Davidson, Dawson, De Armand, Derrough, De Wolf, Dewell, Dewey, DeWitt, Dowell, Drury, Dye, Elliott, Ellis, Etter, Fitchpatrick,, Felt, Fenn, Finlayson, Foley, Fourt, Fox, Frudden, Francis, Fulliam, Fulton, Gates, Gilliland, Goodykoontz, Grier, Hackler, Hammill, Hanson, Harding, Harvey, Hickenlooper, Holmes, Hoyt, Huffaker, Hunter of Polk, Hunter of Woodbury, Ide, Inman, Jacobs, Jamieson, Jewell, Johnson, Jones, Kendall, Klay, Koontz, Kull, Larrabee of Webster, Larrabee of Fayette, Lee, McCulloch, McDonald, McManus, Marston, Mattes, Maytag, Meredith, Miller of Bremer, Miller of Dubuque, Moore of Wapello, Newell, O'Connor, Parshall, Penn, Perkins, Peterson, Proudfoot, Ream, Reaney, Reitz, Ripley, Sankey, Saunders, Savage, Schec, Schroeder, Schulte, Smith of Des Moines, Smith of Wright, Stillman, Stoddard, Stuckslager, Sullivan, Swan, Swift, Taylor, son of Tama, Zeller—139.

Absent or not voting:

Balluff, Baxter, Beery, Cousins, Dabney, Dodds, Kellogg, McCleery, Moon, Moore of Linn, Nichols, Quigley, Ritter, Sammis, Seeley, Sheldon, Smith of Mitchell, Wolfe, Mr. Speaker—19.

President Clarke declared that Carl F. Kuehnle having received a majority of all votes cast and a majority of all the votes of the joint convention, was duly elected as a member of the State University Board of Regents from the Tenth Congressional District for the short term ending May 1, 1909, and for the term commencing May 1, 1909.

Senator Peterson of Wright, moved that the remarks of Senator Cummins be printed in the Journal as a part of the proceedings of this convention.

Motion prevailed.

The following certificates of election were signed and read in the presence of the joint convention:

DES MOINES, JANUARY 20, A. D. 1909.

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 twentieth day of January, A. D. 1909, 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, each House had by roll call of the members present named Albert Baird Cummins for Senator in Congress for the State of Iowa for the term commencing on the fourth day of March, A. D. 1909; and the same person, to-wit: Albert Baird Cummins, had received a majority of all the votes in each House. Whereupon said joint assembly formally declared said Albert Baird 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 term of six years beginning on the fourth day of March, A. D. 1909.

GEO. W. CLARKE,

*President of Senate and Joint Assembly.*

GUY A. FEELEY,

*Speaker of the House.*

S. W. NEAL,

*Secretary of Senate.*

C. R. BENEDICT,

*Clerk of House of Representatives and Joint Assembly.*

DES MOINES, JANUARY 20, A. D. 1909.

This is to certify that at an election by the two Houses of the Thirty-third General Assembly of the State of Iowa, in join convention, on the twentieth day of January, A. D. 1909, for the purpose of electing a State Printer, Emory H. English, of Mason City, Cerro Gordo County, Iowa, having received a majority of all the votes cast for said office, was declared duly elected as State Printer of the State of Iowa for the term of two years from and after the expiration of the term of the present incumbent, and until his successor is elected and qualified.

Signed in the presence of the joint convention, this Twentieth day of January, A. D. 1909.

GEO. W. CLARKE,

*President of the Senate,*

GUY A. FEELEY,

*Speaker of the House of Representatives.*

C. R. BENEDICT,

*Chief Clerk of the Joint Convention.*

DES MOINES, JANUARY 20, A. D. 1909.

This is to certify that at an election by the two Houses of the Thirty-third General Assembly of the State of Iowa, in join convention, on the twentieth day of January, A. D. 1909, for the purpose of electing a State Binder, Edward D. Chassell, of LeMars, Plymouth County, Iowa, having received a majority of all the votes cast for said office, was declared duly elected as State Binder of the State of Iowa for the term of two years from and after the expiration of the term of the present incumbent, and until his successor is elected and qualified.

Signed in the presence of the joint convention, this Twentieth day of January, A. D. 1909.

GEO. W. CLARKE,  
*President of the Senate,*  
GUY A. FEELEY,

*Speaker of the House of Representatives.*

C. R. BENEDICT,  
*Chief Clerk of the Joint Convention.*

DES MOINES, JANUARY 20, A. D. 1909.

This is to certify that at an election by the two Houses of the Thirty-third General Assembly of the State of Iowa, in joint convention, on the twentieth day of January, A. D. 1909, for the purpose of electing the officers of the various State institutions, Carl F. Kuehnle, of Denison, Crawford County, Iowa, having received a majority of all the votes cast for said office, was declared duly elected as Regent of the State University, to fill vacancy for the short term ending May 1, 1909, and for the long term commencing May 1, 1909, and until his successor is elected and qualified.

Signed in the presence of the joint convention, this Twentieth day of January, A. D. 1909.

GEO. W. CLARKE,  
*President of the Senate,*  
GUY A. FEELEY,

*Speaker of the House of Representatives.*

C. R. BENEDICT,  
*Chief Clerk of the Joint Convention.*

Minutes of the joint convention were read and approved.

On motion of Senator Chapman, the joint convention was dissolved.

The House reconvened.

Speaker Feeley in the Chair.

On motion of Reaney of Louisa, the House adjourned until 10:00 A. M., Thursday, January 21st.

# JOURNAL OF THE HOUSE

HALL OF THE HOUSE OF REPRESENTATIVES,  
DES MOINES, IOWA, JANUARY 21, A. D. 1909.

House met pursuant to adjournment.

Speaker Pro Tem Lee in the Chair.

Prayer was offered by the Rev. O. H. L. Mason, of Boone, Iowa.

Journal of Wednesday, January 20th, corrected and approved.

## PETITIONS, MEMORIALS AND REMONSTRANCES.

Reaney of Louisa, presented petition of attorneys of the Twentieth Judicial District of Iowa, to increase the pay of court reporters.

Referred to committee on Compensation of Public Officers.

## INTRODUCTION OF BILLS.

By Johnson of Mitchell, House File No. 32, a bill for an act to repeal sections twenty-five hundred seventy-a (2570-a), twenty-five hundred seventy-a-1 (2570-a-1), and twenty-five hundred seventy-b (2570-b) of the 1907 Supplement to the Code of Iowa, relating to the care of infected persons and payment of quarantine expenses, and to enact a substitute therefor.

Read first and second time and referred to committee on Public Health.

By Allred of Wayne, House File No. 33, a bill for an act to repeal sections four hundred and sixteen (416), four hundred and seventeen (417), four hundred and eighteen (418) and four hundred and nineteen (419), Chapter two of the Code, relating to Supervisors districts.

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



By Arney of Marshall, House File No. 34, a bill for an act to amend the law as it appears in section twenty-six hundred four (2604) of the Supplement to the Code 1907, relative to the perquisites of officers of the Iowa Soldiers' Home.

Read first and second time and referred to committee on Military.

By Wilson of Tama, House File No. 35, a bill for an act to repeal section eleven hundred thirty (1130) of the 1907 Supplement to the Code, relating to the office of Township Assessor in territory outside of the corporation, and to enact the following in lieu thereof.

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

By Schulte of Clayton, House File No. 36, a bill for an act to amend Chapter Six (6), Title Five (5), of the Code, relating to sprinkling of streets and providing for the assessment of the cost thereof on the property benefited thereby.

Read first and second time and referred to committee on Municipal Corporations.

By Ritter of Des Moines, House File No. 37, a bill for an act to repeal section twenty-four hundred and forty-five (2445) of the Code and to enact a substitute therefor.

Read first and second time and referred to committee on Municipal Corporations.

By DeWitt of Montgomery, House File No. 38, a bill for an act relating to road tax and amending section one thousand five hundred and twenty-eight (1528) of the Code and Supplement to the Code relative to levying additional road tax.

Read first and second time and referred to committee on Roads and Highways.

By Miller of Bremer, House File No. 39, a bill for an act authorizing the Regents of the State University to adopt university extension and correspondence teaching and make appropriation therefor.

Read first and second time and referred to committee on Appropriations.

By Bonwell of Audubon, House File No. 40, a bill for an act to require railway corporations upon order of the Board of Railway Commissioners to operate motor cars.

Read first and second time and referred to committee on Railroads and Transportations.

By Bonwell of Audubon, House File No. 41, a bill for an act to require railway corporations upon order of the Railway Commission to maintain trains so as to prevent unreasonable delay to through traffic at points where connection is made with other lines.

Read first and second time and referred to committee on Railroads and Transportation.

By Moore of Linn, House File No. 42, a bill for an act requiring all Guaranty, Fidelity and Surety companies doing business in the State of Iowa to deposit with the Auditor of State, a guarantee fund for the protection of citizens of the State.

Read first and second time and referred to committee on Insurance.

By Moore of Linn, House File No. 43, a bill for an act to authorize the payment of the cost of corporate suretyship upon official bonds.

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

By Moore of Linn, House File No. 44, a bill for an act to provide that any fiduciary required by law to give a bond may include the expense thereof as part of the lawful expense of executing his trust, etc.

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

By Moore of Linn, House File No. 45, a bill for an act to amend section fourteen hundred and fifty-seven (1457), Title seven (7), Chapter three (3), of the Supplement to the Code, relating to the depositing of public funds.

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

By Sullivan of Polk, House File No. 46, a bill for an act to provide for the punishment of persons responsible for or contributing to the delinquency of children.

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

MESSAGE FROM THE SENATE.

The following message was received from the Senate:

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

House Joint Resolution No. 1, relating to the selection of additional employes of the Thirty-third General Assembly, fixing their compensation and defining their duties.

S.W. NEAL,  
*Secretary.*

Moore of Linn, offered the following resolution, and moved that the resolution be considered at this time:

*Resolved*, That no bill, carrying an appropriation of more than Ten Thousand Dollars (\$10,000) be considered by this House, or reported from the Committee on Appropriations, until after Educational and Board of Control appropriation bills have been disposed of.

Motion prevailed.

Moore of Linn then moved the adoption of the resolution.

Holmes of Kossuth, moved that the resolution be referred to the committee on Rules.

Motion prevailed and the resolution was referred to committee on Rules.

O. H. Raleigh was selected as clerk for the committee appointed to hear the Davidson-Penn contest in the Tenth District. O. H. Raleigh and Myra Wheeler took and subscribed to the following oath:

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:

O. H. RALEIGH,  
MYRA WHEELER.

Bonwell of Audubon, chairman of the committee appointed to assign committee rooms, presented the following report:

MR. SPEAKER—Your committee appointed to recommend the time and place of the Standing Committees of the House, beg leave to make the following assignment of rooms:

	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
<b>Room 1—</b>						
Ways and Means		2 p. m.		2 p. m.		
Judiciary	2 p. m.		2 p. m.		3 p. m.	
Agriculture			4 p. m.			2 p. m.
Railroads and Transportation		3 p. m.		3 p. m.		
Printing		4 p. m.				4 p. m.
<b>Room 6—</b>						
Roads and Highways		4 p. m.		2 p. m.		
Mines and Mining	2 p. m.					2 p. m.
Animal Industry		2 p. m.				
Judicial Districts	3 p. m.	2 p. m.		3 p. m.		
Hospital for Insane			2 p. m.		4 p. m.	
Public Charities			5 p. m.		2 p. m.	
Food and Dairy	4 p. m.				3 p. m.	
<b>Room 8—</b>						
Elections				4 p. m.		2 p. m.
Schools and Text-Books		2 p. m.		2 p. m.		
Suppression of Intemperance		4 p. m.			4 p. m.	
Insurance	3 p. m.		3 p. m.			
Springer-Stoddard Contest Committee	4 p. m.			3 p. m.		
Public Buildings	2 p. m.				2 p. m.	
<b>Room 10—</b>						
Congressional Districts		2 p. m.		2 p. m.		
Penitentiaries			2 p. m.			2 p. m.
Engrossed Bills	2 p. m.				2 p. m.	
Pardons		3 p. m.		3 p. m.		
State University	4 p. m.			4 p. m.		
Institute for Feeble-Minded			4 p. m.			4 p. m.
<b>Room 11—</b>						
Pharmacy		2 p. m.			4 p. m.	
Appropriations			2 p. m.	2 p. m.	2 p. m.	
Normal Schools	4 p. m.			4 p. m.		
College for the Blind			4 p. m.			2 p. m.
Institute for Deaf	2 p. m.					4 p. m.
Commerce and Trade		4 p. m.				3 p. m.
<b>Room 2—</b>						
Constitutional Amendments		4 p. m.			4 p. m.	
Woman Suffrage			4 p. m.	4 p. m.		
Retrenchment and Reform			2 p. m.			2 p. m.
Military	2 p. m.			2 p. m.		
Enrolled Bills		3 p. m.			3 p. m.	
Conservation of Forest and Water Power	3 p. m.				2 p. m.	
<b>Room 12—</b>						
Representative Districts	2 p. m.				2 p. m.	
Domestic Manufactures	3 p. m.				3 p. m.	
Co. and Twp. Organization		4 p. m.		4 p. m.		
Telegraph and Express			3 p. m.	3 p. m.		
Davidson-Penn Contest Committee		2 p. m.		2 p. m.		
<b>Room 13—</b>						
Industrial Schools		3 p. m.		3 p. m.		
Senatorial Districts	4 p. m.			4 p. m.		
Horticultural		2 p. m.			2 p. m.	
Agricultural College			2 p. m.			
Robb-Kendall Contest Committee		3 p. m.			3 p. m.	
<b>Room 14—</b>						
Soldiers' and Orphans' Home	2 p. m.			3 p. m.		
Federal Relations		2 p. m.			2 p. m.	
Fish and Game		3 p. m.			3 p. m.	
Police Regulations	3 p. m.			3 p. m.		
Claims			2 p. m.			2 p. m.
Public Accounting						
Committee on Rules	4 p. m.				4 p. m.	
<b>Room 7—</b>						
Labor		4 p. m.			4 p. m.	
Public Land and Buildings	3 p. m.					
Public Libraries			2 p. m.			
Building and Loan			4 p. m.			

	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
State Educat'l Institutions.....	4 p. m.	-----	-----	-----	3 p. m.	-----
Room 15— Public Health -----	-----	-----	3 p. m.	-----	-----	3 p. m.
Banks and Banking -----	-----	2 p. m.	-----	2 p. m.	-----	-----
Municipal Corporations -----	-----	4 p. m.	-----	4 p. m.	-----	-----
Compensat'n of Pub. Officers -----	4 p. m.	-----	-----	-----	4 p. m.	-----
Private Corporations -----	-----	-----	4 p. m.	-----	-----	4 p. m.
Telephones -----	2 p. m.	-----	-----	-----	2 p. m.	-----

Room 5—Chief Clerk. Room 4—Journal Clerk. Room 3—File Clerk.  
 Room 2—Enrolling Clerk. Room 27—Newspaper Reporters.  
 Rooms 2, 3, and 4 to be under control of the Chief Clerk.

All of which is respectfully submitted.

JOHN C. BONWELL,  
*Chairman.*  
 ENOCH BEERY,  
 AUG. A. BALLUFF,  
*Committee.*

Bonwell of Audubon, moved the adoption of the report.

Motion prevailed and the report was adopted.

On motion of Kellogg of Harrison, the House adjourned until 10:00 o'clock Friday, January 22d.

# JOURNAL OF THE HOUSE

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HALL OF THE HOUSE OF REPRESENTATIVES,  
DES MOINES, IOWA, JANUARY 22, A. D. 1909.

House met pursuant to adjournment, Speaker Feely in the Chair.

Prayer was offered by Rev. E. E. Reed, D. D., of Hopkinton, Iowa.

Journal of Thursday, January 21st, corrected and approved.

On request of Boe of Winnebago, leave of absence was granted Dalby of Adair until Saturday.

On request of Fulliam of Muscatine, leave of absence was granted Etter of Keokuk until Tuesday.

## PETITIONS, MEMORIALS AND REMONSTRANCES.

Cooper of Jasper, presented petition of Assessors of Jasper County, to increase the compensation of Assessors.

Referred to Committee on Compensation of Public Officers.

Fenn of Clarke, presented petition of citizens of Clarke County, asking that gymnasiums be placed at state institutions.

Referred to Committee on Appropriations.

Bauman of Van Buren, presented petition of residents of Des Moines Township, Van Buren County, relative to a return to the old Highway Road District plan.

Referred to Committee on Roads and Highways.

## REPORT OF COMMITTEE ON ENROLLED BILLS.

Klay of Sioux, 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 Joint Resolu-

tion No. 1, relating to the selection of additional employes of the Thirty-third General Assembly, fixing their compensation and defining their duties.

GERRIT KLAY,  
*Chairman.*

Adopted.

REPORT OF JOINT COMMITTEE ON ENROLLED BILLS.

Klay of Sioux, 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 Joint Resolution No. 1, relating to the selection of additional employes of the Thirty-third General Assembly, fixing their compensation and defining their duties.

GERRIT KLAY,  
*Chairman House Committee.*  
HENRY L. ADAMS,  
*Chairman Senate Committee.*

Adopted.

White of Story, offered the following Concurrent Resolution, and asked unanimous consent that it be considered at this time and moved its adoption:

CONCURRENT RESOLUTION.

*Resolved by the House, the Senate Concurring,* That the Chief Clerk of the House and the Secretary of the Senate be authorized to have printed two thousand copies of a combined vest-pocket edition of the Standing Committees of the two Houses of the Thirty-third General Assembly.

Motion prevailed, and the resolution was adopted.

Sankey of Decatur, called up resolution laid over under Rule 34, relative to House Employes, and moved its adoption.

*Resolved,* That the Committee on Retrenchment and Reform report to this House the necessary number of employes of the House at the beginning of this session, so that unnecessary employes may be dispensed with.

Motion prevailed, and the resolution was adopted.

INTRODUCTION OF BILLS.

By Bonwell of Audubon, House File No. 47, a bill for an act to create a Highway Commission for the State of Iowa, defining the powers and duties of the same and to provide for a system of state co-operation with Townships and Counties in the improvement of the public wagon roads and to make an appropriation therefor.

Read first and second time and referred to Committee on Roads and Highways.

By Klay of Sioux, House File No. 48, a bill for an act to amend section one thousand one hundred ninety-six (1196) of the Code, relating to the recording of officers bonds.

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

By Dye of Pottawattamie, House File No. 49, a bill for an act to appropriate money for the use of the Institution for Feeble-minded Children at Glenwood, Iowa.

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

By Reitz of Lee, House File No. 50, a bill for an act providing for purchase and erection of a monument in memory of the Indian Chief Black Hawk, and at the point of the first military post in the State of Iowa, and making an appropriation therefor.

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

By Brandes of Pottawattamie, House File No. 51, a bill for an act to repeal section thirteen hundred sixty-six (1366) of the Code, and enact a substitute therefor relative to assessment rolls.

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

By Bowman of Linn, House File No. 52, a bill for an act to amend section two (2), of Chapter Fourteen (14), of the laws of the Twenty-ninth General Assembly, relating to the compensation of shorthand reporters, and the costs of transcript in criminal cases.

Read first and second time and referred to Committee on Compensation of Public Officers.

By Johnson of Mitchell, House File No. 53, a bill for an act to repeal section twenty-five hundred seventy-one (2571) of the 1907 Supplement to the Code of Iowa, relating to meetings of the local Boards of Health, regulations, reports, expenses and tax and to enact a substitute therefor.

Read first and second time and referred to Committee on Public Health.



By Swift of Shelby, House File No. 54, a bill for an act to repeal section twenty-one hundred nineteen (2119) of the Code, relating to the enforcement of the rules, orders and regulations of the Board of Railway Commissioners, and to enact a substitute therefor.

Read first and second time and referred to Committee on Railroads and Transportation.

By Sullivan of Polk, House File No. 55, a bill for an act to provide for the appointment of a commission to select, draw and summon Grand and Petit Jurors in all counties having a population of over 50,000 and prescribing the duties thereof.

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

By Hunter of Polk, House File No. 56, a bill for an act to appropriate money for the use of the Industrial School for Girls at Mitchellville, Iowa.

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

By Schulte of Clayton, House File No. 57, a bill for an act to repeal paragraph four (4), of section eighteen hundred fifty (1850), of the Supplement to the Code and to enact a substitute therefor, relating to the investment of funds of savings banks.

Read first and second time and referred to Committee on Banks and Banking.

By DeWitt of Montgomery, House File No. 58, a bill for an act to amend Chapter Sixteen-b (16-b) of the Supplement to the Code of Iowa, relating to the registration of births and deaths and to repeal Sections Twenty-five Hundred and Seventy-five-a-Fourteen (2575-a-14), Twenty-five Hundred and Seventy-five-a-Fifteen (2575-a-15), Twenty-five Hundred and Seventy-five-a-Eighteen (2575-a-18) and Twenty-five Hundred and Sixty-seven (2567) of the Supplement to the Code.

Read first and second time and referred to Committee on Public Health.

By Ripley of Hancock, House File No. 59, a bill for an act authorizing the taxation of expenses and fees in certain suits in favor of defendants where suit is brought in a county other than that of

the residence of the defendant. Additional to Chapter Sixteen (16) of Title Eighteen (XVIII) of the Code.

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

By Fulton of Jefferson, House File No. 60, a bill for an act to amend section Four Hundred and Thirty-three (433) of the Supplement of 1907 of the Code, relative to the burial of indigent soldiers and sailors.

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

By Reaney of Louisa, House File No. 61, a bill for an act to amend Sixteen Hundred and Sixty-one-a- (1661-a) of the Supplement to the Code, relative to state aid to county and district fairs.

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

By Holmes of Kossuth, House File No. 62, a bill for an act to revise, amend and codify the statutes in relation to the Public Schools.

Read first and second time and referred to Committee on School and Text Books.

By Sullivan of Polk, House File No. 63, a bill for an act to repeal Section Three Thousand Three Hundred and Seventy-nine (3379) of the Code, relating to inheritance of wife and parents, and enacting a substitute therefor.

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

By Hackler of Webster, House File No. 64, a bill for an act to amend the law as it appears in Section Two Hundred Thirty-two (232) of the 1907 Supplement to the Code, relating to the schedule of times of holding terms of district court.

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

By Byerly of Jones, House File No. 65, a bill for an act to appropriate money for the use of the Reformatory at Anamosa, Iowa.

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

## 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 the admission of the State Institutions to the rights and privileges of the "Carnegie Foundation for the Advancement of Teaching."

S. W. NEAL,  
*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. 18, a bill for an act to amend section three thousand and fifty-three (3053) of the code of 1897 relating to legal holidays.

S. W. NEAL,  
*Secretary.*

The hour of the Special Order having arrived, Moore of Linn moved that Senate File No. 18 be substituted for House File No. 20.

Motion prevailed.

Senate File No. 18, read first and second times.

Unanimous consent having been given, Moore of Linn, moved that the rule be suspended, that the bill be read a third time now, which motion prevailed and the bill was read a third time.

On the question, "Shall the bill pass?"

The ayes were:

Allred, Anderson, Arney, Bascom, Bauman, Beans, Beebe, Beery, Blackmore, Boe, Boettger, Bonwell, Boomgaarden, Bowman, Brandes, Burt, Byerly, Cassady, Cooper, Cousins, Crozier, Crummer, Cunningham, Dabney, Dalby, Darrah, Davidson, Dawson, Derrough, Dewell, Dewey, DeWitt, Drury, Dye, Elliott, Ellis, Felt, Fenn, Finlayson, Fourt, Fox, Fulliam, Fulton, Goodykoontz, Grier, Hackler, Hanson, Harding, Harvey, Hickenlooper, Holmes, Huffaker, Hunter, Ide, Inman, Jacobs, Jewell, Johnson, Jones, Kellogg, Kendall, Klay, Koontz, Kull, Larrabee, Lee, McCleery, McDonald, Marston, Meredith, Miller of Dubuque, Moore of Wapello, Moore of Linn, Newell, O'Connor, Penn, Perkins, Reaney, Reitz, Ripley, Ritter, Sankey, Schee, Sheldon, Smith, Stillman, Stoddard, Sullivan,

Swan, Swift, Tegeler, Thompson, Tilton, Ward, Welden, White, Wilson, Wolfe, Zeller, Mr. Speaker—100.

The nays were :

Schulte—1.

Absent or not voting :

Balluff, Baxter, Calkins, Dodds, Etter, Miller of Bremer, Schroeder—7.

So the bill passed and the title was agreed to.

Holmes of Kossuth, offered the following Concurrent Resolution and asked unanimous consent that it be considered now and moved its adoption :

CONCURRENT RESOLUTION.

*Be it Resolved by the House, the Senate Concurring,* That a committee of three, consisting of one Senator and two Representatives, be appointed to prepare a suitable program for a joint session of the Thirty-third General Assembly to be held February 12, 1909, at 2 P. M., in the Representative Chamber to commemorate the one-hundredth anniversary of the birth of Abraham Lincoln.

Motion prevailed, and the resolution was adopted.

The Speaker appointed Holmes of Kossuth and Moore of Linn as such committee on part of the House.

Lee of Emmet, offered the following resolution and asked unanimous consent for immediate consideration and moved its adoption :

RESOLUTION.

WHEREAS, By popular movement a portrait of one of the distinguished citizens of Iowa, General James B. Weaver, is ready to be added to the portrait collection of the Historical Department of the State, and

WHEREAS, Arrangements are being made for a public ceremony of installation within the Historical Building on the afternoon of February 15, 1909, and

WHEREAS, The Governor of Iowa, Honorable William Jennings Bryan, Honorable Nathan E. Kendall, a former Speaker of this House and other eminent citizens will attend and participate in such ceremonies, be it

*Resolved,* That the House of Representatives of the Thirty-third Assembly tender to the Historical Department of Iowa for its use on the afternoon of Monday, February 15, 1909, the chamber of the House, for the purpose of the public installation of the portrait of General Weaver in its collections.

Motion prevailed, and the resolution was adopted.

## MESSAGE FROM THE SENATE.

The following message was received from the Senate:

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

Concurrent Resolution relative to printing a vest pocket edition of committees of the General Assembly.

S. W. NEAL,  
*Secretary.*

## SENATE MESSAGE CONSIDERED.

House Concurrent Resolution relative to printing a vest-pocket edition of committees of the General Assembly.

White of Story moved that the House do not concur in Senate amendment to reduce the number to 500.

Motion prevailed.

White of Story, moved that the House concur in Senate amendment to include committee room assignment.

Motion prevailed, and amendment was concurred in.

Schee of O'Brien, moved that Senate Concurrent Resolution relative to the admission of the State Institutions to the rights and privileges of the "Carnegie Foundation for Advancement of Teaching," be referred to a special committee composed of Harding of Woodbury, Schulte of Clayton and the chairmen of the Committees on State University, State Normal School and Agricultural College.

Motion prevailed, and the resolution was referred.

Miss Amanda C. Korf was selected as the clerk of the committee to hear the Corrie-Baxter contest in the Fifty-ninth District.

Miss Korf and Miss Edith Burns took and subscribed to the following oath:

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.

AMANDA C. KORF,  
EDITH BURNS.

On motion of Dawson of Cherokee, the House adjourned until 10:00 o'clock, A. M., January 23d.

# JOURNAL OF THE HOUSE

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HALL OF THE HOUSE OF REPRESENTATIVES,  
DES MOINES, IOWA, JANUARY 23, A. D. 1909.

House met pursuant to adjournment, Speaker Feely in the Chair.

Prayer was offered by Representative Lars W. Boe of Winnebago.

Journal of Friday, January 22d, corrected and approved.

On request of Hickenlooper of Monroe, leave of absence was granted Swan of Appanoose until Monday.

On request of Kellogg of Harrison, leave of absence was granted Sheldon of Ringgold until Monday.

On request of Wilson of Tama, leave of absence was granted Holmes of Kossuth until Monday.

On request of Boettger of Scott, leave of absence was granted Balluff of Scott until Monday.

On request of Darrah of Lucas, leave of absence was granted Burt of Taylor until Monday.

On request of Ritter of Des Moines, leave of absence was granted Koontz of Johnson until Monday.

On request of Cooper of Jasper, leave of absence was granted Thompson of Benton until Monday.

On request of Harvey of Osceola, leave of absence was granted Davidson of Palo Alto until Monday.

On request of Perkins of Delaware, leave of absence was granted Welden of Hardin until Monday.

On request of Lee of Emmet, leave of absence was granted Derrough of Warren until Tuesday.

On request of Bowman of Linn, unanimous consent was given for the transfer of House File No. 52 from the Committee on Compensation of Public Officers to the Committee on Judiciary.

W. J. Jones of Monroe County, appeared and was sworn as mail carrier for the General Assembly.

Goodykoontz of Boone, moved that when the House adjourn, it adjourn until Tuesday at 10:00 o'clock.

Beery of Henry, moved to amend by inserting the words "Monday at 10:00 o'clock" in lieu of the words "Tuesday at 10:00 o'clock."

Amendment adopted.

Motion as amended carried.

#### PETITIONS, MEMORIALS AND REMONSTRANCES.

Ellis of Jackson, presented petition of the Board of Supervisors of Jackson County, relative to the repeal of the quarantine laws.

Referred to Committee on Public Health.

Miller of Dubuque, presented petition of Attorneys of Dubuque County, favoring the increase in compensation of court reporters.

Referred to Committee on Judiciary.

Kellogg of Harrison, presented petition of the Board of Supervisors of Harrison County, relative to the quarantine laws.

Referred to Committee on Public Health.

Jewell of Winneshiek, presented petition of the Board of Supervisors of Winneshiek County, relative to public health laws.

Referred to Committee on Public Health.

Moore of Linn, presented petition of the Board of Supervisors of Linn County, relative to the bounty for the destruction of pocket-gophers.

Referred to Committee on Agriculture.

Moore of Linn, presented petition of the Board of Supervisors of Linn County, relative to the compensation of members of Board of Supervisors.

Referred to Committee on Compensation of Public Officers.

Moore of Linn, presented petition of the Board of Supervisors of Linn County, relative to the compensation of Election Officers.

Referred to Committee on Compensation of Public Officers.

Miller of Bremer offered the following resolution and asked unanimous consent for immediate consideration and moved its adoption:

RESOLUTION.

WHEREAS, Monday, January 25, 1909 is the 150th anniversary of Robert Burn's birthday,

*Resolved*, That this body celebrate the event with a Burns' program, beginning at four o'clock p. m. of said day.

*Resolved*, Also, that the Speaker appoint a committee to make suitable arrangements for said program.

Motion prevailed, and resolution adopted.

The Speaker announced as members of such committee: Miller of Bremer, Inman of Floyd, Lee of Emmet, Hackler of Webster and Sullivan of Polk.

INTRODUCTION OF BILLS.

By Goodykoontz of Boone, House File No. 66, a bill for an act requiring all corporations doing business within the State to make an annual report and pay an annual license fee to the Secretary of State, and repealing a part of Section Sixteen Hundred and Twelve (1612) of the 1907 Supplement to the Code.

Read first and second time and referred to Committee on Private Corporations.

By Goodykoontz of Boone, House File No. 67, a bill for an act to repeal Section Three Hundred and Fifty-four (354) as it appears in the 1907 Supplement to the Code of Iowa, and to enact a substitute therefor, relating to the fees of jurors.

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

By Calkins of Adams, House File No. 68, a bill for an act to regulate the taxation of mortgages and mortgaged real estate.

Read first and second time and referred to Committee on Ways and Means.

By Allred of Wayne, House File No. 69, a bill for an act to repeal the law as it appears in Section Five Thousand and Forty-a (5040-a), Chapter Twelve (12), of the Code Supplement of 1907, and to enact a substitute therefor, relating to Memorial Day.

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



By Beery of Henry, House File No. 70, a bill for an act to appropriate money for the use of the Mount Pleasant State Hospital at Mount Pleasant, Iowa.

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

By Beery of Henry, House File No. 71, a bill for an act to repeal Section Twenty-three Hundred and Sixty-seven (2367) of the Code defining a lawful fence.

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

By Brandes of Pottawattamie, House File No. 72, a bill for an act to amend Section Twenty-seven Hundred and Eight (2708), and Twenty-seven Hundred and Nine (2709), as they appear in the Supplement to the Code relating to the age at which boys or girls may be committed to the Industrial School.

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

By Brandes of Pottawattamie, House File No. 73, a bill for an act to repeal Section Eleven Hundred and Seventy-seven (1177) of the Code relating to the commencement of term and qualification of public officers and to enact a substitute therefor.

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

By Reitz of Lee, House File No. 74, a bill for an act to amend Section Sixteen Hundred and Seventy-five (1675), Title Nine (9), Chapter Three (3), of 1907 Supplement to the Code relating to farmers institutes.

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

By Dawson of Cherokee, House File No. 75, a bill for an act to provide for an annual vacation with pay for officers and other employees at the charitable institutions at Mt. Pleasant, Independence, Clarinda, Cherokee, Glenwood, Eldora, Mitchellville, Vinton, Council Bluffs, Davenport, Knoxville and Marshalltown.

Read first and second time and referred to Committee on Compensation of Public Officers.

By Dabney of Davis, House File N. 76, a bill for an act to create a depositors' guaranty fund to insure depositors against loss if the bank becomes insolvent and empowering the Auditor of State to levy and collect the same. Additional to Title Nine (9), Chapter Twelve (12), of the Code and Code Supplement.

Read first and second time and referred to Committee on Banks and Banking.

By Lee of Emmet, House File No. 77, a bill for an act to amend the law as it appears in Section Twenty Hundred Seventy-one (2071) of the 1907 Supplement to the Code, relating to the liability of corporations operating a railway for negligence or wrongs of employes.

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

By Dawson of Cherokee, House File No. 78, a bill for an act to appropriate money for the use of the Cherokee State Hospital at Cherokee, Iowa.

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

By White of Story, House File No. 79, a bill for an act to amend Section Twenty-one Hundred Fifty-seven-g (2157-g) of the 1907 Supplement to the Code of Iowa. An act to permit common carriers of passenger and freight to grant reduced rates to persons engaged in college extension work and to grant reduced rates to necessary exhibits and property used in this work.

Read first and second time and referred to Committee on Railroads and Transportation.

By Reitz of Lee, House File No. 80, a bill for an act to amend Section One Thousand Five Hundred and Thirty-three (1533), Title Eight (8), Chapter Two (2), of the Supplement of the Code of 1907, relating to the election of township road superintendent.

Read first and second time and referred to Committee on Roads and Highways.

Schee of O'Brien, offered the following resolution:

*Resolved*, That the Appropriation Committee of this House be instructed to consider and make report to this body on all Appropriation Bills for all the State Institutions under the control of the State Board of Control

and for the State University, the College of Agriculture and Mechanic Arts, and the State Normal School, so that said report shall be received by this House on or before the twenty-first day of February, 1909.

Resolution laid over under Rule 34.

Hickenlooper of Monroe, chairman of the committee to draft resolutions respecting the life, character and public services of the Hon. James M. Robb, offered the resolutions prepared by said committee and moved their adoption.

Motion prevailed and the resolutions were adopted and ordered printed in the Journal.

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 receded from its amendment and passed the following Concurrent Resolution in which the concurrence of the Senate was asked:

Concurrent Resolution relative to printing a vest pocket edition of the standing committees of the Thirty-third General Assembly.

S. N. NEAL,  
*Secretary.*

Hunter of Polk, offered the following Concurrent Resolution, and moved its adoption:

HOUSE CONCURRENT RESOLUTION.

*Be it Resolved by the House, the Senate Concurring, That the Speaker of the House and the President of the Senate appoint committees of five members, three on the part of the House, two on the part of the Senate to visit the several State Institutions for the purpose of securing all possible information to assist the General Assembly in its work and that the several visiting committees shall submit a written report of their findings to both the House and Senate, not later than February 8, 1909, for the purpose of carrying this Resolution into effect, be it further*

*Resolved, That when adjournment is taken Wednesday, January 27, it be to reconvene Tuesday, February 2nd at ten o'clock.*

Motion prevailed, and the resolution was adopted.

The Speaker announced that as Speaker of the House he had signed in the presence of the House, House Joint Resolution No. 1.

Miller of Bremer, moved that the House invite the Senate to attend the Burns program on next Monday.

Motion prevailed.

The Speaker announced as the committee to extend the invitation: Miller of Bremer, Drury of Sac, and Jacobs of Calhoun.

The Educational Commission submitted the following report:

*To the Thirty-third General Assembly of the State of Iowa, per Honorable John F. Riggs, Superintendent of Public Instruction:*

GENTLEMEN—The Educational Commission, provided for in Chapter 222, Acts of the Thirty-second General Assembly and appointed by the Governor, after conference with a joint committee consisting of the Legislative Committee of the Iowa State Teachers' Association and the Advisory Committee appointed by the County Superintendents' Section of said Association, desire to recommend the following indicated changes in the report filed by the said Commission.

We beg leave to state that the Report of the Commission received unanimous endorsement in all its general features by the Iowa State Teachers' Association in general convention assembled, and that the Report as a whole, with the amendments herein suggested, has received the unanimous endorsement by the Joint Committee herein mentioned.

The Report in its general features has also been heartily endorsed by a conference of the secondary schools and colleges and by several sectional state teachers' meetings.

We beg leave to herewith re-submit the Report and the indicated amendments for the consideration of your honorable body.

Very respectfully submitted,

FREDERICK E. BOLTON,  
*Chairman.*

AURTHUR SPRINGER,  
*Secretary.*

W. H. BAILEY.

On motion of Bauman of Van Buren the House adjourned.

# JOURNAL OF THE HOUSE

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HALL OF THE HOUSE OF REPRESENTATIVES  
DES MOINES, IOWA, JANUARY 25, A. D. 1909.

House met pursuant to adjournment.

Speaker Feely in the Chair.

Prayer was offered by Rev. Miss Gertrude Von Petzold of the Unitarian church, Leicester, England.

Journal of Saturday, January 23d, corrected and approved.

On request of Goodykoontz of Boone, unanimous consent was given for the transfer of House File No. 66, from the Committee on Private Corporations to the Committee on Ways and Means.

On request of Wolfe of Clinton, leave of absence was granted Dabney of Davis until Wednesday.

On request of Anderson of Hamilton, leave of absence was granted Moore of Linn until Wednesday.

On request of Miller of Dubuque, leave of absence was granted Crozier of Marion until Tuesday.

On request of Elliott of Page, leave of absence was granted Marston of Cerro Gordo until Tuesday.

On request of Darrah of Lucas, leave of absence was granted Klay of Sioux until Wednesday.

On request of Reaney of Louisa, leave of absence was granted Fulton of Jefferson until Tuesday.

On request of Hunter of Polk, leave of absence was granted Sullivan of Polk until Wednesday.

## PETITIONS, MEMORIALS AND REMONSTRANCES.

Sullivan of Polk, presented petition of the City Council of Des Moines, relative to city control of public utilities.

Referred to Committee on Municipal Corporations.

Beery of Henry, presented petition of Board of Supervisors of Henry County, asking an amendment to Section 458-c, relative to affidavits of claimants.

Referred to Committee on Agriculture.

#### INTRODUCTION OF BILLS.

By Dodds of Des Moines, House File No. 81, a bill for an act for the payment of a reward for the arrest and conviction of persons stealing horses and cattle in the State of Iowa.

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

By Byerly of Jones, House File No. 82, a bill for an act to legalize a special election of the City of Anamosa, Iowa, held October 28th, 1907, for purchase of water-works system, and voting bonds therefor, and the ordinances, resolutions and acts of the council relating to such water-works.

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

By Perkins of Delaware, House File No. 83, a bill for an act providing revenue for the improvement of public highways, creating a county drainage fund for said purpose and providing for the destruction of weeds and noxious weeds on the same and land adjacent thereto; naming the officers whose duty it shall be to enforce the provisions of this act and defining their duties repealing Sections Fifteen Hundred Twenty-eight (1528) and Fifteen Hundred Thirty (1530) of the Supplement to the Code, 1907, and enacting a substitute therefor, and repealing Sections Fifteen Hundred Sixty-two (1562) and Fifteen Hundred Sixty-two-a (1562-a) of the Supplement to the Code, 1907, and repealing Sections Fifteen Hundred Sixty-four (1564), Fifteen Hundred Sixty-five (1565) and Five Thousand Twenty-four (5024) of the Code.

Read first and second time and referred to Committee on Roads and Highways.

By Schulte of Clayton, House File No. 84, a bill for an act to repeal Section One Thousand Seven Hundred Twenty-six (1726) of the Code, relating to notes taken for policies of insurance and to enact a substitute therefor.

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

By Cooper of Jasper, House File No. 85, a bill for an act to amend Section Five Hundred Ninety-two (592), Chapter Ten (10), Title Four (4), of the Code of Iowa, relating to the compensation of township assessors.

Read first and second time and referred to Committee on Compensation of Public Officers.

By Grier of Poweshiek, House File No. 86, a bill for an act to transfer from the Auditor of State to the Treasurer of State all of the powers, duties and responsibilities relating to state and savings banks and loan and trust companies.

Read first and second time and referred to Committee on Banks and Banking.

By Grier of Poweshiek, House File No. 87, a bill for an act to transfer the duties, powers and authority granted to or enjoined upon the Auditor of State under the provisions of Chapter Fourteen-a (14-a), of the 1907 Supplement to the Code of Iowa, relating to publication of municipal accounts, establishing uniform system of accounts, reports and audits in cities and towns from the Auditor of State to the Secretary of State.

Read first and second time and referred to Committee on Municipal Corporations.

By White of Story, House File No. 88, a bill for an act to provide for charges for car service, and to provide for damages to be paid by the common carrier to the shipper for failure to furnish and transport such cars with promptness and dispatch.

Read first and second time and referred to Committee on Railroads and Transportation.

By Harding of Woodbury, House File No. 89, a bill for an act to repeal Section Thirteen Hundred and Six-e (1306-e) of the Supplement to the Code, 1907, relating to the issuance of bonds by cities and towns and to enact a substitute therefor.

Read first and second time and referred to Committee on Municipal Corporations.

By Jacobs of Calhoun, House File No. 90, a bill for an act to repeal Section One Thousand Three Hundred and Twenty-two (1322) of the Supplement to the Code, 1907, relating to the taxation of national, state and savings banks and loan and trust companies and to enact a substitute therefor.

Read first and second time and referred to Committee on Banks and Banking.

By Kull of Howard, House File No. 91, a bill for an act limiting recovery for newspapers, magazines, and other publications to actual subscribers, and to their terms of subscriptions therefor.

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

By Kull of Howard, House File No. 92, a bill for an act requiring the entrance and exit doors of all hotels, churches, lodge halls, court houses, assembly halls, theaters, opera houses, seminaries, colleges and public school houses to open outward.

Read first and second time and referred to Committee on Municipal Corporations.

By Davidson of Palo Alto, House File No. 93, a bill for an act to amend Section Five Thousand Two Hundred and Eighty-nine (5289) of the Code of 1897, by adding thereto a provision permitting the county attorney to amend indictments to correct errors therein or to add allegations thereto.

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

The following motion to reconsider was filed:

I move to reconsider the vote by which the House Concurrent Resolution relative to adjournment from Wednesday, January 27 until Tuesday, February 2, passed the House.

F. H. HUNTER,  
WILL DRURY,

Dodds of Des Moines, offered the following resolution, and moved that the rule be suspended and the resolution adopted:

WHEREAS, The Hon. William Harper, a pioneer citizen of Des Moines County, Iowa, and an honored member of the Third and Thirteenth General Assemblies from Des Moines County, departed this life on December 31, 1908, at his home in Mediapolis, Iowa, therefore be it

*Resolved*, That a committee of three be appointed by the Speaker to prepare and present suitable resolutions respecting his life, character and public service.

Motion prevailed, and the resolution was adopted.

The Speaker appointed the following committee: Dodds of Des Moines, Larrabee of Fayette and Fourn of Allamakee.



## 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:

Concurrent Resolution relative to the appointment of a Joint Committee to prepare a suitable program commemorative of the one hundredth anniversary of the birth of Abraham Lincoln; and the President of the Senate appoints as committee on the part of the Senate, Maytag of Jasper.

S. W. NEAL,  
*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. 12, a bill for an act to amend section 333 of the Code relating to persons exempt from liability to act as jurors.

S. W. NEAL,  
*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. 17, a bill for an act to amend section 3311 of the Code, relating to the valuation of personal property.

S. W. NEAL,  
*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. 25, a bill for an act repealing chapter 240 of the Acts of the Thirty-second General Assembly relating to the sale of abandoned channel of the Des Moines River within the corporate limits of the city of Ottumwa, Iowa.

S. W. NEAL,  
*Secretary.*

## SENATE MESSAGES CONSIDERED.

Senate File No. 17, a bill for an act to amend Section 3311 of the Code, relating to the valuation of personal property.

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

Senate File No. 12, a bill for an act to amend Section 333 of the Code, relating to persons exempt from liability to act as jurors.

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

Senate File No. 25, a bill for an act repealing Chapter 240 of the Acts of the Thirty-second General Assembly, relating to the sale of abandoned channel of the Des Moines river within the corporate limits of the city of Ottumwa, Iowa.

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

Dalby of Adair, changed his seat in the House from Desk 107 to 13.

Swift of Shelby offered the following resolution:

*Resolved by the House, That there shall be deducted from the salary of any member, who is absent for more than three consecutive days at any one time, the sum of \$6.00 per day for each and every day so absent.*

Resolution laid over under Rule 34.

The following communication was received from the Historical Department:

HISTORICAL DEPARTMENT OF IOWA,  
JANUARY 25, 1909.

*The Honorable House of Representatives, Thirty-third General Assembly, Capitol.*

MR. SPEAKER—I am directed to acknowledge the courtesy of the House in tendering the use of their Chamber for the occasion of installing the portrait of General James B. Weaver in the collection of the Historical Department, February 15th. The offer is with pleasure accepted.

It would please me to receive, and co-operate with any committee you may appoint to the end that the event may be made of the greatest profit and pleasure to all concerned.

Respectfully,

EDGAR R. HARLAN,  
*Acting Curator.*

Lee of Emmet, moved that the Speaker appoint a committee of three in accordance with the request in the acceptance of the Historical Department.

Motion prevailed.

Speaker appointed as such committee: Lee of Emmet, Jacobs of Calhoun and McDonald of Carroll.

Anderson of Hamilton, moved that the House adjourn until 10:00 o'clock A. M., Tuesday.

Miller of Bremer, moved to amend by making the time 2:45 P. M., Monday.

Amendment adopted.

Original motion as amended carried and the House adjourned.

#### AFTERNOON SESSION.

House met pursuant to adjournment.

Speaker Feely in the Chair.

By unanimous consent, and with the consent of the second, Hunter of Polk, withdrew his motion to reconsider filed at the forenoon session.

Mrs. Ellen Rourk and L. C. Reeves took and subscribed to the following oath as committee clerks:

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:

MRS. ELLEN ROURK,  
L. C. REEVES.

Stillman of Greene offered the following resolution and asked unanimous consent for its immediate consideration:

*Resolved*, That the Chief Clerk be authorized to procure 2,000 extra copies of House File No. 62, being what is known as the School Commission bill. Such extra copies to be published in a form as inexpensive and as convenient for distribution as possible, and to be at the disposal of the members of this House.

Motion prevailed and the resolution was adopted.

Miller of Bremer in the Chair.

The following program prepared by the committee in honor of the 150th anniversary of Burns' birth was then carried out:

#### BURNS' ANNIVERSARY PROGRAM.

"Auld Lang Syne"—By Burns.

Loch Lomond, "Old Scotch"—Miss Adda Blakeslee.

Remarks on Burns' home and description of a market day in Ayre, by Representative Smith of Wright.

Address of Rev. Father Nugent of Des Moines on the Life and Genius of Robert Burns.

Mrs. Florence N. Sykes rendered the "March of the Cameron Men" and "The Land o' the Leal," and by request, "Annie Laurie."

Speaker Feely offered the following resolution, and asked unanimous consent for its immediate consideration:

*Resolved by the House of Representatives,* That we kindly thank Miss Blakeslee for her soulful songs, Rev. Father Nugent for his masterful address, Mrs. Florence N. Sykes for her beautiful and appropriate ballads and songs, and Representative Smith for his interesting narration, which brilliant efforts have made our celebration of Robert Burns' one hundred and fiftieth anniversary an event of exceptional interest and entertainment.

Motion prevailed, and the resolution was adopted.

On motion of Inman of Floyd, the House adjourned until 10:00 o'clock, Tuesday, January 26th.

# JOURNAL OF THE HOUSE

HALL OF THE HOUSE OF REPRESENTATIVES,  
DES MOINES, IOWA, JANUARY 26, A. D. 1909.

House met pursuant to adjournment.

Speaker Feely in the Chair.

Prayer was offered by the Rev. Geo. F. Whitfield of Le Mars, Iowa.

Journal of Monday, January 25th, corrected and approved.

Byerly of Jones, chairman of the committee appointed to draft resolutions respecting the life and public service of the Hon. John Russell of Jones County, presented the report of that committee and moved its adoption.

Motion prevailed, the resolutions were adopted and ordered printed in the Journal.

Dewell of Cedar, chairman of the committee appointed to draft resolutions respecting the life and public service of the Hon. Thos. B. Miller, presented the report of that committee and moved its adoption.

Motion prevailed, the resolutions were adopted and ordered printed in the Journal.

MR. SPEAKER—Your committee appointed to consider senate concurrent resolutions relating to the admission of the state educational institutions to the rights and privileges of the Carnegie foundation for the advancement of teaching, beg leave to report that they have had the same under consideration and recommend that the attached joint resolution be substituted therefor:

W. L. HARDING,  
G. H. SCHULTE,  
JOHN A. COUSINS,  
WM. LARRABEE, JR.,  
R. M. FINLAYSON.

Report adopted.

## HOUSE JOINT RESOLUTION NO. 2.

House Joint Resolution Providing for and Empowering the Board of Regents of the State University, the Trustees of the Iowa State College of Agriculture and Mechanic Arts and the Trustees of the Iowa State Normal School to Make Application for the Admission of these State Institutions to the Rights and Privileges of the Carnegie Foundation for the Advancement of Teaching and to Receive the Same.

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

That the Board of Regents of the State University, Trustees of the Iowa State College of Agriculture and Mechanic Arts, and the Trustees of the Iowa State Normal School be and the same are hereby empowered to make application for and receive for the benefit of teachers of their respective institutions the rights and privileges of the Carnegie foundation for the advancement of teaching.

Read first and second times.

Ritter of Des Moines, moved that the rule be suspended, and that the joint resolution be considered engrossed, read a third time now and placed upon its passage, which motion prevailed unanimously, and the joint resolution was read a third time.

On the question, "Shall the joint resolution pass?"

The ayes were:

Allred, Anderson, Arney, Bascom, Bauman, Beans, Beebe, Beery, Blackmore, Boe, Boettger, Bonwell, Boomgaarden, Bowman, Brandes, Burt, Byerly, Calkins, Cassady, Cooper, Cousins, Crozier, Crummer, Cunningham, Dabney, Dalby, Darrah, Davidson, Dawson, Derrough, Dewell, Dewey, De Witt, Drury, Dye, Elliott, Ellis, Etter, Felt, Fenn, Finlayson, Fourt, Fox, Fulliam, Fulton, Goodykoontz, Grier, Hackler, Hanson, Harding, Harvey, Hickenlooper, Holmes, Huffaker, Hunter, Ide, Inman, Jacobs, Jewell, Johnson, Jones, Kellogg, Kendall, Koontz, Kull, Larrabee, Lee, McCleery, Marston, Meredith, Miller of Dubuque, Moore of Wapello, Newell, O'Connor, Penn, Perkins, Reaney, Reitz, Ripley, Ritter, Sankey, Schee, Schroeder, Schulte, Sheldon, Smith, Stillman, Stoddard, Swan, Swift, Tegeler, Thompson, Tilton, Ward, Welden, White, Zeller, Mr. Speaker—98.

The nays were:

Baxter—1.

Absent or not voting:

Balluff, Dodds, Klay, McDonald, Miller of Bremer, Moore of Linn, Sullivan, Wilson, Wolfe—9.

So the joint resolution passed and the title was agreed to.

#### INTRODUCTION OF BILLS.

By Thompson of Benton, House File No. 94, a bill for an act to appropriate money for the use of the College for the Blind at Vinton, Iowa.

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

By Welden of Hardin, House File No. 95, a bill for an act to appropriate money for the use of the Industrial School for Boys at Eldora, Iowa.

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

By Brandes of Pottawattamie, House File No. 96, a bill for an act to amend Section Fourteen Hundred Seven (1407) of the Code and the Supplement to the Code relating to the collection of delinquent personal property tax.

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

By Stoddard of Buchanan, House File No. 97, a bill for an act to indemnify Gustave Winter for personal injury sustained by him while employed at the Hospital for the Insane at Independence, Iowa.

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

By Hickenlooper of Monroe, House File No. 98, a bill for an act to repeal the law as it now appears in Section Three Hundred Thirty-seven-d (337-d) of the Supplement to the Code 1907, relating to time of selecting jury lists, and to enact a substitute therefor.

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

By Harding of Woodbury, House File No. 99, a bill for an act to amend Code Section Eight Hundred Thirty-two (832) providing that the cost of the repair of any street improvement may be assessed to abutting property.

Read first and second time and referred to Committee on Municipal Corporations.

By Harding of Woodbury, House File No. 100, a bill for an act to amend Section Seven Hundred Ninety-two (792) of the Code, to provide for the oiling of streets and assessing the costs thereto to abutting property.

Read first and second time and referred to Committee on Municipal Corporations.

By Boettger of Scott, House File No. 101, a bill for an act to repeal Section Four Hundred Seventy-nine (479) of the 1907 Supplement to Code, relative to the compensation of county auditors, and to enact in lieu thereof the following.

Read first and second time and referred to Committee on Compensation of Public Officers.

By Arney of Marshall, (by request) House File No. 102, a bill for an act to repeal Section Fifteen Hundred Seventy-one (1571) of the Code and to enact a substitute in lieu thereof, relating to traction engines on the public roads.

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

By Bowman of Linn, House File No. 103, a bill for an act to give Farmers Telephone Companies the same exemption from corporation fees which are now enjoyed by Farmers Co-operative Creamery Associations and Corporations organized for the manufacture of beet sugar.

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

By O'Connor of Chickasaw, House File No. 104, a bill for an act exempting stocks of paint in the hands of jobbers and dealers in the state on January 1st, 1908, from the requirements of the law which appears as Sections Two Thousand Five Hundred and Ten-b (2510-b), Two Thousand Five Hundred and Ten-c (2510-c), Two Thousand Five Hundred and Ten-d (2510-d) and Two Thousand Five Hundred and Ten-h (2510-h) of the Supplement of the Code, 1907.

Read first and second time and referred to Committee on Agriculture (by request).



## MESSAGE FROM THE SENATE.

The following message was received from the Senate:

MR. SPEAKER—I am directed to inform your honorable body that the Senate has passed the following bill in which the concurrence of the House is asked:

Substitute for Senate File No. 42, a bill for an act to amend the law as it appears in section 4600-a of the Supplement to the Code 1907 relating to the compensation of Justices of the Peace and Constables.

S. W. NEAL,  
*Secretary.*

## SENATE MESSAGE CONSIDERED.

Substitute for Senate File No. 42, a bill for an act to amend the law as it appears in Section 4600-a of the Supplement to the Code, 1907, relating to the compensation of Justices of the Peace and Constables.

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

Miss M. E. Trainor, clerk of the Teter-Crozier contest committee, took and subscribed to the following oath as committee clerk:

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:

M. E. TRAINOR.

On motion of Kellogg of Harrison, the House adjourned until 10:00 o'clock, Wednesday, A. M.

# JOURNAL OF THE HOUSE

HALL OF THE HOUSE OF REPRESENTATIVES,  
DES MOINES, IOWA, JANUARY 27, A. D. 1909.

House met pursuant to adjournment.

Speaker Feely in the Chair.

Prayer was offered by the Rev. Geo. H. Kennedy, of Oelwein, Iowa.

Journal of Tuesday, January 26, corrected and approved.

On request of Ward of Woodbury, leave of absence was granted Drury of Sac, indefinitely on account of illness in his family.

On request of Ide of Union, leave of absence was granted Burt of Taylor until Monday.

On request of Hackler of Webster, leave of absence was granted Holmes of Kossuth until Thursday.

## PETITIONS, MEMORIALS AND REMONSTRANCES.

Crozier of Marion, presented petition of residents of Marion County, relative to a modification of the laws on the establishment of highways.

Referred to Committee on Roads and Highways.

Wilson of Tama, presented petition of citizens of Tama County, relative to the passage of the School bill.

Referred to Committee on Schools and Text-Books.

Cousins of Butler, presented petition of women citizens and voters of Butler County, relative to prohibiting the manufacture and sale of all intoxicating liquors for beverage purposes in the State of Iowa.

Referred to Committee on Constitutional Amendments.

Welden of Hardin, presented petition of women citizens of Hardin County, relative to prohibiting the manufacture and sale of all intoxicating liquors for beverage purposes in the State of Iowa.

Referred to Committee on Constitutional Amendments.

Ritter of Des Moines, presented petition of attorneys of Burlington to increase salaries of official Court Reporters.

Referred to Committee on Compensation of Public Officers.

Sankey of Decatur, presented petition of women citizens of Decatur County, relative to prohibiting the manufacture and sale of all intoxicating liquors for beverage purposes in the State of Iowa.

Referred to Committee on Constitutional Amendments.

Arney of Marshall, presented petition of women citizens of Marshall County, relative to prohibiting the manufacture and sale of intoxicating liquors for beverage purposes in the State of Iowa.

Referred to Committee on Constitutional Amendments.

Inman of Floyd, presented petition of Board of Supervisors of Floyd County, relative to the quarantine laws.

Referred to Committee on Public Health.

Bauman of Van Buren, presented petition of attorneys of the Twentieth Judicial District relative to the remuneration of short-hand reporters.

Referred to Committee on Compensation of Public Officers.

Beery of Henry, presented petition of attorneys of the Twentieth Judicial District, relative to the remuneration of short-hand reporters.

Referred to Committee on Compensation of Public Officers.

#### INTRODUCTION OF BILLS.

By Reitz of Lee, House File No. 105, a bill for an act to amend Section One Thousand Ninety-three (1093) of the Code and Supplement of 1907, relating to election boards.

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

By Sankey of Decatur, House File No. 106, a bill for an act for a uniform Fire Insurance policy, and a valued Insurance Policy law and requiring that no property shall be insured for a greater amount than three-fourths of the value of the property insured.

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

By Arney of Marshall, House File No. 107, a bill for an act to repeal Section Twenty-three Hundred Forty-one-d (2341-d) of the Supplement to the Code, 1907, and to enact a substitute therefor, relative to the transfer of state certificates for pure bred stallions.

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

By Arney of Marshall, House File No. 108, a bill for an act to repeal Section Sixteen Hundred Seventy-five (1675) of the Supplement to the Code and to enact a substitute therefor, relative to Farmers' Institutes.

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

By Arney of Marshall, House File No. 109, a bill for an act to repeal Section Thirteen Hundred and Sixty-three (1363) of the Code, relating to statistics, and enacting a substitute therefor.

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

By Hackler of Webster, House File No. 110, a bill for an act to repeal Section Ten Hundred and Seventy-two (1072) of the Code Supplement Nineteen Hundred Seven (1907), and to enact a substitute therefor relating to the term of office of county officers, and extending the time of office of the County Auditor, Clerk of the District Court and Recorder of Deeds and making the term of office of all county officers four years.

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

By Cooper of Jasper, House File No. 111, a bill for an act to provide for a change of place of trial on certain written contracts and to provide for taxing the costs therein.

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

By Bowman of Linn, House File No. 112, a bill for an act to amend the law as it appears in Section Two Hundred and Ninety-seven (297) of the Code relating to the compensation of Clerks of the District Court.

Read first and second time and referred to Committee on Compensation of Public Officers.

By Harding of Woodbury, House File No. 113, a bill for an act additional to Chapter Nine (9), Title Twenty-five (25) of the Code, defining the rights of persons sought to be extradited as fugitives from justice, and providing for the course of procedure therein and to amend Section Five Thousand One Hundred and Seventy-three (5173) and Five Thousand One Hundred and Seventy-four (5174) of the Code.

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

By Moore of Wapello, House File No. 114, a bill for an act creating a Commission to make a survey of certain rivers of the State of Iowa and report as to the most feasible points in said rivers for the erection of water power dams and other information pertaining thereto.

Read first and second time and referred to Committee on Conservation of Forests and Water Power.

By Miller of Bremer, House File No. 115, a bill for an act to instruct the Attorney General to investigate the operations of the International Harvester Company with a view to prosecution, and making an appropriation therefor.

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

By Miller of Bremer, House File No. 116, a bill for an act to adopt a state poem.

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

Schee of O'Brien, moved that the chairmen of the committees appointed to hear the contests as follows: N. J. Lee, Chairman, Davidson-Penn; J. H. Darrah, Chairman, Robb-Kendall; C. W. Hackler, Chairman, Teter-Crozier; P. E. Stillman, Chairman, Corrie-Baxter; F. C. Davidson, Chairman, Springer-Stoddard; be

authorized and directed to designate what persons, papers, documents, etc., they desire summoned and produced before them and to present subpoenas therefor to the Speaker and Chief Clerk for signatures of such officers.

Motion prevailed.

Jewell of Winneshiek offered the following resolution, and moved that the rule be suspended and the resolution adopted:

**WHEREAS**, The Hon. Jacob Jewell, a pioneer citizen of Winneshiek County, Iowa, and an honored member of this House in the Twenty-third and Twenty-fourth General Assemblies, passed away at his home near Decorah, Iowa, Sunday, November 15, 1908, therefore be it

*Resolved*, That a committee of three be appointed to present suitable resolutions in commemoration of his life, character and public services.

Motion prevailed, and the resolution was adopted.

The Speaker appointed the following committee: Jewell of Winneshiek, Kull of Howard and Derrough of Warren.

Jewell of Winneshiek offered the following resolution, and moved that the rule be suspended and the resolution adopted:

**WHEREAS**, The Hon. Henry A. Baker, for many years a prominent citizen of northeastern Iowa and an honored member of this House from Winneshiek County in the Seventeenth and Eighteenth and of the Senate in the Nineteenth and Twentieth General Assemblies, departed this life at his home in Sioux City, Iowa, October 22, 1908, therefore be it

*Resolved*, That a committee of three be appointed to draft and present suitable resolutions commemorating his life and character and his services to the State and Nation.

Motion prevailed, and the resolution was adopted.

The Speaker appointed the following committee: Jewell of Winneshiek, Harding of Woodbury and Larrabee of Fayette.

On motion of Sullivan of Polk, the House adjourned until 10:00 o'clock, Thursday, A. M.

# JOURNAL OF THE HOUSE

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HALL OF THE HOUSE OF REPRESENTATIVES,  
DES MOINES, IOWA, JANUARY 28, A. D. 1909.

House met pursuant to adjournment.

Speaker Feely in the Chair.

Prayer was offered by the Rev. W. O. Allen of Des Moines, Iowa.

Journal of Wednesday, January 27th, corrected and approved.

On request of Fulliam of Muscatine, leave of absence was granted Huffaker of Mills until Tuesday.

## PETITIONS, MEMORIALS AND REMONSTRANCES.

Ritter of Des Moines, presented petition of dentists of Burlington, relative to exempting dentists from jury duty.

Referred to Committee on Judiciary.

Dewell of Cedar, presented petition of women citizens of Cedar County, relative to prohibiting the manufacture and sale of all intoxicating liquors for beverage purposes in the State of Iowa.

Referred to Committee on Constitutional Amendments.

Goodykoontz of Boone, presented petition of physicians and pharmacists of Boone County, relative to law governing the sale of medicines by itinerant vendors.

Referred to Committee on Pharmacy.

Etter of Keokuk, presented petition of the citizens of Keokuk County, relative to the taxing of Real Estate Mortgages.

Referred to Committee on Ways and Means.

## REPORT OF COMMITTEE ON ENROLLED BILLS.

Gerrit Klay of Sioux County, from the Committee on Enrolled Bills, submitted the following report:

MR. SPEAKER—Your committee on enrolled bills respectfully report that they have this day sent to the governor for his approval House Joint Resolution No. 1, relating to the selection of additional employes of the Thirty-third General Assembly, fixing their compensation and defining their duties.

GERRIT KLAY,  
*Chairman.*

Adopted.

Gerrit Klay of Sioux County, from the Joint Committee on Enrolled Bills, submitted the following report:

MR. SPEAKER—Your Joint Committee on Enrolled Bills respectfully report that they have examined, and find correctly enrolled, Senate File No. 18, a bill for an act to amend Section Three Thousand and Fifty-three (3053) of the Code of 1897 relating to Legal Holidays.

GERRIT KLAY,  
*Chairman House Committee...*  
HENRY L. ADAMS,  
*Chairman Senate Committee.*

Adopted.

#### REPORTS OF COMMITTEES.

Sullivan of Polk, from the Committee on Judiciary, submitted the following report:

MR. SPEAKER—Your committee on Judiciary, to whom was referred House File No. 11, a bill for an act to repeal Section Thirty-two Hundred and Sixty-eight (3268) of the Code, relative to the time and manner of examination of bonds of guardians, executors, administrators, and trustees, by clerk of the district court, and to enact a substitute therefor, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that same be amended as follows: By inserting after the comma after the word "thereof" in the third from the last line the following, "by registered letter," and when so amended that the bill do pass.

JOHN B. SULLIVAN,  
*Chairman.*

Adopted.

Also:

MR. SPEAKER—Your committee on Judiciary, to whom was referred House File No. 25, a bill for an act repealing Chapter Two Hundred forty (240) of the Acts of the Thirty-second General Assembly relating to the sale of abandoned channel of the Des Moines river within the corporate limits of the city of Ottumwa, Iowa, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same do pass.

JOHN B. SULLIVAN,  
*Chairman.*

Adopted.



Also:

MR. SPEAKER—Your committee on Judiciary, to whom was referred House File No. 28, a bill for an act to amend Section one, Chapter five, of the Acts of the Sixteenth General Assembly of the State of Iowa, relating to the granting of power to the First Universalist Parish of Iowa City, Iowa, to transfer a portion of its property in Iowa City, Iowa, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same do pass.

JOHN B. SULLIVAN,  
*Chairman.*

Adopted.

Also:

MR. SPEAKER—Your committee on Judiciary, to whom was referred Senate File No. 17, a bill for an act to amend Section Three Thousand Three Hundred and Eleven (3311) of the Code, relating to the valuation of personal property, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same be amended as follows: By inserting after the word "judge" in the next to the last line in Section one the following, "or clerk of the district court in vacation," and when so amended that the bill do pass.

JOHN B. SULLIVAN,  
*Chairman.*

Adopted.

Allred of Wayne, from the Committee on Military, submitted the following report:

MR. SPEAKER—Your committee on Military, to whom was referred House File No. 34, a bill for an act to amend Section Twenty-six Hundred and Four (2604) of the Supplement of the Code 1907 in relation to the perquisites of officers of the Iowa Soldiers' Home, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same do pass.

W. P. ALLRED,  
*Chairman.*

Adopted.

Also:

MR. SPEAKER—Your committee on Military, to whom was referred House File No. 60, a bill for an act to amend Section 433 of the Supplement of the Code of 1907, relating to the burial of indigent soldiers and sailors, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same do pass.

W. P. ALLRED,  
*Chairman.*

Adopted.

Drury of Sac, from the Committee on Compensation of Public Officers, submitted the following report:

MR. SPEAKER—Your committee on Compensation of Public Officers, to whom was referred House File No. 17, a bill for an act to repeal Section Five Hundred and Ten (510) of the Code relating to Compensation of Deputy Sheriffs, and enacting a substitute therefor, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same be indefinitely postponed.

WILL DRURY,  
*Chairman.*

Adopted. /

#### INTRODUCTION OF BILLS.

By Calkins of Adams, House File No. 117, a bill for an act requiring all persons selling their personal property, with the intention of leaving the county or state, to secure all taxes due or to become due, on the property about to be sold.

Read first and second time and referred to Committee on Ways and Means.

By Boomgaarden of Lyon, House File No. 118, a bill for an act to repeal Sections Fourteen Hundred and Three (1403) and Fourteen Hundred and Thirteen (1413) of the Code, and Section Fifteen Hundred and Forty-a (1540-a) of the Supplement to the Code, relative to the collection of road taxes, and to enact substitutes therefor.

Read first and second time and referred to Committee on Roads and Highways.

By Brandes of Pottawattamie, House File No. 119, a bill for an act amending Section Seven Hundred and Forty-six (746) of the Supplement to the Code, relating to contracts and expenditures from the water-works sinking fund for purposes incident to the making and submission to the people of contracts for the purchase or erection of water-works.

Read first and second time and referred to Committee on Municipal Corporations.

By Reaney of Louisa, House File No. 120, a bill for an act to repeal Section One Thousand Seventy-two (1072) of the Supplement to the Code, and to enact a substitute therefor, relating to the term of county officers.

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

By Swan of Appanoose, House File No. 121, a bill for an act to amend Section One Thousand Five Hundred and Seventy (1570) of the Code 1907, providing for the time when osage orange, willow, and other hedge fences shall be trimmed.

Read first and second time and referred to Committee on Roads and Highways.

By Harding of Woodbury, House File No. 122, a bill for an act to repeal Section Seventeen Hundred Fifty-four (1754), Seventeen Hundred Fifty-five (1755), Seventeen Hundred Fifty-six (1756), and Seventeen Hundred Fifty-seven (1757) of the Code and to enact a substitute therefor, empowering, directing and authorizing insurance companies to collect statistics, reduce fire waste, fix and apportion uniform rates for fire, lightning and tornado insurance and to prevent and prohibit discrimination in the apportionment of the cost of fire, lightning and tornado insurance and to provide a penalty for the violation thereof.

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

By Hunter of Polk, House File No. 123, a bill for an act to amend Section Eight Hundred Fifty-j (850-j) of the Supplement to the Code 1907, relating to Park Districts.

Read first and second time and referred to Committee on Municipal Corporations.

By Allred of Wayne, House File No. 124, a bill for an act to amend Section Four Hundred and Sixteen (416), Chapter Two (2), of the Code, relative to the time for dividing counties into supervisors districts.

Read first and second time and referred to Committee on Judiciary (by request).

By Klay of Sioux, House File No. 125, a bill for an act to amend Section One Thousand One Hundred Six (1106), to repeal Section One Thousand One Hundred Nine (1109), and enact a substitute therefor, to repeal Section One Thousand One Hundred Nineteen (1119), and to enact a substitute therefor, to repeal Section One Thousand One Hundred Twenty (1120), and enact a substitute therefor, to repeal Section One Thousand One Hundred Twenty-one (1121), and to enact a substitute therefor, of the Code Supplement of 1907, relating to the form, marking, counting and validity of ballots to be used at elections.

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

By Baxter of Ida, House File No. 126, a bill for an act providing that owners or keepers of stallions or jacks shall have a lien upon the get of any such animal for the service fee thereof.

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

By Dawson of Cherokee, House File No. 127, a bill for an act to provide for the taxation of mortgages of real property, and amending Title One (1), Chapter Three (3), Section Forty-eight (48), Paragraph Eight (8), of the Code of 1897.

Read first and second time and referred to Committee on Ways and Means.

By Sankey of Decatur, House File No. 128, a bill for an act to deduct debts secured by mortgage on real estate from the assessed cash value of said real estate for the purpose of taxation.

Read first and second time and referred to Committee on Ways and Means.

#### MESSAGES FROM THE SENATE.

The following messages were received from the Senate:

MR. SPEAKER—I am directed to inform your honorable body that the Senate has passed the following bill in which the concurrence of the House is asked:

Senate File No. 44, a bill for an act making an appropriation for the purchase of 20,000 copies of the Railroad Commissioners' official maps to be distributed by the members of the General Assembly and Railroad Commissioners.

S. W. NEAL,  
*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. 43, a bill for an act making an appropriation to pay the additional employes of the Thirty-third General Assembly.

S. W. NEAL,  
*Secretary.*

Also:

MR. SPEAKER—I am directed to inform your honorable body that the Senate has amended and refused to concur in the following Concurrent Resolution in which the concurrence of the Senate was asked:

Concurrent Resolution relative to an adjournment from Wednesday, January 27, until February 2, 1909.

S. W. NEAL,  
*Secretary.*

Klay of Sioux, moved that when the House adjourn it be until 10:00 o'clock, Friday, A. M.

Motion prevailed.

SENATE MESSAGES CONSIDERED.

Senate File No. 44, a bill for an act making an appropriation for the purchase of 20,000 copies of the Railroad Commissioners official maps to be distributed by the members of the General Assembly and the Railroad Commissioners.

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

Senate File No. 43, a bill for an act making an appropriation to pay the additional employes of the Thirty-third General Assembly.

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

Goodykoontz of Boone, chairman of the committee appointed to draft resolutions respecting the life and public service of Hon. John H. Jennings, offered the resolutions prepared by that committee and moved their adoption.

Motion prevailed, the resolutions were adopted and ordered printed in the Journal.

Fulton of Jefferson, chairman of the committee appointed to draft resolutions respecting the life and public service of Dr. John W. Hayden, offered the resolutions prepared by that committee and moved their adoption.

Motion prevailed, the resolutions were adopted and ordered printed in the Journal.

Swift of Shelby, chairman of the committee appointed to draft resolutions respecting the life and public service of Captain John H. Louis, offered the resolutions prepared by that committee and moved their adoption.

Motion prevailed, the resolutions were adopted and ordered printed in the Journal.

Allred of Wayne, chairman of the committee, appointed to draft resolutions respecting the life and public service of Hon. James H. Crawford, offered the resolutions prepared by that committee and moved their adoption.

Motion prevailed, the resolutions were adopted and ordered printed in the Journal.

#### CONSIDERATION OF BILLS.

On motion of Koontz of Johnson, House File No. 28, a bill for an act amending Section One (1), Chapter Five (5), of the Acts of the Sixteenth General Assembly of Iowa, relative to the granting of power to the First Universalist Parish of Iowa City, Iowa, to transfer a portion of its property in Iowa City, Iowa, was taken up and considered.

Mr. Koontz 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 ayes were:

Allred, Anderson, Arney, Balluff, Bascom, Bauman, Baxter, Beans, Beebe, Beery, Blackmore, Boe, Boettger, Bonwell, Boomgaarden, Bowman, Brandes, Byerly, Calkins, Cassady, Cooper, Cousins, Crozier, Crummer, Cunningham, Dabney, Dalby, Darrah, Davidson, Dawson, Derrough, Dewell, Dewey, DeWitt, Dodds, Dye, Elliott, Ellis, Etter, Felt, Fenn, Finlayson, Fourt, Fox, Fulliam, Fulton, Goodykoontz, Grier, Hackler, Hanson, Harding, Harvey, Hickenlooper, Hunter, Ide, Inman, Jacobs, Jewell, Johnson, Jones, Kellogg, Kendall, Klay, Koontz, Kull, Larrabee, Lee, McCleery, McDonald, Marston, Meredith, Miller of Bremer, Miller of Dubuque, Moore of Wapello, Newell, O'Connor, Penn, Perkins, Reaney, Reitz, Ripley, Ritter, Sankey, Schee, Schroeder, Schulte, Sheldon, Smith, Stillman, Stoddard, Sullivan, Swan, Swift, Tegeler, Thompson, Tilton, Ward, Welden, White, Wilson, Wolfe, Zeller, Mr. Speaker—103.

The nays were:

None.

Absent or not voting:

Burt, Drury, Holmes, Huffaker, Moore of Linn—5.

So the bill passed and the title was agreed to.

On motion of Arney of Marshall, House File No. 34, a bill for an act to amend the law as it appears in Section 2604 of the Supplement to the Code 1907, relative to the perquisites of officers of the Iowa Soldiers Home, was taken up and considered.

Mr. Arney 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 ayes were:

Allred, Anderson, Arney, Balluff, Bascom Bauman, Beebe, Beery, Blackmore, Boe, Boettger, Bonwell, Boomgaarden, Bowman, Brandes, Byerly, Calkins, Cassady, Cooper, Cousins, Crozier, Crummer, Cunningham, Dabney, Dalby, Darrah, Davidson, Dawson, Derrough, Dewell, Dewey, DeWitt, Dodds, Dye, Elliott, Ellis, Etter, Felt, Fenn, Finlayson, Fourt, Fox, Fulliam, Fulton, Goodykoontz, Grier, Hackler, Hanson, Harding, Harvey, Hickenlooper, Holmes, Hunter, Ide, Inman, Jacobs, Jewell, Johnson, Jones, Kellogg, Kendall, Klay, Koontz, Kull, Larrabee, Lee, McCleery, McDonald, Marston, Meredith, Miller of Dubuque, Newell, O'Connor, Penn, Perkins, Reaney, Reitz, Ripley, Ritter, Sankey, Schee, Schulte, Sheldon, Smith, Stillman, Stoddard, Sullivan, Swan, Swift, Tegeler, Thompson, Tilton, Ward, Welden, White, Wilson, Wolfe, Zeller, Mr. Speaker—99.

The nays were:

None.

Absent or not voting:

Bauman, Beans, Burt, Drury, Huffaker, Miller of Bremer, Moore of Wapello, Moore of Linn, Schroeder—9.

So the bill passed.

Arney of Marshall moved to amend the title to House File No. 34, by inserting a comma after the word "code."

Amendment adopted, and title, as amended, agreed to.

On motion of Hickenlooper of Monroe, House File No. 11, a bill for an act to repeal Section Thirty-two Hundred and Sixty-eight (3268) of the Code, relative to the time and manner of examination of bonds of guardians, executors, administrators and trustees,

by the clerk of the district court, and to enact a substitute therefor, was taken up and considered.

Hickenlooper of Monroe, 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 ayes were:

Allred, Anderson, Arney, Balluff, Bascom, Bauman, Baxter, Beans, Beebe, Beery, Blackmore, Boe, Boettger, Boomgaarden, Bowman, Brandes, Byerly, Calkins, Cassady, Cooper, Cousins, Crozier, Crummer, Cunningham, Dabney, Dalby, Darrah, Davidson, Dawson, Derrough, Dewell, Dewey, DeWitt, Dodds, Dye, Elliott, Ellis, Etter, Felt, Fenn, Finlayson, Fourt, Fox, Fulliam, Fulton, Goodykoontz, Grier, Hackler, Hanson, Harding, Harvey, Hickenlooper, Holmes, Hunter, Ide, Inman, Jacobs, Jewell, Johnson, Jones, Kellogg, Kendall, Klay, Koontz, Kull, Larrabee, Lee, McCleery, McDonald, Marston, Meredith, Miller of Dubuque, Moore of Wapello, Newell, O'Connor, Penn, Perkins, Réaney, Reitz, Ripley, Ritter, Sankey, Schee, Schroeder, Schulte, Sheldon, Smith, Stillman, Stoddard, Sullivan, Swan, Swift, Tegeler, Thompson, Tilton, Ward, Welden, White, Wilson, Wolfe, Zeller, Mr. Speaker—102.

The nays were:

None.

Absent or not voting:

Bonwell, Burt, Drury, Huffaker, Miller of Bremer, Moore of Linn—6.

So the bill passed and the title was agreed to.

On motion of Fulton of Jefferson, House File No. 60, a bill for an act to amend Section Four Hundred and Thirty-three (433) of the Supplement of 1907, of the Code, relative to the burial of indigent soldiers and sailors, was taken up and considered.

Harding of Woodbury moved to amend House File No. 60 by adding before the first word, the words and figures "Section 1" and before the enacting clause the words and figures "Section 2," and by striking out the words in the first line "of the Supplement of 1907 of the Code" and inserting in lieu thereof the words "Supplement to the Code 1907."



On motion of Lee of Emmett, House File No. 60 was re-referred to the Committee on Military.

On motion of Moore of Wapello, Senate File No. 25, a bill for an act to repeal Chapter (240) of the Acts of the Thirty-second General Assembly, relating to the sale of abandoned channel of the Des Moines river within the corporate limits of the City of Ottumwa, Iowa, was taken up and considered.

Moore of Wapello, moved that the rule be suspended, that the bill be read a third time now, which motion prevailed, and the bill was read a third time.

On the question, "Shall the bill pass?"

The ayes were :

Allred, Anderson, Arney, Balluff, Bascom, Bauman, Baxter, Beans, Beebe, Beery, Blackmore, Boe, Boettger, Bonwell, Boomgarden, Bowman, Brandes, Byerly, Calkins, Cassady, Cooper, Cousins, Crozier, Crummer, Cunningham, Dabney, Dalby, Darrah, Davidson, Dawson, Derrough, Dewell, Dewey, DeWitt, Dodds, Dye, Elliott, Ellis, Etter, Felt, Fenn, Finlayson, Fourt, Fox, Fulliam, Fulton, Goodykoontz, Grier, Hackler, Hanson, Harding, Harvey, Hickenlooper, Hunter, Ide, Jacobs, Jewell, Johnson, Jones, Kellogg, Kendall, Klay, Koontz, Kull, Larrabee, Lee, McCleery, Marston, Meredith, Miller of Bremer, Miller of Dubuque, Moore of Wapello, Newell, O'Connor, Penn, Perkins, Reaney, Reitz, Ripley, Ritter, Sankey, Schee, Schroeder, Schulte, Sheldon, Smith, Stillman, Stoddard, Sullivan, Swan, Swift, Tegeler, Thompson, Tilton, Ward, Welden, White, Wilson, Wolfe, Zeller, Mr. Speaker—101.

The nays were :

None.

Absent or not voting :

Burt, Drury, Holmes, Huffaker, Inman, McDonald, Moore of Linn—7.

So the bill passed and the title was agreed to.

On motion of Derrough of Warren, Senate File No. 17, a bill or an act to amend Section (3311) of the Code, relating to the valuation of personal property, was taken up and considered.

Swift of Shelby, moved to amend by striking out the publication clause.

Amendment adopted.

Derrough of Warren, moved that the rule be suspended, that the bill as amended, be read a third time now, which motion prevailed, and the bill was read a third time.

On the question, "Shall the bill pass?"

The ayes were:

Allred, Anderson, Arney, Balluff, Bascom, Bauman, Baxter, Beans, Beebe, Beery, Blackmore, Boe, Boettger, Bonwell, Boomgaarden, Bowman, Brandes, Byerly, Calkins, Cassady, Cooper, Cousins, Crozier, Crummer, Cunningham, Dabney, Dalby, Darrah, Davidson, Dawson, Derrough, Dewell, Dewey, DeWitt, Dodds, Dye, Elliott, Ellis, Etter, Felt, Fenn, Finlayson, Fourt, Fox, Fulliam, Fulton, Goodykoontz, Grier, Hackler, Hanson, Harding, Harvey, Hickenlooper, Holmes, Hunter, Ide, Inman, Jacobs, Jewell, Johnson, Jones, Kellogg, Kendall, Klay, Koontz, Kull, Larrabee, Lee, McCleery, McDonald, Marston, Meredith, Miller of Bremer, Miller of Dubuque, Moore of Wapello, Newell, O'Connor, Penn, Perkins, Reaney, Reitz, Ripley, Ritter, Sankey, Schee, Schroeder, Schulte, Sheldon, Smith, Stillman, Stoddard, Sullivan, Swan, Swift, Tegeler, Thompson, Tilton, Ward, Welden, White, Wilson, Wolfe, Zeller, Mr. Speaker—104.

The nays were:

None.

Absent or not voting:

Burt, Drury, Huffaker, Moore of Linn—4.

So the bill passed and the title was agreed to.

*To the House of Representatives:*

On account of ill health, I hereby tender my resignation as assistant doorkeeper of the House for the Thirty-third General Assembly, to take effect January 28, 1909.

JOHN DE BOOS.

Hunter of Polk, moved that John Z. White be invited to address the House, Friday, January 29th at 2:30 o'clock.

Motion lost.

On motion of Dodds of Des Moines, the House adjourned.

# JOURNAL OF THE HOUSE

HALL OF THE HOUSE OF REPRESENTATIVES,  
DES MOINES, IOWA, JANUARY 29, A. D. 1909.

House met pursuant to adjournment.

Speaker Feely in the Chair.

Prayer was offered by the Rev. A. T. Bishop of Iowa Falls, Iowa.

Journal of Thursday, January 28th, corrected and approved.

On request of Holmes of Kossuth, leave of absence was granted Davidson of Palo Alto until Saturday.

On request of Hickenlooper of Monroe, leave of absence was granted Bonwell of Audubon until Tuesday.

On request of Allred of Wayne, leave of absence was granted Perkins of Delaware until Tuesday.

On request of Dye of Pottawattamie, leave of absence was granted Blackmore of Worth until Tuesday.

On request of Bauman of Van Buren, leave of absence was granted Sankey of Decatur until Saturday.

On request of Jacobs of Calhoun, leave of absence was granted Johnson of Mitchell until Saturday.

## REPORT OF COMMITTEE.

Allred of Wayne, from the committee on Military, submitted the following report:

MR. SPEAKER—Your committee on Military, to whom were re-referred House File No. 60, a bill for an act to amend Section Four Hundred and Thirty-three (433) of the Supplement of 1907, of the Code, relative to the burial of indigent soldiers and sailors, with amendments, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same be amended as follows: By striking out all after the

enacting clause and all amendments, and by inserting in lieu thereof the following:

SECTION 1. That Section Four Hundred Thirty-three (433) of the Supplement to the Code, 1907, be and the same is hereby repealed and the following substitute enacted in lieu thereof:

"The Board of Supervisors shall designate some suitable person in each township to cause to be decently interred the body of any honorably discharged soldier, sailor, or marine who served in the army or navy of the United States during any war, who may hereafter die without leaving sufficient means to defray the expenses of his funeral. Such burial shall not be made in any cemetery or burying-ground or part thereof used exclusively for the burial of the pauper dead. The expenses of such burial shall in no case exceed the sum of fifty dollars, and in case surviving relatives of the deceased shall desire to conduct the funeral, and are unable or unwilling to pay the charges therefor, they shall be permitted to do so and the expense shall be paid as herein provided.

SEC. 2. This act, being deemed of immediate importance, 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, and when so amended that the bill do pass.

W. P. ALLRED,

*Chairman.*

Adopted.

O'Connor of Chickasaw, chairman of the Committee on Rules, presented the report of that committee with reference to the rules for the House of the Thirty-third General Assembly.

Schee of O'Brien, moved to make the consideration of the Rules Committee Report a Special Order for Saturday, January 30th, at 11:00 o'clock.

Meredith of Cass, moved as a substitute to take up the consideration of the report of the Rules Committee at once, and that the chairman of the committee explain the changes as made, from those of the Thirty-second General Assembly.

Holmes of Kossuth, moved the previous question.

Motion prevailed, and the previous question was ordered.

The question then arose on the substitute motion offered by Meredith of Cass.

Motion prevailed and the substitute was adopted.

The question then arose on the question as amended by the substitute.

Motion prevailed.

Schee of O'Brien, moved that the House proceed to consider the report of the Committee on Rules, taking up each rule separately.

Motion lost.

The House then proceeded to consider the report of the Committee on Rules.

O'Connor of Chickasaw, moved the adoption of the report and that the rules as read be the rules of this House.

Sullivan of Polk, offered the following substitute motion:

"I move that all of the report of the Committee on Rules in which there is no change in existing rules be adopted, but that in all cases of change, each rule be taken up separately."

Motion prevailed.

Moore of Linn, moved to amend Rule 44 by inserting the date of "February 15th" in lieu of "February 10th."

Amendment adopted.

Schee of O'Brien moved that Rule 44 be amended by adding thereto: "that the Committee on Appropriations shall report all bills of that committee by March 10, 1909."

Brandes of Pottawattamie, moved the previous question.

Motion prevailed, and the previous question was ordered.

Amendment lost.

O'Connor of Chickasaw, chairman of Committee on Rules, moved the adoption of Rules 5, 10, 13, 15, 26, 28, and 34, as amended by the committee, be adopted.

Also the adoption of Rules 68 and 69, as new rules offered by the committee, and Rule 44, as amended by the House.

Motion prevailed.

O'Connor of Chickasaw, moved the adoption of the Committee report, recommending the change in numbering of Rules of the Committee of the whole.

Motion prevailed.

O'Connor of Chickasaw, moved that the Rules as a whole, as amended, be adopted as the Rules of the House of the Thirty-third General Assembly.

Motion prevailed and the rules as reported by the committee and amended, were adopted.

## MESSAGES FROM THE SENATE.

The following messages were received from the Senate:

MR. SPEAKER—I am directed to inform your honorable body that the Senate has passed the following bill in which the concurrence of the House is asked:

Senate File No. 67, a bill for an act to amend section 5448 of the Code, relating to the time in which an appeal may be taken from the final judgment in criminal cases.

S. W. NEAL,  
*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. 11, a bill for an act to amend section 433 of the Supplement to the Code, 1907, relating to the burial of indigent soldiers and sailors.

S. W. NEAL,  
*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. 65, a bill for an act to repeal the law as it appears in section 232 of the Supplement to the Code, 1907, and enact a substitute therefor, relating to the schedule of times of holding terms of court.

S. W. NEAL,  
*Secretary.*

Also:

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 appointment of a joint standing committee to visit the several state institutions.

S. W. NEAL,  
*Secretary.*

## SENATE MESSAGES CONSIDERED.

Senate Concurrent Resolution, relative to the appointment of Joint Standing Committees to visit the several State Institutions:

*Be it Resolved by the Senate, the House Concurring,* That a Joint Standing Committee be appointed, consisting of six members, three of whom shall be appointed by the President of the Senate, and three of whom shall be appointed by the Speaker of the House, to visit State Institutions at such times as it may be deemed necessary by the Appropriations Committees of the Senate and the House, and said Joint Appropriations Committee may in their judgment direct that the whole committee

or any member thereof visit any institution from which they may desire information. It shall be the duty of said committee, after making a visit to any State Institution, to submit reports to the Senate and House within five days after their return.

Moore of Linn, moved that the rules be suspended and the Concurrent Resolution considered at this time.

Motion prevailed.

Meredith of Cass, moved that the Concurrent Resolution be concurred in.

Schee of O'Brien, proposed the following amendment: By adding thereto the following, "and that the committee shall be made up from the Joint Appropriation Committees."

Amendment lost.

The question then was, "Shall the House concur in Senate Resolution?"

Motion prevailed and Resolution declared concurred in.

#### REPORT OF COMMITTEE.

O'Connor of Chickasaw, from the Committee on Rules, submitted the following report:

*Resolved*, That no bill carrying an appropriation of more than Ten Thousand Dollars (\$10,000) be considered by this House or reported from the Committee on Appropriations until after Educational and Board of Control Appropriation bills have been disposed of, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same be amended as follows:

By adding thereto the following: "and that all bills carrying appropriations for the State Educational Institutions and those in charge of the State Board of Control shall be reported back to the House from the Committee on Appropriations not later than March 10, 1909," and when so amended that the resolution be adopted.

F. A. O'CONNOR,  
*Chairman.*

Adopted.

Schee of O'Brien, moved to amend by striking out first part of resolution down to the words "and that all bills."

Amendment lost.

O'Connor of Chickasaw, then moved the adoption of the resolution as amended.

Motion prevailed and resolution was adopted.

Sullivan of Polk, from the Committee on Judiciary, submitted the following report:

MR. SPEAKER—Your committee on Judiciary, to whom was referred Senate File No. 12, a bill for an act to amend Section three hundred and thirty-three (333) of the Code relating to persons exempt from liability to act as jurors, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same do pass.

JOHN B. SULLIVAN,  
*Chairman.*

Adopted.

Schee of O'Brien, offered the following Resolution, which was laid over under Rule 34.

WHEREAS, The custom or usage that appears to have prevailed in the Iowa Legislature for some years for the committees to withhold the appropriation bills from the consideration of the two houses until within a few days of final adjournment, when in the rush of business and lack of time due investigation, deliberation and examination by these Houses so its members could vote intelligently was impossible;

WHEREAS, This session of the Legislature with what is provided by endowments, special levies and statutory laws, will with its special appropriations provide for the expenditure of nearly Eight Million Dollars for the biennial period from July 1, 1909 to July 1, 1911, being about Eleven Thousand Dollars a day, which is about an average 160-acre Iowa farm a day, or over 100,000 acres of Iowa farm land to pay the expenses of our state and its institutions for two years.

AND WHEREAS, It is but just and fair to the people who pay the taxes that provide such large amounts to have its representatives here to give ample time to this large expenditure, to know of the needs therefor, the uses made and the goods received from so much money;

*Therefore be it Resolved,* That the Appropriations Committee of this House be and the same are hereby instructed to report back to this House all bills for appropriations to all state institutions, for all state schools with their reports thereon and recommendations thereof by March 1, 1909; and that the said Appropriations Committee are hereby further instructed to present by March 10, 1909, to the House, any bill of its own for appropriations for any of the above state institutions or state schools, or general expenses of the various departments of the state government with their recommendations.

On request of Sullivan of Polk, House File Nos. 27 and 63, were withdrawn from further consideration by the House.

O'Connor of Chickasaw, offered the following Concurrent Resolution, and moved that the rules be suspended and the resolution adopted:



## CONCURRENT RESOLUTION,

Relative to Publishing the Rules of the Thirty-third General Assembly.

*Resolved by the House, the Senate Concurring,* That the Clerk of the House and the Secretary of the Senate be instructed to order printed for the use of the House and the Senate, and the officers thereof, and for general distribution, one thousand (1,000) copies of pocket size, of the rules of the Thirty-third General Assembly, and that two hundred (200) copies be sewed and bound in flexible leather, one hundred thirty (130) for the House, which shall be delivered to the chief clerk thereof for distribution, and seventy (70) for the senate, which shall be delivered to the secretary thereof for distribution; that each member of the General Assembly be supplied with one copy in leather cover with his name printed thereon; and that eight hundred (800) be stitched and bound in paper covers for general distribution.

Motion prevailed and resolution was adopted.

## INTRODUCTION OF BILLS.

By Lee of Emmet, House File No. 129, a bill for an act providing for the assessment and collection of a tax upon inheritance.

Read first and second time and referred to Committee on Ways and Means.

By Lee of Emmet, House File No. 130, a bill for an act relating to the distribution of laws becoming effective by publication.

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

By Felt of Clay, House File No. 131, a bill for an act to divide the state into districts, establishing Agricultural and Manual Training Schools therein, providing for the management, control and operation thereof, creating a Board of Trustees therefor, establishing courses of study therein, and making provision for the creation and support thereof.

Read first and second time and referred to Committee on Ways and Means.

By Jacobs of Calhoun, House File No. 132, a bill for an act to amend the law as it appears in Section Four Thousand Nineteen (4019) and Four Thousand Twenty (4020) of the Code, relating to the preference of debts owing for labor and the filing and allowing of claims therefor.

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

By Elliott of Page, House File No. 133, a bill for an act to amend Section Five Thousand Six (5006) of the Code, relating to the sale and use of cigarettes.

Read first and second time and referred to Committee on Suppression of Intemperance.

By DeWitt of Montgomery, House File No. 134, a bill for an act to amend Section Fifteen Hundred Sixty-one (1561) of the Code of Iowa, 1897, relating to the erection of guide posts.

Read first and second time and referred to Committee on Roads and Highways.

On motion of Marston of Cerro Gordo, the House adjourned until 10:00 o'clock, Saturday.

# JOURNAL OF THE HOUSE

HALL OF THE HOUSE OF REPRESENTATIVES,  
DES MOINES, IOWA, JANUARY 30, A. D. 1909.

House met pursuant to adjournment.

Speaker Feely in the Chair.

Prayer was offered by Rev. H. W. Porter, of Des Moines, Iowa.

Journal of Friday, January 29th, corrected and approved.

On request of Derrough of Warren, leave of absence was granted Tilton of Iowa until Monday.

On request of Hunter of Polk, leave of absence was granted Goodykoontz of Boone until Monday.

On request of Fulton of Jefferson, leave of absence was granted Reaney of Louisa until Monday.

On request of Bauman of Van Buren, leave of absence was granted Ellis of Jackson until Monday.

On request of Sheldon of Ringgold, leave of absence was granted Kellogg of Harrison until Monday.

On request of Dodds of Des Moines, leave of absence was granted Dabney of Davis until Monday.

On request of Hackler of Webster, leave of absence was granted Holmes of Kossuth until Monday.

On request of Hanson of Humboldt, leave of absence was granted Newell of Plymouth until Tuesday.

The following communication was received from the chairman of the Davidson-Penn contest committee:

*To Hon. Guy A. Feeley and C. R. Benedict, Speaker and Chief Clerk  
Respectively of the House of Representatives of the Thirty-third Gen-  
eral Assembly:*

Your committee, appointed to hear and report on the election contest filed by W. T. Davidson, contestant, against A. V. Penn, incumbent, has directed me to request the issuance of a subpoena for G. C. Coleman, of Sidney, Fremont county, Iowa.

N. J. LEE,  
*Chairman of Committee.*

O'Connor of Chickasaw, Chairman of Joint Committee on Rules, offered the following Concurrent Resolution, and moved its adoption:

CONCURRENT RESOLUTION.

Concurrent Resolution relative to the adoption of Joint Rules to govern the Senate and House of the Thirty-third General Assembly:

*Resolved by the House, the Senate Concurring,* That the following rules, herewith submitted, shall constitute the Joint Rules of the Senate and House of the Thirty-third General Assembly.

Motion prevailed and the resolution was adopted.

MESSAGE FROM THE SENATE.

The following message was received from the Senate:

MR. SPEAKER—I am directed to inform your honorable body that the Senate has refused to concur in House Amendment to Senate File No. 17, a bill for an act to amend Section 3311 of the Code, relating to the valuation of personal property.

S. W. NEAL,  
*Secretary.*

MOTION TO RECONSIDER.

I move to reconsider the vote by which Senate Concurrent Resolution was adopted relative to the appointment of Joint Standing Committees to visit the several State Institutions.

I second the motion.

C. W. HACKLER.

W. L. HARDING.

INTRODUCTION OF BILLS.

By Schulte of Clayton, House File No. 135, a bill for an act to create a Legislative Commission to examine, revise and codify the laws relating to the government of cities and towns and such other purposes as may be incident thereto.

Read first and second time and referred to Committee on Municipal Corporations.

By Harding of Woodbury, House File No. 136, a bill for an act to protect benevolent, humane, fraternal or charitable corporations in the use of their names and emblems and providing penalties for the violation thereof.

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

By Fulliam of Muscatine, House File No. 137, a bill for an act providing for the establishment of a State Highway Department by the appointment of a State Highway Commissioner a staff of two assistants and defining the powers and duties thereof authorizing the State Highway Department to co-operate with the several counties and townships in the improvement of the public highways and the maintenance of improved highways providing for the application of counties and townships for state aid in highway improvement and maintenance, providing for the payment of the cost of highway improvements made under the provision of this act by the state, the counties and the townships and making an appropriation for the purpose and providing a penalty for maliciously destroying improved roads.

Read first and second time and referred to Committee on Roads and Highways.

By Ripley of Hancock, House File No. 138, a bill for an act to provide for feeble-minded men at Glenwood and the maintenance thereof. (Amendatory of Chapter Seven (7), Title Thirteen (XIII), of the Code relating to the Institution for Feeble-Minded Children.

Read first and second time and referred to Committee on Institution for Feeble-Minded.

By Cousins of Butler, House File No. 139, a bill for an act to amend the law as it appears in Section Twenty-five Hundred and Ninety-four (2594) of the Code, relating to the practice of Pharmacy.

Read first and second time and referred to Committee on Public Health.

By Meredith of Cass, House File No. 140, a bill for an act to amend Sections Fifteen Hundred and Seventy-one-b (1571-b), Fifteen Hundred and Seventy-one-c (1571-c), Fifteen Hundred and Seventy-one-e (1571-e) and Fifteen Hundred and Seventy-one-f (1571-f) of the 1907 Supplement to the Code, in reference to motor vehicles.

Read first and second time and referred to Committee on Roads and Highways.

By Meredith of Cass, House File No. 141, a bill for an act authorizing the Secretary of State to publish lists of motor vehicles registrations and fixing prices at which such lists shall be sold.

Read first and second time and referred to Committee on Roads and Highways.

By Sullivan of Polk, House File No. 142, a bill for an act to repeal Sections Three Thousand Two Hundred and Eighty-three (3283) of the Code relating to the probate of wills and enacting a substitute therefor.

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

By Sullivan of Polk, House File No. 143, a bill for an act to provide for the nomination of District Judges in Judicial Districts composed wholly of one county and having a population of 75,000 or more, at the primary election.

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

By Sullivan of Polk, House File No. 144, a bill for an act fixing the salaries of District Judges in Judicial Districts composed wholly of one county having a population of 75,000 or more, and providing for the manner of payment of the same.

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

By Klay of Sioux, House File No. 145, a bill for an act to legalize the action of the Board of Supervisors of Sioux County, Iowa, relating to the sale of school lands in Section Twelve (12), Township Ninety-five (95), north of Range Forty-eight (48), west of the Fifth (5th) principal meridian, Sioux County, Iowa, and to authorize the Governor to issue a patent therefor to John H. Hutchinson.

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

By Finlayson of Grundy, House File No. 146, a bill for an act making appropriation for the support and the development of the Iowa State Normal School at Cedar Falls.

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

By White, Grier and Larrabee, House File No. 147, a bill for an act to establish a Public Service Commission and prescribing its

powers and duties, and providing for the regulation and control of public utilities, and making an appropriation therefor; also transferring the powers and duties of the Executive Council as prescribed by Chapter Seventy-one (71) of the Acts of the Thirty-second General Assembly of Iowa, in so far as they relate to public service corporation, and the powers and duties of the Board of Railroad Commissioners, as prescribed by law to said Commission.

Read first and second time and referred to Committee on Railroads and Transportation.

By Sankey of Decatur, House File No. 148, a bill for an act to repeal Section Four Hundred Forty-one (441) of the Supplement to the Code of 1907, pertaining to county printing, and enacting in lieu thereof the following.

Read first and second time and referred to Committee on County and Township Organization (by request).

By Sullivan of Polk, House File No. 149, a bill for an act to amend the law as it appears in Section Twenty-one Hundred and Fifty-seven-g (2157-g) of the Supplement to the Code 1907, in relation to the issuance, furnishing and giving of free tickets, free passes, free transportation and discriminating reduced rates to certain persons.

Read first and second time and referred to Committee on Railroads and Transportation.

By Sullivan of Polk, House File No. 150, a bill for an act to repeal Section Five Hundred three (503) of the Code relating to bailiffs and enacting a substitute therefor.

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

By O'Connor of Chickasaw, House File No. 151, a bill for an act to amend the law as it appears in Section One Thousand Three Hundred One (1301) of the Code, relative to the reports of the fines collected by mayors and justices of the peace.

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

Elliott of Page, offered the following resolution and moved that the rule be suspended and the resolution adopted:

WHEREAS, The Hon. Charles Linderman, a pioneer citizen and legislator of Iowa, died at his home in Clarinda, Iowa, April 15, 1907, therefore be it

*Resolved*, That a committee of three be appointed to present suitable resolutions in commemoration of his life, character and public service.

Motion prevailed, and the resolution was adopted.

The Speaker named as such committee: Elliott of Page, Allred of Wayne and Penn of Fremont.

Beebe of Franklin, offered the following resolution and moved that the rule be suspended and the resolution adopted:

WHEREAS, The Hon. John H. King, an honored member of this House during the Seventeenth and Eighteenth General Assemblies, passed away at his home in Huron, South Dakota, April 4, 1906, therefore be it

*Resolved*, That a committee of three be appointed by the Speaker to prepare and present suitable resolutions commemorating his life and service to his State and Nation.

Motion prevailed, and the resolution was adopted.

The Speaker named as such committee: Beebe of Franklin, Marston of Cerro Gordo and Miller of Bremer.

#### SENATE MESSAGES CONSIDERED.

Senate File No. 67, a bill for an act to amend Section 5448 of the Code relating to the time in which an appeal may be taken from the final judgment in criminal cases.

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

Senate File No. 11, a bill for an act to amend Section 433 of the Supplement to the Code, 1907, relating to the burial of indigent soldiers and sailors.

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

Senate File No. 65, a bill for an act to repeal the law as it appears in Section 232 of the Supplement to the Code, 1907, and enact a substitute therefor, relating to the schedule of times of holding terms of court.

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

Derrough of Warren, moved that the House recede from amendment to Senate File No. 17.

On the question, "Shall the House recede?"

The ayes were:



Baxter, Beery, Blackmore, Boettger, Boomgaarden, Cooper, Cousins, Crozier, Cunningham, Dalby, Dawson, Derrough, Dewey, Etter, Fourt, Fulliam, Harding, Hickenlooper, Jewell, Kendall, Klay, McDonald, Meredith, Miller of Dubuque, Moore of Wapello, Moore of Linn, Newell, O'Connor, Penn, Reitz, Ripley, Sankey, Schroeder, Schulte, Smith,, Sullivan, Swan, Tegeler, Thompson, White, Wolfe, Zeller—42.

The nays were :

Allred, Anderson, Arney, Balluff, Bascom, Bauman, Beans, Beebe, Boe, Bowman, Brandes, Byerly, Calkins, Cassady, Crummer, Darrah, Davidson, Dewell, DeWitt, Dodds, Dye, Elliot, Felt, Fenn, Finlayson, Fox, Fulton, Grier, Hackler, Hanson, Harvey, Hunter, Ide, Inman, Jacobs, Johnson, Jones, Koontz, Kull, Larrabee, Lee, McCleery, Marston, Ritter, Schee, Sheldon, Stillman, Swift, Ward, Mr. Speaker—50.

Absent or not voting :

Bonwell, Burt, Dabney, Drury, Ellis, Goodykoontz, Holmes, Hufaker, Kellogg, Miller of Bremer, Perkins, Reaney, Stoddard, Tilton, Welden, Wilson—16.

So the motion was lost and the House refused to recede from its amendment.

Lee of Emmet, moved that a Conference Committee be appointed consisting of five from the House and five from the Senate.

Motion prevailed.

Grier of Poweshiek, moved that 500 extra copies of House File No. 147 be printed.

Motion prevailed.

On motion of Fulliam of Muscatine, House adjourned until 10:00 o'clock, A. M., Monday.

# JOURNAL OF THE HOUSE

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HALL OF THE HOUSE OF REPRESENTATIVES,  
DES MOINES, IOWA, FEBRUARY 1, A. D. 1909.

House met pursuant to adjournment.

Speaker Feely in the Chair.

Prayer was offered by Rev. R. C. Mitchell of Indianola, Iowa.

Journal of Saturday, January 30th, corrected and approved.

On request of Dodds of Des Moines, leave of absence was granted Dabney of Davis until Tuesday.

On request of Dodds of Des Moines, leave of absence was granted Ritter of Des Moines until Wednesday.

On request of Dewey of Guthrie, leave of absence was granted Bowman of Linn until Tuesday, February 9th.

On request of O'Connor of Chickasaw, leave of absence was granted Koontz, of Johnson until Wednesday.

On request of Cooper of Jasper, leave of absence was granted Hackler of Webster until Wednesday.

On request of Ide of Union, leave of absence was granted Burt of Taylor until Tuesday.

On request of Bauman of Van Buren, leave of absence was granted Baxter of Ida until Tuesday.

On request of Klay of Sioux, leave of absence was granted Holmes of Kossuth until Tuesday.

On request of Tegeler of Dubuque, leave of absence was granted Crozier of Marion until Tuesday.

On request of Dewell of Cedar, leave of absence was granted Hanson of Humboldt until Tuesday.

On request of Meredith of Cass, leave of absence was granted Marston of Cerro Gordo until Tuesday.

On request of Stillman of Greene, leave of absence was granted Ward of Woodbury until Tuesday.

On request of White of Story, leave of absence was granted Welden of Hardin until Tuesday.

#### PETITIONS, MEMORIALS AND REMONSTRANCES.

Ellis of Jackson, presented petition of residents of Jackson County, relating to the amending of Road Laws.

Referred to Committee on Roads and Highways.

Dawson of Cherokee, presented petition of Board of Supervisors of Cherokee County, relative to the Quarantine Laws.

Referred to Committee on Public Health.

#### REPORT OF COMMITTEE.

Sullivan of Polk, from the Committee on Judiciary, submitted the following report:

MR. SPEAKER—Your Committee on Judiciary, to whom was referred Senate File No. 65, a bill for an act to repeal the law as it appears in Section two hundred thirty-two (232) of the Supplement to the Code 1907 and enacting a substitute therefor, relating to the schedule of times of holding terms of court, 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 after the word "court" in the twelfth line of Section one the following words and figures: "and cause such order to be published once each week for four weeks in some weekly newspaper published in such county, if there be any such published," and when so amended that the bill do pass.

JOHN B. SULLIVAN,  
*Chairman.*

Adopted.

Amendment adopted.

Also:

Sullivan of Polk, from the Committee on Judiciary, submitted the following report:

MR. SPEAKER—Your Committee on Judiciary, to whom was referred House File No. 64, a bill for an act to amend the law as it appears in Section two hundred thirty-two (232) of the 1907 Supplement to the Code relating to the schedule of times of holding terms of district court, 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 Senate File No. 65, as amended, be substituted therefor.

JOHN B. SULLIVAN,  
*Chairman.*

Adopted.

Also:

Sullivan of Polk, from the Committee on Judiciary, submitted the following report:

MR. SPEAKER—Your Committee on Judiciary, to whom was referred Senate Substitute for Senate File No. 42, to amend the law as it appears in Section forty-six hundred-a (4600-a) of the Supplement to the Code 1907 relating to the compensation of justices of the peace, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same be amended as follows: By striking out in Section one thereof the words "Twenty-two" in the sixth, thirteenth and twentieth lines and inserting the words "twenty," and by striking out the figures "22,000" in the twenty-first line and inserting the figures "20,000," and when so amended that the bill do pass.

JOHN B. SULLIVAN,  
*Chairman.*

Adopted.

Amendment adopted.

Also:

Sullivan of Polk, from the Committee on Judiciary, submitted the following report:

MR. SPEAKER—Your Committee on Judiciary, to whom was referred Senate File No. 67, a bill for an act to amend Section fifty-four hundred forty-eight (5448) of the Code relating to the time in which an appeal may be taken from the final judgment in criminal cases, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same do pass.

JOHN B. SULLIVAN,  
*Chairman.*

Adopted.

Also:

Sullivan of Polk, from the Committee on Judiciary, submitted the following report:

MR. SPEAKER—Your Committee on Judiciary, to whom was referred House File No. 130, a bill for an act relating to the distribution of laws becoming effective by publication, beg leave to report that they have had

the same under consideration and have instructed me to report the same back to the House with the recommendation that the same do pass.

JOHN B. SULLIVAN,  
*Chairman.*

Adopted.

#### INTRODUCTION OF BILLS.

By Smith of Wright, House File No. 152, a bill for an act providing for the punishment of intoxication, use of profane, indecent, or boisterous language, or disturbing the peace and quiet of any railway station or car.

Read first and second time and referred to Committee on Suppression of Intemperance.

By Wilson of Tama, House File No. 153, a bill for an act to establish a laboratory at the Iowa College of Agriculture and Mechanic Arts to manufacture hog cholera serum and tuberculin and make an appropriation therefor.

Read first and second time and referred to Committee on Animal Industry and Appropriations.

By White of Story, House File No. 154, a bill for an act to amend Section Two Hundred and Fifty-four-a-2 (254-a-2) of the Supplement to the Code, 1907, relating to compensation of shorthand reporters.

Read first and second time and referred to Committee on Compensation of Public Officers.

By White of Story, House File No. 155, a bill for an act to require Boards of Supervisors to advertise for bids and let contract to lowest and best bidder, for the construction of bridges, and fixing time of notice. Also to provide for the adoption of plans of bidders and to fix compensation for said plans.

Read first and second time and referred to Committee on Roads and Highways.

By Elliott of Page, House File No. 156, a bill for an act to appropriate money for the use of the Clarinda State Hospital at Clarinda, Iowa.

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

By Byerly of Jones, House File No. 157, a bill for an act to legalize certain ordinances of the town of Oxford Junction, Jones County, Iowa.

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

By Sullivan of Polk, House File No. 158, a bill for an act to amend Section Three Thousand One Hundred Thirty-eight (3138) of the Supplement to the Code, 1907, relating to the lien and liability of Hotel and Inn keepers.

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

By Sullivan of Polk, House File No. 159, a bill for an act to repeal Section Eighteen Hundred Twenty (1820) of the Code, relative to limitations of actions and enacting a substitute therefor.

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

By White of Story, House File No. 160, a bill for an act for expediting unofficial returns of general and primary elections.

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

Schee of O'Brien made the following motion:

"I move that members when presenting petitions state how many signers thereto, where from, and in concise short statements what the petition is for and what it relates to."

Motion prevailed.

The Speaker appointed as the Conference Committee on Senate File No. 17, on the part of the House: Lee of Emmet, Jacobs of Calhoun, Johnson of Mitchell, Schee of O'Brien and Balluff of Scott.

Allred of Wayne, offered the following resolution:

RESOLUTION.

WHEREAS, The rules adopted by the House of Representatives of the Thirty-third General Assembly requires the committee clerks to be here at 8:30 o'clock A. M. and to remain on duty until 5:30 P. M. each day and to be ready to respond to the call of any member of the House at any time, and

WHEREAS, The said committee clerks are ready and willing to be governed at all times by said rules, therefore be it

*Resolved*, That no committee clerk be required to take dictation from any member of this House while said member has his feet elevated and placed on top of his desk or fails to lay aside a cigar, if he is smoking one, during the time he is giving such dictation, and be it further

*Resolved*, That members of this House who desire to smoke, be required to repair to the cloak room, where they can enjoy the luxury of a cigar without subjecting the lady employes and other members of this House who do not use the weed to the offensive smell of tobacco smoke.

Mr. Allred moved that the rules be suspended and the resolution considered at this time.

Motion lost and the resolution was laid over under Rule 34.

Dewey of Guthrie, offered the following Concurrent Resolution:

CONCURRENT RESOLUTION.

WHEREAS, many of the bills introduced in both the House and Senate have the publication enactment clause, and

WHEREAS, in many cases this would entail unnecessary expense, therefore be it

*Resolved by the House, the Senate Concurring*, That all bills now under consideration or hereafter considered by the various committees of the Thirty-third General Assembly not of an emergency character shall have eliminated therefrom said publication enactment clause before being reported back for passage.

Dewey of Guthrie, moved that the rule be suspended and the resolution considered at this time.

Motion lost, and the resolution was laid over under Rule 34.

MESSAGES FROM THE SENATE.

The following messages were received from the Senate:

MR. SPEAKER—I am directed to inform your honorable body that the Senate has passed the following bill in which the concurrence of the House is asked:

Substitute for Senate File No. 28, a bill for an act to provide for the payment of a bounty on rattlesnakes.

S. W. NEAL,  
*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. 7, a bill for an act to repeal Sections 499 and 502 of the Code, relating to the duties and powers of the sheriff and his deputy and to enact a substitute therefor.

S. W. NEAL,  
*Secretary.*

Also:

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

Concurrent Resolution relative to the printing and distribution of the rules of the Thirty-third General Assembly.

S. W. NEAL,  
*Secretary.*

Also:

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

Concurrent Resolution relative to the adoption of the Joint Rules of the Senate and House of the Thirty-third General Assembly.

S. W. NEAL,  
*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. 45, a bill for an act to provide a method for the settlement of claims and demands for money or other property held by the state against persons, partnerships, corporations or associations.

S. W. NEAL,  
*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:

Substitute for Senate File No. 50, a bill for an act to legalize the action and proceedings of the city council of the city of Manchester, relative to the boundary line and extending of the limits of said city.

S. W. NEAL,  
*Secretary.*

#### SENATE MESSAGES CONSIDERED.

Senate File No. 7, a bill for an act to repeal Sections 499 and 502 of the Code, relating to the duties and powers of the Sheriff and his deputy, and to provide for the payment of certain expenses and to enact a substitute therefor.

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



Substitute for Senate File No. 50, a bill for an act to legalize the action and proceedings of the city council of the City of Manchester, relative to the boundary line and extent of the limits of said city.

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

Senate File No. 45, a bill for an act providing a method for the settlement of claims and demands for money or other property held by the state against persons, partnerships, corporations or associations.

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

Substitute for Senate File No. 28, a bill for an act to provide for the payment of a bounty for the destruction of rattlesnakes.

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

#### CONSIDERATION OF BILLS.

On motion of Fulton of Jefferson, House File No. 60, a bill for an act to amend Section Four Hundred and Thirty-three (433) of the Supplement of 1907 of the Code, relative to the burial of indigent soldiers and sailors, was taken up and considered.

On motion of Allred of Wayne, the substitute amendment as recommended by the Committee was adopted.

Schee of O'Brien, moved to amend by striking out the words, "or unwilling" in Section One (1), Line 14, of the original bill.

Amendment lost.

Fulton of Jefferson 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 ayes were:**

Allred, Anderson, Arney, Balluff, Bascom, Bauman, Beans, Beebe, Beery, Blackmore, Boe, Boomgaarden, Brandes, Byerly, Calkins, Cassady, Cooper, Cousins, Crummer, Cunningham, Dabney, Dalby, Darrah, Davidson, Dawson, Derrough, Dewell, DeWitt, Dodds, Dye, Elliott, Ellis, Felt, Fenn, Finlayson, Fourt, Fox, Fulliam, Fulton,

Goodykoontz, Grier, Harding, Harvey, Hickenlooper, Hunter, Ide, Inman, Jacobs, Jewell, Johnson, Jones, Kellogg, Kendall, Klay, Kull, Larrabee, Lee, McCleery, McDonald, Meredith, Miller of Bremer, Miller of Dubuque, Moore of Wapello, Moore of Linn, O'Connor, Penn, Reaney, Reitz, Ripley, Sankey, Schee, Schroeder, Schulte, Sheldon, Smith, Stillman, Stoddard, Sullivan, Swan, Swift, Tegeler, Thompson, Tilton, White, Wilson, Wolfe, Zeller, Mr. Speaker—88.

The nays were:

Dewey—1.

Absent or not voting:

Baxter, Boettger, Bonwell, Bowman, Burt, Crozier, Drury, Etter, Hackler, Hanson, Holmes, Huffaker, Koontz, Marston, Newell, Perkins, Ritter, Ward, Welden—19.

So the bill passed and the title was agreed to.

On motion of Sullivan of Polk, Senate File No. 12, a bill for an act to amend Section Three Hundred and Thirty-three (333) of the Code, relating to persons exempt from liability to act as jurors, was taken up and considered.

Sullivan of Polk, moved that the rule be suspended and that the bill be read a third time now, which motion prevailed, and the bill was read a third time.

On the question, "Shall the bill pass?"

The ayes were:

Allred, Anderson, Arney, Balluff, Bascom, Bauman, Beebe, Beery, Blackmore, Boe, Boettger, Boomgaarden, Brandes, Byerly, Calkins, Cassady, Cooper, Cousins, Crummer, Cunningham, Dalby, Darrah, Davidson, Dawson, Derrough, Dewell, Dewey, Dodds, Dye, Elliott, Ellis, Felt, Finlayson, Fourt, Fox, Fulliam, Fulton, Grier, Harvey, Hickenlooper, Hunter, Ide, Jacobs, Jewell, Johnson, Jones, Kellogg, Kendall, Klay, Kull, Larrabee, McCleery, McDonald, Meredith, Miller of Dubuque, Moore of Wapello, Moore of Linn, Penn, Reaney, Reitz, Ripley, Schee, Schroeder, Schulte, Sheldon, Smith, Stillman, Sullivan, Swift, Tegeler, Thompson, Tilton, White, Wilson, Zeller, Mr. Speaker—76.

The nays were:

Beans, DeWitt, Goodykoontz, Harding, Inman, Lee, Miller of Bremer, O'Connor, Sankey, Stoddard, Swan—11.

Absent or not voting:

Baxter, Bonwell, Bowman, Burt, Crozier, Dabney, Drury, Etter, Fenn, Hackler, Hanson, Holmes, Huffaker, Koontz, Marston, Newell, Perkins, Ritter, Ward, Welden, Wolfe—21.

So the bill passed and the title was agreed to.

Inman of Floyd, moved that when the House adjourn it be until 10:00 o'clock A. M., Tuesday.

Motion prevailed.

Stillman of Green offered the following resolution:

RESOLUTION.

*Resolved*, That in view of the fact that at the last general election a Constitutional Amendment was adopted which has vital bearing on the drainage laws of the state; and in view of the further fact that the experience of the past three years has been such as to suggest some amendments and changes in such laws, a special committee of seven members be appointed from this House to investigate the drainage laws and to report back a bill which shall bring such laws into harmony with the new conditions existing by reason of the passage of such Constitutional Amendment.

Laid over under Rule 34.

On motion of Goodykoontz of Boone, the House adjourned.

# JOURNAL OF THE HOUSE

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HALL OF THE HOUSE OF REPRESENTATIVES,  
DES MOINES, IOWA, FEBRUARY 2, A. D. 1909.

House met pursuant to adjournment.

Speaker Feely in the Chair.

Prayer was offered by Rev. F. W. Hodgdon of Des Moines, Iowa.

Journal of Monday, February 1st, corrected and approved.

On request of Goodykoontz of Boone, leave of absence was granted Newell of Plymouth until Wednesday.

On request of Klay of Sioux, leave of absence was granted Holmes of Kossuth until Wednesday.

On request of Larrabee of Fayette, leave of absence was granted Lee of Emmet until Friday.

On request of Ide of Union, leave of absence was granted Burt of Taylor until Wednesday.

## PETITIONS, MEMORIALS AND REMONSTRANCES.

Miller of Dubuque, presented petition of judges relative to the increase in salary of shorthand reporters.

Referred to Committee on Compensation of Public Officers.

Bauman of Van Buren, presented petition of citizens of Van Buren County against the pardon of Albert Parnitzke.

Referred to Committee on Pardons.

Hickenlooper of Monroe, presented petition of attorneys of Monroe County, relative to the increase in salary of shorthand reporters.

Referred to Committee on Compensation of Public Officers.

Hanson of Humboldt, presented petition of Board of Supervisors of Humboldt County, relative to the Quarantine Laws.

Referred to Committee on Public Health.

Davidson of Palo Alto presented petition of members of the Bar of the Fourteenth Judicial District, relative to the increase in salary of shorthand reporters.

Referred to Committee on Compensation of Public Officers.

Dodds of Des Moines, presented petition of traveling men and merchants of Des Moines County, relative to the passage of the Hotel Inspection bill.

Referred to Committee on Municipal Corporations.

Cassady of Monona, presented petition of attorneys and residents of the Eleventh Judicial District, relative to the increase in salary of shorthand reporters.

Referred to Committee on Compensation of Public Officers.

Arney of Marshall, presented petition of attorneys of Marshall County and of the Seventeenth Judicial District, relative to the increase in salary of shorthand reporters.

Referred to Committee on Compensation of Public Officers.

Felt of Clay, presented petition of members of the Bar of the Fourteenth Judicial District relative to the increase in salary of shorthand reporters.

Referred to Committee on Compensation of Public Officers.

Crummer of Pocahontas, presented petition of members of the Bar of the Fourteenth Judicial District, relative to the increase in salary of shorthand reporters.

Referred to Committee on Compensation of Public Officers.

Sullivan of Polk, presented petition of citizens of Polk County, relative to the prohibitory amendment.

Referred to Committee on Suppression of Intemperance.

Darrah of Lucas, presented petition of attorneys of the Second Judicial District, relative to the increase in salary of shorthand reporters.

Referred to Committee on Compensation of Public Officers.

Hunter of Polk, presented petition of traveling men of Polk County, relative to the Hotel Inspection bill.

Referred to Committee on Municipal Corporations.

Hunter of Polk, presented petition of citizens and voters of Polk County, relative to prohibiting the manufacture and sale of intoxicating liquors for beverage purposes in the State of Iowa.

Referred to Committee on Constitutional Amendments.

Mr. Speaker presented memorial of American Forestry Association, relative to State control of forest fires.

Referred to Committee on Conservation of Forests and Water Power.

#### REPORTS OF COMMITTEES.

Sullivan of Polk, from the Committee on Judiciary, submitted the following report:

MR. SPEAKER—Your committee on Judiciary, to whom was referred House File No. 98, a bill for an act to repeal the law as it now appears in Section three hundred thirty-seven-d (337-d) of the Supplement to the Code 1907 relating to time of selecting jury lists, and to enact a substitute therefor, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the title to the same be amended as follows: By inserting a comma after the word "Code" in the second line, also by inserting the word "the" after the words "relating to" in the third line, and by inserting after the word "time" in the third line thereof the words "and manner," and when so amended that the bill do pass.

JOHN B. SULLIVAN,  
*Chairman.*

Adopted.

Amendments adopted.

Also:

Sullivan of Polk, from the Committee on Judiciary, submitted the following report:

MR. SPEAKER—Your committee on Judiciary, to whom was referred House File No. 72, a bill for an act to amend Sections 2708 and 2709 as they appear in the Supplement to the Code relating to the age at which boys or girls may be committed to the industrial schools, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same be amended as follows: By substituting therefor Judiciary Committee Bill, it being a bill for an act to amend Sections twenty-seven hundred eight (2708), twenty-seven hundred nine (2709) as

they appear in Supplement to the Code, 1907, relating to the age at which boys or girls may be committed to the industrial schools, and when so amended that the bill do pass.

JOHN B. SULLIVAN,  
*Chairman.*

Adopted.

Also:

Sullivan of Polk, from the Committee on Judiciary, submitted the following report:

MR. SPEAKER—Your committee on Judiciary, to whom was referred House File No. 48, a bill for an act to amend Section one thousand one hundred ninety-six (1196) of the Code, relating to the recording of officers' bonds, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same be amended as follows: By substituting Judiciary Committee Bill therefor, it being a bill for an act to repeal Section one thousand one hundred eighty-five (1185) of the Code and enact a substitute therefor; to repeal Section one thousand one hundred eighty-eight (1188) and to enact a substitute therefor; to repeal section one thousand one hundred ninety-six (1196) and to enact a substitute therefor, relating to officers' bonds, and when so amended that the bill do pass.

JOHN B. SULLIVAN,  
*Chairman.*

Adopted.

Arney of Marshall, from the Committee on Agriculture, submitted the following report:

MR. SPEAKER—Your committee on Agriculture, to whom was referred House File No. 104, a bill for an act exempting stocks of paint in the hands of jobbers and dealers in the state on January 1, 1908, from the requirements of the law which appears as Sections two thousand five hundred and ten-b (2510-b), two thousand five hundred and ten-c (2510-c), two thousand five hundred and ten-d (2510-d), two thousand five hundred and ten-h (2510-h) of the Supplement of the Code, 1907, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same be amended as follows: Strike out the word "January" and figures 1 and 1911 in the fourth line of Section 1, and insert in lieu thereof the word "November" and figures 1 and 1909;

Strike out the words "jobbers and dealers" and insert in lieu thereof the words "retail dealers," and when so amended that the bill do pass.

W. H. ARNEY,  
*Chairman.*

Adopted.

#### INTRODUCTION OF BILLS.

By Committee on Judiciary, House File No. 161, a bill for an act to amend Sections Twenty-seven Hundred Eight (2708), Twenty-

seven Hundred Nine (2709), as they appear in Supplement to the Code, 1907, relating to the age at which boys or girls may be committed to the Industrial Schools.

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

SECTION 1. That Section twenty-seven hundred eight (2708), as it appears in Supplement to the Code, 1907, be and the same is hereby amended by striking from the second line of said section the word "sixteen" and inserting in lieu thereof the word "eighteen."

SEC. 2. That section twenty-seven hundred nine (2709), as it appears in Supplement to the Code, 1907, be and the same is hereby amended by striking from the third line of said section the word "sixteen" and inserting in lieu thereof the word "eighteen;" and by inserting the word "be" immediately after the word "to" and before the word "executed" in the tenth line of said section.

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

Read first and second time and passed on file.

By Committee on Judiciary, House File No. 162.

A Bill for an Act to Repeal Section One Thousand One Hundred Eighty-five (1185) of the Code and to Enact a Substitute Therefor; to Repeal Section One Thousand One Hundred Eighty-eight (1188) and to Enact a Substitute Therefor; to Repeal Section One Thousand One Hundred Ninety-six (1196) and to Enact a Substitute Therefor, Relating to Officers' Bonds.

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

SECTION 1. That Section one thousand one hundred eighty-five (1185) of the Code be, and the same is hereby repealed, and the following enacted in lieu thereof:

The bonds of the following county officers, viz., treasurers, clerks of the district courts, county attorneys, recorders, coroners, surveyors, auditors, superintendents of schools, sheriffs, justices of the peace and constables, and city, town and township assessors, shall each be in a penal sum to be fixed by the Board of Supervisors; but those of treasurers, clerks of the district courts, county auditors, sheriffs and county attorneys shall not be in a less sum than five thousand dollars (5,000) each, and those of justices and constables not less than five hundred dollars each. The bonds of all municipal officers who are required to give bonds shall each be in such penal sum as may be provided by law or as the council shall from time to time prescribe by ordinance, provided that the bonds of mayors shall not be in less sum than five hundred dollars each."

SEC. 2. That Section one thousand one hundred eighty-eight (1188) of the Code be, and the same is hereby repealed, and the following enacted in lieu thereof:

"All official bonds shall run to the state, and be for the use and benefit of any corporation, public or private, or person injured or sustaining



loss, with a right of action in the name of the state for its or his use. Those given by state and district officers shall be approved by the Governor; those of county officers, township clerk and assessor, by the board of supervisors; those of other township officers by the township clerk; and those of city and town officers by the mayor, or as may be provided by ordinance, except that the bond of the mayor shall be approved by the council. All bonds shall be approved or disapproved within five days after their presentation for that purpose, and endorsed, in case of approval, to that effect and filed, and, unless otherwise provided by law, kept in the office of the approving officer."

SEC. 3. That Section one thousand one hundred ninety-six (1196) of the Code, be and the same is hereby repealed, and the following enacted in lieu thereof:

"The Auditor of each county shall keep in his office a book, to be known as the record book of officers' bonds, and record in said book the official bonds of all county officers, including justices of the peace, township clerks, constables, assessors and mayors filed in his county; and also keep an index to said book, in which, under the title of each office, shall be entered the names of each principal and his sureties, and the date of the filing of the bond. All bonds when recorded shall be returned to the officers charged by law with the custody thereof."

Read first and second time and passed on file.

By Darrah of Lucas, House File No. 163, a bill for an act authorizing the creation of a State Banking Department, and providing for the appointment of a Board of State Bank Commissioners and for the creation of a Depositors' Guaranty Fund.

Read first and second time and referred to Committee on Banks and Banking.

By Reitz of Lee (by request), House File No. 164, a bill for an act to amend Chapter Nine (9), Title Nine (9), of the Code of Iowa, relating to fraternal beneficiary societies, orders or associations, especially Sections 1822, 1823, 1827, 1828, 1830, and 1839 thereof.

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

By Wolfe of Clinton, House File No. 165, a bill for an act to amend Section One Thousand Seventy-four (1074), Supplement to the Code, 1907, relative to the election of Township Trustees.

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

By Ellis of Jackson, House File No. 166, a bill for an act to amend Section Fourteen Hundred-f (1400-f) of the Supplement to the Code, 1907, providing for additional forest trees.

Read first and second time and referred to Committee on Conservation of Forests and Water Power.

By Tilton of Iowa, House File No. 167, a bill for an act to amend Section Twenty-one Hundred Sixty-four (2164) of the Code, relating to the presentation of claims to telegraph and telephone companies.

Read first and second time and referred to Committee on Telegraphs and Express.

By Arney of Marshall, House File No. 168, a bill for an act to amend Sections Sixteen Hundred Fifty-seven-d (1657-d), Sixteen Hundred Fifty-seven-k (1657-k), and Sixteen Hundred Fifty-seven-t (1657-t) of the Supplement to the Code, relative to the Department of Agriculture.

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

#### 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 authorizing the custodian to arrange with some suitable person to conduct a lunch counter in the basement of the Capitol building.

S. W. NEAL,  
*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:

Substitute for Senate File No. 63, a bill for an act making it the duty of all persons and companies operating any vessel propelled by machinery or through the medium of sails to carry a light during certain hours, and otherwise regulating operations of same and fixing a penalty for violation.

S. W. NEAL,  
*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:

Substitute for Senate File No. 6, a bill for an act to repeal Sections three hundred one (301), three hundred two (302), three hundred six

(306), and three hundred seven (307) of the Code, relating to the duties of the county attorney, and to enact substitutes therefor.

S. W. NEAL,  
*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. 79, a bill for an act to legalize a special election of the city of Anamosa, Iowa, held October 28, 1907, for purchase of water-works system and voting bonds therefor, and the ordinances, resolutions and acts of the council relating to such water-works.

S. W. NEAL,  
*Secretary.*

#### SENATE MESSAGES CONSIDERED.

Senate File No. 79, a bill for an act to legalize a special election of the City of Anamosa, Iowa, held October 28, 1907, for purchase of water-works system, and voting bonds therefor, and the ordinances, resolutions and acts of the council relating to such water-works.

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

Substitute for Senate File No. 63, a bill for an act making it the duty of all persons and companies operating any vessel propelled by machinery or through the medium of sails to carry a light during certain hours, and otherwise regulating operation of same and fixing a penalty for violation.

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

Substitute for Senate File No. 6, a bill for an act to repeal Sections Three Hundred one (301), Three Hundred Two (302), Three Hundred Six (306), and Three Hundred Seven (307) of the Code, relating to the duties of the county attorney, and to enact substitutes therefor.

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

#### CONCURRENT RESOLUTION.

*Resolved by the Senate, the House Concurring,* That the custodian of the Capitol building be authorized to arrange with a suitable person or persons, to conduct a lunch counter at a suitable place in the basement of the Capitol building, for the accommodation of the members of the General Assembly and employees.

*Resolved Further*, That the custodian be authorized to furnish suitable counters and tables in the basement for conducting said lunch counter.

Boe of Winnebago, moved that the House concur in said resolution.

Motion prevailed, and the resolution declared concurred in.

Baxter of Ida, offered the following resolution, and moved that the rule be suspended and the resolution adopted:

WHEREAS, The Honorable Jesse Kennedy, of Ida County, Iowa, an honored member of this House during the Twentieth General Assembly, departed this life at his home in Iowa Park, Texas, August 18, 1908, therefore be it

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

Motion prevailed, and the resolution was adopted.

The Speaker appointed the following committee: Baxter of Ida, Cunningham of Buena Vista and Schroeder of Crawford.

Dewey of Guthrie, called up Resolution laid over under Rule 34, relative to the publication clause.

Balluff of Scott, proposed to amend by adding the following: "provided however that this rule shall not apply to bills of a private nature where the interested parties are willing to defray the cost of publication and that in such cases the emergency clause shall provide that the publication shall be without expense to the state."

Amendment adopted.

Moore of Linn, moved that the Resolution with amendment, be laid upon the table.

Motion prevailed.

Stillman of Greene called up Resolution laid over under Rule 34.

Stillman of Green, proposed to amend the Resolution by striking out the word "seven" and inserting in lieu thereof the word "nine" before the word "members."

Amendment adopted.

Stillman of Greene, moved that the Resolution as amended be adopted.

Motion prevailed, and the resolution was adopted.

Allred of Wayne called up Resolution laid over under Rule 34, relative to duties of members.

Kellogg of Harrison, moved that the Resolution be laid on the table.

Motion prevailed.

On motion of Bauman of Van Buren, the House adjourned until 10:00 o'clock A. M., Wednesday.

# JOURNAL OF THE HOUSE

HALL OF THE HOUSE OF REPRESENTATIVES.  
DES MOINES, IOWA, FEBRUARY 3, A. D. 1909.

House met pursuant to adjournment.

Speaker Feely in the Chair.

Prayer was offered by Rev. Dewitt Clinton, D. D., of Hampton, Iowa.

Journal of Tuesday, February 2d, corrected and approved.

On request of Dye of Pottawattamie, leave of absence was granted Brandes of Pottawattamie until Monday.

On request of Ide of Union, leave of absence was granted White of Story until Thursday.

On request of Harding of Woodbury, leave of absence was granted Dawson of Cherokee until Monday.

On request of Cooper of Jasper, leave of absence was granted Hackler of Webster until Thursday.

## PETITIONS, MEMORIALS AND REMONSTRANCES.

Sullivan of Polk, presented petition of traveling men of Polk County, relative to the passage of the Hotel Inspection bill.

Referred to Committee on Municipal Corporations.

Bauman of Van Buren, presented petition of voters of Van Buren County, relative to the prohibitory amendment.

Referred to Committee on Suppression of Intemperance.

Moore of Linn, presented petition of attorneys of Linn County, relative to the increase in salary of shorthand reporters.

Referred to Committee on Compensation of Public Officers.

Welden of Hardin, presented petition of voters of School District No. 13, protesting against the passage of the School bill.

Referred to Committee on Schools and Text Books.

Inman of Floyd, presented petition of attorneys of Floyd County, relative to the increase in salary of shorthand reporters.

Referred to Committee on Compensation of Public Officers.

Goodykoontz of Boone, presented petition of Boone Ministerial Union, relative to the re-submission of the constitutional amendment prohibiting the manufacture and sale of intoxicating liquors.

Referred to Committee on Constitutional Amendments.

Perkins of Delaware, presented petition of residents of Delaware County, relative to the passage of a Hunters License Law.

Referred to Committee on Fish and Game.

Ide of Union, presented petition of members of the Bar of Union County, relative to the increase in salary of shorthand reporters.

Referred to Committee on Compensation of Public Officers.

Moore of Wapello, presented petition of attorneys of Wapello County, relative to the increase in salary of shorthand reporters.

Referred to Committee on Compensation of Public Officers.

Burt of Taylor, presented petition of members of the M. F. Club of Lenox, Iowa, in relation to changes in School Laws.

Referred to Committee on Schools and Text Books.

Koontz of Johnson, presented petition of the Unity Presbyterian Church of Union Township, Johnson County, in relation to the Liquor Laws.

Referred to Committee on Suppression of Intemperance.

Harding of Woodbury, presented petition of citizens and voters of Woodbury County, relative to changes in the School Laws.

Referred to Committee on Schools and Text Books.

Dabney of Davis, presented petition of attorneys of Davis County, relative to the increase in salary of shorthand reporters.

Referred to Committee on Compensation of Public Officers.

Drury of Sac, presented petition of citizens of Sac County, relative to the passage of a Hunters License Law.

Referred to Committee on Fish and Game.

## REPORTS OF COMMITTEES.

Moore of Linn, from the Committee on Appropriations, submitted the following report:

MR. SPEAKER—Your committee on Appropriations, to whom was referred Senate File No. 43, a bill for an act making an appropriation to pay the additional employes of the Thirty-third General Assembly, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same do pass.

ERNEST R. MOORE,  
*Chairman.*

Adopted.

Also:

Moore of Linn, from the Committee on Appropriations, submitted the following report:

MR. SPEAKER—Your committee on Appropriations, to whom was referred Senate File No. 44, a bill for an act making an appropriation for the purchase of Twenty Thousand (20,000) copies of the Railroad Commissioners' Official Maps to be distributed by the members of the General Assembly and Railroad Commissioners, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same be amended as follows: By striking out the word and figures "sixty (60)" in Section One, line seven, and inserting in lieu thereof the words and figures "seventy-five," and when so amended that the bill do pass.

ERNEST R. MOORE,  
*Chairman.*

Adopted.

Amendment adopted.

Welden of Hardin, from the Committee on Railroads and Transportation, submitted the following report:

MR. SPEAKER—Your committee on Railroads and Transportation, to whom was referred House File No. 40, a bill for an act to require railway corporations upon order of the Board of Railway Commissioners to operate motor cars, 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.

WM. WELDEN,  
*Chairman.*

Adopted and House File No. 40 was indefinitely postponed.

Also:

Welden of Hardin, from the Committee on Railroads and Transportation, submitted the following report:



MR. SPEAKER—Your committee on Railroads and Transportation, to whom was referred House File No. 54, a bill for an act to repeal Section twenty-one hundred and nineteen (2119) of the Code relating to the enforcement of the rules, orders and regulations of the board of railway commissioners and to enact a substitute therefor, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same do pass.

WM. WELDEN,  
*Chairman.*

Adopted.

Also:

Welden of Hardin, from the Committee on Railroads and Transportation, submitted the following report:

MR. SPEAKER—Your committee on Railroads and Transportation, to whom was referred House File No. 41, a bill for an act to require railway corporations upon order of the railway commission to maintain trains so as to prevent unreasonable delay to through traffic at points where connection is made with other lines, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same be indefinitely postponed.

WM. WELDEN,  
*Chairman.*

Adopted and House File No. 41 was indefinitely postponed.

Harding of Woodbury, from the Committee on Municipal Corporations, submitted the following report:

MR. SPEAKER—Your committee on Municipal Corporations, to whom was referred House File No. Seven (7), a bill for an act for the preservation and improvement of Medium Lake and the islands therein and placing the same within the jurisdiction of the city of Emmetsburg, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same be amended as follows: By striking out of the title in the third line thereof the following words "and making appropriation therefor" and by inserting a period after the word Emmetsburg in the title thereof, also by withdrawing Section 4 of said bill and striking it out and by making Section 5, which is the publication section, Section 4, and when so amended that the bill do pass.

W. L. HARDING,  
*Chairman.*

Adopted.

Amendment adopted.

Also :

Harding of Woodbury, from the Committee on Municipal Corporations, submitted the following report :

MR. SPEAKER—Your committee on Municipal Corporations, to whom was referred House File No. 123, a bill for an act to amend Section 1850-J of the Supplement to the Code, 1907, relating to park districts, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same be amended as follows: By striking out the publication clause, and when so amended that the bill do pass.

W. L. HARDING,  
*Chairman.*

Adopted.

Amendment adopted.

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

MR. SPEAKER—Your committee on Elections, to whom was referred House File No. 18, a bill for an act to amend Section 1087-A-34 of the Supplement to the Code, relating to primary elections, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same be amended as follows: By striking out of the second line of the title the word "and" and inserting after the comma in the third line after the word "Code" the figures "1907" and by striking from the first line of Section 1 the words "primary elections in certain cities" and in the second line of Section 1 the word "and" and inserting after the comma following the word "Code" the figures "1907" and by striking from the first line of Section 2 the words "in effect," and when so amended that the bill do pass.

J. H. DARRAH,  
*Chairman.*

Adopted.

Amendment adopted.

#### REPORT OF JOINT COMMITTEE ON ENROLLED BILLS.

Klay of Sioux, from the Joint Committee on Enrolled bills, submitted the following report:

MR. SPEAKER—Your Joint Committee on Enrolled Bills respectfully report that they have examined, and find correctly enrolled, Senate File No. 12, a bill for an act to amend Section three hundred thirty-three (333) of the Code relating to persons exempt from liability to act as jurors.

GERRIT KLAY,  
*Chairman House Committee.*

HENRY L. ADAMS,  
*Chairman Senate Committee.*

Adopted.

Also :

Klay of Sioux, from the Joint Committee on Enrolled bills, submitted the following report :

MR. SPEAKER—Your Joint Committee on Enrolled Bills respectfully report that they have examined, and find correctly enrolled, Senate File No. 25, a bill for an act repealing chapter two hundred forty (240) of the Acts of the Thirty-second (32) General Assembly relating to the sale of abandoned channel of the Des Moines river within the corporate limits of the city of Ottumwa, Ia.

GERRIT KLAY,  
*Chairman House Committee.*  
HENRY L. ADAMS,  
*Chairman Senate Committee.*

Adopted.

#### INTRODUCTION OF BILLS.

By Meredith of Cass, House File No. 169, a bill for an act to amend Section Five Thousand and Forty (5040) of the Code, relating to breach of the Sabbath.

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

By Koontz of Johnson, House File No. 170, a bill for an act to amend the law as it appears in Section 716-a of the Supplement to the Code, fixing the levy for the fire fund in cities of the second class.

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

By Anderson of Hamilton, House File No. 171, a bill for an act providing for the completion and distribution of the Roster of Iowa Soldiers, Sailors and Marines, as provided by Chapter 223, Laws of the Thirty-second General Assembly, fixing number of volumes, and making an additional appropriation therefor.

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

By Cooper of Jasper, House File No. 172, a bill for an act to amend Section Ten Hundred Seventy-four (1074) and Section Ten Hundred Seventy-five (1075) of the Supplement to the Code, 1907, relating to the election of township trustees and township clerks.

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

By Beery of Henry, House File No. 173, a bill for an act to amend Section One Thousand Seven Hundred Eighty-nine (1789), of the Code, relating to the assignment of life insurance policies.

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

By Kendall of Clinton, House File No. 174, a bill for an act to provide for the payment of bounties for killing ground hogs.

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

By Hickenlooper of Monroe, House File No. 175, a bill for an act to repeal Section Thirteen Hundred Three (1303) of the Supplement to the Code, 1907, relating to levy of taxes by Board of Supervisors, and to enact a substitute therefor.

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

By Anderson of Hamilton, House File No. 176, a bill for an act relating to the compensation of the County Auditor in the levee and drainage business.

Read first and second time and referred to Committee on Compensation of Public Officers.

By Sullivan of Polk, House File No. 177, a bill for an act to repeal Sections Forty-nine Hundred Seventy-five-d (4975-d), Forty-nine Hundred Seventy-five-g (4975-g), and Forty-nine Hundred Seventy-five-h (4975-h) of the Supplement to the Code, 1907, relating to Bucket-shops and Bucket-shopping, and to enact substitutes therefor.

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

By Crozier of Marion, (by request), House File No. 178, a bill for an act defining certain public service corporations and providing for reasonable service and rates; declaring unlawful any discriminatory charges; prescribing penalties and action for reduction of rates and charges; repealing all laws in conflict herewith.

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

## MESSAGES FROM THE SENATE.

The following messages were received from the Senate:

MR. SPEAKER—I am directed to inform your honorable body that the Senate has passed the following bill in which the concurrence of the House is asked:

Senate File No. 37, a bill for an act to repeal Section 1366 of the Code and enact a substitute therefor relative to assessment rolls.

S. W. NEAL,  
*Secretary.*

Also:

MR. SPEAKER—I am directed to inform your honorable body that the President of the Senate has appointed as Conference Committee on the part of the Senate on Senate File No. 17, a bill for an act to amend Section 3311 of the Code, relating to the valuation of personal property: Senators Proudfoot, Dowell, Saunders, Moon, Clarkson.

S. W. NEAL,  
*Secretary.*

## SENATE MESSAGE CONSIDERED.

Senate File No. 37, a bill for an act to repeal Section 1366 of the Code and enacting a substitute therefor relative to assessment rolls.

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

Balluff of Scott, chairman of the committee to draft resolutions respecting the life, character and public service of the Hon. Wm. O. Schmidt, offered the resolutions prepared by said committee and moved their adoption.

Motion prevailed, and the resolutions were adopted and ordered printed in the Journal.

The Speaker announced that he had signed, as Speaker of the House, in the presence of the House, Senate File No. 12 and Senate File No. 25.

Byerly of Jones offered the following resolution, and moved that the rule be suspended and the resolution adopted:

WHEREAS, The Hon. Nathan Potter, an honored member of this House during the Twenty-fourth General Assembly, passed away suddenly at his home in Olin, Jones County, Iowa, on Monday afternoon, November 30, 1908, therefore be it

*Resolved*, That a committee of three be appointed by the Speaker to prepare and present suitable resolutions commemorating his life and service to his country, state and nation.

Motion prevailed, and the resolution was adopted.

The Speaker appointed the following committee: Byerly of Jones, Ellis of Jackson and Kendall of Clinton.

Moore of Linn offered the following resolution, and moved that the rule be suspended and the resolution adopted :

WHEREAS, The Honorable John Wilson, an honorable citizen of Jackson County, Iowa, and afterwards for many years an honored resident of Linn County, and who was an honored member of the Eleventh General Assembly from Jackson County, departed this life October 4, 1908, at his home in Walker, Iowa, therefore be it

Resolved, That a committee of three be appointed by the Speaker to prepare and present suitable resolutions respecting his life, character and public services.

Motion prevailed, and the resolution was adopted.

The Speaker appointed the following committee: Moore of Linn, Johnson of Mitchell and Ellis of Jackson.

Schee of O'Brien offered the following Concurrent Resolution:

CONCURRENT RESOLUTION.

WHEREAS, The United States naval fleet will soon return home from its trip around the world, at which time more than likely there will be a public reception given the officers and sailors connected therewith, and

WHEREAS, Commodore R. D. Evans, who was commander-in-chief of said fleet at its start, is near the people of Iowa and many officers and sailors in this fleet were either born in, or at some time residents of Iowa, making them on that account near and dear to the people of our state, and

WHEREAS, It is proper as well as the moral duty of the people of this state to remember these men so near to us, with some unusual notice and some token commemorating such an important event as the returning home from such a cruise to our national shores.

Therefore be it Resolved by the House, the Senate Concurring, That a committee of six be appointed, three by the Senate, consisting of .....

..... and three by the House, consisting of the Speaker, Guy A. Feely, Geo. W. S. Crozier of Marion and Wm. P. Allred of Wayne, Chairman Committee on Military, as a joint committee to take under advisement the creating of a commission of twelve persons, on the part of our state, to attend any reception given the officers and sailors of such returning fleet, providing a token for each one born or who ever lived in Iowa, and an appropriate token to Commodore Robley D. Evans. The said commission to consist of the Governor of Iowa, the Adjutant General of Iowa, and ten others, six of whom to be men and four women. Also that half of the men are to be composed of persons who saw some real hard service and active war in the Rebellion, and half of the women to be wives or daughters of soldiers of the Civil war.

Said Committee to report by bill or otherwise to the Senate and the House.

Schee of O'Brien asked unanimous consent for immediate consideration and moved the adoption of the resolution.

Motion lost.

The Speaker appointed the following committee under the Stillman resolution relative to the Drainage Laws: Stillman of Greene, Hackler of Webster, Harding of Woodbury, Ripley of Hancock, McDonald of Carroll, Kellogg of Harrison, Lee of Emmet, Jacobs of Calhoun, Davidson of Palo Alto.

Moore of Linn offered the following resolution:

*Resolved*, That the Chief Clerk of the House be authorized and instructed to require more expedition in the printing of bills of the House.

Laid over under Rule 34.

The following papers in the case of the pardon of the following convicts committed for life in the State penitentiary of Iowa, were filed with the House by Governor B. F. Carroll: William Adams, Marshall County; W. E. Alexander, Polk County; W. P. Glydon, Story County; Leonard W. Haley, Dubuque County; W. M. H. Jones, Henry County; Hugh L. Robbard, Dubuque County; Thos. C. Robinson, Howard County; Albert Parnitzka, Van Buren County; John Penney, Emmet County; L. R. Van Tassel, Chickasaw County; Thos. Watson, Mills County; C. H. Woodward, Decatur County.

#### CONSIDERATION OF BILLS.

On motion of Moore of Wapello, Senate File No. 42, a bill for an act to amend the law as it appears in Section 4600-a of the Supplement to the Code, 1907, relating to the compensation of Justices of the Peace and Constables, with report of committee recommending passage as amended, was taken up and considered.

Moore of Wapello, moved that the rule be suspended, that the bill be read a third time now, which motion prevailed, and the bill was read a third time.

On the question, "Shall the bill pass?"

The ayes were:

Allred, Anderson, Arney, Balluff, Bascom, Bauman, Baxter, Beans, Beebe, Beery, Blackmore, Boe, Bonwell, Boomgaarden, Burt,

Byerly, Calkins, Cassady, Cooper, Cousins, Crozier, Crummer, Cunningham, Dabney, Dalby, Darrah, Davidson, Derrough, Dewell, Dewey, DeWitt, Dodds, Drury, Dye, Elliott, Ellis, Etter, Felt, Fenn, Finlayson, Fourt, Fox, Fulliam, Fulton, Goodykoontz, Grier, Hanson, Harding, Harvey, Hickenlooper, Holmes, Huffaker, Hunter, Ide, Inman, Jacobs, Jewell, Johnson, Jones, Kellogg, Kendall, Koontz, Kull, Larrabee, McCleery, McDonald, Marston, Meredith, Miller of Bremer, Miller of Dubuque, Moore of Wapello, Moore of Linn, Newell, O'Connor, Penn, Perkins, Reaney, Reitz, Ripley, Sankey, Schee, Schroeder, Schulte, Sheldon, Smith, Stillman, Stoddard, Sullivan, Swan, Swift, Tegeler, Thompson, Tilton, Ward, Welden, Wilson, Wolfe, Zeller, Mr. Speaker—99.

The nays were:

None.

Absent or not voting:

Boettger, Bowman, Brandes, Dawson, Hackler, Klay, Lee, Ritter, White—9.

So the bill passed and the title was agreed to.

On motion of Hickenlooper of Monroe, House File No. 98, a bill for an act to repeal the law as it now appears in Section Three Hundred Thirty-seven-d (337-d) of the Supplement to the Code 1907, relating to time of selecting jury lists, and to enact a substitute therefor, with report of committee recommending passage as amended, was taken up and considered.

Hickenlooper of Monroe 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 ayes were:

Allred, Anderson, Arney, Balluff, Bascom, Bauman, Baxter, Beans, Beebe, Beery, Blackmore, Boe, Bonwell, Boomgaarden, Burt, Byerly, Calkins, Cassady, Cooper, Cousins, Crozier, Crummer, Cunningham, Dabney, Dalby, Darrah, Davidson, Derrough, Dewell, Dewey, DeWitt, Dodds, Drury, Dye, Elliott, Ellis, Etter, Felt, Fenn, Finlayson, Fourt, Fox, Fulliam, Fulton, Goodykoontz, Grier, Hackler, Hanson, Harding, Harvey, Hickenlooper, Holmes, Huffaker, Hunter, Ide, Inman, Jacobs, Jewell, Johnson, Jones, Kellogg,



Kendall, Klay, Koontz, Kull, Larrabee, McCleery, McDonald, Mars-ton, Meredith, Miller of Bremer, Miller of Dubuque, Moore of Wa-pello, Moore of Linn, Newel, O'Connor, Penn, Perkins, Reaney, Schroeder, Schulte, Sheldon, Smith, Stillman, Stoddard, Sullivan, Wilson, Wolfe, Zeller, Mr. Speaker—98.

Zeller, Mr. Speaker—97.

The nays were :

Tegeler—1.

Absent or not voting :

Boettger, Bowman, Brandes, Dawson, Lee, Reitz, Ritter, San-key, White—9.

So the bill passed and the title was agreed to.

On motion of Bonwell of Audubon, Senate File No. 67, a bill for an act to amend Section 5448 of the Code, relating to the time in which an appeal may be taken from the final judgment in criminal cases, with report of committee recommending passage, was taken up and considered.

Bonwell of Audubon moved that the rule be suspended, that the bill be read a third time now, which motion prevailed, and the bill was read a third time.

On the question, "Shall the bill pass?"

The ayes were :

Allred, Anderson, Arney, Balluff, Bascom, Bauman, Beans, Bee-be, Beery, Blackmore, Boe, Boettger, Bonwell, Boomgaarden, Burt, Byerly, Calkins, Cassady, Cooper, Cousins, Crozier, Cunningham, Dabney, Dalby, Darrah, Davidson, Derrough, Dewell, Dewey, De-Witt, Dodds, Drury, Dye, Elliott, Ellis, Etter, Felt, Fenn, Fin-layson, Fourt, Fox, Fulliam, Fulton, Goodykoontz, Grier, Hanson, Harding, Hickenlooper, Holmes, Huffaker, Hunter, Ide, Inman, Jacobs, Johnson, Jones, Kellogg, Kendall, Klay, Koontz, Kull, Lar-rabee, McCleery, McDonald, Meredith, Miller of Dubuque, Moore of Wapello, Moore of Linn, Newell, O'Connor, Penn, Reaney, Reitz, Schee, Schroeder, Schulte, Sheldon, Smith, Stillman, Stoddard, Sul-livan, Swan, Swift, Tegeler, Thompson, Ward, Welden, Wilson, Wolfe, Zeller, Mr. Speaker—91.

The nays were :

Baxter, Jewell, Perkins, Ripley, Sankey, Tilton—6.

Absent or not voting:

Bowman, Brandes, Crummer, Dawson, Hackler, Harvey, Lee, Marston, Miller of Bremer, Ritter, White—11.

So the bill passed and the title was agreed to.

On motion of Klay of Sioux, House File No. 48, a bill for an act to amend Section 1196 of the Code, relating to the recording of officers bonds, with report of committee recommending passage as amended by substituting therefor House File No. 162, was taken up, considered, and the report of the committee, with substitute, adopted.

Klay of Sioux, 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 ayes were:

Allred, Arney, Balluff, Bascom, Bauman, Baxter, Beans, Beebe, Beery, Blackmore, Boe, Boettger, Bonwell, Boomgarden, Bowman, Burt, Byerly, Calkins, Cassady, Cooper, Cousins, Crozier, Crummer, Cunningham, Dabney, Dalby, Darrah, Davidson, Derrough, Dewell, Dewey, DeWitt, Dodds, Drury, Dye, Elliott, Ellis, Etter, Felt, Fenn, Fourt, Fox, Fulliam, Fulton, Goodykoontz, Grier, Hanson, Harding, Harvey, Hickenlooper, Holmes, Huffaker, Hunter, Ide, Inman, Jacobs, Jewell, Johnson, Jones, Kendall, Klay, Koontz, Kull, Larrabee, McDonald, Marston, Meredith, Miller of Bremer, Miller of Dubuque, Moore of Wapello, Moore of Linn, Newell, O'Connor, Penn, Perkins, Reaney, Reitz, Ripley, Sankey, Schee, Schulte, Sheldon, Smith, Stillman, Stoddard, Sullivan, Swan, Swift, Tegeler, Tilton, Ward, Welden, Wilson, Wolfe, Mr. Speaker—94.

The nays were:

Finlayson—1.

Absent or not voting:

Anderson, Bowman, Brandes, Dawson, Hackler, Kellogg, Lee, McCleery, Ritter, Schroeder, Thompson, White, Zeller—13.

So the bill passed.

Klay of Sioux, moved to amend the title by inserting the words "of the Code."

Motion prevailed, and the title as amended was agreed to.

By request of Arney of Marshall, House File No. 104, was returned to the Committee on Agriculture.

MOTION TO RECONSIDER.

I move to reconsider the vote whereby the Schee Resolution was lost.

E. R. MOORE.

I second the motion.

W. P. ALLRED.

Motion prevailed, and the resolution was laid over under Rule 34.

On motion of Elliott of Page, the House adjourned until 10:00 o'clock A. M., Thursday.

# JOURNAL OF THE HOUSE

HALL OF THE HOUSE OF REPRESENTATIVES,  
DES MOINES, IOWA, FEBRUARY 4, A. D. 1909.

House met pursuant to adjournment.

Speaker Feely in the Chair.

Prayer was offered by Rev. A. P. Westerberg of Des Moines, Iowa.

Journal of Wednesday, February 3d, corrected and approved.

On request of Kull of Howard, leave of absence was granted Penn of Fremont until Monday.

On request of Kendall of Clinton, leave of absence was granted Ellis of Jackson until Monday.

## PETITIONS, MEMORIALS AND REMONSTRANCES.

Drury of Sac, presented petition of threshermen of Sac County, relative to the passage of a bill protecting threshermen.

Referred to Committee on Agriculture.

Derrough of Warren, presented remonstrance of voters of Warren County, protesting against the passage of the School Bill.

Referred to Committee on Schools and Text Books.

McCleery of Washington, presented petition of residents of Washington County, relative to the passage of a law regulating the building of fences.

Referred to Committee on Agriculture.

Schulte of Clayton, presented petition of the Board of Supervisors of Clayton County, relative to the Quarantine Laws.

Referred to Committee on Public Health.

Hackler of Webster, presented petition of attorneys of Webster County, relative to the increase in salary of shorthand reporters.

Referred to Committee on Compensation of Public Officers.

#### REPORTS OF COMMITTEES.

Bonwell of Audubon, from the Committee on Roads and Highways, submitted the following report:

MR. SPEAKER—Your committee on Roads and Highways, to whom was referred House File No. 5, a bill for an act to amend the law as it appears in Section 1532-a, Code Supplement of 1907, relative to the duties of township trustees; the election and compensation of road superintendents; the division and consolidation of road districts and the collection of property road tax, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same be amended as follows:

Title of said bill should be so amended by inserting after the word "Section" in the first line thereof, the words "Fifteen hundred and thirty-two-a," then followed by the figures "1532-a" enclosed in brackets.

Title should be further amended so as to read "Supplement to the Code, 1907." That line one, section one, should be so amended by adding after the word "Section" the words "Fifteen hundred thirty-two-a," then followed by the figures, as they appear, "1532-a" in brackets. That Section one be further amended so as to read "Supplement to the Code, 1907;" that line two, section one, should be amended by adding after the semicolon following the word "thereof," the words "Provided, however,;" that Section two, line two, be amended by inserting after the word "for" and before the word "election" the word "each;" section three, line two, should be amended by striking out the words "all or part" and inserting in lieu thereof the words "not to exceed seventy-five per cent." That line three, section three, be amended by adding after the word "thereof" and before the word "at," the words "as above provided."

That section one, line four, be amended by striking out the words "a" and "majority" and inserting in lieu thereof the words "at least sixty-five per cent.," and when so amended that the bill do pass.

J. C. BONWELL,  
*Chairman.*

Adopted.

Sullivan of Polk, from the Committee on Judiciary, submitted the following report:

MR. SPEAKER—Your committee on Judiciary, to whom was referred House File No. 144, a bill for an act fixing the salaries of district judges in judicial districts composed wholly of one county having a population of 75,000 or more, and providing for the manner of payment of the same,

beg leave to report that they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same do pass.

JOHN B. SULLIVAN,  
*Chairman.*

Adopted.

Also:

MR. SPEAKER—Your committee on Judiciary, to whom was referred House File No. 67, a bill for an act to repeal Section three hundred and fifty-four (354) as it appears in the 1907 Supplement to the Code of Iowa, and to enact a substitute therefor, relating to the fees of jurors, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same be amended as follows: By substituting House Substitute 179, being a Bill for an Act to repeal Section three hundred fifty-four (354) of the Supplement to the Code, 1907, relating to the fees of jurors, and when so submitted that the same do pass.

JOHN B. SULLIVAN,  
*Chairman.*

Adopted.

Also:

MR. SPEAKER—Your committee on Judiciary, to whom was referred House File No. 150, a bill for an act to repeal Section five hundred three (503) of the Code relating to bailiffs and enacting a substitute therefor, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same do pass.

JOHN B. SULLIVAN,  
*Chairman.*

Adopted.

#### INTRODUCTION OF BILLS.

By Committee on Judiciary, House File No. 179, a bill for an act to repeal Section Three Hundred Fifty-four (354) of the Supplement to the Code, 1907, relating to the fees of jurors, and enacting a substitute therefor:

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

Jurors shall receive the following fees:

For each day's service or attendance in courts of record, including jurors summoned on special venire, two dollars and fifty cents (\$2.50), and for each mile traveled from his residence to the place of trial, the sum of ten cents.

For each day's service before a justice of the peace, one dollar.

No mileage shall be allowed talesmen or jurors before justices, immediately after the adjournment of each term of a court of record,

clerk thereof shall certify to the county auditor a list of the jurors, with the number of days' attendance to which each one is entitled.

Read first and second time and passed on file.

By Hunter of Polk, House File No. 180, a bill for an act to amend Chapter Two (2) of Title Eight (8) of the Code of 1897, as published in Supplement to Code of Iowa 1907, by adding thereto Sections 1571-m, 1571-n, and 1571-o, relating to the levy of annual license taxes upon the owners of motor vehicles, and providing for the disbursement of the fund arising therefrom to encourage the improvement and maintenance of public highways.

Read first and second time and referred to Committee on Roads and Highways.

By Hunter of Polk, House File No. 181, a bill for an act to amend Section Fifteen Hundred and Thirty (1530) Sub-division One (1) of Section Fifteen Hundred and Twenty-eight (1528) and Sub-division Two (2) of Section Fifteen Hundred and Twenty-eight (1528) of the Code of 1897, as amended and published in Supplement of Code 1907, relating to the levy of the County Road Funds and the expenditure thereof in the improvement of roads.

Read first and second time and referred to Committee on Public and Highways.

By Holmes of Kossuth, House File No. 182, a bill for an act authorizing the extension of the Traveling Library and other activities of the Iowa Library Commission, and providing additional funds therefor.

Read first and second time and referred to Committee on Public Libraries.

By Fulliam of Muscatine, House File No. 183, a bill for an act requiring Boards of Education in Independent School Districts, having a population of three thousand or more to publish proceedings and providing compensation therefor.

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

By Darrah of Lucas, House File No. 184, a bill for an act to amend the Negotiable Instruments Law relative to the payment of instruments payable at a bank.

Read first and second time and referred to Committee on Banks and Banking.

By Tilton of Iowa, House File No. 185, a bill for an act to amend Chapter One Hundred Forty-two (142) of the Thirty-second General Assembly, relating to the sale of denatured alcohol and to enact an amendment thereto.

Read first and second time and referred to Committee on Commerce and Trade.

By Dewell of Cedar, House File No. 186, a bill for an act to amend Section One Thousand Five Hundred Seventy-c (1570-c) of the Supplement to the Code, 1907, relating to public highways and providing for the payment for work thereon.

Read first and second time and referred to Committee on Roads and Highways.

By Arney of Marshall, House File No. 187, a bill for an act to co-operate with the City of Marshalltown, in constructing a permanent dam across the Iowa river.

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

By Arney of Marshall, House File No. 188, a bill for an act to appropriate money for the use of the Iowa Soldiers' Home, Marshalltown, Iowa.

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

By Dodds of Des Moines, House File No. 189, a bill for an act to add to the provisions of Title Nine (9), Chapter Three (3), Supplement to the Code of 1897, additional to Section Sixteen Hundred Sixty-one-a (1661-a).

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

By O'Connor of Chickasaw, House File No. 190, a bill for an act entitled an act relating to hotels, inns and public lodging houses, defining the same and prescribing rules for their operations and maintenance, so as to insure the safety and health of employes and patrons of the same; providing for inspection thereof, fees for same and fixing fines and penalties for violation of such rules and regulations.



Read first and second time and referred to Committee on Municipal Corporations.

Moore of Linn moved that his resolution relating to the printing of bills be laid on the table.

Motion prevailed, and the resolution was laid on the table.

Schee of O'Brien called up Concurrent Resolution relative to the return of the United States Naval Fleet.

Moore of Linn, moved that the Concurrent Resolution be referred to the Committee on Military.

Motion prevailed, and the resolution was so referred.

#### MESSAGES FROM THE SENATE.

The following messages were received from the Senate:

MR. SPEAKER—I am directed to inform your honorable body that the Senate has passed the following bill in which the concurrence of the House is asked:

Substitute for Senate File No. 72, a bill for an act to amend the law as it appears in section 4999-a-9 of the supplement of the Code, 1907, relating to the protection against fire and providing means for escape.

S. W. NEAL,  
*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. 100, a bill for an act to amend the law as it appears in Section seven hundred and forty-six (746) of the Supplement to the Code, 1907, relating to contracts and expenditures from the water-works sinking fund for purposes incident to the making and submission to the people of contracts for the purchase or erection of water-works.

S. W. NEAL,  
*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. 9, a bill for an act exempting stocks of paint in the hands of jobbers and dealers in the state January 1, 1908, from the requirements of the law which appears as Sections 2510-b, 2510-c, 2510-d, and 2510-h of the Supplement to the Code 1907.

S. W. NEAL,  
*Secretary.*

#### SENATE MESSAGES CONSIDERED.

Senate File No. 100, a bill for an act amending the law as it appears in Section Seven Hundred and Forty-six (746) of the

Supplement to the Code, 1907, relating to contracts and expenditures from the water-works sinking fund for purposes incident to the making and submission to the people of contracts for the purchase or erection of water-works.

Read first and second time and referred to Committee on Municipal Corporations.

Senate File No. 9, a bill for an act exempting stocks of paint in the hands of jobbers and dealers in the state on January 1, 1908. from the requirements of the law which appears as Sections Two Thousand Five Hundred and Ten-b (2510-b), Two Thousand Five Hundred and Ten-c (2510-c), Two Thousand Five Hundred and Ten-d (2510-d), and Two Thousand Five Hundred and Ten-h (2510-h) of the Supplement to the Code, 1907.

Read first and second time and passed on file.

Substitute for Senate File No. 72, a bill for an act to amend the law as it appears in Section Forty-nine Hundred Ninety-nine-a-9, of the Supplement to the Code, 1907, relating to protection against fire and providing means for escape.

Read first and second time and referred to Committee on Municipal Corporations.

#### CONSIDERATION OF BILLS.

On motion of Swift of Shelby, House File No. 54, a bill for an act to repeal Section Twenty One Hundred Nineteen of the Code, relating to the enforcement of the rules, orders and regulations of the Board of Railway Commissioners and to enact a substitute therefor, with report of committee recommending passage, was taken up and considered.

Swift of Shelby, 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 ayes were:

Allred, Anderson, Arney, Bascom, Bauman, Baxter, Beans, Beebe Beery, Blackmore, Boe, Boettger, Bonwell, Bomgaarden, Burt, Byerly, Calkins, Cassady, Cooper, Cousins, Crozier, Crummer, Cunningham, Dabney, Dalby, Darrah, Davidson, Derrough, Dewey,

DeWitt, Dodds, Drury, Dye, Elliott, Etter, Felt, Fenn, Finlayson, Fourt, Fox, Fulliam, Fulton, Goodykoontz, Grier, Hackler, Hanson, Harding, Harvey, Hickenlooper, Holmes, Huffaker, Hunter, Ide, Inman, Jewell, Johnson, Jones, Kellogg, Kendall, Klay, Koontz, Kull, Larrabee, McCleery, McDonald, Marston, Meredith, Miller of Bremer, Miller of Dubuque, Moore of Wapello, Moore of Linn, Newell, O'Connor, Perkins, Reaney, Reitz, Ripley, Ritter, Sankey, Schee, Schroeder, Schulte, Sheldon, Smith, Stillman, Stoddard, Sullivan, Swan, Swift, Tegeler, Thompson, Tilton, Ward, Welden, White, Zeller, Mr. Speaker—97.

The nays were:

None.

Absent or not voting:

Balluff, Bowman, Brandes, Dawson, Dewell, Ellis, Jacobs, Lee, Penn, Wilson, Wolfe—11.

So the bill passed and the title was agreed to.

On motion of Davidson of Palo Alto, House File No. 7, a bill for an act for the preservation and improvement of Medium Lake and the islands therein and placing the same within the jurisdiction of the City of Emmetsburg.

Davidson of Palo Alto, 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 ayes were:

Allred, Anderson, Arney, Balluff, Bascom, Bauman, Baxter, Beans, Beebe, Beery, Blackmore, Boe, Boettger, Bonwell, Boomgaarden, Burt, Byerly, Cassady, Cooper, Cousins, Crozier, Crummer, Cunningham, Dabney, Dalby, Darrah, Davidson, Derrough, Dewell, Dewey, DeWitt, Dodds, Drury, Dye, Elliott, Etter, Felt, Fenn, Finlayson, Fourt, Fox, Fulliam, Fulton, Goodykoontz, Grier, Hackler, Hanson, Harding, Harvey, Hickenlooper, Holmes, Huffaker, Hunter, Ide, Inman, Jacobs, Jewell, Johnson, Jones, Kellogg, Kendall, Klay, Koontz, Kull, Larrabee, McCleery, McDonald, Marston, Meredith, Miller of Bremer, Miller of Dubuque, Moore of Wa-

pello, Moore of Linn, Newell, O'Connor, Perkins, Reaney, Reitz, Ripley, Ritter, Sankey, Schee, Schroeder, Schulte, Sheldon, Smith, Stillman, Sullivan, Swan, Swift, Tegeler, Tilton, Ward, Welden, White, Wolfe, Zeller, Mr. Speaker—98.

The naves were:

None.

Absent or not voting:

Bowman, Brandes, Calkins, Dawson, Ellis, Lee, Penn, Stoddard, Thompson, Wilson—10.

So the bill passed and the title was agreed to.

On motion of Hunter of Polk, House File No. 123, a bill for an act to amend Section 1850-j of the Supplement to the Code 1907, relating to Park Districts, with report of committee recommending passage as amended, was taken up and considered.

Hunter of Polk, 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 ayes were:

Allred, Anderson, Arney, Balluff, Bascom, Bauman, Baxter, Beans, Beebe, Beery, Blackmore, Boe, Boettger, Bonwell, Boomgaarden, Burt, Byerly, Calkins, Cassady, Cooper, Cousins, Crozier, Crummer, Cunningham, Dabney, Dalby, Darrah, Derrough, Dewell, Dewey, DeWitt, Dodds, Drury, Dye, Elliott, Etter, Felt, Fenn, Finlayson, Fourt, Fox, Fulliam, Fulton, Goodykoontz, Grier, Hackler, Hanson, Harding, Harvey, Hickenlooper, Holmes, Huffaker, Hunter, Ide, Inman, Jacobs, Jewell, Johnson, Jones, Kellogg, Kendall, Klay, Koontz, Kull, Larrabee, McCleery, McDonald, Marston, Meredith, Miller of Dubuque, Moore of Wapello, Moore of Linn, Newell, O'Connor, Perkins, Reaney, Reitz, Ripley, Ritter, Sankey, Schee, Schroeder, Schulte, Sheldon, Smith, Stillman, Stoddard, Sullivan, Swan, Swift, Tegeler, Thompson, Tilton, Ward, Welden, White, Wolfe, Zeller, Mr. Speaker—99.

The naves were:

None.

Absent or not voting:

Bowman, Brandes, Davidson, Dawson, Ellis, Lee, Miller of Bremer, Penn, Wilson—9.

So the bill passed and the title was agreed to.

Hackler of Webster in the Chair.

On motion of Fulliam of Muscatine, House File No. 18, a bill for an act to amend the law as the same appears in Section One Thousand Eighty-seven-a-Thirty-four of the Supplement to the Code, relating to Primary Elections, with report of committee recommending passage as amended, was taken up and considered.

Fulliam of Muscatine, 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 ayes were:

Allred, Anderson, Arney, Balluff, Bascom, Bauman, Baxter, Beans, Beebe, Beery, Blackmore, Boe, Boettger, Bonwell, Boomgaarden, Burt, Byerly, Calkins, Cassady, Cooper, Cousins, Crozier, Crummer, Cunningham, Dabney, Dalby, Darrah, Davidson, Derrough, Dewell, Dewey, DeWitt, Drury, Dye, Elliott, Etter, Felt, Fenn, Finlayson, Fourt, Fox, Fulliam, Fulton, Grier, Hackler, Hanson, Harding, Harvey, Hickenlooper, Holmes, Huffaker, Hunter, Ide, Inman, Jacobs, Jewell, Johnson, Jones, Kellogg, Kendall, Klay, Koontz, Kull, Larrabee, McCleery, McDonald, Marston, Meredith, Miller of Bremer, Miller of Dubuque, Moore of Wapello, Moore of Linn, Newell, O'Connor, Perkins, Reaney, Reitz, Ripley, Ritter, Sankey, Schroeder, Schulte, Sheldon, Smith, Stillman, Stoddard, Sullivan, Swan, Swift, Tegeler, Thompson, Tilton, Welden, White, Wolfe, Zeller, Mr. Speaker—97.

The nays were:

None.

Absent or not voting:

Bowman, Brandes, Dawson, Dodds, Ellis, Goodykoontz, Lee, Penn, Schee, Ward, Wilson—11.

So the bill passed and the title was agreed to.

On motion of Moore of Linn, Senate File No. 43, a bill for an act making an appropriation to pay the additional employes of the Thirty-third General Assembly.

With report of committee recommending passage was taken up and considered.

Moore of Linn, moved that the rule be suspended, that the bill be read a third time now, which motion prevailed, and the bill was read a third time.

On the question, "Shall the bill pass?"

The ayes were:

Allred, Anderson, Arney, Balluff, Bascom, Bauman, Baxter, Beans, Beebe, Beery, Blackmore, Boe, Boettger, Bonwell, Boomgaarden, Burt, Byerly, Calkins, Cassady, Cooper, Cousins, Crozier, Crummer, Cunningham, Dabney, Dalby, Darrah, Davidson, Derrough, Dewell, Dewey, DeWitt, Dodds, Drury, Dye, Elliott, Etter, Felt, Fenn, Finlayson, Fourt, Fox, Fulliam, Fulton, Goodykoontz, Grier, Hackler Hanson Harding, Harvey, Hickenlooper, Holmes, Huffaker, Hunter, Ide, Inman, Jacobs, Jewell, Johnson, Jones, Kellogg, Kendall, Klay, Koontz, Larrabee, McCleery, McDonald, Marston, Meredith, Miller of Bremer, Miller of Dubuque, Moore of Wapello, Moore of Linn, Newell, O'Connor, Penn, Perkins, Ripley, Ritter, Sankey, Schroeder, Schulte, Sheldon, Smith, Stillman, Stoddard, Sullivan, Swan, Swift, Tegeler, Titon, Ward, Welden, White, Wolfe, Zeller, Mr. Speaker—96.

The nays were:

None.

Absent or not voting:

Bowman, Brandes, Dawson, Ellis, Kull, Lee, Penn, Reaney, Reitz, Schee, Thompson, Wilson—12.

So the bill passed and the title was agreed to.

On motion of Moore of Linn, Senate File No. 44, a bill for an act making appropriations for the purchase of twenty thousand copies of the Railroad Commissioners official maps to be distributed by the members of the General Assembly and Railroad Commissioners.

With report of committee recommending passage as amended was taken up and considered.

Moore of Linn, moved that the rule be suspended, that the bill be read a third time now, which motion prevailed, and the bill was read a third time.

On the question, "Shall the bill pass?"

The ayes were:

Allred, Balluff, Bascom, Bauman, Baxter, Beans, Beebe, Beery, Blackmore, Boe, Boettger, Bonwell, Boomgaarden, Byerly, Calkins, Cassady, Cooper, Cunningham, Dabney, Dalby, Darrah, Davidson, Derrough, Dodds, Drury, Dye, Elliott, Etter, Felt, Fenn, Finlayson, Fourt, Fulton, Goodykoontz, Hackler, Hanson, Harding, Harvey, Hickenlooper, Holmes, Huffaker, Hunter, Ide, Inman, Jacobs, Johnson, Jones, Kellogg, Kendall, Klay, Koontz, Kull, Larrabee, McCleery, McDonald, Marston, Meredith, Miller of Bremer, Miller of Dubuque, Moore of Wapello, Moore of Linn, Newell, O'Connor, Reaney, Reitz, Ripley, Schroeder, Schulte, Sheldon, Smith, Stillman, Stoddard, Sullivan, Swan, Swift, Thompson, Tilton, Ward, Welden, White, Wolfe, Zeller, Mr. Speaker—83.

The nays were:

Arney, Cousins, Crozier, Crummer, Dewey, DeWitt, Fox, Fulham, Perkins, Ritter, Sankey, Schee, Tegeler—13.

Absent or not voting:

Anderson, Bowman, Brandes, Burt, Dawson, Dewell, Ellis, Grier, Jewell, Lee, Penn, Wilson—12.

So the bill passed and the title was agreed to.

Speaker Feely in the Chair.

On motion of Hackler of Webster, Senate File No. 65, a bill for an act to repeal the law as it appears in Section 232 of the Supplement to the Code 1907, and enact a substitute therefor, relating to the schedule of times of holding terms of court, with report of committee recommending passage as amended, was taken up and considered.

Hackler of Webster, moved that the rule be suspended, that the bill be read a third time now, which motion prevailed, and the bill was read a third time.

On the question, "Shall the bill pass?"

The ayes were:

Allred, Arney, Balluff, Bascom, Bauman, Baxter, Beans, Beebe, Beery, Blackmore, Boe, Boettger, Bonwell, Boomgaarden, Burt, Cassady, Cooper, Cousins, Crummer, Cunningham, Dabney, Dalby, Darrah, Davidson, Derrough, Dewell, DeWitt, Dodds, Drury, Dye, Elliott, Etter, Felt, Fenn, Finlayson, Fourt, Fox, Fulliam, Fulton, Goodykoontz, Hackler, Hanson, Harding, Harvey, Hickenlooper, Holmes, Huffaker, Hunter, Ide, Inman, Jacobs, Jewell, Johnson, Jones, Kellogg, Kendall, Klay, Koontz, Kull, Larrabee, McDonald, McCleery, Marston, Miller of Bremer, Miller of Dubuque, Moore of Wapello, Moore of Linn, O'Connor, Perkins, Reaney, Ripley, Ritter, Schee, Schulte, Sheldon, Smith, Stoddard, Swan, Swift, Sullivan, Tegeler, Thompson, Tilton, Ward, Welden, White, Wolfe, Zeller, Mr. Speaker—89.

The nays were:

Byerly, Meredith, Sankey, Schroeder—4.

Absent or not voting:

Anderson, Bowman, Brandes, Calkins, Crozier, Dawson, Dewey, Ellis, Grier, Lee, Newell, Penn, Reitz, Stillman, Wilson—15.

So the bill passed and the title was agreed to.

Jacobs of Calhoun, offered the following explanation:

On account of urgent business I was detained in the city and was not present at the roll call, but desire to state that if I had been I should have voted "aye" on House File No. 54.

JOHN W. JACOBS.

The following communications were received from the Governor:

FEBRUARY 3, 1909.

*To the Senate and House of Representatives of the Thirty-third General Assembly:*

In compliance with the provisions of Section 1271 of the Code I beg to advise you that Mr. C. E. Pickett of Waterloo, Iowa, a Regent of the State University, has filed with me his resignation as such Regent and the same has been accepted to take effect at once.

This notice is given in order that you may select his successor in the manner provided by law.

Respectfully yours,

B. F. CARROLL,  
Governor.



Also:

FEBRUARY 3, 1909.

*To the Senate and House of Representatives of the Thirty-third General Assembly:*

In compliance with the provisions of Section 1271 of the Code I beg to advise you that Hon. George W. Clarke, of Adel, Iowa, filed with my predecessor in office on the 31st day of December last his resignation as a Trustee of the State Normal School.

The position is temporarily filled by Mr. W. H. Harwood, of Des Moines, who was appointed by Governor Warren Garst.

I call this matter to your attention so that you may fill the same by election as provided by law.

Respectfully yours,

B. F. CARROLL,  
*Governor.*

On motion of Drury of Sac, the House adjourned until 10:00 o'clock, A. M., Friday.

# JOURNAL OF THE HOUSE

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HALL OF THE HOUSE OF REPRESENTATIVES.  
DES MOINES, IOWA, FEBRUARY 5, A. D. 1909.

House met pursuant to adjournment.

Speaker Feely in the Chair.

Prayer was offered by Rev. C. A. Bates of Farnamville, Iowa.

Journal of Thursday, February 4th, corrected and approved.

On request of Drury of Sac, leave of absence was granted Schee of O'Brien indefinitely on account of illness.

On request of Drury of Sac, leave of absence was granted Baxter of Ida, until Saturday.

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

On request of Derrough of Warren, leave of absence was granted Dewey of Guthrie until Monday.

On request of Darrah of Lucas, leave of absence was granted Grier of Poweshiek until Tuesday.

On request, leave of absence was granted Fox of Dallas until Monday.

## PETITIONS, MEMORIALS AND REMONSTRANCES.

Bauman of Van Buren, presented remonstrance of citizens of Van Buren County protesting against a change in the game laws of the state.

Referred to Committee on Fish and Game.

Ritter of Des Moines, presented petition of traveling men, merchants and manufacturers, relative to the passage of the Hotel Inspection bill.

Referred to Committee on Judiciary.

Boe of Winnebago, presented petition of members of the Bar of Winnebago County, relative to the increase in the salary of shorthand reporters.

Referred to Committee on Compensation of Public Officers.

Moore of Linn, presented petition of attorneys of Linn County, relative to the increase in the salary of shorthand reporters.

Referred to Committee on Compensation of Public Officers.

Johnson of Mitchell, presented petition of members of the Bar of Mitchell County, relative to the increase in the salary of shorthand reporters.

Referred to Committee on Compensation of Public Officers.

Newell of Plymouth, presented petition of citizens of Plymouth County, relative to a change in the Pharmacy laws.

Referred to Committee on Pharmacy.

Fenn of Clarke, presented petition of members of the Bar of Clarke County, relative to the increase in the salary of shorthand reporters.

Referred to Committee on Compensation of Public Officers.

Schroeder of Crawford, presented remonstrance of members of Mineral Springs Camp No. 1183, Modern Woodmen of America, protesting against the passage of a bill establishing a minimum rate of assessment for life insurance policies issued by Fraternal Beneficiary Associations.

Referred to Committee on Insurance.

Cousins of Butler, presented petition of attorneys of Butler County, relative to the increase in the salary of shorthand reporters.

Referred to Committee on Compensation of Public Officers.

McCleery of Washington, presented petition of attorneys and residents of the Sixth Judicial District, relative to the increase in the salary of shorthand reporters.

Referred to Committee on Compensation of Public Officers.

Beebe of Franklin, presented remonstrance of voters and residents of Franklin County, protesting against any legislation changing the term of county officers from two to four years.

Referred to Committee on Judiciary.

Lee of Emmet, presented petition of members of the Bar of the Fourteenth Judicial District, relative to the increase in salary of shorthand reporters.

Referred to Committee on Compensation of Public Officers.

Sullivan of Polk, presented petition of citizens of the State of Iowa, and the City of Des Moines, relative to restraining dogs and fowls in Iowa.

Referred to Committee on Judiciary.

#### REPORTS OF COMMITTEES.

Jewell of Winneshiek, from the Committee on Public Health, submitted the following report:

MR. SPEAKER—Your committee on Public Health, to whom was referred House File No. 58, a bill for an act to amend chapter 16-b of the Supplement to the Code of Iowa, relating to the registration of births and deaths and to repeal Sections 2575-a-14, 2575-a-15, 2575-a-18 and 2567 of the Supplement to the Code, 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.

P. M. JEWELL,  
*Chairman.*

Adopted and House File No. 58 was indefinitely postponed.

Sullivan of Polk, from the Committee on Judiciary, submitted the following report:

MR. SPEAKER—Your committee on Judiciary, to whom was referred House File No. 170, a bill for an act to amend the law as it appears in Section seven hundred sixteen-a (716-a) of the Supplement to the Code, 1907, fixing the levy for the fire fund in cities of the second class, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same do pass.

JOHN B. SULLIVAN,  
*Chairman.*

Adopted.

Also:

MR. SPEAKER—Your committee on Judiciary, to whom was referred House File No. 145, a bill for an act to legalize the action of the board of

supervisors of Sioux county, Iowa, relating to the sale of school lands in Section twelve (12), township ninety-five (95) north of range forty-eight (48) west of the fifth (5th) principal meridian, Sioux County, Iowa, and to authorize the Governor to issue a patent therefor to John H. Hutchinson, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same do pass.

JOHN B. SULLIVAN,  
*Chairman.*

Adopted.

Also:

MR. SPEAKER—Your committee on Judiciary, to whom was referred Senate File No. 79, a bill for an act to legalize a special election of the city of Anamosa, Iowa, held October 28, 1907, for the purchase of a water-works system, and voting bonds therefor, and the ordinances, resolutions and acts of the council relating to such water-works, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same do pass.

JOHN B. SULLIVAN,  
*Chairman.*

Adopted.

Also:

MR. SPEAKER—Your committee on Judiciary, to whom was referred House File No. 9, a bill for an act to repeal Section three thousand three hundred and seven (3307) of the Supplement to the Code, 1907, relating to administration of the estates of absentees, and to enact a substitute therefor, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same be amended as follows: By striking out all after the enacting clause, and inserting in lieu thereof the following:

SECTION 1. That Section three thousand three hundred and seven (3307) of Supplement to the Code, 1907, be and the same is hereby repealed and the following enacted in lieu thereof:

When a citizen of the state owning property therein absents himself therefrom and conceals his whereabouts from his family for a period of seven (7) years, a petition may be filed in the District Court of any county where such property or a part thereof is situated, setting forth such facts, by any person entitled to administer upon such absentee's estate if he was known to be dead, and setting forth the names of the persons who would be the legal heirs of the absentee if he were dead, so far as known, and praying for the issuance of letters of administration upon such estate, thereupon, said court shall prescribe a notice addressed to such absentees and heirs named, and order the same to be published in a newspaper published in said county to be designated by the court, once each week for eight (8) consecutive weeks, and which shall be

served personally upon all the heirs residing within the state in the manner, and for the length of time as required for the service of original notices, proof of the publication and service of which in manner and for the time ordered, shall, at the expiration of said period be filed with said petition, and thereupon if such absentee fails to appear, the court shall hear the proof presented, and if satisfied of the truth of the facts set forth in the petition concerning the absentee, shall order letters of administration upon the estate of such absentee to issue as though he were known to be dead. The court shall also hear proof and determine who the legal heirs of such absentee are and their respective interests in such estate.

SEC. 2. The person to whom the administration is granted shall proceed to administer and dispose of the estate in the same manner that administrators are required to dispose of and administer the estates of decedents.

In addition thereto, such administrator may, under the orders of the court, sell and dispose of all real estate and other property owned by such absentee, and after the payment of legal costs, expenses and claims, make distribution of the proceeds thereof to the persons entitled thereto.

The provisions of law regarding application, notice and manner of sale of real estate for the payment of debts by administrators shall be followed so far as applicable, and when so amended that the bill do pass.

JOHN B. SULLIVAN,  
*Chairman.*

Adopted.

Drury of Sac, from the Committee on Compensation of Public Officers, submitted the following report:

MR. SPEAKER—Your committee on Compensation of Public Officers, to whom was referred House File No. seventy-five (75), a bill for an act to provide for an annual vacation with pay for officers and other employes at the charitable institutions at Mt. Pleasant, Independence, Clarinda, Cherokee, Glenwood, Eldora, Mitchellville, Vinton, Council Bluffs, Davenport, Knoxville and Marshalltown, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same be amended as follows: By striking out the publication clause, and when so amended that the bill do pass.

WILL DRURY,  
*Chairman.*

Adopted.

Amendment adopted.

#### REPORT OF JOINT COMMITTEE ON ENROLLED BILLS.

Klay of Sioux, from the Joint Committee on Enrolled Bills, submitted the following report:

MR. SPEAKER—Your Joint Committee on Enrolled Bills respectfully report that they have examined, and find correctly enrolled, Senate File

No. 67, a bill for an act to amend Section fifty-four hundred forty-eight (5448) of the Code relating to the time in which an appeal may be taken from the final judgment in criminal cases.

GERRIT KLAY,  
*Chairman House Committee.*

HENRY L. ADAMS,  
*Chairman Senate Committee.*

Adopted.

Also:

MR. SPEAKER—Your Joint Committee on Enrolled Bills respectfully report that they have examined, and find correctly enrolled, Senate File No. 42, a bill for an act to amend the law as it appears in Section forty-six hundred-a (4600-a) of the Supplement to the Code 1907 relating to the compensation of justices of the peace and constables.

GERRIT KLAY,  
*Chairman House Committee.*

HENRY L. ADAMS,  
*Chairman Senate Committee.*

Adopted.

Allred of Wayne, from the Committee on Military, submitted the following report:

MR. SPEAKER—Your committee on Military, to whom was referred House File No. 69, a bill for an act to repeal the law as it appears in Section five thousand and forty-a (5040-a), chapter twelve (12) of the Supplement to the Code, 1907, and to enact a substitute therefor, relating to Memorial Day, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same be amended as follows:

By striking out in the title the words "of the Code Supplement of 1907" and inserting in lieu thereof the words, "of the Supplement to the Code, 1907."

By striking out the word "Code" in the second line of Section 1 of the original bill, also the word "of" in the third line of Section 1 of the original bill and inserting the words "to the Code" before the date "1907."

By striking out, in the sixth and seventh lines of Section 1 of the original bill the words "or entertainments that will interfere with the proper observance of" and inserting the word "on" before the word "the" in the seventh line, and when so amended that the bill do pass.

W. P. ALLRED,  
*Chairman.*

Adopted.

Also:

MR. SPEAKER—Your Committee on Military, to whom was referred the resolution introduced by Mr. Schee on February 3d, relating to a dele-

gation being appointed to attend the reception to be given Admiral Evans, beg leave to report that they have had the same under consideration, and recommend as a substitute therefor, that a committee of three, consisting of Allred, Blackmore and Arney, act with a like committee from the Senate and extend to Admiral Evans an invitation to address the members of the Legislature in the House chamber when he visits the city of Des Moines.

W. P. ALLRED,  
*Chairman.*

Adopted.

#### INTRODUCTION OF BILLS.

By Holmes of Kossuth, House File No. 191, a bill for an act to amend the law as it appears in Section Twenty-four Hundred Seventy-seven-d (2477-d), 1907 Supplement to the Code, relating to authority of officers to demand proof of age of children employed and defining what said proof shall be.

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

By Holmes of Kossuth, House File No. 192, a bill for an act to create a commission authorized to locate and erect a pedestal for a monument to the memory of the late William B. Allison and making an appropriation to defray the expense thereof.

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

By Felt of Clay, House File No. 193, a bill for an act to enable counties to establish and maintain public hospitals, levy a tax and issue bonds therefor, elect hospital trustees, maintain training schools for nurses, provide suitable means for the care of tuberculous persons, and to make possible the ultimate establishment of an adequate supply of hospitals with equal rights to all and special privileges to none.

Read first and second time and referred to Committee on Public Health.

By Sheldon of Ringgold, House File No. 194, a bill for an act to appropriate Ten Thousand Dollars (\$10,000) or so much thereof as may be necessary for the purpose of installing suitable elevators in the State Capitol.

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

By White of Story, House File No. 195, a bill for an act to amend the law as it appears in Section Seventeen Hundred Fifty-



eight-a (1758-a) and Section Seventeen Hundred Nine (1709) of the Supplement to the Code, 1907, giving insurance companies, in addition to the authority now enjoyed, the right to issue policies upon automobiles and marine risks and further adding to the list of properties and rights that may be insured; repealing the law as it appears in Section 1710 of the Supplement to the Code, 1907, and enacting a substitute therefor.

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

By Bonwell of Audubon, House File No. 196, a bill for an act to amend the law as it appears in Section Fourteen Hundred Four (1404) of the Code, relating to liens on personal property of non-residents.

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

By Fulliam of Muscatine, House File No. 197, a bill for an act to add to the provisions of Title XII, Chapter 16-b of the Supplement to the Code, 1907, relating to the payment of a fee to the mother of new born children.

Read first and second time and referred to Committee on Ways and Means.

By Boe of Winnebago, House File No. 198, a bill for an act to amend Sections Two Thousand Five Hundred Thirty (2530) and Two Thousand Five Hundred Thirty-six (2536) of the Supplement to the Code, relating to State Veterinary Surgeon.

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

By Crozier of Marion, House File No. 199, a bill for an act relating to the trial of Attachment cases where an equitable interest in real estate is attached, additional to Section Thirty-eight Hundred and Ninety-nine (3899) of the Code.

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

By Crozier of Marion, House File No. 200, a bill for an act making the provisions of Section Three Thousand Eight Hundred Forty-seven (3847), Code Supplement of 1907, Section Three Thousand Four Hundred Forty-eight (3448), Section Three Thou-

sand Eight Hundred Forty-nine (3849) Code Supplement, Section Three Thousand Eight Hundred Fifty, Fifty-one and Fifty-two (3850-51-52) applicable to actions in justice's courts and providing for the deposit of money in lieu of bond.

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

By Fulton of Jefferson, House File No. 201, a bill for an act to repeal Section Ten Hundred Ninety-one (1091) of the Code, relative to polling places for country precincts and to enact a substitute therefor.

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

By Dabney of Davis, House File No. 202, a bill for an act to repeal Section One Thousand Three Hundred Thirty (1330) Supplement to the Code of 1907, and to enact a substitute therefor, relating to the assessment of telephones and telegraphs; defining mutual telephone companies and exempting the same from taxation.

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

By Ritter of Des Moines, House File No. 203, a bill for an act relating to the production and distribution of antitoxin in Iowa by the Bacteriological Laboratory of the Medical Department of the State University at Iowa City, and making appropriation therefor.

Read first and second time and referred to Committee on Public Health.

#### MESSAGES FROM THE SENATE.

The following messages were received from the Senate:

MR. SPEAKER—I am directed to inform your honorable body that the Senate has passed the following bill in which the concurrence of the Senate was asked:

House File No. 11, a bill for an act to repeal Section 3268 of the Code relating to the time and manner of examination of bonds of guardians, executors, administrators and trustees by clerk of district court and to enact a substitute therefor.

S. W. NEAL,  
*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. 93, a bill for an act to repeal the law as it appears in Section sixteen hundred fifty-seven-q (1657-q) of the Supplement to the Code, 1907, and to enact a substitute therefor relating to the auditing of accounts of the Department of Agriculture.

S. W. NEAL,  
*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. 75, a bill for an act to repeal Sections sixteen (16), seventeen (17) and twenty (20) of chapter twenty (20) of the Acts of the extra session of the Twenty-sixth General Assembly as the same appears on page four (4) of the prefix to the Code, and to enact substitutes therefor; to repeal Sections eighteen (18) and nineteen (19) of chapter twenty (20) of the Acts of the extra session of the Twenty-sixth General Assembly, as amended by chapter one (1), of the Acts of the Thirty-first General Assembly and as same appear on page five (5) of the prefix to the Supplement to the Code, 1907, and enact substitutes therefor; and to repeal Sections forty-two (42), forty-three (43), forty-four (44), forty-five (45) and forty-six (46) of the Code and enact substitutes therefor, relating to the distribution and sale of, and the accounting for, the Codes and Session Laws.

S. W. NEAL,  
*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. 121, a bill for an act to legalize certain ordinances of the town of Oxford Junction, Jones County, Iowa.

S. W. NEAL,  
*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. 88, a bill for an act to repeal Section twenty-three hundred forty-one-d (2341-d) of the Supplement to the Code, 1907, and to enact a substitute therefor, relative to the transfer of state certificates for pure bred stallions.

S. W. NEAL,  
*Secretary.*

Also:

MR. SPEAKER—I am directed to inform your honorable body that the Senate has concurred in House Amendments to Senate File No. 42, a bill for an act to amend the law as it appears in Section forty-six hundred-a

(4600-a) of the Supplement to the Code, 1907, relating to the compensation of justices of the peace and constables.

S. W. NEAL,  
*Secretary.*

Also:

MR. SPEAKER—I am directed to inform your honorable body that the Senate has passed the following bill in which the concurrence of the Senate was asked:

House File No. 28, a bill for an act to amend Section one, chapter five, Acts of the Sixteenth General Assembly of the State of Iowa, relating to the granting of power to the First Universalist parish of Iowa City, Iowa, to transfer a portion of its property in Iowa City, Iowa.

S. W. NEAL,  
*Secretary.*

#### SENATE MESSAGES CONSIDERED.

Senate File No. 88, a bill for an act to repeal Section Twenty-three Hundred Forty-one-d (2341-d) of the Supplement to the Code, 1907, and to enact a substitute therefor, relative to the transfer of state certificates for pure bred stallions.

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

Senate File No. 121, a bill for an act to legalize certain ordinances of the town of Oxford Junction, Jones County, Iowa.

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

Senate File No. 93, a bill for an act to repeal the law as it appears in Section Sixteen Hundred Fifty-seven-q (1657-q) of the Supplement to the Code, 1907, and to enact a substitute therefor, relating to the auditing of accounts of the Department of Agriculture.

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

Senate File No. 75, a bill for an act to repeal Sections Sixteen (16), Seventeen (17), and Twenty (20) of Chapter Twenty (20) of the Acts of the Extra Session of the Twenty-sixth General Assembly as the same appears on Page Four (4) of the Prefix to the Code, and enact substitutes therefor; to repeal Sections Eighteen (18) and Nineteen (19) of Chapter Twenty (20) of the Acts of the Extra Session of the Twenty-sixth General Assembly, as amended by Chapter One (1) of the Acts of the Thirty-first General Assembly, and as same appear on Page Five (5) of the Pre-

fix to the Supplement to the Code, 1907, and enact substitutes therefor; and to repeal Sections Forty-two (42), Forty-three (43), Forty-four (44), Forty-five (45), and Forty-six (46) of the Code, and enact substitutes therefor, relating to the distribution and sale of, and the accounting for, the Codes and Session Laws.

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

Jewell of Winneshiek, chairman of the committee to draft resolutions respecting the life, character and public service of the Hon. Jacob Jewell, offered the resolutions prepared by that committee and moved their adoption.

Motion prevailed, and the resolutions were adopted and ordered printed in the Journal.

#### CONSIDERATION OF BILLS.

On motion of Zeller of Madison, House File No. 5, a bill for an act to amend the law as it appears in Section 1532-a, Code Supplement of 1907, relative to the duties of township trustees; the election and compensation of road superintendents; the division and consolidation of road districts and the collection of property road tax, with report of committee recommending passage as amended, was taken up, considered and the amendments adopted.

Harding of Woodbury in the Chair.

Speaker Feely in the Chair.

Kull of Howard moved that House File No. 5, be made a Special Order for Saturday at 11:00 o'clock A. M.

Motion lost.

Beery of Henry, moved the previous question.

Motion prevailed, and the previous question was ordered.

Zeller of Madison, 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 ayes were:

Allred, Balluff, Bascom, Bauman, Baxter, Beebe, Beery, Blackmore, Boe, Boettger, Bonwell, Boomgaarden, Byerly, Cassady,

Cooper, Cousins, Crozier, Crummer, Cunningham, Dabney, Dalby, Darrah, Davidson, Derrough, Dewell, DeWitt, Drury, Dye, Elliott, Etter, Felt, Fenn, Fourt, Fulliam, Fulton, Goodykoontz, Harvey, Hickenlooper, Huffaker, Hunter, Ide, Inman, Jacobs, Jewell, Johnson, Jones, Kendall, Koontz, McDonald, Meredith, Miller of Bremer, Miller of Dubuque, Moore of Wapello, Newell, Perkins, Reaney, Reitz, Ripley, Ritter, Sankey, Schroeder, Schulte, Smith, Stillman, Stoddard, Sullivan, Swan, Swift, Thompson, Tilton, Welden, White, Zeller, Mr. Speaker—74.

The nays were:

Anderson, Arney, Beans, Burt, Fenn, Finlayson, Hackler, Hanson, Holmes, Klay, Kull, Larrabee, Lee, McCleery, Marston, O'Connor, Ward—17.

Absent or not voting:

Bowman, Brandes, Calkins, Dawson, Dewey, Dodds, Ellis, Fox, Grier, Harding, Kellogg, Moore of Linn, Penn, Schee, Sheldon, Wilson, Wolfe—17.

So the bill passed and the title was agreed to.

On motion of Goodykoontz of Boone, House File No. 67, a bill for an act to repeal Section 354 as it appears in the 1907 Supplement to the Code of Iowa, and to enact a substitute therefor, relating to the fees of jurors, with report of committee recommending passage as amended by substituting House File No. 179 therefor, was taken up, considered and the report of the committee, with substitute amendment adopted.

So House File No. 179 was substituted for House File No. 67.

Goodykoontz of Boone, offered the following amendment: "By adding thereto, all acts or parts of acts in conflict herewith is hereby repealed."

Schulte of Clayton offered the following amendment: "Sec. 1. That Section 354 of the Supplement to the Code, 1907, be and the same is hereby repealed and the following enacted in lieu thereof."

On motion of Harding of Woodbury, House File No. 179 was re-referred to the Judiciary Committee.

On motion of O'Connor of Chickasaw, Senate File No. 9, a bill for an act exempting stocks of paint in the hands of jobbers and dealers in the State on Jan. 1, 1908, from the requirements of the

law which appears as Sections 2510-b, 2510-c, 2510-d, and 2510-h, of the Supplement to the Code, 1907, was taken up, and considered.

O'Connor of Chickasaw, moved that the rule be suspended, that the bill be read a third time now, which motion prevailed, and the bill was read a third time.

On the question, "Shall the bill pass?"

The ayes were:

Anderson, Arney, Balluff, Bascom, Bauman, Beans, Beebe, Beery, Blackmore, Boe, Boettger, Bonwell, Boomgaarden, Burt, Byerly, Calkins, Cassady, Cooper, Cousins, Crozier, Crummer, Cunningham, Dabney, Dalby, Darrah, Davidson, Derrough, Dewell, DeWitt, Drury, Dye, Elliott, Etter, Felt, Fenn, Finlayson, Fourt, Fulliam, Fulton, Goodykoontz, Hackler, Hanson, Harding, Harvey, Hickenlooper, Huffaker, Hunter, Ide, Inman, Jacobs, Jewell, Johnson, Jones, Kendall, Klay, Koontz, Kull, Larrabee, Lee, McCleery, McDonald, Marston, Miller of Bremer, Miller of Dubuque, Moore of Wapello, Moore of Linn, Newell, O'Connor, Perkins, Reaney, Reitz, Ripley, Ritter, Sankey, Schroeder, Schulte, Smith, Stillman, Stoddard, Sullivan, Swan, Swift, Tegeler, Thompson, Tilton, Ward, Welden, White, Zeller, Mr. Speaker—90.

The nays were:

Meredith—1.

Absent or not voting:

Allred, Baxter, Bowman, Brandes, Dawson, Dewey, Dodds, Ellis, Fox, Grier, Holmes, Kellogg, Penn, Schee, Sheldon, Wilson, Wolfe—17.

So the bill passed and the title was agreed to.

The Speaker announced that he had signed, as Speaker of the House, in the presence of the House, Substitute for Senate File 42 and Senate File 67.

On request of O'Connor of Chickasaw, House File No. 104, was withdrawn from the Committee on Agriculture and from the further consideration of the House.

On motion of Crummer of Pocahontas, the House adjourned until 10:00 o'clock A. M., Saturday.

# JOURNAL OF THE HOUSE

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HALL OF THE HOUSE OF REPRESENTATIVES,  
DES MOINES, IOWA, FEBRUARY 6, A. D. 1909.

House met pursuant to adjournment.

Speaker Feely in the Chair.

Prayer was offered by Rev. C. W. Clifton of Havelock, Iowa.

Journal of Friday, February 5th, corrected and approved.

On request of Tilton of Iowa, leave of absence was granted Derrough of Warren until Monday.

On request of Inman of Floyd, leave of absence was granted Welden of Hardin until Monday.

On request of Hackler of Webster, leave of absence was granted Darrah of Lucas until Monday.

On request of Goodykoontz of Boone, leave of absence was granted Boe of Winnebago until Monday.

On request of Beery of Henry, leave of absence was granted Blackmore of Worth until Wednesday.

On request of Arney of Marshall, leave of absence was granted Anderson of Hamilton until Monday.

On request of Miller of Dubuque, leave of absence was granted Tegeler of Dubuque until Monday.

On request of Kull of Howard, leave of absence was granted O'Connor of Chickasaw until Tuesday.

On request of Arney of Marshall, leave of absence was granted Thompson of Benton until Tuesday.

On request of Harding of Woodbury, leave of absence was granted Swan of Appanoose until Tuesday.



On request of Cunningham of Buena Vista, leave of absence was granted Finlayson of Grundy until Wednesday.

On request of Perkins of Delaware, leave of absence was granted McCleery of Washington until Tuesday.

On request of Davidson of Palo Alto, leave of absence was granted Holmes of Kossuth until Monday.

On request of Perkins of Delaware, leave of absence was granted Allred of Wayne until Monday.

On request of Fulliam of Muscatine, leave of absence was granted Etter of Keokuk until Monday.

#### PETITIONS, MEMORIALS AND REMONSTRANCES.

Bauman of Van Buren presented remonstrance of citizens of Van Buren County protesting against legislation which will regulate or equalize the rates and assessments of fraternal insurance companies.

Referred to Committee on Insurance.

Baxter of Ida, presented remonstrance of members of Modern Woodmen of America, protesting against the Minimum Rate bill.

Referred to Committee on Insurance.

Kellogg of Harrison, presented petition of citizens of Harrison County, relative to the prohibitory amendment.

Referred to Committee on Suppression of Intemperance.

Klay of Sioux, presented petition of attorneys and residents of the Fourth Judicial District, relative to the increase in the salary of shorthand reporters.

Referred to Committee on Compensation of Public Officers.

Drury of Sac, presented petition of voters of Sac County, relative to the passage of the Marshall Bill.

Referred to Committee on Suppression of Intemperance.

Inman of Floyd, presented petition of citizens of Charles City, relative to the establishment of a Woman's Reformatory separate and distinct from the Men's Reformatory at Anamosa.

Referred to Committee on Public Buildings.

Sullivan of Polk, presented remonstrance of voters of Polk County, relative to the increase in the salary of District Judges.

Referred to Committee on Judiciary.

Fourt of Allamakee, presented remonstrance of Officers and Patrons of French Creek Township, Allamakee County, relative to the proposed changes in the School Laws.

Referred to Committee on Schools and Text Books.

Inman of Floyd, presented petition of members of the Bar of Floyd County, relative to the increase in salary of shorthand reporters.

Referred to Committee on Compensation of Public Officers.

Hunter of Polk, presented petition of women citizens of Polk County, relative to prohibiting the manufacture and sale of liquors for beverage purposes.

Referred to Committee on Suppression of Intemperance.

Kendall of Clinton presented remonstrance of members of the Modern Woodmen of Delmar, relative to the proposed insurance laws.

Referred to Committee on Insurance.

Beans of Mahaska, presented petition of citizens and voters of Mahaska County, relative to the prohibitory amendment.

Referred to Committee on Suppression of Intemperance.

Hackler of Webster called up his motion to reconsider Concurrent Resolution relative to the appointment of a Joint Standing Visiting Committee.

Motion prevailed, and the House proceeded to reconsider.

Mr. Hackler then offered the following amendment:

I move that the Senate Concurrent Resolution relative to the appointment of joint standing committees to visit the several State institutions be amended as follows:

By striking out the word "six," as the same appears in the House journal, in the second line thereof and inserting the word "five." By striking out the word "three" in the second line thereof and inserting the word "two." By inserting after the word "House" in the sixth line thereof the following: "provided, however, that said committee shall on or before the first day of March visit and investigate the State Univer-

sity, the State Normal School and the State College of Agriculture and Mechanic Arts."

That said resolution be further amended by inserting after the word "institution" in the eighth line, as the same appears in the House journal, the following: "under the supervision and control of the State Board of Control."

Amendment adopted.

Hackler of Webster, then moved that the Concurrent Resolution as amended be concurred in.

Motion prevailed, and the resolution declared concurred in as amended.

#### REPORTS OF COMMITTEES.

Sullivan of Polk, from the Committee on Judiciary, submitted the following report:

MR. SPEAKER—Your committee on Judiciary, to whom was referred House File No. 157, a bill for an act to legalize certain ordinances of the town of Oxford Junction, Jones County, Iowa, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same do pass.

JOHN B. SULLIVAN,  
*Chairman.*

Adopted.

Also:

MR. SPEAKER—Your committee on Judiciary, to whom was referred House File No. 91, a bill for an act limiting recovery for newspapers, magazines, and other publications to actual subscribers, and to their terms of subscriptions therefor, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same be indefinitely postponed.

JOHN B. SULLIVAN,  
*Chairman.*

Adopted, and House File No. 91 was indefinitely postponed.

Also:

MR. SPEAKER—Your committee on Judiciary, to whom was referred House File No. 179, a bill for an act to repeal Section three hundred fifty-four (354) of the Supplement to the Code, 1907, relating to the fees of jurors, and enacting a substitute therefor, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same be amended as follows:

By striking out all after the enacting clause and inserting the following: That Section three hundred fifty-four (354) of the Supplement

to the Code, 1907, be and the same is hereby repealed and the following enacted in lieu thereof:

Jurors shall receive the following fees:

For each day's service or attendance in courts of record including jurors summoned on special venire, two dollars and fifty cents (\$2.50), and for each mile traveled from his residence to the place of trial, ten cents; for each day's service before a justice of the peace, one dollar.

No mileage shall be allowed talesmen or jurors before justices. Immediately after the adjournment of each term of a court of record, the clerk thereof shall certify to the county auditor a list of the jurors, with the number of days' attendance to which each one is entitled, and when so amended that the bill do pass.

JOHN B. SULLIVAN,  
*Chairman.*

Adopted.

Substitute amendment adopted.

Also:

MR. SPEAKER—Your committee on Judiciary, to whom was referred House File No. 136, a bill for an act to protect benevolent, humane, fraternal or charitable corporations in the use of their names and emblems and providing penalties for the violation thereof, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same be amended as follows: By striking out Section 4 thereof and substituting the following therefor:

SEC. 4. Any person violating the provisions of Sections one and two of this act shall be deemed guilty of a misdemeanor, and upon conviction thereof, fined not exceeding \$100, or imprisoned in the county jail not exceeding thirty (30) days, and when so amended that the bill do pass.

JOHN B. SULLIVAN,  
*Chairman.*

Adopted.

Amendment adopted.

Also:

MR. SPEAKER—Your committee on Judiciary, to whom was referred House File No. 142, a bill for an act to repeal Section three thousand two hundred eighty-three (3283) of the Code relating to the probate of wills and enacting a substitute therefor, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same be indefinitely postponed.

JOHN B. SULLIVAN,  
*Chairman.*

Adopted, and House File No. 142 was indefinitely postponed.

Also:

MR. SPEAKER—Your committee on Judiciary, to whom was referred House File No. 23, a bill for an act to amend Section four thousand six hundred sixty-one (4661) of the Code, relative to fees paid witnesses in any court of record, 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.

JOHN B. SULLIVAN,  
*Chairman.*

Adopted, and House File No. 23 was indefinitely postponed.

Harding of Woodbury, from the Committee on Municipal Corporations, submitted the following report:

MR. SPEAKER—Your committee on Municipal Corporations, to whom was referred House File No. 89, a bill for an act to repeal Section thirteen hundred and six-e (1306-e) of the Supplement to the Code, 1907, relating to the issuance of bonds by cities and towns, and to enact a substitute therefor, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same be amended as follows:

By striking out the following words in the title: "For an act to repeal Section thirteen hundred and six-e (1306-e) of the Supplement to the Code, 1907, relating to the issuance of bonds by cities and towns and to enact a substitute therefor," and insert in lieu thereof the following: "For an act to repeal Section one thousand three hundred six-e (1306-e) of the Supplement to the Code, 1907, and to enact a substitute therefor relating to the issuance of bonds by cities and town;" to strike out the word "town" in the fourth line of Section one and insert in lieu thereof the words "cities acting under special charter;" that the figure 5, in the last line of the bill be changed to figure 8, and when so amended that the bill do pass.

W. L. HARDING,  
*Chairman.*

Adopted.

Also:

MR. SPEAKER—Your committee on Municipal Corporations, to whom was referred House File No. 99, a bill for an act to amend Section eight hundred thirty-two (832) of the Code, providing that the cost of the repair of any street improvement may be assessed to abutting property, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same be amended as follows: That line one of the title be amended by inserting between the word "Section" and the figures "832" the written words "Eight Hundred Thirty-two" and that the figures "832" in line one be placed in brackets; that line one in Section one be amended by inserting between the word "Section" and the figures

"832" the printed words "Eight Hundred Thirty-two" and by placing the figures "832" in brackets; that in line three (3) of Section one (1) the word "comma" be stricken out and the word "semi-colon" be inserted in lieu thereof; that in the next to the last line, after the word "property" and before the word "in" the following words be inserted "or in case of sewers upon the abutting and adjacent property" and that before the "period" and after the word "improvements" in the last line there be added the words "or sewer," and when so amended that the bill do pass.

W. L. HARDING,  
*Chairman.*

Adopted.

Also:

MR. SPEAKER—Your committee on Municipal Corporations, to whom was referred House File No. 119, a bill for an act amending Section seven hundred and forty-six (746) of the Supplement to the Code relating to contracts and expenditures from the water-works sinking fund for purposes incident to the making and submission to the people of contracts for the purchase or erection of water-works, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same be amended as follows: By inserting after the word "amended" in the first line of the title the words "the law as it appears in" and after the word "Code" in the second line, by inserting the figures "1907;" that Section one should be amended by inserting after the word "that" the words "the law as it appears in" and after the word "Code" in the second line of Section one, the figures "1907;" by striking out from the fifth line in Section one the word "previously" and by changing the word "issue" in the seventh line to the word "issuance," and when so amended that the bill do pass.

W. L. HARDING,  
*Chairman.*

Adopted.

Also:

MR. SPEAKER—Your committee on Municipal Corporations, to whom was referred House File No. 37, a bill for an act to repeal Section twenty-four hundred and forty-five (2445) of the Code and to enact a substitute therefor, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same be amended as follows: By striking out the "period" after "therefor" in the last line of the title and adding thereto the following: "relating to the disposition to be made by the Board of Supervisors of the mulct tax;" to insert after the word "that" in the first line of Section one the words "the law as it appears in," and when so amended that the bill do pass.

W. L. HARDING,  
*Chairman.*

Adopted.

Also:

MR. SPEAKER—Your committee on Municipal Corporations, to whom was referred House File No. 100, a bill for an act to amend Section seven hundred ninety-two of the Code to provide for the oiling of streets and assessing the cost thereof to abutting property, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same be amended as follows: By striking out all after the enacting clause and substituting the following therefor:

SECTION 1. That Section seven hundred ninety-two (792) of the Code be and the same is hereby amended by striking out the word "and" following the word "macadamizing" in the third line thereof and inserting in lieu thereof a "comma" and by inserting the words "or oiling" immediately after the word "guttering" in the third line of said section and by striking out the word "or" immediately after the word "macadamizing" in the seventh line thereof and inserting in lieu thereof a "comma" and by inserting the words "or oiling" immediately after the word "guttering" in the seventh line therefor, so that said Section seven hundred ninety-two, when amended, shall be and read as follows:

Cities, including those under special charter, shall have power to improve any street, highway, avenue or alley by grading, parking, curbing, paving, graveling, macadamizing, guttering or oiling the same or any part thereof, and to provide for the making and reconstruction of such street improvements, and to assess the costs on abutting property as provided in this chapter; but the construction of permanent parking, curbing, paving, graveling, macadamizing, guttering or oiling shall not be done until after the bed therefor shall have been graded, so that such improvement, when fully completed, will bring the street, highway, avenue or alley up to the established grade; provided that only so much of the cost of the removal of the earth and other material as lies between the sub-grade and the established grade shall be assessed to abutting property, and when so amended that the bill do pass.

W. L. HARDING,  
*Chairman.*

Adopted.

#### REPORT OF JOINT COMMITTEE ON ENROLLED BILLS.

Klay of Sioux, from the Joint Committee on Enrolled Bills, submitted the following report:

MR. SPEAKER—Your Joint Committee on Enrolled Bills respectfully report that they have examined, and find correctly enrolled, House File No. 28, a bill for an act to amend Section one, Chapter five, of the Acts of the Sixteenth General Assembly of the State of Iowa, relating to the granting of power to the First Universalist Parish of Iowa City, Iowa, to transfer a portion of its property in Iowa City, Iowa.

Also :

House File No. 11, a bill for an act to repeal Section thirty-two hundred and sixty-eight (3268) of the Code, relative to the time and manner of examination of bonds of guardians, executors, administrators, and trustees, by clerk of the district court, and to enact a substitute therefor.

GERRIT KLAY,

*Chairman House Committee.*

HENRY L. ADAMS,

*Chairman Senate Committee.*

Adopted.

Klay of Sioux, 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. 28, a bill for an act to amend Section one, Chapter five, of the Acts of the Sixteenth General Assembly of the State of Iowa, relating to the granting of power to the First Universalist Parish of Iowa City, Iowa, to transfer a portion of its property in Iowa City, Iowa.

Also :

House File No. 11, a bill for an act to repeal Section thirty-two hundred and sixty-eight (3268) of the Code, relative to the time and manner of examination of bonds of guardians, executors, administrators, and trustees, by clerk of the district court, and to enact a substitute therefor.

GERRIT KLAY,

*Chairman.*

Adopted.

Elliott of Page, from the Committee on Suppression of Intemperance, submitted the following report :

MR. SPEAKER—Your committee on Suppression of Intemperance, to whom was referred House File No. 152, a bill for an act providing for the punishment of intoxication, use of profane, indecent or boisterous language, or disturbing the peace and quiet of any railway station or car, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same be referred to Committee on Judiciary.

J. D. ELLIOTT,

*Chairman.*

#### INTRODUCTION OF BILLS.

By White of Story, House File No. 204, a bill for an act to provide and maintain a permanent reference and consulting law library at the county seat or seats of the several counties for the district courts and judges of the State of Iowa.

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



By White of Story, House File No. 205, a bill for an act to amend the law as it appears in Sections Thirteen Hundred Eighty-two (1382) and Thirteen Hundred Eighty-three (1383) of the Supplement to the Code, pertaining to valuations and tax rates to be used by county auditors in the preparation of tax lists, for the purpose of uniformity throughout the State.

Read first and second time and referred to Committee on Ways and Means.

By Kellogg of Harrison, House File No. 206, a bill for an act to amend Section Eleven Hundred Thirteen (1113) of the Code, relating to polling places and voting booths.

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

By Perkins of Delaware, House File No. 207, a bill for an act to encourage the dairy industry of the State of Iowa, to aid in providing instruction in practical and scientific dairying and making an appropriation therefor.

Read first and second time and referred to Committee on Animal Industry.

By Meredith of Cass, House Joint Resolution No. 3.

Read first and second time and referred to Committee on Constitutional Amendments.

#### HOUSE JOINT RESOLUTION NO 3.

Joint Resolution proposing to amend the Constitution so as to prohibit the manufacture and sale of intoxicating liquors as a beverage within the state.

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

That the following amendment to the Constitution of the State of Iowa be, and the same is hereby proposed: To add, as Section 26 to Article 1 of said Constitution the following:

SEC. 26. No person shall manufacture for sale, or sell or keep for sale as a beverage, any intoxicating liquors whatever, including ale, wine and beer.

The General Assembly shall by law prescribe regulations for the enforcement of the prohibition herein contained, and shall thereby provide suitable penalties for the violation of the provisions hereof.

*Resolved Further,* That the foregoing proposed amendment, with the yeas and nays taken thereon in each of the two Houses, be entered on their respective Journals and referred to the legislature to be chosen at

the next general election for members of the next General Assembly, and that the same be published as by law required, for three months previous to the time of said election.

#### MESSAGES FROM THE SENATE.

The following messages were received from the Senate:

**MR. SPEAKER**—I am directed to inform your honorable body that the Senate has passed the following bill in which the concurrence of the House is asked:

Senate File No. 3, a bill for an act to repeal the law as it appears in Section fourteen hundred fifty-seven (1457) of the Supplement to the Code, 1907, and to enact a substitute therefor relating to the subject of loaning or depositing of public funds.

S. W. NEAL,  
*Secretary.*

Also:

**MR. SPEAKER**—I am directed to inform your honorable body that the Senate has concurred in House amendments to Senate File No. 65, a bill for an act to repeal the law as it appears in Section 232 of the Supplement to the Code, 1907, and enact a substitute therefor relating to the schedule of time of holding terms of court.

S. W. NEAL,  
*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. 129, a bill for an act to amend Section 995 of the Code relating to powers and duties of commissioners in cities of special charter.

S. W. NEAL,  
*Secretary.*

Also:

**MR. SPEAKER**—I am directed to inform your honorable body that the Senate refuses to concur in House amendments to Senate File No. 44, a bill for an act making appropriations for the purchase of 20,000 copies of the Railroad Commissioners' official maps.

S. W. NEAL,  
*Secretary.*

#### SENATE MESSAGES CONSIDERED.

Senate File No. 3, a bill for an act to repeal the law as it appears in Section Fourteen Hundred Fifty-seven (1457) of the Supplement to the Code, 1907, and to enact a substitute therefor, relating to the subject of loaning or depositing of public funds.

Read first and second time and referred to Committee on Ways and Means.

Senate File No. 129, a bill for an act to amend Section Nine Hundred and Ninety-five (995) of the Code, relating to powers and duties of commissioners in cities of special charter.

Read first and second time and referred to Committee on Municipal Corporations.

Moore of Linn, moved that the House insist on amendments to Senate File No. 44.

Motion prevailed.

Moore of Linn, moved that a conference committee of five be appointed from the House on Senate File No. 44.

Motion prevailed.

Bonwell of Audubon, offered the following Concurrent Resolution:

CONCURRENT RESOLUTION.

WHEREAS, The law creating the state highway commission makes no provision for the printing of its annual reports made to the Governor; and

WHEREAS, The said reports contain a large amount of information of special interest and value to the farmers and road-builders of Iowa;

*Resolved by the House, the Senate Concurring,* That ten thousand (10,000) copies of said annual reports, for the year ending July 1, 1907, and for the year ending July 1, 1908, be printed in pamphlet form for distribution by said highway commission.

Laid over under Rule 34.

Ripley of Hancock, asked unanimous consent to withdraw House File No. 59, from the Judiciary Committee, and from the further consideration of the House.

The Speaker announced that he had signed, as Speaker of the House, in the presence of the House, House File No. 11 and House File No. 28.

CONSIDERATION OF BILLS.

On motion of Lee of Emmet, House File No. 130, a bill for an act relating to the distribution of laws becoming effective by publication, with report of committee recommending passage, was taken up and considered.

Lee of Emmet, 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 ayes were :

Arney, Balluff, Bascom, Bauman, Baxter, Beebe, Beery, Boettger, Bonwell, Boomgaarden, Burt, Byerly, Calkins, Cassady, Cooper, Cousins, Crozier, Crummer, Cunningham, Dabney, Dalby, Davidson, Dawson, Dewell, DeWitt, Drury, Dye, Elliott, Felt, Fenn, Fourt, Fulliam, Hackler, Hanson, Harding, Harvey, Hickenlooper, Holmes, Huffaker, Hunter, Ide, Inman, Jacobs, Jewell, Jones, Kellogg, Kendall, Klay, Koontz, Kull, Larrabee, Lee, Marston, Meredith, Miller of Dubuque, Moore of Wapello, Moore of Linn, Newell, Perkins, Reaney, Reitz, Ripley, Ritter, Sankey, Schroeder, Schulte, Sheldon, Smith, Stoddard, Sullivan, Swift, Tilton, Ward, White, Wolfe, Zeller, Mr. Speaker—78.

The nays were :

None.

Absent or not voting :

Allred, Anderson, Beans, Blackmore, Boe, Bowman, Brandes, Darrah, Derfough, Dewey, Dodds, Ellis, Etter, Finlayson, Fox, Fulton, Goodykoontz, Grier, Johnson, McCleery, McDonald, Miller of Bremer, O'Connor, Penn, Schee, Swan, Tegeler, Thompson, Welden, Wilson—30.

So the bill passed and the title was agreed to.

On motion of Ripley of Hancock, House File No. 9, a bill for an act to repeal Section Three Thousand Three Hundred and Seven (3307) of the Supplement to the Code, 1907, relating to administrations of the estates of absentees, and to enact a substitute therefor, with report of committee recommending passage as amended, was taken up, considered and the report of the committee with amendments, adopted.

Ripley of Hancock, 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 ayes were :

Arney, Balluff, Bascom, Bauman, Beans, Beebe, Beery, Boettger, Bonwell, Boomgaarden, Byerly, Cassady, Cooper, Cousins, Crozier, Crummer, Cunningham, Dabney, Dalby, Davidson, Dewell, DeWitt, Drury, Dye, Elliott, Felt, Fourt, Fulliam, Hackler,

Hanson, Harding, Harvey, Hickenlooper, Huffaker, Hunter, Ide, Inman, Jacobs, Johnson, Jones, Kellogg, Kendall, Klay, Koontz, Kull, Larrabee, Lee, McDonald, Marston, Meredith, Miller of Bremer, Miller of Dubuque, Moore of Wapello, Moore of Linn, Newell, Perkins, Reitz, Ripley, Ritter, Sankey, Schroeder, Schulte, Sheldon, Smith, Stillman, Stoddard, Sullivan, Swift, Tilton, Ward, White, Wolfe, Zeller, Mr. Speaker—75.

The nays were :

Baxter, Jewell—2.

Absent or not voting :

Allred, Anderson, Blackmore, Boe, Bowman, Brandes, Burt, Calkins, Darrah, Derrough, Dewey, Dodds, Ellis, Etter, Fenn, Finlayson, Fox, Fulton, Goodykoontz, Grier Holmes, McCleery, O'Connor, Penn, Reaney, Schee, Swan, Tegeler, Thompson, Welden, Wilson—31.

So the bill passed and the title was agreed to.

On motion of Koontz of Johnson, House File No. 170, a bill for an act to amend the law as it appears in Section 716-a of the Supplement to the Code, fixing the levy for the fire fund in cities of the second class, with report of committee recommending passage, was taken up and considered.

Lee of Emmet moved to amend House File No. 170 by inserting the figures "1907" after the word "Code," both in the title and body of the bill, and by striking from the bill the words and figures "Section 1. Levy for fire fund."

Amendment adopted.

Koontz of Johnson 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 ayes were :

Arney, Balluff, Bascom, Bauman, Baxter, Beans, Beebe, Beery, Boettger, Bonwell, Boomgaarden, Byerly, Calkins, Cassady, Cousins, Crozier, Crummer, Dabney, Dalby, Dawson, Dewell, DeWitt, Drury, Dye, Elliott, Felt, Fenn, Fourt, Fulliam, Hackler, Hanson, Harding, Harvey, Hickenlooper, Huffaker, Hunter, Ide, In-

man, Jacobs, Jewell, Johnson, Kendall, Klay, Koontz, Kull, Larra-bee, Lee, McDonald, Marston, Meredith, Miller of Bremer, Miller of Dubuque, Moore of Wapello, Newell, Perkins, Reaney, Reitz, Ripley, Ritter, Sankey, Schroeder, Schulte, Smith, Stillman, Stod-dard, Sullivan, Swift, Tilton, Ward, White, Wolfe, Zeller, Mr. Speaker—73.

The nays were:

None.

Absent or not voting:

Allred, Anderson, Blackmore, Boe, Bowman, Brandes, Burt, Cooper, Cunningham, Darrah, Davidson, Derrough, Dewey, Dodds, Ellis, Etter, Finlayson, Fox, Fulton, Goodykoontz, Grier, Holmes, Jones, Kellogg, McCleery, Moore of Linn, O'Connor, Penn, Schee, Sheldon, Swan, Tegeler, Thompson, Welden, Wilson—35.

So the bill passed and the title was agreed to.

On motion of Harding of Woodbury, House File No. 144 was re-referred to the Committee on Judiciary.

The following communication was received from the chairman of the Davidson-Penn contest committee.

*To Hon. Guy A. Feely and C. R. Benedict, Speaker and Chief Clerk, Respectively, of the House of Representatives of the Thirty-third General Assembly:*

Your committee appointed to hear and report on the election contest filed by W. T. Davidson, contestant, against A. V. Penn, incumbent, has directed me to request the issuance of a subpoena for J. D. McKean, W. H. Norcutt, L. T. Webster and W. L. Van Eaton, Jr.

N. J. LEE,  
Chairman of Committee.

The following communication was received from the chairman of the Corrie-Baxter contest committee:

*To the Honorable Guy A. Feely and C. R. Benedict, Speaker and Chief Clerk, respectively, of the House of Representatives of the Thirty-third General Assembly:*

Your committee appointed to hear and report on the election contest filed by S. M. Corrie, contestant, against Robinson Baxter, incumbent, has directed me to request the issuance of subpoenas for Richard Varner, Floyd Percival, H. W. Cheney, Charles Hoyer, George C. Hubbard of Ida Grove, Ida County, Iowa.

PAUL E STILLMAN,  
Chairman of Committee.

On motion of Arney of Marshall, the House adjourned until 10:00 o'clock, A. M., Monday.

# JOURNAL OF THE HOUSE

HALL OF THE HOUSE OF REPRESENTATIVES,  
DES MOINES, IOWA, FEBRUARY 8, A. D. 1909.

House met pursuant to adjournment.

Speaker Feely in the Chair.

Prayer was offered by Rev. E. Benson of Brooklyn, Iowa.

Journal of Saturday, February 6th, corrected and approved.

On request of Bauman of Van Buren, leave of absence was granted Crozier of Marion until Tuesday.

On request of Sankey of Decatur, leave of absence was granted Zeller of Madison until Tuesday.

On request of Jones of Lee, leave of absence was granted Inman of Floyd until Wednesday.

On request of Jacobs of Calhoun, leave of absence was granted Beebe of Franklin until Tuesday.

On request of Sheldon of Ringgold, leave of absence was granted Moore of Linn until Tuesday.

On request of Cooper of Jasper, leave of absence was granted Thompson of Benton until Tuesday.

On request of Fourt of Allamakee, leave of absence was granted Fulton of Jefferson until Tuesday.

On request of Kull of Howard, leave of absence was granted Koontz of Johnson until Tuesday.

On request of Davidson of Palo Alto, leave of absence was granted Holmes of Kossuth until Tuesday.

## PETITIONS, MEMORIALS AND REMONSTRANCES.

Felt of Clay, presented remonstrance of voters of Clay County, protesting against the passage of the Minimum Rate Law.

Referred to Committee on Insurance.

Stoddard of Buchanan, presented remonstrance of members of Alder Camp No. 2557, Modern Woodmen of America, protesting against the passage of the Minimum Rate Law.

Referred to Committee on Insurance.

O'Connor of Chickasaw, presented petition of residents of Chickasaw County, relative to the passage of a bill prohibiting the hunting of rabbits with ferrets.

Referred to Committee on Fish and Game.

Dewell of Cedar, presented remonstrance of members of Modern Woodmen of America, protesting against legislation which will regulate or equalize the rates and assessments of fraternal insurance companies.

Referred to Committee on Insurance.

Arney of Marshall, presented petition and communication of citizens of Marshall County, relative to the passage of a bill controlling tuberculosis.

Referred to Committee on Public Health.

Drury of Sac, presented petition of voters and taxpayers of Sac County, relative to the passage of the Resident Hunters License Law.

Referred to Committee on Fish and Game.

Derrough of Warren, presented 24 petitions of voters and residents of Warren County, relative to the prohibitory amendment.

Referred to Committee on Suppression of Intemperance.

Ripley of Hancock, presented remonstrance of citizens of Hancock County, protesting against a change in the present School Laws.

Referred to Committee on Schools and Text Books.

Jacobs of Calhoun, presented remonstrance of members of Modern Woodmen of America, protesting against the passage of the Minimum Rate Bill.

Referred to Committee on Insurance.



## REPORTS OF COMMITTEES.

Jewell of Winneshiek, from the Committee on Public Health, submitted the following report:

MR. SPEAKER—Your committee on Public Health, to whom was referred House File No. 24, a bill for an act to repeal Section 2570-a of the Supplement to the Code, 1907, and to enact a substitute therefor, in relation to quarantine and expenses thereof; and House File No. 32, a bill for an act to repeal Sections 2570-a, 2570-a-1 and 2570-b of the Supplement to the Code, 1907, relating to the care of infected persons and payment of quarantine expenses and to enact a substitute therefor; and House File No. 53, a bill for an act to repeal Section 2571, Supplement to the Code, 1907, relating to meetings of the local boards of health, regulations, reports, expenses and tax, and to enact a substitute therefor, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the House with the following substitute therefor and when so substituted, that the bill do pass.

## HOUSE FILE NO. 208.

SUBSTITUTE FOR HOUSE FILE NOS. 24, 32, 53—BY COMMITTEE ON PUBLIC HEALTH.

A Bill for an Act to Repeal Sections Twenty-five Hundred Sixty-five (2565), Twenty-five Hundred Sixty-eight (2568) of the Code, and Sections Twenty-five Hundred Seventy-a (2570-a), Twenty-five Hundred Seventy-a-1 (2570-a-1), Twenty-five Hundred Seventy-b (2570-b), Twenty-five Hundred Seventy-one (2571) and Twenty-five Hundred Seventy-two (2572) of the Supplement to the Code, 1907, Relating to the Jurisdiction, Powers, Rules, Regulations and Expenses of the State Board of Health and of Local Boards of Health, and to Enact Substitutes Therefor.

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

SECTION 1. That Section twenty-five hundred sixty-five (2565) of the Code be and the same is hereby repealed and the following enacted in lieu thereof:

"The board shall have general supervision over the interests of the health and life of the citizens of the state and shall adopt rules and regulations in all matters pertaining to registration of marriages, births and deaths, and pertaining to quarantine of all cases of bubonic plague, yellow fever, leprosy and cholera; shall act as arbiter in questions of dispute between local boards of health; shall have charge and general supervision of the registration of marriages, births and deaths; shall have authority to make sanitary investigations from time to time as it may deem necessary for the preservation and improvement of public health; shall formulate such rules and regulations as it may deem advisable for the protection and improvement of the public health and recommend the same; shall act as a general advisory board to; and upon application therefor shall, through its secretary, furnish promptly such information as may be requested by any local board of health.

"It shall prepare and furnish, through its secretary, to the clerks of the several counties, such forms for the record of marriages, births and deaths as it may determine upon, and, by its secretary, make biennial

reports to the Governor, which shall include so much of its proceedings, such information concerning vital statistics, such knowledge respecting diseases and such instruction upon the subject of hygiene, as may be thought useful for dissemination among the people, with such suggestions as to further legislation as may be thought advisable."

SEC. 2. That Section twenty-five hundred sixty-eight (2568) of the Code be and the same is hereby repealed and the following enacted in lieu thereof:

"The mayor and council of each town or city, or the trustees of any township, shall constitute a local board of health within the limits of such towns, cities or townships of which they are officers. The town, city or township clerk shall be clerk of the local board, which board shall appoint a competent physician as its health officer, who shall hold office during its pleasure. It shall regulate all fees and charges of persons employed by it in the execution of health laws and its own regulations; have charge of all cemeteries dedicated to public use not controlled by other trustees or incorporated bodies, and the burial of the dead; make such regulations as are necessary for the protection of the public health respecting nuisances, sources of filth, causes of sickness, rabid animals and quarantine, which shall also apply to boats or vessels in harbors or ports within their jurisdiction; to proclaim and establish quarantine against all infectious or contagious diseases, dangerous to the public, and maintain and remove the same; may, when satisfied upon due examination that any cellar, room, tenement, building, or place occupied as a dwelling or otherwise has become, or is by reason of the number of occupants, uncleanness or other cause, unfit for such purpose, or a cause of nuisance or sickness to the occupants or the public, issue a notice in writing to such occupants or any of them, requiring the premises to be put in proper condition as to cleanliness, or requiring the occupants to remove or quit such premises within a reasonable time to be fixed; and, if the persons so notified or either of them neglect or refuse to comply therewith may, by order, cause the premises to be properly cleaned at the expense of the owner or owners, or may forcibly remove the occupants and close the premises, and peace and police officers shall execute such orders, which premises so closed shall not be again occupied as a dwelling place without written permission of the board. The quarantine authorized by this section in case of infectious or contagious diseases shall be declared or terminated by the mayor of any city or town, or the township clerk outside of such city or town, in cases required by regulations of the local board of health, upon written notice given by any practicing physician of the existence of such disease, or termination of the cause for quarantine, as the case may be."

SEC. 3. That Sections twenty-five hundred seventy-a (2570-a), twenty-five hundred seventy-a-1 (2570-a-1), and Section twenty-five hundred seventy-b (2570-b) of the Supplement to the Code, 1907, be and the same are hereby repealed and the following enacted in lieu thereof:

"When any person shall be sick or infected with any contagious or infectious disease, the local board of health, through the mayor or township clerk, shall make such provisions as are best calculated to protect the inhabitants therefrom, not in conflict with rules and regulations

adopted as in this chapter hereinafter provided, and may remove such person to a separate house when it may be done without injury to his health.

"All expenses incurred in the care of persons so removed to a separate house shall be paid by the county as hereafter provided. In case any person, or the person liable for the support of such person, quarantined or restrained under and by virtue of this act, shall be financially unable to procure proper care, provisions, supplies or medical attendance, it shall be the duty of the mayor or township clerk to procure for such diseased person proper care, provisions, supplies or medical attendance.

"It shall be the duty of the attending physician to adhere to the rules and regulations of the local board of health in all cases of contagious or infectious diseases and disinfect and fumigate the person, apparel and premises under quarantine in accordance with the rules and regulations of the local board of health.

"All bills for services rendered or for supplies furnished by order of the city mayor or township clerk as herein provided for persons removed to a separate house, or for persons financially unable to provide for their own sustenance and care shall be allowed and paid for only on a basis of the reasonable market price for such services or provisions in the locality in which they may have been furnished. All bills incurred under the provisions of this act shall be audited by the local board of health and shall then be certified to the county auditor in the county in which the quarantine was established and shall then be audited by the board of supervisors of said county and if such board of supervisors determine such bills payable under the provisions of this act it shall order the county auditor to draw a warrant therefor on the poor fund of said county.

"No bill shall be allowed and paid for any expense incurred by any person or family during quarantine; except in cases removed to a separate house; unless it shall be determined that such person or family is financially unable to meet payment of said bill."

SEC. 4. That section twenty-five hundred and seventy-one (2571) of the Supplement to the Code, 1907, be and the same is hereby repealed and the following enacted in lieu thereof:

"Local boards of health shall meet for the transaction of business and for the election of health officers on the first Mondays of April and November in each year and at such other times as may seem necessary. On the second Monday in April of each year the health officers of the several cities, towns and townships of each county shall meet at the court house in said county and shall adopt rules and regulations for the prevention or spread of contagious or infectious diseases which shall include the rules and regulations adopted by the state board of health for the diseases named in Section one (1) of this act, and such other rules and regulations as they may deem wise and necessary for the protection of the public health of said county. The chairman of such meeting shall furnish to the county auditor a certified copy of the rules and regulations thus adopted who shall cause to be printed such number of copies thereof as may be necessary. The said county auditor shall forthwith mail to the clerk of the local board of health of each city, town or township ten

(10) copies thereof and shall furnish to city, town or township clerks and to practicing physicians such number of additional copies as may be reasonably required.

"The city or township clerk of each city, town or township shall, upon receipt of such rules, forthwith call a meeting of the local board of health, which local board shall adopt such rules and cause the same to be spread on the record. Publication shall be made by posting five (5) copies thereof in public places in said city, town or township, and by such other notice as may be deemed wise and necessary. All rules and regulations thus adopted shall remain in full force and effect, without additional publication or notice, until they may have been amended, altered or enlarged by the board of local health officers as herein provided.

"Whenever any quarantine is established it shall be the duty of the officer establishing same to deliver to the person or family quarantined, a copy of the rules and regulations of the local board of health.

"Reports of the proceedings of the local board of health shall be made at such times and in such manner as may be reasonably required by the State Board of Health.

"All expenses incurred under the provisions of this chapter when not otherwise provided for, shall be paid from the county poor fund and be audited and paid as other demands."

SEC. 5. That Section twenty-five hundred seventy-two (2572) of the Supplement to the Code be and the same is hereby repealed and the following enacted in lieu thereof:

"Peace and police officers within their respective jurisdictions, when called upon to do so, shall execute the orders of the state and local boards of health."

SEC. 6. Nothing in this act shall affect pending litigation.

SEC. 7. This act, being deemed of immediate importance, shall take effect and be in force from and after its publication in the Register and Leader and Des Moines Capital, newspapers published in Des Moines, Iowa.

P. M. JEWELL,  
*Chairman.*

Adopted.

Read first and second time and placed on file.

#### REPORT OF COMMITTEE ON ENROLLED BILLS.

MR. SPEAKER—Your committee on enrolled bills respectfully report that they have this day sent to the governor for his approval, House File No. 28, a bill for an act to amend Section one, Chapter five, of the Acts of the Sixteenth General Assembly of the State of Iowa, relating to the granting of power to the First Universalist Parish of Iowa City, Iowa, to transfer a portion of its property in Iowa City, Iowa.

Also:

House File No. 11, a bill for an act to repeal Section Thirty-two hundred and sixty-eight (3268) of the Code, relative to the time and manner of examination of bonds of guardians, executors, administrators, and

trustees, by clerk of the district court, and to enact a substitute therefor.

GERRIT KLAY,

*Chairman.*

Adopted.

#### REPORT OF JOINT COMMITTEE ON ENROLLED BILLS.

Klay of Sioux, from the Joint Committee on Enrolled Bills, submitted the following report:

MR. SPEAKER—Your Joint Committee on Enrolled Bills respectfully report that they have examined, and find correctly enrolled, Senate File No. 43, a bill for an act making an appropriation to pay the additional employes of the Thirty-third General Assembly.

Also:

Senate File No. 9, a bill for an act exempting stocks of paint in the hands of jobbers and dealers in the state on January 1st, 1908, from the requirements of the law which appears as Section two thousand five hundred and ten-b (2510-b), two thousand five hundred and ten-c (2510-c), two thousand five hundred and ten-d (2510-d) and two thousand five hundred and ten-h (2510-h) of the Supplement to the Code, 1907.

GERRIT KLAY,

*Chairman House Committee.*

HENRY L. ADAMS,

*Chairman Senate Committee.*

Adopted.

#### INTRODUCTION OF BILLS.

By Bonwell of Audubon, House File No. 209, a bill for an act to amend the law as it appears in Subdivision Nine (9) of Section Twenty-four Hundred Forty-eight (2448) of the Supplement to the Code, 1907, relating to the time in which intoxicating liquors may be sold.

Read first and second time and referred to Committee on Suppression of Intemperance.

By Darrah of Lucas, House File No. 210, a bill for an act to repeal Section Twenty-one Hundred Twenty-six (2126) of the Code of 1897, relating to rates for long and short haul of passengers or freight subject to the approval of the Board of Railway Commissioners.

Read first and second time and referred to Committee on Railroads and Transportation.

By Sullivan of Polk (by request), House File No. 211, a bill for an act making an appropriation for Thomas H. Rattenbury on

account of injuries received by him at the State sanatorium for the treatment of tuberculosis.

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

Bonwell of Audubon, called up Concurrent Resolution, relative to printing the report of the State Highway Commission, and moved its adoption.

Motion prevailed, and the resolution was adopted.

The Speaker announced that as Speaker of the House, in the presence of the House, he had signed Senate File No. 43 and Senate File No. 9.

Fenn of Clarke, offered the following Concurrent Resolution:

CONCURRENT RESOLUTION.

WHEREAS, Believing that the people of the State of Iowa and the United States would be greatly benefited by a parcel post system, and that the people are demanding it, and as it will not cost the Government any extra appropriation to put it into execution, but instead will create enough extra business to pay the deficit that now exists in our annual postal expenses, besides the great benefit it would be to the people, therefore be it

*Resolved that the House of Representatives, with the Senate Concurring,* Ask our Representatives in Congress to use their influence, and urgently request them to work to secure the passage of the Burnham Parcel Post Bill now pending before Congress or some similar parcel post bill.

Laid over under Rule 34.

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. 119, a bill for an act to amend Section 1571-b, 1571-c, 1571-e, 1571-f of the Supplement to the Code, 1907, in reference to motor vehicles.

S. W. NEAL,  
*Secretary.*

SENATE MESSAGE CONSIDERED.

Senate File No. 119, a bill for an act to amend Sections Fifteen Hundred and Seventy-one-b (1571-b), Fifteen Hundred and Seventy-one-c (1571-c), Fifteen Hundred and Seventy-one-e (1571-e) and Fifteen Hundred and Seventy-one-f (1571-f) of the Supplement to the Code, 1907, in reference to motor vehicles.

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

The Speaker appointed as Conference Committee on Senate File No. 44: Moore of Linn, Lee of Emmet, Stillman of Greene, Anderson of Hamilton and Dodds of Des Moines.

#### CONSIDERATION OF BILLS.

On motion of Klay of Sioux, House File No. 145, a bill for an act to legalize the action of the Board of Supervisors of Sioux County, Iowa, relating to the sale of school lands in Section Twelve (12), Township Ninety-five (95), north of Range Forty-eight (48), west of the Fifth (5th) principal meridian, Sioux County, Iowa, and to authorize the Governor to issue a patent therefor to John H. Hutchinson, with report of committee recommending passage, was taken up and considered.

Klay of Sioux, 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 ayes were:

Anderson, Arney, Balluff, Bascom, Bauman, Baxter, Beans, Beery, Boe, Boettger, Bonwell, Boomgaarden, Brandes, Byerly, Calkins, Cassady, Cooper, Cousins, Crummer, Cunningham, Dabney, Dalby, Darrah, Davidson, Dawson, Derrough, Dewell, Dewey, DeWitt, Drury, Dye, Elliott, Felt, Fenn, Fourt, Fox, Fulliam, Goodykoontz, Hackler, Hanson, Harding, Harvey, Hickenlooper, Huffaker, Hunter, Ide, Jacobs, Jewell, Johnson, Jones, Kendall, Klay, Kull, Larrabee, Lee, McDonald, Meredith, Miller of Bremer, Miller of Dubuque, Moore of Wapello, Newell, O'Connor, Penn, Perkins, Reaney, Reitz, Ripley, Ritter, Sankey, Schroeder, Schulte, Sheldon, Smith, Stillman, Stoddard, Sullivan, Swift, Tilton, Ward, Welden, White, Wilson, Wolfe, Mr. Speaker—84.

The nays were:

None.

Absent or not voting:

Allred, Beebe, Blackmore, Bowman, Burt, Crozier, Dodds, Ellis, Etter, Finlayson, Fulton, Grier, Holmes, Inman, Kellogg, Koontz,

McCleery, Marston, Moore of Linn, Schee, Swan, Tegeler, Thompson, Zeller—24.

So the bill passed and the title was agreed to.

On motion of Byerly of Jones, Senate File No. 79, a bill for an act to legalize a special election of the City of Anamosa, Iowa, held October 28, 1907, for purchase of water-works system, and voting bonds therefor, and the ordinances, resolutions and acts of the council relating to such water-works, with report of committee recommending passage, was taken up and considered.

Byerly of Jones, moved that the rule be suspended, that the bill be read a third time now, which motion prevailed, and the bill was read a third time.

On the question, "Shall the bill pass?"

The ayes were:

Allred, Anderson, Arney, Balluff, Bascom, Bauman, Baxter, Beans, Beery, Blackmore, Boe, Boettger, Bonwell, Boomgaarden, Brandes, Byerly, Calkins, Cassady, Cooper, Cousins, Crummer, Dabney, Dalby, Darrah, Davidson, Dawson, Derrough, Dewell, Dewey, DeWitt, Drury, Dye, Elliott, Felt, Fenn, Fourt, Fox, Fulliam, Goodykoontz, Hackler, Hanson, Harding, Harvey, Hickenlooper, Huffaker, Hunter, Ide, Jacobs, Jewell, Johnson, Jones, Kellogg, Kendall, Klay, Kull, Larrabee, Lee, McDonald, Meredith, Miller of Bremer, Miller of Dubuque, Moore of Wapello, Newell, O'Connor, Penn, Perkins, Reaney, Reitz, Ripley, Ritter, Sankey, Scheroeder, Schulte, Sheldon, Smith, Stillman, Stoddard, Sullivan, Swift, Tilton, Ward, Welden, Wilson, Wolfe, Mr. Speaker.—85.

The nays were:

None.

Absent or not voting:

Beebe, Bowman, Burt, Crozier, Cunningham, Dodds, Ellis, Etter, Finlayson, Fulton, Grier, Holmes, Inman, Koontz, McCleery, Marston, Moore of Linn, Schee, Swan, Tegeler, Thompson, White, Zeller—23.

So the bill passed and the title was agreed to.

On motion of Sullivan of Polk, House File No. 150, a bill for an act to repeal Section 503 of the Code, relating to bailiffs and enact



ing a substitute therefor, with report of committee recommending passage, was taken up and considered.

Sullivan of Polk, 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 ayes were:

Allred, Anderson, Balluff, Bascom, Bauman, Baxter, Beans, Boe, Boettger, Bonwell, Boomgaarden, Brandes, Byerly, Calkins, Casady, Cooper, Cousins, Dabney, Dalby, Darrah, Davidson, Dawson, Derrough, Dewell, Dewey, DeWitt, Drury, Elliott, Etter, Felt, Fenn, Fourt, Fox, Fulton, Goodykoontz, Hackler, Hanson, Harding, Harvey, Hickenlooper, Huffaker, Hunter, Ide, Jacobs, Jewell, Johnson, Jones, Kendall, Klay, Larrabee, McDonald, Meredith, Miller of Bremer, Moore of Wapello, Newell, Perkins, Reaney, Ripley, Ritter, Schroeder, Schulte, Smith, Stillman, Stoddard, Sullivan, Swift, Tilton, Ward, Wilson, Wolfe, Mr. Speaker—71.

The nays were:

Fulliam, Kull, Lee, Miller of Dubuque, O'Connor, Penn, Sankey, Welden—8.

Absent or not voting:

Arney, Beebe, Beery, Blackmore, Bowman, Burt, Crummer, Crozier, Cunningham, Dodds, Dye, Ellis, Finlayson, Grier, Holmes, Inman, Kellogg, Koontz, McCleery, Marston, Moore of Linn, Reitz, Schee, Sheldon, Swan, Tegeler, Thompson, White, Zeller—29.

So the bill passed and the title was agreed to.

Speaker pro tempore Lee in the Chair.

On motion of Goodykoontz of Boone, House File No. 179, a bill for an act to repeal Section Three Hundred Fifty-four (354) of the Supplement to the Code, 1907, relating to the fees of jurors, and enacting a substitute therefor, with report of committee recommending passage as amended, was taken up, considered and the report of the committee, with substitute amendment as amended, adopted.

Goodykoontz of Boone, 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 ayes were:

Allred, Anderson, Arney, Balluff, Bascom, Bauman, Baxter, Beans, Beery, Boettger, Bonwell, Boomgaarden, Brandes, Byerly, Calkins, Cassady, Cooper, Cousins, Crummer, Dalby, Darrah, Davidson, Dawson, Derrough, Dewell, Dewey, DeWitt, Drury, Dye, Elliott, Felt, Fenn, Fourt, Fulliam, Goodykoontz, Hackler, Hanson, Harding, Harvey, Hickenlooper, Huffaker, Hunter, Ide, Jacobs, Jewell, Johnson, Jones, Kendall, Klay, Larrabee, Lee, McDonald, Miller of Bremer, Miller of Dubuque, Moore of Wapello, Newell, O'Connor, Perkins, Reaney, Reitz, Ripley, Ritter, Sankey, Schroeder, Schulte, Smith, Stillman, Stoddard, Sullivan, Swift, Tilton, Ward, Welden, White, Wilson, Wolfe—76.

The nays were:

Fox, Meredith—2.

Absent or not voting:

Beebe, Blackmore, Boe, Bowman, Burt, Crozier, Cunningham, Dabney, Dodds, Ellis, Etter, Finlayson, Fulton, Grier, Holmes, Inman, Kellogg, Koontz, Kull, McCleery, Marston, Moore of Linn, Penn, Schee, Sheldon, Swan, Tegeler, Thompson, Zeller, Mr. Speaker—30.

So the bill passed and the title was agreed to.

On motion of Byerly of Jones, House File No. 157, a bill for an act to legalize certain ordinances of the town of Oxford Junction, Jones County, Iowa, with report of committee recommending passage, was taken up and considered.

Byerly of 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 ayes were:

Allred, Anderson, Arney, Balluff, Bascom, Bauman, Baxter, Beans, Beery, Boe, Boettger, Bonwell, Boomgaarden, Brandes, Byerly, Calkins, Cassady, Cooper, Cousins, Crummer, Dabney, Dalby, Davidson, Dawson, Derrough, Dewell, Dewey, DeWitt, Drury, Elliott, Felt, Fenn, Fourt, Fox, Fulliam, Goodykoontz, Hackler, Hanson, Harding, Harvey, Hickenlooper, Huffaker, Hunter, Ide, Jewell,

Johnson, Jones, Kellogg, Kendall, Klay, Kull, Larrabee, Lee, McDonald, Meredith, Miller of Bremer, Miller of Dubuque, Moore of Wapello, Newell, O'Connor, Penn, Perkins, Reaney, Reitz, Ripley, Ritter, Sanky, Schroeder, Schulte, Sheldon, Smith, Stillman, Stoddard, Sullivan, Swift, Tilton, Ward, Welden, White, Wilson, Wolfe, Mr. Speaker—83.

The nays were:

None.

Absent or not voting:

Beebe, Blackmore, Bowman, Burt, Crozier, Cunningham, Darrah, Dodds, Ellis, Etter, Finlayson, Fulton, Grier, Holmes, Inman, Jacobs, Koontz, McCleery, Marston, Moore of Linn, Schee, Swan, Tegeler, Thompson, Zeller—25.

So the bill passed and the title was agreed to.

The following communication was received from the chairman of the Springer-Stoddard contest committee:

*To Hon. Guy A. Feely, Speaker, and Hon. C. R. Benedict, Chief Clerk of the House of Representatives of the Thirty-third General Assembly:*

Your committee appointed to hear the contest filed by L. F. Springer, contestant, against B. F. Stoddard, incumbent, has directed me to request the issuance of a subpoena for the following witnesses on the part of the contestant, to-wit:

C. E. Hayes, Mrs. C. E. Hayes, M. B. Griffith, A. M. Dorman, Lillie Soener, Charles Foster, P. McCorstin, W. C. Ballow and W. C. Kennedy.

F. C. DAVIDSON,  
*Chairman.*

The following communication was received from the chairman of the Teter-Crozier contest committee:

*To Honorable Guy A. Feely and C. R. Benedict, Speaker and Chief Clerk, Respectively, of the House of Representatives of the Thirty-third General Assembly:*

Your committee appointed to hear and report on the election contest filed by Lorenzo D. Teter, contestant, against George W. Crozier, incumbent, from the 26th representative district, Iowa, has directed me to request the issuance of a subpoena for Don Smith, auditor of Marion County, Iowa, Harry Woodward, Mrs. Genevra Woodward, G. W. Gordon, Luke Gullian, Geddis Gullian, John Caulkins, Henry Stevenson and J. B. Lyman.

CHARLES W. HACKLER,  
*Chairman of Committee.*

Speaker Feely in the Chair.

On motion of Wilson of Tama, House File No. 35 was withdrawn from the further consideration of the Judiciary Committee and the House.

On motion of Byerly of Jones, House File No. 82 was withdrawn from the further consideration of the Judiciary Committee and the House.

On motion of Hackler of Webster, House File No. 64 was withdrawn from the further consideration of the Judiciary Committee and the House.

On motion of Kellogg of Harrison, the House adjourned until 10:00 o'clock A. M., Tuesday.

# JOURNAL OF THE HOUSE

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HALL OF THE HOUSE OF REPRESENTATIVES,  
DES MOINES, IOWA, FEBRUARY 9, A. D. 1909.

House met pursuant to adjournment.

Speaker Feely in the Chair.

Prayer was offered by Rev. Wm. McVay of Millersburg, Iowa.

Journal of Monday, February 8th, corrected and approved.

On request of Baxter of Ida, leave of absence was granted Schroeder of Crawford until Friday.

On request of Jacobs of Calhoun, leave of absence was granted Beebe of Franklin until Wednesday.

## PETITIONS, MEMORIALS AND REMONSTRANCES.

Bauman of Van Buren, presented petition of citizens of Van Buren County, relative to the adoption of House Joint Resolution No. 3.

Referred to Committee on Constitutional Amendments.

Penn of Fremont, presented remonstrance of members of Tabor Camp No. 8568, Modern Woodmen of America, protesting against the passage of the Minimum Rate Law.

Referred to Committee on Insurance.

DeWitt of Montgomery, presented remonstrance of members of Willow Dale Camp No. 4084, Modern Woodmen of America, protesting against the passage of the Minimum Rate Law.

Referred to Committee on Insurance.

Holmes of Kossuth, presented petition of citizens and voters of Kossuth County, relative to prohibiting the manufacture and sale of liquors for beverage purposes.

Referred to Committee on Suppression of Intemperance.

Reitz of Lee, presented remonstrance of Mitchell Camp No. 7538, Modern Woodmen of America, protesting against the passage of the Minimum Rate Law.

Referred to Committee on Insurance.

Hickenlooper of Monroe, presented remonstrance of Camp No. 6507, Modern Woodmen of America, of Hiteman, Iowa, protesting against the passage of the Minimum Rate Law.

Referred to Committee on Insurance.

Sullivan of Polk, presented petition of the Men's Club of the First United Presbyterian Church, relative to the prohibitory amendment and the Cosson bills referring to law enforcement.

Referred to Committee on Constitutional Amendments.

Cassady of Monona, presented remonstrance of members of Modern Woodmen of America of Ute, Iowa, protesting against the passage of the Minimum Rate Law.

Referred to Committee on Insurance.

Thompson of Benton, presented remonstrances of members of Olive Camp No. 2267, Modern Woodmen of America, Royal Neighbors of America and Modern Brotherhood of America, protesting against the passage of the Minimum Rate Law.

Referred to Committee on Insurance.

Dewell of Cedar, presented remonstrance of members of Cedar Camp No. 107, Modern Woodmen of America, protesting against the passage of the Minimum Rate Law.

Referred to Committee on Insurance.

Jewell of Winneshiek, presented remonstrance of members of Camp No. 3840, Modern Woodmen of America, of Burr Oak, Iowa, protesting against the passage of the Minimum Rate Law.

Referred to Committee on Insurance.

#### REPORTS OF COMMITTEES.

Jewell of Winneshiek, from the Committee on Public Health, submitted the following report:

MR. SPEAKER—Your committee on Public Health, to whom was referred House File No. 139, by Cousins, a bill for an act to amend the law as it appears in Section twenty-five hundred ninety-four (2594) of the Code, relating to the practice of pharmacy, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same be referred to the committee on ways and means.

P. M. JEWELL,  
*Chairman.*

Adopted, and House File No. 139 was so referred.

Kellogg of Harrison, from the Committee on Insurance, submitted the following report:

MR. SPEAKER—Your committee on Insurance, to whom was referred House File No. 106, a bill for an act for a uniform fire insurance policy, and a valued insurance policy law and requiring that no property shall be insured for a greater amount than three-fourths of the value of the property insured, 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.

GEO. A. KELLOGG,  
*Chairman.*

Adopted, and House File No. 106 was indefinitely postponed.

#### INTRODUCTION OF BILLS.

By Fenn of Clarke, House File No. 212, a bill for an act to amend Paragraph Two (2) of Section Twenty-four Hundred Forty-eight (2448) of the Supplement to the Code, relative to securing the consent of property owners for the sale of intoxicating liquors.

Read first and second time and referred to Committee on Suppression of Intemperance.

By Hanson of Humboldt, House File No. 213, a bill for an act regulating certain classes of advertisements, prohibiting other classes, and providing a penalty for violation thereof.

Read first and second time and referred to Committee on Public Health.

By Holmes of Kossuth, House File No. 214, a bill for an act to repeal Sections Twenty-one Hundred Eleven (2111), Twenty-one Hundred Fifty-one (2151) of the Code relating to the election, limitations, powers and duties of the Board of Railroad Commissioners, and to enact substitutes therefor; and for the repeal of Section Ten Hundred Sixty-eight (1068) of the Supplement to the Code 1907.

Read first and second time and referred to Committee on Railroads and Transportation.

By Fulton of Jefferson, House File No. 215, a bill for an act for the relief of the grantees of Joel J. Bradshaw, and for the purpose of having a patent issued in the name of W. F. Werner for a certain tract of land.

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

By Welden of Hardin, House File No. 216, a bill for an act to amend Section Twenty-six Hundred and One (2601) of the Code, relating to admission of inmates to the Iowa Soldiers' Home located at Marshalltown.

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

By Cooper of Jasper, House File No. 217, a bill for an act to amend Section Four Thousand Four Hundred and Eighty-one (4481) of the Supplement to the Code, 1907, relating to change of venue of suits brought on written contracts in justice courts.

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

By Stillman of Greene, House File No. 218, a bill for an act to amend Section Seven Hundred Thirty-two (732), Supplement to the Code, 1907, relative to the levying of taxes for public libraries.

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

By Wilson of Tama, House File No. 219, a bill for an act to repeal the law as it appears in Section Five Hundred Sixty-five (565) of the Code, and to enact a substitute therefor with regard to election of township assessors in certain townships.

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

By Koontz of Johnson, House File No. 220, a bill for an act to appropriate money for the use of the State sanatorium for the treatment of tuberculosis at Oakdale, Iowa.

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



By Dabney of Davis, House File No. 221, a bill for an act to amend Section Four Thousand Two Hundred Fifty-three (4253) of the Code, relating to leasing real estate partitions for sale.

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

Fenn of Clarke, called up his resolution relative to the Burnham Parcel Post bill.

Harding of Woodbury, moved to lay the resolution on the table.

Roll call demanded on the motion to lay the resolution on the table.

On the question, "Shall the Concurrent Resolution be laid on the table?"

The ayes were:

Allred, Anderson, Arney, Balluff, Bascom, Baxter, Beans, Boe, Boettger, Bonwell, Brandes, Cassady, Cooper, Cousins, Crozier, Crummer, Cunningham, Dabney, Dalby, Darrah, Derrough, Dye, Elliott, Ellis, Etter, Felt, Fox, Fulliam, Goodykooztz, Hanson, Harding, Jacobs, Johnson, Jones, Kendall, Klay, Koontz, Kull, McDonald, Miller of Bremer, Miller of Dubuque, Moore of Wapello, Moore of Linn, Newell, O'Connor, Penn, Reaney, Reitz, Ripley, Ritter, Schulte, Sheldon, Smith, Stillman, Stoddard, Tegeler, Thompson, Tilton, Welden, Wolfe—60.

The nays were:

Bauman, Beery, Boomgaarden, Burt, Byerly, Davidson, Dawson, Dewey, DeWitt, Drury, Fenn, Finlayson, Fourt, Fulton, Hacker, Harvey, Hickenlooper, Holmes, Huffaker, Hunter, Ide, Larrabee, Lee, McCleery, Marston, Meredith, Perkins, Sankey, Sullivan, Swan, Swift, Ward, White, Wilson, Mr. Speaker—35.

Absent or not voting:

Beebe, Blackmore, Bowman, Calkins, Dewell, Dodds, Grier, Inman, Jewell, Kellogg, Schee, Schroeder, Zeller—13.

Motion prevailed, and the Concurrent Resolution was laid on the table.

#### CONSIDERATION OF BILLS.

On motion of Allred of Wayne, House File No. 69, a bill for an act to repeal the law as it appears in Section Five Thousand and

Forty-a (5040-a), Chapter Twelve (12), of the Code Supplement of 1907, and to enact a substitute therefor, relating to Memorial Day, with report of committee recommending passage as amended, was taken up, considered and the report of the committee, with amendments adopted.

Allred of Wayne, 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 ayes were:

Allred, Arney, Beans, Boe, Boomgaarden, Bonwell, Brandes, Burt, Cassady, Cooper, Crummer, Dabney, Darrah, Davidson, Dawson, Derrough, Dewell, Dewey, DeWitt, Elliott, Ellis, Felt, Finlayson, Fourt, Fox, Fulton, Goodykoontz, Hackler, Hanson, Harvey, Hickenlooper, Holmes, Hunter, Ide, Jacobs, Jewell, Johnson, Jones, Kendall, Klay, Larrabee, McCleery, Meredith, Moore of Wapello, Perkins, Reaney, Stillman, Stoddard, Swan, Swift, Tilton, Welden, White, Wilson, Mr. Speaker—55.

The nays were:

Anderson, Balluff, Baxter, Boettger, Byerly, Cousins, Crozier, Cunningham, Dalby, Etter, Fulliam, Koontz, Kull, Lee, McDonald, Miller of Bremer, Miller of Dubuque, Newell, Penn, Reitz, Ripley, Ritter, Sankey, Schulte, Smith, Tegeler, Thompson, Wolfe—28.

Absent or not voting:

Bascom, Bauman, Beebe, Beery, Blackmore, Bowman, Calkins, Dodds, Drury, Dye, Fenn, Grier, Harding, Huffaker, Inman, Kellogg, Marston, Moore of Linn, O'Connor, Schee, Schroeder, Sheldon, Sullivan, Ward, Zeller—25.

So the bill passed and the title was agreed to.

On motion of Harding of Woodbury, House File No. 100, a bill for an act to amend Section Seven Hundred Ninety-two (792) of the Code, to provide for the oiling of streets and assessing the costs thereto to abutting property, with report of committee recommending passage as amended was taken up, considered and the report of the committee, with amendments adopted.

Kellogg of Harrison, moved the previous question.

Motion prevailed, and the previous question was ordered.

Harding of Woodbury, 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 ayes were:

Arney, Balluff, Bascom, Bauman, Beans, Beery, Boe, Boettger Brandes, Burt, Cassady, Cooper, Crummer, Cunningham, Dalby, Davidson, Derrough, Dewell, Dewey, DeWitt, Dye, Ellis, Fourt, Fox, Goodykoontz, Hackler, Hanson, Harding, Harvey, Holmes, Huffaker, Hunter, Jacobs, Kellogg, Klay, Koontz, Kull, McDonald, Miller of Dubuque, Moore of Linn, Newell, O'Connor, Penn, Reaney, Schulte, Sheldon, Smith, Stillman, Stoddard, Sullivan, Swan, Thompson, Tilton, Ward, Welden, White, Wilson, Wolfe, Mr. Speaker—59.

The nays were:

Allred, Anderson, Baxter, Boomgaarden, Byerly, Calkins, Dabney, Darrah, Dawson, Drury, Elliott, Etter, Felt, Fenn, Finlayson, Fulliam, Fulton, Hickenlooper, Ide, Jewell, Johnson, Jones, Kendall, Larrabee, Lee, McCleery, Marston, Meredith, Moore of Wapello, Perkins, Ripley, Ritter, Sankey, Swift, Tegeler, Zeller—36.

Absent or not voting:

Beebe, Blackmore, Bonwell, Bowman, Cousins, Dodds, Grier, Inman, Miller of Bremer, Reitz, Schee, Schroeder—12.

So the bill passed and the title was agreed to.

On motion of Beery of Henry, the House adjourned until 10:00 o'clock A. M., Wednesday.

# JOURNAL OF THE HOUSE

HALL OF THE HOUSE OF REPRESENTATIVES,  
DES MOINES, IOWA, FEBRUARY 10, A. D. 1909.

House met pursuant to adjournment.

Speaker Feely in the Chair.

Prayer was offered by Representative Swan of Appanoose

Journal of Tuesday, February 9th, corrected and approved.

## PETITIONS, MEMORIALS AND REMONSTRANCES.

White of Story, presented remonstrance of members of Logan Camp No. 1591, Modern Woodmen of America, protesting against the passage of the Minimum Rate Law.

Referred to Committee on Insurance.

Zeller of Madison, presented petition of citizens and voters of Madison County, relative to prohibiting the manufacture and sale of liquor for beverage purposes.

Referred to Committee on Suppression of Intemperance.

Fox of Dallas, presented petition of citizens and voters of Dallas County, relative to prohibiting the manufacture and sale of liquors for beverage purposes.

Referred to Committee on Suppression of Intemperance.

Balluff of Scott, presented petition of committee of Local Union No. 365 of International Union of Union Brewery Workmen, relative to prohibiting the manufacture and sale of liquor for beverage purposes.

Referred to Committee on Suppression of Intemperance.

Balluff of Scott, presented remonstrance of the German American Alliance of Davenport and Scott County and the Executive

Council of the Upper Mississippi Turnbezirk, relative to the re-submission of the prohibitory amendment.

Referred to Committee on Suppression of Intemperance.

Anderson of Hamilton, presented remonstrance of members of Stanhope Camp No. 9047, Modern Woodmen of America, protesting against the passage of the Minimum Rate Law.

Referred to Committee on Insurance.

Sheldon of Ringgold, presented petition of citizens and voters of Ringgold County, relative to the prohibition of the manufacture and sale of liquor for beverage purposes.

Referred to Committee on Suppression of Intemperance.

Larrabee of Fayette, presented petition of citizens of Fayette County, relative to the prohibition of the manufacture and sale of liquor for beverage purposes.

Referred to Committee on Suppression of Intemperance.

DeWitt of Montgomery, presented petition of Law and Order League and citizens of Elliott, Iowa, relative to the liquor laws.

Referred to Committee on Suppression of Intemperance.

Bowman of Linn, presented petition of attorneys of Linn County, relative to the compensation of shorthand reporters.

Referred to Committee on Compensation of Public Officers.

DeWitt of Montgomery, presented petition of citizens and voters of Montgomery County, relative to the prohibition of the manufacture and sale of liquor for beverage purposes.

Referred to Committee on Suppression of Intemperance.

Brandes of Pottawattamie, presented petition of citizens and voters of Pottawattamie County, relative to the prohibition of the manufacture and sale of liquor for beverage purposes.

Referred to Committee on Suppression of Intemperance.

Dewey of Guthrie, presented petition of women citizens of Guthrie County, relative to the prohibitory amendment.

Referred to Committee on Suppression of Intemperance.

Boettger of Scott, presented remonstrances of Theatrical Stage Employees Local Union No. 85, protesting against the closing of theatres on Sunday, and German-American Central Alliance of Davenport, protesting against the enactment of legislation restricting their privileges on the Sabbath Day.

Referred to Committee on Municipal Corporations.

Felt of Clay, presented petition of citizens and voters of Clay County, relative to the prohibitory amendment.

Referred to Committee on Suppression of Intemperance.

Dawson of Cherokee, presented remonstrance of citizens protesting against the enactment of legislation restricting privileges on the Sabbath Day.

Referred to Committee on Municipal Corporations.

Jacobs of Calhoun, presented petition of citizens and voters of Calhoun County, relative to the prohibitory amendment.

Referred to Committee on Suppression of Intemperance.

Beebe of Franklin, presented petition of members of the Bar of Franklin County, relative to the increase in the salary of shorthand reporters.

Referred to Committee on Compensation of Public Officers.

Burt of Taylor, presented petition of citizens and voters of Taylor County, relative to the prohibitory amendment.

Referred to Committee on Suppression of Intemperance.

Perkins of Delaware, presented petition of citizens and voters of Delaware County, relative to the prohibitory amendment.

Referred to Committee on Suppression of Intemperance.

Elliott of Page, presented petition of 719 voters of Page County, relative to the prohibitory amendment.

Referred to Committee on Suppression of Intemperance.

Ide of Union, presented petition of citizens and voters of Union County, relative to the prohibitory amendment.

Referred to Committee on Suppression of Intemperance.

Penn of Fremont, presented petition of citizens and voters of Fremont County, relative to the prohibitory amendment.

Referred to Committee on Suppression of Intemperance.

Holmes of Kossuth, presented remonstrance of members of Irvington Camp No. 4231, Modern Woodmen of America, protesting against the passage of the Minimum Rate Law.

Referred to Committee on Insurance.

Harding of Woodbury, presented petition of citizens and voters of Woodbury County, relative to the prohibitory amendment.

Referred to Committee on Suppression of Intemperance.

Sankey of Decatur, presented petition of citizens and voters of Decatur County, relative to the prohibitory amendment.

Referred to Committee on Suppression of Intemperance.

Ellis of Jackson, presented remonstrance of citizens of Bellevue, Iowa, protesting against the enactment of the School Bill.

Referred to Committee on Schools and Text Books.

Byerly of Jones, presented remonstrance of members of Big Wood Camp No. 526, Modern Woodmen of America, protesting against the passage of the Minimum Rate Law.

Referred to Committee on Insurance.

Swift of Shelby, presented three petitions of citizens and voters of Shelby County, relative to the prohibitory amendment.

Referred to Committee on Suppression of Intemperance.

Mr. Speaker presented three petitions of citizens and voters of Black Hawk County, relative to the prohibitory amendment.

Referred to Committee on Suppression of Intemperance.

Perkins of Delaware, presented petition of citizens and voters of Delaware County, relative to the prohibition of the manufacture and sale of liquor for beverage purposes.

Referred to Committee on Suppression of Intemperance.

Reitz of Lee, presented remonstrance of E. D. Leland Camp No. 460, Modern Woodmen of America, protesting against the Minimum Rate Law.

Referred to Committee on Insurance.

Moore of Linn, presented petition of the attorneys of Linn County, relative to the increase in compensation of shorthand reporters.

Referred to Committee on Compensation of Public Officers.

Moore of Linn, presented petition of Committee of Clerks of the District Court, relative to House File No. 97.

Referred to Committee on Compensation of Public Officers.

Moore of Linn, presented petition of women citizens of Linn County, relative to prohibiting the manufacture and sale of liquor for beverage purposes.

Referred to Committee on Suppression of Intemperance.

#### REPORTS OF COMMITTEE ON ENROLLED BILLS.

Klay of Sioux, from the Committee on Enrolled Bills, submitted the following report:

MR. SPEAKER—Your Committee on Enrolled Bills respectfully report that they have examined, and find correctly enrolled, House File No. 34, a bill for an act to amend the law as it appears in Section twenty-six hundred four (2604) of the Supplement to the Code, 1907, relative to the perquisites of officers of the Iowa soldiers' home.

GERBIT KLAY,  
*Chairman.*

Adopted.

#### REPORT OF JOINT COMMITTEE ON ENROLLED BILLS.

Klay of Sioux, from the Joint Committee on Enrolled Bills, submitted the following report:

MR. SPEAKER—Your Joint Committee on Enrolled Bills respectfully report that they have examined and find correctly enrolled Senate File No. 65, a bill for an act to repeal the law as it appears in Section two hundred thirty-two (232) of the Supplement to the Code, 1907, and enact a substitute therefor, relating to the schedule of times of holding terms of court.



Also:

Senate File No. 79, a bill for an act to legalize a special election of the city of Anamosa, Iowa, held October 28, 1907, for purchase of water-works system, and voting bonds therefor, and the ordinances, resolutions and acts of the council relating to such water-works.

GERRIT KLAY,  
*Chairman House Committee.*  
HENRY L. ADAMS,  
*Chairman Senate Committee.*

Adopted.

Also:

MR. SPEAKER—Your Joint Committee on Enrolled Bills respectfully report that they have examined, and find correctly enrolled House File No. 34, a bill for an act to amend the law as it appears in Section twenty-six hundred four (2604) of the Supplement to the Code, 1907, relative to the perquisites of officers of the Iowa soldiers' home.

GERRIT KLAY,  
*Chairman House Committee.*  
HENRY L. ADAMS,  
*Chairman Senate Committee.*

Adopted.

#### REPORTS OF COMMITTEES.

Welden of Hardin, from the Committee on Railroads and Transportation, submitted the following report:

MR. SPEAKER—Your committee on Railroads and Transportation, to whom was referred House File No. 79, a bill for an act to amend Section 2157-g of the 1907 Supplement to the Code of Iowa, an act to permit common carriers of passengers and freight to grant reduced rates to persons engaged in college extension work and to grant reduced rates to necessary exhibits and property used in this work, 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.

WM. WELDEN,  
*Chairman.*

Adopted, and House File No. 79 was indefinitely postponed.

Allred of Wayne, from the Committee on Military, submitted the following report:

MR. SPEAKER—Your committee on Military, to whom was referred House File No. 216, a bill for an act to amend Section twenty-six hundred and one (2601) of the Code relating to admission of inmates to the Iowa soldiers' home, located at Marshalltown, beg leave to report that they have had the same under consideration and have instructed me to report

the same back to the House with the recommendation that the same do pass.

W. P. ALLRED,  
*Chairman.*

Adopted.

Also:

MR. SPEAKER—Your committee on Military, to whom was referred House File No. 171, a bill for an act providing for the completion and distribution of the roster of Iowa soldiers, sailors and marines as provided by Chapter 223, laws of the Thirty-second General Assembly, fixing the number of volumes and making an additional appropriation therefor, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same be amended as follows: By striking out in the second line of Section 2 of the original bill the word "seven" and inserting in lieu thereof the word "five."

Also recommending that two thousand five hundred (2500) of the copies be bound in sheep and that the other two thousand five hundred (2500) be filed in the office of the adjutant general to be bound as needed, and when so amended that the bill do pass.

W. P. ALLRED,  
*Chairman.*

Adopted.

Amendment adopted.

Bonwell of Audubon, from the Committee on Roads and Highways, submitted the following report:

MR. SPEAKER—Your committee on Roads and Highways, to whom was referred House File No. 140, a bill for an act to amend Sections fifteen hundred and seventy-one-b (1571-b), fifteen hundred and seventy-one-c (1571-c), fifteen hundred and seventy-one-e (1571-e) and fifteen hundred and seventy-one-f (1571-f) of the 1907 Supplement to the Code, in reference to motor vehicles, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same do pass.

J. C. BONWELL,  
*Chairman.*

Adopted.

Also:

MR. SPEAKER—Your committee on Roads and Highways, to whom was referred House File No. 141, a bill for an act authorizing the Secretary of State to publish lists of motor vehicle registrations and fixing prices at which such lists shall be sold, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same do pass.

J. C. BONWELL,  
*Chairman.*

Adopted.

Sullivan of Polk, from the Committee on Judiciary, submitted the following report:

MR. SPEAKER—Your committee on Judiciary, to whom was referred House File No. 196, a bill for an act to amend the law as it appears in Section fourteen hundred four (1404) of the Code relating to liens on personal property of non-residents, 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.

JOHN B. SULLIVAN,  
*Chairman.*

Adopted, and House File No. 196 was indefinitely postponed.

On request of Meredith of Cass, House Joint Resolution No. 3, was withdrawn from the Committee on Constitutional Amendments and referred to the Committee on Suppression of Intemperance.

On motion of Allred of Wayne, House File No. 171, was referred to the Committee on Appropriations.

#### INTRODUCTION OF BILLS.

By Ritter of Des Moines, House File No. 222, a bill for an act to compensate Jonah Smith for services as chaplain at Camp McKinley for a period from June 24 to September 5, 1898, and to make appropriation therefor.

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

By Brandes of Pottawattamie, House File No. 223, a bill for an act to amend Section One (1), Chapter One Hundred and Twenty-two (122), of the laws of the Twenty-ninth General Assembly, relating to the support of the Iowa School for the Deaf at Council Bluffs.

Read first and second time and referred to Committee on School for Deaf.

By O'Connor of Chickasaw, House File No. 224, a bill for an act to regulate the charges of sleeping cars on all railroads in this state and to provide a penalty for the violation thereof.

Read first and second time and referred to Committee on Railroads and Transportation.

By Kellogg of Harrison, House File No. 225, a bill for an act to amend Sections Seven Hundred Twenty (720) and Seven Hundred Twenty-one (721) of the Supplement to the Code, 1907, relating to

the purchase of water or gas works, heating plants and electric plants, and the submission of the question to the voters.

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

By Kellogg of Harrison, House File No. 226, a bill for an act to amend Section Seven Hundred Seventy-six (776) of the Supplement to the Code, 1907, relating to the granting of franchises.

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

By Kellogg of Harrison, House File No. 227, a bill for an act to amend Section Seven Hundred Forty-one-g (741-g), Seven Hundred Forty-one-m (741-m), Seven Hundred Forty-one-q (741-q) and Seven Hundred Forty-six (746) of the Supplement to the Code, 1907, relating to the submission of questions to voters.

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

By Koontz of Johnson, House File No. 228, a bill for an act making appropriation to the State Historical Society of Iowa.

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

By Koontz of Johnson, House File No. 229, a bill for an act relating to fish and game, and making appropriation for the Fish and Game Commission of the State of Iowa.

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

#### 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 accepts the invitation of the House to be present in that chamber on the afternoon of February 15, 1909, on the occasion of a public ceremony to install the portrait of Gen. James B. Weaver in the portrait collection of the Historical Department of the state.

S. W. NEAL,  
*Secretary.*

Also:

MR. SPEAKER—I am directed to inform your honorable body that the Senate has concurred in House amendments to Senate Concurrent Reso-

lution relative to a joint standing committee to visit the state institutions.

S. W. NEAL,  
*Secretary.*

Also:

MR. SPEAKER—I am directed to inform your honorable body that the Senate has passed the following bill in which the concurrence of the Senate was asked:

House File No. 34, a bill for an act to amend the law as it appears in Section twenty-six hundred four (2604) of the Supplement to the Code, 1907, relative to the perquisites of officers of the Iowa soldiers' home.

S. W. NEAL,  
*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:

Substitute for Senate File No. 102, a bill for an act to amend Section 308 of the Supplement to the Code relating to the compensation of county attorneys.

S. W. NEAL,  
*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. 162, a bill for an act amending the law as it appears in Section 1361 of the Supplement to the Code, 1907, and Section 1354 and Section 1355 of the Code relating to the making of affidavit assessment of property.

S. W. NEAL,  
*Secretary.*

Also:

MR. SPEAKER—I am directed to inform your honorable body that the Senate has passed the following bill in which the concurrence of the Senate was asked:

House File No. 7, a bill for an act for the preservation and improvement of Medium lake and the islands therein and placing the same within the jurisdiction of the city of Emmetsburg.

S. W. NEAL,  
*Secretary.*

Also:

MR. SPEAKER—I am directed to inform your honorable body that the Senate has passed the following bill in which the concurrence of the House is asked:

Senate File No. 101, a bill for an act to change the name and official title of the various poor farms of the State of Iowa.

S. W. NEAL,  
*Secretary.*

## SENATE MESSAGES CONSIDERED.

Substitute for Senate File No. 102, a bill for an act to amend the law as it appears in Section Three Hundred and Eight (308) of the Supplement to the Code, 1907, relating to the compensation of County Attorneys.

Read first and second time and referred to Committee on Compensation of Public Officers.

Senate File No. 162, a bill for an act amending the law as it appears in Section Thirteen Hundred Sixty-one (1361) of the Supplement to the Code, 1907, and Section Thirteen Hundred Fifty-four (1354) and Section Thirteen Hundred Fifty-five (1355) of the Code, relating to the making of affidavit in assessment of property.

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

Substitute for Senate File No. 101, a bill for an act to amend Sections Two Thousand Two Hundred Thirty-two (2232), Two Thousand Two Hundred Thirty-three (2233), Two Thousand Two Hundred Thirty-four (2234), Two Thousand Two Hundred Forty-one (2241), Two Thousand Two Hundred Forty-two (2242), Two Thousand Two Hundred Forty-three (2243), Two Thousand Two Hundred Forty-four (2244), Two Thousand Two Hundred Forty-five (2245), Two Thousand Two Hundred Forty-six (2246), Two Thousand Two Hundred Forty-eight (2248) and Two Thousand Two Hundred Forty-nine (2249) of the Code, relating to the care and support of the poor.

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

The Speaker announced that as Speaker of the House, in the presence of the House, he had signed Senate File No. 79 and Senate File No. 65.

## EXPLANATION OF VOTE.

Crozier of Marion, filed the following explanation of his vote on House File No. 69.

MR. SPEAKER—On the final passage of House File No. 69, owing to a misunderstanding of the provision of the bill I voted "No" as shown by the Journal of the House. I was just leaving the House when the roll was called and on inquiry was informed that the bill prohibited all games

and pastimes on Memorial Day. Had I known the provisions of the bill I should have voted "aye." I ask leave to make explanation to the House.

GEO. W. CROZIER,

Inman of Floyd, offered the following resolution:

RESOLUTION.

In view of the charges brought against the state board of health of Iowa, by Representative Charles Miller, and by various boards of supervisors in Iowa, regarding the heavy quarantine expenses that had been placed upon several counties, and in view of a seeming gross injustice to Hattie B. Stanley, a lady school teacher of Chariton, Iowa, by this state board of health, therefore be it

*Resolved*, That the House of the Thirty-third General Assembly, with the Senate concurring, direct the Speaker of the House to appoint three members, the President of the Senate appointing two, as an investigating committee to look into the merits of these charges and report their findings to the members of the Thirty-third General Assembly to aid this body in dealing justly with those who make the charges and with the state board of health.

Laid over under Rule 34.

Johnson of Mitchell, moved that House File No. 208, be made a Special Order for 10:30 o'clock Thursday.

Motion prevailed.

CONSIDERATION OF BILLS.

On motion of Brandes of Pottawattamie, House File No. 72, a bill for an act to amend Section 2708 and 2709 as they appear in the Supplement to the Code, relating to the age at which boys or girls may be committed to the Industrial School, with report of committee recommending passage as amended by substituting House File No. 161, was taken up, considered, and the report of the committee with substitute adopted.

Brandes of Pottawattamie, 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 ayes were:

Allred, Anderson, Arney, Balluff, Bascom, Bauman, Baxter, Beans, Beebe, Beery, Blackmore, Boe, Boettger, Bonwell, Boomgaarden, Bowman, Brandes, Burt, Byerly, Calkins, Cassady, Cooper, Cousins, Crozier, Crummer, Cunningham, Dabney, Dalby, Darrah, Davidson, Dawson, Derrough, Dewell, Dewey, DeWitt, Dodds, Drury, Dye, Elliott, Ellis, Etter, Felt, Finlayson, Fourt, Fox, Ful-

liam, Fulton, Goodykoontz, Grier, Hackler, Hanson, Harding, Harvey, Hickenlooper, Holmes, Huffaker, Hunter, Ide, Inman, Jacobs, Jewell, Johnson, Jones, Kellogg, Kendall, Klay, Koontz, Kull, Larrabee, McCleery, McDonald, Marston, Meredith, Miller of Dubuque, Moore of Wapello, Moore of Linn, Newell, O'Connor, Penn, Perkins, Reaney, Reitz, Ripley, Ritter, Sankey, Schulte, Sheldon, Smith, Stillman, Stoddard, Sullivan, Swan, Swift, Tegeler, Thompson, Tilton, Ward, Welden, White, Wilson, Wolfe, Zeller, Mr. Speaker—103.

The nays were:

None.

Absent or not voting:

Fenn, Lee, Miller of Bremer, Schee, Schroeder—5.

So the bill passed and the title was agreed to.

On motion of Ritter of Des Moines, House File No. 37, a bill for an act to repeal Section Twenty-four Hundred and Forty-five (2445) of the Code and to enact a substitute therefor, with report of committee recommending passage as amended, was taken up, considered, and the report of the committee, with amendment, adopted.

Balluff of Scott moved to amend by inserting in Line 22 of the original bill after the word "city" and before the word "or" the words "including cities under special charter."

Amendment adopted.

Ritter of Des Moines, 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 ayes were:

Allred, Anderson, Arney, Balluff, Bascom, Bauman, Baxter, Beans, Beebe, Beery, Blackmore, Boe, Boettger, Bonwell, Boomgaarden, Bowman, Brandes, Burt, Byerly, Calkins, Cassady, Cooper, Cousins, Crozier, Crummer, Cunningham, Dabney, Dalby, Darrah, Davidson, Dawson, Derrough, Dewell, DeWitt, Dodds, Drury, Dye, Elliott, Ellis, Etter, Fenn, Fourt, Fox, Fulliam, Fulton, Goodykoontz, Grier, Hackler, Hanson, Harding, Harvey, Hickenlooper, Holmes, Huffaker, Hunter, Jacobs, Jewell, Johnson, Jones, Kellogg, Kendall, Klay, Koontz, Kull, Larrabee, Lee, McCleery,



McDonald, Marston, Miller of Bremer, Miller of Dubuque, Moore of Wapello, Moore of Linn, Newell, O'Connor, Penn, Perkins, Reaney, Reitz, Ripley, Ritter, Sankey, Schulte, Sheldon, Smith, Stillman, Stoddard, Sullivan, Swan, Swift, Tegeler, Thompson, Tilton, Ward, Welden, White, Wilson, Zeller, Mr. Speaker—99.

The nays were:

Meredith—1.

Absent or not voting:

Dewey, Felt, Finlayson, Ide, Inman, Schee, Schroeder, Wolfe—8.

So the bill passed and the title was agreed to.

#### MOTION TO RECONSIDER.

I move to reconsider the vote by which House File No. 69 passed to its third reading, and also the vote by which the same passed the House.

I. T. DABNEY.

I second the motion.

H. C. BRANDES,

A. W. KENADLL.

Grier of Poweshiek, moved that 500 extra copies of House File No. 163 be printed.

Motion prevailed.

Ward of Woodbury, moved that 300 extra copies of House File No. 26 be printed.

Motion prevailed.

On motion of Miller of Dubuque, the House adjourned until 10:00 o'clock, Thursday.

# JOURNAL OF THE HOUSE

HALL OF THE HOUSE OF REPRESENTATIVES,  
DES MOINES, IOWA, FEBRUARY 11, A. D. 1909.

House met pursuant to adjournment.

Speaker Feely in the Chair.

Prayer was offered by Rev. R. D. Echlin of Sioux City, Iowa.

Journal of Wednesday, February 10th, corrected and approved.

On request of Allred of Wayne, leave of absence was granted De Witt of Montgomery until Tuesday noon.

On request of Meredith of Cass, leave of absence was granted Cousins of Butler until Monday.

## PETITIONS, MEMORIALS AND REMONSTRANCES.

Boettger of Scott, presented remonstrance of the executive council of the Upper Mississippi Turnbezirk, protesting against the passage of any bill restricting Sunday amusements.

Referred to Committee on Municipal Corporations.

Boettger of Scott, presented petition of International Union of the United Brewery Workmen and Cigarmakers Union No. 172, relative to the repeal of the Prohibition and Mulet Laws.

Referred to Committee on Judiciary.

Hickenlooper of Monroe, presented petition of citizens and voters of Monroe County, relative to the prohibitory amendment.

Referred to Committee on Suppression of Intemperance.

Thompson of Benton, presented remonstrance of Modern Woodmen of America of Benton County, protesting against the passage of the Minimum Rate Law.

Referred to Committee on Insurance.

DeWitt of Montgomery, presented petition of citizens and voters of Montgomery County, relative to the prohibitory amendment.

Referred to Committee on Suppression of Intemperance.

Reitz of Lee, presented petition of attorneys of Lee County, relative to the increase in the salary of shorthand reporters.

Referred to Committee on Compensation of Public Officers.

Grier of Poweshiek, presented petition of citizens and voters of Poweshiek County, relative to the prohibitory amendment.

Referred to Committee on Suppression of Intemperance.

Fourt of Allamakee, presented remonstrance of school officers of Allamakee County, protesting against the passage of the School bill.

Referred to Committee on Schools and Text Books.

McCleery of Washington, presented petition of citizens and voters of Washington County, relative to the prohibitory amendment.

Referred to Committee on Suppression of Intemperance.

Welden of Hardin, presented remonstrance of Maple Camp No. 100, Modern Woodmen of America, protesting against the passage of the Minimum Rate Law.

Referred to Committee on Insurance.

Moore of Linn, presented petition of citizens of Cedar Rapids, relative to the passage of the Sunday Amusement bill.

Referred to Committee on Judiciary.

Crozier of Marion, presented two petitions of citizens of Marion County, relative to the prohibitory amendment.

Referred to Committee on Suppression of Intemperance.

Dodds of Des Moines, presented remonstrance of members of Alpha Club of Burlington, relative to the School Laws.

Referred to Committee on Schools and Text Books.

Beans of Mahaska, presented petition of citizens and voters of Mahaska County, relative to the prohibitory amendment.

Referred to Committee on Suppression of Intemperance.

Derrough of Warren, presented petition of R. C. Parr of Indianola, Iowa, relative to the prohibitory amendment.

Referred to Committee on Suppression of Intemperance.

Ritter of Des Moines, presented petition of the Alpha Club of Burlington and the Iowa State Federation of Womens Clubs, relative to the enactment of the School Bill.

Referred to Committee on Schools and Text Books.

Perkins of Delaware, presented remonstrance of members of the Modern Woodmen of Greeley, Iowa, protesting against the passage of the Minimum Rate Law.

Referred to Committee on Insurance.

Bowman of Linn, presented petition of citizens of Cedar Rapids, Iowa, relative to the Sunday Amusement Law.

Referred to Committee on Judiciary.

Mr. Speaker presented petition of citizens and voters of Black Hawk County, relative to the prohibitory amendment.

Referred to Committee on Suppression of Intemperance.

Elliott of Page, presented petition of citizens and voters of Page County, relative to the prohibitory amendment.

Referred to Committee on Suppression of Intemperance.

Lee of Emmet, presented petition of citizens and voters of Emmet County, relative to the prohibitory amendment.

Referred to Committee on Suppression of Intemperance.

Jones of Lee, presented petition of attorneys of Lee County, relative to the compensation of shorthand reporters.

Referred to Committee on Compensation of Public Officers.

#### REPORTS OF COMMITTEES.

Sullivan of Polk, from the Committee on Judiciary, submitted the following report:

**MR. SPEAKER**—Your Committee on Judiciary, to whom was referred Senate File No. 75, a bill for an act to repeal Sections sixteen (16), seventeen (17) and twenty (20) of Chapter twenty (20) of the acts of the extra session of the Twenty-sixth General Assembly as the same appear on page four (4) of the prefix to the Code, and enact substitutes therefor; to repeal Sections eighteen (18) and nineteen (19) of Chapter twenty

(20) of the Acts of the extra session of the Twenty-sixth General Assembly, as amended by Chapter one (1) of the Acts of the Thirty-first General Assembly, and as same appear on page five (5) of the prefix to the Supplement to the Code, 1907, and enact substitutes therefor; and to repeal Sections forty-two (42), forty-three (43), forty-four (44), forty-five (45) and forty-six (46) of the Code and enact substitutes therefor, relating to the distribution and sale of, and the accounting for, the Codes, and Session Laws, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same do pass.

JOHN B. SULLIVAN,  
*Chairman.*

Adopted.

Also:

MR. SPEAKER—Your committee on Judiciary, to whom was referred Senate Substitute for Senate File No. 50, a bill for an act to legalize the action and proceedings of the city council of the city of Manchester, relative to the boundary line and extent of the limits of said city, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same do pass.

JOHN B. SULLIVAN,  
*Chairman.*

Adopted.

Also:

MR. SPEAKER—Your committee on Judiciary, to whom was referred Senate File No. 63, a bill for an act making it the duty of all persons and companies operating any vessel propelled by machinery or through the medium of sails to carry a light during certain hours and otherwise regulating operation of same, and fixing a penalty for violation, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same be amended as follows: By striking out the word "the" in the first line of Section one and inserting in lieu thereof the word "any;" and by striking out all after the word "shall" in the last line of Section four and inserting in lieu thereof the following: "upon conviction be fined not to exceed one hundred dollars or be imprisoned in the county jail not to exceed thirty days," and when so amended that the bill do pass.

JOHN B. SULLIVAN,  
*Chairman.*

Adopted.

Amendment adopted.

Also:

MR. SPEAKER—Your committee on Judiciary, to whom was referred Senate File No. 45, a bill for an act providing a method for the settlement of claims and demands for money or other property held by the state against persons, partnerships, corporations or associations, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same do pass.

JOHN B. SULLIVAN,  
*Chairman.*

Adopted.

Also:

MR. SPEAKER—Your committee on Judiciary, to whom was referred Senate File No. 37, a bill for an act to repeal Section thirteen hundred sixty-six (1366) of the Code and enact a substitute therefor relative to assessment rolls, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same do pass.

JOHN B. SULLIVAN,  
*Chairman.*

Adopted.

Also:

MR. SPEAKER—Your committee on Judiciary, to whom was referred Senate File No. 28, a bill for an act to provide for the payment of a bounty for the destruction of rattlesnakes, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same do pass.

JOHN B. SULLIVAN,  
*Chairman.*

Adopted.

Kellogg of Harrison, from the Committee on Insurance, submitted the following report:

MR. PRESIDENT—Your committee on Insurance, to whom was referred House File No. 164, a bill for an act to amend Chapter nine (9), Title nine (9) of the Code of Iowa, relating to fraternal beneficiary societies, orders or associations, especially sections 1822, 1823, 1827, 1828, 1830 and 1839 thereof, 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.

GEO. A. KELLOGG,  
*Chairman.*

Adopted, and House File No. 164 was indefinitely postponed.

Arney of Marshall, from the Committee on Agriculture, submitted the following report:

MR. SPEAKER—Your committee on Agriculture, to whom was referred House File No. 74, a bill for an act to amend Section sixteen hundred and seventy-five (1675) of Supplement to the Code, 1907, relating to farmers' institutes, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same be referred to the committee on appropriations.

W. H. ARNEY,  
*Chairman.*

Adopted, and House File No. 74 was so referred.

Also:

MR. SPEAKER—Your committee on Agriculture, to whom was referred House File No. 61, a bill for an act to amend Section sixteen hundred and sixty-one-a (1661-a) of the Supplement to the Code relative to state aid to county and district fairs, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same be referred to the committee on appropriations.

W. H. ARNEY,  
*Chairman.*

Adopted, and House File No. 61 was so referred.

Also:

MR. SPEAKER—Your committee on Agriculture, to whom was referred Senate File No. 88, a bill for an act to repeal Section twenty-three hundred forty-one-d (2341-d) of the supplement to the code, 1907, and to enact a substitute therefor, relative to the transfer of state certificates for pure bred stallions, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same do pass.

W. H. ARNEY,  
*Chairman.*

Adopted.

Also:

MR. SPEAKER—Your committee on Agriculture, to whom was referred Senate File No. 93, a bill for an act to repeal the law as it appears in Section sixteen hundred fifty-seven-q (1657-q) of the Supplement to the Code and to enact a substitute therefor relating to the auditing of accounts, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same do pass.

W. H. ARNEY,  
*Chairman.*

Adopted.

Drury of Sac, from the Committee on Compensation of Public Officers, submitted the following report:

MR. SPEAKER—Your committee on Compensation of Public Officers, to whom was referred Senate Substitute for Senate File No. 102, a bill for an act to amend the law as it appears in Section three hundred and eight (308) of the Supplement to the Code, 1907, relating to the compensation of county attorneys, 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 recommended for passage.

WILL DRURY,  
*Chairman*

Adopted.

#### REPORT OF COMMITTEE ON ENROLLED BILLS.

Klay of Sioux, 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. 7, a bill for an act for the preservation and improvement of Medium Lake and the islands therein and placing the same within the jurisdiction of the city of Emmetsburg.

GERRIT KLAY,  
*Chairman.*

Adopted.

#### REPORT OF JOINT COMMITTEE ON ENROLLED BILLS.

Klay of Sioux, 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. 7, a bill for an act for the preservation and improvement of Medium Lake and the islands therein and placing the same within the jurisdiction of the city of Emmetsburg.

GERRIT KLAY,  
*Chairman House Committee.*  
HENRY L. ADAMS,  
*Chairman Senate Committee.*

Adopted.

Holmes of Kossuth, from the Committee appointed to prepare a program to commemorate the one-hundredth anniversary of Abraham Lincoln, submitted the following report:

MR. SPEAKER—Your committee, appointed to prepare a suitable program for a joint session of the Senate and House, to commemorate the one-hundredth anniversary of the birth of Abraham Lincoln, beg leave to make the following report:

That the following program will be carried out in the House Chamber, February 12th, beginning at 2 P. M.:



Prayer ..... Rabbi E. E. Mannheimer  
 Chorus:

- (a) "Hark, Hark, My Soul" ..... Shelley  
 (b) "Iowa" ..... Major S. H. M. Byers

Woman's Club Chorus, direction Dean Nagel.

Poem, "News at the White House" ..... Major S. H. M. Byers  
 Solo and Chorus, "Tenting Tonight" ..... Woman's Club Chorus  
 Address, "Abraham Lincoln" ..... Col. Lafayette Young  
 Chorus, "Santa Maria" ..... Faure

Woman's Club Chorus.

Your committee would also recommend that this program be printed in full in the Journal.

O. H. HOLMES,  
 ERNEST R. MOORE,  
*Committee.*

Holmes of Kossuth, moved the adoption of the report.

Motion prevailed.

#### INTRODUCTION OF BILLS.

By Wolfe of Clinton, House File No. 230, a bill for an act to amend Section Two Thousand Two Hundred and Forty-seven (2247) of the Code in relation to the levy of a poor tax.

Read first and second time and referred to Committee on Ways and Means.

By Smith of Wright, House File No. 231, a bill for an act making appropriation for additional improvements and land at the Iowa State Fair and Exposition Grounds.

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

By Klay of Sioux (by request), House File No. 232, a bill for an act to repeal Section Four Thousand Eleven (4011) of the Code and to enact a substitute therefor, relative to personal earnings.

Read first and second time and referred to Committee on Commerce and Trade.

By Newell of Plymouth, House File No. 233, a bill for an act to legalize the incorporation of the town of Hinton, Iowa, and the passage and adoption of its ordinances, resolutions and rules of health.

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

By Newell of Plymouth, House File No. 234, a bill for an act to legalize the incorporation of the town of Merrill, Iowa, and the passage and adoption of its ordinances, resolutions and rules of health.

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

By Dawson of Cherokee, House File No. 235, a bill for an act to grant to certain officers and other employes of the State institutions under the control of the Board of Control of State institutions, annual vacations with pay, and to repeal Chapter One Hundred Ninety-five (195) of the Acts of the Thirty-second General Assembly.

Read first and second time and referred to Committee on Compensation of Public Officers.

By Kellogg of Harrison, House File No. 236, a bill for an act to amend Section Two Thousand Five Hundred Sixty-three-a (2563-a), Two Thousand Five Hundred Sixty-three-c (2563-c), Two Thousand Five Hundred Sixty-three-d (2563-d), and Two Thousand Five Hundred Sixty-three-g (2563-g) of the Supplement to the Code, 1907, relating to non-resident hunters' licenses.

Read first and second time and referred to Committee on Fish and Game.

By Koontz of Johnson, House File No. 237, a bill for an act making appropriations for the State University.

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

On request of White of Story, the following members of the Springer-Stoddard Contest Committee were excused from the forenoon session:

Beebe, Ripley, Swift, O'Connor and Davidson.

#### SPECIAL ORDER.

Time having arrived for Special Order No. 1, on motion of Johnson of Mitchell, a bill for an act to repeal Sections 2570-a, 2570-a-1 and 2570-b, of the 1907 Supplement to the Code of Iowa, relating to the care of infected persons and payment of quarantine expenses and to enact a substitute therefor; House File No. 24, a bill for an act to repeal Section 2570-a of the Supplement to the Code, and

to enact a substitute therefor in relation to quarantine and the expenses thereof; and House File No. 53, a bill for an act to repeal Section 2571 of the 1907 Supplement to the Code of Iowa, relating to meetings of the local Board of Health, regulations, reports, expenses and tax, and to enact a substitute therefor, with report of committee recommending passage as amended by substituting House File No. 208 therefor, was taken up, considered and the report of the committee, with substitute amendment adopted, and House File No. 208 was substituted for House File Nos. 32, 24 and 53.

Johnson of Mitchell, 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 ayes were:

Allred, Anderson, Arney, Balluff, Bascom, Bauman, Baxter, Beans, Blackmore, Boe, Boettger, Bonwell, Boomgaarden, Bowman, Brandes, Burt, Byerly, Calkins, Cassady, Cooper, Crozier, Crummer, Cunningham, Dabney, Dalby, Darrah, Dawson, Derrough, Dewell, Dewey, DeWitt, Dodds, Drury, Dye, Elliott, Ellis, Etter, Felt, Fenn, Finlayson, Fourt, Fox, Fulliam, Fulton, Goodykoontz, Grier, Hackler, Hanson, Harding, Harvey, Hickenlooper, Holmes, Huffaker, Ide, Inman, Jacobs, Jewell, Johnson, Jones, Kellogg, Kendall, Klay, Koontz, Kull, Larrabee, McCleery, McDonald, Marston, Miller of Bremer, Miller of Dubuque, Moore of Wapello, Moore of Linn, Newell, Penn, Reaney, Reitz, Ritter, Sankey, Schulte, Sheldon, Smith, Stillman, Sullivan, Swan, Thompson, Tilton, Ward, Welden, White, Wilson, Wolfe, Mr. Speaker—92.

The nays were:

Lee, Meredith, Perkins—3.

Absent or not voting:

Beebe, Beery, Cousins, Davidson, Hunter, O'Connor, Ripley, Schee, Schroeder, Stoddard, Swift, Tegeler, Zeller—13.

So the bill passed and the title was agreed to.

#### REPORT OF COMMITTEE.

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

MR. SPEAKER—Your committee on Contested Elections, to whom was referred the contest from the 45th Representative District of Iowa, comprising the county of Clinton, wherein Sid D. Robb is contestant and A. W. Kendall incumbent, beg leave to report that they have had the same under consideration and have instructed me to submit the following report:

J. H. DARRAH,  
*Chairman.*

MR. SPEAKER—Your committee appointed by the House to consider the contest pending in the case of Albert W. Kendall vs. Sid D. Robb, consisting of Darrah of Lucas, Bowman of Linn, Byerly of Jones, McDonald of Carroll and Wilson of Tama, met pursuant to the call of the chairman at 2 o'clock on January 21, 1909. All members of the committee were present. The notice of contest filed by Sid D. Robb, contestant, and the answer of Albert W. Kendall, incumbent, were read in the presence of the committee. Attorney Sullivan appearing for the incumbent and Attorney Miller appearing for the contestant. The attorney for the incumbent asked that all ballots cast at the November election, 1908, be re-counted, provided that such ballots in the judgment of the committee had been properly preserved, to which proposition Attorney Miller for the contestant agreed. Chairman Darrah was authorized to issue a subpoena to Frank W. Leedham, County Auditor of Clinton County, to appear in person before the committee, bringing with him all ballots cast in the November election and the poll books as returned by the judges of said election, on Tuesday, January 26, 1909 at 2:30 p. m., at which time the question as to the proper preservation of the ballots would be argued and determined as to whether or not said ballots should be considered competent to be admitted as original evidence in said contest.

On Tuesday, January 26, 1909, your committee on contest met pursuant to agreement. Frank W. Leedham, being duly sworn, testified as follows as shown by Exhibit "A" hereto attached and made a part of this report.

At the close of Mr. Leedham's testimony the attorney for the contestant offered in evidence the ballots cast at the last general election in the various precincts in Clinton County. The attorney for the incumbent objected to the ballots being offered in evidence as being incompetent and immaterial and irrelevant and not being the best evidence and asked that the following witnesses be summoned to appear and give testimony as to the preservation of the ballots.

On Wednesday, January 29, 1909 at 1:30 p. m., the committee on contest, pursuant to the call of the chairman, met and the following witnesses for the incumbent appeared to testify as to the preservation of the ballots: J. E. Ryan of Clinton, W. J. Oakes of Clinton, F. G. Hanson of Clinton, R. C. Langan of Clinton and Chas. Mordhorst of Springrock testified as follows as shown by Exhibit "A," attached hereto and made a part of this report.

Mr. Miller, attorney for the contestant, made the following statement for the purpose of simplifying matters:

We admit that the ballots cast at the general election in the First and second precincts of the first ward, the second ward, the third ward, the first and second precincts of the fourth ward and the fifth ward in the

city of Clinton are inadmissible in evidence, and we withdraw from the further consideration the contest with respect to the second ward of Clinton.

These precincts to which are referred, constitute the old city of Clinton.

Attorney Sullivan for the incumbent filed with the committee the following objection:

Comes now Albert W. Kendall and renews his objection heretofore made to the introduction of the ballots and the receipt of the same as evidence in this contest for the reason that said ballots were not preserved as the law requires and thereby are not original evidence. That the evidence so far discloses that said ballots were not strung to wire or the packages sealed or otherwise preserved as the laws of the State of Iowa prescribes, and thereby said ballots become incompetent as original evidence.

The chairman of the committee announced that if there were no further evidence to produce or further testimony on the part of either the contestant or incumbent that the attorneys and all other persons should retire and the committee proceed to meet in executive session for the consideration of the objection as proposed by the attorney for Mr. Kendall as to the introduction of the ballots as original evidence in this contest.

Your committee desires to state that upon the evidence submitted to this committee, filed with the Chief Clerk of this House as Exhibit "A," your committee finds that the ballots returned by various judges of election in the county of Clinton were not properly sealed; that they were not strung with wire and in some instances not placed in envelopes, nor otherwise properly returned as provided by law. That while said ballots were in the possession of the County Auditor and during the time they were deposited in the vault in the auditor's office, certain persons, such as attorneys, abstracters, members of the board of supervisors and various other persons were permitted to, and did enter the vault for the purpose of finding books and records, and that while no evidence was submitted to show, nor no inference was made that any fraud had been committed, or that any one had tampered with said ballots, said attorney for the incumbent held that under the ruling of the Supreme Court in such cases that the opportunity was presented and that the ballots having thus been exposed and such opportunity having been presented, that the ballots could not be properly admitted as original evidence. The incumbent in his answer to the statement of contest demanded a recount of the entire vote of Clinton county in case your committee thought that a recount was admissible, which recount, owing to the condition of the ballots as returned from the various precincts in Clinton county and the manner in which they had been preserved, a majority of your committee decided could not be granted. Therefore the objection as to the introduction of the ballots by the attorney for the incumbent was sustained. A majority of your committee having thus decided, a motion to dismiss the contest was in order, and such motion to dismiss being made was unanimously adopted. Therefore your committee respectfully submits for the approval of the House the following unanimous report:

That the contest in the case of Sidney D. Robb vs. Albert W. Kendall, incumbent, is hereby dismissed and we declare the incumbent, Albert W.

Kendall to have been duly and legally elected to the office of representative from the 45th District of Iowa, comprising the county of Clinton, and do hereby most respectfully submit to this House said report and the findings of such committee and ask that the report be approved and adopted.

J. H. DARRAH,  
J. W. BOWMAN,  
W. M. BYERLY,  
EDWARD McDONALD,  
WARD WILSON,

*Committee.*

Darrah of Lucas, moved the adoption of the report:

Motion prevailed, and the contest in the case of Sidney D. Robb vs. Albert W. Kendall, incumbent, was dismissed and Albert W. Kendall declared to be the duly and legally elected representative from the Forty-fifth district of Iowa.

MR. SPEAKER—As a separate report your committee would state that in its judgment this contest was brought by the contestant, Sidney D. Robb, honestly and without malice and for the reason that he believed that a recount of the votes cast in such election would have resulted in his election. That in bringing this contest he has incurred considerable expense and has been compelled to employ and pay attorneys to prosecute his action, which cost and expenses are as follows:

Railroad fare paid for himself and attorneys—

Clinton to Des Moines.....	\$ 54.00
Actual expenses while in Des Moines for himself and attorneys	57.50
Attorneys fees paid to E. L. Miller.....	75.00
Attorneys fees paid Skinner & Co.....	75.00
<b>Total .....</b>	<b>\$ 261.50</b>
Paid sheriff for serving notice on Mr. Kendall .....	4.10
	<hr/>
	\$ 265.60

A certified copy of said itemized statement of account is hereto attached and made part of this report.

Your committee further reports that the incumbent, Albert W. Kendall, has also been put to considerable cost and expense by way of attorney fees and witness fees and has expended as follows:

Attorney fees, J. B. Sullivan.....	\$ 75.00
Attorney fees, Judge P. B. Wolfe.....	75.00
J. E. Ryan, two days, \$1.25, mileage 225 miles at 10c.....	25.00
W. J. Oaks, two days, \$1.25, mileage 225 miles at 10c.....	25.00
F. G. Hanson, two days, \$1.25, mileage 225 miles at 10c.....	25.00
R. C. Langan, two days, \$1.25, mileage 225 miles at 10c.....	25.00
Chas. Mordhorst, two days, \$1.25, mileage 225 miles at 10c.....	25.00
	<hr/>
	\$ 275.00

STATE OF IOWA TO FRANK W. LEEDHAM.

Expense transferring ballots to Des Moines and returning same—

Two tickets to Des Moines and return for assistants.....	\$ 18.00
Hotel and board for assistants.....	6.00
Two days each at \$2.00.....	8.00
Drayage, Clinton.....	.50
Drayage, Des Moines.....	.50
Rope .....	.80
One ticket to Des Moines and return 450 miles at five cents per mile .....	22.50
Expense in Des Moines Monday to Friday.....	10.50
Return freight estimated 1,500 pounds at \$8.96 per hundred weight on ballots.....	13.42
<b>Total .....</b>	<b>\$ 79.92</b>

I, the undersigned claimant, do solemnly swear that the above account against the state is just and true as I verily believe.

(signed) FRANK W. LEEDHAM.

Subscribed and sworn to before me this 8th day of February, 1909.

(signed) J. H. EDENS, JR.

*Notary Public.*

MR. SPEAKER—Your committee would therefore unanimously recommend to the House of Representatives, the payment of the various items of expense as set forth in this report, all of which is

Respectfully submitted,

J. H. DARRAH,  
J. W. BOWMAN,  
W. M. BYERLY,  
EDWARD McDONALD,  
WARD WILSON,

*Committee.*

Darrah of Lucas, moved that the supplemental report be printed in the Journal.

Motion prevailed.

Stillman of Greene, from the Committee on Contested Elections, submitted the following report:

SAMUEL M. CORRIE, CONTESTANT,	}	REPORT OF COMMITTEE.
VS.		
ROBINSON BAXTER, INCUMBENT.		

MR. SPEAKER—Your special committee on the contested election case from the Fifty-ninth Representative District, in which Samuel M. Corrie was contestant, and Robinson Baxter, incumbent, beg leave to submit the following report.

Your committee has canvassed the votes for representative in said district, which were cast on the 3d day of November, 1908.

On the 23d day of January, 1909, the committee held its first session, at which time the contestant and incumbent appeared before the committee, and at all times thereafter each party was represented, either

in person or by attorney, at all meetings of the committee until the work was completed.

After a careful canvass of all the votes cast, the committee unanimously agreed that there were cast at said election, two thousand four hundred eighty-six (2486) votes for the office in question, of which Samuel M. Corrie received one thousand two hundred forty-six (1246), and Robinson Baxter received one thousand two hundred forty (1240), giving a majority to Samuel M. Corrie of six (6) votes.

Before the recount was begun, it was unanimously agreed by the committee, that the following method be adopted; that the contestant and incumbent and their attorneys should count the ballots about which there was no dispute, and that the county auditor, Mr. Varner, be the tally clerk for such count; that the ballots concerning which no agreement could be reached by these parties, should be referred to the contest committee. The recount was conducted in accordance with this arrangement, one or more members of the contest committee, being at all times present while such recount was in progress.

The result of the recount, at the hands of the contestants and their attorneys, was that they mutually agreed as follows:

Township	Baxter	Corrie	Disputed	Not Voted
Battle .....	41	65	1	21
Maple .....	120	162	1	28
Griggs .....	280	62	9	41
Garfield .....	61	51	1	8
Grant .....	87	29	1	7
Douglas .....	67	60	2	21
Logan .....	70	50	1	10
Blaine .....	62	109	4	12
Corwin .....	210	375	13	28
Hayes .....	38	121	..	14
Galva .....	120	75	4	19
Silver Creek .....	68	70	2	6
	1,224	1,229	39	215

On Friday afternoon, February 5, 1909, the thirty-nine (39) ballots in dispute, were brought before the committee and counted by them in the presence of the contestant and incumbent and their attorneys. Each of these thirty-nine (39) ballots was made an exhibit, and arguments for and against the counting of the same, were permitted by the attorneys before the ballot was acted upon by the committee.

The result of this recount was that the committee unanimously agreed as follows, concerning the thirty-nine (39) disputed ballots; that sixteen (16) of said ballots be counted for Mr. Baxter, and that seventeen (17) of said ballots be counted for Mr. Corrie, and that the remaining six (6) of said ballots be rejected. These sums when added to the number of ballots mutually agreed upon, as shown in the foregoing table, make up the grand total as heretofore given.

At the meeting of the committee held on the 23rd day of January, attorney for incumbent filed a motion for more specific statement on the part of the contestant, which motion was overruled by unanimous action



of the committee, and the chairman was authorized to issue subpoenas for the county auditor of Ida county, to come before the committee, and to bring with him the ballots cast in said county at the general election, November 3, 1908.

At the meeting of the committee held on February 3, 1909, the attorney for the incumbent filed his answer, in which he asked that the contest be dismissed, on the grounds that the ballots cast in Ida county at the general election in 1908, were not properly and securely kept by the judges of election prior to their delivery to the county auditor, and further, that said ballots, after being returned to the county auditor of Ida county, were not properly preserved as required by law, in that said ballots were not kept in a place which precluded their being tampered with or handled by others than those who were by law entrusted with their custody. Witnesses were sworn and testimony was taken before the committee as to the manner in which said ballots had been kept, and after hearing the evidence and the argument of the attorneys, the committee decided, by a vote of 4 to 1, that the ballots had been kept in such a manner as to preclude a reasonable possibility of their having been tampered with, and the motion of incumbent's attorney for dismissal of the contest on this ground, was overruled.

After the recount of the ballots by the incumbent and the contestant, with their attorneys, and before the disputed ballots had been taken up by the committee, the argument of the attorneys was heard by the committee, on the question of certain objections which had been entered by the attorneys with relation to the proper sealing of the sacks in which the ballots were returned by the judges of election, and also with relation to the manner in which the ballots had been wired and sealed within said sacks. At this time the attorneys for incumbent, renewed their motion for a dismissal of the contest on the same grounds as before stated, with the additional objection, that from an examination of the ballots, it appeared that some of them were not strung as required by law, and that some of the receptacles were not sealed as required by law, because in sealing the packages there was no seal bearing any particular imprint used; they stated, however, that they would not object to the counting of said ballots, or any of them, on account of such improper wiring, fastening or sealing alone. This motion was overruled by the committee by a vote of 3 to 2.

Your committee has thus detailed the facts with relation to this contest, and most respectfully submit these findings with the recommendation that this honorable body adopt this report, and declare Samuel M. Corrie, duly elected to membership in this body from the Fifty-ninth Representative District.

A complete record of the entire proceedings before your committee, is herewith presented, including a transcript of the evidence taken.

Respectfully submitted,

PAUL E. STILLMAN,  
S. H. BAUMAN,  
W. W. GOODYKOOTZ,  
W. R. COOPER,  
GEO. C. CALKINS.

*Committee.*

Stillman of Greene, moved the adoption of the report.

Motion prevailed, and Samuel M. Corrie was declared to be the duly elected representative from the Fifty-ninth Representative District.

SAMUEL M. CORRIE,  
*Contestant,*  
 v.  
 ROBINSON BAXTER,  
*Incumbent.*

} Supplemental Report of Committee.

MR. SPEAKER—Your special committee on the contested election case from the Fifty-ninth Representative district, begs leave to submit the following report with relation to the expenses incurred in connection with the contest:

Richard Varner, County Auditor, Ida County, Tally Clerk and Custodian of ballots—

Per diem .....	\$30.00	
Mileage .....	15.90	
Express and cartage on ballots .....	10.00	\$ 55.90

C. W. Hoyer, 4 days—159 miles .....	20.90
H. W. Cheney, 4 days—159 miles .....	20.90
Floyd Percival, 4 days—159 miles .....	20.90
Geo. C. Hubbard, 3 days—159 miles .....	19.65
S. M. Corrie, paid for service of notice of contest .....	2.00
P. O. Van Wagoner, Constable, fees for service of subpoenas .....	.35
Paul E. Stillman, paid for telephone message .....	.80

\$141.40

The committee recommends that all the expenses named above be paid. Your committee further reports that the contestant, S. M. Corrie, in the bringing and prosecution of said contest, has incurred large expense, especially for attorneys' fees, and we recommend that he be paid the sum of one hundred fifty (\$150.00) dollars, for the purpose of defraying such attorneys' fees.

Your committee further reports that the incumbent, Robinson Baxter, has incurred similar expense for the employment of attorneys, and we recommend that he be paid the sum of one hundred fifty (\$150.00) dollars, for the purpose of defraying such attorneys' fees.

All of which is most respectfully submitted.

PAUL E. STILLMAN,  
 S. H. BAUMAN,  
 W. W. GOODYKOONTZ,  
 W. R. COOPER,  
 GEO. C. CALKINS.

*Committee.*

Stillman of Greene, moved that the supplemental report be printed in the Journal.

Motion prevailed.

Swift of Shelby, moved that when the House adjourn, it be until 1:45 o'clock, P. M., Friday.

Motion prevailed.

Mr. Corrie came to the desk and took and subscribed to the following oath:

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

SAMUEL M. CORRIE.

#### EXPLANATION OF VOTE.

The following explanation of vote was filed:

MR. SPEAKER—I vote "nay" on House File No. 208 for the reason that if the same becomes a law it will destroy all state uniformity relative to subjects embraced in the bill. I am in favor of changing the law relative to manner of payment of expenses of quarantine, etc., and publication of rules of boards of health, to substantially what is proposed in this bill.

N. J. LEE.

On motion of Van Buren, the House adjourned.

# JOURNAL OF THE HOUSE

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HALL OF THE HOUSE OF REPRESENTATIVES,  
DES MOINES, IOWA, FEBRUARY 12, A. D. 1909.

House met pursuant to adjournment.

Speaker Feely in the Chair.

On request, leave of absence was granted Koontz of Johnson, until Tuesday.

On request, leave of absence was granted Boe of Winnebago, until Monday.

On request, leave of absence was granted Derrough of Warren, until Monday.

On request, leave of absence was granted Goodykoontz of Boone, until Monday.

Holmes of Kossuth in the Chair.

Moore of Linn, moved that the Speaker appoint a committee of three to notify the Senate that the House was in session and ready to receive it.

The Speaker appointed as such committee: Moore of Linn, Davidson of Palo Alto, and McDonald of Carroll.

Inman of Floyd, moved that when the House adjourn it be until 10:00 o'clock A. M., Saturday.

Lee of Emmet, moved to amend the motion by making the time 1:45 o'clock, P. M., Monday.

Amendment lost.

Original motion prevailed.

Sergeant-at-Arms announced the arrival of the Senate.

## JOINT SESSION.

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

## PROGRAM.

The following program was carried out:

Prayer ..... Rabbi E. E. Mannheimer  
Chorus:

- (a) "Hark, Hark, My Soul" ..... Shelley  
(b) "Iowa" ..... Major S. H. M. Byers

Woman's Club Chorus, direction Dean Nagel.

Poem, "News at the White House" ..... Major S. H. M. Byers  
Solo and Chorus, "Tenting Tonight" ..... Woman's Club Chorus  
Address, "Abraham Lincoln" ..... Col. Lafayette Young  
Chorus, "Santa Maria" ..... Faure

Woman's Club Chorus.

Speaker Feely in Chair.

The Speaker appointed the following members as the Standing Committee to visit the State institutions on the part of the House:

Wilson of Tama, Lee of Emmet and Swift of Shelby.

On motion of White of Story, the House adjourned.

# JOURNAL OF THE HOUSE

HALL OF THE HOUSE OF REPRESENTATIVES,  
DES MOINES, IOWA, FEBRUARY 11, A. D. 1909.

House met pursuant to adjournment.

Speaker Feely in the Chair.

Prayer was offered by Rev. N. J. Lohre of Jewell, Iowa.

Journal of Thursday, February 11th, and Friday, February 12th, corrected and approved.

On request of Felt of Clay, leave of absence was granted Johnson of Mitchell until Tuesday.

On request of Tilton of Iowa, leave of absence was granted Derrough of Warren until Monday.

On request of Hickenlooper of Monroe, leave of absence was granted Swan of Appanoose until Tuesday.

On request of Schulte of Clayton, leave of absence was granted Byerly of Jones until Tuesday.

On request of Dawson of Cherokee, leave of absence was granted Moore of Linn until Tuesday.

On request of Stillman of Greene, leave of absence was granted Marston of Cerro Gordo until Tuesday.

On request of Cooper of Jasper, leave of absence was granted Harding of Woodbury until Monday.

On request of Meredith of Cass, leave of absence was granted Smith of Wright until Monday.

On request of Larrabee of Fayette, leave of absence was granted Moore of Wapello until Tuesday.

On request of Dodds of Des Moines, leave of absence was granted Dabney of Davis until Monday.

On request of Penn of Fremont, leave of absence was granted Bauman of Van Buren until Tuesday.

On request of Penn of Fremont, leave of absence was granted Fulliam of Muscatine until Monday.

On request of Beans of Mahaska, leave of absence was granted Holmes of Kossuth until Tuesday.

On request of Arney of Marshall, leave of absence was granted Cunningham of Buena Vista until Monday.

On request of Ide of Union, leave of absence was granted Fenn of Clarke until Tuesday.

On request of Darrah of Lucas, leave of absence was granted Klay of Sioux until Tuesday.

#### PETITIONS, MEMORIALS AND REMONSTRANCES.

Sullivan of Polk, presented remonstrance of the Trade and Labor Assembly protesting against the passage of House File No. 169 relating to breach of the Sabbath.

Referred to Committee on Judiciary.

Moore of Linn, presented petition of citizens of Cedar Rapids, relative to the Sunday Amusement Bill.

Referred to Committee on Judiciary.

Sullivan of Polk, presented petition of Des Moines Master Plumbers' Association, relating to legislation governing work in the public streets and highways.

Referred to Committee on Municipal Corporations.

Boettger of Scott, presented petition of members of the Scott County Bar, relative to the increase in the salary of shorthand reporters.

Referred to Committee on Compensation of Public Officers.

Inman of Floyd, presented petition of citizens of Charles City, relative to the establishment of a Woman's Reformatory, separate and distinct from the Men's Reformatory at Anamosa.

Referred to Committee on Penitentiaries.

Inman of Floyd, presented petition of members of the Floyd County Constitutional Amendment Association, relative to the prohibitory amendment.

Referred to Committee on Suppression of Intemperance.

Stillman of Greene, presented petition of citizens and voters of Greene County, relative to the prohibitory amendment.

Referred to Committee on Suppression of Intemperance.

Zeller of Madison, presented remonstrance of members of the Modern Woodmen of America of Macksburg, Iowa, protesting against the passage of the Minimum Rate Law.

Referred to Committee on Insurance.

Zeller of Madison, presented remonstrance of officers of Independent District No. 3, of Crawford Township, protesting against the passage of the School Bill.

Referred to Committee on Schools and Text Books.

Tilton of Iowa, presented petition of citizens and voters of Iowa County, relative to the prohibitory amendment.

Referred to Committee on Suppression of Intemperance.

Brandes of Pottawattamie presented remonstrance of citizens of Pottawattamie County, protesting against the passage of the School Bill.

Referred to Committee on Schools and Text Books.

Lee of Emmet, presented petition of wagonmakers, blacksmiths and machinists of Emmet County, relative to the passage of a Lien Law.

Referred to Committee on Commerce and Trade.

Arney of Marshall, presented petition of officers of Womens Clubs of Marshalltown, relative to appropriations for a library commission and Womans Building at the State University.

Referred to Committee on Appropriations.

Dawson of Cherokee, presented remonstrance of citizens of Cherokee County, relative to the Game Laws.

Referred to Committee on Fish and Game.



Jewell of Winneshiek, presented remonstrance of citizens of Burr Oak, protesting against the passage of the School Laws.

Referred to Committee on Schools and Text Books.

Dalby of Adair, presented remonstrance of Modern Woodmen of America of Adair County, protesting against the passage of the Minimum Rate Law.

Referred to Committee on Insurance.

Dalby of Adair, presented petition of citizens and voters of Adair County, relative to the prohibitory amendment.

Referred to Committee on Suppression of Intemperance.

Mr. Speaker presented remonstrance of school officers of Waterloo, protesting against the passage of the School Bill.

Referred to Committee on Schools and Text Books.

Darrah of Lucas, presented petition of citizens and voters of Lucas County, relative to the prohibitory amendment.

Referred to Committee on Suppression of Intemperance.

Crummer of Pocahontas, presented petition of citizens and voters of Pocahontas County, relative to the prohibitory amendment.

Referred to Committee on Suppression of Intemperance.

Jones of Lee, presented remonstrance of members of Mohawk Camp No. 5970, Modern Woodmen of America, protesting against the Minimum Rate Law.

Referred to Committee on Insurance.

#### REPORTS OF COMMITTEES.

Moore of Linn, from the Committee on Appropriations, submitted the following report:

MR. SPEAKER—Your committee on Appropriations to whom was referred House File No. 171, a bill for an act providing for the completion and distribution of the Roster of Iowa Soldiers, Sailors and Marines as provided by Chapter 223 Laws of the Thirty-second General Assembly, fixing the number of volumes and making an additional appropriation therefor beg leave to report that they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same be amended as follows: By striking out in the second line of section 2 of the original bill the word "seven" and inserting

in lieu thereof the word "five" and by inserting after the semi-colon following the word "thousand" in the second line of section two (2) the following: "Two thousand five hundred (2,500) of the copies shall be bound in sheep and the other two thousand five hundred (2,500) be filed in the office of the Adjutant General to be bound as needed," and when so amended that the bill do pass.

ERNEST R. MOORE, *Chairman.*

Adopted.

Amendment adopted.

Also:

MR. SPEAKER—Your committee on Appropriations to whom was referred House File No. 1, a bill for an act to make an appropriation for the removal of the remains of Ex-Governor Ansel Briggs from Omaha, Neb., to Andrew, Jackson County, Iowa, and for the erection of a monument in the cemetery at that place in commemoration of his memory 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.

ERNEST R. MOORE, *Chairman.*

Adopted, and House File No. 1 was indefinitely postponed.

Sullivan of Polk, from the Committee on Judiciary, submitted the following report:

MR. SPEAKER—Your committee on Judiciary to whom was referred House File No. 52, a bill for an act to amend Section two of Chapter fourteen of the Laws of the Twenty-ninth General Assembly, relating to the compensation of shorthand reporters, and the costs of transcript in criminal cases, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same be indefinitely postponed.

JOHN B. SULLIVAN, *Chairman.*

Adopted, and House File No. 52 was indefinitely postponed.

Also:

MR. SPEAKER—Your committee on Judiciary, to whom was referred House File No. 177, a bill for an act to repeal Sections forty-nine hundred seventy-five-d (4975-d), forty-nine hundred seventy-five-g (4975-g) and forty-nine hundred seventy-five-h (4975-h) of the Supplement to the Code, 1907, relating to bucket-shops and bucket shopping, and to enact substitutes therefor, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same do pass.

JOHN B. SULLIVAN, *Chairman.*

Adopted.

Also :

MR. SPEAKER—Your committee on Judiciary, to whom was referred Senate File No. 121, a bill for an act to legalize certain ordinances of the town of Oxford Junction, Jones County, Iowa, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same do pass.

JOHN B. SULLIVAN, *Chairman.*

Adopted.

Also :

MR. SPEAKER—Your committee on Judiciary, to whom was referred House File No. 73 a bill for an act to repeal Section eleven hundred seventy-seven (1177) of the Code, relating to the commencement of term and qualification of public officers and to enact a substitute therefor, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same be amended as follows: By striking out all of Section two and inserting the following in lieu thereof: "Section two. The term of office of any public officer elected at a general election for a full term shall begin, unless otherwise provided, at noon of the second secular day of the next succeeding January, except in those cases where the person is elected for a full term to begin one year later, in which case the term shall begin at noon of the second secular day of the second succeeding January, and every such public officer shall before entering upon the duties of his office as such, qualify by taking, subscribing and filing with the proper officer the prescribed oath and by giving and filing, when required, a bond, which qualification shall except when otherwise provided, be perfected before noon of the day when the term is to begin as hereinbefore provided. City and town officers shall qualify within ten days after their election has been declared by the board of canvassers. When, on account, of sickness or the inclement state of the weather or other unavoidable casualty, an officer has been prevented from qualifying within the prescribed time, he may do so within ten days after the time herein fixed, and in case of contest, within ten days after the decision," and when so amended that the bill do pass.

JOHN B. SULLIVAN, *Chairman.*

Adopted.

#### INTRODUCTION OF BILLS.

By White of Story, House File No. 238, a bill for an act making appropriations to Iowa State College of Agriculture and Mechanic Arts.

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

By Cooper of Jasper (by request), House File No. 239, a bill for an act to amend Section Twenty-four Hundred Seventy-seven (2477) of the Supplement to the Code, 1907, relating to compensation and expenses of the Department of the Bureau of Labor Statistics.

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

By Brandes of Pottawattamie, House File No. 240, a bill for an act to appropriate money for the use of the School for the Deaf at Council Bluffs, Iowa.

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

By Crozier of Marion (by request), House File No. 241, a bill for an act to amend Chapter Nine (9), Title Fifteen (15), of the Code of 1897; to amend Section Three Thousand One Hundred and Seven (3107) and to repeal Section Three Thousand One Hundred and Eleven (3111) and to enact a substitute therefor and to repeal Section Three Thousand One Hundred Twelve (3112) and Section Three Thousand One Hundred and Fifteen (3115) and enact substitutes therefor.

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

By Meredith of Cass, House File No. 242, a bill for an act to amend Section Eleven Hundred and Thirty-one (1131) of the Code, granting women the right to vote upon certain questions additional to Chapter Three (3), of Title VI. of the Code.

Read first and second time and referred to Committee on Women Suffrage.

Allred of Wayne, offered the following resolution and moved that the rule be suspended and the resolution adopted:

WHEREAS, The Honorable Samuel Wright, a pioneer citizen of Wayne County, Iowa, and an honored member of the House of Representatives, in the Twentieth General Assembly, from Wayne County, departed this life on the 21st day of January, 1909, at Liberal, Kansas, therefore be it

*Resolved*, That a committee of three be appointed by the Speaker to prepare and present suitable resolutions respecting his life, character and public service.

Motion prevailed, and the resolution was adopted.

The Speaker named as such committee: Allred of Wayne, Swan of Appanoose and Swift of Shelby.

Allred of Wayne offered the following resolution and moved that the rule be suspended and the resolution adopted:

WHEREAS, The Hon. Lloyd Selby, a pioneer citizen of Wayne County, Iowa, and an honored member of the Senate in the Fifteenth General Assembly from the Fourth Senatorial District, departed this life on the 2d day of April, 1906, at Danville, Illinois, therefore be it

*Resolved*, That a committee of three be appointed by the Speaker to prepare and present suitable resolutions respecting his life, character and public services.

Motion prevailed, and the resolution was adopted.

The Speaker named as such committee: Allred of Wayne, Darrah of Lucas and Sankey of Decatur.

On request the following members of the Springer-Stoddard Contest Committee were excused from the forenoon session: Davidson, Ripley, Swift, O'Connor and Beebe.

Finlayson of Grundy, Chairman of the Committee appointed to draft resolutions respecting the life, character and public services of the Hon. Charles Aldrich, presented the report of that committee and moved its adoption.

Motion prevailed, the resolutions were adopted and ordered printed in the Journal.

White of Story, Chairman of the committee appointed to draft resolutions respecting the life and public service of Hon. John L. Dana, presented the report of that committee and moved its adoption.

Motion prevailed, the resolutions were adopted and ordered printed in the Journal.

Fourt of Allamakee, offered the following Concurrent Resolution:

Concurrent Resolution relative to the publication of a summary of the appropriations for State institutions not under the supervision of the Board of Control.

*Be it Resolved by the House, the Senate Concurring:*

That the Secretary of State is hereby instructed to have printed and bound with the session laws of the Thirty-third General Assembly, a summary of the various appropriations for the support of the State institutions not under the supervision of the Board of Control.

Laid over under Rule 34.

Kellogg of Harrison, offered the following resolution and asked unanimous consent that it be considered at this time and moved its adoption.

WHEREAS, The Code issued to Hon. Paul E. Stillman has been taken from his desk, and cannot be found, therefore be it

*Resolved*, That the Chief Clerk be and he is hereby directed to procure and deliver to Mr. Stillman a copy of the Code of 1907.

Motion prevailed and the resolution was adopted.

The following messages were received from the Senate:

#### MESSAGES FROM THE SENATE.

The following messages were received from the Senate:

MR. SPEAKER—I am directed to inform your honorable body that the Senate has passed the following bill in which the concurrence of the House is asked:

Senate File No. 154, a bill for an act to create a commission authorized to locate and erect a pedestal for a monument to the memory of the late Wm. B. Allison, and making an appropriation to defray the expense thereof.

S. W. NEAL,  
*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. 150, a bill for an act to amend the law as it appears in Section 511 of the Supplement to the Code, 1907, relating to the compensation of sheriffs for boarding prisoners.

S. W. NEAL,  
*Secretary.*

#### SENATE MESSAGES CONSIDERED.

Senate File No. 154, a bill for an act to create a commission authorized to locate and erect a pedestal for a monument to the memory of the late William B. Allison and making an appropriation to defray the expense thereof.

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

Senate File No. 150, a bill for an act to amend the law as it appears in Section Five Hundred Eleven (511) of the Supplement

to the Code 1907, relating to the compensation of sheriffs for boarding prisoners.

Read first and second time and referred to Committee on Compensation of Public Officers.

The Speaker announced that as Speaker of the House, in the presence of the House, he had signed House File No. 7.

Lee of Emmet, moved that when the House adjourn it be until 1:45 o'clock P. M., Monday.

Motion prevailed.

On motion of Miller of Bremer, the House adjourned.

# JOURNAL OF THE HOUSE

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HALL OF THE HOUSE OF REPRESENTATIVES,  
DES MOINES, IOWA, FEBRUARY 15, A. D. 1909.

House met pursuant to adjournment.

Speaker Feely in the Chair.

Prayer was offered by Rev. W. S. Kight of Valley Junction, Iowa.

The Speaker announced a recess until the call of the Chair.

House reconvened and adjourned to meet at 9:00 o'clock, A. M., Tuesday.



# JOURNAL OF THE HOUSE

HALL OF THE HOUSE OF REPRESENTATIVES,  
DES MOINES, IOWA, FEBRUARY 16, A. D. 1909.

House met pursuant to adjournment.

Speaker Feely in the Chair.

Prayer was offered by Rev. J. W. Beard of Macedonia, Iowa.

Journal of Saturday, February 13th, corrected and approved.

On request of Dodds of Des Moines, leave of absence was granted Harvey of Osceola until Friday.

On request of Dye of Pottawattamie, leave of absence was granted Jones of Lee until Thursday.

On request of Lee of Emmet, leave of absence was granted Davidson of Palo Alto until Tuesday.

On request of Beans of Mahaska, leave of absence was granted Stoddard of Buchanan until Tuesday.

On request of Arney of Marshall, leave of absence was granted Thompson of Benton until Friday.

On request of Dalby of Adair, leave of absence was granted Boe of Winnebago until Wednesday.

## PETITIONS, MEMORIALS AND REMONSTRANCES.

Harding of Woodbury presented remonstrance of members of Camp No. 2872, Modern Woodmen of America, relative to the Minimum Rate Law.

Referred to Committee on Insurance.

Harding of Woodbury presented remonstrance of the Electors of Merville Township, protesting against the passage of the School Bill.

Referred to Committee on Schools and Text Books.

Larrabee of Fayette presented petition of citizens and voters of Fayette County, relative to the prohibitory amendment.

Referred to Committee on Suppression of Intemperance.

Moore of Linn presented petition of citizens and voters of Linn County, relative to the prohibitory amendment.

Referred to Committee on Suppression of Intemperance.

Hanson of Humboldt presented remonstrance of citizens of Humboldt County, protesting against the passage of the School Bill.

Referred to Committee on Schools and Text Books.

McDonald of Carroll presented remonstrance of Home Culture Club of Coon Rapids, Iowa, protesting against the passage of the School Bill.

Referred to Committee on Schools and Text Books.

Derrough of Warren presented remonstrance of school board and patrons of the Independent School District of Hartford, Iowa, protesting against the passage of the School Bill.

Referred to Committee on Schools and Text Books.

Dye of Pottawattamie presented remonstrance of citizens and school patrons of Pottawattamie County, protesting against the passage of the School Bill.

Referred to Committee on Schools and Text Books.

Perkins of Delaware presented remonstrance of residents and citizens of Delaware County, protesting against the passage of Senate File No. 200 and House File No. 231 relative to the building of a grand-stand at the State Fair grounds.

Referred to Committee on Appropriations.

Beebe of Franklin presented petition of voters of Franklin County, relative to increasing the term of county officers to four years.

Referred to Committee on Elections.

Beebe of Franklin presented petition of citizens of Franklin County, relative to the Thresherman's Bill.

Referred to Committee on Agriculture.

Swan of Appanoose presented petition of citizens of Appanoose County, favoring the passage of House File No. 169, relating to the breach of the Sabbath.

Referred to Committee on Judiciary.

Ripley of Hancock presented petition of citizens of Hancock County, relative to the prohibitory amendment.

Referred to Committee on Suppression of Intemperance.

Bowman of Linn presented petition of members of the Olivet Presbyterian Church, favoring the passage of House File No. 169, relating to the breach of the Sabbath.

Referred to Committee on Judiciary.

Welden of Hardin, presented petition of citizens of Hardin County, relative to the prohibitory amendment.

Referred to Committee on Suppression of Intemperance.

Allred of Wayne presented petition of members of the Bar of Wayne County, relative to the increase in the compensation of shorthand reporters.

Referred to Committee on Compensation of Public Officers.

Dabney of Davis presented remonstrance of citizens of Waneta, Iowa, protesting against the passage of the School Bill.

Referred to Committee on Schools and Text Books.

Lee of Emmet presented petition of citizens of Emmet County, favoring the passage of House File No. 169, relating to the breach of the Sabbath.

Referred to Committee on Judiciary.

Dalby of Adair presented remonstrance of citizens of Richland Township, protesting against the passage of the School Bill.

Referred to Committee on Schools and Text Books.

Dalby of Adair presented petition of voters of Greenfield, Iowa, favoring the passage of House File No. 169, relating to the breach of the Sabbath.

Referred to Committee on Suppression of Intemperance.

Sullivan of Polk presented petition of attorneys of Polk County, relative to the increase in the salary of shorthand reporters.

Referred to Committee on Compensation of Public Officers.

White of Story presented petition of members of the Bar of Story County, relative to the increase in the salary of shorthand reporters.

Referred to Committee on Compensation of Public Officers.

Lee of Emmet presented petition of citizens of Emmet County, relative to the prohibitory amendment.

Referred to Committee on Suppression of Intemperance.

Fulliam of Muscatine presented remonstrance of the German-American Central Alliance of Davenport, Iowa, relative to the prohibitory amendment.

Referred to Committee on Suppression of Intemperance.

Fulliam of Muscatine presented petition of Board of Supervisors of Muscatine County, relative to the compensation of shorthand reporters.

Referred to Committee on Compensation of Public Officers.

Fulliam of Muscatine presented remonstrance of Board of Directors of Independent School District of Muscatine, Iowa, protesting against the passage of the School Bill.

Referred to Committee on Schools and Text Books.

Tegeler of Dubuque presented remonstrance of Union School District, protesting against the passage of the School Bill.

Referred to Committee on Schools and Text Books.

Kendall of Clinton presented petition of citizens of Clinton County, relative to the passage of House File No. 174.

Referred to Committee on Agriculture.

Larrabee of Fayette presented remonstrance of school officers of Fayette County, protesting against the passage of the School Bill.

Referred to Committee on Schools and Text Books.

Moore of Linn presented petition of Cedar Rapids Federation of Labor, relative to the Sunday Amusement Bill.

Referred to Committee on Judiciary.

Brandes of Pottawattamie presented remonstrance of citizens of Pottawattamie County, protesting against the passage of the School Bill.

Referred to Committee on Schools and Text Books.

Fulliam of Muscatine presented remonstrance of German-American Central Alliance of Muscatine County, relative to the Sunday Amusement Bill.

Referred to Committee on Judiciary.

#### REPORTS OF COMMITTEES.

Bonwell of Audubon, from the Committee on Roads and Highways, submitted the following report:

MR. SPEAKER—Your committee on Roads and Highways, to whom was referred House File No. 134, a bill for an act to amend Section fifteen hundred sixty-one (1561) of the Code of Iowa, 1897, relating to the erection of guide posts, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same be amended as follows: That the title be amended by striking out the words "Guide Posts" and inserting in lieu the words "Guide Boards," and when so amended that the bill do pass.

JOHN C. BONWELL,  
*Chairman.*

Adopted.

Amendment adopted.

Also:

MR. SPEAKER—Your committee on Roads and Highways, to whom was referred House File No. 121, a bill for an act to amend Section one thousand five hundred and seventy (1570) of the Code, 1907, providing for the time when osage orange, willow, and other hedge fences shall be trimmed, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same do pass.

JOHN C. BONWELL,  
*Chairman.*

Adopted.

Harding of Woodbury, from the Committee on Municipal Corporations, submitted the following report:

MR. SPEAKER—Your committee on Municipal Corporations, to whom was referred House File No. 2, a bill for an act to repeal Sections ten hundred fifty-six-a seventeen (1056-a 17), ten hundred fifty-six-a eighteen (1056-a 18), and ten hundred fifty-six-a twenty-six (1056-a 26), of chapter fourteen-c (14-c) of the Supplement Code of Iowa and to enact substitutes therefor, and to amend Sections ten hundred fifty-six-a nineteen (1056-a 19), ten hundred fifty-six-a twenty (1056-a 20), ten hundred fifty-six-a twenty-one (1056-a 21), ten hundred fifty-six-a twenty-four (1056-a 24), ten hundred fifty-six-a twenty-five (1056-a 25), ten hundred fifty-six-a twenty-eight (1056-a 28), ten hundred fifty-six-a thirty-two (1056-a 32), and ten hundred fifty-six-a thirty-nine (1056-a 39) of Chapter fourteen-c (14-c) of the Supplement Code of Iowa, all relating to the government of certain cities, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same be amended as follows:

By striking out in the title of said bill, and whenever the same occurs in the body of said bill the words, "the Supplement Code of Iowa" and inserting in lieu thereof the words, "the Supplement to the Code, 1907;" by striking out the word "with" in the fourth line of Section 1 and inserting in lieu thereof the words, "cities acting under," and when so amended that the bill do pass.

W. L. HARDING,  
*Chairman.*

Adopted.

Also:

MR. SPEAKER—Your committee on Municipal Corporations, to whom was referred Senate File No. 129, a bill for an act to amend Section 995 of the Code relating to powers and duties of commissioners in cities of special charter, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same do pass.

W. L. HARDING,  
*Chairman.*

Adopted.

Sullivan of Polk, from the Committee on Judiciary, submitted the following report:

MR. SPEAKER—Your committee on Judiciary, to whom was referred Senate File No. 162, a bill for an act amending the law as it appears in Section thirteen hundred sixty-one (1361) of the Supplement to the Code, 1907, and Section thirteen hundred fifty-four (1354) and Section thirteen hundred fifty-five (1355) of the Code, relating to the making of affidavit in assessment of property, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same be amended as

follows: By striking out all of Section four, and when so amended that the bill do pass.

JOHN B. SULLIVAN,  
*Chairman.*

Adopted.

Also:

MR. SPEAKER—Your committee on Judiciary, to whom was referred House File No. 158, a bill for an act to amend Section three thousand one hundred thirty-eight (3138) of the Supplement to the Code, 1907, relating to the lien and liability of hotel and inn-keepers, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same be amended as follows:

By striking out all after the enacting clause and substituting the following therefor: Section one. That Section three thousand one hundred thirty-eight (3138) of the Supplement to the Code, 1907, the same is hereby amended by striking out of said Section all the words and figures commencing with the word "hotel" in the sixteenth line thereof, to and including the word "thereon" in the twenty-fourth line thereof and inserting the following in lieu thereof: "Hôtel, inn, rooming-house or eating-house keepers shall have a lien upon, and may take and retain possession of, all baggage and other property belonging to or under the control of their guests or patrons, which may be in such hotel, inn, rooming-house or eating-house, for the value of their accommodations and keep, and for all money paid for or advanced to, and for such extras and other things as shall be furnished, such guest or patron, and such property so retained shall not be exempt from attachment or execution to the amount of the reasonable charges of such hotel, inn, rooming-house or eating-house keeper, against such guest or patron, and the costs of enforcing the lien thereon, and when so amended that the bill do pass.

JOHN B. SULLIVAN,  
*Chairman.*

Adopted.

Also:

MR. SPEAKER—Your committee on Judiciary, to whom was referred House File No. 219, a bill for an act to repeal the law as it appears in Section five hundred sixty-five (565) of the Code, and enact a substitute therefor with regard to the election of township assessors in certain townships, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same do pass.

JOHN B. SULLIVAN,  
*Chairman.*

Adopted.

Also:

MR. SPEAKER—Your committee on Judiciary, to whom was referred House File No. 103, a bill for an act to give farmers' telephone companies

the same exemption from corporation fees which are now enjoyed by farmers' co-operative creamery associations and corporations organized for the manufacture of beet sugar, 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.

JOHN B. SULLIVAN,  
*Chairman.*

Adopted, and House File No. 103 was indefinitely postponed.

Also:

MR. SPEAKER—Your committee on Judiciary, to whom was referred House File No. 218, a bill for an act to amend Section seven hundred thirty-two (732) of the Supplement to the Code, 1907, relative to the levying of for public libraries, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same do pass.

JOHN B. SULLIVAN,  
*Chairman.*

Adopted.

Also:

MR. SPEAKER—Your committee on Judiciary, to whom was referred Senate File No. 119, a bill for an act to amend Sections fifteen hundred and seventy-one-b (1571-b), fifteen hundred and seventy-one-c (1571-c), fifteen hundred and seventy-one-e (1571-e) and fifteen hundred and seventy-one-f (1571-f) of the Supplement to the Code, 1907, in reference to motor vehicles, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same do pass.

JOHN B. SULLIVAN,  
*Chairman.*

Adopted.

Arney of Marshall, from the Committee on Agriculture, submitted the following report:

MR. SPEAKER—Your committee on Agriculture, to whom was referred House File No. 71, a bill for an act to repeal Section twenty-three hundred and sixty-seven (2367) of the Code defining a lawful fence, and substituting an act in lieu thereof, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same be amended as follows:

The words "set not less than two and one-half feet," and the figures "2½" in line five of Section two be stricken, and the words "firmly set" be inserted in lieu thereof.



The words "set not less than two and one-half feet" and the figures "2½" in line ten of Section two be stricken, and the words "firmly set" be inserted in lieu thereof.

The words "set not less than two and one-half feet" and the figures "2½" in line fifteen of Section two be stricken, and the words "firmly set" be inserted in lieu thereof, and when so amended that the bill do pass.

W. H. ARNEY,  
*Chairman.*

Adopted.

Amendment adopted.

#### INTRODUCTION OF BILLS.

By Grier of Poweshiek, House File No. 243, a bill for an act legalizing ordinances numbers Thirty-eight and Thirty-nine, establishing the grades of streets and side walks in the incorporated town of Deep River, Poweshiek County, Iowa.

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

By Boettger of Scott, House File No. 244, a bill for an act to appropriate money for the use of the Iowa Soldiers' Orphans' Home at Davenport, Iowa.

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

By Darrah of Lucas, House File No. 245, a bill for an act relating to the indebtedness of counties and providing for the issuance of bonds for the purpose of building and constructing permanent highways, bridges, culverts, levees, drains and ditches, and providing for the appointment of county engineers, and defining their duties.

Read first and second time and referred to Committee on Roads and Highways.

By Dewey of Guthrie, House File No. 246, a bill for an act creating a commission to procure additional grounds adjacent to the Capitol, for beautifying the same, the erection of additional State buildings and for an appropriation therefor.

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

By Wolfe of Clinton, House File No. 247, a bill for an act to amend Sections Two Thousand Eighty-four (2084), Two Thousand Eighty-five (2085), Two Thousand Eighty-six (2086), Two Thousand Eighty-seven (2087), and Two Thousand Ninety (2090), of the Supplement to the Code, 1907, relative to taxes in aid of railroads.

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

By Bowman of Linn, House File No. 248, a bill for an act to amend Section Five Thousand Six Hundred and Fifty-two (5652) of the Code of Iowa, relating to hard labor by persons confined in jails.

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

By Finlayson of Grundy, House File No. 249, a bill for an act to repeal Section Thirty-one Hundred Eighty-one (3181) of the Supplement to the Code, 1907, relating to the right of divorced persons to remarry within one year, and to enact a substitute therefor.

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

Jewell of Winneshiek, Chairman of the committee appointed to draft resolutions respecting the life and public service of the Hon. Henry A. Baker, presented the report of that committee and moved its adoption.

Motion prevailed, the resolutions were adopted and ordered printed in the Journal.

On request, leave of absence from the forenoon session was granted the members of the Teter-Crozier Contest Committee.

Inman of Floyd called up his resolution relative to the charges brought against the State Board of Health.

O'Connor of Chickasaw moved that the resolution be laid on the table.

Motion prevailed, and the resolution was laid on the table.

Fourt of Allamakee called up his resolution relative to the publication of a summary of the appropriations for State institutions not under the supervision of the Board of Control, and moved its adoption.

Motion lost.

MOTION TO RECONSIDER.

I move to reconsider the vote by which the resolution replacing the lost code to Hon. Paul E. Stillman passed the House.

GEO. A. KELLOGG.

I second the motion.

W. R. COOPER.

Stillman of Greene called up the Supplemental Report of the Committee on the Corrie-Baxter contest, and moved its adoption.

Motion prevailed, and the report was adopted.

Darrah of Lucas called up the Supplemental Report of the Committee on the Robb-Kendall contest, and moved its adoption.

Motion prevailed, and the report was adopted.

Kellogg of Harrison called up his motion to reconsider.

Motion prevailed.

Mr. Kellogg then offered the following resolution as a substitute, and moved its adoption:

WHEREAS, The Codes issued to Hon. Paul E. Stillman and Hon. Henry Ritter have been taken from their desks and cannot be found, therefore be it

*Resolved*, That the Secretary of State be authorized to deliver to Mr. Stillman and Mr. Ritter one copy each of the Code of 1907.

Motion prevailed.

Mr. Kellogg then moved that the substituted resolution be adopted.

Substituted resolution adopted.

## CONSIDERATION OF BILLS.

On motion of Brandes of Pottawattamie, House File No. 119, a bill for an act amending Section Seven Hundred and Forty-six (746) of the Supplement to the Code, relating to contracts and expenditures from the water-works sinking fund for purposes incident to the making and submission to the people of contracts for the purchase or erection of water-works, with report of committee recommending passage as amended, was taken up, considered and the report of the committee, with amendments adopted.

Brandes of Pottawattamie 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 ayes were:

Allred, Anderson, Arney, Balluff, Bascom, Bauman, Beans, Beebe, Beery, Blackmore, Boettger, Bonwell, Bowman, Brandes, Byerly, Calkins, Cassady, Cooper, Corrie, Cousins, Crozier, Crummer, Cunningham, Dabney, Dalby, Darrah, Dawson, Derrough, Dewell, Dewey, Dye, Elliott, Ellis, Etter, Felt, Finlayson, Fourt, Fox, Fulliam, Goodykoontz, Grier, Hanson, Harding, Hickenlooper, Holmes, Huffaker, Hunter, Ide, Inman, Jacobs, Jewell, Kellogg, Kendall, Klay, Koontz, Kull, Larrabee, Lee, McCleery, Meredith, Miller of Bremer, Miller of Dubuque, Moore of Wapello, Moore of Linn, Newell, O'Connor, Penn, Perkins, Reaney, Reitz, Ripley, Ritter, Sankey, Sheldon, Smith, Stillman, Sullivan, Swan, Swift, Tegeler, Tilton, Ward, Welden, Wilson, Wolfe, Zeller, Mr. Speaker—87.

The nays were:

Schee—1.

Absent or not voting:

Boe, Boomgaarden, Burt, Davidson, DeWitt, Dodds, Drury, Fenn, Fulton, Hackler, Harvey, Jewell, Johnson, McDonald, Mars-ton, Schroeder, Schulte, Stoddard, Thompson, White—20.

So the bill passed and the title was agreed to.

Arney of Marshall in the Chair.

On motion of Meredith of Cass, House File No. 140, a bill for an act to amend Sections 1571-b, 1571-e, and 1571-f of the 1907 Supplement to the Code, in reference to motor vehicles, was taken up and considered.

Meredith of Cass moved to amend by striking out the figures "1907" in the title and inserting the same after the word "Code" also by striking out the figures "1907" in Sections One, Two, Three and Four and inserting the same after the word "Code," and by striking out the word "daily" in Section Five and inserting the word "Des Moines" in lieu thereof.

Amendments adopted.

Meredith of Cass 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 ayes were:

Allred, Anderson, Arney, Bascom, Bauman, Beans, Beebe, Beery, Blackmore, Bonwell, Bowman, Brandes, Byerly, Calkins, Cassady, Cooper, Corrie, Cousins, Crozier, Crummer, Cunningham, Dabney, Dalby, Darrah, Dawson, Derrough, Dewell, Dewey, Dye, Elliott, Ellis, Felt, Fenn, Finlayson, Fourt, Fox, Fulliam, Goodykoontz, Hanson, Harding, Hickenlooper, Holmes, Huffaker, Hunter, Ide, Inman, Jacobs, Jewell, Kellogg, Kendall, Klay, Koontz, Kull, Larabee, Lee, McCleery, McDonald, Meredith, Miller of Dubuque, Moore of Wapello, Moore of Linn, Newell, O'Connor, Perkins, Reaney, Reitz, Ripley, Ritter, Sankey, Schee, Sheldon, Smith, Stillman, Sullivan, Swan, Swift, Tegeler, Tilton, Ward, Welden, Wilson, Wolfe, Zeller, Mr. Speaker—84.

The nays were:

Penn—1.

Absent or not voting:

Balluff, Boe, Boettger, Boomgaarden, Burt, Davidson, DeWitt, Dodds, Drury, Etter, Fulton, Grier, Hackler, Harvey, Johnson, Jones, Marston, Miller of Bremer, Schroeder, Schulte, Stoddard, Thompson, White—23.

So the bill passed and the title was agreed to.

On motion of Meredith of Cass, House File No. 141, a bill for an act authorizing the Secretary of State to publish lists of motor vehicle registrations and fixing prices at which such lists shall be sold, was taken up and considered.

Meredith of Cass proposed the following amendment:

I move to amend House File No. 141 by striking out all that part thereof following the period in line eight (8) thereof, and inserting in lieu thereof the following:

"Said books and supplemental lists shall be sold by the Secretary of State to persons applying therefor at a uniform price for each to be fixed by the executive council, from time to time, but the prices therefor, including postage or expressage, shall not exceed five dollars each for said books, and one dollar each for said supplemental lists. No copies shall be given away, or sold at a price less than that provided for herein. All moneys received from said sales shall be accounted for the same as all other moneys collected as fees or otherwise by the Secretary of State."

Amendment adopted.

O'Connor of Chickasaw proposed the following amendment:

Amend House File No. 141 by adding to Section 1, "provided that if the publication and sale of said list of motor vehicles shall in any year fail to pay the expense of publication the said publication thereafter shall be discontinued."

Amendment adopted.

Holmes of Kossuth moved that House File No. 141 be referred to the Committee on Ways and Means.

Motion lost.

Meredith of Cass 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?"

Speaker Feely in the Chair.

The ayes were:

Allred, Balluff, Bascom, Beans, Beebe, Beery, Blackmore, Boettger, Bonwell, Bowman, Brandes, Calkins, Cassady, Corrie, Cousins, Crummer, Dalby, Dawson, Derrough, Dewell, Dodds, Ellis, Felt, Fenn, Fox, Goodykoontz, Hanson, Holmes, Huffaker, Hunter, Ide,

Inman, Larrabee, McCleery, Marston, Meredith, Newell, O'Connor, Penn, Perkins, Reitz, Ripley, Smith, Sullivan, Swift, Tegeler, Tilton, Welden, Wolfe, Zeller—49.

The nays were :

Anderson, Arney, Bauman, Byerly, Cooper, Cunningham, Dabney, Darrah, Dewey, Dye, Etter, Finlayson, Fourt, Fulliam, Hackler, Harding, Hickenlooper, Huffaker, Jacobs, Jewell, Kendall, Klay, Kull, Lee, McDonald, Miller of Dubuque, Moore of Wapello, Moore of Linn, Reaney, Ritter, Sankey, Schee, Schulte, Sheldon, Stillman, Swan, Ward, White, Wilson, Mr. Speaker—40.

Absent or not voting :

Boe, Boomgaarden, Burt, Crozier, Davidson, DeWitt, Drury, Elliott, Fulton, Grier, Harvey, Johnson, Jones, Kellogg, Koontz, Miller of Bremer, Schroeder, Stoddard, Thompson—19.

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

MOTION TO RECONSIDER.

I move to reconsider the vote by which House File No. 141 passed the House and by which it passed to its third reading.

I second the motion.

W. H. ARNEY,  
F. E. SHELDON.

Cooper of Jasper offered the following resolution :

RESOLUTION.

WHEREAS, The State of Iowa is expending large sums of money for the publication of books, reports, documents and other forms of printed matter for the State of Iowa, and

WHEREAS, The people of the state and members of this Assembly have a right to know whether or not all of this expenditure of money is a necessity, therefore be it

*Resolved*, That the Committee on Public Printing be and are hereby instructed to make an investigation with a view to ascertain whether or not this expenditure of money cannot be curtailed by reducing the number or eliminating the publication of some of said reports and publications and report their findings to this House.

Laid over under Rule 34.

Speaker Feely made the following committee assignments for Representative Corrie.

Schools and Text Books,  
Ways and Means,  
Railroads and Transportation,  
Elections,  
Insurance,

Agriculture,  
Public Lands,  
Food and Dairy,  
School for Deaf,  
Telephones.

On motion of Cooper of Jasper, the House adjourned until 9:00 o'clock A. M., Wednesday.



# JOURNAL OF THE HOUSE

HALL OF THE HOUSE OF REPRESENTATIVES,  
DES MOINES, IOWA, FEBRUARY 17, A. D. 1909.

House met pursuant to adjournment.

Speaker Feely in the Chair.

Prayer was offered by Rev. Wm. J. Cody of Charles City, Iowa.

Journals of Monday, February 15th, and Tuesday, February 16th, corrected and approved.

On request of Beery of Henry, leave of absence was granted Grier of Poweshiek until Friday.

On request of Beans of Mahaska, leave of absence was granted Stoddard of Buchanan until Wednesday.

On request of Newell of Plymouth, leave of absence was granted Goodykoontz of Boone until Monday.

## PETITIONS, MEMORIALS AND REMONSTRANCES.

Wilson of Tama presented petition of citizens and voters of Tama County, relative to the prohibitory amendment.

Referred to Committee on Suppression of Intemperance.

Sankey of Decatur presented petition of residents of Decatur County, relative to House File No. 148.

Referred to Committee on County and Township Organization.

Sankey of Decatur presented petition of citizens and voters of Decatur County, relative to the prohibitory amendment.

Referred to Committee on Suppression of Intemperance.

Klay of Sioux presented petition of merchants and taxpayers, relative to House File No. 232.

Referred to Committee on Commerce and Trade.

Fox of Dallas presented petition of attorneys of Perry, Iowa, relative to the increase in the salary of shorthand reporters.

Referred to Committee on Compensation of Public Officers.

Holmes of Kossuth presented petition of citizens and voters of Kossuth County, relative to the prohibitory amendment.

Referred to Committee on Suppression of Intemperance.

Felt of Clay presented petition of citizens and voters of Clay County, relative to the prohibitory amendment.

Referred to Committee on Suppression of Intemperance.

Derrough of Warren presented petition of citizens of Warren County, relative to House File 169, referring to the breach of the Sabbath.

Referred to Committee on Judiciary.

Derrough of Warren presented petition of citizens and voters of Warren County, relative to the prohibitory amendment.

Referred to Committee on Suppression of Intemperance.

Bascom of Dickinson presented petition of citizens and voters of Dickinson County, relative to the prohibitory amendment.

Referred to Committee on Suppression of Intemperance.

DeWitt of Montgomery presented petition of citizens and voters of Montgomery County, relative to the prohibitory amendment.

Referred to Committee on Suppression of Intemperance.

Cooper of Jasper presented petition of citizens and voters of Jasper County, relative to the prohibitory amendment.

Referred to Committee on Suppression of Intemperance.

Moore of Linn presented petition of citizens and voters of Linn County, relative to the prohibitory amendment.

Referred to Committee on Suppression of Intemperance.

Moore of Linn presented remonstrance of citizens of Linn County, protesting against the passage of the Fish and Game Bill.

Referred to Committee on Fish and Game.

Balluff of Scott presented remonstrance of members of Live Oak Camp No. 36, Modern Woodmen of America, protesting against the passage of the Minimum Rate Law.

Referred to Committee on Insurance.

Dewey of Guthrie presented petition of citizens and voters of Guthrie County, relative to the prohibitory amendment.

Referred to Committee on Suppression of Intemperance.

Newell of Plymouth presented petition of citizens and voters of Plymouth County, relative to the prohibitory amendment.

Referred to Committee on Suppression of Intemperance.

Brandes of Pottawattamie presented remonstrance of citizens and school patrons of Pottawattamie County, protesting against the passage of the School Bill.

Referred to Committee on Schools and Text Books.

Beebe of Franklin presented petition of citizens and voters of Franklin County, relative to the prohibitory amendment.

Referred to Committee on Suppression of Intemperance.

Larrabee of Fayette presented petition of citizens and voters of Fayette County, relative to the prohibitory amendment.

Referred to Committee on Suppression of Intemperance.

Lee of Emmet presented remonstrance of members of Maple Hill Camp No. 5645, protesting against the passage of the Minimum Rate Law.

Referred to Committee on Insurance.

Schulte of Clayton presented petition of citizens of Clayton County, relative to the prohibitory amendment.

Referred to Committee on Suppression of Intemperance.

Boettger of Scott presented remonstrance of Grace Lodge Royal Neighbors No. 4139, protesting against the passage of the Minimum Rate Law.

Referred to Committee on Insurance.

Moore of Wapello presented petition of citizens of Wapello County, relative to the prohibitory amendment.

Referred to Committee on Suppression of Intemperance.

Bauman of Van Buren presented petition of citizens of Van Buren County, relative to House File No. 169, referring to breach of the Sabbath.

Referred to Committee on Judiciary.

Bauman of Van Buren presented remonstrance of members of Modern Woodmen of America of Springville, Iowa, protesting against the passage of the Minimum Rate Law.

Referred to Committee on Insurance.

Marston of Cerro Gordo presented remonstrance of officials of Cerro Gordo County, protesting against the passage of the Mortgage Registration Law.

Referred to Committee on Ways and Means.

Dalby of Adair presented remonstrance of electors of School District of Walnut Township, Adair County, protesting against the passage of the School Bill.

Referred to Committee on Schools and Text Books.

Dalby of Adair presented petition of citizens of Orient, Iowa, relative to the prohibitory amendment.

Referred to Committee on Suppression of Intemperance.

Mr. Speaker presented remonstrance of Board of Directors, Independent School District, Muscatine, Iowa, protesting against the passage of the School Bill.

Referred to Committee on Schools and Text Books.

Elliott of Page presented petition of citizens of Page County, relative to House File No. 169, referring to breach of the Sabbath.

Referred to Committee on Judiciary.

Stillman of Greene presented petition of citizens of Greene County, relative to the prohibitory amendment.

Referred to Committee on Suppression of Intemperance.

Cousins of Butler presented petition of citizens of Butler County, relative to the prohibitory amendment.

Referred to Committee on Suppression of Intemperance.

Kendall of Clinton presented petition of citizens of Clinton County, relative to House File No. 174, referring to ground hogs.

Referred to Committee on Agriculture.

Kendall of Clinton presented petition of citizens of Clinton County, relative to Senate File No. 13, prohibiting the killing of quails.

Referred to Committee on Fish and Game.

Beans of Mahaska presented petition of citizens of Mahaska County, relative to the prohibitory amendment.

Referred to Committee on Suppression of Intemperance.

Burt of Taylor presented petition of citizens of Taylor County, relative to the prohibitory amendment.

Referred to Committee on Suppression of Intemperance.

Arney of Marshall presented petition of citizens of Marshall County, relative to House File No. 169, referring to breach of the Sabbath.

Referred to Committee on Judiciary.

Arney of Marshall presented remonstrance of patrons of Independent School District No. 1, in Vienna Township, protesting against the passage of the School Bill.

Referred to Committee on Schools and Text Books.

Harding of Woodbury presented seven petitions of citizens of Woodbury County, relative to the prohibitory amendment.

Referred to Committee on Suppression of Intemperance.

Perkins of Delaware presented petition of citizens of Delaware County, relative to the prohibitory amendment.

Referred to Committee on Suppression of Intemperance.

Perkins of Delaware presented petition of Delaware County, relative to House File No. 169, referring to breach of the Sabbath.

Referred to Committee on Judiciary.

Ellis of Jackson presented petition of taxpayers of the Lamotte and Cottonville Telephone Company, relative to amending the law in regard to taxation of Farmers Telephone lines.

Referred to Committee on Telephones.

Byerly of Jones presented petition of citizens of Jones County, relative to the prohibitory amendment.

Referred to Committee on Suppression of Intemperance.

Calkins of Adams presented remonstrance of members of Modern Woodmen of America of Adams County, protesting against the passage of the Minimum Rate Law.

Referred to Committee on Insurance.

Swan of Appanoose presented petition of citizens of Appanoose County, relative to House File No. 169, referring to breach of the Sabbath.

Referred to Committee on Judiciary.

Wilson of Tama presented petition of citizens of Tama County, relative to House File No. 169, referring to breach of the Sabbath.

Referred to Committee on Judiciary.

Burt of Taylor presented remonstrance of members of Modern Woodmen of America of Taylor County, protesting against the passage of the Minimum Rate Law.

Referred to Committee on Insurance.

Balluff of Scott presented remonstrance of members of Live Oak Camp No. 36, Modern Woodmen of America, protesting against the passage of the Minimum Rate Law.

Referred to Committee on Insurance.

White of Story presented remonstrance of residents and taxpayers of Story County, protesting against the passage of the School Bill.

Referred to Committee on Schools and Text Books.

Beebe of Franklin presented petition of citizens of Franklin County, relative to the prohibitory amendment.

Referred to Committee on Suppression of Intemperance.

Sullivan of Polk presented remonstrance of members of Brotherhood of Railroad Trainmen, protesting against any change in the present Exemption Law.

Referred to Committee on Judiciary.

Mr. Speaker presented petition of members of the Iowa Conference of the Augustana Synod, relative to making Good Friday a legal holiday.

Referred to Committee on Judiciary.

Mr. Speaker presented petition of Associated Charities of Waterloo, Iowa, asking legislation controlling contagious diseases.

Referred to Committee on Public Health.

Mr. Speaker presented petition of State Veterinarian Paul O. Koto, asking the passage of appropriation bills governing the State Veterinarian Department.

Referred to Committee on Appropriations.

Elliott of Page presented petition of citizens of Page County, relative to the prohibitory amendment.

Referred to Committee on Suppression of Intemperance.

Ripley of Hancock presented petition of citizens of Hancock County, relative to House File No. 169, referring to breach of the Sabbath.

Referred to Committee on Judiciary.

McDonald of Carroll presented petition of citizens of Carroll County, relative to the prohibitory amendment.

Referred to Committee on Suppression of Intemperance.

Bowman of Linn presented remonstrance of members of Modern Woodmen of America of Linn County, protesting against the passage of the Minimum Rate Law.

Referred to Committee on Insurance.

Crozier of Marion presented petition of citizens of Marion County, relative to House File No. 169, referring to breach of the Sabbath.

Referred to Committee on Judiciary.

Etter of Keokuk presented petition of citizens of Keokuk County, relative to the prohibitory amendment.

Referred to Committee on Suppression of Intemperance.

## REPORTS OF COMMITTEES.

Harding of Woodbury, from the Committee on Municipal Corporations, submitted the following report:

MR. SPEAKER—Your committee on Municipal Corporations, to whom was referred House File No. 190, a bill for an act entitled an act relating to hotels, inns and public lodging houses, defining the same and prescribing rules for their operations and maintenance, so as to insure the safety and health of employes and patrons of the same, providing for inspection thereof, fees for the same and fixing fines and penalties for violation of such rules and regulations, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same be amended as follows:

That Section 1 be amended by striking out the period in the last line thereof and adding the following words, "except as herein provided;" that Section 2 be amended by inserting after the word "floor" and before the word "shall" in the sixth line thereof the words "except in hotels which are of strictly fireproof construction;" that Section 3 be amended by inserting after the "comma" and before the word "notices" in the seventh line thereof the words "except in hotels which are of strictly fireproof construction;" that Section 5 be amended by inserting after the word "hotel" and before the word "which" in the first line thereof the words "except in hotels which are of strictly fire-proof construction;" that Section 7 be amended by inserting after the word "hotel" and before the word "now" in the second line thereof the words "except in hotels which are of strictly fire-proof construction," and when so amended that the bill do pass.

W. L. HARDING,  
*Chairman.*

Adopted.

Also:

MR. SPEAKER—Your committee on Municipal Corporations, to whom was referred Substitute for Senate File No. 72, a bill for an act to amend the law as it appears in Section forty-nine hundred-a-9 of the Supplement to the Code, 1907, relating to protection against fire and providing means for escape, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same be amended as follows:

That in line two of the title, after the figure "nine" (9), and before the word "of" the following figures be inserted in brackets: "4999-a-9," and when so amended that the bill do pass.

W. L. HARDING,  
*Chairman.*

Adopted.



Also :

MR. SPEAKER—Your committee on Municipal Corporations, to whom was referred Senate File No. 100, a bill for an act to amend Section 746 of the Supplement to the Code relating to contracts and expenditures from the water-works sinking fund for purposes incident to the making and submission to the people of contracts for the purchase or erection of water-works, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same do pass.

W. L. HARDING,  
*Chairman.*

Adopted.

Also :

MR. SPEAKER—Your committee on Municipal Corporations, to whom was referred House File No. 36, a bill for an act to amend chapter six (6), title five (5) of the Code, relating to sprinkling of streets and providing for the assessment of the cost thereof on the property benefited thereby, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same be amended as follows:

By striking out all after the enacting clause and inserting in lieu thereof the following: That all cities and towns and cities under special charter shall have the power to create street sprinkling districts, by resolution of the city or town council, and to levy a tax on all property within said districts not exceeding two mills on the dollar, the proceeds of such tax to be used and expended under direction of the city or town council for the purpose of street sprinkling within said district.

In the event that such districts are created and a tax levied therein as herein contemplated, the proceeds of such tax shall constitute a sprinkling fund, and all warrants drawn for such purposes by the city council shall be drawn against the said fund. Provided, that said cities or towns may pay all or any part of the cost of such sprinkling out of the general fund, and when so amended that the bill do pass.

W. L. HARDING,  
*Chairman.*

Adopted.

Sullivan of Polk, from the Committee on Judiciary, submitted the following report:

MR. SPEAKER—Your committee on Judiciary, to whom was referred House File No. 227, a bill for an act to amend Sections 741-g, 741-m, 741-q and 746 of the Supplement to the Code, 1907, relating to the submission of questions to voters, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same be amended as follows:

By striking out the word "third" in the second line of Section three and inserting in lieu thereof the word "second" and by adding:

SEC. 5. This act being deemed of immediate importance, shall take effect and be in force from and after its publication in the Register and Leader and Des Moines Daily Capital, newspapers published in the city of Des Moines, Iowa, and when so amended that the bill do pass.

JOHN B. SULLIVAN,  
*Chairman.*

Adopted.

Amendments adopted.

Also:

MR. SPEAKER—Your committee on Judiciary, to whom was referred House File No. 225, a bill for an act to amend Sections seven hundred twenty (720) and seven hundred twenty-one (721) of the Supplement to the Code, 1907, relating to the purchase of water or gas-works, heating plants and electric plants, and the submission of the question to the voters; and House File No. 226, a bill for an act to amend Section seven hundred seventy-six (776) of the Supplement to the Code, 1907, relating to the granting of franchises, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same be amended as follows: By substituting therefor Judiciary Committee Bill, House File No. 256, and when so amended that the bill do pass.

JOHN B. SULLIVAN,  
*Chairman.*

Adopted.

Also:

MR. SPEAKER—Your committee on Judiciary, to whom was referred Senate Substitute for Senate File No. 101, a bill for an act to amend Sections two thousand two hundred thirty-two (2232), two thousand two hundred thirty-three (2233), two thousand two hundred thirty-four (2234), two thousand two hundred forty-one (2241), two thousand two hundred forty-two (2242), two thousand two hundred forty-three (2243), two thousand two hundred forty-four (2244), two thousand two hundred forty-five (2245), two thousand two hundred forty-six (2246), two thousand two hundred forty-eight (2248) and two thousand two hundred forty-nine (2249) of the Code, relating to the care and support of the poor, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same be amended as follows: By substituting therefor House Substitute for Senate Substitute, House File 257, and when so amended that the bill do pass.

JOHN B. SULLIVAN,  
*Chairman.*

Adopted.

## INTRODUCTION OF BILLS.

By Committee on Military, House File No. 250, a bill for an act to repeal Title Eleven of the Code and the law as it appears in Title Eleven of the Supplement to the Code 1907, relating to the militia and enacting a substitute therefor to be known as "The Military Code of Iowa."

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

By Fulliam of Muscatine, House File No. 251, a bill for an act to amend Section Four Thousand Nine Hundred and Thirty-six (4936) of the Supplement to the Code of Iowa, relating to marriage of cousins.

Read first and second time and referred to Committee on Public Health.

By Koontz of Johnson, House File No. 252, a bill for an act to amend the law as it appears in Section 1137-a-7 of the Supplement to the Code, 1907, relating to elections and voting machines.

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

By Balluff of Scott, House File No. 253, a bill for an act repealing Section One Thousand Eighty-seven-a-1 (1087-a-1), Supplement to the Code 1907, and enacting a substitute therefor; repealing Section One Thousand Eighty-seven-a-5 (1087-a-5), Supplement to the Code, 1907, and enacting a substitute therefor; repealing Section One Thousand Eighty-seven-a-6 (1087-a-6), Supplement to the Code, 1907, and enacting a substitute therefor; repealing Section One Thousand Eighty-seven-a-7 (1087-a-7), Supplement to the Code, 1907; repealing Section One Thousand Eighty-seven-a-8 (1087-a-8), Supplement to the Code, 1907; repealing Section One Thousand Eighty-seven-a-9 (1087-a-9), Supplement to the Code, 1907, and enacting a substitute therefor; repealing Subdivisions One (1), Two (2), and Three (3) of Section One Thousand Eighty-seven-a-10 (1087-a-10), Supplement to the Code, 1907, and enacting a substitute therefor; and amending Section One Thousand Eighty-seven-a-20 (1087-a-20), Supplement to the Code, 1907, relating to primary elections.

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

By Harding of Woodbury, House File No. 254, a bill for an act to regulate the transfer in bulk of stocks of merchandise.

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

By Dodds of Des Moines (by request), House File No. 255, a bill for an act to promote the building of permanent roads in the State and providing for the establishing of districts, and providing for the construction of roads, and prescribing the method for so doing, and providing for assessment and collection of a portion of the cost of the same, and issuing improvement certificates therefor, and providing for a tax in aid thereof.

Read first and second time and referred to Committee on Roads and Highways.

By Committee on Judiciary, House File No. 256, a bill for an act to amend Sections Seven Hundred Twenty (720), Seven Hundred Twenty-one (721), and Seven Hundred Seventy-six (776), of the Supplement to the Code, 1907, relating to the purchase of water or gas works, heat plants and electric plants, the granting of franchises and the submission of the question to the voters.

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

SECTION 1. That Section seven hundred twenty (720) of the Supplement to the Code, 1907, be and the same is hereby amended by inserting after the word "general" in the thirteenth line of said Section a comma (,) and the word "city."

SEC. 2. That Section seven hundred twenty-one (721) of the Supplement to the Code, 1907, be and the same is hereby amended by inserting after the word "general" in the third line of said Section the words "or city."

SEC. 3. That Section seven hundred seventy-six (776) of the Supplement to the Code, 1907, be and the same is hereby amended by inserting after the word "general" in the fifth line of said Section a comma (,) and the word "city," and by inserting after the word "general" in the seventh line of said Section the words "or city."

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

Read first and second time and passed on file.

## By Committee on Judiciary, House File No. 257.

## HOUSE SUBSTITUTE FOR SENATE SUBSTITUTE FOR SENATE FILE NO. 101.

A Bill for an Act to Amend Sections Four Hundred Twenty-three (423) and Amendments Thereto, Two Thousand Two Hundred Thirty-one (2231), Two Thousand Two Hundred Thirty-three (2233), Two Thousand Two Hundred Forty-one (2241), Two Thousand Two Hundred Forty-two (2242), Two Thousand Two Hundred Forty-three (2243), Two Thousand Two Hundred Forty-four (2244), Two Thousand Two Hundred Forty-five (2245), Two Thousand Two Hundred Forty-six (2246), Two Thousand Two Hundred Forty-eight (2248), Two Thousand Two Hundred Forty-nine (2249), Two Thousand Two Hundred Seventy-one (2271), Two Thousand Two Hundred Thirty-four (2234), Two Thousand Two Hundred Thirty (2230) and Two Thousand Three Hundred Eight (2308) and Amendments Thereto, of the Code Relating to the Care and Support of the Poor.

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

SECTION 1. That Sections four hundred and twenty-three (423) and amendments thereto, two thousand two hundred thirty-one (2231), two thousand two hundred thirty-three (2233), two thousand two hundred forty-one (2241), two thousand two hundred forty-two (2242), two thousand two hundred forty-three (2243), two thousand two hundred forty-four (2244), two thousand two hundred forty-five (2245), two thousand two hundred forty-six (2246), two thousand two hundred forty-eight (2248), two thousand two hundred forty-nine (2249) and two thousand two hundred seventy-one (2271) of the Code be, and the same are hereby amended by striking out of each of said Sections the word "poor-house" wherever it occurs, and inserting in lieu thereof the words "county home."

SEC. 2. That Section two thousand two hundred thirty-four (2234) of the Code be, and the same is hereby amended by striking from said Section the word "poor-houses" occurring in the fourteenth line of said Section, and inserting in lieu thereof the words "county homes."

SEC. 3. That Sections two thousand two hundred thirty (2230) and two thousand three hundred eight (2308), with amendments thereto, of the Code be, and the same are hereby amended by striking out of each of said Sections the word "poor-house" wherever it occurs and inserting in lieu thereof the word "home."

Read first and second time and passed on file.

By Miller of Bremer, House File No. 258, a bill for an act repealing Sections Five Thousand Sixty (5060), Five Thousand Sixty-one (5061), Five Thousand Sixty-three (5063), Five Thousand Sixty-four (5064), Five Thousand Sixty-five (5065), Five Thousand Sixty-six (5066), Five Thousand Sixty-seven (5067), of the Code, and Five Thousand Sixty-two (5062), Supplement to the Code, 1907, relating to pools and trusts, and enact substitutes therefor.

Read first and second time and referred to Committee on Ways and Means.

Elliott of Page, Chairman of the committee appointed to draft resolutions respecting the life and public service of the Hon. Charles Linderman, presented the report of that committee and moved its adoption.

Motion prevailed, the resolutions were adopted and order printed in the Journal.

Allred of Wayne, Chairman of the committee appointed to draft resolutions respecting the life and public service of Hon. Elijah Glendenning, presented the report of that committee and moved its adoption.

Motion prevailed, the resolutions were adopted and ordered printed in the Journal.

O'Connor of Chickasaw, moved the adoption of the Committee Amendments to House File No. 190.

Motion prevailed, and the amendments were adopted.

Mr. Speaker announced that an error had been found on page 316 of the corrected Journal and the Chief Clerk was ordered to have pages 315 and 316 reprinted properly corrected.

Cooper of Jasper, called up his resolution relative to excessive printing of public documents, and moved its adoption.

Motion prevailed, and the 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 indefinitely postponed the following bill in which the concurrence of the Senate was asked:

House File No. 157, a bill for an act to legalize certain ordinances of the town of Oxford Junction, Jones County, Iowa.

S. W. NEAL,  
*Secretary.*

Also:

MR. SPEAKER—I am directed to inform your honorable body that the President of the Senate has appointed as Conference Committee on part of the Senate on Senate File No. 44, a bill for an act making an appropria-

tion for the purchase of 20,000 copies of Railroad Commissioners' Maps: Senators Maytag, Larrabee, Balkema, Ream and White.

S. W. NEAL,  
*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:

Substitute for Senate File No. 98, a bill for an act for the relief of the grantees O. J. Felton and for the purpose of having a patent issued in the name of Thos. Willmont for a certain tract of land.

S. W. NEAL,  
*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. 108, a bill for an act to amend the law as it appears in Section eleven hundred and six (1106) of the Supplement to the Code, 1907, relating to election ballots.

S. W. NEAL,  
*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. 196, a bill for an act to amend Section 4898 of the Code, relating to breaking jail and escape of prisoners from custody.

S. W. NEAL,  
*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:

Substitute for Senate File No. 33, a bill for an act to amend Chapter four (4), Title seven (7), of the Code, relating to the collection of a tax upon inheritances.

S. W. NEAL,  
*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. 22, a bill for an act to amend the law as it appears in Section 740 of the Supplement to the Code, 1907, relating to aiding by taxation the maintenance of any institution of learning or benevolence, in-

cluding hospitals, acquired by any county, city, town or school corporation by gift or devise.

S. W. NEAL,  
*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. 170, a bill for an act to legalize the establishment of the Superior Court of the City of Perry, Dallas County, Iowa, and all the proceedings in the matter of establishing said Court.

S. W. NEAL,  
*Secretary.*

Also:

MR. SPEAKER—I am directed to inform your honorable body that the Senate has passed the following bill in which the concurrence of the House is asked:

Senate File No. 48, a bill for an act to amend Section sixteen hundred and sixty-one-a (1661-a) of the Supplement of the Code relating to state aid to county and district fairs.

S. W. NEAL,  
*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. 136, a bill for an act making an appropriation to defray the expenses of the inaugural ceremonies.

S. W. NEAL,  
*Secretary.*

Also:

MR. SPEAKER—I am directed to inform your honorable body that the Senate has indefinitely postponed the following bill in which the concurrence of the Senate was asked:

House File No. 69, a bill for an act to repeal the law as it appears in Section five thousand and forty-a (5040-a), Chapter twelve (12) of the Supplement to the Code, 1907, and to enact a substitute therefor, relating to Memorial Day.

S. W. NEAL,  
*Secretary.*

Also:

MR. SPEAKER—I am directed to inform your honorable body that the Senate has indefinitely postponed the following bill in which the concurrence of the Senate was asked:

House File No. 150, a bill for an act to repeal Section five hundred three (503) of the Code relating to bailiffs and enacting a substitute therefor.

S. W. NEAL,  
*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. 172, a bill for an act to amend Section twenty-six hundred and one (2601) of the Code relating to admission of inmates to the Iowa Soldiers' Home located at Marshalltown.

S. W. NEAL,  
*Secretary.*

Also:

MR. SPEAKER—I am directed to inform your honorable body that the Senate has amended and passed the following bill in which the concurrence of the Senate was asked:

House File No. 170, a bill for an act to amend the law as it appears in Section 716-a of the Supplement to the Code, 1907, fixing the levy for the fire fund in cities of the second class.

S. W. NEAL,  
*Secretary.*

Also:

MR. SPEAKER—I am directed to inform your honorable body that the Senate has amended and passed the following bill in which the concurrence of the Senate was asked:

House File No. 179, a bill for an act to repeal Section three hundred fifty-four (354) of the Supplement to the Code, 1907, relating to the fees of jurors, and enacting a substitute therefor.

S. W. NEAL,  
*Secretary.*

#### SENATE MESSAGES CONSIDERED.

Substitute for Senate File No. 98, a bill for an act authorizing the Governor of the State of Iowa, to issue a patent attested by the Secretary of State, to certain land to and in favor of O. J. Felton, being the property situated in Linn County, Iowa, described as follows, to-wit: The southwest quarter (S. W. 1-4) of the northwest quarter (N. W. 1-4) and the southeast quarter (S. E. 1-4) of the southwest quarter (S. W. 1-4) of Section Sixteen (16), Township Eighty-five (85), North Range Five (5), west of the 5th principal meridian.

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

Senate File No. 108, a bill for an act to amend the law as it appears in Section Eleven Hundred and Six (1106) of the Supplement to the Code, 1907, relating to election ballots.

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

Senate File No. 196, a bill for an act to amend Section Forty-eight Hundred Ninety-eight of the Code, relating to breaking jail and escape of prisoners from custody.

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

Substitute for Senate File No. 33, a bill for an act to amend the law as it appears in Section Fourteen Hundred and Sixty-seven (1467) of the Supplement to the Code, 1907, relating to the collection of a tax upon inheritances.

Read first and second time and referred to Committee on Ways and Means.

Senate File No. 22, a bill for an act to amend the law as it appears in Section Seven Hundred and Forty (740) of the Supplement to the Code, 1907, relating to aiding by taxation the maintenance of any institution of learning or benevolence including hospitals acquired by any county, city, town or school corporation by gift or devise.

Read first and second time and referred to Committee on Municipal Corporations.

Senate File No. 170, a bill for an act to legalize the establishment of the Superior Court of the City of Perry, Dallas County, State of Iowa, and all the proceedings in the matter of establishing said court and the acts of all the officers of said city of Perry in relation to the establishment of said court, the issuance of the proclamation by the mayor and the election held on said establishment and the vote of the electors in establishing said court and the canvassing said vote and the declaring the result and the appointment of the judge thereof and the election of his successor and the official acts, orders, judgments, and decrees of said judges and the court and all the proceedings in said court and the official acts of the clerk thereof or any other officers of said court, legalizing all the aforesaid matters, acts and proceedings and record as fully and exactly as if the law in every particular had been complied with.

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

Senate File No. 48, a bill for an act to amend the law as it appears in Section Sixteen Hundred and Sixty-one-a (1661-a) of the Supplement to the Code, 1907, relative to state aid to county and district fairs.

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

Senate File No. 136, a bill for an act making appropriation to defray the expenses of the Inaugural ceremonies.

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

Senate File No. 172, a bill for an act to amend Section Twenty-six Hundred and One (2601) of the Code, relating to admission of inmates to the Iowa Soldiers Home located at Marshalltown.

Read first and second time and passed on file.

Arney of Marshall offered the following resolution:

RESOLUTION.

WHEREAS, The continued absence of the gentleman from Poweshiek from attendance at the sessions of this House has caused much and varied comment, and

WHEREAS, He has upon several occasions absented himself from the House without leave, therefore be it

*Resolved*, That a committee of three married men be appointed to investigate the cause of such absence and report to this House.

Laid over under Rule 34.

Lee of Emmet offered the following resolution, and moved that the rules be suspended and the resolution considered at this time.

RESOLUTION.

*Be it Resolved*, That no amendments to bills proposed by committees shall be considered or voted on by the House until the same have been printed in the Journal.

Motion lost, and the resolution was laid over.

On motion of Welden of Hardin, Senate File No. 172, was substituted for House File No. 216.

Koontz of Johnson moved that the House concur in the following Senate amendment to House File 170:

Amend by striking out the period at the end of Section One and inserting a comma in lieu thereof, and by adding the following, "and in cities with a population in excess of 10,000. five mills."

On the question, Shall the House concur?

The ayes were:

Allred, Anderson, Arney, Balluff, Bascom, Bauman, Beans, Beebe, Beery, Blackmore, Boe, Boettger, Bonwell, Bowman, Brandes, Burt, Byerly, Calkins, Cassady, Cooper, Corrie, Cousins, Crozier, Dabney, Dalby, Darrah, Davidson, Dawson, Derrough, Dewell, DeWitt, Dodds, Dye, Elliott, Ellis, Etter, Felt, Fenn, Finlayson, Fourt, Fox, Fulliam, Hackler, Hanson, Harding, Hickenlooper, Holmes, Huffaker, Ide, Inman, Jacobs, Jewell, Johnson, Kellogg, Kendall, Klay, Koontz, Kull, Larrabee, Lee, McCleery, McDonald, Marston, Meredith, Miller of Bremer, Miller of Dubuque, Moore of Wapello, Moore of Linn, Newell, O'Connor, Penn, Perkins, Reaney, Reitz, Ritter, Sankey, Schee, Schroeder, Schulte, Sheldon, Smith, Stillman, Sullivan, Swan, Swift, Tegeler, Tilton, Ward, Welden, White, Wolfe, Zeller, Mr. Speaker—94.

The nays were:

None.

Absent or not voting:

Boomgaarden, Crummer, Cunningham, Drury, Fulton, Goodykoontz, Grier, Harvey, Hunter, Jones, Ripley, Stoddard, Thompson, Wilson—14.

So the motion prevailed, and the House concurred.

Senate amendment to House File No. 179.

The Senate amended House File No. 179, by inserting after the enacting clause and before the word "that" the words "Section One."

Sullivan of Polk moved that the House concur in the Senate Amendment.

On the question, Shall the House concur?

The ayes were:

Allred, Anderson, Arney, Balluff, Bascom, Bauman, Beans, Beebe, Beery, Blackmore, Boe, Boettger, Bonwell, Bowman, Brandes, Burt, Byerly, Calkins, Cassady, Cooper, Corrie, Cousins, Crozier, Crummer, Cunningham, Dabney, Dalby, Darrah, Davidson, Dawson, Derrough, Dewell, Dewey, DeWitt, Dodds, Dye, Elliott, Ellis, Etter, Felt, Fenn, Finlayson, Fourt, Fox, Fulliam, Hackler, Hanson, Harding, Hickenlooper, Holmes, Huffaker, Hunter, Ide, Inman, Jacobs, Jewell, Johnson, Kellogg, Kendall, Klay, Koontz, Kull, Larrabee, Lee, McCleery, McDonald, Marston, Meredith, Miller of Bremer, Miller of Dubuque, Moore of Wapello, Moore of Linn, Newell, O'Connor, Penn, Perkins, Reaney, Ripley, Ritter, Sankey, Schee, Schroeder, Schulte, Smith, Stillman, Stoddard, Sullivan, Swan, Swift, Tegeler, Thompson, Tilton, Ward, Welden, White, Wilson, Wolfe, Zeller, Mr. Speaker—99.

The nays were: .

None.

Absent or not voting:

Boomgaarden, Drury, Fulton, Goodykoontz, Grier, Harvey, Jones, Reitz, Sheldon—9.

So the motion prevailed, and the House concurred.

Arney of Marshall moved to reconsider the vote whereby House File No. 141 failed to pass the House and the vote by which it passed to its third reading.

Motion seconded by Inman.

Motion prevailed, and the House proceeded to reconsider.

Meredith of Cass 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 ayes were:

Allred, Anderson, Arney, Balluff, Bascom, Bauman, Beans, Beebe, Beery, Blackmore, Boe, Boettger, Bonwell, Bowman, Brandes, Burt, Byerly, Calkins, Cassady, Cooper, Corrie, Cousins, Crozier,

Crummer, Cunningham, Dabney, Dalby, Darrah, Davidson, Dawson, Derrough, Dewell, Dewey, DeWitt, Dodds, Elliott, Ellis, Etter, Felt, Fenn, Finlayson, Fox, Fulton, Hackler, Hanson, Hickenlooper, Holmes, Huffaker, Hunter, Ide, Inman, Jacobs, Johnson, Kendall, Koontz, Larrabee, Lee, McCleery, McDonald, Marston, Meredith, Moore of Wapello, Newell, O'Connor, Perkins, Reaney, Reitz, Ripley, Schee, Schroeder, Schulte, Sheldon, Smith, Stillman, Sullivan, Swift, Tegeler, Tilton, Ward, Welden, Wilson, Wolfe, Zeller, Mr. Speaker—84.

The nays were:

Dye, Fourt, Fulliam, Klay, Kull, Miller of Bremer, Miller of Dubuque, Moore of Linn, Ritter, Sankey, Swan—11.

Absent or not voting:

Boomgaarden, Drury, Goodykoontz, Grier, Harding, Harvey, Jewell, Jones, Kellogg, Penn, Stoddard, Thompson, White—13.

So the bill passed and the title was agreed to.

#### CONSIDERATION OF BILLS.

By unanimous consent, Senate File No. 172, a bill for an act to amend Section 2601 of the Code, relating to admission of inmates to the Iowa Soldiers' Home, located at Marshalltown, was taken up and considered.

Johnson of Mitchell proposed to amend by inserting after the word "wives" in Section 1, the words "a comma."

Amendment adopted.

Welden of Hardin moved that the rule be suspended, that the bill be read a third time now, which motion prevailed, and the bill was read a third time.

On the question, "Shall the bill pass?"

The ayes were:

Allred, Anderson, Arney, Balluff, Bascom, Bauman, Beans, Beebe, Beery, Blackmore, Boe, Boettger, Bonwell, Bowman, Brandes, Burt, Byerly, Calkins, Cassady, Cooper, Corrie, Cousins, Crozier, Crummer, Cunningham, Dabney, Dalby, Darrah, Davidson, Dawson, Derrough, Dewell, Dewey, DeWitt, Dodds, Dye, Elliott, Ellis, Felt, Fenn, Finlayson, Fourt, Fox, Fulliam, Fulton, Hackler, Han-

son, Harding, Hickenlooper, Holmes, Huffaker, Hunter, Ide, Inman, Johnson, Kellogg, Kendall, Klay, Koontz, Kull, Larrabee, Lee, McCleery, McDonald, Marston, Meredith, Miller of Dubuque, Moore of Wapello, Moore of Linn, Newell, O'Connor, Penn, Perkins, Reaney, Reitz, Ripley, Ritter, Sankey, Schee, Schroeder, Schulte, Sheldon, Smith, Stillman, Swan, Swift, Tegeler, Tilton, Ward, Welden, White, Wilson, Wolfe, Zeller, Mr. Speaker—95.

The nays were:

None.

Absent or not voting:

Boomgaarden, Drury, Etter, Goodykoontz, Grier, Harvey, Jacobs, Jewell, Jones, Miller of Bremer, Stoddard, Sullivan, Thompson—13.

So the bill passed and the title was agreed to.

On motion of Harding of Woodbury, House File No. 136, a bill for an act to protect benevolent, humane, fraternal or charitable corporations in the use of their names and emblems and providing penalties for the violation thereof, with report of committee recommending passage as amended, was taken up and considered.

Lee proposed to amend by striking out in lines 1 and 2 in Section 2, "shall wear or exhibit the badge, button, emblem, decoration, insignia or charm or"

Moore of Linn moved that House File No. 136 be re-referred to the Judiciary Committee.

Division prevailed, and House File No. 136 was re-referred.

On motion of Miller of Dubuque, the House adjourned until 9:00 o'clock A. M., Thursday.

# JOURNAL OF THE HOUSE

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HALL OF THE HOUSE OF REPRESENTATIVES,  
DES MOINES, IOWA, FEBRUARY 18, A. D. 1909.

House met pursuant to adjournment.

Speaker Feely in the Chair.

Prayer was offered by Rev. A. R. Heaps of Whiting, Iowa.

Journal of Wednesday, February 17th, corrected and approved.

On request of White of Story, leave of absence was granted Sullivan of Polk until Friday.

On request of Cousins of Butler, leave of absence was granted Meredith of Cass until Friday.

## PETITIONS, MEMORIALS AND REMONSTRANCES.

Blackmore of Worth presented petition of citizens of Worth County, relative to House File No. 169, referring to breach of the Sabbath.

Referred to Committee on Judiciary.

Anderson of Hamilton presented petition of young people of Hamilton County, relative to the prohibitory amendment.

Referred to Committee on Suppression of Intemperance.

Penn of Fremont presented petition of citizens and voters of Fremont County, relative to the prohibitory amendment.

Referred to Committee on Suppression of Intemperance.

Allred of Wayne presented petition of citizens of Wayne County, relative to House File No. 169, referring to breach of the Sabbath.

Referred to Committee on Judiciary.



Harding of Woodbury presented petition of citizens of Iowa, relative to House File No. 169, referring to breach of the Sabbath.

Referred to Committee on Judiciary.

Klay of Sioux presented petition of merchants of Sioux County, relative to House File No. 232, relating to exemptions.

Referred to Committee on Commerce and Trade.

Beery of Henry presented petition of citizens of Henry County, relative to House File No. 169, referring to breach of the Sabbath.

Referred to Committee on Judiciary.

Welden of Hardin presented petitions of women citizens of Hardin County, relative to the prohibitory amendment.

Referred to Committee on Suppression of Intemperance.

Moore of Linn presented petition of citizens of Linn County, relative to House File No. 169, referring to breach of the Sabbath.

Referred to Committee on Judiciary.

Arney of Marshall presented petition of citizens of Marshall County, relative to House File No. 169, referring to breach of the Sabbath.

Referred to Committee on Judiciary.

Fenn of Clarke presented petition of citizens of Clay County, relative to House File No. 169, referring to breach of the Sabbath.

Referred to Committee on Judiciary.

Fox of Dallas presented petition of citizens of Dallas County, relative to House File No. 169, referring to breach of the Sabbath.

Referred to Committee on Judiciary.

Bauman of Van Buren presented remonstrance of electors of Independent School District of Bonaparte Township, protesting against the passage of the School Bill.

Referred to Committee on Schools and Text Books.

DeWitt of Montgomery presented petition of citizens of Montgomery County, relative to House File No. 169, referring to breach of the Sabbath.

Referred to Committee on Judiciary.

Sankey of Decatur presented petition of members of the Bar of Decatur County, relative to the increase in the salary of shorthand reporters.

Referred to Committee on Compensation of Public Officers.

Sankey of Decatur presented remonstrance of members of Modern Woodmen of America of Decatur County, protesting against the passage of the Minimum Rate Law.

Referred to Committee on Insurance.

Kendall of Clinton presented petition of citizens of Clinton County, relative to the prohibitory amendment.

Referred to Committee on Suppression of Intemperance.

Fulliam of Muscatine presented remonstrance of Camp No. 106, Modern Woodmen of America, protesting against the passage of the Minimum Rate Law.

Referred to Committee on Insurance.

Swan of Appanoose presented petition of citizens of Appanoose County, relative to House File No. 169, referring to breach of the Sabbath.

Referred to Committee on Judiciary.

Larrabee of Fayette presented three petitions of citizens of Fayette County, relative to House File No. 169, referring to breach of the Sabbath.

Referred to Committee on Judiciary.

White of Story presented petition of merchants and taxpayers of Story County, relative to House File No. 232, relating to exemptions.

Referred to Committee on Commerce and Trade.

Ide of Union presented petition of citizens of Union County, relative to House File No. 169, referring to breach of the Sabbath.

Referred to Committee on Judiciary.

Calkins of Adams presented remonstrance of Camp No. 3624 Modern Woodmen of America, protesting against the passage of the Minimum Rate Law.

Referred to Committee on Insurance.

Fourt of Allamakee presented petition of merchants and taxpayers of Allamakee County, relative to House File No. 232, relating to exemptions.

Referred to Committee on Commerce and Trade.

Crummer of Pocahontas presented remonstrance of citizens of Pocahontas County, protesting against the passage of Senate Files No. 7 and 8.

Referred to Committee on Judiciary.

Cunningham of Buena Vista presented petition of citizens of Buena Vista County, relative to House File No. 169, referring to breach of the Sabbath.

Referred to Committee on Judiciary.

Hunter of Polk presented petition of citizens of Polk County, relative to the prohibitory amendment.

Referred to Committee on Suppression of Intemperance.

#### REPORTS OF COMMITTEES.

Brandes of Pottawattamie, from the Committee on School for the Deaf, submitted the following report:

MR. SPEAKER—Your committee on School for the Deaf, to whom was referred House File No. 223, a bill for an act to amend Section one (1), Chapter one hundred twenty-two (122), of the laws of the twenty-ninth General Assembly, relating to the support of the Iowa School for the deaf at Council Bluffs, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same do pass.

H. C. BRANDES,  
*Chairman.*

Adopted.

Jewell of Winneshiek, from the Committee on Public Health, submitted the following report:

MR. SPEAKER—Your committee on Public Health, to whom was referred House File No. 251 by Fulliam, a bill for an act to amend Section four thousand nine hundred thirty-six (4936) of the Supplement to the Code of Iowa, relating to marriages of cousins, beg leave to report that they have had the same under consideration and have instructed me to report

the same back to the House with the recommendation that the same do pass.

P. M. JEWELL,  
*Chairman.*

Adopted.

Welden of Hardin, from the Committee on Railroads and Transportation, submitted the following report:

MR. SPEAKER—Your committee on Railroads and Transportation, to whom was referred House File No. 149, a bill for an act to amend the law as it appears in Section twenty-one hundred and fifty-seven-g (2157-g) of the Supplement to the Code, 1907, in relation to the issuance, furnishing and giving of free tickets, free passes, free transportation, and discriminating reduced rates to certain persons, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same be amended as follows:

That Section one as it appears in the printed and written bill be stricken out and the following inserted in lieu thereof:

“That the law as it appears in Section twenty-one hundred and fifty-seven-g (2157-g) of the Supplement to the Code, 1907, be and the same is hereby amended by inserting after the word policeman in sub-section “1” in the twenty-fourth line thereof the words, “mail carriers,” and when so amended that the bill do pass.

WM. WELDEN,  
*Chairman.*

Adopted.

Moore of Linn, from the Committee on Appropriations, submitted the following report:

MR. SPEAKER—Your committee on Appropriations, to whom was referred Senate File No. 136, a bill for an act making an appropriation to defray the expenses of the inaugural ceremonies, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same do pass.

ERNEST R. MOORE,  
*Chairman.*

Adopted.

Also:

MR. SPEAKER—Your committee on Appropriations, to whom was referred Senate File No. 154, a bill for an act to create a commission authorized to locate and erect a pedestal for a monument to the memory of the late William B. Allison and making an appropriation to defray the expense thereof, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same do pass.

ERNEST R. MOORE,  
*Chairman.*

Adopted.

Also:

MR. SPEAKER—Your committee on Appropriations, to whom was referred House File No. 61, a bill for an act to amend Section sixteen hundred and sixty-one-a (1661-a) of the Supplement to the Code relative to state aid to county and district fairs, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same do pass.

ERNEST R. MOORE,  
*Chairman.*

Adopted.

Also:

MR. SPEAKER—Your committee on Appropriations, to whom was referred House File No. 115, a bill for an act to instruct the attorney general to investigate the operations of the International Harvester Company with a view to prosecution, and making an appropriation therefor, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same be indefinitely postponed.

ERNEST R. MOORE,  
*Chairman..*

Adopted, and House File No. 115 was indefinitely postponed.

Also:

MR. SPEAKER—Your committee on Appropriations, to whom was referred House File No. 74, a bill for an act to amend Section sixteen hundred and seventy-five (1675), Title nine (9), Chapter three (3) of the 1907 Supplement to the Code relating to farmers' institutes, 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.

ERNEST R. MOORE,  
*Chairman.*

Adopted, and House File No. 74 was indefinitely postponed.

Arney of Marshall, from the Committee on Agriculture, submitted the following report:

MR. SPEAKER—Your committee on Agriculture, to whom was referred House File No. 168, a bill for an act to amend Sections sixteen hundred fifty-seven-d (1657-d), sixteen hundred fifty-seven-k (1657-k) and sixteen hundred fifty-seven-t (1657-t) of the Supplement to the Code, relative to the department of Agriculture, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same do pass, subject to the action of the Appropriations Committee.

W. H. ARNEY,  
*Chairman.*

Adopted, and House File No. 168 was referred to the Committee on Appropriations.

Also:

MR. SPEAKER—Your committee on Agriculture, to whom was referred House File No. 108, a bill for an act to repeal Section sixteen hundred seventy-five (1675) of the Supplement to the Code and to enact a substitute therefor, relative to farmers' institutes, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same do pass.

W. H. ARNEY,  
*Chairman.*

Adopted.

Also:

MR. SPEAKER—Your committee on Agriculture, to whom was referred House File No. 109, a bill for an act to repeal Section thirteen hundred sixty-three (1363) of the Code, relating to statistics, and enacting a substitute therefor, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same do pass.

W. H. ARNEY,  
*Chairman.*

Adopted.

Inman of Floyd, from the Committee on Public Library, submitted the following report:

MR. SPEAKER—Your committee on Public Library, to whom was referred House File No. 182, a bill for an act authorizing the extension of the traveling library and other activities of the Iowa Library Commission and providing additional funds therefor, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same do pass, subject to the action of the Appropriation Committee.

L. W. INMAN,  
*Chairman.*

Adopted, and House File No. 182 was referred to Committee on Appropriations.

Kellogg of Harrison, from the Committee on Insurance, submitted the following report:

MR. SPEAKER—Your committee on Insurance, to whom was referred House File No. 42, a bill for an act requiring all guaranty, fidelity and surety companies doing business in the State of Iowa to deposit with the Auditor of State a guarantee fund for the protection of citizens of the state, beg leave to report that they have had the same under consider-

ation and have instructed me to report the same back to the House with the recommendation that the same be amended as follows:

By striking out the words and figures "Fifty Thousand Dollars (\$50,000.00) in the ninth and tenth lines of Section 1, and inserting in lieu thereof the words and figures "Twenty-five Thousand Dollars (\$25,000.00)"; and by striking out the words "first day of May" in the second line of Section 2 and by inserting in lieu thereof the words "Fourth day of July;" and by striking out all of Section 4 of said bill, and when so amended that the bill do pass.

GEO. A. KELLOGG,  
*Chairman.*

Adopted.

Also:

MR. SPEAKER—Your committee on Insurance, to whom, was referred House File No. 159, a bill for an act to repeal Section eighteen hundred twenty- (1820) of the Code relating to limitation of actions and enacting a substitute therefor, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same be amended as follows: By striking out all after the enacting clause and substituting the following therefor:

SEC. 1. That Section eighteen hundred twenty (1820) of the Code be and the same is hereby repealed and the following enacted in lieu thereof: No stipulation or condition in any policy or contract of insurance or beneficiary certificate issued by any company or association mentioned or referred to in this chapter, limiting the time to a period of less than one year after knowledge by the beneficiary within which notice of proofs of death or the occurrence of other contingency insured against must be given, shall be valid.

SEC. 2. In case of accident or health insurance it shall be valid for any company or association to limit by contract the time when notice or proofs of death, cause of disability or other contingency insured against shall be given; but in no case shall the same be limited to a period of less than thirty days after knowledge by the beneficiary within which such notice or proofs must be given, and when so amended that the bill do pass.

GEO. A. KELLOGG,  
*Chairman.*

Adopted.

Also:

MR. SPEAKER—Your committee on Insurance, to whom was referred House File No. 173, a bill for an act to amend Section one thousand seven hundred eighty-nine (1789) of the Code, relating to the assignment of life insurance policies, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same do pass.

GEO. A. KELLOGG,  
*Chairman.*

Adopted.

## SUPPLEMENTAL REPORT.

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

<i>Name.</i>	<i>No. of miles.</i>	<i>Amt.</i>
S. M. Corrie .....	315	\$15.75

J. L. BASCOM,  
B. F. FELT, JR.  
G. H. SCHULTE,  
*Committee.*

We recommend that such mileage be duly certified.

J. L. BASCOM,  
*Chairman.*

Adopted.

## INTRODUCTION OF BILLS.

By Moore of Linn, House File No. 259, a bill for an act to repeal Section Twenty-four Hundred Ninety-seven (2497), Twenty-four Hundred Ninety-eight (2498), Twenty-four Hundred Ninety-nine (2499), Twenty-five Hundred (2500), Twenty-five Hundred One (2501), and Twenty-five Hundred Two (2502), of Chapter Ten (10) of the Code and Supplement to the Code, 1907, and to enact a substitute therefor, relative to State Geological Survey.

Read first and second time and referred to Committee on State University.

By Moore of Linn, House File No. 260, a bill for an act relating to River Front Improvement Commissions in cities organized under the provisions of Chapter Forty-eight (48) of the Acts of the Thirty-second General Assembly, and additional to said Chapter Forty-eight (48) of the Acts of the Thirty-second General Assembly and additional to Chapter Two Hundred and Ten (210) of the Acts of the Twenty-ninth General Assembly, and legalizing the establishment of River Front Improvement Commissions in cities acting under special charter having a population of over Twenty-five Thousand (25,000).

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

By O'Connor of Chickasaw, House File No. 261, a bill for an act to legalize the special election held in the City of New Hampton, Iowa, on the 5th day of February, 1907, wherein there was submitted to the voters of said city the question of issuing bonds in the sum of Eighteen Thousand Dollars (\$18,000) for the pur-



pose of erecting a combined water-works, electric light and power plant and water tower and tank, and to validate and legalize the bonds issued in pursuance of said elections.

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

By Hackler of Webster, House File No. 262, a bill for an act to confer jurisdiction over the gypsum mines of this state on the State Mine Inspectors and providing for the enforcement of Chapter Nine (9) of the Code, in reference thereto.

Read first and second time and referred to Committee on Mines and Mining.

By Ward of Woodbury, House File No. 263, a bill for an act to repeal Section Number Sixteen Hundred Ninety-nine (1699) of the Code, relating to the investment of their funds by insurance companies other than life, organized under Chapter (4) of Title IX. of the Code, and to enact a substitute therefor.

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

By Ward of Woodbury, House File No. 264, a bill for an act to amend Section Twenty-one Hundred Fifty-seven-g (2157-g) of the Supplement to the Code, 1907, relating to free passes by common carriers.

Read first and second time and referred to Committee on Railroads and Transportation.

By Harding of Woodbury, House File No. 265, a bill for an act to amend Section Fifteen Hundred and Thirty (1530) of the Supplement to the Code, 1907, by providing for the delivery to the city treasurer of so much of the County Road Fund tax as is collected from property within the incorporated limits of any city.

Read first and second time and referred to Committee on Municipal Corporations.

By Harding of Woodbury, House File No. 266, a bill for an act defining the management and activities of the Historical Department of Iowa, and making an appropriation for the permanent support thereof.

Read first and second time and referred to Committee on Public Library.

By Harding of Woodbury, House File No. 267, a bill for an act to amend Section Two Thousand Eight Hundred Eighty-one-e (2881-e) of the Supplement to the Code, 1907, relating to the appropriation for the State library and Historical Department, reducing the appropriation and confining the same to the State library.

Read first and second time and referred to Committee on Public Library.

By Hunter of Polk, House File No. 268, a bill for an act defining and regulating the business of real estate agents, fixing the rate of commission and providing a lien therefor.

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

By Hunter of Polk, House File No. 269, a bill for an act to amend Section Five Thousand Six Hundred and Thirty-one (5631) of the Code, relating to liens upon real property for the support of illegitimate children.

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

By Hunter of Polk, House File No. 270, a bill for an act to amend Section Four Thousand Two Hundred and Ten (4210) of the Code, relating to the method of giving three days notice to quit.

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

By Hunter of Polk, House File No. 271, a bill for an act to amend Section Two Thousand Nine Hundred and Ninety-one (2991) of the Code, relating to the termination of tenancy at will.

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

By Inman of Floyd, House File No. 272, a bill for an act to amend Section Seven Hundred Twenty-eight (728) of the Code and Supplement, relating to vacancies in office of library trustees.

Read first and second time and referred to Committee on Public Library.

By Arney of Marshall, House File No. 273, a bill for an act to authorize the commandant of the Soldiers' Home to sell effects of deceased soldiers.

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

By Bonwell of Audubon, House File No. 274, a bill for an act to amend the law as it appears in Section Four Thousand Seven Hundred Seventy-one (4771) of the Code, relating to punishment for the crime of assault with intent to inflict great bodily injury.

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

By Hackler of Webster, House File No. 275, a bill for an act to provide for the creation of the office of County Highway Engineer, and to define the duties thereof.

Read first and second time and referred to Committee on Roads and Highways.

By Cooper of Jasper (by request), House File No. 276, a bill for an act to amend the law as it appears in Section Thirty-one Hundred Six (3106) of the Code, relating to limited partnerships.

Read first and second time and referred to Committee on Banks and Banking.

Crozier of Marion, Chairman of the committee appointed to draft resolutions respecting the life and public service of the Hon. Greene T. Clark, presented the resolutions prepared by that committee and moved their adoption.

Motion prevailed, the resolutions were adopted and ordered printed in the Journal.

Moore of Linn, asked unanimous consent to move to reconsider the vote by which report of Committee on House File No. 1, passed the House and by which it was indefinitely postponed.

Seconded by Meredith of Cass.

Motion prevailed.

Ward of Woodbury filed the following minority recommendation:

MR. SPEAKER—We, the minority of your Committee on Appropriations, having under consideration House File No. 1, dissent from the majority in that we firmly believe that said bill should have been reported for passage by your Committee.

G. E. WARD,  
A. W. KENDALL,  
J. H. DERBOUGH,  
WM. ANDERSON,  
WARD WILSON.

Brandes of Pottawattamie offered the following resolution:

RESOLUTION.

WHEREAS, There have been rumors and reports that some of the inmates of our State Hospitals for the Insane, have suffered abuse or mistreatment at the hands of those caring for said insane persons, therefore be it

*Resolved*, That the Speaker of the House is authorized to appoint a committee of three members of the House, whose duty it shall be to inquire into the matter, and, if in their judgment, it is necessary to do so, visit any of said hospitals; investigate and report as to any just cause of complaint.

Laid over under Rule 34.

Lee of Emmet called up his resolution relative to printing of committee amendments in the Journal and moved its adoption.

White of Story moved that the resolution be laid on the table.

Roll call was demanded by Lee of Emmet and Marston of Cerro Gordo.

On the question, Shall the resolution be laid on the table?

The ayes were:

Arney, Beans, Beery, Bowman, Cassady, Cousins, Crozier, Crummer, Dewell, Dewey, Drury, Dye, Ellis, Etter, Fourt, Hackler, Harding, Hickenlooper, Miller of Bremer, Miller of Dubuque, Reaney, Ritter, Smith, Swan, Swift, Tilton, White, Zeller—28.

The nays were:

Allred, Anderson, Bascom, Bauman, Beebe, Blackmore, Bonwell, Burt, Byerly, Calkins, Cooper, Corrie, Cunningham, Dabney, Dalby, Darrah, Davidson, Dawson, Derrough, DeWitt, Elliott, Felt, Fenn, Finlayson, Fox, Fulliam, Fulton, Hanson, Holmes, Huffaker, Hunter, Ide, Inman, Jacobs, Jewell, Johnson, Kellogg, Kendall, Klay, Kull, Larrabee, Lee, McDonald, Marston, Meredith, Moore

of Wapello, Moore of Linn, Newell, Penn, Perkins, Ripley, Sankey, Schee, Schroeder, Schulte, Sheldon, Stillman, Stoddard, Ward, Welden, Wilson, Mr. Speaker—62.

Absent or not voting:

Balluff, Boe, Boettger, Boomgaarden, Brandes, Dodds, Goodykoontz, Grier, Harvey, Jones, Koontz, McCleery, O'Connor, Reitz, Sullivan, Tegeler, Thompson, Wolfe—18.

So the motion was lost.

Arney of Marshall moved that the resolution be referred to the Committee on Rules.

Corrie of Ida moved the previous question.

Motion lost.

Motion to refer lost.

Original motion to adopt the resolution prevailed, and the resolution was adopted.

Crozier of Marion asked unanimous consent to transfer House File No. 25, from the Committee on Labor to the Committee on Judiciary.

Dabney of Davis offered the following resolution:

#### RESOLUTION.

WHEREAS, The cities and towns throughout the State of Iowa, moved by that high sense of pride so characteristic of our people, keep the sidewalks of said cities and towns cleared of snow and other offensive matter, therefore be it

*Resolved*, That it is the sense of this House that the proper authorities take immediate steps to remove all snow and other objectionable matter from the steps and walks in and around the Capitol buildings and grounds.

Laid over under Rule 34.

#### MESSAGES FROM THE SENATE.

The following messages were received from the Senate:

MR. SPEAKER—I am directed to inform your honorable body that the Senate has passed the following bill in which the concurrence of the House is asked:

Substitute for Senate File No. 117, a bill for an act to authorize the sheriff and county attorney, when permitted by the board of supervisors, to employ the service of detectives and providing for payment therefor.

S. W. NEAL,  
*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. 203, a bill for an act to legalize the ordinances of the town of Norwalk, Warren county, Iowa, and the acts and proceedings of the town council of said town had thereunder.

S. W. NEAL,  
*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:

Substitute for Senate File No. 157, a bill for an act to amend the law as it appears in Chapter (2)-a, Title ten (10) of the Supplement to the Code, 1907, relating to levees, ditches, drains and water-courses and providing for work beyond the boundary lines of the district and for the acquirement by condemnation of lands thereof.

S. W. NEAL,  
*Secretary.*

Also:

MR. SPEAKER—I am directed to inform your honorable body that the Senate has amended by substituting and passed the following bill in which the concurrence of the Senate was asked:

House File No. 9, a bill for an act to repeal the law which appears as Section thirty-three hundred and seven (3307) of the Supplement to the Code, 1907, relating to the estates of absentees, and enacting a substitute therefor.

S. W. NEAL,  
*Secretary.*

Also:

MR. SPEAKER—I am directed to inform your honorable body that the Senate has passed the following bill in which the concurrence of the Senate was asked:

House File No. 119, a bill for an act to amend Section 746 of the Supplement to the Code, relating to contracts and expenditures from the water-works sinking fund for purposes incident to the making and submission to the people of contracts for the purchase and erection of water-works.

S. W. NEAL,  
*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:

Substitute for Senate File No. 81, a bill for an act to repeal Section forty-nine hundred and ninety-nine-a-three (4999-a-3), Supplement to the Code, 1907, relating to the assumption of risks and providing a substitute therefor.

S. W. NEAL,  
*Secretary.*

#### SENATE MESSAGES CONSIDERED.

Senate substitute for House File No. 9, a bill for an act to repeal the law which appears as Section Thirty-three Hundred and Seven (3307) of the Supplement to the Code, 1907, relating to the estates of absentees, and enacting a substitute therefor.

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

Substitute for Senate File No. 81, a bill for an act to repeal Section Forty-nine Hundred and Ninety-nine-a-3 (4999-a-3), Supplement of the Code, 1907, relating to the assumption of risks and providing a substitute therefor.

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

Senate File No. 203, a bill for an act to legalize the ordinances of the town of Norwalk, Warren County, Iowa, and the acts and proceedings of the council of said town had thereunder.

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

Substitute for Senate File No. 117, a bill for an act to authorize the sheriff and county attorney, when permitted by the Board of Supervisors, to employ the service of detectives and providing for payment therefor.

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

Substitute for Senate File No. 157, a bill for an act to amend the law as it appears in Chapter Two (2)-A, Title Ten (10) of the Supplement to the Code, 1907, relating to levees, ditches, drains and water courses, and providing for work beyond the

boundary lines of the district and for the acquirement by condemnation of lands therefor, by adding thereto the following:

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

#### CONSIDERATION OF BILLS.

On motion of Bascom of Dickinson, Substitute for Senate File No. 63, a bill for an act making it the duty of all persons and companies operating any vessel propelled by machinery or through the medium of sails to carry a light during certain hours, and otherwise regulating operation of same and fixing a penalty for violation, with report of committee recommending passage as amended was taken up and considered.

Holmes of Kossuth in the Chair.

Bascom of Dickinson, moved that the rule be suspended, that the bill be read a third time now, which motion prevailed, and the bill was read a third time.

On the question, "Shall the bill pass?"

The ayes were:

Allred, Anderson, Arney, Balluff, Bascom, Bauman, Beans, Beebe, Beery, Blackmore, Boe, Boettger, Bonwell, Brandes, Burt, Byerly, Calkins, Cassady, Cooper, Corrie, Cousins, Crozier, Cramer, Cunningham, Dabney, Dalby, Darrah, Davidson, Dawson, Derrough, Dewell, Dewey, DeWitt, Dodds, Drury, Dye, Ellis, Etter, Felt, Fenn, Finlayson, Fourt, Fox, Fulliam, Hackler, Hanson, Harding, Hickenlooper, Holmes, Huffaker, Hunter, Ide, Inman, Jacobs, Jewell, Johnson, Kendall, Klay, Koontz, Kull, Larrabee, Lee, McCleery, McDonald, Marston, Meredith, Miller of Bremer, Miller of Dubuque, Moore of Wapello, Newell, O'Connor, Perkins, Reaney, Reitz, Ripley, Ritter, Sankey, Schee, Schroeder, Schulte, Sheldon, Smith, Stoddard, Swift, Tegeler, Tilton, Ward, Welden, White, Wilson, Wolfe, Zeller, Mr. Speaker—93.

The nays were:

None.

Absent or not voting:

Boomgaarden, Bowman, Elliott, Fulton, Goodykoontz, Grier, Harvey, Jones, Kellogg, Moore of Linn, Penn, Stillman, Sullivan, Swan, Thompson—15.



So the bill passed and the title was agreed to.

On motion of Arney of Marshall, Senate File No. 88, a bill for an act to repeal Section Twenty-three Hundred Forty-one-d (2341-d) of the Supplement to the Code, 1907, and to enact a substitute therefor, relative to the transfer of state certificates for pure bred stallions, was taken up and considered.

Arney of Marshall moved that the rule be suspended, that the bill be read a third time now, which motion prevailed, and the bill was read a third time.

On the question, "Shall the bill pass?"

The ayes were:

Allred, Anderson, Arney, Balluff, Bascom, Bauman, Beans, Beebe, Beery, Blackmore, Boe, Boettger, Bonwell, Bowman, Brandes, Burt, Cassady, Cooper, Corrie, Cousins, Crozier, Crummer, Cunningham, Dabney, Dalby, Darrah, Davidson, Dawson, Derrough, Dewey, DeWitt, Dodds, Drury, Elliott, Ellis, Etter, Felt, Fenn, Finlayson, Fourt, Fox, Hackler, Hanson, Harding, Hickenlooper, Holmes, Huffaker, Hunter, Ide, Inman, Jacobs, Jewell, Johnson, Kendall, Klay, Koontz, Kull, Larrabee, Lee, McDonald, Marston, Meredith, Miller of Bremer, Miller of Dubuque, Moore of Wapello, Moore of Linn, Newell, O'Connor, Penn, Perkins, Reaney, Ripley, Ritter, Schee, Schroeder, Schulte, Smith, Stillman, Stoddard, Swift, Tegeler, Tilton, Ward, Welden, White, Wilson, Wolfe, Zeller, Mr. Speaker—89.

The nays were:

Byerly, Calkins, Fulliam, Reitz, Sankey—5.

Absent or not voting:

Boomgaarden, Dewell, Dye, Fulton, Goodykoontz, Grier, Harvey, Jones, Kellogg, McCleery, Sheldon, Sullivan, Swan, Thompson—14.

So the bill passed and the title was agreed to.

On motion of Dye of Pottawattamie, Substitute for Senate File No. 102, a bill for an act to amend the law as it appears in Section Three Hundred and Eight (308) of the Supplement to the Code, 1907, relating to the compensation of County Attorneys, was taken up and considered.

Dye of Pottawattamie moved that the rule be suspended, that the bill be read a third time now, which motion prevailed, and the bill was read a third time.

On the question, "Shall the bill pass?"

The ayes were:

Allred, Anderson, Arney, Balluff, Bascom, Bauman, Beans, Beebe, Beery, Blackmore, Boe, Boettger, Bonwell, Bowman, Brandes, Burt, Byerly, Cassady, Cooper, Corrie, Cousins, Crozier, Crummer, Cunningham, Dabney, Dalby, Darrah, Davidson, Dawson, Derrough, Dewey, DeWitt, Dodds, Drury, Dye, Elliott, Ellis, Felt, Fenn, Finlayson, Fourt, Hackler, Hanson, Harding, Hickenlooper, Holmes, Huffaker, Hunter, Ide, Inman, Jacobs, Johnson, Kendall, Klay, Koontz, Larrabee, Lee, McDonald, Marston, Miller of Dubuque, Moore of Wapello, Newell, O'Connor, Penn, Perkins, Reaney, Reitz, Ripley, Ritter, Sankey, Schee, Schroeder, Schulte, Sheldon, Smith, Stillman, Stoddard, Swift, Tegeler, Tilton, Ward-Welden, White, Wilson, Wolfe, Zeller, Mr. Speaker—87.

The nays were:

Etter, Fulliam, Jewell—3.

Absent or not voting:

Boomgaarden, Calkins, Dewell, Fox, Fulton, Goodykoontz, Grier, Harvey, Jones, Kellogg, Kull, McCleery, Meredith, Miller of Bremer, Moore of Linn, Sullivan, Swan, Thompson—18.

So the bill passed and the title was agreed to.

On motion of Arney of Marshall, Senate File No. 93, a bill for an act to repeal the law as it appears in Section Sixteen Hundred Fifty-seven-q (1657-q) of the Supplement to the Code, 1907, and to enact a substitute therefor, relating to the auditing of accounts of the Department of Agriculture, was taken up and considered.

Arney of Marshall moved that the rule be suspended, that the bill be read a third time now, which motion prevailed, and the bill was read a third time.

On the question, "Shall the bill pass?"

The ayes were:

Allred, Anderson, Arney, Balluff, Bascom, Bauman, Beans, Beebe, Beery, Blackmore, Boe, Boettger, Bonwell, Bowman, Brandes, Burt, Byerly, Cassady, Cooper, Corrie, Cousins, Crozier, Crummer, Cunningham, Dabney, Dalby, Darrah, Dawson, Derrough, Dewell, Dewey, DeWitt, Dodds, Drury, Dye, Elliott, Ellis, Etter, Felt, Fenn, Finlayson, Fourt, Fox, Fulliam, Hackler, Hanson, Harding, Hickenlooper, Holmes, Huffaker, Hunter, Ide, Inman, Jewell, Johnson, Kendall, Klay, Koontz, Kull, Larrabee, Lee, McCleery, McDonald, Marston, Miller of Dubuque, Moore of Wapello, Moore of Linn, Newell, O'Connor, Penn, Perkins, Reaney, Reitz, Ripley, Ritter, Sankey, Schee, Schroeder, Schulte, Sheldon, Smith, Stillman, Stoddard, Swift, Tegeler, Tilton, Ward, Welden, White, Wilson, Wolfe, Zeller, Mr. Speaker—93.

The nays were:

None.

Absent or not voting:

Boomgaarden, Calkins, Davidson, Fulton, Goodykoontz, Grier, Harvey, Jacobs, Jones, Kellogg, Meredith, Miller of Bremer, Sullivan, Swan, Thompson—15.

So the bill passed and the title was agreed to.

On motion of Brandes of Pottawattamie, Senate File No. 37 was substituted for House File No. 51.

On motion of Brandes of Pottawattamie, Senate File No. 37, a bill for an act to repeal Section 1336 of the Code and enacting a substitute therefor, relative to assessment rolls, was taken up and considered.

Speaker Feely in the Chair.

Brandes of Pottawattamie moved that the rule be suspended, that the bill be read a third time now, which motion prevailed, and the bill was read a third time.

On the question, "Shall the bill pass?"

The ayes were:

Anderson, Arney, Balluff, Bascom, Beery, Blackmore, Boe, Boettger, Bonwell, Bowman, Brandes, Cassady, Cooper, Corrie, Cousins, Crozier, Cunningham, Dalby, Dawson, Derrough, Dewey, Drury,

Dye, Ellis, Fenn, Finlayson, Fourt, Fox, Fulliam, Hackler, Hanson, Harding, Hickenlooper, Holmes, Hunter, Ide, Johnson, Kendall, Klay, Koontz, McCleery, Miller of Dubuque, Moore of Linn, Newell, O'Connor, Perkins, Reaney, Ritter, Schee, Schroeder, Schulte, Smith, Swan, Swift, Tilton, Welden, White, Wilson, Wolfe, Zeller, Mr. Speaker—61.

The nays were:

Allred, Bauman, Beans, Beebe, Burt, Byerly, Calkins, Crummer, Dabney, Darrah, Davidson, DeWitt, Elliott, Etter, Felt, Huffaker, Inman, Jacobs, Jewell, Kull, Larrabee, Lee, McDonald, Marston, Miller of Dubuque, Moore of Wapello, Penn, Reitz, Ripley, Sankey, Stillman, Stoddard, Tegeler, Ward—34.

Absent or not voting:

Boomgaarden, Dewell, Dodds, Fulton, Goodykoontz, Grier, Harvey, Jones, Kellogg, Meredith, Sheldon, Sullivan, Thompson—13.

So the bill passed and the title was agreed to.

Schee of O'Brien offered the following motion and asked that action on it be deferred:

I move to amend Rule No. 25, by adding thereto the following words: "But the Speaker may withhold putting said motion until time for the announcement of committee meetings be made."

On motion of Zeller of Madison, the House adjourned until 9:00 o'clock A. M., Friday.

# JOURNAL OF THE HOUSE

HALL OF THE HOUSE OF REPRESENTATIVES,  
DES MOINES, IOWA, FEBRUARY 19, A. D. 1909.

House met pursuant to adjournment.

Speaker Feely in the Chair.

Prayer was offered by Rev. John T. Gibson of Coon Rapids, Iowa.

Journal of Thursday, February 18th, corrected and approved.

On request of Anderson of Hamilton, leave of absence was granted Dewell of Cedar on account of sickness.

On request of Darrah of Lucas, leave of absence was granted Meredith of Cass until Monday on account of sickness.

On request of Hunter of Polk, leave of absence was granted Goodykoontz of Boone until Saturday.

## PETITIONS, MEMORIALS AND REMONSTRANCES.

Darrah of Lucas presented petition of citizens of Lucas County, relative to bill requiring the teaching of agriculture in the various colleges of the State.

Referred to Committee on Agriculture.

Darrah of Lucas presented petition of citizens of Lucas County, relative to House File No. 169, referring to breach of the Sabbath.

Referred to Committee on Judiciary.

Burt of Taylor presented petition of citizens of Taylor County, relative to the prohibitory amendment.

Referred to Committee on Suppression of Intemperance.

Boettger of Scott presented remonstrance of Executive Committee of the Scott County Farmers Institute, protesting against the passage of House File No. 62, referring to the School Laws.

Referred to Committee on Schools and Text Books.

Hackler of Webster presented remonstrance of sub-directors of Jackson Township, Webster County, protesting against the passage of House File No. 62, in reference to the School Laws.

Referred to Committee on Schools and Text Books.

Hackler of Webster presented petition of pharmacists of Webster County, relative to Senate File No. 103, referring to permits of druggists.

Referred to Committee on Pharmacy.

Beery of Henry presented petition of citizens of Henry County, relative to the prohibitory amendment.

Referred to Committee on Suppression of Intemperance.

Larrabee of Fayette presented petition of citizens of Fayette County, relative to House File No. 169, referring to the breach of the Sabbath.

Referred to Committee on Judiciary.

Moore of Wapello presented petition of citizens of Wapello County, relative to House File No. 169, referring to breach of the Sabbath.

Referred to Committee on Judiciary.

Holmes of Kossuth presented petition of citizens of Kossuth County, relative to the Quail Bill and the passage of a Gun License Law.

Referred to Committee on Fish and Game.

Hunter of Polk presented petition of citizens of Polk County, relative to the prohibitory amendment.

Referred to Committee on Suppression of Intemperance.

Bowman of Linn presented petition of citizens of Linn County, relative to House File No. 169, referring to breach of the Sabbath.

Referred to Committee on Judiciary.

Sullivan of Polk presented petition of members of the Bar of the Ninth Judicial District, relative to the increase in the salary of shorthand reporters.

Referred to Committee on Compensation of Public Officers.

Hunter of Polk presented petition of citizens of Polk County, relative to House File No. 169, referring to breach of the Sabbath.

Referred to Committee on Judiciary.

Penn of Fremont presented remonstrance of electors of Columbia School District, protesting against the passage of the School Bill.

Referred to Committee on Schools and Text Books.

Etter of Keokuk presented remonstrance of electors of West Lancaster Township, Keokuk County, protesting against the passage of the School Bill.

Referred to Committee on Schools and Text Books.

Sankey of Decatur presented petition of citizens of Decatur County, relative to county printing.

Referred to Committee on County and Township Organization.

Schulte of Clayton presented remonstrances of members of Camp Nos. 319 and 3655, Modern Woodmen of America, protesting against the passage of the Minimum Rate Law.

Referred to Committee on Insurance.

Jones of Lee presented petition of citizens of Lee County, relative to the Road Laws.

Referred to Committee on Roads and Highways.

Thompson of Benton presented petition of societies of Benton County, relative to House File No. 169, referring to breach of the Sabbath.

Referred to Committee on Judiciary.

Drury of Sac presented petition of merchants and taxpayers of Sac County, relative to House File 232, relating to exemptions.

Referred to Committee on Commerce and Trade.

Ripley of Hancock presented petition of citizens of Hancock County, requesting the passage of legislation extending the terms of office of county officials.

Referred to Committee on Elections.

Stoddard of Buchanan presented petition of citizens of Buchanan County, relative to House File No. 169, referring to breach of the Sabbath.

Referred to Committee on Suppression of Intemperance.

Jones of Lee presented petition of citizens of Lee County, relative to House File No. 169, referring to breach of the Sabbath.

Referred to Committee on Judiciary.

Fox of Dallas presented petition of attorneys of Dallas County, relative to the increase in the salary of shorthand reporters.

Referred to Committee on Compensation of Public Officers.

Ripley of Hancock presented remonstrance of members of Modern Woodmen of America, protesting against the passage of the Minimum Rate Law.

Referred to Committee on Insurance.

Darrah of Lucas presented petition of citizens of Lucas County, relative to the prohibitory amendment.

Referred to Committee on Suppression of Intemperance.

Lee of Emmet presented remonstrance of Camp No. 3863, Modern Woodmen of America, protesting against the passage of the Minimum Rate Law.

Referred to Committee on Insurance.

Inman of Floyd presented petition of citizens of Floyd County, relative to House File No. 169, referring to breach of the Sabbath.

Referred to Committee on Judiciary.

Bauman of Van Buren presented petition of citizens of Van Buren County, relative to House File No. 169, referring to breach of the Sabbath.

Referred to Committee on Judiciary.

#### REPORTS OF COMMITTEES.

Koontz of Johnson, from the Committee on Fish and Game, submitted the following report:

MR. SPEAKER—Your committee on Fish and Game, to whom was referred House File No. 236, a bill for an act to amend Sections 2563-a,



2563-c, 2563-d, and 2563-g of the Supplement to the Code, 1907, relating to non-resident hunters' licenses, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same do pass.

GEO. W. KOONTZ,  
*Chairman.*

Adopted.

Moore of Linn, from the Committee on Appropriations, submitted the following report:

MR. SPEAKER—Your committee on Appropriations, to whom was referred House File No. 94, a bill for an act to appropriate money for the use of the College for the Blind at Vinton, Iowa, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same do pass.

ERNEST R. MOORE,  
*Chairman.*

Adopted.

Harding of Woodbury, from the Committee on Municipal Corporations, submitted the following report:

MR. SPEAKER—Your committee on Municipal Corporations, to whom was referred Senate File No. 22, a bill for an act to amend Section 740 of the 1907 Supplement to the Code relating to aiding by taxation the maintenance of institutions of learning or benevolence acquired by gift or devise by any city, town, school corporation or county, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same do pass.

W. L. HARDING,  
*Chairman.*

Adopted.

Sullivan of Polk, from the Committee on Judiciary, submitted the following report:

MR. SPEAKER—Your committee on Judiciary, to whom was referred House File No. 221, a bill for an act to amend Section four thousand two hundred fifty-three (4253) of the Code, relating to leasing real estate partitioned for sale, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same be amended as follows:

By amending the title by striking out all after the word "to" in the second line thereof and inserting the following: "the partition of real estate and providing for the leasing of the same," and when so amended that the bill do pass.

JOHN B. SULLIVAN,  
*Chairman.*

Adopted.

## INTRODUCTION OF BILLS.

By Penn of Fremont, House File No. 277, a bill for an act to provide for the protection of bridges and drainage ditches and providing a penalty for the violation thereof.

Read first and second time and referred to Committee on Roads and Highways.

By Hunter of Polk, House File No. 278, a bill for an act to authorize the issuance of a search warrant, and the seizure of cigarettes and cigarette papers.

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

By Elliott of Page, House File No. 279, a bill for an act to declare certain diseases contagious and infectious, and to provide rules and regulations for the control of the same, and to fix the punishment for violation thereof.

Read first and second time and referred to Committee on Public Health.

By Kull of Howard, House File No. 280, a bill for an act to repeal Chapter Thirteen (13) of the Supplement to the Code, 1907, with the exception of Sections Two Thousand Seven Hundred Thirty-eight (2738), Two Thousand Seven Hundred Thirty-nine (2739) and Two Thousand Seven Hundred Forty-two (2742), relative to the qualifications of county superintendents of Schools, and examinations and certificates of teachers, and to enact a substitute therefor.

Read first and second time and referred to Committee on Schools and Text Books.

## MESSAGES FROM THE SENATE.

The following messages were received from the Senate:

MR. SPEAKER—I am directed to inform your honorable body that the Senate has passed the following bill in which the concurrence of the House is asked:

Senate File No. 182, a bill for an act for the relief of the grantees of Joel J. Bradshaw, and for the purpose of having a patent issued in the name of W. F. Werner for a certain tract of land.

S. W. NEAL,  
*Secretary.*

Also:

MR. SPEAKER—I am directed to inform your honorable body that the Senate has passed the following bill in which the concurrence of the Senate was asked:

House File No. 145, a bill for an act to legalize the action of the Board of Supervisors of Sioux County, Iowa, relating to the sale of school land in section twelve (12), township ninety-five (95), north of range forty-eight (48), west of the fifth (5th) principal meridian, Sioux County, Iowa, and to authorize the Governor to issue a patent therefor to John H. Hutchinson.

S. W. NEAL,  
*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:

Substitute for Senate File No. 82, a bill for an act to amend Section twenty-five hundred and seventy-one (2571) of the 1907 Supplement of the code relating to the publication of rules and regulations of local boards of health.

S. W. NEAL,  
*Secretary.*

Also:

MR. SPEAKER—I am directed to inform your honorable body that the Senate has amended and passed the following bill in which the concurrence of the Senate was asked:

House File No. 130, a bill for an act relating to the distribution of laws becoming effective by publication.

S. W. NEAL,  
*Secretary.*

#### SENATE MESSAGES CONSIDERED.

Senate File No. 182, a bill for an act for the relief of the grantees of Joel J. Bradshaw, and for the purpose of having a patent issued in the name of W. F. Werner for a certain tract of land.

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

Substitute for Senate File No. 82, a bill for an act to amend Section Twenty-five Hundred and Seventy-one (2571) of the Supplement to the Code, 1907, relating to the publication of rules and regulations of the local Boards of Health.

Read first and second time and referred to Committee on Public Health.

Brandes of Pottawattamie called up his resolution relative to investigation of State Hospitals for Insane, and moved its adoption.

Motion prevailed, and the resolution was adopted.

#### SENATE AMENDMENTS CONSIDERED.

On motion of Lee of Emmet, unanimous consent having been given, House File No. 130, a bill for an act relating to the distribution of laws becoming effective by publication, with the following Senate amendments, was taken up and the amendments read and considered.

Amend Section 1 by inserting after the word "forthwith" in the second line thereof, and before the word "send" in the third line thereof, the following: "procure one hundred and one (101) copies of the act as published, clip the same from the newspaper, attach his certificate thereto and"; and that Section 1 be further amended by striking out the words, "a certified copy thereof" appearing in the third line thereof.

Amend Section 2 by striking out the word "daily" as it appears in line three of said section.

Lee of Emmet moved that the House do not concur in the Senate amendments.

On the question, Shall the House refuse to concur?

The ayes were:

Allred, Anderson, Arney, Balluff, Bascom, Bauman, Beans, Beebe, Beery, Blackmore, Boe, Boettger, Bonwell, Boomgaarden, Bowman, Brandes, Burt, Cassady, Cooper, Corrie, Cousins, Crozier, Crummer, Cunningham, Dabney, Dalby, Darrah, Davidson, Derrough, Dewey, DeWitt, Dodds, Drury, Dye, Elliott, Ellis, Etter, Felt, Fenn, Finlayson, Fox, Fulliam, Fulton, Grier, Hackler, Hanson, Harding, Hickenlooper, Holmes, Huffaker, Hunter, Ide, Inman, Jacobs, Jewell, Johnson, Jones, Kellogg, Kendall, Klay, Koontz, Kull, Larrabee, Lee, McCleery, Marston, Miller of Bremer, Miller of Dubuque, Moore of Wapello, Moore of Linn, Newell, O'Connor, Penn, Perkins, Reaney, Reitz, Ripley, Ritter, Sankey, Schee, Schroeder, Schulte, Sheldon, Smith, Stillman, Stoddard, Sullivan,

Swan, Swift, Tegeler, Thompson, Tilton, Ward, Welden, Wilson, Wolfe, Mr. Speaker—97.

The nays were:

Byerly, Calkins—2.

Absent or not voting:

Dawson, Dewell, Fourt, Goodykoontz, Harvey, McDonald, Meredith, White, Zeller—9.

So the motion prevailed, and the House refused to concur.

#### CONSIDERATION OF BILLS.

On motion of Holmes of Kossuth, Senate File No. 154, a bill for an act to create a commission authorized to locate and erect a pedestal for a monument to the memory of the late William B. Allison and making an appropriation to defray the expense thereof, was taken up and considered.

Holmes of Kossuth moved that the rule be suspended, that the bill be read a third time now, which motion prevailed, and the bill was read a third time.

On the question, "Shall the bill pass?"

The ayes were:

Allred, Anderson, Arney, Bascom, Bauman, Beans, Beebe, Beery, Blackmore, Boe, Bonwell, Boomgaarden, Bowman, Brandes, Burt, Byerly, Calkins, Cassady, Cooper, Corrie, Cousins, Crozier, Crummer, Cunningham, Dabney, Dalby, Darrah, Davidson, Derrough, Dewey, DeWitt, Dodds, Drury, Dye, Elliott, Ellis, Etter, Felt, Fenn, Finlayson, Fourt, Fox, Fulliam, Fulton, Grier, Hackler, Hanson, Harding, Harvey, Hickenlooper, Holmes, Huffaker, Hunter, Ide, Inman, Jacobs, Jewell, Johnson, Jones, Kellogg, Kendall, Klay, Kull, Larrabee, Lee, McCleery, McDonald, Marston, Miller of Bremer, Moore of Wapello, Moore of Linn, Newell, O'Connor, Penn, Perkins, Reaney, Ripley, Ritter, Schee, Schulte, Sheldon, Smith, Stillman, Stoddard, Sullivan, Swan, Swift, Thompson, Tilton, Ward, Welden, White, Wilson, Wolfe, Zeller, Mr. Speaker—96.

The nays were:

Sankey—1.

Absent or not voting:

Balluff, Boettger, Dawson, Dewell, Goodykoontz, Koontz, Meredith, Miller of Dubuque, Reitz, Schroeder, Tegeler—11.

So the bill passed and the title was agreed to.

On motion of Ellis of Jackson, House File No. 1, a bill for an act to make appropriations for the removal of the remains of ex-Governor Ansel Briggs from Omaha, Nebraska, to Andrew, Jackson County, Iowa, and for the erection of a monument in the cemetery at that place in the commemoration of his memory, with report of committee recommending indefinite postponement and minority views recommending passage, was taken up and considered.

Moore of Linn moved that the report of the committee be adopted.

Ward of Woodbury moved the substitution of the minority views for the majority report.

Roll call demanded.

On the question, Shall the minority views be substituted for the majority report?

The ayes were:

Allred, Anderson, Arney, Balluff, Bascom, Bauman, Beans, Beebe, Beery, Blackmore, Boe, Boettger, Bonwell, Boomgarden, Bowman, Brandes, Burt, Byerly, Calkins, Cassady, Cooper, Corrie, Cousins, Crozier, Crummer, Cunningham, Dabney, Dalby, Darrah, Davidson, Derrough, DeWitt, Dodds, Drury, Dye, Elliott, Ellis, Etter, Felt, Fenn, Finlayson, Fourt, Fox, Fulliam, Fulton, Grier, Hackler, Hanson, Harding, Hickenlooper, Holmes, Huffaker, Hunter, Ide, Jacobs, Jewell, Johnson, Jones, Kendall, Klay, Koontz, Kull, Larrabee, Lee, McCleery, McDonald, Marston, Miller of Bremer, Miller of Dubuque, Moore of Wapello, Newell, O'Connor, Penn, Perkins, Reaney, Reitz, Ripley, Ritter, Sankey, Schee, Schulte, Smith, Stillman, Stoddard, Sullivan, Swan, Swift, Tegeler, Thompson, Tilton, Ward, Welden, White, Wilson, Wolfe, Zeller, Mr. Speaker—97.

The nays were:

Dewey, Inman, Kellogg, Sheldon—4.

Absent or not voting :

Dawson, Dewell, Goodykoontz, Harvey, Meredith, Moore of Linn, Schroeder—7.

So the motion prevailed, and the minority views were substituted for the majority report.

On motion of Moore of Linn, the substitute report was adopted.

Moore of Linn proposed the following amendment :

I move to amend House File No. 1, by striking from line two of Section one the words and figures "one thousand five hundred" and inserting in lieu thereof the words and figures "one thousand"; and by striking from line five in Section Three the words and figures "fifteen hundred" and inserting in lieu thereof the words and figures "one thousand," and by striking from line three of Section four the words and figures "fifteen hundred" and inserting in lieu thereof the words and figures "one thousand."

Amendment adopted.

Moore of Linn proposed the following amendment :

I move to amend by striking out the period at the end of line six and inserting in lieu thereof a comma and adding "provided, however, that no portion of this amount shall be available until the Jackson County Historical Society shall have provided and have available a like sum for the purposes outlined in this measure."

Amendment lost.

O'Connor of Chickasaw 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 ayes were :

Allred, Anderson, Arney, Balluff, Bascom, Bauman, Beans, Beebe, Beery, Blackmore, Boe, Boettger, Bonwell, Boomgaarden, Bowman, Burt, Byerly, Calkins, Cassady, Cooper, Corrie, Cousins, Crozier, Crummer, Cunningham, Dabney, Dalby, Darrah, Dawson, Derrough, Dewey, DeWitt, Dodds, Drury, Dye, Elliott, Ellis, Etter, Felt, Fenn, Finlayson, Fourt, Fox, Fulliam, Fulton, Hackler,

Hanson, Harding, Hickenlooper, Holmes, Huffaker, Hunter, Ide, Inman, Jacobs, Jewell, Johnson, Jones, Kellogg, Kendall, Klay, Koontz, Kull, Larrabee, Lee, McDonald, Marston, Miller of Bremer, Miller of Dubuque, Moore of Wapello, Moore of Linn, Newell, O'Connor, Penn, Perkins, Reaney, Reitz, Ripley, Ritter, Sankey, Schee, Schulte, Smith, Stillman, Stoddard, Sullivan, Swan, Swift, Tegeler, Thompson, Tilton, Ward, Welden, White, Wilson, Wolfe, Zeller, Mr. Speaker—96.

The nays were:

Dewey, Kellogg, Sheldon—3.

Absent or not voting:

Brandes, Davidson, Dewell, Goodykoontz, Grier, Harvey, McCleery, Meredith, Schroeder—9.

So the bill passed and the title was agreed to.

On motion of Stoddard of Buchanan, Substitute for Senate File No. 50, a bill for an act to legalize the action and proceedings of the city council of Manchester, relative to the boundary line and extent of the limits of said city, was taken up and considered.

Perkins of Delaware moved that the rule be suspended, that the bill be read a third time now, which motion prevailed, and the bill was read a third time.

On the question, "Shall the bill pass?"

The ayes were:

Allred, Anderson, Arney, Balluff, Bascom, Bauman, Beans, Beebe, Beery, Blackmore, Boe, Boettger, Bonwell, Boomgaarden, Bowman, Burt, Byerly, Calkins, Cassady, Cooper, Corrie, Cousins, Crozier, Crummer, Cunningham, Dabney, Dalby, Darrah, Davidson, Dawson, Derrough, Dewey, DeWitt, Dodds, Drury, Dye, Elliott, Etter, Fenn, Finlayson, Fourt, Fox, Fulliam, Fulton, Grier, Hackler, Hanson, Harding, Hickenlooper, Holmes, Huffaker, Hunter, Ide, Inman, Jacobs, Jewell, Johnson, Jones, Kellogg, Kendall, Klay, Koontz, Kull, Larrabee, Lee, McDonald, Miller of Bremer, Miller of Dubuque, Moore of Wapello, Newell, O'Connor, Penn, Perkins, Reaney, Reitz, Ripley, Ritter, Sankey, Schee, Schroeder, Schulte, Sheldon, Smith, Stillman, Stoddard, Sullivan, Swan, Swift, Tegeler, Thompson, Tilton, Ward, Welden, White, Wilson, Wolfe, Zeller, Mr. Speaker—98.



The nays were:

None.

Absent or not voting:

Brandes, Dewell, Ellis, Felt, Goodykoontz, Harvey, McCleery, Marston, Meredith, Moore of Linn—10.

So the bill passed and the title was agreed to.

On motion of Johnson of Mitchell, Senate File No. 45, a bill for an act providing a method for the settlement of claims and demands for money or other property held by the state against persons, partnerships, corporations or associations, was taken up and considered.

Johnson of Mitchell moved that the rule be suspended, that the bill be read a third time now, which motion prevailed, and the bill was read a third time.

On the question, "Shall the bill pass?"

The ayes were:

Allred, Anderson, Arney, Balluff, Bascom, Bauman, Beans, Beebe, Beery, Blackmore, Boe, Boettger, Bonwell, Boomgaarden, Bowman, Burt, Byerly, Calkins, Cassady, Cooper, Corrie, Cousins, Crummer, Cunningham, Dalby, Darrah, Davidson, Dawson, Derrough, Dewey, DeWitt, Drury, Dye, Elliott, Ellis, Finlayson, Fourt, Fox, Fulliam, Fulton, Grier, Hackler, Hanson, Harding, Hickenlooper, Huffaker, Hunter, Ide, Inman, Jacobs, Jewell, Johnson, Jones, Kellogg, Kendall, Klay, Koontz, Larrabee, Lee, McDonald, Marston, Moore of Wapello, Newell, O'Connor, Perkins, Reaney, Schulte, Sheldon, Smith, Stillman, Sullivan, Swan, Swift, Thompson, Ward, Welden, Wilson, Wolfe, Zeller, Mr. Speaker—80.

The nays were:

Dabney, Dodds, Etter, Fenn, Kull, Miller of Bremer, Miller of Dubuque, Penn, Reitz, Ripley, Ritter, Sankey, Schee, Schroeder, Stoddard, Tegeler, Tilton, White—19.

Absent or not voting:

Brandes, Dewell, Felt, Goodykoontz, Harvey, Holmes, McCleery, Meredith, Moore of Linn—9.

So the bill passed and the title was agreed to.

On motion of Schulte of Clayton, Substitute for Senate File No. 28, a bill for an act to provide for the payment of a bounty for the destruction of rattlesnakes, was taken up and considered.

Kull of Howard proposed the following amendment:

I move to amend Substitute for Senate File No. 28, by adding the following: "That it shall be a misdemeanor for anyone to claim a bounty on rattlesnakes imported from other states, or on rattlesnakes raised in captivity."

Amendment lost.

Schulte of Clayton moved that the rule be suspended, that the bill be read a third time now, which motion prevailed, and the bill was read a third time.

On the question, "Shall the bill pass?"

The ayes were:

Allred, Anderson, Arney, Balluff, Bascom, Bauman, Beebe, Beery, Blackmore, Boe, Boettger, Bonwell, Boomgaarden, Bowman, Calkins, Cassady, Cooper, Cousins, Crozier, Crummer, Dabney, Davidson, Dawson, Derrough, DeWitt, Dodds, Elliott, Ellis, Etter, Felt, Fourt, Fox, Fulliam, Hackler, Hanson, Harding, Huffaker, Hunter, Ide, Inman, Jacobs, Jewell, Johnson, Kendall, Klay, Koontz, Kull, Larrabee, Lee, Marston, Miller of Dubuque, Newell, O'Connor, Penn, Perkins, Ritter, Schee, Schroeder, Schulte, Smith, Stillman, Sullivan, Swift, Tegeler, Welden, Wolfe, Zeller, Mr. Speaker—68.

The nays were:

Beans, Burt, Corrie, Cunningham, Dalby, Darrah, Dewey, Drury, Dye, Fenn, Finlayson, Fulton, Grier, Hickenlooper, Jones, McDonald, Moore of Wapello, Moore of Linn, Ripley, Sankey, Sheldon, Stoddard, Swan, Thompson, Tilton, Ward, White, Wilson—28.

Absent or not voting:

Brandes, Byerly, Dewell, Goodykoontz, Harvey, Holmes, Kellogg, McCleery, Meredith, Miller of Bremer, Reaney, Reitz—12.

So the bill passed and the title was agreed to.

On motion of Holmes of Kossuth, House File No. 192 was withdrawn from the Committee on Appropriations and the further consideration of the House.

On motion of Smith of Wright, the House adjourned until 9:00 o'clock A. M., Saturday.

# JOURNAL OF THE HOUSE

HALL OF THE HOUSE OF REPRESENTATIVES,  
DES MOINES, IOWA, FEBRUARY 20, A. D. 1909.

House met pursuant to adjournment.

Speaker Feely in the Chair.

Prayer was offered by Rev. W. E. Shugg, of Dedham, Iowa.

'Journal of Friday, February 19th, corrected and approved.

On request of Jacobs of Calhoun, leave of absence was granted Holmes of Kossuth until Monday.

On request of Ritter of Des Moines, leave of absence was granted Fox of Dallas until Monday.

On request of Kendall of Clinton, leave of absence was granted Swift of Shelby, until Monday.

On request of Perkins of Delaware, leave of absence was granted Welden of Hardin, until Monday.

On request of Perkins of Delaware, leave of absence was granted McCleery of Washington, until Tuesday.

On request of Anderson of Hamilton, leave of absence was granted Dewell of Cedar, until Tuesday.

On request of Cunningham of Buena Vista, leave of absence was granted Finlayson of Grundy, until Wednesday.

On request of Jacobs of Calhoun, leave of absence was granted Johnson of Mitchell, until Tuesday.

On request of Beery of Henry, leave of absence was granted Blackmore of Worth, until Monday.

On request of Jacobs of Calhoun, leave of absence was granted Felt of Clay, until Tuesday.

On request of Beery of Henry, leave of absence was granted Fox of Dallas, until Monday.

PETITIONS, MEMORIALS AND REMONSTRANCES.

Harding of Woodbury, presented remonstrance of School Board of Concord Township, Woodbury County, protesting against the passage of the School Bill.

Referred to committee on Schools and Text Books.

Harding of Woodbury presented remonstrance of members of Danbury Camp No. 4655, Modern Woodmen of America, relative to the Minimum Rate Law.

Referred to committee on Insurance.

Bauman of Van Buren presented petition of citizens of Van Buren County relative to House File No. 169, referring to breach of the Sabbath.

Referred to committee on Judiciary.

Kendall of Clinton presented remonstrance of citizens of Clinton County relative to Senate File No. 90, referring to breach of the Sabbath.

Referred to committee on Judiciary.

Hackler of Webster presented remonstrance of directors of Jackson Township, Webster County, protesting against the passage of the School Bill.

Referred to committee on Schools and Text Books.

Hackler of Webster presented remonstrance of citizens of Webster County, relative to House File No. 169, referring to breach of the Sabbath.

Referred to committee on Judiciary.

Dye of Pottawattamie presented petition of citizens of Pottawattamie County, relative to the prohibitory amendment.

Referred to committee on Suppression of Intemperance.

Cousins of Butler presented petition of Merchants of Butler County, relative to House File No. 232, referring to exemptions.

Referred to committee on Commerce and Trade.

Ward of Woodbury presented remonstrance of citizens of Woodbury County relative to House File No. 169, referring to breach of the Sabbath.

Referred to committee on Judiciary.

Moore of Linn presented remonstrance of International Association of Bridge and Structural Iron Workers protesting against the passage of House File No. 169, referring to breach of the Sabbath.

Referred to committee on Judiciary.

Perkins of Delaware presented remonstrance of Modern Woodmen of America protesting against the passage of the Minimum Rate Law.

Referred to committee on Insurance.

Perkins of Delaware presented petition of citizens of Delaware County relative to the prohibitory amendment.

Referred to committee on Suppression of Intemperance.

Cunningham of Buena Vista presented petition of citizens of Buena Vista County relative to House File No. 169, referring to breach of the Sabbath.

Referred to committee on Judiciary.

Huffaker of Mills presented petition of citizens of Mills County relative to House File No. 169, referring to breach of the Sabbath.

Referred to committee on Judiciary.

Beery of Henry presented petition of citizens of Henry County relative to House File No. 169, referring to breach of the Sabbath.

Referred to committee on Judiciary.

Ripley of Hancock presented petition of citizens of Hancock County relative to House File No. 169, referring to breach of the Sabbath.

Referred to committee on Judiciary.

Drury of Sac presented remonstrance of members of Cottonwood Camp No. 2686, Modern Woodmen of America protesting against the passage of the Minimum Rate Law.

Referred to committee on Insurance.

Elliott of Page presented petition of citizens of Page County relative to the prohibitory amendment.

Referred to committee on Suppression of Intemperance.

Byerly of Jones presented petition of citizens of Jones County relative to House File No. 169, referring to breach of the Sabbath.

Referred to committee on Judiciary.

Kendall of Clinton presented remonstrance of Brotherhood of Railroad Trainmen of Clinton, Iowa, protesting against the passage of legislation referring to exemption from liability for debt from personal earnings.

Referred to committee on Commerce and Trade.

Reaney of Louisa presented remonstrance of Wapello Camp No. 3005 Modern Woodmen of America protesting against the passage of the Minimum Rate Law.

Referred to committee on Insurance.

Reaney of Louisa presented petition of citizens of Louisa County relative to House File No. 169, referring to breach of the Sabbath.

Referred to committee on Judiciary.

Zeller of Madison presented petition of citizens of Madison County relative to the prohibitory amendment.

Referred to committee on Suppression of Intemperance.

Stoddard of Buchanan presented petition of citizens of Buchanan County relative to House File No. 169, referring to breach of the Sabbath.

Referred to committee on Judiciary.

Anderson of Hamilton presented petition of citizens of Hamilton County relative to House File No. 169, referring to breach of the Sabbath.

Referred to committee on Judiciary.

Schee of O'Brien presented petition of citizens of O'Brien County, relative to House File No. 169, referring to breach of the Sabbath.

Referred to committee on Judiciary.

Drury of Sac presented petition of Merchants of Sac County, relative to House File No. 232, referring to exemptions.

Referred to committee on Commerce and Trade.

Tegeler of Dubuque presented remonstrance of citizens of Dubuque County protesting against the passage of the School Bill.

Referred to committee on Schools and Text Books.

#### REPORTS OF COMMITTEES.

Dye of Pottawattamie, from the committee on Institute for Feeble Minded, submitted the following report:

MR. SPEAKER—Your committee on Institute for Feeble-minded, to whom was referred House File No. 138, a bill for an act to provide for feeble-minded men at Glenwood and the maintenance thereof (amendatory of Chapter seven (7), title thirteen (13) of the Code relating to the Institution for Feeble-minded Children), beg leave to report that they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same do pass.

Adopted.

Ward of Woodbury, from the committee on Animal Industry, submitted the following report:

MR. SPEAKER—Your committee on Animal Industry, to whom was referred House File No. 153, a bill for an act to establish a laboratory at the Iowa College of Agriculture and Mechanic Arts to manufacture hog cholera serum and tuberculin and make an appropriation therefor, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same be amended as follows:

By striking out all following the enacting clause and inserting in lieu thereof the following:

The Board of Trustees of the Iowa College of Agriculture and Mechanic Arts is hereby authorized to establish a laboratory for the manufacture of hog cholera serum at the veterinary department of the college.

The professor of veterinary science of the veterinary department of the Iowa College of Agriculture and Mechanic Arts shall be director of said laboratory. He shall employ such assistants as the Board of Trustees may deem necessary. The Board of Trustees shall fix the salaries



of the director and all other parties connected with the manufacture of serum. As soon as practical the Board of Trustees shall be authorized to equip the veterinary department with such necessary appliances as may be required for the manufacture of serum.

Serum shall be furnished, for use within the State of Iowa, upon application made to the director of the laboratory. The price for serum and for service rendered shall be fixed by the director of the laboratory. The expense for serum and for services rendered shall be paid by the applicant to the director of the laboratory or to his authorized agent. The Board of Trustees shall audit the accounts of the director at least once each six (6) months.

Upon the passage and publication of this act there shall be made immediately available an appropriation, out of any money in the state treasury not otherwise appropriated, the sum of twelve thousand (\$12,000) dollars or so much thereof as the Board of Trustees may deem necessary to carry on the work of manufacturing hog cholera serum. The amount above mentioned shall be paid upon the order of the Board of Trustees of said Iowa College of Agriculture and Mechanic Arts.

This act being deemed of immediate importance shall take effect and be in force from and after its publication in the Register and Leader and the Des Moines Daily Capital, newspapers published in Des Moines, Iowa, and when so amended that the bill be referred to committee on appropriations.

J. E. WARD,  
*Chairman.*

Adopted, and House File No. 153 was referred to Committee on Appropriations.

Hackler of Webster, from the Committee on Commerce and Trade, submitted the following report:

MR. SPEAKER—Your committee on Commerce and Trade, to whom was referred House File No. 232, a bill for an act to repeal Section four thousand eleven (4011) of the Code and to enact a substitute therefor, relative to personal earnings, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same do pass.

C. W. HACKLER,  
*Chairman.*

Adopted.

Grier of Poweshiek, from the committee on Banks and Banking, submitted the following report:

MR. SPEAKER—Your committee on Banks and Banking, to whom was referred House File No. 90, a bill for an act to repeal Section thirteen hundred and twenty-two (1322) of the Supplement to the Code, 1907, relating to the taxation of national, state and savings banks and loan and trust companies and to enact a substitute, beg leave to report that they have had the same under consideration and have instructed me to report

the same back to the House with the recommendation that the same be amended as follows: By striking out all after the word "statement" in the tenth line and before the word "shall" in the twelfth line, and when so amended that the bill do pass.

GEO. E. GRIER,  
*Chairman.*

Adopted.

Elliott of Page, from the committee on Suppression of Intemperance, submitted the following report:

MR. SPEAKER—Your committee on Suppression of Intemperance, to whom was referred House File No. 133, a bill for an act to amend Section five thousand and six (5006) of the Code relating to the sale and use of cigarettes, 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. D. ELLIOTT,  
*Chairman.*

Adopted, and House File No. 133 was indefinitely postponed.

Marston of Cerro Gordo, from the committee on Labor, submitted the following report:

MR. SPEAKER—Your committee on Labor, to whom was referred House File No. 132, a bill for an act to amend the law as it appears in Sections 4019 and 4020 of the Code, relating to the preference of debts owing for labor and the filing and allowing of claims therefor, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same be amended as follows:

To amend the title by striking out the word "and" after the figures four thousand nineteen (4019) and inserting after the figures four thousand twenty (4020) and words and figures four thousand twenty-one (4021) and by striking out the word "and" after the word filing and by inserting the word "contesting" after the word allowing; also by adding another Section, Section 3.

SEC. 3. That Section four thousand twenty-one (4021) be amended by striking out the period at the end of said Section and inserting a comma in lieu thereof, and by adding the words "provided that where the claim is filed with a person charged with the property other than the officers above enumerated and a contest is made, that the cause shall be transferred to the district court, and there docketed and determined." And that said Section, when amended, shall read as follows, viz:

Any person interested may contest any claim or part thereof by filing objections thereto, supported by affidavit, with such court, receiver, trustee or assignee, and its validity shall be determined in the same way the validity of other claims are which are sought to be enforced against such property, provided that where the claim is filed with a person charged with the property other than the officers above enumerated and

a contest is made, that the cause shall be transferred to the district court, and there docketed and determined, and when so amended that the bill do pass.

CHAS. L. MARSTON,  
*Chairman.*

Adopted.

Also:

MR. SPEAKER—Your committee on Labor, to whom was referred House File No. 239, a bill for an act to amend Section 2477 of the Supplement to the Code, 1907, relating to compensation and expenses of the Department of Bureau of Labor Statistics, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same do pass.

CHAS. L. MARSTON,  
*Chairman.*

Adopted.

Also:

MR. SPEAKER—Your committee on Labor, to whom was referred House File No. 191, a bill for an act to amend the law as it appears in Section 2477-d, Supplement to the Code, 1907, relating to authority of officers to demand proof of age of children employed and defining what said proof shall be, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same be amended as follows:

To amend the title and Section one (1) to read in each case "Supplement to the Code, 1907" instead of "1907 Supplement to the Code," and when so amended that the bill do pass.

CHAS. L. MARSTON,  
*Chairman.*

Adopted.

Sullivan of Polk, from the committee on Judiciary, submitted the following report:

MR. SPEAKER—Your committee on Judiciary, to whom was referred Senate Substitute for Senate File No. 6, a bill for an act to repeal Sections three hundred one (301), three hundred two (302), three hundred six (306) and three hundred seven (307) of the Code, relating to the duties of the county attorney, and to enact substitutes therefor, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same be amended as follows:

First. By striking out all after the comma after the word "Code" in the third line of the title and substituting the following in lieu thereof: "and to enact a substitute therefor relating to the duties of the county attorney."

Second. Strike out the words "diligently to" in the second line of Section two and insert the words "to diligently" in lieu thereof.

Third. Strike out all of subdivision eleven (11) of Section two.

Fourth. Strike out all of Section three.

Fifth. Strike out the words "in the trial of any cause" as they appear in lines thirty and thirty-one in Section two and inserting the following in lieu thereof: "upon any hearing."

Sixth. That subdivisions twelve and thirteen of Section two be numbered respectively subdivisions eleven and twelve, and when so amended that the bill do pass.

JOHN B. SULLIVAN,

*Chairman.*

Adopted.

Also:

MR. SPEAKER—Your committee on Judiciary, to whom was referred House File No. 12, a bill for an act to define an "absentee" and to provide for the care and management of the estate of such absentee and for the distribution of his or her estate by an administrator or executor, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same be amended as follows:

By striking out all after the enacting clause and substituting therefor the following:

SECTION 1. When any adult resident of this state owning property therein, shall disappear from his usual place of residence and his whereabouts shall be unknown to the members of his family or other persons with whom he resided immediately before his disappearance, for a period of three months, and whose property is liable to become injured, lost or damaged by reason of such absense, and when there is no other provision of law, authorizing supervision and control over such property, any citizen of the county in which the person so disappearing last resided, may file a petition under oath in the district court of said county, setting forth the facts of such disappearance; the place where and with whom he last resided; the kind and value of his property; the necessity for care and supervision over the same; and asking that a guardian be appointed to take charge of, preserve and control such property.

Whereupon, the court or judge shall prescribe a notice to be given such absentee and order the same to be published in a newspaper published in said county, to be designated by the court or judge once each week for four (4) successive weeks. Such notice shall also be served on the county attorney of the county and upon all members of the family of the absentee residing within the county, for the length of time as is required for the service of original notices. Proof of the publication and service of such notice shall be filed with said cause.

SEC. 2. If at the time stated in such notice for hearing, the absentee fails to appear, the court shall hear such petition and the proof offered, and all evidence given at such hearing shall be taken down by the official reporter and a verified transcript thereof filed in said cause, and at every such hearing the county attorney shall be present and represent the interests of the absentee.

SEC. 3. If on such hearing the court is satisfied that the person has disappeared for the length of time herein required and that his whereabouts are unknown to his family or friends and that his property

requires supervision and care, it may appoint some suitable person guardian of the estate of such absentee.

SEC. 4. The person so appointed to act as such guardian shall qualify in the same manner as is required in the case of other guardians, and shall have the same powers and his duties shall be the same as is provided for guardians of the estates of minors, so far as applicable.

SEC. 5. If at any time the absentee shall return and claim his property, he shall file in said court his application to terminate such guardianship and, thereupon, the guardian shall make full and complete settlement with such absentee, and after paying the costs of the proceedings and the necessary expenses of the guardian in executing the trust, shall turn over to such absentee all money and property then in his hands as such guardian, taking receipt therefor, and shall make a final report to the court of his doings as such guardian.

SEC. 6. The estate of such absentee shall be liable for the costs of the proceedings and the necessary expenses incurred by the guardian and allowed by the court.

SEC. 7. Such guardian shall, at all times, be under the control and orders of the court and may at any time be removed for any cause, making it apparent to the court that said guardianship should be terminated or the trust transferred to another person.

SEC. 8. When the final report of such guardian shall have been approved by the court he shall be discharged and the proceedings closed or the trust transferred, as the court may determine, and when so amended that the bill do pass.

JOHN B. SULLIVAN,

*Chairman.*

Adopted.

Also:

MR. SPEAKER—Your committee on Judiciary, to whom was referred Senate File No. 7, a bill for an act to repeal Sections four hundred ninety-nine (499) and five hundred two (502) of the Code, relating to the duties and powers of the sheriff and his deputy and to provide for the payment of certain expenses, and to enact a substitute therefor, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same be amended as follows:

First. By striking out all after the comma after the word "Code" in the second line of the title and inserting the following in lieu thereof: "and to enact a substitute therefor relating to the powers and duties of the sheriff and his deputy."

Second. That the word "who" in the sixth line be stricken out and the word "whom" inserted.

Third. That Section six be stricken out.

Fourth. That Section eight be stricken out.

Fifth. That Section seven be renumbered Section six, and when so amended that the bill do pass.

JOHN B. SULLIVAN,

*Chairman.*

Adopted.

Also:

MR. SPEAKER—Your committee on Judiciary, to whom was referred House File No. 274, a bill for an act to amend the law as it appears in Section four thousand seven hundred seventy-one (4771) of the Code relating to punishment for the crime of assault with intent to inflict great bodily injury, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same do pass.

JOHN B. SULLIVAN,  
*Chairman.*

Adopted.

Also:

MR. SPEAKER—Your committee on Judiciary, to whom was referred House File No. 249, a bill for an act to repeal Section thirty-one hundred eighty-one (3181) of the Supplement to the Code, 1907, relating to the right of divorced persons to remarry within one year, and to enact a substitute therefor, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same be indefinitely postponed.

JOHN B. SULLIVAN,  
*Chairman.*

Adopted, and House File No. 249 was indefinitely postponed.

Also:

MR. SPEAKER—Your committee on Judiciary, to whom was referred House File No. 248, a bill for an act to amend Section five thousand six hundred and fifty-two (5652) of the Code of Iowa, relating to hard labor by persons confined in jails, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same do pass.

JOHN B. SULLIVAN,  
*Chairman.*

Adopted.

#### REPORT OF COMMITTEE ON ENROLLED BILLS.

Klay of Sioux, 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. 170, a bill for an act to amend the law as it appears in Section 716-a of the Supplement to the Code, 1907, fixing the levy for the fire fund in cities of the second class.

Also:

House File No. 179, a bill for an act to repeal Section three hundred fifty-four (354) of the Supplement to the Code, 1907, relating to the fees of jurors, and enacting a substitute therefor.

Also:

House File No. 119, a bill for an act amending the law as it appears in Section seven hundred and forty-six (746) of the Supplement to the

Code, 1907, relating to contracts and expenditures from the water-works sinking fund for purposes incident to the making and submission to the people of contracts for the purchase or erection of water-works.

GERRITT KLAY,  
*Chairman.*

Adopted.

MR. SPEAKER—Your committee on enrolled bills respectfully report that they have this day sent to the governor for his approval, House File No. 170, a bill for an act to amend the law as it appears in Section 716-a of the Supplement to the Code, 1907, fixing the levy for the fire fund in cities of the second class.

Also:

House File No. 179, a bill for an act to repeal Section three hundred fifty-four (354) of the Supplement to the Code, 1907, relating to the fees of jurors, and enacting a substitute therefor.

Also:

House File No. 119, a bill for an act amending the law as it appears in Section seven hundred and forty-six (746) of the Supplement to the Code, 1907, relating to contracts and expenditures from the water-works sinking fund for purposes incident to the making and submission to the people of contracts for the purchase or erection of water-works.

GERRITT KLAY,  
*Chairman.*

#### REPORT OF JOINT COMMITTEE ON ENROLLED BILLS.

Klay of Sioux, 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. 170, a bill for an act to amend the law as it appears in Section 716-a of the Supplement to the Code, 1907, fixing the levy for the fire fund in cities of the second class.

Also:

House File No. 179, a bill for an act to repeal Section three hundred fifty-four (354) of the Supplement to the Code, 1907, relating to the fees of jurors, and enacting a substitute therefor.

Also:

House File No. 119, a bill for an act amending the law as it appears in Section seven hundred and forty-six (746) of the Supplement to the Code, 1907, relating to contracts and expenditures from the water-works sinking fund for purposes incident to the making and submission to the people of contracts for the purchase or erection of water-works.

GERRITT KLAY,  
*Chairman House Committee.*  
HENRY L. ADAMS,  
*Chairman Senate Committee.*

Adopted.

Also:

Klay of Sioux, from the Joint Committee on Enrolled Bills, submitted the following report:

MR. SPEAKER—Your Joint Committee on Enrolled Bills respectfully report that they have examined, and find correctly enrolled, Senate File No. 37, a bill for an act to repeal Section thirteen hundred sixty-six (1366) of the Code and enact a substitute therefor relative to assessment rolls.

Also:

Senate File No. 88, a bill for an act to repeal Section twenty-three hundred forty-one-d (2341-d) of the Supplement to the Code, 1907, and to enact a substitute therefor, relative to the transfer of state certificates for pure-bred stallions.

Also:

Senate File No. 93, a bill for an act to repeal the law as it appears in Section sixteen hundred fifty-seven-q (1657-q) of the Supplement to the Code, 1907, and to enact a substitute therefor relating to the auditing of accounts of the Department of Agriculture.

Also:

Senate File No. 102, a bill for an act to amend the law as it appears in Section three hundred and eight (308) of the Supplement to the Code, 1907, relating to the compensation of county attorneys.

GERRIT KLAY,

*Chairman House Committee.*

HENRY L. ADAMS,

*Chairman Senate Committee.*

Adopted.

#### INTRODUCTION OF BILLS.

By Dawson of Cherokee, House File No. 281, a bill for an act to provide for special tile drainage districts when the land to be drained is owned by fewer than six (6) persons.

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

By Ripley of Hancock, House File No. 282, a bill for an act to amend section thirteen (13) of chapter two (2) of the code, relating to compensation of officers and employees.

Read first and second time and referred to Committee on Compensation of Public Officers.



By Harding of Woodbury, House File No. 283, a bill for an act creating the office of State Fire Marshal and Deputy Fire Marshal, prescribing their duties and providing for their compensation and for the maintenance of the State Fire Marshal's office.

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

By Hickenlooper of Monroe, House File No. 284, a bill for an act to amend the law as it appears in section one thousand one hundred thirty-seven a one (1137-a-1) of the supplement to the code, 1907, relative to expenditure of money by candidates for any office to be voted for at any primary, municipal or general election.

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

Marston of Cerro Gordo, House File No. 285, a bill for an act making an appropriation of two hundred dollars (\$200) to reimburse Company A, fifty-sixth (56th) Infantry, Iowa National Guards, for money paid by it to Robert Mann as damages resulting from the accidental killing by said Company of a horse belonging to said Robert Mann.

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

By Penn of Fremont, House File No. 286, a bill for an act to repeal a part of section twenty-five hundred and eighty-eight (\$2588), title twelve (12), chapter eighteen (18) of the code, relating to registered pharmacists.

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

By Hunter of Polk, House File No. 287, a bill for an act to repeal section four hundred and sixty-nine (469) of the supplement to the Code 1907, and to enact a substitute therefor, relating to the compensation of Board of Supervisors.

Read first and second time and referred to Committee on Compensation of Public Officers.

By Ward of Woodbury, House File No. 288, a bill for an act to amend the law as it appears in section three thousand and forty-one (3041) of the Code, relating to Usury.

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

By Klay of Sioux and Davidson of Palo Alto, House File No. 289, a bill for an act to require telephone companies to construct and maintain suitable physical connections for the transfer of messages and conversations from one line to another and giving cities or towns authority to require such connections to be made and to prescribe the rules under which such transfer of messages shall be made.

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

By Fourt of Allamakee, House File No. 290, a bill for an act amendatory of and additional to chapter fifteen (15), title twelve (XII) of the code and supplement to the code, relative to the care and propagation of fish.

Read first and second time and referred to Committee on Fish and Game.

By Ripley of Hancock (by request), House File No. 291, a bill for an act to amend section four thousand nine hundred and seventy-nine (4979) of the code, relating to offenses against the public health.

Read first and second time and referred to Committee on Public Health.

By Inman of Floyd, House File No. 292, a bill for an act to repeal section two thousand nine hundred forty-two-J (2942-J) of the Supplement to the Code, 1907, relating to certain conveyances of real estate legalized by executors, administrators and guardians in this and foreign states and to enact a substitute therefor.

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

#### MESSAGES FROM THE SENATE.

The following messages were received from the Senate:

MR. SPEAKER—I am directed to inform your honorable body that the Senate has passed the following bill in which the concurrence of the House is asked:

Senate File No. 166, a bill for an act to enable counties to establish and maintain public hospitals, levy a tax and issue bonds therefor, elect hospital trustees, maintain training schools for nurses, provide suitable means for the care of tuberculous persons, and to make possible the ultimate establishment of an adequate supply of hospitals with equal rights to all and special privileges to none.

S. W. NEAL,  
*Secretary.*

Also:

MR. SPEAKER—I am directed to inform your honorable body that the Senate has passed the following bill in which the concurrence of the Senate was asked:

House File No. 60, a bill for an act to repeal Section four hundred and thirty-three (433) of the Supplement to the Code, 1907, relative to the burial of indigent soldiers and sailors, and to enact a substitute therefor.

S. W. NEAL,  
*Secretary.*

Also:

MR. SPEAKER—I am directed to inform your honorable body that the Senate has indefinitely postponed the following bill in which the concurrence of the Senate was asked:

House File No. 100, a bill for an act to amend Section 792 of the Code to provide for the oiling of streets and assessing the cost thereto to abutting property.

S. W. NEAL,  
*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. 197, a bill for an act to grant to certain officers and other employes of the state institutions under the control of the Board of Control of State Institutions, annual vacations with pay and to repeal Section fifty-seven hundred eighteen-a-29 (5718-a-29) and Section fifty-seven hundred eighteen-a-30 (5718-a-30) of the Supplement to the Code, 1907.

S. W. NEAL,  
*Secretary.*

Also:

MR. SPEAKER—I am directed to inform your honorable body that the Senate has concurred in House amendments to Senate File No. 63, a bill for an act making it the duty of all persons operating vessels propelled by machinery to carry lights during certain hours, providing rules of action upon meeting other vessels and fixing penalty for violation.

S. W. NEAL,  
*Secretary.*

Also:

MR. SPEAKER—I am directed to inform your honorable body that the Senate has passed the following bill in which the concurrence of the Senate was asked:

House File No. 161, a bill for an act to amend Sections 2708, 2709 as they appear in Supplement to the Code, 1907, relating to the age at which boys and girls may be committed to the industrial schools.

S. W. NEAL,  
*Secretary.*

#### SENATE MESSAGES CONSIDERED.

Senate File No. 166, a bill for an act to enable counties to establish and maintain public hospitals, levy a tax and issue bonds therefor, elect hospital trustees, maintain training schools for nurses, provide suitable means for the care of tuberculous persons, and to make possible the ultimate establishment of an adequate supply of hospitals with equal rights to all and special privileges to none.

Read first and second time and referred to Committee on Public Health.

Senate File No. 197, a bill for an act to grant to certain officers and other employes of the State Institutions under the control of the Board of Control of State Institutions annual vacation with pay and to repeal section fifty-seven hundred eighteen-a-29 (5718-a-29) and section fifty-seven hundred eighteen-a-30 (5718-a-30) of the Supplement to the Code, 1907.

Read first and second time and referred to Committee on Compensation of Public Officers.

The Speaker announced that as Speaker of the House, in the presence of the House, he had signed House File Nos. 119, 179 and 170.

Brandes of Pottawattamie moved that House File No. 51 be withdrawn from the Committee on Judiciary and the further consideration of the House.

Motion prevailed.

Brandes of Pottawattamie moved that Senate File No. 100 be indefinitely postponed.

Motion prevailed.

#### CONSIDERATION OF BILLS.

On motion of Anderson of Hamilton, House File No. 171, a bill for an act providing for the completion and distribution of the

Roster of Iowa Soldiers, Sailors and Marines, as provided by Chapter 223, Laws of the Thirty-second General Assembly, fixing the number of volumes, and making an additional appropriation therefor, with report of committee recommending passage as amended was taken up and considered.

Moore of Linn in the chair.

Schee of O'Brien proposed the following amendment: "I move to amend the committee's amendment to House File No. 171, in line one of Section 2 by striking out the words 'five thousand,' and inserting the words 'two thousand five hundred' (2,500); also by striking out the words 'five thousand,' and inserting the words 'two thousand five hundred (2,500);' also by striking out after the word 'sheep' in the third line from the bottom of the Committee report on page 380 of the House Journal, the words 'and the other two thousand five hundred (2,500) of the copies shall be filed in the office of the Adjutant General, to be bound as needed.' "

Amendment adopted.

Anderson of Hamilton 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 ayes were:

Allred, Anderson, Arney, Balluff, Bascom, Beans, Beebe, Beery, Boe, Boettger, Bonwell, Boomgaarden, Bowman, Brandes, Burt, Byerly, Calkins, Cassady, Cooper, Corrie, Cousins, Crozier, Crummer, Cunningham, Dabney, Dalby, Darrah, Dawson, Derrough, Dewey, DeWitt, Dodds, Drury, Dye, Elliott, Ellis, Etter, Fenn, Fourt, Fulliam, Fulton, Goodykoontz, Grier, Hackler, Hanson, Harding, Hickenlooper, Huffaker, Hunter, Ide, Inman, Jacobs, Jewell, Johnson, Jones, Kellogg, Kendall, Klay, Koontz, Larrabee, Marston, Miller of Dubuque, Moore of Wapello, Moore of Linn, Newell, O'Connor, Perkins, Reaney, Reitz, Ripley, Sankey, Schee, Schroeder, Schulte, Sheldon, Smith, Stillman, Stoddard, Sullivan, Swan, Tegeler, Thompson, Tilton, Ward, White, Wolfe, Zeller—87.

The nays were:

None.

Absent or not voting:

Bauman, Blackmore, Davidson, Dewell, Felt, Finlayson, Fox, Harvey, Holmes, Kull, Lee, McCleery, McDonald, Meredith, Miller of Bremer, Penn, Ritter, Swift, Welden, Wilson, Mr. Speaker—21.

So the bill passed and the title was agreed to.

On motion of Sullivan of Polk, House File No. 177, a bill for an act to repeal Sections forty-nine hundred seventy-five-d (4975-d), forty-nine hundred seventy-five-g (4975-g), and forty-nine hundred seventy-five-h (4975-h) of the Supplement to the Code, 1907, relating to Bucket-shops and Bucket-shopping, and to enact substitutes therefor, was taken up and considered.

Sullivan of Polk, 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 ayes were:

Allred, Anderson, Arney, Bascom, Bauman, Beans, Beebe, Beery, Boe, Boettger, Bonwell, Boomgaarden, Bowman, Brandes, Burt, Byerly, Calkins, Cassady, Cooper, Corrie, Cousins, Crozier, Crummer, Dabney, Dalby, Darrah, Davidson, Dawson, Dewey, DeWitt, Dodds, Drury, Dye, Elliott, Ellis, Etter, Fenn, Fourt, Fulliam, Fulton, Goodykoontz, Grier, Hackler, Hanson, Hickenlooper, Huf-faker, Hunter, Ide, Jacobs, Jewell, Johnson, Jones, Kellogg, Kendall, Kull, Larrabee, McDonald, Marston, Miller of Dubuque, Moore of Wapello, Moore of Linn, Newell, O'Connor, Penn, Perkins, Reaney, Reitz, Ripley, Ritter, Sankey, Schee, Schroeder, Schulte, Sheldon, Smith, Stillman, Stoddard, Sullivan, Swan, Tegeler, Thompson, Tilton, Ward, White, Wolfe, Zeller, Mr. Speaker—87.

The nays were:

None.

Absent or not voting:

Balluff, Blackmore, Cunningham, Derrrough, Dewell, Felt, Finlayson, Fox, Harding, Harvey, Holmes, Inman, Klay, Koontz, Lee, McCleery, Meredith, Miller of Bremer, Swift, Welden, Wilson—21.

So the bill passed and the title was agreed to.

On motion of Brandes of Pottawattamie, House File No. 73, a bill for an act to repeal Section Eleven Hundred and Seventy-

seven (1177) of the Code relating to the commencement of term and qualification of public officers and to enact a substitute therefor with report of committee recommending passage as amended was taken up, considered and committee amendments adopted.

Brandes of Pottawattamie 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?"

Speaker Feely in the chair.

The ayes were:

Allred, Anderson, Arney, Balluff, Bascom, Bauman, Beans, Beebe, Beery, Boe, Boettger, Bonwell, Boomgaarden, Bowman, Brandes, Burt, Byerly, Calkins, Cassady, Cooper, Corrie, Cousins, Crozier, Crummer, Cunningham, Dabney, Dalby, Darrah, Davidson, Dawson, Dewey, DeWitt, Dodds, Drury, Dye, Elliott, Ellis, Etter, Fenn, Fourt, Fulliam, Fulton, Goodykoontz, Grier, Hackler, Hanson, Harding, Hickenlooper, Huffaker, Hunter, Inman, Jacobs, Jewell, Johnson, Jones, Kellogg, Kendall, Klay, Koontz, Kull, Larrabee, McDonald, Marston, Miller of Bremer, Miller of Dubuque, Moore of Wapello, Newell, O'Connor, Perkins, Reaney, Reitz, Ripley, Ritter, Sankey, Schee, Schroeder, Schulte, Smith, Stillman, Stoddard, Swan, Tegeler, Thompson, Tilton, Ward, White, Wolfe, Zeller, Mr. Speaker—89.

The naves were:

None.

Absent or not voting:

Blackmore, Derrough, Dewell, Felt, Finlayson, Fox, Harvey, Holmes, Ide, Lee, McCleery, Meredith, Moore of Linn, Penn, Sheldon, Sullivan, Swift, Welden, Wilson—19.

So the bill passed and the title was agreed to.

On motion of Byerly of Jones, Senate File No. 121, a bill for an act to legalize certain ordinances of the town of Oxford Junction, Jones County, Iowa, was taken up and considered.

Moore of Linn moved that the bill be indefinitely postponed.

Motion lost.

Byerly of Jones moved that the rule be suspended, that the bill be read a third time now, which motion prevailed, and the bill was read a third time.

On the question, "Shall the bill pass?"

The ayes were:

Allred, Anderson, Balluff, Bauman, Beans, Beebe, Beery, Boe, Boettger, Bonwell, Boomgaarden, Bowman, Brandes, Burt, Byerly, Calkins, Cassady, Cooper, Corrie, Cousins, Crozier, Crummer, Dabney, Dalby, Darrah, Davidson, Dawson, Dewey, DeWitt, Dodds, Drury, Dye, Ellis, Etter, Fenn, Fourt, Fulliam, Fulton, Goodykoontz, Hanson, Harding, Hickenlooper, Huffaker, Hunter, Ide, Jacobs, Jewell, Jones, Kellogg, Kendall, Koontz, Kull, Larrabee, McDonald, Marston, Miller of Dubuque, Moore of Wapello, Moore of Linn, Newell, O'Connor, Penn, Perkins, Reaney, Reitz, Ripley, Ritter, Sankey, Schroeder, Schulte, Smith, Stillman, Stoddard, Sullivan, Swan, Tegeler, Thompson, Tilton, Ward, White, Wolfe, Mr. Speaker—81.

The nays were:

Arney, Bascom, Elliott, Grier, Hackler, Inman—6.

Absent or not voting:

Blackmore, Cunningham, Derrough, Dewell, Felt, Finlayson, Fox, Harvey, Holmes, Johnson, Klay, Lee, McCleery, Meredith, Miller of Bremer, Schee, Sheldon, Swift, Welden, Wilson, Zeller—21.

So the bill passed and the title was agreed to.

On motion of Stillman of Greene, House File No. 218, a bill for an act to amend Section Seven Hundred Thirty-two (732), Supplement to the Code, 1907, relative to the levying of taxes for public libraries was taken up and considered.

Stillman of Greene 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 ayes were:

Allred, Arney, Balluff, Bascom, Bauman, Beans, Beebe, Beery, Boe, Boettger, Bonwell, Boomgaarden, Bowman, Brandes, Burt, Byerly, Calkins, Cassady, Corrie, Cousins, Crozier, Crummer, Cun-



ningham, Dabney, Dalby, Darrah, Davidson, Dawson, Derrough, Dewey, DeWitt, Dodds, Drury, Dye, Elliott, Ellis, Etter, Fenn, Fourt, Fulliam, Fulton, Goodykoontz, Hackler, Hanson, Harding, Hickenlooper, Huffaker, Hunter, Ide, Inman, Jacobs, Jewell, Jones, Kellogg, Kendall, Koontz, Kull, Larrabee, McDonald, Marston, Miller of Bremer, Miller of Dubuque, Moore of Wapello, Moore of Linn, Newell, O'Connor, Penn, Perkins, Reaney, Reitz, Ripley, Ritter, Sankey, Schee, Schulte, Smith, Stillman, Stoddard, Sullivan, Tegeler, Thompson, Tilton, Ward, White, Wolfe, Zeller, Mr. Speaker—87.

The nays were:

None.

Absent or not voting:

Anderson, Blackmore, Cooper, Dewell, Felt, Finlayson, Fox, Grier, Harvey, Holmes, Johnson, Klay, Lee, McCleery, Meredith, Schroeder, Sheldon, Swan, Swift, Welden, Wilson—21.

So the bill passed and the title was agreed to.

Hackler of Webster moved that House File No. 2, be made a special order for Tuesday, February 23, at 10:00 o'clock.

Motion prevailed.

Beery of Henry moved that House File No. 71, be made a special order for Wednesday, February 24, at 10:30 o'clock.

Motion prevailed.

The Speaker announced as Speaker of the House, in the presence of the House, he had signed Senate File Nos. 102, 37, 88, and 93.

Schee of O'Brien called up his motion to amend Rule No. 25 and it was referred to the Committee on Rules.

Corrie of Ida moved that the House adjourn until 10:00 o'clock A. M., Monday.

Kellogg proposed to amend by making the time 10:00 o'clock A. M. Tuesday.

Amendment lost.

Drury of Sac proposed to amend by making the time 9:00 o'clock A. M., Monday.

Amendment adopted.

Motion to adjourn as amended prevailed.

# JOURNAL OF THE HOUSE

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HALL OF THE HOUSE OF REPRESENTATIVES,  
DES MOINES, IOWA, FEBRUARY 22, A. D. 1909.

House met pursuant to adjournment.

Speaker Feely in the Chair.

Prayer was offered by the Rev. C. A. McCoy of Seattle, Washington.

Journal of Saturday, February 20th, corrected and approved.

On request of Kendall of Clinton, leave of absence was granted Swift of Shelby until Tuesday.

On request of Tilton of Iowa, leave of absence was granted Derrough of Warren until Tuesday.

On request of Elliott of Page, leave of absence was granted Holmes of Kossuth until Tuesday.

On request of Ritter of Des Moines, leave of absence was granted Koontz of Johnson until Tuesday.

On request of Goodykoontz of Boone, leave of absence was granted Swan of Appanoose until Tuesday.

On request of Sheldon of Ringgold, leave of absence was granted Moore of Linn until Tuesday.

On request of Goodykoontz of Boone, leave of absence was granted Hunter of Polk until Tuesday.

On request of Fourt of Allamakee, leave of absence was granted Cousins of Butler until Tuesday.

On request of Miller of Dubuque, leave of absence was granted Crozier of Marion until Wednesday.

On request of Beery of Henry, leave of absence was granted Grier of Poweshiek until Tuesday.

## PETITIONS, MEMORIALS AND REMONSTRANCES.

Reitz of Lee, presented remonstrance of citizens of Lee County, protesting against the passage of the School Bill.

Referred to Committee on Schools and Text Books.

Bowman of Linn presented petition of citizens of Linn County, relative to the Woman's Suffrage Bill.

Referred to Committee on Woman's Suffrage.

Bowman of Linn, presented petition of citizens of Linn County, relative to House File No. 279.

Referred to Committee on Public Health.

Sankey of Decatur presented petition of residents of Decatur County, relative to county printing.

Referred to Committee on County and Township Organization.

Boettger of Scott presented remonstrance of Woman's International Union Label League of Davenport, Iowa, protesting against the passage of House File No. 232 and Senate File No. 202, relating to exemptions of personal earnings.

Referred to Committee on Commerce and Trade.

Dewey of Guthrie presented remonstrance of members of Modern Woodmen of America, protesting against the passage of the Minimum Rate Law.

Referred to Committee on Insurance.

Bonwell of Audubon presented petition of citizens of Audubon County, relative to House File No. 169, referring to breach of the Sabbath.

Referred to Committee on Judiciary.

Burt of Taylor presented petition of residents of Taylor County, relative to the prohibitory amendment.

Referred to Committee on Suppression of Intemperance.

O'Connor of Chickasaw presented petition of residents of Chickasaw County, relative to House File No. 169, referring to breach of Sabbath.

Referred to Committee on Judiciary.

Johnson of Mitchell presented petitions of residents of Mitchell County, relative to House File No. 169, referring to breach of Sabbath.

Referred to Committee on Judiciary.

Larrabee of Fayette presented petition of citizens of Fayette County, relative to House File No. 169, referring to breach of the Sabbath.

Referred to Committee on Judiciary.

Felt of Clay presented petition of citizens of Clay County, relative to the prohibitory amendment.

Referred to Committee on Suppression of Intemperance.

Thompson of Benton presented petition of citizens of Shellsburg, Iowa, relative to House File No. 279.

Referred to Committee on Public Health.

Perkins of Delaware presented remonstrance of citizens of Delaware County, protesting against the passage of the School Bill.

Referred to Committee on Schools and Text Books.

Tegeler of Dubuque presented remonstrance of citizens of Delaware County, protesting against the passage of the School Bill.

Referred to Committee on Schools and Text Books.

Ripley of Hancock presented remonstrance of citizens of Hancock County, protesting against the passage of the School Bill.

Referred to Committee on Schools and Text Books.

Welden of Hardin presented petition of citizens of Hardin County, relative to House File No. 153, providing for the establishment of a laboratory for the manufacture of hog cholera serum and tuberculin in connection with the State Agricultural College.

Referred to Committee on Animal Industry.

White of Story presented petition of citizens of Story County, relative to House File No. 169, referring to breach of the Sabbath.

Referred to Committee on Judiciary.

White of Story presented petition of merchants and taxpayers of Story County, relative to House File No. 232, referring to exemptions.

Referred to Committee on Commerce and Trade.

Inman of Floyd presented remonstrance of Modern Woodmen of America of Nora Springs, protesting against the passage of the Minimum Rate Law.

Referred to Committee on Insurance.

Fox of Dallas presented petition of citizens of Dallas County, relative to House File No. 169, referring to breach of the Sabbath.

Referred to Committee on Judiciary.

Dodds of Des Moines presented petition of citizens of Des Moines County, relative to House File No. 169, referring to breach of the Sabbath.

Referred to Committee on Judiciary.

Sheldon of Ringgold presented petition of residents of Ringgold County, relative to the prohibitory amendment.

Referred to Committee on Suppression of Intemperance.

Dalby of Adair presented remonstrance of residents of Adair County, protesting against the passage of the School Bill.

Referred to Committee on Schools and Text Books.

#### REPORTS OF COMMITTEES.

Ward of Woodbury, from the Committee on Animal Industry, submitted the following report:

MR. SPEAKER—Your committee on Animal Industry, to whom was referred House File No. 207, a bill for an act to encourage the dairy industry of the state, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same be referred to Committee on Appropriations.

G. E. WARD,  
*Chairman.*

Adopted, and House File 207, was referred to Committee on Appropriations.

Sullivan of Polk, from the Committee on Judiciary, submitted the following report:

MR. SPEAKER—Your committee on Judiciary, to whom was referred House File No. 243, a bill for an act legalizing ordinances numbers thirty-

eight and thirty-nine establishing grades of streets and sidewalks in the incorporated town of Deep River, Poweshiek County, Iowa, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same be amended as follows: By inserting after the word "law" in the last line of Section one (1) the words "provided, however, that the passage of this act shall in no manner affect pending litigation," and when so amended that the bill do pass.

JOHN B. SULLIVAN,  
*Chairman.*

Adopted.

Also:

MR. SPEAKER—Your committee on Judiciary, to whom was referred House File No. 261, a bill for an act to legalize the special election held in the city of New Hampton, Iowa, on the 5th day of February, 1907, wherein there was submitted to the voters of said city the question of issuing bonds in the sum of eighteen thousand dollars (\$18,000.00) for the purpose of erecting a combined water-works, electric light and power plant and water-tower and tank, and to validate and legalize the bonds issued in pursuance of said 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 amended as follows: By inserting after the word "election" in the last line of Section one (1) the words "provided, however, that the passage of this act shall in no manner affect pending litigation," and when so amended that the bill do pass.

JOHN B. SULLIVAN,  
*Chairman.*

Adopted.

Also:

MR. SPEAKER—Your committee on Judiciary, to whom was referred Senate File No. 182, a bill for an act for the relief of the grantees of Joel J. Bradshaw, and for the purpose of having a patent issued in the name of W. F. Werner for a certain tract of land, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same do pass.

JOHN B. SULLIVAN,  
*Chairman.*

Adopted.

Also:

MR. SPEAKER—Your committee on Judiciary, to whom was referred House File No. 136, a bill for an act to protect benevolent, humane, fraternal or charitable corporations in the use of their names and emblems, and providing penalties for the violation thereof, 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.

JOHN B. SULLIVAN,  
*Chairman.*

Adopted, and House File No. 136 was indefinitely postponed.

Also:

MR. SPEAKER—Your committee on Judiciary, to whom was referred House File No. 44, a bill for an act to provide that any fiduciary required by law to give a bond may include the expense thereof as part of the lawful expense of executing his trust, etc., beg leave to report that they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same be amended as follows: By striking out all after the enacting clause and inserting the following:

SECTION 1. That any and all fiduciaries required by law or the order of a court or judge to give bond, or other obligation, may include as a part of the lawful expense of executing his trust such reasonable sum paid to any company authorized under the laws of this state to do business in the state for becoming his surety on such bond, and all expenses so incurred when approved by the court shall be taxed as a part of the costs in the case, and when so amended that the bill do pass.

JOHN B. SULLIVAN,  
*Chairman.*

Adopted.

Also:

MR. SPEAKER—Your committee on Judiciary, to whom was referred House File No. 268, a bill for an act defining and regulating the business of real estate agents, fixing rate of commission and providing a lien therefor, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same be indefinitely postponed.

JOHN B. SULLIVAN,  
*Chairman.*

Adopted, and House File No. 268 was indefinitely postponed.

Elliott of Page, from the Committee on Suppression of Intemperance, submitted the following report:

MR. SPEAKER—Your committee on Suppression of Intemperance, to whom was referred House File No. 209, a bill for an act to amend the law as it appears in subdivision nine (9) of Section twenty-four hundred forty-eight (2448) of the Supplement to the Code, 1907, relating to the time in which intoxicating liquors may be sold, 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. D. ELLIOTT,  
*Chairman.*

Adopted, and House File No. 209 was indefinitely postponed.

#### INTRODUCTION OF BILLS.

By Goodykoontz of Boone, House File No. 293, a bill for an act concerning railroads and to protect the lives of their employees and the traveling public and providing penalties for violation thereof.

Read first and second time and referred to Committee on Railroads and Transportation.

By Ward of Woodbury, House File No. 294, a bill for an act to amend the law as it appears in Section Three Thousand Forty-seven (3047) of the Supplement to the Code, 1907, relating to the assignment of open accounts.

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

By Corrie of Ida, House File No. 295, a bill for an act amending sub-division Twenty-nine (29) of Section Two Hundred Ninety-six (296) of the Supplement to the Code, relative to fees in probate matters to be collected by the Clerk of the District Court.

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

By Arney of Marshall, House File No. 296, a bill for an act to repeal Sections Twenty-five Hundred and Sixty-three-a (2563-a) Twenty-five Hundred and Sixty-three-b (2563-b) Twenty-five Hundred and Sixty-three-c (2563-c), Twenty-five Hundred Sixty-three-d (2563-d), Twenty-five Hundred Sixty-three-e (2563-e), Twenty-five Hundred Sixty-three-f (2563-f), Twenty-five Hundred Sixty-three-g (2563-g), Twenty-five Hundred Sixty-three-h (2563-h), of the Supplement to the Code, 1907, and to enact in lieu thereof the following, relating to protection of game.

Read first and second time and referred to Committee on Fish and Game.



By Jones of Lee, House File No. 297, a bill for an act to provide for the procuring of oil portraits of the present and future governors of Iowa and photographs of the present and future members of the General Assemblies of the State of Iowa, to be placed in the art galleries of the Historical Department.

Read first and second time and referred to Committee on Public Library.

By Burt of Taylor, House File No. 298, a bill for an act to amend the law as it appears in Section One Thousand Three Hundred Eleven (1311) of the Code, relating to the deducting of debts from moneys and credits.

Read first and second time and referred to Committee on Ways and Means.

By Moore of Wapello, House File No. 299, a bill for an act prohibiting the wearing of the uniform of the United States Army or Navy or National Guard, and providing a penalty for the violation thereof.

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

By Beery of Henry, House File No. 300, a bill for an act to amend Section Fifteen Hundred and Nine (1509) of the Code and Section Fifteen Hundred and Thirty-two-a (1532-a), Supplement to the Code, 1907, relative to the power and duties of the Trustees, Board of Regents and Board of Control, in regard to roads and highways in and around lands owned by the state.

Read first and second time and referred to Committee on Roads and Highways.

By Beery of Henry, House File No. 301, a bill for an act to amend Section Four Hundred and Fifty-eight-c (458-c) of the Supplement to the Code, 1907, relative to injuries of domestic animals by dogs and wolves.

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

By Ritter of Des Moines, House File No. 302, a bill for an act for the protection, preservation, propagation, taking, use and transportation of fish and game, and game and certain harmless birds and

animals and to repeal all acts or parts of acts heretofore passed inconsistent with or contrary to the provisions hereof.

Read first and second time and referred to Committee on Fish and Game.

Sankey of Decatur, offered the following resolution and moved that the rule be suspended and the resolution adopted.

WHEREAS, The Hon. William S. Warnock, a prominent and useful citizen of Decatur County, Iowa, and an honored and honorable member of the Seventeenth General Assembly for Decatur County, departed this life at his home near Davis City, Iowa, on the 23rd day of January, 1907, therefore be it

*Resolved*, That a committee of three be appointed by the Speaker to prepare and present to this House resolutions commemorative of his life, character and public service.

Motion prevailed, and the resolution was adopted.

The Speaker named as such committee: Sankey of Decatur, Allred of Wayne and Fenn of Clarke.

Dodds of Des Moines, chairman of the committee appointed to draft resolutions respecting the life and public service of Hon. Wm. Harper, presented the report of that committee and moved its adoption.

Motion prevailed, and the resolutions were adopted and ordered printed in the Journal.

Beebe of Franklin, chairman of the committee appointed to draft resolutions respecting the life and public service of Hon. John H. King, presented the report of that committee and moved its adoption.

Motion prevailed, the resolutions were adopted and ordered printed in the Journal.

Stillman of Greene in the Chair.

#### CONSIDERATION OF BILLS.

On motion of Meredith of Cass, Senate File No. 75, a bill for an act to repeal Sections Sixteen (16), Seventeen (17), and Twenty (20) of the Acts of the Extra Session of the Twenty-sixth General Assembly as the same appears on Page Four (4) of the Prefix to the Code, and enact substitutes therefor; to repeal Sections

Eighteen (18) and Nineteen (19) of Chapter Twenty (20) of the Acts of the Extra Session of the Twenty-sixth General Assembly, as amended by Chapter One (1), of the Acts of the Thirty-first General Assembly, and as same appear on Page Five (5) of the Prefix to the Supplement to the Code, 1907, and enact substitutes therefor; and to repeal Sections Forty-two (42), Forty-three (43), Forty-four (44), Forty-five (45), and Forty-six (46), of the Code, and enact substitutes therefor, relating to the distribution and sale of, and the accounting for, the Codes and Session Laws, was taken up and considered.

Harding of Woodbury proposed the following amendment:

I move to amend Section One of the printed bill by striking out the comma after the word "University" in the eighth line thereof, and inserting the following: "for exchange purposes with the law libraries of other state and territorial universities or colleges, fifty copies; to."

Amendment adopted.

Harding of Woodbury proposed to amend Section Six of the printed bill by striking out the comma after the word "University" in the fourth line thereof, and inserting the following: "for exchange purposes with the law libraries of other state and territorial universities or colleges, fifty copies; to."

Amendment adopted.

Meredith of Cass proposed the following amendment:

Amend by striking from the last line of Section 11 the figures "1907"; by changing the period after the word "Code" in the same line to a comma, and by adding thereafter the figures "1907."

Amendment adopted.

Meredith of Cass moved that the rule be suspended, that the bill be read a third time now, which motion prevailed. and the bill was read a third time.

On the question, "Shall the bill pass?"

The ayes were:

Allred, Anderson, Arney, Balluff, Bascom, Bauman, Beans, Beebe, Beery, Blackmore, Boettger, Bonwell, Boomgaarden, Bowman, Brandes, Burt, Byerly, Calkins, Cassady, Cooper, Corrie, Crummer,

Dabney, Dalby, Darrah, Davidson, Dawson, Dewey, DeWitt, Dodds, Drury, Dye, Elliott, Ellis, Etter, Felt, Fenn, Fourt, Fox, Fulliam, Fulton, Goodykoontz, Hackler, Hanson, Harding, Harvey, Hick-enlooper, Huffaker, Ide, Inman, Jacobs, Jewell, Johnson, Jones, Kellogg, Kendall, Kull, Larrabee, McDonald, Marston, Meredith, Miller of Dubuque, Moore of Wapello, Newell, O'Connor, Penn, Perkins, Reaney, Reitz, Ripley, Ritter, Sankey, Schroeder, Schulte, Sheldon, Smith, Stillman, Stoddard, Sullivan, Tegeler, Thompson, Tilton, Welden, White, Wolfe, Zeller, Mr. Speaker—87.

The nays were :

None.

Absent or not voting :

Boe, Cousins, Crozier, Cunningham, Derrough, Dewell, Finlayson, Grier, Holmes, Hunter, Klay, Koontz, Lee, McCleery, Miller of Bremer, Moore of Linn, Schee, Swan, Swift, Ward, Wilson—21.

So the bill passed and the title was agreed to.

On motion of Davidson of Palo Alto, House File No. 219, a bill for an act to repeal the law as it appears in Section Five Hundred Sixty-five (565) of the Code, and to enact a substitute therefor, with regard to election of township assessors in certain townships, was taken up and considered.

Davidson of Palo Alto 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 ayes were :

Allred, Anderson, Balluff, Bascom, Bauman, Beans, Beebe, Blackmore, Boettger, Bonwell, Boomgaarden, Bowman, Brandes, Burt, Byerly, Calkins, Cassady, Cooper, Corrie, Crummer, Dabney, Dalby, Darrah, Davidson, Dawson, Dewey, DeWitt, Dodds, Drury, Dye, Elliott, Ellis, Etter, Felt, Fenn, Fourt, Fox, Fulliam, Fulton, Goodykoontz, Hackler, Hanson, Harding, Harvey, Hick-enlooper, Huffaker, Ide, Inman, Jacobs, Jewell, Johnson, Jones, Kellogg, Kull, Larrabee, McDonald, Marston, Meredith, Miller of Dubuque, Moore of Wapello, Newell, O'Connor, Penn, Perkins, Reaney, Reitz, Ripley, Ritter, Sankey, Schee, Schroeder, Sheldon,

Smith, Stillman, Stoddard, Sullivan, Tegeler, Thompson, Tilton, Welden, Wolfe, Mr. Speaker—82.

The nays were:

None.

Absent or not voting:

Arney, Beery, Boe, Cousins, Crozier, Cunningham, Derrough, Dewell, Finlayson, Grier, Holmes, Hunter, Kendall, Klay, Koontz, Lee, McCleery, Miller of Bremer, Moore of Linn, Schulte, Swan, Swift, Ward, White, Wilson, Zeller—26.

So the bill passed and the title was agreed to.

On motion of Sullivan of Polk, House File No. 158, a bill for an act to amend Section Three Thousand One Hundred Thirty-eight (3138) of the Supplement to the Code, 1907, relating to the lien and liability of hotel and inn keepers, with report of committee recommending passage as amended by substitute, was taken up, considered, and the substitute amendment adopted.

Sullivan of Polk 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 ayes were:

Allred, Anderson, Arney, Balluff, Bascom, Bauman, Beans, Beebe, Blackmore, Boettger, Bonwell, Boomgaarden, Bowman, Brandes, Burt, Byerly, Calkins, Cassady, Cooper, Corrie, Crummer, Cunningham, Dabney, Dalby, Darrah, Davidson, Dawson, Dewey, DeWitt, Dodds, Drury, Dye, Elliott, Etter, Fenn, Fox, Fulliam, Fulton, Goodykoontz, Hackler, Hanson, Harding, Harvey, Hickenlooper, Huffaker, Ide, Inman, Jacobs, Jewell, Johnson, Jones, Kellogg, Kull, Larrabee, McDonald, Marston, Meredith, Miller of Dubuque, Moore of Wapello, Newell, O'Connor, Penn, Perkins, Reaney, Reitz, Ripley, Ritter, Sankey, Schee, Schroeder, Schulte, Sheldon, Smith, Stillman, Sullivan, Tegeler, Thompson, Tilton, Ward, Welden, White, Wolfe, Zeller, Mr. Speaker—84.

The nays were:

None.

Absent or not voting:

Beery, Boe, Cousins, Crozier, Derrough, Dewell, Ellis, Felt, Finlayson, Fourt, Grier, Holmes, Hunter, Kendall, Klay, Koontz, Lee, McCleery, Miller of Bremer, Moore of Linn, Stoddard, Swan, Swift, Wilson—24.

So the bill passed and the title was agreed to.

On motion of DeWitt of Montgomery, House File No. 134, a bill for an act to amend Section Fifteen Hundred Sixty-one (1561) of the Code of Iowa, 1897, relating to the erection of guide posts; with report of committee recommending passage as amended, was taken up and considered.

DeWitt of Montgomery 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 ayes were :

Allred, Anderson, Arney, Balluff, Bascom, Beans, Beebe, Blackmore, Boettger, Bonwell, Boomgaarden, Bowman, Brandes, Burt, Byerly, Calkins, Cassady, Cooper, Corrie, Crummer, Cunningham, Dalby, Darrah, Dawson, Dewey, DeWitt, Dodds, Drury, Dye, Elliott, Felt, Fenn, Fourt, Fox, Goodykoontz, Hackler, Hanson, Harding, Harvey, Hickenlooper, Huffaker, Ide, Inman, Jacobs, Jewell, Johnson, Jones, Kellogg, Kendall, Larrabee, Marston, Meredith, Miller of Dubuque, Moore of Wapello, Newell, O'Connor, Penn, Perkins, Reaney, Ripley, Ritter, Schee, Schroeder, Schulte, Sheldon, Smith, Stillman, Stoddard, Sullivan, Tegeler, Thompson, Tilton, Ward, Welden, White, Zeller, Mr. Speaker—77.

The nays were :

Dabney, Etter, Fulliam, Fulton, Kull, McDonald, Wolfe—7.

Absent or not voting :

Bauman, Beery, Boe, Cousins, Crozier, Davidson, Derrough, Dewell, Ellis, Finlayson, Grier, Holmes, Hunter, Klay, Koontz, Lee, McCleery, Miller of Bremer, Moore of Linn, Reitz, Sankey, Swan, Swift, Wilson—24.

So the bill passed and the title was agreed to.

On motion of Meredith of Cass, Senate File No. 119, a bill for an act to amend Sections Fifteen Hundred and Seventy-one-b

(1571-b), Fifteen Hundred and Seventy-one-c (1571-c), Fifteen Hundred and Seventy-one-e (1571-e) and Fifteen Hundred and Seventy-one-f (1571-f) of the Supplement to the Code, 1907, in reference to motor vehicles, was taken up and considered.

Meredith of Cass moved that the rule be suspended, that the bill be read a third time now, which motion prevailed, and the bill was read a third time.

On the question, "Shall the bill pass?"

The ayes were:

Allred, Anderson, Arney, Balluff, Bascom, Bauman, Beans, Beebe, Blackmore, Boettger, Bonwell, Boomgaarden, Bowman, Brandes, Burt, Byerly, Calkins, Cassady, Cooper, Corrie, Cunningham, Dabney, Dalby, Darrah, Davidson, Dawson, Dewey, DeWitt, Dodds, Drury, Dye, Elliott, Ellis, Etter, Felt, Fenn, Fourt, Fox, Fulliam, Goodykoontz, Hackler, Hanson, Harding, Harvey, Hickenlooper, Huffaker, Ide, Inman, Jacobs, Jewell, Johnson, Jones, Kellogg, Kendall, Kull, Larrabee, McDonald, Meredith, Miller of Dubuque, Moore of Wapello, Newell, O'Connor, Penn, Perkins, Reaney, Reitz, Ripley, Sankey, Schee, Schulte, Sheldon, Smith, Stillman, Stoddard, Sullivan, Tegeler, Thompson, Tilton, Ward, Welden, White, Wolfe, Mr Speaker—83.

The nays were:

Crummer, Zeller—2.

Absent or not voting:

Beery, Boe, Cousins, Crozier, Derrough, Dewell, Finlayson, Fulton, Grier, Holmes, Hunter, Klay, Koontz, Lee, McCleery, Marston, Miller of Bremer, Moore of Linn, Ritter, Schroeder, Swan, Swift, Wilson—23.

So the bill passed and the title was agreed to.

On motion of Balluff of Scott, Senate File No. 129, a bill for an act to amend Section Nine Hundred and Ninety-five (995) of the Code, relating to powers and duties of commissioners in cities of special charter, was taken up and considered.

Balluff of Scott moved that the rule be suspended, that the bill be read a third time now, which motion prevailed, and the bill was read a third time.

On the question, "Shall the bill pass?"

The ayes were:

Allred, Anderson, Arney, Balluff, Bascom, Bauman, Beans, Beebe, Blackmore, Boettger, Bonwell, Boomgaarden, Bowman, Brandes, Burt, Byerly, Calkins, Cassady, Cooper, Corrie, Crummer, Dabney, Dalby, Davidson, Dawson, DeWitt, Dodds, Dye, Elliott, Ellis, Etter, Felt, Fenn, Fourt, Fox, Fulliam, Fulton, Goodykoontz, Hackler, Hanson, Harding, Harvey, Hickenlooper, Huffaker, Ide, Inman, Jacobs, Jewell, Johnson, Jones, Kellogg, Kendall, Kull, Larrabee, McDonald, Marston, Meredith, Miller of Dubuque, Moore of Wapello, Newell, O'Connor, Penn, Perkins, Reaney, Reitz, Ripley, Ritter, Sankey, Schee, Schroeder, Schulte, Sheldon, Smith, Stillman, Stoddard, Sullivan, Tegeler, Thompson, Tilton, Ward, Weldon, White, Wolfe, Zeller—84.

The nays were:

None.

Absent or not voting:

Beery, Boe, Cousins, Crozier, Cunningham, Darrah, Derrough, Dewell, Dewey, Drury, Finlayson, Grier, Holmes, Hunter, Klay, Koontz, Lee, McCleery, Miller of Bremer, Moore of Linn, Swan, Swift, Wilson, Mr. Speaker—24.

So the bill passed and the title was agreed to.

On motion of Bascom of Dickinson, Senate File No. 162, a bill for an act amending the law as it appears in Section Thirteen Hundred Sixty-one (1361) of the Supplement to the Code, 1907, and Section Thirteen Hundred Fifty-four (1354) and Section Thirteen Hundred Fifty-five (1355) of the Code, relating to the making of affidavit in assessment of property, with report of committee recommending passage as amended, was taken up and considered, and the amendment adopted.

Speaker Feely in the Chair.

Bascom of Dickinson moved that the rule be suspended, that the bill be read a third time now, which motion prevailed, and the bill was read a third time.

On the question, "Shall the bill pass?"

The ayes were:



Allred, Anderson, Arney, Balluff, Bascom, Bauman, Beans, Beebe, Beery, Blackmore, Boettger, Bonwell, Boomgaarden, Bowman, Brandes, Burt, Byerly, Cassady, Cooper, Corrie, Crummer, Cunningham, Dabney, Dalby, Darrah, Davidson, Dawson, Dewey, DeWitt, Dodds, Dye, Elliott, Etter, Felt, Fenn, Fourt, Fox, Fulliam, Fulton, Goodykoontz, Hackler, Hanson, Harding, Harvey, Hickenlooper, Huffaker, Ide, Inman, Jacobs, Jewell, Johnston, Jones, Kellogg, Kendall, Kull, Larrabee, McDonald, Marston, Meredith, Miller of Dubuque, Moore of Wapello, Newell, O'Connor, Penn, Perkins, Reaney, Reitz, Ripley, Ritter, Sankey, Schroeder, Schulte, Sheldon, Smith, Stillman, Stoddard, Sullivan, Tegeler, Thompson, Tilton, Ward, Welden, White, Wolfe, Zeller, Mr. Speaker—86.

The ayes were:

Calkins—1.

Absent or not voting:

Boe, Cousins, Crozier, Derrough, Dewell, Drury, Ellis, Finlayson, Grier, Holmes, Hunter, Klay, Koontz, Lee, McCleery, Miller of Bremer, Moore of Linn, Schee, Swan, Swift, Wilson—21.

So the bill passed and the title was agreed to.

Meredith of Cass moved that House File No. 140, be recalled from the Senate.

Motion prevailed.

O'Connor of Chickasaw moved that House File No. 151 be withdrawn from the Judiciary Committee, and the further consideration of the House.

Motion prevailed.

O'Connor of Chickasaw moved that House File No. 190, be made a Special Order for Tuesday, February 23d, at 11:15 o'clock A. M.

Motion prevailed.

White of Story moved that House File No. 204 be withdrawn from the Judiciary Committee and the further consideration of the House.

Motion prevailed.

On motion of Dalby of Adair, the House adjourned until 9:00 o'clock, A. M., Tuesday.

# JOURNAL OF THE HOUSE

HALL OF THE HOUSE OF REPRESENTATIVES,  
DES MOINES, IOWA, FEBRUARY 23, A. D. 1909.

House met pursuant to adjournment.

Speaker Feely in the Chair.

Prayer was offered by the Rev. Finis S. Idleman of Des Moines, Iowa.

Journal of Monday, February 22d, corrected and approved.

## PETITIONS, MEMORIALS AND REMONSTRANCES.

Balluff of Scott presented petition of Electric Railway Employees of America, relative to Senate File No. 212.

Referred to Committee on Railroads and Transportation.

Stoddard of Buchanan presented petition of citizens of Buchanan County, relative to House File No. 169, referring to breach of the Sabbath.

Referred to Committee on Judiciary.

Sheldon of Ringgold presented petition of citizens of Ringgold County, relative to the revision of House File No. 88.

Referred to Committee on Railroads and Transportation.

Thompson of Benton presented petition of citizens of Benton County, relative to the prohibitory amendment.

Referred to Committee on Suppression of Intemperance.

DeWitt of Montgomery presented petition of citizens of Montgomery County, relative to House File No. 169, referring to breach of the Sabbath.

Referred to Committee on Judiciary.

Sheldon of Ringgold presented petition of citizens of Ringgold County, relative to House File No. 169, referring to breach of the Sabbath.

Referred to Committee on Judiciary.

Holmes of Kossuth presented petition of citizens of Kossuth County, relative to House File No. 169, referring to breach of the Sabbath.

Referred to Committee on Judiciary.

Anderson of Hamilton presented petition of citizens of Hamilton County, relative to House File No. 169, referring to breach of the Sabbath.

Referred to Committee on Judiciary.

Dodds of Des Moines presented petition of citizens of Burlington, Iowa, relative to House File No. 169, referring to breach of the Sabbath.

Referred to Committee on Judiciary.

Reaney of Louisa presented petition of citizens of Louisa County, relative to House File No. 169, referring to breach of the Sabbath.

Referred to Committee on Judiciary.

Etter of Keokuk presented petition of citizens of Keokuk County, relative to House File No. 169, referring to breach of the Sabbath.

Referred to Committee on Judiciary.

Beebe of Franklin presented petition of citizens of Franklin County, relative to House File No. 169, referring to breach of the Sabbath.

Referred to Committee on Judiciary.

Fulliam of Muscatine presented remonstrance of citizens of Muscatine County, protesting against the passage of Senate File No. 103.

Referred to Committee on Pharmacy.

Moore of Wapello presented petition of citizens from Wapello County, relative to House File No. 169, referring to breach of the Sabbath.

Etter of Keokuk presented petition of citizens from Keokuk county relative to the establishment of a separate reformatory for women at Anamosa.

Referred to Committee on Penitentiaries.

Referred to Committee on Judiciary.

Zeller of Madison presented petition of members of the Bar of Madison County, relative to the increase in the salary of shorthand reporters.

Referred to Committee on Compensation of Public Officers.

Reitz of Lee presented petition of citizens of Lee County, relative to House File No. 169, referring to breach of the Sabbath.

Referred to Committee on Judiciary.

Zeller of Madison presented petition of citizens of Madison County, relative to House File No. 169, referring to breach of the Sabbath.

Referred to Committee on Judiciary.

Dalby of Adair presented petition of citizens of Adair County, relative to House File No. 169, referring to breach of the Sabbath.

Referred to Committee on Judiciary.

Ripley of Hancock presented remonstrance of Modern Woodmen of America, protesting against the passage of the Minimum Rate Law.

Referred to Committee on Insurance.

Miller of Dubuque presented petition of International Association of Machinists of Dubuque, relative to House File No. 232 and Senate File No. 202.

Referred to Committee on Commerce and Trade.

Harding of Woodbury presented petition of citizens of Woodbury County, relative to House File No. 169, referring to breach of the Sabbath.

Referred to Committee on Judiciary.

Miller of Dubuque presented petition of Trades and Labor Congress of Dubuque County, relative to House File No. 169, referring to breach of the Sabbath.

Referred to Committee on Judiciary.

Felt of Clay presented petition of citizens of Clay County, relative to the establishment of a separate reformatory for women at Anamosa.

Referred to Committee on Penitentiaries.

Brandes of Pottawattamie presented petition of citizens of Pottawattamie County, relative to House File No. 169, referring to breach of the Sabbath.

Referred to Committee on Judiciary.

Derrough of Warren presented petitions of citizens of Warren County, relative to House File No. 169, referring to breach of the Sabbath.

Referred to Committee on Judiciary.

Derrough of Warren presented remonstrance of Modern Woodmen of America of Warren County, protesting against the passage of the Minimum Rate Law.

Referred to Committee on Insurance.

Hanson of Humboldt presented petition of citizens of Humboldt County, relative to House File No. 169, referring to breach of the Sabbath.

Referred to Committee on Judiciary.

Sullivan of Polk presented petition of citizens of Polk County, relative to House File No. 169, referring to breach of the Sabbath.

Referred to Committee on Judiciary.

Wolfe of Clinton presented petition of citizens of Clinton County, relative to the prohibitory amendment.

Referred to Committee on Suppression of Intemperance.

Beery of Henry presented petition of physicians of Henry County, relative to House File No. 279.

Referred to Committee on Public Health.

Beery of Henry presented petition of citizens of Henry County, relative to House File No. 169, referring to breach of the Sabbath.

Referred to Committee on Judiciary.

Grier of Poweshiek presented petition of citizens of Poweshiek County, relative to the prohibitory amendment.

Referred to Committee on Suppression of Intemperance.

Boettger of Scott presented petition of Davenport Trades and Labor Assembly relative to the exemption bill.

Referred to Committee on Commerce and Trade.

Boettger of Scott presented petition of Davenport Trades and Labor Assembly, relative to House File No. 169, referring to breach of the Sabbath.

Referred to Committee on Judiciary.

Larrabee of Fayette presented petition of citizens of Fayette County, relative to House File No. 169, referring to breach of the Sabbath.

Referred to Committee on Judiciary.

Dye of Pottawattamie presented remonstrance of members of Camp No. 1743, Modern Woodmen of America, relative to the Minimum Rate Law.

Referred to Committee on Insurance.

Balluff of Scott presented petition of citizens of Scott County, relative to House File No. 169, referring to breach of the Sabbath.

Referred to Committee on Judiciary.

Elliott of Page presented petition of citizens of Page County, relative to House File No. 169, referring to breach of the Sabbath.

Referred to Committee on Judiciary.

Hunter of Polk presented petition of citizens of Polk County, relative to the prohibitory amendment.

Referred to Committee on Suppression of Intemperance.

Swan of Appanoose presented petition of citizens of Appanoose County, relative to House File No. 169, referring to breach of the Sabbath.

Referred to Committee on Judiciary.

Schroeder of Crawford presented petition of members of the Bar of Crawford County, relative to the increase in the salary of short-hand reporters.

Referred to Committee on Compensation of Public Officers.

Marston of Cerro Gordo presented petition of citizens of Cerro Gordo County, relative to House File No. 169, referring to breach of the Sabbath.

Referred to Committee on Judiciary.

Schulte of Clayton presented petition of merchants and taxpayers of Clayton County, relative to House File No. 232, referring to exemptions.

Referred to Committee on Commerce and Trade.

Cousins of Butler presented petition of citizens of Butler County, relative to House File No. 169, referring to breach of the Sabbath.

Referred to Committee on Judiciary.

Hunter of Polk presented petition of physicians of Polk County, relative to House File No. 279.

Referred to Committee on Public Health.

Ritter of Des Moines presented remonstrance of wage-earners of Burlington, relative to House File No. 232 and Senate File No. 202, referring to exemption of personal earnings.

Referred to Committee on Judiciary.

Dewell of Cedar presented petition of citizens of Cedar County, relative to House File No. 169, referring to breach of the Sabbath.

Referred to Committee on Judiciary.

Cassady of Monona presented petition of citizens of Monona County, relative to House File No. 169, referring to breach of the Sabbath.

Referred to Committee on Judiciary.

Welden of Hardin presented petition of citizens of Hardin County, relative to House File No. 153, referring to the manufacture of hog cholera serum.

Referred to Committee on Animal Industry.

Marston of Cerro Gordo presented petition of attorneys of Cerro Gordo County, relative to the increase in the salary of shorthand reporters.

Referred to Committee on Compensation of Public Officers.

Ellis of Jackson presented petition of citizens of Jackson County, relative to House File No. 169, referring to breach of the Sabbath.

Referred to Committee on Judiciary.

Smith of Wright presented petition of citizens of Wright County, relative to House File No. 169, referring to breach of the Sabbath.

Referred to Committee on Judiciary.

Bowman of Linn presented remonstrance of members of Modern Woodmen of America of Linn County, protesting against the passage of the Minimum Rate Law.

Referred to Committee on Insurance.

Darrah of Lucas presented petition of citizens of Lucas County, relative to the establishment of a separate reformatory for women at Anamosa.

Referred to Committee on Penitentiaries.

Klay of Sioux presented petition of citizens of Sioux County, relative to House File No. 169, referring to breach of the Sabbath.

Referred to Committee on Judiciary.

Corrie of Ida presented petition of attorneys of the Sixteenth Judicial District, relative to the increase in the salary of shorthand reporters.

Referred to Committee on Compensation of Public Officers.

Anderson of Hamilton presented remonstrance of Modern Woodmen of America of Hamilton County, protesting against the passage of the Minimum Rate Law.

Referred to Committee on Insurance.

Brandes of Pottawattamie presented remonstrance of citizens of Pottawattamie County, protesting against the passage of any legislation that is in violation of their right to observe Sunday as they see fit.

Referred to Committee on Judiciary.

Tegeler of Dubuque presented petition of Trades and Labor Congress of Dubuque County, relative to House File No. 169, referring to breach of the Sabbath.

Referred to Committee on Judiciary.

Tegeler of Dubuque presented petition of International Association of Machinists, relative to House File No. 232 and Senate File No. 202.



Referred to Committee on Commerce and Trade.

Moore of Linn presented petition of citizens of Linn County, relative to the prohibitory amendment.

Referred to Committee on Suppression of Intemperance.

Bowman of Linn presented petition of citizens of Linn County, relative to the prohibitory amendment.

Referred to Committee on Suppression of Intemperance.

Felt of Clay presented resolution of citizens of Clay County, relative to teaching agriculture in the public schools.

Referred to Committee on Appropriations.

Crummer of Pocahontas presented petition of citizens of Pocahontas County, relative to House File No. 169, referring to breach of the Sabbath.

Referred to Committee on Judiciary.

Balluff of Scott presented petition of citizens of Scott County, relative to legislation prohibiting the shooting of wild ducks in the spring season.

Referred to Committee on Fish and Game.

#### REPORTS OF COMMITTEES.

Sullivan of Polk, from the Committee on Judiciary, submitted the following report:

MR. SPEAKER—Your committee on Judiciary, to whom was referred House File No. 55, a bill for an act to provide for the appointment of a commission to select, draw and summon grand and petit jurors in all counties having a population of over 50,000 and prescribing the duties thereof, 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.

JOHN B. SULLIVAN,  
*Chairman.*

Adopted, and House File No. 55 was indefinitely postponed.

Also:

MR. SPEAKER—Your committee on Judiciary, to whom was referred House File No. 96, a bill for an act to amend Section 1407 of the Code and the Supplement to the Code relating to the collection of delinquent

personal property tax, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same be amended as follows:

One. By striking out all of the title after the word "section" in the first line and inserting the following in lieu thereof: "one thousand four hundred seven (1407) of the Supplement to the Code, 1907, relating to the collection of delinquent personal property tax."

Two. By striking out all of Section one after the word "section" in the first line and to the word "be" in the second line thereof and inserting the following in lieu thereof: "one thousand four hundred seven (1407) of the Supplement to the Code, 1907."

Three. By striking out the words and figures "15%" in the ninth line of Section one and inserting in lieu thereof the following: "ten per centum."

Four. That Sections three and four be stricken out, and when so amended that the bill do pass.

JOHN B. SULLIVAN,  
*Chairman.*

Adopted.

Also:

MR. SPEAKER—Your committee on Judiciary, to whom was referred House File No. 269, a bill for an act to amend Section five thousand six hundred and thirty-one (5631) of the Code relating to liens upon real property for the support of illegitimate children, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same be indefinitely postponed.

JOHN B. SULLIVAN,  
*Chairman.*

Adopted, and House File No. 269 was indefinitely postponed.

Also:

MR. SPEAKER—Your committee on Judiciary, to whom was referred House File No. 273, a bill for an act to authorize the issuance of a search warrant, and the seizure of cigarette and cigarette papers, 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.

JOHN B. SULLIVAN,  
*Chairman.*

## MINORITY RECOMMENDATION.

We, the undersigned members of the Judiciary Committee, do not concur in the majority report of said committee to indefinitely postpone House File No. 278 and recommend the passage of said bill.

W. R. COOPER,  
THOS. HICKENLOOPER,  
I. F. DABNEY,  
A. C. RIPLEY.

Ordered passed on file.

## REPORT OF COMMITTEE ON ENROLLED BILLS.

Klay of Sioux, 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. 60, a bill for an act to repeal Section four hundred and thirty-three (433) of the Supplement to the Code, 1907, relative to the burial of indigent soldiers and sailors, and to enact a substitute therefor.

Also:

House File No. 145, a bill for an act to legalize the action of the Board of Supervisors of Sioux County, Iowa, relating to the sale of school lands in Section twelve (12), Township ninety-five (95) north of Range forty-eight (48) west of the fifth (5th) principal meridian, Sioux County, Iowa, and to authorize the Governor to issue a patent therefor to John H. Hutchinson.

Also:

House File No. 161, a bill for an act to amend Sections twenty-seven hundred eight (2708), twenty-seven hundred nine (2709) as they appear in Supplement to the Code, 1907, relating to the age at which boys or girls may be committed to the industrial schools.

GERRIT KLAY,  
*Chairman.*

Adopted.

## REPORT OF JOINT COMMITTEE ON ENROLLED BILLS.

Klay of Sioux, from the Joint 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. 60, a bill for an act to repeal Section four hundred and thirty-three (433) of the Supplement to the Code, 1907, relative to the burial of indigent soldiers and sailors, and to enact a substitute therefor.

Also:

House File No. 145, a bill for an act to legalize the action of the Board of Supervisors of Sioux County, Iowa, relating to the sale of school lands in Section twelve (12), Township ninety-five (95) north of Range forty-eight (48) west of the fifth (5th) principal meridian, Sioux County, Iowa, and to authorize the Governor to issue a patent therefor to John H. Hutchinson.

Also:

House File No. 161, a bill for an act to amend Sections twenty-seven hundred eight (2708), twenty-seven hundred nine (2709) as they appear in Supplement to the Code, 1907, relating to the age at which boys or girls may be committed to the industrial schools.

GERRIT KLAY,  
*Chairman House Committee.*  
HENRY L. ADAMS,  
*Chairman Senate Committee.*

Adopted.

• Also:

MR. SPEAKER—Your Joint Committee on Enrolled Bills respectfully report that they have examined, and find correctly enrolled, Senate File No. 45, a bill for an act providing a method for the settlement of claims and demands for money or other property held by the State against persons, partnerships, corporations or associations.

Also:

Substitute for Senate File No. 50, a bill for an act to legalize the action and proceedings of the City Council of the City of Manchester, relative to the boundary line and extent of the limits of said city.

Also:

Substitute for Senate File No. 63, a bill for an act making it the duty of all persons and companies operating any vessel propelled by machinery or through the medium of sails to carry a light during certain hours, and otherwise regulating operation of same and fixing a penalty for violation.

Also:

Senate File No. 154, a bill for an act to create a commission authorized to locate and erect a pedestal for a monument to the memory of the late William B. Allison and making an appropriation to defray the expense thereof.

GERRIT KLAY,  
*Chairman House Committee.*  
HENRY L. ADAMS,  
*Chairman Senate Committee.*

Adopted.

## INTRODUCTION OF BILLS.

By Hanson of Humboldt, House File No. 303, a bill for an act to provide for liens upon horses and other animals for the cost of shoeing the same and upon vehicles, machines and tools for the cost of manufacturing or repairing the same.

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

By Sullivan of Polk (by request), House File No. 304, a bill for an act making an appropriation for John Jones on account of injuries received by him at the State Hospital for Insane persons at Clarinda, Iowa.

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

By Hunter of Polk, House File No. 305, a bill for an act to amend the law as it appears in Section Two Hundred Ninety-eight (298) of the Supplement to the Code, 1907, relating to compensation of clerks of the District Court and their deputies.

Read first and second time and referred to Committee on Compensation of Public Officers.

By Hunter of Polk, House File 306, a bill for an act to amend the law as it appears in Section Eight Hundred and Fifty-c (850-c) of the Supplement to the Code, 1907, authorizing the levy of an additional tax of one (1) mill on the dollar on all taxable property for park purposes, relating to park commissioners, their powers and duties.

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

By Byerly of Jones, House File No. 307, a bill for an act to legalize the resolutions and proceedings of the Council of the City of Monticello, Iowa, relating to the parking, curbing, guttering and macadamizing of a portion of Sycamore street in said city, and all acts done thereunder.

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

By Wilson of Tama, House File No. 308, a bill for an act to repeal Sections Four Hundred Ten (410) and Four Hundred Eleven (411) of the Supplement to the Code of 1907, and to enact a sub-

stitute therefor relating to the term of office of the County Board of Supervisors.

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

By Etter of Keokuk, House File No. 309, a bill for an act to amend the law as it appears in Section Twenty-eight Hundred and Six (2806), Title Thirteen (13), Chapter Fourteen (14), of the Code and Supplement of the Code, relative to estimating tax levies by School Boards.

Read first and second time and referred to Committee on Schools and Text Books.

By Perkins of Delaware, House File No. 310, a bill for an act to repeal Section Five Thousand and Seventy-seven-a-twenty (5077-a-20) of the Supplement of the Code, Nineteen Hundred and Seven (1907), relating to agricultural seeds and enacting a substitute therefor.

Read first and second time and referred to Committee on Food and Dairy.

By Perkins of Delaware, House File No. 311, a bill for an act repealing Section Four Thousand Nine Hundred and Ninety-nine-a-21 (4999-a-21) of the Supplement of the Code, Nineteen Hundred and Seven (1907), relating to pure foods and enacting substitute therefor.

Read first and second time and referred to Committee on Food and Dairy.

By Penn of Fremont, House File No. 312, a bill for an act to regulate the dispensing of medicines by physicians and to amend Section Two Thousand Five Hundred Eighty-eight (2588), Title Twelve (12), Chapter Eighteen (18), of the Code.

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

Sullivan of Polk moved that Senate Substitute for House Substitute for House File No. 9, be recalled from the Committee on Judiciary.

Motion prevailed.

## MESSAGE FROM THE SENATE.

The following message was received from the Senate:

MR. SPEAKER—I am directed to inform your honorable body that the Senate refuses to concur in House Amendment to Senate File No. 172, a bill for an act to amend Section 2601 of the Code relating to admission of inmates to the Iowa Soldiers' Home located at Marshalltown.

S. W. NEAL,  
*Secretary.*

## SENATE AMENDMENTS CONSIDERED.

On request of Sullivan of Polk, unanimous consent having been given, Senate Substitute for House Substitute for House File No. 9, a bill for an act to repeal the law which appears as Section Thirty-three Hundred and Seven (3307) of the Supplement to the Code, 1907, relating to the estates of absentees, and enacting a substitute therefor, with Senate amendments, was taken up and the amendments read and considered.

Sullivan of Polk moved that the House concur in the Senate amendments.

Schee of O'Brien moved to amend to change the vote to read "do not concur in the Senate amendments."

Amendment lost.

On the question, Shall the House concur?

The ayes were:

None.

The nays were:

Allred, Anderson, Arney, Balluff, Bascom, Bauman, Beans, Beebe, Beery, Blackmore, Boe, Boettger, Bonwell, Boomgaarden, Bowman, Brandes, Burt, Byerly, Calkins, Cassady, Cooper, Corrie, Cousins, Crummer, Cunningham, Dabney, Dalby, Darrah, Davidson, Dawson, Derrough, Dewey, DeWitt, Dodds, Drury, Dye, Elliott, Ellis, Etter, Felt, Fenn, Fourt, Fox, Fulliam, Fulton, Goodykoontz, Grier, Hackler, Hanson, Harding, Harvey, Hickenlooper, Holmes, Huffaker, Hunter, Ide, Inman, Jacobs, Johnson, Jones, Kellogg, Kendall, Klay, Koontz, Kull, Larrabee, Lee, McCleery, McDonald, Marston, Meredith, Miller of Dubuque, Moore of Wapello, Moore of Linn, Newell, O'Connor, Penn, Perkins, Reaney,

Reitz, Ripley, Ritter, Sankey, Schee, Schroeder, Schulte, Sheldon, Smith, Stillman, Stoddard, Sullivan, Swan, Swift, Tegeler, Thompson, Tilton, Ward, Welden, White, Wilson, Wolfe, Zeller, Mr. Speaker—103.

Absent or not voting:

Crozier, Dewell, Finlayson, Jewell, Miller of Bremer—5.

So the House refused to concur.

Johnson of Mitchell called up Senate File No. 172, a bill for an act to amend Section Twenty-six Hundred and One (2601) of the Code, relating to admission of inmates to the Iowa Soldiers Home, located at Marshalltown, and moved that the House insist on its amendment.

On the question, Shall the House insist?

The ayes were:

Allred, Arney, Balluff, Bascom, Bauman, Beans, Beebe, Beery, Blackmore, Boe, Boettger, Bonwell, Boomgaarden, Bowman, Brandes, Burt, Byerly, Calkins, Cassady, Cooper, Corrie, Cousins, Crummer, Dabney, Dalby, Darrah, Davidson, Dawson, Derrough, DeWitt, Dodds, Drury, Dye, Elliott, Ellis, Etter, Felt, Fenn, Fourt, Fox, Fulliam, Fulton, Goodykoontz, Grier, Hackler, Hanson, Harvey, Hickenlooper, Holmes, Huffaker, Hunter, Ide, Inman, Jacobs, Jewell, Johnson, Jones, Kellogg, Kendall, Klay, Koontz, Kull, Larrabee, Lee, McDonald, Marston, Meredith, Miller of Bremer, Miller of Dubuque, Moore of Wapello, Moore of Linn, Newell, O'Connor, Penn, Perkins, Reaney, Reitz, Ripley, Ritter, Sankey, Schee, Schroeder, Schulte, Sheldon, Smith, Stoddard, Sullivan, Swan, Swift, Tegeler, Thompson, Tilton, Ward, Welden, Wilson, Wolfe, Zeller, Mr. Speaker—98.

The nays were:

Anderson—1.

Absent or not voting:

Crozier, Cunningham, Dewell, Dewey, Finlayson, Harding, Lee, Stillman, White—9.

So the House insists on its amendment.



## SPECIAL ORDERS.

Time having arrived for Special Order No. 2, on motion of Hackler of Webster, House File No. 2, a bill for an act to repeal Sections Ten Hundred Fifty-six-a-seventeen (1056-a-17), Ten Hundred Fifty-six-a-eighteen (1056-a-18), Ten Hundred Fifty-six-a-twenty-six (1056-a-26) of Chapter Fourteen, C. (14, C.), of the Supplement to the Code of Iowa, and to enact substitutes therefor, and to amend Sections Ten Hundred Fifty-six-a-nineteen (1056-a-19), Ten Hundred Fifty-six-a-twenty (1056-a-20), Ten Hundred Fifty-six-a-twenty-one (1056-a-21), Ten Hundred Fifty-six-a-twenty-four (1056-a-24), Ten Hundred Fifty-six-a-twenty-five (1056-a-25), Ten Hundred Fifty-six-a-twenty-eight, (1056-a-28), Ten Hundred Fifty-six-a-thirty-two (1056-a-32), Ten Hundred Fifty-six-a-thirty-nine (1056-a-39), of Chapter Fourteen-C (14-C), of the Supplement to the Code of Iowa, all relating to the government of certain cities, with report of committee recommending passage as amended, was taken up, considered and the amendments adopted.

Hackler of Webster proposed the following amendment:

I move that House File No. 2 be amended by striking out the ninth (9) Section thereof and inserting in lieu thereof the following:

That Section ten hundred fifty-six-a-twenty-eight (1056-a-28) of Chapter fourteen-c (14-c) of the Supplement to the Code, 1907, be and the same is hereby amended by striking out all of said Section beginning with the word "The" in the first line thereof and ending with the figures and dollar mark "\$3,000," in the third line from the top of page 214 as the same appears in the Supplement to the Code, 1907, and inserting in lieu thereof the following:

"The mayor and councilmen shall have an office at the city hall, and their total compensation shall be as follows: In cities having by the last preceding state or national census a population of two thousand and less than four thousand, the mayor's annual salary shall be \$200.00, and each councilman \$100.00. In cities having by such census a population of four thousand and less than seven thousand the mayor's annual salary shall be \$400.00 and each councilman \$250.00. In cities having by such census a population of seven thousand and less than ten thousand the mayor's annual salary shall be \$600.00 and each councilman \$450.00. In cities having by such census a population of ten thousand and less than fifteen thousand the mayor's annual salary shall be \$1,200.00, and each councilman \$900.00. In cities having by such census a population of fifteen thousand and less than twenty-five thousand the mayor's annual salary shall be \$1,500.00, and each councilman \$1,200.00. In cities having by such census a population of twenty-five thousand and less than forty thousand, the mayor's annual salary shall be \$2,500.00, and each council-

man \$1,800.00. In cities having by such census a population of forty thousand and less than sixty thousand, the mayor's annual salary shall be \$3,000.00, and each councilman \$2,500.00, and in cities having by such census a population of sixty thousand or more the mayor's annual salary shall be \$3,500.00, and that of each councilman \$3,000.00."

Amendment adopted.

Hackler of Webster 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 ayes were:

Anderson, Bascom, Beans, Beery, Blackmore, Boe, Burt, Casady, Cooper, Darrah, Davidson, Dawson, Derrough, Dodds, Drury, Fox, Goodykoontz, Hanson, Harding, Holmes, Hunter, Ide, Jewell, Johnson, Koontz, Larrabee, Lee, Meredith, Moore of Wapello, Newell, O'Connor, Reaney, Ripley, Ritter, Schee, Schulte, Sheldon, Sullivan, Thompson, Tilton, Ward, Wilson—42.

The nays were:

Allred, Arney, Beebe, Bonwell, Boomgaarden, Bowman, Brandes, Byerly, Calkins, Corrie, Cousins, Crummer, Cunningham, Dabney, Dalby, Dewey, DeWitt, Dye, Elliott, Ellis, Etter, Fenn, Fourt, Fulliam, Fulton, Grier, Hackler, Harvey, Hickenlooper, Huffaker, Inman, Jacobs, Jones, Kendall, Klay, Kull, McCleery, McDonald, Marston, Miller of Bremer, Miller of Dubuque, Penn, Perkins, Sankey, Schroeder, Smith, Stillman, Stoddard, Swan, Swift, Tegeler, Welden, Wolfe, Zeller, Mr. Speaker—55.

Absent or not voting:

Balluff, Bauman, Boettger, Crozier, Dewell, Felt, Finlayson, Kellogg, Moore of Linn, Reitz, White—11.

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

Time having arrived for Special Order No. 4, on motion of O'Connor of Chickasaw, House File No. 190, a bill for an act entitled an act relating to hotels, inns and public lodging houses, defining the same and prescribing rules for their operations and maintenance, so as to insure the safety and health of employes and patrons of the same; providing for inspection thereof, fees for

same and fixing fines and penalties for violation of such rules and regulations, was taken up and considered.

Johnson of Mitchell proposed the following amendment:

I move that the bill be amended as follows:

By inserting after the comma, following the word apartment in the fourth line of Section two (2), the following words, to-wit: "Which has no other approved fire-escape."

Also, that said Section two (2) be further amended by adding the following after the last word in said Section, to-wit:

"Provided, however, that any other contrivance or appliance for reaching the ground from said bedroom or sleeping apartment may be used in lieu of said rope, if approved by the State Hotel Inspector.

Also, that after the word "sheeting" in line two (2) of Section five (5) the following be inserted, to-wit: "or other fireproof material."

Also, that after the word "act" in line two (2) of Section seventeen (17) the following be inserted, to-wit:

"After the expiration of the time fixed in the notice provided for in Section fifteen (15) hereof."

Amendments adopted.

Cunningham of Buena Vista proposed the following amendment:

I move the bill be amended as follows:

That the words "five (\$5.00) dollars" in line three (3) of Section Twelve (12) be amended to read "four dollars (\$4.00)" and the words "ten (\$10.00) dollars" in line four (4) of Section Twelve (12) be amended to read "eight (\$8.00) dollars."

Amendment adopted.

O'Connor of Chickasaw 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 ayes were:

Allred, Arney, Balluff, Bascom, Bauman, Beery, Blackmore, Boe, Boettger, Bonwell, Boomgaarden, Bowman, Brandes, Byerly, Cassady, Cooper, Corrie, Cousins, Crummer, Cunningham, Dalby, Darrah, Davidson, Dawson, Derrough, Dewey, DeWitt, Dodds, Drury, Dye, Elliott, Ellis, Felt, Fox, Fulton, Goodykoontz, Grier, Hackler, Hanson, Harding, Hickenlooper, Holmes, Huffaker, Hunter, Inman, Jacobs, Johnson, Jones, Kendall, Klay, Kull, Larra-

bee, Lee, McCleery, McDonald, Marston, Meredith, Miller of Dubuque, Moore of Wapello, Moore of Linn, Newell, O'Connor, Penn, Perkins, Reaney, Ripley, Ritter, Sankey, Schee, Schroeder, Schulte, Stillman, Stoddard, Sullivan, Swift, Tegeler, Thompson, Ward, Welden, Wilson, Wolfe, Mr. Speaker—82.

The nays were:

Burt, Calkins, Dabney, Fenn, Fulliam, Harvey, Ide, Jewell, Swan, Tilton, Zeller—11.

Absent or not voting:

Anderson, Beans, Beebe, Crozier, Dewell, Etter, Finlayson, Fourt, Kellogg, Koontz, Miller of Bremer, Reitz, Sheldon, Smith, White—15.

So the bill passed and the title was agreed to.

The Speaker announced that as Speaker of the House, in the presence of the House, he had signed House File Nos. 60, 161 and 145.

The Speaker announced the following members as the committee to visit the State Hospitals for Insane: Brandes of Pottawattamie, McCleery of Washington and Fulliam of Muscatine.

Johnson of Mitchell moved that a conference committee of three be appointed on Senate File No. 172.

Motion prevailed.

The Speaker appointed as such committee: Johnson of Mitchell, Stillman of Greene and Etter of Keokuk.

The Speaker announced that as Speaker of the House, in the presence of the House, he had signed Senate File Nos. 45, 50, 63 and 154.

On motion of Sullivan of Polk, the House adjourned until 9:00 o'clock, A. M., Wednesday.

# JOURNAL OF THE HOUSE

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HALL OF THE HOUSE OF REPRESENTATIVES,  
DES MOINES, IOWA, FEBRUARY 24, A. D. 1909.

House met pursuant to adjournment.

Speaker Feely in the Chair.

Prayer was offered by the Rev. John McAllister of Missouri Valley, Iowa.

Journal of Tuesday, February 23d, corrected and approved.

On request of Thompson of Benton, leave of absence was granted Welden of Hardin until Thursday.

## PETITIONS, MEMORIALS AND REMONSTRANCES.

Bauman of Van Buren presented petition of citizens of Van Buren County, relative to the prohibitory amendment.

Referred to Committee on Suppression of Intemperance.

Schulte of Clayton presented petition of members of Cedar Camp No. 3246 Modern Woodmen of America relative to the Minimum Rate Law.

Referred to Committee on Insurance.

Huffaker of Mills presented petition of citizens of Mills County, relative to the prohibitory amendment.

Referred to Committee on Suppression of Intemperance.

Anderson of Hamilton presented petition of merchants and tax payers of Hamilton County relative to House File No. 232, referring to exemptions.

Referred to Committee on Commerce and Trade.

Fulton of Jefferson presented petition of merchants and tax payers of Jefferson County relative to House File No. 232 referring to exemptions.

Referred to Committee on Commerce and Trade.

Goodykoontz of Boone presented petition of citizens of Boone County relative to the Woman's Suffrage Bill.

Referred to Committee on Woman's Suffrage.

Hackler of Webster presented petition of citizens of Webster County relative to House File No. 169, referring to breach of the Sabbath.

Referred to Committee on Judiciary.

Fox of Dallas presented petitions of citizens of Dallas County relative to the prohibitory amendment.

Referred to Committee on Suppression of Intemperance.

Fulton of Jefferson presented petition of citizens of Jefferson County, relative to the prohibitory amendment.

Referred to Committee on Suppression of Intemperance.

Hanson of Humboldt presented petition of citizens of Humboldt County relative to House File No. 169, referring to breach of the Sabbath.

Referred to Committee on Judiciary.

Fulton of Jefferson presented petition of citizens of Jefferson County relative to House File No. 169, referring to breach of the Sabbath.

Referred to Committee on Judiciary.

Beery of Henry presented petition of citizens of Henry County relative to House File No. 169, referring to breach of the Sabbath.

Referred to Committee on Judiciary.

Corrie of Ida presented petition of citizens of Ida County relative to the Woman's Suffrage Bill.

Referred to Committee on Woman's Suffrage.

Fulliam of Muscatine presented petition of citizens of Muscatine County relative to House File No. 169, referring to breach of the Sabbath.

Referred to Committee on Judiciary.

Fox of Dallas presented petition of citizens of Dallas County relative to House File No. 169, referring to breach of the Sabbath.

Referred to Committee on Judiciary.

Hackler of Webster presented petition of citizens of Webster County, relative to the prohibitory amendment.

Referred to Committee on Suppression of Intemperance.

Brandes of Pottawattamie presented petition of citizens of Pottawattamie County, relative to the prohibitory amendment.

Referred to Committee on Suppression of Intemperance.

Kendall of Clinton presented petition of citizens of Clinton County, relative to the prohibitory amendment.

Referred to Committee on Suppression of Intemperance.

Blackmore of Worth presented petition of citizens of Worth County, relative to House File No. 169, referring to breach of the Sabbath.

Referred to Committee on Judiciary.

Jones of Lee presented petition of citizens of Lee County, relative to House File No. 169, referring to breach of the Sabbath.

Referred to Committee on Judiciary.

Huffaker of Mills presented petition of citizens of Mills County relative to House File No. 169, referring to breach of the Sabbath.

Referred to Committee on Judiciary.

Jones of Lee presented petition of citizens of Lee County, relative to the prohibitory amendment.

Referred to Committee on Suppression of Intemperance.

Hickenlooper of Monroe presented petition of citizens of Monroe County, relative to House File No. 169, referring to breach of Sabbath.

Referred to Committee on Judiciary.

Calkins of Adams presented petition of citizens of Adams County, relative to House File No. 169, referring to breach of the Sabbath.

Referred to Committee on Judiciary.

Holmes of Kossuth presented petition of citizens of Kossuth County, relative to the prohibitory amendment.

Referred to Committee on Suppression of Intemperance.

Sheldon of Ringgold presented petition of citizens of Ringgold County, relative to the prohibitory amendment.

Referred to Committee on Suppression of Intemperance.

Moore of Wapello presented petition of citizens of Wapello County, relative to the prohibitory amendment.

Referred to Committee on Suppression of Intemperance.

Harding of Woodbury presented petition of merchants and tax payers of Woodbury County relative to House File No. 232, referring to exemptions.

Referred to Committee on Commerce and Trade.

Bowman of Linn presented remonstrance of Carpenter's Union No. 308, of Cedar Rapids, protesting against the passage of House File No. 232.

Referred to Committee on Commerce and Trade.

White of Story presented petitions of citizens of Story County relative to the Woman's Suffrage Bill.

Referred to Committee on Woman's Suffrage.

Harding of Woodbury presented petition of citizens of Woodbury County relative to the passage of the Sunday Amusement Bill.

Referred to Committee on Judiciary.

Grier of Poweshiek presented petition of citizens of Poweshiek County relative to House File No. 169, referring to breach of the Sabbath.

Referred to Committee on Judiciary.



Fourt of Allamakee presented petition of citizens of Allamakee County relative to House File No. 169, referring to breach of the Sabbath.

Referred to Committee on Judiciary.

Blackmore of Worth presented petition of members of the bar of Worth County relative to the increase in the salary of shorthand reporters.

Referred to Committee on Compensation of Public Officers.

Fulton of Jefferson presented remonstrance of citizens of Jefferson County protesting against the passage of the School Bill.

Referred to Committee on Schools and Text Books.

Cousins of Butler presented remonstrance of members of Beaver Camp No. 376, Modern Woodmen of America protesting against the passage of the Minimum Rate Law.

Referred to Committee on Insurance.

Ritter of Des Moines presented remonstrance of Camp No. 2317, Modern Woodmen of America of Mediapolis, Iowa, protesting against the passage of the Minimum Rate Law.

Referred to Committee on Insurance.

Boe of Winnebago presented remonstrance of members of Modern Woodmen of America of Lake Mills, Iowa, protesting against the passage of the Minimum Rate Law.

Referred to Committee on Insurance.

Hickenlooper of Monroe presented petition of citizens of Monroe County relative to securing an appropriation for building an amphitheatre at the State Fair Grounds.

Referred to Committee on Appropriations.

Kendall of Clinton presented petition of citizens of Clinton County, relative to House File No. 169, referring to breach of the Sabbath.

Referred to Committee on Judiciary.

Jones of Lee presented petition of citizens of Lee County, relative to House File No. 169, referring to breach of the Sabbath.

Referred to Committee on Judiciary.

Dewey of Guthrie presented petition of citizens of Guthrie County, relative to the Woman's Suffrage Bill.

Referred to Committee on Woman's Suffrage.

Moore of Linn presented petition of citizens of Linn County protesting against the passage of the Sunday Amusement Bill.

Referred to Committee on Judiciary.

Zeller of Madison presented petition of citizens of Madison County relative to House File No. 169, referring to breach of the Sabbath.

Referred to Committee on Judiciary.

Derrough of Warren presented petition of citizens of Warren County, relative to the prohibitory amendment.

Referred to Committee on Suppression of Intemperance.

Boe of Winnebago presented petition of citizens of Winnebago County, relative to the prohibitory amendment.

Referred to Committee on Suppression of Intemperance.

Harding of Woodbury presented petition of citizens of Woodbury County, relative to the prohibitory amendment.

Referred to Committee on Suppression of Intemperance.

Swift of Shelby presented petitions of citizens of Shelby County relative to House File No. 169, referring to breach of the Sabbath.

Referred to Committee on Judiciary.

Smith of Wright presented petitions of citizens of Wright County, relative to House File No. 169, referring to breach of the Sabbath.

Referred to Committee on Judiciary.

Fenn of Clarke presented petition of citizens of Clarke County relative to House File No. 169, referring to breach of the Sabbath.

Referred to Committee on Judiciary.

Ripley of Hancock presented petition of citizens of Hancock County, relative to House File No. 169, referring to breach of the Sabbath.

Referred to Committee on Judiciary.

Derrough of Warren presented petition of citizens of Warren County, relative to House File No. 169, referring to breach of the Sabbath.

Referred to Committee on Judiciary.

Larrabee of Fayette presented petition of citizens of Fayette County, relative to House File No. 169, referring to breach of the Sabbath.

Referred to Committee on Judiciary.

Stillman of Greene presented petition of citizens of Greene County, relative to the prohibitory amendment.

Referred to Committee on Suppression of Intemperance.

Davidson of Palo Alto presented petition of citizens of Palo Alto County, relative to the prohibitory amendment.

Referred to Committee on Suppression of Intemperance.

Wilson of Tama presented petition of citizens of Tama County, relative to the prohibitory amendment.

Referred to Committee on Suppression of Intemperance.

Wolfe of Clinton presented petition of attorneys of Clinton County, relative to the increase in the salary of shorthand reporters.

Referred to Committee on Compensation of Public Officers.

Finlayson of Grundy presented remonstrance of citizens of Grundy County protesting against the passage of the School Bill.

Referred to Committee on Schools and Text Books.

Davidson of Palo Alto presented remonstrance of members of Modern Woodmen of America of Palo Alto County protesting against the passage of the Minimum Rate Law.

Referred to Committee on Insurance.

Wilson of Tama presented petition of citizens of Tama County relative to House File No. 169, referring to breach of the Sabbath.

Referred to Committee on Judiciary.

Elliott of Page presented petition of citizens of Page County relative to House File No. 169, referring to breach of the Sabbath.

Referred to Committee on Judiciary.

Darrah of Lucas presented petition of citizens of Lucas County relative to House File No. 169, referring to breach of the Sabbath.

Referred to Committee on Judiciary.

Mr. Speaker presented petition of citizens of Black Hawk County relative to House File No. 169, referring to breach of the Sabbath.

Referred to Committee on Judiciary.

Jacobs of Calhoun presented petitions of citizens of Calhoun County relative to House File No. 169, referring to breach of the Sabbath.

Referred to Committee on Judiciary.

Wolfe of Clinton presented remonstrance of Brotherhood of Railroad Trainmen of Clinton County protesting against the passage of House File No. 169.

Referred to Committee on Judiciary.

Darrah of Lucas presented petition of merchants and tax payers of Lucas County relative to House File No. 232, referring to exemptions.

Referred to Committee on Commerce and Trade.

Stillman of Greene presented petition of merchants and tax payers of Greene County relative to House File No. 232, referring to exemptions.

Referred to Committee on Commerce and Trade.

Jacobs of Calhoun presented petition of merchants and tax payers of Calhoun County relative to House File No. 232, referring to exemptions.

Referred to Committee on Commerce and Trade.

Reitz of Lee presented three petitions of citizens of Lee County, relative to House File No. 169, referring to breach of the Sabbath.

Referred to Committee on Judiciary.

Holmes of Kossuth presented petition of citizens of Kossuth County relative to the Woman's Suffrage Bill.

Referred to Committee on Woman's Suffrage.

Welden of Hardin presented petition of citizens of Hardin County relative to the establishment of a separate reformatory for women at Anamosa.

Referred to Committee on Penitentiaries.

Brandes of Pottawattamie presented petition of citizens of Pottawattamie County relative to the establishment of a separate reformatory for women at Anamosa.

Referred to Committee on Penitentiaries.

Wolfe of Clinton presented remonstrance of Modern Woodmen of America of Lyons, Iowa, protesting against the passage of the Minimum Rate Law.

Referred to Committee on Insurance.

Jewell of Winneshiek presented remonstrance of citizens of Winneshiek County protesting against the passage of the School Bill.

Referred to Committee on Schools and Text Books.

Fourt of Allamakee presented remonstrance of citizens of Allamakee County protesting against the passage of the school Bill.

Referred to Committee on Schools and Text Books.

Moore of Linn presented petition of citizens of Linn County relative to the establishment of a separate reformatory for women at Anamosa.

Referred to Committee on Penitentiaries.

Goodykoontz of Boone presented petition of attorneys of Boone County relative to the increase in the salary of shorthand reporters.

Referred to Committee on Compensation of Public Officials.

Cooper of Jasper presented petition of citizens of Jasper County relative to House File No. 169, referring to breach of the Sabbath.

Referred to Committee on Judiciary.

Beans of Mahaska presented petition of citizens of Mahaska County, relative to House File No. 169, referring to breach of the Sabbath.

Referred to Committee on Judiciary.

Sheldon of Ringgold presented petition of citizens of Ringgold County, relative to House File No. 169, referring to breach of the Sabbath.

Referred to Committee on Judiciary.

Hunter of Polk presented petition of citizens of Polk County relative to House File No. 169, referring to breach of the Sabbath.

Referred to Committee on Judiciary.

Hunter of Polk presented petition of citizens of Polk County, relative to the prohibitory amendment.

Referred to Committee on Suppression of Intemperance.

Sheldon of Ringgold presented petition of citizens of Ringgold County, relative to the prohibitory amendment.

Referred to Committee on Suppression of Intemperance.

Darrah of Lucas presented petition of citizens of Lucas County relative to the prohibitory amendment.

Referred to Committee on Suppression of Intemperance.

Koontz of Johnson presented petitions of citizens of Johnson County, relative to House File No. 169, referring to breach of Sabbath.

Referred to Committee on Judiciary.

O'Connor of Chickasaw presented petition of citizens of Chickasaw County, relative to House File No. 232, and Senate File No. 202, referring to exemption of personal earnings.

Referred to Committee on Commerce and Trade.

Dalby of Adair presented petition of citizens of Adair County relative to House File No. 169, referring to breach of the Sabbath.

Referred to Committee on Judiciary.

Bowman of Linn presented petition of citizens of Linn County relative to House File No. 169, referring to breach of the Sabbath.

Referred to Committee on Judiciary.

Dawson of Cherokee presented petition of citizens of Cherokee County relative to House File No. 169, referring to the breach of the Sabbath.

Referred to Committee on Judiciary.

Cunningham of Buena Vista presented petition of citizens of Buena Vista County relative to House File No. 169, referring to breach of the Sabbath.

Referred to Committee on Judiciary.

Bauman of Van Buren presented petition of citizens of Van Buren County, relative to the prohibitory amendment.

Referred to Committee on Suppression of Intemperance.

Davidson of Palo Alto presented petition of citizens of Palo Alto County, relative to House File No. 169, referring to breach of the Sabbath.

Referred to Committee on Judiciary.

#### REPORTS OF COMMITTEES.

Allred of Wayne, from the Committee on Military, submitted the following report:

MR. SPEAKER—Your committee on Military, to whom was referred House File No. 285, a bill for an act making an appropriation of two hundred dollars (\$200) to reimburse Company A, Fifty-sixth (56th) Infantry, Iowa National Guards, for money paid by it to Robt. Mann as damages resulting from the accidental killing by said Company of a horse belonging to said Robert Mann, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same do pass, and further recommend that the same be referred to the Committee on Appropriations.

W. P. ALLRED,  
*Chairman.*

Adopted, and House File No. 285 was referred to Committee on Appropriations.

Bonwell of Audubon, from the Committee on Roads and Highways, submitted the following report:

MR. SPEAKER—Your committee on Roads and Highways, to whom was referred House File No. 38, a bill for an act relating to road tax and

amending Section one thousand five hundred and twenty-eight (1528) of the Code and Supplement to the Code relative to levying additional road tax, 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.

JOHN C. BONWELL,  
*Chairman.*

Adopted, and House File No. 38 was indefinitely postponed.

Also:

MR. SPEAKER—Your committee on Roads and Highways, to whom was referred House File No. 80, a bill for an act to amend Section one thousand five hundred and thirty-three (1533), Title eight, Chapter two of the Supplement to the Code of 1907 relating to the election of township road superintendent, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same be indefinitely postponed.

JOHN C. BONWELL,  
*Chairman.*

Adopted, and House File No. 80 was indefinitely postponed.

Anderson of Hamilton, from the Committee on Conservation of Forests and Water Power, submitted the following report:

MR. SPEAKER—Your committee on Conservation of Forests, to whom was referred House File No. 166, a bill for an act to amend Section 1400-f of the Supplement to the Code, 1907, providing for additional forest trees, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same do pass.

WM. ANDERSON,  
*Chairman.*

Adopted.

Jewell of Winneshiek, from the Committee on Public Health, submitted the following report:

MR. SPEAKER—Your committee on Public Health, to whom was referred Senate File No. 166, a bill for an act to enable counties to establish and maintain public hospitals, levy a tax and issue bonds therefor, elect hospital trustees, maintain training schools for nurses, provide suitable rooms for the cure of tuberculous persons, and to make possible the ultimate establishment of an adequate supply of hospitals with equal rights to all and special privileges to none, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same be amended as follows:



Strike out the words and figures "one hundred (100)" in the fourth line of Section one (1) and insert in lieu thereof the words and figures: "One hundred and fifty (150);"

Amend Senate amendment to Section one (1) in the fourth line thereof as follows: Strike out the words "property owners" and insert in lieu thereof the word "freeholders;"

Amend Section three (3) as follows: Change the period at the end of said Section to a comma "(,)" and immediately after insert the following: "none of whom shall be practicing physicians;"

Amend Section thirteen (13) by inserting in the first line thereof between the words "person" and "desiring" the following: "or persons, firm, organization, corporation or society;"

Amend Section fourteen (14) by inserting in the third (3) line thereof between the words "medicine" and "recognized," the words "or healing;"

Amend Senate amendment to Section fourteen (14) as follows: Strike out the word "select" in the second line and insert in lieu thereof the words "employ at his or her own expense." and when so amended that the bill do pass.

P. M. JEWELL,  
*Chairman.*

Adopted.

Elliott of Page, from the Committee on Suppression of Intemperance, submitted the following report:

MR. SPEAKER—Your committee on Suppression of Intemperance, to whom was referred House Joint Resolution No. 3, a Joint Resolution proposing to amend the constitution so as to prohibit the manufacture and sale of intoxicating liquors as a beverage within this state, beg leave to report that they have had the same under consideration nad have instructed me to report the same back to the House with the recommendation that the same do pass.

J. D. ELLIOTT,  
*Chairman.*

Adopted.

#### REPORT OF COMMITTEE ON ENROLLED BILLS.

MR. SPEAKER—Your committee on enrolled bills respectfully report that they have this day sent to the governor for his approval, House File No. 60, a bill for an act to repeal Section four hundred and thirty-three (433) of the Supplement to the Code, 1907, relative to the burial of indigent soldiers and sailors and to enact a substitute therefor.

Also:

House File No. 145, a bill for an act to legalize the action of the board of Supervisors of Sioux County, Iowa, relating to the sale of school lands in Section twelve (12), Township ninety-five (95) north of range forty-eight (48) west of the fifth (5th) principal meridian, Sioux county, Iowa, and to authorize the Governor to issue a patent therefor to John H. Hutchinson.

Also:

House File No. 161, a bill for an act to amend Sections twenty-seven hundred eight (2708), twenty-seven hundred nine (2709) as they appear in Supplement to the Code, 1907, relating to the age at which boys or girls may be committed to the industrial schools.

GERRIT KLAY,  
*Chairman.*

Adopted.

#### INTRODUCTION OF BILLS.

By Hackler of Webster, House File No. 313, a bill for an act to legalize certain ordinances of the town of Callender, Webster County, Iowa.

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

By Schulte of Clayton, House File No. 314, a bill for an act to amend Sections Eight hundred Forty-nine-a (849-a), Eight Hundred Forty-nine-b (849-b), Eight Hundred Forty-nine-c (849-c), Eight Hundred Forty-nine-e (849-e), Eight Hundred Forty-nine-f (849-f), Eight Hundred Forty-nine-g (849-g) and Eight Hundred Forty-nine-h (849-h) of the Supplement to the Code, 1907 relating to the protection of city and town property from floods.

Read first and second time and referred to Committee on Municipal Corporations.

By Marston of Cerro Gordo, House File No. 315, a bill for an act to repeal Chapter One Hundred and Eighty-one (181) of the laws as enacted by the Thirty-second General Assembly of the State of Iowa, relating to the assumption of risks, and providing a substitute therefor.

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

By Bascom of Dickinson, House File No. 316, a bill for an act to compensate D. N. Guthrie for the damages sustained by him by the construction of a dam by the State of Iowa across the outlet of lower Gar Lake.

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

By Bowman of Linn, House File No. 317, a bill for an act to legalize certain acts of the city council of the city of Cedar Rapids,

Linn County, Iowa, and of the Auditor, Treasurer, and Board of Supervisors of said Linn County, Iowa, relating to a levy of park tax.

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

By Bowman of Linn, House File No. 318, a bill for an act to legalize collection of general and special taxes heretofore levied by the City of Cedar Rapids, Iowa, before its organization under Chapter Forty-eight of the Acts of the Thirty-second General Assembly of the State of Iowa by the County Treasurer of Linn County, Iowa, and to legalize issuance of tax deeds by said County Treasurer on tax sales for general and special taxes made heretofore by the City Treasurer of said City of Cedar Rapids, Iowa.

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

By Koontz of Johnson, House File No. 319, a bill for an act to repeal Section Two Thousand Five Hundred and Forty-three (2543) of the Code relating to the care and propagation of fish and the protection of birds and game, and enact a substitute therefor.

Read first and second time and referred to Committee on Fish and Game.

By Hanson of Humboldt, House File No. 320, a bill for an act to amend the law as it appears in Section Four Thousand Nine Hundred and Ninety-nine-a Twenty-five (4999-a 25) of the Supplement to the Code Nineteen Hundred and Seven (1907) relating to penalty for violation of the Pure Food Laws.

Read first and second time and referred to Committee on Food and Dairy.

By Hanson of Humboldt, House File No. 321, a bill for an act to amend the law as it appears in section Four Thousand Nine Hundred and Ninety-nine-a Thirty-one (4999-a 31) of the Supplement to the Code Nineteen Hundred and Seven (1907) relating to food standards.

Read first and second time and referred to Committee on Food and Dairy.

By Elliott of Page, House File No. 322, a bill for an act appropriating the sum of One Hundred Thirty-nine Dollars and Sixty-five Cents (\$139.65) to be paid to S. J. McCord in settlement of a claim against the State of Iowa arising by reason of the efforts of the said S. J. McCord to extradite one James F. Milligan.

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

On request of Lee of Emmet the time for the report of the Joint Visiting Committee was by unanimous consent extended to March 5th.

MOTION TO RECONSIDER.

I move that the vote by which House File No. 2 passed to its third reading and the vote by which it was lost be reconsidered.

C. W. HACKLER.

I second the motion.

CHAS. L. MARSTON.

Allred of Wayne, Chairman of the Committee appointed to draft resolutions respecting the life and public service of Hon. Lloyd Selby, presented the report of that Committee and moved its adoption.

Motion prevailed, and the resolutions were adopted and ordered printed in the Journal.

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 an adjournment of the Legislature from Friday, February 26 until Wednesday, March 3, 1909.

S. W. NEAL,  
*Secretary.*

Also:

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 memorializing the Congress of the United States to provide by law for the improvement of the rivers, harbors and waterways, and the issuance of bonds therefor.

S. W. NEAL,  
*Secretary.*

Also :

MR. SPEAKER—I am directed to inform your honorable body that the Senate requests the recall of the following bill in which the concurrence of the House was asked:

Senate File No. 11, a bill for an act to amend Section 433 of the Supplement to the Code, 1907, relating to the burial of indigent soldiers and sailors.

S. W. NEAL,  
*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:

Substitute for Senate File No. 4, a bill for an act to amend the law as it appears in Section 2071 of the Supplement to the Code, 1907, relating to the liability of corporations operating a railway for negligence or wrongs of employees.

S. W. NEAL,  
*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:

Substitute for Senate File No. 16, a bill for an act to amend Section 2310 of the Supplement to the Code, 1907, relating to furnishing intoxicating liquor or narcotic drugs to paroled inebriates.

S. W. NEAL,  
*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. 141, a bill for an act to repeal Section 1363 of the Code, relating to statistics and enacting a substitute therefor.

S. W. NEAL,  
*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. 145, a bill for an act authorizing the State of Iowa to co-operate with the city of Marshalltown in constructing a permanent dam across the Iowa river, providing for the maintenance thereof and making an appropriation therefor.

S. W. NEAL,  
*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. 179, a bill for an act to amend the law as it appears in Sections 254-a-13, 254-a-14, 254-a-15 of the Supplement to the Code, 1907, relating to juvenile courts and conferring jurisdiction upon superior courts.

S. W. NEAL,  
*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. 216, a bill for an act prohibiting the detention or confinement of any female in any house, room, building or premises by force, false pretense, or with intent to cause such female to become a prostitute and providing punishment for the violation thereof.

S. W. NEAL,  
*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. 127, a bill for an act amending the law as it appears in Section 674 of the Supplement of the Code, 1907, relating to the compensation of assessors in cities of the first class.

S. W. NEAL,  
*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:

Substitute for Senate File No. 87, a bill for an act to repeal Section 1675 of the Supplement to the Code and to enact a substitute therefor relative to farmers' institutes.

S. W. NEAL,  
*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. 110, a bill for an act providing for the education of the deaf and blind children at the school for the deaf and the college for the blind.

S. W. NEAL,  
*Secretary.*

Also:

MR. SPEAKER—I am directed to inform your honorable body that the Senate grants the request of the House and herewith returns House File No. 140, a bill for an act to amend Section 1571-c and 1571-e and 1571-f of the Supplement to the Code, 1907, in reference to motor vehicles.

S. W. NEAL,  
*Secretary.*

Also:

MR. SPEAKER—I am directed to inform your honorable body that the Senate herewith requests the recall for further consideration House File No. 100, a bill for an act to amend Section 792 of the Code to provide for the oiling of streets and assessing the costs thereto to abutting property.

S. W. NEAL,  
*Secretary.*

#### SENATE MESSAGES CONSIDERED.

Senate File No. 145, a bill for an act to authorize the State of Iowa to co-operate with the City of Marshalltown, in constructing a permanent dam across the Iowa River, providing for the maintenance thereof and making an appropriate therefor.

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

Senate File No. 179, a bill for an act to amend the law as it appears in Sections Two Hundred Fifty-four-a Thirteen (254-a 13), Two Hundred Fifty-four-a Fourteen (254-a 14), Two Hundred Fifty-four-a Fifteen (254-a 15), Two Hundred Fifty-four-a Sixteen (254-a 16), Two Hundred Fifty-four-a Seventeen (254-a 17), Two Hundred Fifty-four-a Eighteen (254-a-18), Two Hundred Fifty-four-a Nineteen (254-a-19), Two Hundred Fifty-four-a Twenty (254-a 20), Two Hundred Fifty-four-a Twenty-one (254-a 21), Two Hundred Fifty-four-a Twenty-two (254-a 22), Two Hundred Fifty-four-a Twenty-three (254-a 23), Two Hundred Fifty-four-a Twenty-four (254-a 24), Two Hundred Fifty-four-a Twenty-five (254-a 25), Two Hundred Fifty-four-a Twenty-six (254-a 26), Two Hundred Fifty-four-a Twenty-seven (254-a 27), Two Hundred Fifty-four-a Twenty-eight (254-a 28), Two Hundred Fifty-four-a Twenty-nine (254-a 29), Two Hundred Fifty-four-a Thirty (254-a30) of the Supplement to the Code, 1907, relating to juvenile courts, detention homes and schools, and conferring concurrent jurisdiction upon superior courts with districts courts, of proceedings brought under said Sections.

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

Senate File No. 216, a bill for an act prohibiting the detention or confinement of any female in any house, room, building, or premises by force, false pretense, or intimidation, for purposes of prostitution or with intent to cause such female to become a prostitute and providing a punishment for the violation thereof.

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

Senate File No. 127, a bill for an act amending the law as it appears in Section Six Hundred Seventy-four (674) of the Supplement to the Code 1907 relating to the compensation of assessors in cities of first class.

Read first and second time and referred to Committee on Municipal Corporations.

Substitute for Senate File No. 87, a bill for an act to repeal the law as it appears in Section Sixteen Hundred Seventy-five (1675) of the Supplement to the Code, 1907, relative to Farmers' Institutes and to enact a substitute therefor.

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

Senate File. No. 110, a bill for an act providing for the education of deaf and blind children at the School for the Deaf and the College for the Blind.

Read first and second time and referred to Committee on College for Blind.

Substitute for Senate File No. 4, a bill for an act to amend the law as it appears in Section Twenty Hundred and Seventy-one (2071) of the Supplement to the Code, 1907, relating to the liability of corporations operating a railway for negligence or wrongs of employes.

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

Substitute for Senate File No. 16, a bill for an act repealing Section Twenty-three Hundred Ten-a Twenty-four (2310-a 24) of the Supplement to the Code, 1907, relating to the penalties for furnishing intoxicating liquors, or narcotic drugs to patients of inebriate hospitals, and providing a substitute therefor.



Read first and second time and referred to Committee on Suppression of Intemperance.

Senate File No. 141, a bill for an act to repeal Section Thirteen Hundred Sixty-three (1363) of the Code, relative to statistics, and enacting a substitute therefor.

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

CONCURRENT RESOLUTION.

A Concurrent Resolution memorializing the Congress of the United States to provide by law for the improvement of the rivers, harbors and waterways, and the issuance of bonds therefor.

WHEREAS, The Government should immediately take in hand the improvement of the rivers, harbors and waterways of the country and that a large sum of money should be appropriated for that purpose, and

WHEREAS, It seems fair and right that future generations who will reap the great benefits should share a portion of the expense, and

WHEREAS, The low rate bonds of the government sell readily and at a premium and at the same time afford an attractive investment to certain classes of people who would otherwise hoard their money and keep it out of circulation, and

WHEREAS, The National Rivers and Harbors Congress, which convened at Washington, in December, 1907, composed of more than 3,000 representatives from all sections of the country, endorsed and recommended the expenditure of sufficient money by the general government for these purposes, and the issuance of two per cent bonds therefor and similar action has been taken by other representative bodies,

*Therefore be it Resolved*, By the Legislature of Iowa, that the Congress of the United States be memorialized and earnestly urged to provide by law for the issuance by the Government of its two per cent bonds, as much as may be necessary to carry forward the work which has already been approved by the engineers of the army and the committee on rivers and harbors of the House of Representatives in the matter of the improvement of the rivers, harbors and waterways of the country, and to carry forward such other new work as may be approved by the engineering department and Congress.

*Be it Further Resolved*, That a duly certified copy of this memorial be by the Secretary of the Senate, and the Chief Clerk of the House, forwarded to each member of the Iowa delegation in Congress.

Laid over under Rule 34.

Bascom of Dickinson called up Senate Concurrent Resolution relative to adjournment.

## SENATE CONCURRENT RESOLUTION.

*Resolved by the Senate, the House Concurring,* That when adjournment is taken Friday, February 26th, it be until 10 o'clock A. M., Wednesday, March 3rd, 1909.

Mr. Bascom moved that the House concur in the resolution.

Dye of Pottawattamie moved to amend by striking out the word "Friday" and insert in lieu thereof the word "Thursday."

Amendment adopted.

Senate Concurrent Resolution as amended concurred in.

Allred of Wayne moved that the request of the Senate for the recall of Senate File No. 11 be granted.

Motion prevailed.

Penn of Fremont moved that House File No. 286 be withdrawn from the Committee on Pharmacy and the further consideration of the House.

Motion prevailed.

## MESSAGE FROM THE SENATE.

The following message was received from the Senate:

MR. SPEAKER—I am directed to inform your honorable body that the Senate has concurred in House Amendment to Senate Concurrent Resolution relative to an adjournment of the legislature on Thursday, February 25.

S. W. NEAL,  
*Secretary.*

## SPECIAL ORDER.

Time having arrived for Special Order No. 3, House File No. 71, a bill for an act to repeal Section Twenty-three Hundred and Sixty-seven (2367) of the Code defining a lawful fence, was taken up and considered.

White of Story in the Chair.

Cunningham of Buena Vista proposed the following amendment:

I move to amend the bill by striking out all after the enacting clause, and substitute the following:

SECTION 1. Section twenty-three hundred and sixty-seven (2,367) of the Code of Iowa is hereby repealed and the following substitute in lieu thereof:

SEC. 2. A lawful fence shall consist of three rails of good substantial material, or three boards not less than six (6) inches wide and three-quarters ( $\frac{3}{4}$ ) of an inch thick, such rails or boards to be fastened in or to good substantial posts, not more than ten (10) feet apart where rails are used, and not more than eight (8) feet apart where boards are used, or wire either wholly or in part, substantially built and kept in good repair; or any other kind of fence, which, in the opinion of the fence viewers, shall be equivalent thereto, the lowest or bottom rail, wire or board not more than twenty (20) nor less than sixteen (16) inches from the ground, the top rail, wire or board, to be between forty-eight (48) and fifty-four (54) inches in height, and the center rail, wire or board not less than twelve (12) nor more than eighteen (18) inches above the bottom rail, wire or board; or it shall consist of three (3) wires, barbed with not less than thirty-six (36) iron barbs of two (2) points each, or twenty-six (26) iron barbs of four (4) points each, on each road of wire, or of four (4) wires, two (2) thus barbed and two (2) smooth, the wires to be firmly fastened to posts not more than two (2) rods apart, with not less than two (2) stays between posts, or with posts not more than one (1) rod apart, without such stays, the top wire to be not more than fifty-four (54) nor less than forty-eight (48) inches in height. Provided, however, that all partition fences may be made tight by the party desiring it, and, when his portion is so completed, and securely fastened to good substantial posts, set firmly in the ground, not more than twenty (20) feet apart, the adjoining property owner shall construct his portion of the adjoining fence in a like tight manner, same to be securely fastened to good substantial posts, set firmly in the ground not more than twenty (20) feet apart. All tight partition fences shall consist of twenty-six (26) inches of substantial woven wire on the bottom, with three (3) strands of barb wire with not less than thirty-six (36) barbs of two points to the rod on top, the wire to be not less than fifty-two (52) inches, nor more than fifty-four (54) inches high, or a twenty (20) inch substantial woven wire on the bottom with four (4) strands of barb wire of not less than thirty-six (36) barbs of two (2) points to the rod, the top wire to be not less than fifty-two (52) inches nor more than fifty-four (54) inches high, or good substantial woven wire not less than fifty-two (52) inches nor more than fifty-four (54) inches high. In case adjoining owners or occupants of land shall use the same for pasturing sheep or swine, each shall keep his share of the partition fence in such condition as shall restrain such sheep or swine. Upon the application of either owner, after notice given as prescribed in this chapter, the fence viewers shall determine all controversies arising under this section, including the partition fences made sheep and swine tight.

Swift of Shelby proposed the following amendment to the amendment:

I move to amend by striking out all after the word "height" in line 23 of Section 2 of the amendment and before the word "upon" in line 43

of Section 2 and insert in lieu thereof the following: "Provided, however, that all partition fences may be made tight by the party desiring it for the purpose of restraining sheep and swine, and when so completed the adjoining property owner shall construct his portion of the adjoining fence in like manner."

O'Connor of Chicksaw moved that the bill with amendments be re-referred to the Committee on Agriculture.

Motion lost.

Kull of Howard moved that the amendments to the amendment be laid on the table.

Motion lost.

Drury moved the previous question.

Lee of Emmet moved that the House adjourn.

Motion lost.

Motion for the previous question carried, and the previous question was ordered.

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

Roll call was demanded.

The ayes were:

Balluff, Blackmore, Boe, Boettger, Bowman, Byerly, Calkins, Crummer, Darrah, Davidson, Drury, Ellis, Etter, Finlayson, Fox, Fulliam, Fulton, Huffaker, Jewell, Johnson, Kendall, Koontz, Kull, Larrabee, McDonald, Miller of Bremer, O'Connor, Penn, Perkins, Reitz, Sankey, Schulte, Swift, White, Wilson, Wolfe—35.

The nays were:

Allred, Anderson, Arney, Bascom, Bauman, Beans, Beebe, Beery, Bonwell, Boomgaarden, Brandes, Cassady, Cooper, Corrie, Cousins, Cunningham, Dabney, Dalby, Dawson, Derrough, Dewey, DeWitt, Dodds, Dye, Elliott, Felt, Fenn, Fox, Goodykoontz, Grier, Hackler, Hanson, Harding, Harvey, Hickenlooper, Holmes, Hunter, Ide, Inman, Jacobs, Jones, Kellogg, Klay, Lee, McCleery, Marston, Meredith, Miller of Dubuque, Moore of Wapello, Moore of Linn, Newell, Reaney, Ripley, Ritter, Schee, Schroeder, Sheldon, Smith, Stillman, Stoddard, Swan, Tegeler, Thompson, Ward, Zeller, Mr. Speaker—66.

Absent or not voting :

Burt, Crozier, Dewell, Fourt, Sullivan, Tilton, Welden—7.

So the amendment to the amendment was lost.

The original amendment was adopted.

Cunningham of Buena Vista 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 ayes were :

Allred, Anderson, Arney, Balluff, Bascom, Bauman, Beebe, Blackmore, Boe, Boettger, Boomgaarden, Brandes, Byerly, Calkins, Cassady, Cooper, Corrie, Cousins, Crummer, Cunningham, Dalby, Darrah, Davidson, Dawson, Derrough, Dewey, DeWitt, Drury, Dye, Elliott, Ellis, Finlayson, Fourt, Goodykoontz, Hackler, Hanson, Harding, Hickenlooper, Holmes, Huffaker, Inman, Jacobs, Kellogg, Kendall, Klay, Larrabee, McCleery, McDonald, Marston, Moore of Wapello, Moore of Linn, Newell, O'Connor, Reaney, Reitz, Schee, Schroeder, Sheldon, Smith, Stillman, Swift, Thompson, Ward, White, Wolfe, Zeller, Mr. Speaker—67.

The naves were :

Beans, Beery, Bonwell, Burt, Dabney, Dodds, Etter, Felt, Fenn, Fox, Fulliam, Fulton, Grier, Harvey, Hunter, Ide, Jewell, Johnson, Jones, Koontz, Kull, Lee, Meredith, Miller of Bremer, Miller of Dubuque, Penn, Perkins, Ripley, Ritter, Sankey, Schulte, Stoddard, Swan, Tegeler, Tilton, Wilson—36.

Absent or not voting :

Bowman, Crozier, Dewell, Sullivan, Welden—5.

So the bill passed and the title was agreed to.

On motion of Harding of Woodbury, the request of the Senate for the recall of House File No. 100 was granted.

On motion of Dewey of Guthrie, the House adjourned until 9:00 o'clock a. m., Thursday.

# JOURNAL OF THE HOUSE

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HALL OF THE HOUSE OF REPRESENTATIVES,  
DES MOINES, IOWA, FEBRUARY 25, A. D. 1909.

House met pursuant to adjournment.

Speaker Feely in the Chair.

Prayer was offered by the Rev. John W. Pool of Ottumwa, Iowa.

Journal of Wednesday, February 24th, corrected and approved.

On request of Anderson of Hamilton, leave of absence was granted DeWitt of Montgomery until Wednesday.

On request of Crozier of Marion, leave of absence was granted Tegeler of Dubuque until Thursday.

On request of Burt of Taylor, leave of absence was granted Jewell of Winneshiek until Thursday.

On request of Boe of Winnebago, leave of absence was granted Huffaker of Mills until Wednesday.

On request of Perkins of Delaware, leave of absence was granted Cunningham of Buena Vista until Wednesday.

On request of Ritter of Des Moines, leave of absence was granted Dodds of Des Moines until Wednesday.

On request of Kendall of Clinton, leave of absence was granted Ellis of Jackson until Wednesday.

On request of Kull of Howard, leave of absence was granted O'Connor of Chickasaw until Wednesday.

On request of Crozier of Marion, leave of absence was granted Miller of Dubuque until Thursday.

## PETITIONS, MEMORIALS AND REMONSTRANCES.

Holmes of Kossuth presented petition of merchants and tax payers of Kossuth County, relative to House File No. 232, referring to exemptions.

Referred to Committee on Commerce and Trade.

Dye of Pottawattamie presented petition of merchants and tax payers of Pottawattamie County, relative to House File No. 232, referring to exemptions.

Referred to Committee on Commerce and Trade.

Reaney of Louisa presented petition of merchants and tax payers of Louisa County, relative to House File No. 232, referring to exemptions.

Referred to Committee on Commerce and Trade.

Balluff of Scott presented petition of citizens of Scott County relative to the prohibitory amendment.

Referred to Committee on Suppression of Intemperance.

Brandes of Pottawattamie presented petition of citizens of Pottawattamie County, relative to the prohibitory amendment.

Referred to Committee on Suppression of Intemperance.

Thompson of Benton presented petition of citizens of Benton County, relative to House File No. 169, referring to breach of the Sabbath.

Referred to Committee on Judiciary.

Reaney of Louisa presented petitions of citizens of Louisa County, relative to the prohibitory amendment.

Referred to Committee on Suppression of Intemperance.

Welden of Hardin presented petition of merchants and tax payers, relative to House File No. 232, referring to exemptions.

Referred to Committee on Commerce and Trade.

Crozier of Marion presented petition of citizens of Marion County, relative to the prohibitory amendment.

Referred to Committee on Suppression of Intemperance.

Mr. Speaker presented petition of citizens of Black Hawk County, relative to the Woman's Suffrage Bill.

Referred to Committee on Woman's Suffrage.

Dewey of Guthrie presented petition of members of Homestead No. 244, Brotherhood of American Yeomen, relative to the Minimum Rate Bill.

Referred to Committee on Insurance.

Hunter of Polk presented petition of citizens of Polk County, relative to the prohibitory amendment.

Referred to Committee on Suppression of Intemperance.

Anderson of Hamilton presented remonstrance of members of school boards of Hamilton County, protesting against the passage of the School Bill.

Referred to Committee on Schools and Text Books.

Bauman of Van Buren presented petition of merchants and tax payers of Van Buren County, relative to House File No. 232, referring to exemptions.

Referred to Committee on Commerce and Trade.

Perkins of Delaware presented petition of merchants and tax payers of Delaware County, relative to House File No. 232, referring to exemptions.

Referred to Committee on Commerce and Trade.

Arney of Marshall presented remonstrance of citizens of Marshall County, protesting against the passage of the McManus Bill, providing for an open season for the killing of doves.

Referred to Committee on Fish and Game.

Arney of Marshall presented petition of merchants and tax payers of Marshall County, relative to House File No. 232, referring to exemptions.

Referred to Committee on Commerce and Trade.

Arney of Marshall presented petition of citizens of Marshall County, relative to House File No. 169, referring to breach of the Sabbath.

Referred to Committee on Judiciary.



Boettger of Scott presented petition of citizens of Scott County, relative to the Woman's Suffrage Bill.

Referred to Committee on Woman's Suffrage.

Elliott of Page presented petition of citizens of Page County, relative to House File No. 169, referring to breach of the Sabbath.

Referred to Committee on Judiciary.

Swift of Shelby presented sixteen petitions of citizens of Shelby County, relative to the prohibitory amendment.

Referred to Committee on Suppression of Intemperance.

Holmes of Kossuth presented petition of citizens of Kossuth County, relative to House File No. 169, referring to breach of the Sabbath.

Referred to Committee on Judiciary.

Tilton of Iowa presented petition of citizens of Iowa County, relative to House File No. 169, referring to breach of the Sabbath.

Referred to Committee on Judiciary.

Hunter of Polk presented petition of citizens of Polk County, relative to House File No. 169, referring to breach of the Sabbath.

Referred to Committee on Judiciary.

Finlayson of Grundy presented two petitions of citizens of Grundy County, relative to House File No. 169, referring to breach of the Sabbath.

Referred to Committee on Judiciary.

Finlayson of Grundy presented two remonstrances of citizens of Grundy County, protesting against the passage of the School Bill.

Referred to Committee on Schools and Text Books.

Smith of Wright presented remonstrance of merchants of Wright County, relative to House File No. 232, referring to exemptions.

Referred to Committee on Commerce and Trade.

Anderson of Hamilton presented remonstrance of members of Blairsburg Camp No. 7848, Modern Woodmen of America, relative to the Minimum Rate Bill.

Referred to Committee on Insurance.

Beery of Henry presented petition of merchants of Henry County, relative to House File No. 232, referring to exemption.

Referred to Committee on Commerce and Trade.

Cassady of Monona presented remonstrance of citizens of Moorhead, Iowa, protesting against the passage of the School Bill.

Referred to Committee on Schools and Text Books.

Moore of Linn presented remonstrance of members of Carpenter's Local Union No. 208, protesting against the passage of House File No. 232.

Referred to Committee on Commerce and Trade.

Boe of Winnebago presented petition of citizens of Winnebago County, relative to the passage of the Lien Law.

Referred to Committee on Commerce and Trade.

Meredith of Cass presented petition of citizens of Cass County, requesting the passage of a law permitting cities and towns to regulate the price that may be charged by telephone companies for their service.

Referred to Committee on Telephones.

Meredith of Cass presented remonstrance of citizens of Cass County, protesting against the passage of any measure intended to increase the amount of license of itinerant vendors of medicines and drugs.

Referred to Committee on Public Health.

Meredith of Cass presented two petitions of merchants and tax payers of Cass County, relative to House File No. 232, referring to exemptions.

Referred to Committee on Commerce and Trade.

Inman of Floyd presented three petitions of citizens of Floyd County, relative to House File No. 169, referring to breach of the Sabbath.

Referred to Committee on Judiciary.

Meredith of Cass presented seven petitions of citizens of Cass County, relative to the prohibitory amendment.

Referred to Committee on Suppression of Intemperance.

Meredith of Cass presented petition of citizens of Cass County, relative to House File No. 169, referring to breach of the Sabbath.

Referred to Committee on Judiciary.

Cunningham of Buena Vista presented petition of citizens of Buena Vista County, relative to the prohibitory amendment.

Referred to Committee on Suppression of Intemperance.

Lee of Emmet presented petition of citizens of Emmet County, relative to House File No. 169, referring to breach of the Sabbath.

Referred to Committee on Judiciary.

Lee of Emmet presented remonstrance of members of Camp No. 1402, Royal Neighbors of America, protesting against the Minimum Rate Law.

Referred to Committee on Insurance.

Fulton of Jefferson presented petition of citizens of Jefferson County, relative to House File No. 169, referring to breach of the Sabbath.

Referred to Committee on Judiciary.

Harding of Woodbury presented petition of citizens of Woodbury County, relative to the prohibitory amendment.

Referred to Committee on Suppression of Intemperance.

White of Story presented petition of citizens of McCallsburg, Iowa, relative to House File No. 169, referring to breach of the Sabbath.

Referred to Committee on Judiciary.

Grier of Poweshiek presented petition of citizens of Poweshiek County, relative to the prohibitory amendment.

Referred to Committee on Suppression of Intemperance.

Schroeder of Crawford presented petition of merchants and tax payers of Crawford County, relative to House File No. 232, referring to exemptions.

Referred to Committee on Commerce and Trade.

Harding of Woodbury presented remonstrance of citizens of Woodbury County, protesting against the passage of the School Bill.

Referred to Committee on Schools and Text Books.

Boettger of Scott presented petition of Cigarmakers Union of Davenport, Iowa, relative to House File No. 169, referring to breach of the Sabbath.

Referred to Committee on Judiciary.

Schee of O'Brien presented petition of citizens of O'Brien County, relative to House File No. 169, referring to breach of the Sabbath.

Referred to Committee on Judiciary.

Dalby of Adair presented remonstrance of electors of Walnut Township, Adair County, protesting against the passage of the School Bill.

Referred to Committee on Schools and Text Books.

Arney of Marshall presented petition of citizens of Marshall County, relative to the prohibitory amendment.

Referred to Committee on Suppression of Intemperance.

Thompson of Benton presented petition of citizens of Benton County, relative to the prohibitory amendment.

Referred to Committee on Suppression of Intemperance.

Kellogg of Harrison presented petition of citizens of Harrison County, relative to House File No. 169, referring to breach of the Sabbath.

Referred to Committee on Judiciary.

Balluff of Scott presented petition of Cigarmakers Union No. 172 of Davenport, relative to House File No. 232, referring to exemptions.

Referred to Committee on Commerce and Trade.

Wilson of Tama presented petition of citizens of Tama County, relative to the prohibitory amendment.

Referred to Committee on Suppression of Intemperance.

Zeller of Madison County presented petition of citizens of Madison County, relative to the prohibitory amendment.

Referred to Committee on Suppression of Intemperance.

Moore of Linn presented petition of citizens of Linn County, relative to the prohibitory amendment.

Referred to Committee on Suppression of Intemperance.

McDonald of Carroll presented petition of citizens of Carroll County, relative to House File No. 169, referring to breach of the Sabbath.

Referred to Committee on Judiciary.

Moore of Linn presented petition of citizens of Linn County, relative to House File No. 169, referring to breach of the Sabbath.

Referred to Committee on Judiciary.

Cassady of Monona presented petition of merchants and tax payers of Monona County, relative to House File No. 232, referring to exemptions.

Referred to Committee on Commerce and Trade.

Fox of Dallas presented petition of citizens of Dallas County, relative to House File No. 169, referring to breach of the Sabbath.

Referred to Committee on Judiciary.

Bowman of Linn presented petition of citizens of Linn County, relative to House File No. 169, referring to breach of the Sabbath.

Referred to Committee on Judiciary.

Perkins of Delaware presented petition of citizens of Delaware County, relative to House File No. 169, referring to breach of the Sabbath.

Referred to Committee on Judiciary.

Welden of Hardin presented two petitions of citizens of Hardin County, relative to House File No. 153, referring to the establishment of a laboratory for the manufacture of hog cholera serum.

Referred to Committee on Agriculture.

Moore of Linn presented remonstrance of citizens of Linn County, protesting against the passage of the Sunday Amusement Bill.

Referred to Committee on Judiciary.

Cousins of Butler presented petition of citizens of Butler County, relative to House File No. 126.

Referred to Committee on Agriculture.

Allred of Wayne presented petition of merchants and tax payers of Wayne County, relative to House File No. 232, referring to exemptions.

Referred to Committee on Commerce and Trade.

Welden of Hardin presented petition of citizens of Hardin County, relative to House File No. 169, referring to breach of the Sabbath.

Referred to Committee on Judiciary.

Perkins of Delaware presented petition of merchants and tax payers of Delaware County, relative to House File No. 232, referring to exemptions.

Referred to Committee on Commerce and Trade.

Smith of Wright presented petition of citizens of Wright County, relative to the prohibitory amendment.

Referred to Committee on Suppression of Intemperance.

Derrough of Warren presented petition of citizens of Warren County, relative to the prohibitory amendment.

Referred to Committee on Suppression of Intemperance.

#### REPORTS OF COMMITTEES.

Moore of Linn, from the Committee on Appropriations, submitted the following report:

MR. SPEAKER—Your committee on Appropriations, to whom was referred House File No. 229, a bill for an act relating to fish and game and making appropriation for the Fish and Game Commission 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 amended as follows:

By striking out the words and figures "Twelve Thousand Dollars (\$12,000)" in lines two and three of the first subdivision of Section 1 and inserting in lieu thereof the words and figures "Ten Thousand Dol-

lars (\$10,000);" and by striking out the words and figures "Fifteen Thousand Dollars (\$15,000)" in lines four and five of the second subdivision of Section 1 and inserting in lieu thereof the words and figures "Thirteen Thousand Dollars (\$13,000)," and when so amended that the bill do pass.

ERNEST R. MOORE,

*Chairman.*

Adopted.

Also:

MR. SPEAKER—Your committee on Appropriations, to whom was referred House File No. 198, a bill for an act to amend Sections two thousand five hundred thirty (2530) and two thousand five hundred thirty-six (2536) of the Supplement to the Code relating to state veterinary surgeon, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same do pass.

ERNEST R. MOORE,

*Chairman.*

Adopted.

Also:

MR. SPEAKER—Your committee on Appropriations, to whom was referred House File No. 250, a bill for an act to repeal Title eleven of the Code and the law as it appears in Title eleven of the Supplement to the Code, 1907, relating to the militia and enacting a Substitute therefor to be known as "The Military Code 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 amended as follows:

By striking out the comma following the word "division" in the first line of Section 25 and inserting in lieu thereof the word "or" and by inserting after the word "brigade" in line two of said Section 25 the words "commander, the sum of one hundred dollars" and by inserting after the word "and" in said line two of Section 25 the words "to each" and by striking out the word "four" in said line two of Section 25 and inserting in lieu thereof the word "three;" and by striking out of lines two and three in Section 43 the words and figures "one hundred and fifty-three thousand six hundred dollars (\$153,600.00) and inserting in lieu thereof the words and figures "one hundred and fifty-two thousand nine hundred dollars (\$152,900.00)," and when so amended that the bill do pass.

ERNEST R. MOORE,

*Chairman.*

Adopted.

Also:

MR. SPEAKER—Your committee on Appropriations, to whom was referred House File No. 194, a bill for an act to appropriate ten thousand dollars (\$10,000) or so much thereof as may be necessary for the purpose of

installing suitable elevators in the State Capitol, 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 substituting the following bill:

A Bill for an Act Making an Appropriation for the Repair of the Elevators in the State Capitol Building.

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

SECTION 1. There is hereby appropriated out of any moneys in the state treasury not otherwise appropriated the sum of fifteen hundred dollars (\$1,500.00) or so much thereof as may be necessary for the purpose of repairing the elevators in the State Capitol Building.

SEC. 2. The repair of the elevators as provided under Section one (1) hereof shall be under the supervision and direction of the Executive Council of the State of Iowa.

SEC. 3. This act being deemed of immediate importance shall take effect from and after its publication in the Register and Leader and Des Moines Capital, newspapers published in Des Moines, Iowa, and when so amended that the bill do pass.

ERNEST R. MOORE,  
*Chairman.*

Adopted.

Beebe of Franklin, from the Committee on Claims, submitted the following report:

MR. SPEAKER—Your committee on Claims, to whom was referred House File No. 211, a bill for an act making an appropriation for Thomas H. Rattenbury on account of injuries received by him at the State Sanatorium for the treatment of tuberculosis, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same be amended as follows: By striking out the words and figures "Twenty-five hundred dollars (\$2,500.00)" in Section one, line two, and inserting in lieu thereof the words and figures "Twelve hundred and fifty dollars (\$1,250.00)" and when so amended recommend that the bill do pass, and further recommend that it be referred to the Committee on Appropriations.

N. W. BEEBE,  
*Chairman.*

Adopted, and House File No. 211 was referred to Committee on Appropriations.

Arney of Marshall, from the Committee on Agriculture, submitted the following report:

MR. SPEAKER—Your committee on Agriculture, to whom was referred House File No. 301, a bill for an act to amend Section 458-c of the Supplement to the Code, 1907, relative to injuries of domestic animals by dogs or wolves, beg leave to report that they have had the same under



consideration and have instructed me to report the same back to the House with the recommendation that the same do pass.

W. H. ARNEY,  
*Chairman.*

Adopted.

Also:

MR. SPEAKER—Your committee on Agriculture, to whom was referred House File No. 102, a bill for an act to repeal Section fifteen hundred seventy-one (1571) of the Code and to enact a substitute in lieu thereof, relating to traction engines on the public roads, 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 the following Substitute Amendment:

A Bill for an Act to Repeal Section Fifteen Hundred Seventy-one (1571) of the Code and to Enact a Substitute in Lieu Thereof Relating to Traction Engines on the Public Roads.

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

SECTION 1. That Section fifteen hundred and seventy-one (1571) of the Code be, and the same is hereby repealed and the following enacted in lieu thereof:

Whenever any traction engine is being propelled upon the public road, the whistle thereof shall not be blown, and the operator thereof shall exercise reasonable care and caution in the management of the same so as to avoid any accident that might occur from fright upon the part of any horse or other draft or domestic animal. Any person operating a traction engine upon the public highway shall, upon request, or signal by putting up the hand from the person riding or driving a restive horse or other draft or domestic animal, bring such traction engine immediately to a stop, and if traveling in the opposite direction, remain stationary so long as may be reasonable to allow such horse or animal to pass, and if traveling in the same direction, use reasonable caution while such horse or animal is passing and the operator or any other person employed by the owner of said traction engine shall render necessary assistance to the party having in charge said horse or other draft or domestic animal in so passing.

SEC. 2. In crossing any bridge, crossing or culvert in the public highway or street, four sound, strong planks each not less than twelve (12) feet long, and one (1) foot wide and two (2) inches thick shall be used by placing and keeping continuously two of them under the wheels. This shall be in full force and effect until July 1st, nineteen hundred and eleven (1911), by which time the counties or townships (by their officers) shall have placed upon all bridges at a distance of seventy-nine (79) inches apart from center to center, serviceable planks not less than twelve (12) inches wide and not less than two (2) inches thick, extending the entire length of such bridges.

No traction engine having mud lugs or ice spuds attached to its wheels, shall be driven over any bridge, culvert or street crossing until the said mud lugs or ice spuds shall have been removed.

The violation of any of the provisions of this act relating to owners and operators of traction engines shall be deemed a misdemeanor punishable by a fine not exceeding twenty-five dollars (\$25.00) for the first offense, and punishable by a fine of not less than twenty-five dollars (\$25.00) nor more than fifty dollars (\$50.00) or imprisonment not exceeding thirty (30) days in the county jail for a second and subsequent offense, and when so amended that the bill do pass.

W. H. ARNEY,  
*Chairman.*

Adopted.

Also:

MR. SPEAKER—Your committee on Agriculture, to whom was referred House File No. 81, a bill for an act to provide for the payment of a reward for the arrest and conviction of persons stealing live stock in the State of Iowa, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same be amended by the following Substitute Amendment:

A Bill for an Act to Provide for the Payment of a Reward for the Arrest and Conviction of Persons Stealing Live Stock in the State of Iowa.

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

SECTION 1. That a reward of one hundred dollars (\$100) shall be paid by the State to any person or persons procuring the arrest and conviction of any person or persons charged with the stealing of any horse or horses, mule or mules, cattle, swine or sheep, where the value of such property exceeds twenty dollars (\$20). All applicants for such reward shall file their claims with the clerk of court wherein the conviction was had, not later than twenty days thereafter; within thirty days after the filing of any claims for the reward herein contemplated, the judge shall appoint a time and place for a hearing to decide the validity of such claims. All claimants shall be given reasonable notice of such hearing by the clerk of the court; the county attorney shall upon notice by the clerk there appear in behalf of the state. At the conclusion of such hearing the Judge shall issue a certificate or statement showing to whom such reward, if any, is due, and in case of more than one claimant, shall determine the portion due each. Upon presentation of the judge's certificate or statement duly certified by the clerk of the court, the county auditor shall issue a warrant for the amount thereof which shall state the purpose for which it is issued and be payable by the county treasurer upon presentation; the county treasurer shall upon payment of such warrant forward the same, together with the certificate or statement issued by the judge, to the auditor of state, who shall issue a warrant for the amount and deliver the same to the state treasurer, who shall place it to the credit of the county making payment of such reward, and when so amended that the bill do pass.

W. H. ARNEY,  
*Chairman.*

Adopted.

Also:

MR. SPEAKER—Your committee on Agriculture, to whom was referred House File No. 189, a bill for an act to add to the provisions of Title nine (9), Chapter three (3), Supplement to the Code of 1897, additional to Section sixteen hundred sixty-one-a (1661-a), 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 the following Substitute Amendment:

A Bill for an Act to Amend the Law as it Appears in Section Sixteen Hundred and Sixty-one-a (1661-a), Supplement to the Code of 1907, Allowing Appropriations for a Short Course in Agriculture and Domestic Science.

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

SECTION 1. That Section sixteen hundred and sixty-one-a (1661-a) of the Supplement to the Code, 1907, be amended by adding thereto the following:

SEC. 2. Whenever one hundred (100) citizens of any county in the State that does not have a county or district fair, receiving the State aid as above provided, or that in any year may not hold a county fair, shall organize what is known as a "short course" with a president, secretary, treasurer and executive committee of not less than five (5) and shall hold a session at some place within the county of four (4) or more days and give a program, designed to promote the science of agriculture and domestic science. Said "short course" organization, upon filing with the Auditor of State by its president, secretary and treasurer, a statement showing what sums it has actually paid out in value for premiums during the period of the short course for that year, together with the certificate of the secretary of the State Board of Agriculture showing that it has reported according to law as provided in cases of county and district agricultural societies, shall be entitled to receive from the State Treasurer a sum equal to forty per cent. of the amount paid in premiums, but in no case shall the amount so paid in any county exceed two hundred dollars (\$200). The payment from the State Treasury herein provided for shall be made by warrant of the State Auditor as soon as due proof is made to him of the holding of said "short course" as herein provided; and there is hereby appropriated out of any money in the State Treasury not otherwise appropriated, the sum necessary to pay the amount contemplated in this section, and when so amended that the bill do pass.

W. H. ARNEY,

*Chairman.*

Adopted.

Also:

MR. SPEAKER—Your committee on Agriculture, to whom was referred House File No. 174, a bill for an act to provide for the payment of bounties for killing ground-hogs, 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 Section 1 and inserting in lieu thereof the following:

SECTION 1. The board of supervisors of any county may allow a bounty of twenty-five cents for each ground-hog killed within the county to be paid out of the general county fund to the person killing the same, on the terms and conditions hereinafter provided, and when so amended that the bill do pass.

W. H. ARNEY,  
*Chairman.*

Adopted.

#### REPORT OF JOINT COMMITTEE ON ENROLLED BILLS.

Klay of Sioux, from the Joint Committee on Enrolled Bills, submitted the following report:

MR. SPEAKER—Your Joint Committee on Enrolled Bills respectfully report that they have examined, and find correctly enrolled, Senate File No. 28, a bill for an act to provide for the payment of a bounty for the destruction of rattlesnakes.

Also:

Senate File No. 119, a bill for an act to amend Sections 1571-b, 1571-c, 1571-e and 1571-f of the Supplement to the Code, 1907, in reference to motor vehicles.

Also:

Senate File No. 121, a bill for an act to legalize certain ordinances of the town of Oxford Junction, Jones County, Iowa.

Also:

Senate File No. 129, a bill for an act to amend Section 995 of the Code relating to powers and duties of commissioners in cities of special charter.

GERRIT KLAY,  
*Chairman House Committee.*  
HENRY L. ADAMS,  
*Chairman Senate Committee.*

Adopted.

#### INTRODUCTION OF BILLS.

By Holmes of Kossuth, House File No. 323, a bill for an act to authorize the purchase of land for a colony for epileptics and making an appropriation for that purpose.

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

By Dalby of Adair (by request), House File No. 324, a bill for an act to amend Sections Seventeen Hundred and Nine (1709) of

the Supplement to the Code, 1907, as amended by the Acts of the Thirty-first and Thirty-second General Assemblies, relative to insurance other than life.

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

By Inman of Floyd, House File No. 325, a bill for an act additional to and amendatory of the law as it appears in Chapter Six (6) of Title Twelve (XII.) of the Code and Supplement to the Code, 1907, relative to intoxicating liquors providing for the appointment of liquor law enforcement commissioners and their deputies, describing their duties, fixing their compensation and creating a fund therefor.

Read first and second time and referred to Committee on Suppression of Intemperance.

By White of Story, House File No. 326, a bill for an act relating to the building of county bridges.

Read first and second time and referred to Committee on Roads and Highways.

By Corrie of Ida, House File No. 327, a bill for an act to repeal Section Fifteen Hundred Thirty (1530) of the Code, 1907, relating to a county road fund and to enact a substitute therefor and to provide for the establishment of county roads and the making thereof, and the appointing of a county engineer of roads.

Read first and second time and referred to Committee on Roads and Highways.

By Hunter of Polk, House File No. 328, a bill for an act to provide for the supplying of electric light and power to military reservations of the United States in this state.

Read first and second time and referred to Committee on Municipal Corporations.

By Bowman of Linn, House File No. 329, a bill for an act to amend Section Four Hundred and Sixty-nine (469) of the Supplement to the Code, 1907, relative to the compensation of county supervisors.

Read first and second time and referred to Committee on Compensation of Public Officers.

By Bowman of Linn, House File No. 330, a bill for an act to amend Section Nine Hundred Fifteen (915) of the Supplement to the Code, 1907, relating to acknowledgment and recording of plats, and to provide for the certificate of the county attorney.

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

By Koontz of Johnson, House File No. 331, a bill for an act to repeal Section Forty-two Hundred and Ninety-five (4295) of the Code, relating to the satisfaction of mortgages and to enact a substitute therefor.

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

By Koontz of Johnson, House File No. 332, a bill for an act to amend the law as it appears in Sections Twenty-five Hundred and Forty (2540), Twenty-five Hundred Forty-a (2540-a), Twenty-five Hundred Forty-one (2541), Twenty-five Hundred Fifty-six (2556) of the Supplement to the Code, 1907; and Sections Twenty-five Hundred Forty-four (2544), Twenty-five Hundred Fifty-two (2552), Twenty-five Hundred Fifty-four (2554), Twenty-five Hundred Fifty-five (2555) and Twenty-five Hundred Sixty-two (2562), of the Code, relating to the protection of fish and game.

Read first and second time and referred to Committee on Fish and Game.

By Holmes of Kossuth, House File No. 333, a bill for an act making an appropriation to defray the expenses of the Lincoln program.

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

By Hunter of Polk, House File No. 334, a bill for an act making an appropriation for the Lindquist-Holt Hardware Company, on account of damage done to property caused by reason of the negligently constructed and maintained wagon carrying mail from the Des Moines postoffice to the Capitol building operated by an employee of the State of Iowa.

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

By Marston of Cerro Gordo, House File No. 335, a bill for an act to appropriate the sum of nine hundred eighty-eight and ninety-

eight hundredths dollars (\$988.98) to reimburse the State Board of Dental Examiners for moneys charged off their account August 10, 1907.

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

#### MESSAGES FROM THE SENATE.

The following messages were received from the Senate:

MR. SPEAKER—I am directed to inform your honorable body that the Senate has passed the following bill in which the concurrence of the House is asked:

Substitute for Senate File No. 99, a bill for an act to amend the law as it appears in Section 2675 of the Code, 1907, by providing an official name for the state normal school at Cedar Falls.

S. W. NEAL,  
*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:

Substitute for Senate File No. 23, a bill for an act to amend the law as it appears in Section 2116 of the Supplement to the Code, 1907, relative to the duty of railways to furnish transportation.

S. W. NEAL,  
*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. 219, a bill for an act to amend the law as it appears in Section 2692-a and 2692-c of the Supplement to the Code, 1907, relating to state agents and making appropriation therefor.

S. W. NEAL,  
*Secretary.*

#### SENATE MESSAGES CONSIDERED.

Senate File No. 219, a bill for an act to amend the law as it appears in Section Twenty-six Hundred Ninety-two-a, and Section Twenty-six Hundred Ninety-two-c, of the Supplement to the Code, 1907, relating to state agents and making appropriation therefor.

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

Substitute for Senate File No. 23, a bill for an act to amend the law as it appears in Section Twenty-one Hundred and Sixteen

(2116) of the Supplement to the Code, 1907, relating to the duty of railways to furnish transportation.

Read first and second time and referred to Committee on Railroads and Transportation.

Substitute for Senate File No. 99, a bill for an act to amend Section Twenty-six Hundred Seventy-five (2675) of the Code, relating to the Normal School at Cedar Falls.

Read first and second time and referred to Committee on Normal Schools.

The Speaker announced that as Speaker of the House, in the presence of the House, he had signed Senate File Nos. 28, 119, 121, and 129.

The Speaker announced that he had appointed Corrie of Ida, as a member of the committee to draft resolutions respecting the life and public service of the Hon. Jesse Kennedy, in the place of Baxter of Ida.

White of Story offered the following resolution:

WHEREAS, The Legislative Reference Bureau has done and is doing much valuable work materially assisting the work of this General Assembly and as there is necessarily a small expense incurred in prosecuting this work, therefore

*Be it Resolved*, That it is the sense of this House that the Secretary of the Executive Council shall honor all reasonable and necessary requisitions made by the State Historical Department of Iowa for such stamps and other material as may be necessary in the prosecution of this work.

White of Story moved the adoption of the resolution.

Motion prevailed, and the resolution was adopted.

#### CONSIDERATION OF BILLS.

On motion of Swan of Appanoose, House File No. 121, a bill for an act to amend Section One Thousand Five Hundred and Seventy (1570) of the Code, 1907, providing for the time when osage orange, willow, and other hedge fences shall be trimmed, was taken up and considered.

Lee of Emmet proposed the following amendment:

I move to amend House File 121 and the title thereof by inserting immediately after the figures "(1570)" in line two of the title,



the words "of the Supplement to" and by striking out the word "of" in said line of the title and by inserting a comma after the word "Code" in said line of the title; and by changing the comma after the word "thereof" in line three of Section One to a period and by striking all of Section One after said period.

Amendment adopted.

Swan of Appanoose moved that the rules be suspended, 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 ayes were:

Allred, Anderson, Arney, Bascom, Bauman, Beans, Beebe, Beery, Boe, Bonwell, Boomgaarden, Bowman, Brandes, Burt, Byerly, Calkins, Cassady, Cooper, Cousins, Dabney, Dalby, Darrah, Davidson, Dawson, Derrough, Dewey, DeWitt, Dye, Elliott, Etter, Felt, Fenn, Fourt, Fox, Fulliam, Fulton, Goodykoontz, Grier, Hackler, Hanson, Harding, Harvey, Hickenlooper, Holmes, Hunter, Ide, Inman, Jacobs, Johnson, Jones, Kellogg, Kendall, Klay, Koontz, Kull, Lee, McCleery, Meredith, Moore of Wapello, Moore of Linn, Penn, Perkins, Reaney, Ripley, Sankey, Schroeder, Schulte, Sheldon, Smith, Stillman, Stoddard, Swan, Swift, Thompson, Tilton, Ward, Welden, White, Wilson, Wolfe, Zeller, Mr. Speaker—82.

The nays were:

Crummer, Drury, Finlayson, Larrabee, Newell, Reitz, Schee—7.

Absent or not voting:

Balluff, Blackmore, Boettger, Corrie, Crozier, Cunningham, Dewell, Dodds, Ellis, Huffaker, Jewell, McDonald, Marston, Miller of Bremer, Miller of Dubuque, O'Connor, Ritter, Sullivan, Tegeler—19.

So the bill passed and the title was agreed to.

Johnson of Mitchell in the Chair.

On motion of Kellogg of Harrison, House File No. 225, a bill for an act to amend Sections Seven Hundred Twenty (720) and Seven Hundred Twenty-one (721) of the Supplement to the Code, 1907, relating to the purchase of water or gas works, heating plants and

electric plants, and the submission of the question to the voters; and House File No. 226, a bill for an act to amend Section Seven Hundred Seventy-six (776) of the Supplement to the Code, 1907, relating to the granting of franchises, with report of committee recommending passage as amended by substitute, was taken up, considered, and the substitute amendment adopted; and House File No. 256 was substituted for House File Nos. 225 and 226.

Kellogg of Harrison moved that the rules be suspended, 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 ayes were:

Allred, Anderson, Arney, Bascom, Bauman, Beans, Beebe, Beery, Blackmore, Boe, Boettger, Bonwell, Boomgaarden, Bowman, Brandes, Burt, Byerly, Calkins, Cassady, Cooper, Cousins, Crozier, Crummer, Dabney, Dalby, Darrah, Davidson, Dawson, Derrough, Dewey, Drury, Dye, Elliott, Etter, Felt, Fenn, Finlayson, Fourt, Fox, Fulliam, Fulton, Goodykoontz, Grier, Hackler, Hanson, Harding, Hickenlooper, Hunter, Ide, Inman, Jacobs, Johnson, Jones, Kellogg, Kendall, Klay, Koontz, Kull, Larrabee, Lee, McCleery, McDonald, Meredith, Miller of Bremer, Moore of Wapello, Moore of Linn, Newell, Penn, Perkins, Reaney, Ripley, Ritter, Sankey, Schee, Schroeder, Schulte, Sheldon, Smith, Stillman, Stoddard, Swan, Swift, Thompson, Tilton, Ward, Welden, White, Wilson—88.

The nays were:

None.

Absent or not voting:

Balluff, Corrie, Cunningham, Dewell, DeWitt, Dodds, Ellis, Harvey, Holmes, Huffaker, Jewell, Marston, Miller of Dubuque, O'Connor, Reitz, Sullivan, Tegeler, Wolfe, Zeller, Mr. Speaker—20.

So the bill passed and the title was agreed to.

On motion of Kellogg of Harrison, House File No. 227, a bill for an act to amend Section Seven Hundred Forty-one-g (741-g), Seven Hundred Forty-one-m (741-m), Seven Hundred Forty-one-q

(741-q), and Seven Hundred Forty-six (746) of the Supplement to the Code, 1907, relating to the submission of questions to voters with report of committee recommending passage as amended, was taken up and considered.

Kellogg of Harrison moved that the rules be suspended, 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 ayes were:

Allred, Anderson, Arney, Bascom, Bauman, Beans, Beebe, Beery, Blackmore, Boe, Boettger, Bonwell, Boomgaarden, Bowman, Brandes, Burt, Byerly, Calkins, Cassady, Cooper, Cousins, Crozier, Dabney, Dalby, Darrah, Dawson, Derrrough, Dewey, Drury, Dye, Elliott, Etter, Felt, Finlayson, Fourt, Fox, Fulliam, Fulton, Goodykoontz, Grier, Hackler, Hanson, Harding, Hickenlooper, Holmes, Hunter, Ide, Inman, Jacobs, Johnson, Jones, Kellogg, Kendall, Klay, Koontz, Kull, Larrabee, Lee, McCleery, Marston, Meredith, Miller of Bremer, Moore of Wapello, Moore of Linn, Newell, Penn, Perkins, Reaney, Reitz, Ripley, Ritter, Sankey, Schroeder, Schulte, Sheldon, Smith, Stillman, Stoddard, Swan, Swift, Thompson, Tilton, Ward, Welden, White, Wilson, Zeller, Mr. Speaker—88.

The nays were:

None.

Absent or not voting:

Balluff, Corrie, Crummer, Cunningham, Davidson, Dewell, DeWitt, Dodds, Ellis, Fenn, Harvey, Huffaker, Jewell, McDonald, Miller of Dubuque, O'Connor, Schee, Sullivan, Tegeler, Wolfe—20.

So the bill passed and the title was agreed to.

On motion of Brandes of Pottawattamie, substitute for Senate File No. 101, a bill for an act to amend Sections Two Thousand Two Hundred Thirty-two (2232), Two Thousand Two Hundred Thirty-three (2233), Two Thousand Two Hundred Thirty-four (2234), Two Thousand Two Hundred Forty-one (2241), Two Thousand Two Hundred Forty-two (2242), Two Thousand Two Hundred Forty-three (2243), Two Thousand Two Hundred Forty-four (2244), Two Thousand Two Hundred Forty-five (2245), Two Thousand Two Hundred Forty-six (2246), Two Thousand Two

Hundred Forty-eight (2248) and Two Thousand Two Hundred Forty-nine (2249) of the Code, relating to the care and support of the poor, with report of committee recommending passage as amended by substitute, was taken up, considered, and the substitute amendment adopted, and Committee Substitute known as House File No. 257 was substituted for Senate Substitute for Senate File No. 101.

Brandes of Pottawattamie moved that the rules be suspended, the bill be read a third time now, which motion prevailed, and the bill was read a third time.

On the question, "Shall the bill pass?"

The ayes were:

Allred, Anderson, Arney, Bascom, Bauman, Beans, Beebe, Beery, Blackmore, Boe, Boettger, Bonwell, Boomgaarden, Bowman, Brandes, Burt, Byerly, Calkins, Cassady, Cooper, Cousins, Crozier, Dabney, Darrah, Davidson, Dawson, Derrough, Dewey, Drury, Dye, Elliott, Felt, Fenn, Finlayson, Fourt, Fox, Fulliam, Fulton, Goodykoontz, Grier, Hackler, Hanson, Harding, Hickenlooper, Holmes, Hunter, Ide, Jacobs, Johnson, Jones, Kellogg, Kendall, Koontz, Kull, Larrabee, Lee, McCleery, McDonald, Marston, Meredith, Moore of Wapello, Moore of Linn, Newell, Perkins, Reaney, Reitz, Ripley, Ritter, Sankey, Sehee, Schroeder, Schulte, Smith, Stillman-Stoddard, Swan, Swift, Thompson, Tilton, Ward, Welden, Wilson, Zeller, Mr. Speaker—83.

The nays were:

Sankey—1.

Absent or not voting:

Balluff, Corrie, Crummer, Cunningham, Dalby, Dewell, DeWitt, Dodds, Ellis, Etter, Harvey, Huffaker, Inman, Jewell, Klay, Miller of Bremer, Miller of Dubuque, O'Connor, Penn, Sheldon, Sullivan, Tegeler, White, Wolfe—24.

So the bill passed and the title was agreed to.

On motion of Welden of Hardin, Senate File No. 22, a bill for an act to amend the law as it appears in Section Seven Hundred and Forty (740) of the Supplement to the Code, 1907, relating to aiding by taxation the maintenance of any institution of learn-

ing or benevolence including hospitals acquired by any county, city, town or school corporation by gift or devise, was taken up and considered.

Speaker Feely in the Chair.

Schee of O'Brien moved to amend by striking out the words "sixty-five per cent" and insert in lieu thereof "a majority."

Motion lost.

Harding of Woodbury proposed the following amendment:

I move to amend by striking out of Senate File No. 22, wherever they appear therein the words "or school corporation" and to amend by striking out the words "learning or" in line four between the words "city" and "town."

Amendment adopted.

Crozier of Marion proposed the following amendment:

I move to amend by inserting after the word "tax" in the fourteenth line thereof and before the word "not" in said line the words "stating the rate."

Amendment lost.

Schee of O'Brien proposed the following amendment:

I move to amend Senate File No. 22 by striking from line seventeen of Section 1 thereof the words "if a majority" and insert in lieu thereof the words "if a majority of 65 per cent."

Amendment lost.

Welden of Hardin moved that the rules be suspended, the bill be read a third time now, which motion prevailed, and the bill was read a third time.

On the question, "Shall the bill pass?"

The ayes were:

Allred, Anderson, Arney, Bascom, Bauman, Beans, Beebe, Beery, Blackmore, Boe, Bonwell, Bowman, Brandes, Burt, Byerly, Cas-sady, Cooper, Corrie, Cousins, Crozier, Dabney, Dalby, Darrah, David-son, Dawson, Derrough, Dewey, Drury, Dye, Elliott, Felt, Fenn, Finlayson, Fourt, Fox, Fulton, Goodykoontz, Grier, Hackler, Han-son, Harding, Hickenlooper, Holmes, Hunter, Ide, Inman, Jacobs,

Johnson, Jones, Kellogg, Kendall, Klay, Koontz, Kull, Larrabee, Lee, Marston, Moore of Wapello, Moore of Linn, Newell, Penn, Perkins, Reaney, Ripley, Ritter, Schulte, Smith, Stillman, Stoddard, Swan, Swift, Thompson, Tilton, Ward, Welden, White, Wilson, Mr. Speaker—78.

The nays were:

Boomgaarden, Calkins, Meredith, Sankey Schee, Schroeder, Zeller—7.

Absent or not voting:

Balluff, Boettger, Crummer, Cunningham, Dewell, DeWitt, Dodds, Ellis, Etter, Fulliam, Harvey, Huffaker, Jewell, McCleery, McDonald, Miller of Bremer, Miller of Dubuque, O'Connor, Reitz, Sheldon, Sullivan, Tegeler, Wolfe—23.

So the bill passed.

Harding of Woodbury moved to amend the title by striking out the words "or learning" in the third line of the title and by striking out the words "or school corporation" in the last line.

Amendment adopted, and the title as amended agreed to.

On motion of Kull of Howard, Senate File No. 72, a bill for an act to amend the law as it appears in Section Forty-nine Hundred Ninety-nine-a-9, of the Supplement to the Code, 1907, relating to protection against fire and providing means for escape, with report of committee recommending passage as amended, was taken up, considered, and amendment adopted.

Kull of Howard moved that the rules be suspended, the bill be read a third time now, which motion prevailed, and the bill was read a third time.

On the question, "Shall the bill pass?"

The ayes were:

Allred, Anderson, Arney, Bauman, Beans, Beebe, Beery, Blackmore, Boomgaarden, Bowman, Brandes, Burt, Byerly, Calkins, Casady, Cooper, Cousins, Crozier, Dabney, Darrah, Davidson, Dawson, Derrough, Dewey, Drury, Dye, Elliott, Felt, Fenn, Finlayson, Fourt, Goodykoontz, Grier, Hackler, Hanson, Harding, Hickenlooper, Holmes, Hunter, Ide, Inman, Jacobs, Johnson, Jones, Ken-

dall, Klay, Koontz, Kull, Larrabee, Lee, Marston, Meredith, Moore of Wapello, Moore of Linn, Newell, Penn, Perkins, Reaney, Reitz, Ripley, Ritter, Schee, Schroeder, Schulte, Stillman, Stoddard, Swift, Thompson, Ward, Welden, White, Wilson, Mr. Speaker—73.

The nays were:

Corrie, Sankey, Smith, Tilton—4.

Absent or not voting:

Balluff, Bascom, Boe, Boettger, Bonwell, Crummer, Cunningham, Dalby, Dewell, DeWitt, Dodds, Ellis, Etter, Fox, Fulliam, Fulton, Harvey, Huffaker, Jewell, Kellogg, McCleery, McDonald, Miller of Bremer, Miller of Dubuque, O'Connor, Sheldon, Sullivan, Swan, Tegeler, Wolfe, Zeller—31.

So the bill passed and the title was agreed to.

The following communication was received from the Secretary of the Executive Council:

*Hon. Guy A. Feely, Speaker House of Representatives:*

DEAR SIR—My attention has been called to a resolution passed by the House this morning in reference to postage for the Legislative Reference Department. The Thirty-second General Assembly, under Joint Resolution No. 5, provided for legislative and general reference assistant, as will be found on page 285. To that position Miss Rosemond has been assigned, as I believe, by the trustees of the Library. This department is created under the State Librarian and is able to obtain all the postage which the library department may call for. The resolution refers to furnishing the Historical Department with postage. The Historical Department, under the provisions of Code Section 2881-b, is under the general charge of the State Librarian. I am ready to furnish the State Librarian all the postage he may require for any purpose provided for by law and have been at all times. The same enactment which placed the Historical Department under the general charge of the State Librarian reduced the Historical Department to merely a curator of the museum and art gallery, having charge of the historical periodicals.

We have at all times been willing to furnish that curator with all the postage required for the duties of that department. We have recently been asked by the acting curator of the Museum to furnish postage which we were expressly advised was to be used by a person not employed in any work authorized in any express statute of the State, except under the State Library as above indicated.

I deem it proper to call your attention and through you the attention of the House of Representatives to the above stated facts, and the law referred to, and to the further fact that to furnish postage to anyone not

authorized by law would be at my personal expense. I shall be glad to be directed, however, in any way which is proper in the matter.

Respectfully yours,

A. H. DAVISON,  
*Secretary.*

Moore of Linn moved that the communication be referred to the Committee on Retrenchment and Reform.

Motion prevailed, and the communication was so referred.

Welden of Hardin moved that House File No. 19, be withdrawn from the Committee on Municipal Corporations and the further consideration of the House.

Motion prevailed.

Meredith of Cass moved that House File No. 140, be withdrawn from the further consideration of the House.

Motion prevailed.

Kull of Howard moved that House File No. 92 be withdrawn from the Committee on Municipal Corporations and the further consideration of the House.

Motion prevailed.

On motion of Schulte of Clayton the House adjourned.



## RECORD OF BILLS.

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Showing action taken by House on all Bills and Joint Resolutions introduced in the House and messaged from the Senate to and including February 25, 1909.

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*Mr. Speaker and Members of the House of Representatives:*

GENTLEMEN—Herewith is the record of all bills and joint resolutions introduced in the House, and action taken thereon to date, February 25th, 1909.

Also, Senate bills received from the Senate, and action taken thereon.

Respectfully submitted,

C. R. BENEDICT,  
*Chief Clerk.*

House File No. 1, by Ellis of Jackson, a bill for an act to make an appropriation for the removal of the remains of Ex-Governor Ansel Briggs from Omaha, Nebraska, to Andrew, Jackson County, Iowa, and for the erection of a monument in the cemetery at that place in commemoration of his memory.

February 19th, messaged to Senate.

House File No. 2, by Hackler of Webster, a bill for an act to repeal sections ten hundred fifty-six-a-seventeen (1056-a17), ten hundred fifty-six-a-eighteen (1056-a18), ten hundred fifty-six-a-twenty-six (1056-a26) of Chapter Fourteen, C (14,C.) of the Supplement to the Code of Iowa, and to enact substitutes therefor, and to amend sections ten hundred fifty-six-a-nineteen (1056-a19), ten hundred fifty-six -a-twenty (1056-a20), ten hundred fifty-six-a-twenty-one (1056-a21), ten hundred fifty-six-a-twenty-four (1056-a24), ten hundred fifty-six-a-twenty-five (1056-a25), ten hundred fifty-six-a-twenty-eight (1056-a28), ten hundred fifty-six-a-thirty-two (1056-a32), ten hundred fifty-six-a-thirty-nine (1056-a39), of Chapter Fourteen-C (14-C) of the Supplement to the Code of Iowa, all relating to the government of certain cities.

Read first and second time and referred to Committee on Municipal Corporations.

February 23d, lost on passage.

February 24th, motion filed to reconsider.

House File No. 3, by Harding of Woodbury, a bill for an act to create a legislative commission to examine the subject of taxation for state and local purposes and the expediency of revising and amending the laws relating thereto and making an appropriation therefor.

January 19th—Referred to Committee on Ways and Means.

House File No. 4, by Meredith of Cass, a bill for an act to establish the office of Commerce Counsel, and defining the powers and duties of the same.

January 19th, referred to Committee on Railroads and Transportation.

House File No. 5, by Zeller of Madison, a bill for an act to amend the law as it appears in section fifteen hundred thirty-two-a (1532-a), Code Supplement of 1907, relative to the duties of township trustees; the election and compensation of road superintendents; the division and consolidation of road districts and the collection of property road tax.

February 5th, messaged to Senate.

House File No. 6, by Hunter of Polk, a bill for an act to repeal the law as it appears in section fourteen hundred fifty-seven (1457), of the supplement to the code, and to enact a substitute therefor relating to the subject of loaning or depositing of public funds.

January 19th, referred to Committee on Ways and Means.

House File No. 7, by Davidson of Palo Alto, a bill for an act for the preservation and improvement of Medium lake and the islands therein and placing the same within the jurisdiction of the city of Emmetsburg and making appropriation therefor.

February 11th, reported correctly enrolled.

House File No. 8, by Miller of Bremer, a bill for an act to compel manufacturers and owners of corn huskers, shuckers and shredders, to provide automatic feeders or other safety device to safeguard against accidents and making the sale or use thereof a misdemeanor and fixing a penalty for violation.

January 19th, referred to Committee on Labor.

House File No. 9, by Ripley of Hancock, a bill for an act to repeal section three thousand three hundred and seven (3307) of the supplement to the Code, 1907, relating to administration of the estates of absentees, and to enact a substitute therefor.

February 23d, House refused to concur in Senate Substitute Amendment to H. F. 9.

House File No. 10, by Ripley of Hancock, a bill for an act to amend section two thousand three hundred and ten-a-twenty-four (2310-a24), relating to the sale of intoxicating liquors or narcotics to inebriates.

January 19th, referred to Committee on Suppression of Intemperance.

House File No. 11, by Hickenlooper of Monroe, a bill for an act to repeal section thirty-two hundred and sixty-eight (3268) of the Code, relative to the time and manner of examination of bonds of guardians, executors, administrators, and trustees, by clerk of the district court, and to enact a substitute therefor.

February 11th, reported correctly enrolled.

House File No. 12, by Balluff of Scott, a bill for an act to define an "absentee" and to provide for the care and management of the estate of such absentee and for the distribution of his or her estate by an administrator or executor.

February 20th, reported from Committee on Judiciary with Substitute amendment, report adopted.

House File No. 13, by Balluff of Scott, a bill for an act requiring that all bonds required to be given in any judicial proceeding shall contain a contract for the payment of attorney's fees and providing for their collection.

January 19th, referred to Committee on Judiciary.

House File No. 14, by Boettger of Scott, a bill for an act to repeal section four hundred ninety-one (491) of the Code relating to compensation of deputy treasurers and enacting a substitute therefor.

January 19th, referred to Committee on Compensation of Public Officers.

House File No. 15, by Boettger of Scott, a bill for an act to repeal section four hundred eighty-one (481) of the Code, relating to compensation of deputy auditors and enacting a substitute therefor.

January 19th, referred to Committee on Compensation of Public Officers.

House File No. 16, by Boettger of Scott, a bill for an act to repeal section four hundred ninety-six (496) of the Code, relating to compensation of deputy recorders and enacting a substitute therefor.

January 19th, referred to Committee on Compensation of Public Officers.

House File No. 17, by Boettger of Scott, a bill for an act to repeal section five hundred and ten (510) of the Code, relating to compensation of deputy sheriffs, and enacting a substitute therefor.

January 28th, bill indefinitely postponed.

House File No. 18, by Fulliam of Muscatine, a bill for an act to amend the law, as the same appears in section ten hundred eighty-seven-a-thirty-four (1087-a-34) of the Supplement to the Code relating to primary elections.

February 4th, messaged to Senate.

House File No. 19, by Welden of Hardin, a bill for an act to amend the law as it appears in section seven hundred and forty (740) of the 1907 Supplement to the Code, relating to aiding by taxation the maintenance of any institution of learning or benevolence including hospitals acquired by any county, city, town or school corporation by gift or devise.

February 25th, withdrawn from committee and from further consideration of the House.

House File No. 20, by Moore of Linn, a bill for an act to amend section three thousand and fifty-three (3053) of the Code of 1897, relating to legal holidays.

January 22d, S. F. No. 18 substituted therefor.

House File No. 21, by Dabney of Davis, a bill for an act to amend section twenty-one hundred sixty-five-a (2165-a) and twenty-one hundred sixty-five-b (2165-b) of the Code Supplement, pertaining to the duty of express companies maintaining an office at or near the business center of cities and towns, and the duty of the railroad commissioners as to the same.

January 20th, referred to Committee on Telegraph and Express.

House File No. 22, by Dabney of Davis, a bill for an act to amend section two thousand seventy-seven (2077) of the Code Supplement, relative to passenger rates for transporting persons and baggage.

January 20th, referred to Committee on Railroads and Transportation.

House File No. 23, by Dabney of Davis, a bill for an act to amend section four thousand six hundred sixty-one (4661) of the Code, relative to fees paid witnesses in any court of record.

Read first and second time and referred to Committee on Judiciary.  
February 6th, bill indefinitely postponed.

House File No. 24, by Schulte of Clayton, a bill for an act to repeal section two thousand five hundred and seventy-a (2570-a) of the Supplement to the Code, and to enact a substitute therefor, in relation to quarantine and the expenses thereof.

Read first and second time and referred to Committee on Public Health.

February 11th, committee bill 208 substituted therefor.

House File No. 25, by Crozier of Marion, a bill for an act repealing chapter one hundred eighty-one (181), Acts of the Thirty-second General Assembly, and defining the relations between employer and employe in the respect to assumption of risks.

February 18th, transferred to Committee on Judiciary.

House File No. 26, by Ward of Woodbury, a bill for an act to provide for the taxation of mortgages of real property.

January 20th, referred to Committee on Ways and Means.

House File No. 27, by Finlayson of Grundy, a bill for an act to amend section three thousand one hundred eighty-one (3181) of the Code Supplement relating to the remarriage of divorced persons.

January 29th, withdrawn from committee.

House File No. 28, by Koontz of Johnson, a bill for an act to amend section one, chapter five, of the Acts of the Sixteenth General Assembly of the State of Iowa, relating to the granting of power to the First Universalist Parish of Iowa City, Iowa, to transfer a portion of its property in Iowa City, Iowa.

Read first and second time and referred to Committee on Judiciary.  
February 6th, reported correctly enrolled.

House File No. 29, by Boettger of Scott, a bill for an act repealing section five hundred ninety-one (591) of the Code relating to the compensation of Township Clerks and enacting a substitute therefor.

January 20th, referred to Committee on Compensation of Public Officers.

House File No. 30, by Boettger of Scott, a bill for an act repealing section five hundred and ninety-two (592) of the Code relating to the compensation of Township Assessors and enacting a substitute therefor.

January 20th, referred to Committee on Compensation of Public Officers.

House File No. 31, by Boettger of Scott, a bill for an act repealing section five hundred and ninety (590) of the Code relative to the compensation of Township Trustees and enacting a substitute therefor.

January 20th, referred to Committee on Compensation of Public Officers.

House File No. 32, by Johnson of Mitchell, a bill for an act to repeal sections twenty-five hundred seventy-a (2570-a), twenty-five hundred seventy-a1 (2570-a1), and twenty-five hundred seventy-b (2570-b) of the 1907 Supplement to the Code of Iowa, relating to the care of infected persons and payment of quarantine expenses, and to enact a substitute therefor.

February 11th, committee bill 208 substituted therefor.

House File No. 33, by Allred of Wayne, a bill for an act to repeal sections four hundred and sixteen (416), four hundred and seventeen (417), four hundred and eighteen (418) and four hundred and nineteen (419), chapter two of the Code, relating to supervisors districts.

January 27th, referred to Committee on Judiciary.

House File No. 34, by Arney of Marshall, a bill for an act to amend the law as it appears in section twenty-six hundred four (2604) of the Supplement to the Code 1907, relative to the perquisites of officers of the Iowa Soldiers' Home.

February 10th, reported correctly enrolled.

House File No. 35, by Wilson of Tama, a bill for an act to repeal section eleven hundred thirty (1130) of the 1907 Supplement to the Code, relating to the office of Township Assessor in territory outside of the corporation, and to enact the following in lieu thereof.

February 8th, withdrawn from House and from further consideration of House.

House File No. 36, by Schulte of Clayton, a bill for an act to amend Chapter Six (6), Title Five (5), of the Code, relating to sprinkling of streets and providing for the assessment of the cost thereof on the property benefited thereby.

February 17th, reported from Committee on Municipal Corporations, recommending amendments and passage, report adopted.

House File No. 37, by Ritter of Des Moines, a bill for an act to repeal section twenty-four hundred and forty-five (2445) of the Code and to enact a substitute therefor.

February 10th, messaged to the Senate.

House File No. 38, by DeWitt of Montgomery, a bill for an act relating to road tax and amending section one thousand five hundred and twenty-eight (1528) of the Code and Supplement to the Code relative to levying additional road tax.

February 24th, indefinitely postponed.

House File No. 39, by Miller of Bremer, a bill for an act authorizing the Regents of the State University to adopt university extension and correspondence teaching and make appropriation therefor.

January 21st referred to Committee on Appropriations.

House File No. 40, by Bonwell of Audubon, a bill for an act to require railway corporations upon order of the Board of Railway Commissioners to operate motor cars.

February 3d, indefinitely postponed.

House File No. 41, by Bonwell of Audubon, a bill for an act to require railway corporations upon order of the Railway Commission to maintain trains so as to prevent unreasonable delay to through traffic at points where connection is made with other lines.

Read first and second time and referred to Committee on Railroads and Transportation.

February 3d, indefinitely postponed.

House File No. 42, by Moore of Linn, a bill for an act requiring all guaranty, fidelity and surety companies doing business in the State of Iowa to deposit with the Auditor of State, a guarantee fund for the protection of the citizens of the State.

February 18th, reported from committee with amendments; report adopted.

House File No. 43, by Moore of Linn, a bill for an act to authorize the payment of the cost of corporate suretyship upon official bonds.

January 21st, referred to Committee on Judiciary.

House File No. 44, by Moore of Linn, a bill for an act to provide that any fiduciary required by law to give a bond may include the expense thereof as part of the lawful expense of executing his trust etc.

February 22d, reported from committee; recommending amendments and passage; report adopted.

House File No. 45, by Moore of Linn, a bill for an act to amend section fourteen hundred and fifty-seven (1457), Title seven (7), Chapter three (3), of the Supplement to the Code, relating to the depositing of public funds.

January 21st, referred to Committee on Judiciary.

House File No. 46, by Sullivan of Polk, a bill for an act to provide for the punishment of persons responsible for or contributing to the delinquency of children.

January 21st, referred to Committee on Judiciary.

House File No. 47, by Bonwell of Audubon, a bill for an act to create a Highway Commission for the State of Iowa, defining the powers and duties of the same and to provide for a system of state co-operation with townships and counties in the improvement of the public wagon roads and to make an appropriation therefor.

January 22d, referred to Committee on Roads and Highways.

House File No. 48, by Klay of Sioux, a bill for an act to amend section one thousand one hundred ninety-six (1196) of the Code, relating to the recording of officers' bonds.

February 3d, committee bill 162 substituted therefor.

House File No. 49, by Dye of Pottawattamie, a bill for an act to appropriate money for the use of the Institution for Feeble-Minded Children at Glenwood, Iowa.

January 22d, referred to Committee on Appropriations.

House File No. 50, by Reitz of Lee, a bill for an act providing for purchase and erection of a monument in memory of the Indian Chief Black Hawk, and at the point of the first military post in the State of Iowa, and making an appropriation therefor.

January 22d, referred to Committee on Appropriations.

House File No. 51, by Brandes of Pottawattamie, a bill for an act to repeal section thirteen hundred sixty-six (1366) of the Code, and enact a substitute therefor relative to assessment rolls.

February 20th, withdrawn from committee and from further consideration of House.

House File No. 52, by Bowman of Linn, a bill for an act to amend section two (2), of Chapter fourteen (14), of the laws of the Twenty-ninth General Assembly, relating to the compensation of shorthand reporters, and the costs of transcript in criminal cases.

February 13th, indefinitely postponed.

House File No. 53, by Johnson of Mitchell, a bill for an act to repeal section twenty-five hundred seventy-one (2571) of the 1907 Supplement to the Code of Iowa, relating to meetings of the local Boards of Health, regulations, reports, expenses and tax and to enact a substitute therefor.

February 11th, committee bill 208 substituted therefor.

House File No. 54, by Swift of Shelby, a bill for an act to repeal section twenty-one hundred nineteen (2119) of the Code, relating to the enforcement of the rules, orders and regulations of the Board of Railway Commissioners, and to enact a substitute therefor.

February 4th, passed House; messaged to Senate.

House File No. 55, by Sullivan of Polk, a bill for an act to provide for the appointment of a commission to select, draw and summon grand and petit jurors in all counties having a population of over 50,000 and prescribing the duties thereof.

February 23d, indefinitely postponed.

House File No. 56, by Hunter of Polk, a bill for an act to appropriate money for the use of the Industrial School for Girls at Mitchellville, Iowa.

Jan. 22d, referred to Committee on Appropriations.

House File No. 57, by Schulte of Clayton, a bill for an act to repeal paragraph four (4), of section eighteen hundred fifty (1850), of the Supplement to the Code and to enact a substitute therefor, relating to the investment of funds of savings banks.

January 22d, referred to Committee on Banks and Banking.

House File No. 58, by DeWitt of Montgomery, a bill for an act to amend Chapter sixteen-b (16-b) of the Supplement to the Code of Iowa, relating to the registration of births and deaths and to repeal sections twenty-five hundred and seventy-five-a-fourteen (2575-a14), twenty-five hundred and seventy-five-a-fifteen (2575-a15), twenty-five hundred and seventy-five-a-eighteen (2575-a-18) and twenty-five hundred and sixty-seven (2567) of the Supplement to the Code.

February 5th, indefinitely postponed.

House File No. 59, by Ripley of Hancock, a bill for an act authorizing the taxation of expenses and fees in certain suits in favor of defendants where suit is brought in a county other than that of the residence of the defendant. Additional to Chapter sixteen (16) of Title eighteen (XVIII) of the Code.

February 6th, withdrawn from committee and from further consideration of House.

House File No. 60, by Fulton of Jefferson, a bill for an act to amend section four hundred and thirty-three (433) of the Supplement of 1907 of the Code, relative to the burial of indigent soldiers and sailors.

February 23d, reported correctly enrolled.

House File No. 61, by Reaney of Louisa, a bill for an act to amend section sixteen hundred and sixty-one-a (1661-a) of the Supplement to the Code, relative to state aid to county and district fairs.

February 18th, reported from committee for passage; report adopted.

House File No. 62, by Holmes of Kossuth, a bill for an act to revise, amend and codify the statutes in relation to the public schools.

January 22d, referred to Committee on Schools and Text Books.

House File No. 63, by Sullivan of Polk, a bill for an act to repeal section three thousand three hundred and seventy-nine (3379) of the Code, relating to inheritance of wife and parents, and enacting a substitute therefor.

January 29th, withdrawn from committee.

House File No. 64, by Hackler of Webster, a bill for an act to amend the law as it appears in section two hundred thirty-two (232) of the 1907 Supplement to the Code, relating to the schedule of times of holding terms of district court.

February 8th, withdrawn from committee and from further consideration of House.

House File No. 65, by Byerly of Jones, a bill for an act to appropriate money for the use of the Reformatory at Anamosa, Iowa.

January 22d, referred to Committee on Appropriations.

House File No. 66, by Goodykoontz of Boone, a bill for an act requiring all corporations doing business within the State to make an annual report and pay an annual license fee to the Secretary of State, and repealing a part of section sixteen hundred and twelve (1612) of the 1907 Supplement to the Code.

January 25th, referred to Committee on Ways and Mans.



House File No. 67, by Goodykoontz of Boone, a bill for an act to repeal section three hundred and fifty-four (354) as it appears in the 1907 Supplement to the Code of Iowa, and to enact a substitute therefor, relating to the fees of jurors.

February 5th, committee bill 179 substituted therefor.

House File No. 68, by Calkins of Adams, a bill for an act to regulate the taxation of mortgages and mortgaged real estate.

Read first and second time and referred to Committee on Ways and Means.

January 23d, referred to Committee on Ways and Means.

House File No. 69, by Allred of Wayne, a bill for an act to repeal the law as it appears in section five thousand and forty-a (5040-a), Chapter twelve (12), of the Code Supplement of 1907, and to enact a substitute therefor, relating to Memorial Day.

February 17th, returned from Senate; indefinitely postponed.

House File No. 70, by Beery of Henry, a bill for an act to appropriate money for the use of the Mount Pleasant State Hospital at Mount Pleasant, Iowa.

January 23d, referred to Committee on Appropriations.

House File No. 71, by Beery of Henry, a bill for an act to repeal section twenty-three hundred and sixty-seven (2367) of the Code defining a lawful fence.

February 24th, amended and passed House and messaged to Senate.

House File No. 72, by Brandes of Pottawattamie, a bill for an act to amend section twenty-seven hundred and eight (2708) and twenty-seven hundred and nine (2709), as they appear in the Supplement to the Code relating to the age at which boys or girls may be committed to the Industrial School.

February 10th, committee bill 161 substituted therefor.

House File No. 73, by Brandes of Pottawattamie, a bill for an act to repeal section eleven hundred and seventy-seven (1177) of the Code relating to the commencement of term and qualification of public officers and to enact a substitute therefor.

February 20th, passed House and messaged to Senate.

House File No. 74, by Reitz of Lee, a bill for an act to amend section sixteen hundred and seventy-five (1675), Title nine (9), Chapter three (3), of 1907 Supplement to the Code relating to farmers' institutes.

February 18th, indefinitely postponed.

House File No. 75, by Dawson of Cherokee, a bill for an act to provide for an annual vacation with pay for officers and other employees at the charitable institutions at Mount Pleasant, Independence, Clarinda, Cherokee, Glenwood, Eldora, Mitchellville, Vinton, Council Bluffs, Davenport, Knoxville and Marshalltown.

February 5th, reported from committee with amendments; report adopted; amendments adopted.

House File No. 76, by Dabney of Davis, a bill for an act to create a depositors' guaranty fund to insure depositors against loss if the bank becomes insolvent and empowering the Auditor of State to levy and collect the same. Additional to Title nine (9), Chapter twelve (12), of the Code and Code Supplement.

January 23d, referred to Committee on Banks and Banking.

House File No. 77, by Lee of Emmet, a bill for an act to amend the law as it appears in section twenty hundred seventy-one (2071) of the 1907 Supplement to the Code, relating to the liability of corporations operating a railway for negligence or wrongs of employees.

January 23d, referred to Committee on Judiciary.

House File No. 78, by Dawson of Cherokee, a bill for an act to appropriate money for the use of the Cherokee State Hospital at Cherokee, Iowa.

January 23d, referred to Committee on Appropriations.

House File No. 79, by White of Story, a bill for an act to amend section twenty-one hundred fifty-seven-g (2157-g) of the 1907 Supplement to the Code of Iowa. An act to permit common carriers of passengers and freight to grant reduced rates to persons engaged in college extension work and to grant reduced rates to necessary exhibits and property used in this work.

February 10th, indefinitely postponed.

House File No. 80, by Reitz of Lee, a bill for an act to amend section one thousand five hundred and thirty-three (1533), Title eight (8), Chapter two (2), of the Supplement of the Code of 1907, relating to the election of township road superintendent.

February 24th, indefinitely postponed.

House File No. 81, by Dodds of Des Moines, a bill for an act for the payment of a reward for the arrest and conviction of persons stealing horses and cattle in the State of Iowa.

February 25th, reported from committee with substitute amendment; report adopted.

House File No. 82, by Byerly of Jones, a bill for an act to legalize a special election of the City of Anamosa, Iowa, held October 28, 1907, for purchase of water-works system, and voting bonds therefor, and the ordinances, resolutions and acts of the council relating to such water-works.

February 8th, withdrawn from committee and from further consideration of House.

House File No. 83, by Perkins of Delaware, a bill for an act providing revenue for the improvement of public highways, creating a county drainage fund for said purpose and providing for the destruction of weeds and noxious weeds on the same and land adjacent thereto; naming the officers whose duty it shall be to enforce the provisions of this act and defining their duties, repealing sections fifteen hundred and twenty-eight (1528) and fifteen hundred thirty (1530) of the Supplement to the Code, 1907, and enacting a substitute therefor, and repealing sections fifteen hundred sixty-two (1562) and fifteen hun-

dred sixty-two-a (1562-a) of the Supplement to the Code, 1907, and repealing sections fifteen hundred sixty-four (1564), fifteen hundred sixty-five (1565) and five thousand twenty-four (5024) of the Code.

January 25th, referred to Committee on Roads and Highways.

House File No. 84, by Schulte of Clayton, a bill for an act to repeal section one thousand seven hundred twenty-six (1726) of the Code, relating to notes taken for policies of insurance and to enact a substitute therefor.

January 25th, referred to Committee on Insurance.

House File No. 85, by Cooper of Jasper, a bill for an act to amend section five hundred ninety-two (592), Chapter ten (10), Title four (4), of the Code of Iowa, relating to the compensation of township assessors.

January 25th, referred to Committee on Compensation of Public Officers.

House File No. 86, by Grier of Poweshiek, a bill for an act to transfer from the Auditor of State to the Treasurer of State all of the powers, duties and responsibilities relating to state and savings banks and loan and trust companies.

January 25th, referred to Committee on Banks and Banking.

House File No. 87, by Grier of Poweshiek, a bill for an act to transfer the duties, powers and authority granted to or enjoined upon the Auditor of State under the provisions of Chapter fourteen-a (14-a), of the 1907 Supplement to the Code of Iowa, relating to publication of municipal accounts, establishing uniform system of accounts, reports and audits in cities and towns from the Auditor of State to the Secretary of State.

January 25th, referred to Committee on Municipal Corporations.

House File No. 88, by White of Story, a bill for an act to provide for charges for car service, and to provide for damages to be paid by the common carrier to the shipper for failure to furnish and transport such cars with promptness and dispatch.

January 25th, referred to Committee on Railroads and Transportation.

House File No. 89, by Harding of Woodbury, a bill for an act to repeal section thirteen hundred and six-e (1306-e) of the Supplement to the Code, 1907, relating to the issuance of bonds by cities and towns and to enact a substitute therefor.

February 6th, reported from committee with amendments; report adopted.

House File No. 90, by Jacobs of Calhoun, a bill for an act to repeal section one thousand three hundred and twenty-two (1322) of the Supplement to the Code, 1907, relating to the taxation of national, state and savings banks and loan and trust companies and to enact a substitute therefor.

February 20th, reported from committee with amendments; report adopted.

House File No. 91, by Kull of Howard, a bill for an act limiting recovery for newspapers, magazines, and other publications to actual subscribers, and to their terms of subscriptions therefor.

Read first and second time and referred to Committee on Judiciary. February 6th, indefinitely postponed.

House File No. 92, by Kull of Howard, a bill for an act requiring the entrance and exit doors of all hotels, churches, lodge halls, court houses, assembly halls, theaters, opera houses, seminaries, colleges and public school houses to open outward.

February 25th, withdrawn from committee and from further consideration of the House.

House File No. 93, by Davidson of Palo Alto, a bill for an act to amend section five thousand two hundred and eighty-nine (5289) of the Code of 1897, by adding thereto a provision permitting the county attorney to amend indictments to correct errors therein or to add allegations thereto.

January 25th, referred to Committee on Judiciary.

House File No. 94, by Thompson of Benton, a bill for an act to appropriate money for the use of the College for the Blind at Vinton, Iowa.

February 19th, reported from committee, recommending passage, report adopted.

House File No. 95, by Welden of Hardin, a bill for an act to appropriate money for the use of the Industrial School for Boys at Eldora, Iowa.

January 26th, referred to Committee on Appropriations.

House File No. 96, by Brandes of Pottawattamie, a bill for an act to amend section fourteen hundred seven (1407) of the Code and the Supplement to the Code relating to the collection of delinquent personal property tax.

February 23d, reported from committee with amendments; report adopted.

House File No. 97, by Stoddard of Buchanan, a bill for an act to indemnify Gustave Winter for personal injury sustained by him while employed at the Hospital for the Insane at Independence, Iowa.

January 26th, referred to Committee on Claims.

House File No. 98, by Hickenlooper of Monroe, a bill for an act to repeal the law as it now appears in section three hundred thirty-seven-d (337-d) of the Supplement to the Code 1907, relating to time of selecting jury lists, and to enact a substitute therefor.

February 3d, passed House; messaged to Senate.

House File No. 99, by Harding of Woodbury, a bill for an act to amend Code section eight hundred thirty-two (832) providing that the cost of the repair of any street improvement may be assessed to abutting property.

February 6th, reported from committee with amendments; report adopted.

House File No. 100, by Harding of Woodbury, a bill for an act to amend section seven hundred ninety-two (792) of the Code, to provide for the oiling of streets and assessing the costs thereto to abutting property. February 20th, returned from Senate; indefinitely postponed.  
February 24th, recalled by Senate.

House File No. 101, by Boettger of Scott, a bill for an act to repeal section four hundred Seventy-nine (479) of the 1907 Supplement to Code, relative to the compensation of county auditors, and to enact in lieu thereof the following.

January 26, referred to Committee on Compensation of Public Officers.

House File No. 102, by Arney of Marshall, (by request), a bill for an act to repeal section fifteen hundred seventy-one (1571) of the Code and to enact a substitute in lieu thereof, relating to traction engines on the public roads.

February 25, reported from committee with substitute amendment; report adopted.

House File No. 103, by Bowman of Linn, a bill for an act to give Farmers Telephone Companies the same exemption from corporation fees which are now enjoyed by Farmers Co-operative Creamery Associations and Corporations organized for the manufacture of beet sugar.

February 16, indefinitely postponed.

House File No. 104, by O'Connor of Chickasaw, a bill for an act exempting stocks of paint in the hands of jobbers and dealers in the state on January 1, 1908, from the requirements of the law which appears as section two thousand five hundred and ten-b (2510-b), two thousand five hundred and ten-c (2510-c) two thousand five hundred and ten-d (2510-d), and two thousand five hundred and ten-h (2510-h) of the Supplement of the Code, 1907.

February 5th, withdrawn from committee and from further consideration of House.

House File No. 105, by Reitz of Lee, a bill for an act to amend section one thousand ninety-three (1093) of the Code and Supplement of 1907, relating to election boards.

January 27th, referred to Committee on Elections.

House File No. 106, by Sankey of Decatur, a bill for an act for a uniform fire insurance policy, and a valued insurance policy law and requiring that no property shall be insured for a greater amount than three-fourths of the value of the property insured.

February 9th, indefinitely postponed.

House File No. 107, by Arney of Marshall, a bill for an act to repeal section twenty-three hundred forty-one-d (2341-d) of the Supplement to the Code, 1907, and to enact a substitute therefor, relative to the transfer of state certificates for pure bred stallions.

January 27th, referred to Committee on Agriculture.

House File No. 108, by Arney of Marshall, a bill for an act to repeal section sixteen hundred seventy-five (1675) of the Supplement to the Code and to enact a substitute therefor, relative to Farmers' Institutes.

February 18th, reported from committee, recommending passage; report adopted.

House File No. 109, by Arney of Marshall, a bill for an act to repeal section thirteen hundred and sixty-three (1363) of the Code, relating to statistics, and enacting a substitute therefor.

February 18th, reported from committee, recommending passage; report adopted.

House File No. 110, by Hackler of Webster, a bill for an act to repeal section ten hundred and seventy-two (1072) of the Code Supplement nineteen hundred seven (1907), and to enact a substitute therefor relating to the term of office of county officers, and extending the time of office of the county auditor, clerk of the district court and recorder of deeds and making the term of office of all county officers four years.

January 27th, referred to Committee on Judiciary.

House File No. 111, by Cooper of Jasper, a bill for an act to provide for a change of place of trial on certain written contracts and to provide for taxing the costs therein.

January 27th, referred to Committee on Judiciary.

House File No. 112, by Bowman of Linn, a bill for an act to amend the law as it appears in section two hundred and ninety-seven (297) of the Code relating to the compensation of clerks of the district court.

January 27th, referred to Committee on Compensation of Public Officers.

House File No. 113, by Harding of Woodbury, a bill for an act additional to chapter nine (9), title twenty-five (25) of the Code, defining the rights of persons sought to be extradited as fugitives from justice, and providing for the course of procedure therein and to amend section five thousand one hundred and seventy-three (5173) and five thousand one hundred and seventy-four (5174) of the Code.

January 27th, referred to Committee on Judiciary.

House File No. 114, by Moore of Wapello, a bill for an act creating a commission to make a survey of certain rivers of the state of Iowa and report as to the most feasible points in said rivers for the erection of water power dams and other information pertaining thereto.

January 29th, referred to Committee on Conservation of Forests and Water Power.

House File No. 115, by Miller of Bremer, a bill for an act to instruct the Attorney General to investigate the operations of the International Harvester Company with a view to prosecution, and making an appropriation therefor.

February 18th, indefinitely postponed.

House File No. 116, by Miller of Bremer, a bill for an act to adopt a state poem.

January 27th, referred to Committee on Pharmacy.

House File No. 117, by Calkins of Adams, a bill for an act requiring all persons selling their personal property, with the intention of leaving the county or state, to secure all taxes due or to become due, on the property about to be sold.

January 28th referred to Committee on Ways and Means.

House File No. 118, by Boomgaarden of Lyon, a bill for an act to repeal sections fourteen hundred and three (1403) and fourteen hundred and thirteen (1413) of the Code, and section fifteen hundred and forty-a (1540-a) of the Supplement to the Code, relative to the collection of road taxes, and to enact substitutes therefor.

January 28th, referred to Committee on Roads and Highways.

House File No. 119, by Brandes of Pottawattamie, a bill for an act amending section seven hundred and forty-six (746) of the Supplement to the Code, relating to contracts and expenditures from the water works sinking fund for purposes incident\* to the making and submission to the people of contracts for the purchase or erection of water works.

February 20th, reported correctly enrolled.

House File No. 120, by Reaney of Louisa, a bill for an act to repeal section one thousand seventy-two (1072) of the Supplement to the Code, and to enact a substitute therefor, relating to the term of county officers.

January 28th, referred to Committee on Judiciary.

House File No. 121, by Swan of Appanoose, a bill for an act to amend section one thousand five hundred and seventy (1570) of the Code, 1907, providing for the time when osage orange, willow, and other hedge fences shall be trimmed.

February 25th, passed House, messaged to Senate.

House File No. 122, by Harding of Woodbury, a bill for an act to repeal section seventeen hundred fifty-four (1754), seventeen hundred fifty-five (1755), seventeen hundred fifty-six (1756), and seventeen hundred fifty seven (1757) of the Code and to enact a substitute therefor, empowering, directing and authorizing insurance companies to collect statistics, reduce fire waste, fix and apportion uniform rates for fire, lightning and tornado insurance and to prevent and prohibit discrimination in the apportionment of the cost of fire, lightning and tornado insurance and to provide a penalty for the violation thereof.

January 28th, referred to Committee on Insurance.

House File No. 123, by Hunter of Polk, a bill for an act to amend section eight hundred fifty-j (850-j) of the Supplement to the Code, 1907, relating to park districts.

February 4th, passed House and messaged to the Senate.

House File No. 124, by Allred of Wayne, a bill for an act to amend section four hundred and sixteen (416), chapter two (2), of the Code, relative to the time of dividing counties into supervisors districts.

January 28th, referred to Committee on Judiciary, (by request.)

House File No. 125, by Klay of Sioux, a bill for an act to amend section one thousand one hundred six (1106), to repeal section one thousand one hundred nine (1109), and enact a substitute therefor, to repeal section one thousand one hundred nineteen (1119), and to enact a substitute therefor, to repeal section one thousand one hundred twenty (1120), and enact a substitute therefor, to repeal section one thousand one hundred twenty-one (1121), and to enact a substitute therefor, of the Code Supplement of 1907, relating to the form, marking, counting and validity of ballots to be used at elections.

January 28th, referred to Committee on elections.

House File No. 126, by Baxter of Ida, a bill for an act providing that owners or keepers of stallions or jacks shall have a lien upon the get of any such animal for the service fee thereof.

January 28th, referred to Committee on Agriculture.

House File No. 127, by Dawson of Cherokee, a bill for an act to provide for the taxation of mortgages of real property, and amending title one (1), chapter three (3), section forty-eight (48), paragraph eight (8), of the Code of 1897.

January 28th, referred to Committee on Ways and Means.

House File No. 128, by Sankey of Decatur, a bill for an act to deduct debts secured by mortgages on real estate from the assessed cash value of said real estate for the purpose of taxation.

January 28th, referred to Committee on Ways and Means.

House File No. 129, by Lee of Emmet, a bill for an act providing for the assessment and collection of a tax upon inheritance.

January 29th, referred to Committee on Ways and Means.

House File No. 130, by Lee of Emmet, a bill for an act relating to the distribution of laws becoming effective by publication.

February 19th, House refused to concur in Senate amendment.

House File No. 131, by Felt of Clay, a bill for an act to divide the state into districts, establishing agricultural and manual training schools therein, providing for the management, control and operation thereof, creating a Board of Trustees therefor, establishing courses of study therein, and making provision for the creation and support thereof.

January 29th, referred to Committee on Ways and Means.

House File No. 132, by Jacobs of Calhoun, a bill for an act to amend the law as it appears in section four thousand nineteen (4019) and four thousand twenty (4020) of the Code, relating to the preference of debts owing for labor and the filing and allowing of claims therefor.

February 20th, reported from committee, with amendments, report adopted.



House File No. 133, by Elliott of Page, a bill for an act to amend section five thousand six (5006) of the Code, relating to the sale and use of cigarettes.

February 20th, indefinitely postponed.

House File No. 134, by DeWitt of Montgomery, a bill for an act to amend section fifteen hundred sixty-one (1561) of the Code of Iowa, 1897, relating to the erection of guide posts.

February 22d, passed House, messaged to Senate.

House File No. 135, by Schulte of Clayton, a bill for an act to create a legislative commission to examine, revise and codify the laws relating to the government of cities and towns and such other purposes as may be incident thereto.

January 30, referred to Committee on Municipal Corporations.

House File No. 136, by Harding of Woodbury, a bill for an act, to protect benevolent, humane, fraternal or charitable corporations in the use of their names and emblems and providing penalties for the violation thereof.

February 22d, indefinitely postponed.

House File No. 137, by Fulliam of Muscatine, a bill for an act providing for the establishment of a state highway department by the appointment of a state highway commissioner, a staff of two assistants and defining the powers and duties thereof authorizing the state highway department to co-operate with the several counties and townships in the improvement of the public highways and the maintenance of improved highways providing for the application of counties and townships for state aid in highway improvement and maintenance, providing for the payment of the cost of highway improvements made under the provisions of this act by the state, the counties and the townships and making appropriation for the purpose and providing a penalty for maliciously destroying improved roads.

January 30, referred to Committee on Roads and Highways.

House File No. 138, by Ripley of Hancock, a bill for an act to provide for feeble-minded men at Glenwood and the maintenance thereof. Amendatory of chapter seven (7), title thirteen (XIII), of the Code relating to the Institution for Feeble-Minded Children.

February 20th, reported from committee, recommending passage, report adopted.

House File No. 139, by Cousins of Butler, a bill for an act to amend the law as it appears in section twenty-five hundred and ninety-four (2954) of the Code, relating to the practice of Pharmacy.

February 9th, reported from committee, recommending reference to committee on Ways and Means, report adopted and bill so referred.

House File No. 140, by Meredith of Cass, a bill for an act to amend sections fifteen hundred and seventy-one-b (1571-b), fifteen hundred and seventy-one-c (1571-c), fifteen hundred and seventy-one-e (1571-e) and fifteen hundred and seventy-one-f (1571-f) of the 1907, Supplement to the Code, in reference to motor vehicles.

February 25th, withdrawn from further consideration of House.

House File No. 141, by Meredith of Cass, a bill for an act authorizing the Secretary of State to publish lists of motor vehicles registrations and fixing prices at which such lists shall be sold.

February 17th, passed House, messaged to Senate.

House File No. 142, by Sullivan of Polk, a bill for an act to repeal sections three thousand two hundred and eighty-three (3283) of the Code relating to the probate of wills and enacting a substitute therefor.

February 6th, indefinitely postponed.

House File No. 143, by Sullivan of Polk, a bill for an act to provide for the nomination of district judges in judicial districts composed wholly of one county and having a population of 75,000 or more, at the primary election.

January 30th, referred to Committee on Elections.

House File No. 144, by Sullivan of Polk, a bill for an act fixing the salaries of district judges in judicial districts composed wholly of one county having a population of 75,000 or more, and providing for the manner of payment of the same.

February 6th, referred to Committee on Judiciary.

House File No. 145, by Klay of Sioux, a bill for an act to legalize the action of the board of supervisors of Sioux county, Iowa, relating to the sale of school lands in section twelve (12) township ninety-five (95), north of range forty-eight (48), west of the fifth (5th) principal meridian, Sioux county, Iowa, and to authorize the Governor to issue a patent therefor to John H. Hutchinson.

February 19th, reported correctly enrolled.

House File No. 146, by Finlayson of Grundy, a bill for an act making appropriation for the support and the development of the Iowa State Normal School at Cedar Falls.

January 30th, referred to Committee on Appropriations.

House File No. 147, by White, Grier, and Larrabee, a bill for an act to establish a public service commission and prescribing its powers and duties, and providing for the regulation and control of public utilities, and making an appropriation therefor; also transferring the powers and duties of the executive council as prescribed by chapter seventy-one (71) of the acts of the Thirty-second General Assembly of Iowa, in so far as they relate to public service corporation, and the powers and duties of the Board of Railroad Commissioners, as prescribed by law to said commission.

January 30th, referred to Committee on Railroads and Transportation.

House File No. 148, by Sankey of Decatur, a bill for an act to repeal section four hundred forty-one (441) of the Supplement to the Code of 1907, pertaining to county printing, and enacting in lieu thereof the following.

January 30th, referred to Committee on County and Township Organization, (by request).

House File No. 149, by Sullivan of Polk, a bill for an act to amend the law as it appears in section twenty-one hundred and fifty-seven-g (2157-g) of the Supplement to the Code 1907, in relation to the issuance, furnishing and giving of free tickets, free passes, free transportation and discriminating reduced rates to certain persons.

February 18th, reported from committee with amendments, report adopted.

House File No. 150, by Sullivan of Polk, a bill for an act to repeal section five hundred three (503) of the Code relating to bailiffs and enacting a substitute therefor.

February 17th, returned from Senate, indefinitely postponed.

House File No. 151, by O'Connor of Chickasaw, a bill for an act to amend the law as it appears in section one thousand three hundred one (1301) of the Code, relative to the reports of the fines collected by mayors and justices of the peace.

February 22d, withdrawn from committee and from further consideration of House.

House File No. 152, by Smith of Wright, a bill for an act providing for the punishment of intoxication, use of profane, indecent, or boisterous language, or disturbing the peace and quiet of any railway station or car.

February 6th, reported from committee recommending reference to Committee on Judiciary, report adopted and bill so referred.

House File No. 153, by Wilson of Tama, a bill for an act to establish a laboratory at the Iowa College of Agriculture and Mechanic Arts to manufacture hog cholera serum and tuberculin and make an appropriation therefor.

February 20th, reported from committee, recommending substitute and referred to Committee on Appropriation, report adopted and bill so referred.

House File No. 154, by White of Story, a bill for an act to amend section two hundred and fifty-four-a-2 (254-a-2) of the Supplement to the Code, 1907, relating to compensation of shorthand reporters.

February 1st, referred to Committee on Compensation of Public Officers.

House File No. 155, by White of Story, a bill for an act to require boards of supervisors to advertise for bids and let contract to lowest and best bidder, for the construction of bridges, and fixing time of notice. Also to provide for the adoption of plans of bidders and to fix compensation for said plans.

February 1st, referred to Committee on Roads and Highways.

House File No. 156, by Elliott of Page, a bill for an act to appropriate money for the use of the Clarinda State Hospital at Clarinda, Iowa.  
February 1st, referred to Committee on Appropriations.

House File No. 157, by Byerly of Jones, a bill for an act to legalize certain ordinances of the town of Oxford Junction, Jones county, Iowa.  
February 17th, returned from Senate, indefinitely postponed.

House File No. 158, by Sullivan of Polk, a bill for an act to amend section three thousand one hundred thirty-eight (3138) of the Supplement to the Code, 1907, relating to the lien and liability of hotel and inn keepers.

February 22d, passed House, messaged to Senate.

House File No. 159, by Sullivan of Polk, a bill for an act to repeal section eighteen hundred twenty (1820) of the Code, relative to limitations of actions and enacting a substitute therefor.

February 18th, reported from committee with amendments; report adopted.

House File No. 160, by White of Story, a bill for an act for expediting unofficial returns of general and primary elections.

February 1st, referred to Committee on Elections.

House File No. 161, by Committee on Judiciary, a bill for an act to amend sections twenty-seven hundred eight (2708), twenty-seven hundred nine (2709), as they appear in Supplement to the Code, 1907, relating to the age at which boys or girls may be committed to the Industrial Schools.

February 23d, reported correctly enrolled.

House File No. 162, by Committee on Judiciary, a bill for an act to repeal section one thousand one hundred eighty-five (1185) of the Code and to enact a substitute therefor; to repeal section one thousand one hundred eighty-eight (1188) and to enact a substitute therefor; to repeal section one thousand one hundred ninety-six (1196) and to enact a substitute therefor, relating to officers' bonds.

February 3, passed House and messaged to Senate.

House File No. 163, by Darrah of Lucas, a bill for an act authorizing the creation of a state banking department, and providing for the appointment of a board of state bank commissioners and for the creation of a depositors' guaranty fund.

February 2d, referred to Committee on Banks and Banking.

House File No. 164, by Reitz of Lee, (by request), a bill for an act to amend chapter nine (9), title nine (9), of the Code of Iowa, relating to fraternal beneficiary societies, orders or associations, especially sections 1822, 1823, 1827, 1828, 1830 and 1839 thereof.

February 10th, indefinitely postponed.

House File No. 165, by Wolfe of Clinton, a bill for an act to amend section one thousand seventy-four (1074), Supplement to the Code, 1907, relative to the election of township trustees.

February 2d, referred to Committee on Elections.

House File No. 166, by Ellis of Jackson, a bill for an act to amend section fourteen hundred-f (1400-f) of the Supplement to the Code, 1907, providing for additional forest trees.

February 24th, reported from committee, recommending passage; report adopted.

House File No. 167, by Tilton of Iowa, a bill for an act to amend section twenty-one hundred sixty-four (2164) of the Code, relating to the presentation of claims to telegraph and telephone companies.

February 2d, referred to Committee on Telegraph and Express.

House File No. 168, by Arney of Marshall, a bill for an act to amend sections sixteen hundred fifty-seven-d (1657-d), sixteen hundred fifty-seven-k (1657-k), and sixteen hundred fifty-seven-t (1657-t) of the Supplement to the Code, relative to the Department of Agriculture.

February 18th, reported from committee, recommending passage and referred to Committee on Appropriation; report adopted and bill so referred.

House File No. 169, by Meredith of Cass, a bill for an act to amend section five thousand and forty (5040) of the Code, relating to breach of the Sabbath.

February 3d, referred to Committee on Judiciary.

House File No. 170, by Koontz of Johnson, a bill for an act to amend the law as it appears in section 716-a of the Supplement to the Code, fixing the levy for the fire fund in cities of the second class.

February 20th, reported correctly enrolled.

House File No. 171, by Anderson of Hamilton, a bill for an act providing for the completion and distribution of the Roster of Iowa Soldiers, Sailors and Marines, as provided by chapter 223, Laws of the Thirty-second General Assembly, fixing number of volumes, and making an additional appropriation therefor.

February 20th, passed House and messaged to Senate.

House File No. 172, by Cooper of Jasper, a bill for an act to amend section ten hundred seventy-four (1074) and section ten hundred seventy-five (1075) of the Supplement to the Code, 1907, relating to the election of township trustees and township clerks.

February 3d, referred to Committee on Elections.

House File No. 173, by Beery of Henry, a bill for an act to amend section one thousand seven hundred eighty-nine (1789), of the Code, relating to the assignment of life insurance policies.

February 18th, reported from committee, recommending passage; report adopted.

House File No 174, by Kendall of Clinton, a bill for an act to provide for the payment of bounties for killing ground hogs.

February 25th, reported from committee, with amendments; report adopted.

House File No. 175, by Hickenlooper of Monroe, a bill for an act to repeal section thirteen hundred three (1303) of the Supplement to the Code, 1907, relating to levy of taxes by board of supervisors, and to enact a substitute therefor.

February 3d, referred to Committee on Judiciary.

House File No. 176, by Anderson of Hamilton, a bill for an act relating to the compensation of the county auditor in the levee and drainage business.

February 3d, referred to Committee on Compensation of Public Officers.

House File No. 177, by Sullivan of Polk, a bill for an act to repeal sections forty-nine hundred seventy-five-d (4975-d), forty-nine hundred seventy-five-g (4975-g), and forty-nine hundred seventy-five-h (4975-h) of the Supplement to the Code, 1907, relating to bucket shops and bucket shopping, and to enact substitutes therefor.

February 20th, passed House, messaged to Senate.

House File No. 178, by Crozier of Marion, (by request), a bill for an act defining certain public service corporations and providing for reasonable service and rates; declaring unlawful any discriminatory charges; prescribing penalties and action for reduction of rates and charges; repealing all laws in conflict herewith.

February 3d, referred to Committee on Judiciary.

House File No. 179, by Committee on Judiciary, a bill for an act to repeal section three hundred fifty-four (354) of the Supplement to the Code, 1907, relating to the fees of jurors and enacting a substitute therefor.

February 20th, reported correctly enrolled.

House File No. 180, by Hunter of Polk, a bill for an act to amend chapter two (2) of title eight (8) of the Code of 1897, as published in Supplement to Code of Iowa 1907, by adding thereto sections 1571-m, 1571-n, and 1571-o, relating to the levy of annual license taxes upon the owners of motor vehicles, and providing for the disbursement of the fund arising therefrom to encourage the improvement and maintenance of public highways.

February 4th, referred to Committee on Roads and Highways.

House File No. 181, by Hunter of Polk, a bill for an act to amend section fifteen hundred and thirty (1530) sub-division one (1) of section fifteen hundred and twenty-eight (1528) and sub-division two (2) of section fifteen hundred and twenty-eight (1528) of the the Code of 1897, as amended and published in Supplement of Code 1907, relating to the levy of the county road funds and the expenditure thereof in the improvement of roads.

February 4th, referred to Committee on Roads and Highways.

House File No. 182, by Holmes of Kossuth, a bill for an act authorizing the extension of the traveling library and other activities of the Iowa library commission, and providing additional funds therefor.

February 18th, reported from committee, recommending passage and reference to Committee on Appropriation; report adopted and bill so referred.

House File No. 183, by Fulliam, a bill for an act requiring Boards of Education in Independent School Districts, having a population of three thousand or more to publish proceedings and providing compensation therefor.

February 4th, referred to Committee on Printing.

House File No. 184, by Darrah, a bill for an act to amend the Negotiable Instruments Law relative to the payment of instruments payable at a bank.

February 4th, referred to Committee on Banks and Banking.

House File No. 185, by Tilton of Iowa, a bill for an act to amend Chapter One Hundred Forty-two (142) of the Thirty-second General Assembly, relating to the sale of denatured alcohol and to enact an amendment thereto.

February 4, referred to Committee on Commerce and Trade.

House File No. 186, by Dewell of Cedar, a bill for an act to amend Section One Thousand Five Hundred Seventy-c (1570-c) of the Supplement to the Code, 1907, relating to public highways and providing for the payment for work thereon.

February 4th, referred to Committee on Roads and Highways.

House File No. 187, by Arney of Marshall, a bill for an act to co-operate with the City of Marshalltown, in constructing a permanent dam across the Iowa River.

February 4th, referred to Committee on Appropriations.

House File No. 188, by Arney of Marshall, a bill for an act to appropriate money for the use of Iowa Soldiers' Home, Marshalltown, Iowa.

February 4th, referred to Committee on Appropriations.

House File No. 189, by Dodds of Des Moines, a bill for an act to add to the provisions of Title Nine (9), Chapter Three (3), Supplement to the Code of 1897, additional to Section Sixteen Hundred Sixty-one-a (1661-a).

February 25, reported from Committee with substitute amendment; report adopted.

House File No. 190, by O'Connor of Chickasaw, a bill for an act entitled an act relating to hotels, inns and public lodging houses, defining the same and prescribing rules for their operations and maintenance, so as to insure the safety and health of employes and patrons of the same; providing for inspection thereof, fees for same and fixing fines and penalties for violation of such rules and regulations.

February 23, passed House and messaged to Senate.

House File No. 191, by Holmes of Kossuth, a bill for an act to amend the law as it appears in Section Twenty-four Hundred Seventy-seven-d (2477-d), 1907 Supplement to the Code, relating to authority of officers to demand proof of age of children employed and defining what said proof shall be.

February 20, reported from committee with amendments and report adopted.

House File No. 192, by Holmes of Kossuth, a bill for an act to create a commission authorized to locate and erect a pedestal for a monument to the memory of the late William B. Allison and making an appropriation to defray the expense thereof.

February 19, withdrawn from committee and from further consideration of House.

House File No. 193, by Felt of Clay, a bill for an act to enable counties to establish and maintain public hospitals, levy a tax and issue bonds therefor, elect hospital trustees, maintain training schools for nurses, provide suitable means for the care of tuberculous persons, and to make possible the ultimate establishment of an adequate supply of hospitals with equal rights to all and special privileges to none.

February 5, referred to Committee on Public Health.

House File No. 194, by Sheldon of Ringgold, a bill for an act to appropriate Ten Thousand Dollars (\$10,000) or so much thereof as may be necessary for the purpose of installing suitable elevators in the State Capitol.

February 25th, reported from committee with Substitute Amendment and report adopted.

House File No. 195, by White of Story, a bill for an act to amend the law as it appears in Section Seventeen Hundred Fifty-eight-a (1758-a) and Section Seventeen Hundred Nine (1709) of the Supplement to the Code, 1907, giving insurance companies, in addition to the authority now enjoyed, the right to issue policies upon automobiles and marine risks and further adding to the list of properties and rights that may be insured; repealing the law as it appears in Section 1710 of the Supplement to the Code, 1907, and enacting a substitute therefor.

February 5, referred to Committee on Insurance.

House File No. 196, by Bonwell of Audubon, a bill for an act to amend the law as it appears in Section Fourteen Hundred Four (1404) of the Code, relating to liens on personal property by nonresidents.

February 10th, indefinitely postponed.

House File No. 197, by Fulliam of Muscatine, a bill for an act to add to the provisions of Title XII, Chapter 16-b of the Supplement to the Code, 1907, relating to the payment of a fee to the mother of new born children.

February 5, referred to Committee on Ways and Means.

House File No. 198, by Boe of Winnebago, a bill for an act to amend Sections Two Thousand Five Hundred Thirty (2530) and Two Thousand Five Hundred Thirty-six (2536) of the Supplement to the Code, relating to State Veterinary Surgeon.

February 25, reported from committee, recommending passage, report adopted.



House File No. 199, by Crozier of Marion, a bill for an act relating to the trial of Attachment cases where an equitable interest in real estate is attached, additional to Section Thirty-eight Hundred and Ninety-nine (3899) of the Code.

February 5th, referred to Committee on Judiciary.

House File No. 200, by Crozier of Marion, a bill for an act making the provisions of Section Three Thousand Eight Hundred Forty-seven (3847), Code Supplement of 1907, Section Three Thousand Four Hundred Forty-eight (3448), Section Three Thousand Eight Hundred Forty-nine (3849) Code Supplement, Section Three Thousand Eight Hundred Fifty, Fifty-one and Fifty-two (3850-51-52) applicable to actions in justice's courts and providing for the deposit of money in lieu of bond.

February 5th, referred to Committee on Judiciary.

House File No. 201, by Fulton of Jefferson, a bill for an act to repeal Section Ten Hundred Ninety-one (1091) of the Code, relative to polling places for country precincts and to enact a substitute therefor.

February 5, referred to Committee on Elections.

House File No. 202, by Dabney of Davis, a bill for an act to repeal Section One Thousand Three Hundred Thirty (1330), Supplement to the Code of 1907, and to enact a substitute therefor, relating to the assessment of telephones and telegraphs; defining mutual telephone companies and exempting the same from taxation.

February 5th, referred to Committee on Telephones.

House File No. 203, by Ritter of Des Moines, a bill for an act relating to the production and distribution of antitoxin in Iowa by the Bacteriological Laboratory of the Medical Department of the State University at Iowa City, and making appropriation therefor.

February 5th, referred to Committee on Public Health.

House File No. 204, by White of Story, a bill for an act to provide and maintain a permanent reference and consulting law library at the county seat or seats of the several counties for the district courts and judges of the State of Iowa.

February 22, withdrawn from committee and from further consideration of House.

House File No. 205, by White of Story, a bill for an act to amend the law as it appears in Sections Thirteen Hundred Eighty-two (1382) and Thirteen Hundred Eighty-three (1383) of the Supplement to the Code, pertaining to valuations and tax rates to be used by county auditors in the preparation of tax lists, for the purpose of uniformity throughout the state.

February 6th, referred to Committee on Ways and Means.

House File No. 206, by Kellogg of Harrison, a bill for an act to amend Section Eleven Hundred Thirteen (1113) of the Code, relating to polling places and voting booths.

February 6th, referred to Committee on Elections.

House File No. 207, by Perkins of Delaware, a bill for an act to encourage the dairy industry of the State of Iowa, to aid in providing instruction in practical and scientific dairying and making an appropriation therefor.

February 22d, report from committee received, referred to Committee on Appropriations, report adopted and bill so referred.

House File No. 208, a bill for an act to repeal Sections Twenty-five Hundred Sixty-five (2565), Twenty-five Hundred Sixty-eight (2568) of the Code, and Sections Twenty-five Hundred Seventy-a (2570-a), Twenty-five Hundred Seventy-a-1 (2570-a-1), Twenty-five Hundred Seventy-b (2570-b), Twenty-five Hundred Seventy-one (2571) and Twenty-five Hundred Seventy-two (2572) of the Supplement to the Code, 1907, relating to the jurisdiction, powers, rules, regulations and expenses of the State Board of Health and of Local Boards of Health, and to enact substitutes therefor.

February 11th, passed House and messaged to Senate.

House File No. 209, by Bonwell of Audubon, a bill for an act to amend the law as it appears in Subdivision Nine (9) of Section Twenty-four Hundred Forty-eight (2448) of the Supplement to the Code, 1907, relating to the time in which intoxicating liquors may be sold.

February 22d, indefinitely postponed.

House File No. 210, by Darrah of Lucas, a bill for an act to repeal Section Twenty-one Hundred Twenty-six (2126) of the Code of 1897, relating to rates for long and short haul of passengers or freight subject to the approval of the Board of Railway Commissioners.

February 8th, referred to Committee on Railroads and Transportation.

House File No. 211, by Sullivan of Polk (by request), a bill for an act making an appropriation for Thomas H. Rattenbury on account of injuries received by him at the State sanatorium for the treatment of tuberculosis.

February 25th, reported from committee with amendments and also recommending reference to Committee on Appropriations, report adopted and bill so referred.

House File No. 212, by Fenn of Clarke, a bill for an act to amend Paragraph Two (2) of Section Twenty-four Hundred Forty-eight (2448) of the Supplement to the Code, relative to securing the consent of property owners for the sale of intoxicating liquors.

February 9th, referred to Committee on Suppression of Intemperance.

House File No. 213, by Hanson of Humboldt, a bill for an act regulating certain classes of advertisements, prohibiting other classes, and providing a penalty for violation thereof.

February 9th, referred to Committee on Public Health.

House File No. 214, by Holmes of Kossuth, a bill for an act to repeal Sections Twenty-one Hundred Eleven (2111), Twenty-one Hundred Fifty-one (2151) of the Code relating to the election, limitations, powers and duties of the Board of Railroad Commissioners, and to enact substitutes therefor; and for the repeal of Section Ten Hundred Sixty-eight (1068) of the Supplement to the Code, 1907.

February 9, referred to Committee on Railroads and Transportation.

House File No. 215, by Fulton of Jefferson, a bill for an act for the relief of the grantees of Joel J. Bradshaw, and for the purpose of having a patent issued in the name of W. F. Werner for a certain tract of land.

February 9th, referred to Committee on Judiciary.

House File No. 216, by Welden of Hardin, a bill for an act to amend Section Twenty-six Hundred and One (2601) of the Code, relating to admission of inmates to the Iowa Soldiers' Home located at Marshalltown.

February 17th, Senate File No. 172 substituted therefor.

House File No. 217, by Cooper of Jasper, a bill for an act to amend Section Four Thousand Four Hundred and Eighty-one (4481) of the Supplement to the Code, 1907, relating to change of venue of suits brought on written contracts in justice courts.

February 9th, referred to Committee on Judiciary.

House File No. 218, by Stillman of Greene, a bill for an act to amend Section Seven Hundred Thirty-two (732), Supplement to the Code, 1907, relative to the levying of taxes for public libraries.

February 20th, passed House, messaged to Senate.

House File No. 219, by Wilson of Tama, a bill for an act to repeal the law as it appears in Section Five Hundred Sixty-five (565) of the Code, and to enact a substitute therefor with regard to election of township assessors in certain townships.

February 22d, passed House, messaged to Senate.

House File No. 220, by Koontz of Johnson, a bill for an act to appropriate money for the use of the State sanatorium for the treatment of tuberculosis at Oakdale, Iowa.

February 9th, referred to Committee on Appropriations.

House File No. 221, by Dabney of Davis, a bill for an act to amend Section Four Thousand Two Hundred Fifty-three (4253) of the Code, relating to leasing real estate partitions for sale.

February 19th, reported from committee with amendments and report adopted.

House File No. 222, by Ritter of Des Moines, a bill for an act to compensate Jonah Smith for services as chaplain at Camp McKinley for a period from June 24 to September 5, 1908, and to make appropriation therefor.

February 10th, referred to Committee on Claims.

House File No. 223, by Brandes of Pattawattamie, a bill for an act to amend Section one (1), Chapter One Hundred and Twenty-two (122), of the laws of the Twenty-ninth General Assembly, relating to the support of the Iowa School for the Deaf at Council Bluffs.

February 18th, reported from committee, recommending passage; report adopted.

House File No. 224, by O'Connor of Chickasaw, a bill for an act to regulate the charges of sleeping cars on all railroads in this state and to provide a penalty for the violation thereof.

February 10th, referred to Committee on Railroads and Transportation.

House File No. 225, by Kellogg of Harrison, a bill for an act to amend Sections Seven Hundred Twenty (720) and Seven Hundred Twenty-one (721) of the Supplement to the Code, 1907, relating to the purchase of water or gas works, heating plants and electric plants, and the submission of the question to the voters.

February 15th, committee reported committee bill known as House File No. 256; report adopted; substitute read first and second time and passed on file.

February 25th, House File No. 256 substituted therefor.

House File No. 226, by Kellogg of Harrison, a bill for an act to amend Section Seven Hundred Seventy-six (776) of the Supplement to the Code, 1907, relating to the granting of franchises.

February 17th, committee reported committee bill known as House File No. 256; report adopted; substitute read first and second time and passed on file.

February 25th, House File No. 256 substituted therefor.

House File No. 227, by Kellogg of Harrison, a bill for an act to amend Section Seven Hundred Forty-one-g (741-g), Seven Hundred Fifty-one-m (741-m), Seven Hundred Forty-one-q (741-q) and Seven Hundred Forty-six (746) of the Supplement to the Code, 1907, relating to the submission of questions to voters.

February 25th, passed on file and messaged to Senate.

House File No. 228, by Koontz of Johnson, a bill for an act making appropriation to the State Historical Society of Iowa.

February 10th, referred to Committee on Appropriations.

House File No. 229, by Koontz of Johnson, a bill for an act relating to fish and game, and making appropriation for the Fish and Game Commission of the State of Iowa.

February 10th, referred to Committee on Appropriations.

House File No. 230, by Wolfe of Clinton, a bill for an act to amend Section Two Thousand Two Hundred and Forty-seven (2247) of the Code in relation to the levy of a poor tax.

February 11th, referred to Committee on Ways and Means.

House File No. 231, by Smith of Wright, a bill for an act making appropriation for additional improvements and land at the Iowa State Fair and Exposition Grounds.

February 11th, referred to Committee on Appropriations.

House File No. 232, by Klay of Sioux (by request), a bill for an act to repeal Section Four Thousand Eleven (4011) of the Code and to enact a substitute therefor, relative to personal earnings.

February 20th, reported from committee, recommending passage; report adopted.

House File No. 233, by Newell of Plymouth, a bill for an act to legalize the incorporation of the town of Hinton, Iowa, and the passage and adoption of its ordinances, resolutions and rules of health.

February 11th, referred to Committee on Judiciary.

House File No. 234, by Newell of Plymouth, a bill for an act to legalize the incorporation of the town of Merrill, Iowa, and the passage and adoption of its ordinances, resolutions and rules of health.

February 11th, referred to Committee on Judiciary.

House File No. 235, by Dawson of Cherokee, a bill for an act to grant to certain officers and other employes of the State institutions under the control of the Board of Control of State institutions, annual vacations with pay, and to repeal Chapter One Hundred Ninety-five (195) of the Acts of the Thirty-second General Assembly.

February 11th, referred to Committee on Compensation of Public Officers.

House File No. 236, by Kellogg of Harrison, a bill for an act to amend Section Two Thousand Five Hundred Sixty-three-a (2563-a), Two Thousand Five Hundred Sixty-three-c (2563-c), Two Thousand Five Hundred Sixty-three-d (2563-d), and Two Thousand Five Hundred Sixty-three-g (2563-g) of the Supplement to the Code, 1907, relating to non-resident hunters' licenses.

February 19th, reported from committee recommending passage; report adopted.

House File No. 237, by Koontz of Johnson, a bill for an act making appropriations for the State University.

February 11th, referred to Committee on Appropriations.

House File No. 238, by White of Story, a bill for an act making appropriations to Iowa State College of Agriculture and Mechanic Arts.

February 13th, referred to Committee on Appropriations.

House File No. 239, by Cooper of Jasper (by request), a bill for an act to amend Section Twenty-four Hundred Seventy-seven (2477) of the Supplement to the Code, 1907, relating to compensation and expenses of the Department of the Bureau of Labor Statistics.

February 20th, reported from committee recommending passage; report adopted.

House File No. 240, by Brandes of Pottawattamie, a bill for an act to appropriate money for the use of the School for the Deaf at Council Bluffs, Iowa.

February 13th, referred to Committee on Appropriations.

House File No. 241, by Crozier of Marion (by request), a bill for an act to amend Chapter Nine (9), Title Fifteen (15), of the Code of 1907; to amend Section Three Thousand One Hundred and Seven (3107) and to repeal Section Three Thousand One Hundred and Eleven (3111) and to enact a substitute therefor and to repeal Section Three Thousand One Hundred Twelve (3112) and Section Three Thousand One Hundred and Fifteen (3115) and enact substitutes therefor.

February 13th, referred to Committee on Judiciary.

House File No. 242, by Meredith of Cass, a bill for an act to amend Section Eleven Hundred and Thirty-one (1131) of the Code, granting women the right to vote upon certain questions additional to Chapter Three (3), of Title VI. of the Code.

February 13th, referred to Committee on Woman's Suffrage.

House File No. 243, by Grier of Poweshiek, a bill for an act legalizing ordinances numbers Thirty-eight and Thirty-nine, establishing the grades of streets and sidewalks in the incorporated town of Deep River, Poweshiek County, Iowa.

February 22d, reported from committee with amendments; report adopted.

House File No. 244, by Boettger of Scott, a bill for an act to appropriate money for the use of the Iowa Soldiers' Orphans' Home at Davenport, Iowa.

February 16th, referred to Committee on Appropriations.

House File No. 245, by Darrah of Lucas, a bill for an act relating to the indebtedness of counties and providing for the issuance of bonds for the purpose of building and constructing permanent highways, bridges, culverts, levees, drains and ditches, and providing for the appointment of county engineers, and defining their duties.

February 16th, referred to Committee on Roads and Highways.

House File No. 246, by Dewey of Guthrie, a bill for an act creating a commission to procure additional grounds adjacent to the Capitol, for beautifying the same, the erection of additional State buildings and for an appropriation therefor.

February 16th, referred to Committee on Appropriations.

House File No. 247, by Wolfe of Clinton, a bill for an act to amend Sections Two Thousand Eighty-four (2084), Two Thousand Eighty-five (2085), Two Thousand Eighty-six (2086), Two Thousand Eighty-seven (2087), and Two Thousand Ninety (2090), of the Supplement, to the Code, 1907, relative to taxes in aid of railroads.

February 16th, referred to Committee on Judiciary.

House File No. 248, by Bowman of Linn, a bill for an act to amend Section Five Thousand Six Hundred and Fifty-two (5652) of the Code of Iowa, relating to hard labor by persons confined in jails.

February 20th, reported from committee recommending passage; report adopted.

House File No. 249, by Finlayson of Grundy, a bill for an act to repeal Section Thirty-one Hundred Eighty-one (3181) of the Supplement to the Code, 1907, relating to the right of divorced persons to remarry within one year, and to enact a substitute therefor.

February 20th, indefinitely postponed.

House File No. 250, by Committee on Military, a bill for an act to repeal Title Eleven of the Code and the law as it appears in Title Eleven of the Supplement to the Code, 1907, relating to the militia and enacting a substitute therefor to be known as "The Military Code of Iowa."

February 25th, reported from committee with amendments; report adopted.

House File No. 251, by Fulliam of Muscatine, a bill for an act to amend Section Four Thousand Nine Hundred and Thirty-six (4936) of the Supplement to the Code of Iowa, relating to marriage of cousins.

February 18th, reported from committee recommending passage; report adopted.

House File No. 252, by Koontz of Johnson, a bill for an act to amend the law as it appears in Section 1137-a-7 of the Supplement to the Code, 1907, relating to elections and voting machines.

February 17th, referred to Committee on Elections.

House File No. 253, by Balluff of Scott, a bill for an act repealing Section One Thousand Eighty-seven-a-1 (1087-a-1), Supplement to the Code 1907, and enacting a substitute therefor; repealing Section One Thousand Eighty-seven-a-5 (1087-a-5), Supplement to the Code, 1907, and enacting a substitute therefor; repealing Section One Thousand Eighty-seven-a-6 (1087-a-6), Supplement to the Code, 1907, and enacting a substitute therefor; repealing Section One Thousand Eighty-seven-a-7 (1087-a-7), Supplement to the Code, 1907; repealing Section One Thousand Eighty-seven-a-8 (1087-a-8), Supplement to the Code, 1907; repealing Section One Thousand Eighty-seven-a-9 (1087-a-9), Supplement to the Code, 1907, and enacting a substitute therefor; repealing Subdivisions One (1), Two (2), and Three (3) of Section One Thousand Eighty-seven-a-10 (1087-a-10), Supplement to the Code, 1907, and enacting a substitute therefor; and amending Section One Thousand Eighty-seven-a-20 (1087-a-20), Supplement to the Code, 1907, relating to primary elections.

February 17th, referred to Committee on Elections.

House File No. 254, by Harding of Woodbury, a bill for an act to regulate the transfer in bulk of stocks of merchandise.

February 17th, referred to Committee on Judiciary.

House File No. 255, by Dodds of Des Moines (by request), a bill for an act to promote the building of permanent roads in the State and providing for the establishing of districts and providing for the construction of roads, and prescribing the method for so doing, and providing for assessment and collection of a portion of the cost of the same, and issuing improvement certificates therefor, and providing for a tax in aid thereof.

February 17th, referred to Committee on Roads and Highways.

House File No. 256, by Committee on Judiciary, a bill for an act to amend Sections Seven Hundred Twenty (720), Seven Hundred Twenty-one (721), and Seven Hundred Seventy-six (776), of the Supplement to the Code, 1907, relating to the purchase of water or gas works, heat plants and electric plants, the granting of franchises and the submission of the question to the voters.

February 25th, passed House, messaged to Senate.

House File No. 257, a bill for an act to amend Sections Four Hundred Twenty-three (423) and amendments thereto, Two Thousand Two Hundred Thirty-one (2231), Two Thousand Two Hundred Thirty-three (2233), Two Thousand Two Hundred Forty-one (2241), Two Thousand Two Hundred Forty-two (2242), Two Thousand Two Hundred Forty-three (2243), Two Thousand Two Hundred Forty-four (2244), Two Thousand Two Hundred Forty-five (2245), Two Thousand Two Hundred Forty-six (2246), Two Thousand Two Hundred Forty-eight (2248), Two Thousand Two Hundred Forty-nine (2249), Two Thousand Two Hundred Seventy-one (2271), Two Thousand Two Hundred Thirty-four (2234), Two Thousand Two Hundred Thirty (2230) and Two Thousand Three Hundred Eight (2308) and Amendments thereto, of the Code relating to the care and support of the poor.

February 17th, read first and second time and passed on file.

House File No. 258, by Miller of Bremer, a bill for an act repealing Sections Five Thousand Sixty (5060), Five Thousand Sixty-one (5061), Five Thousand Sixty-three (5063), Five Thousand Sixty-four (5064), Five Thousand Sixty-five (5065), Five Thousand Sixty-six (5066), Five Thousand Sixty-seven (5067), of the Code, and Five Thousand Sixty-two (5062), Supplement to the Code, 1907, relating to pools and trusts, and enact substitutes therefor.

February 17th, referred to Committee on Ways and Means.

House File No. 259, by Moore of Linn, a bill for an act to repeal Section Twenty-four Hundred Ninety-seven (2497), Twenty-four Hundred Ninety-eight (2498), Twenty-four Hundred Ninety-nine (2499), Twenty-five Hundred (2500), Twenty-five Hundred One (2501), and Twenty-five Hundred Two (2502), of Chapter Ten (10) of the Code and Supplement to the Code, 1907, and to enact a substitute therefor, relative to State Geological Survey.

February 18th, referred to Committee on State University.

House File No. 260, by Moore of Linn, a bill for an act relating to River Front Improvement Commissions in cities organized under the provisions of Chapter Forty-eight (48) of the Acts of the Thirty-second General Assembly, and additional to said Chapter Forty-eight (48) of the Acts of the Thirty-second General Assembly and additional to Chapter Two Hundred and Ten (210) of the Acts of the Twenty-ninth General Assembly, and legalizing the establishment of River Front Improvement Commissions in cities organized under the proper having a population of over Twenty-five Thousand (25,000).

February 18th, referred to Committee on Judiciary.



House File No. 261, by O'Connor of Chickasaw, a bill for an act to legalize the special election held in the City of New Hampton, Iowa, on the fifth day of February, 1907, wherein there was submitted to the voters of said city the question of issuing bonds in the sum of Eighteen Thousand Dollars (18,000) for the purpose of erecting a combined water-works, electric light and power plant and water tower and tank, and to validate and legalize the bonds issued in pursuance of said elections.

February 22d, reported from committee with amendments; report adopted.

House File No. 262, by Hackler of Webster, a bill for an act to confer jurisdiction over the gypsum mines of this state on the State Mine Inspectors and providing for the enforcement of Chapter Nine (9) of the Code, in reference thereto.

February 18th, referred to Committee on Mines and Mining.

House File No. 263, by Ward of Woodbury, a bill for an act to repeal Section Number Sixteen Hundred Ninety-nine (1699) of the Code, relating to the investment of their funds by insurance companies other than life, organized under Chapter four (4) of Title IX. of the Code, and to enact a substitute therefor.

February 18th, referred to Committee on Insurance.

House File No. 264, by Ward of Woodbury, a bill for an act to amend Section Twenty-one Hundred Fifty-seven-g (2157-g) of the Supplement to the Code, 1907, relating to free passes by common carriers.

February 18th, referred to Committee on Railroads and Transportation.

House File No. 265, by Harding of Woodbury, a bill for an act to amend Section Fifteen Hundred and Thirty (1530) of the Supplement to the Code, 1907, by providing for the delivery to the city treasurer of so much of the County Road Fund tax as is collected from property within the incorporated limits of any city.

February 18th, referred to Committee on Municipal Corporations.

House File No. 266, by Harding of Woodbury, a bill for an act defining the management and activities of the Historical Department of Iowa, and making an appropriation for the permanent support thereof.

February 18th, referred to Committee on Public Libraries.

House File No. 267, by Harding of Woodbury, a bill for an act to amend Section Two Thousand Eight Hundred Eighty-one-e (2881-e) of the Supplement to the Code, 1907, relating to the appropriation for the State Library and Historical Department, reducing the appropriation and confining the same to the State Library.

February 18th, referred to Committee on Public Libraries.

House File No. 268, by Hunter of Polk, a bill for an act defining and regulating the business of real estate agents, fixing the rate of commission and providing a lien therefor.

February 21st, indefinitely postponed.

House File No. 269, by Hunter of Polk, a bill for an act to amend Section Five Thousand Six Hundred and Thirty-one (5631) of the Code, relating to liens upon real property for the support of illegitimate children.

February 23d, indefinitely postponed.

House File No. 270, by Hunter of Polk, a bill for an act to amend Section Four Thousand Two Hundred and Ten (4210) of the Code, relating to the method of giving three days' notice to quit.

February 18th, referred to Committee on Judiciary.

House File No. 271, by Hunter of Polk, a bill for an act to amend Section Two Thousand Nine Hundred and Ninety-one (2991) of the Code, relating to the termination of tenancy at will.

February 18th, referred to Committee on Judiciary.

House File No. 272, by Inman of Floyd, a bill for an act to amend Section Seven Hundred Twenty-eight (728) of the Code and Supplement, relating to vacancies in office of library trustees.

February 18th, referred to Committee on Public Libraries.

House File No. 273, by Arney of Marshall, a bill for an act to authorize the commandant of the Soldiers' Home to sell effects of deceased soldiers.

February 18th, referred to Committee on Military.

House File No. 274, by Bonwell of Audubon, a bill for an act to amend the law as it appears in Section Four Thousand Seven Hundred Seventy-one (4771) of the Code, relating to punishment for the crime of assault with intent to inflict great bodily injury.

February 20th, reported from committee recommending passage; report adopted.

House File No. 275, by Hackler of Webster, a bill for an act to provide for the creation of the office of County Highway Engineer, and to define the duties thereof.

February 18th, referred to Committee on Roads and Highways.

House File No. 276, by Cooper of Jasper (by request), a bill for an act to amend the law as it appears in Section Thirty-one Hundred Six (3106) of the Code, relating to limited partnerships.

February 18th, referred to Committee on Banks and Banking.

House File No. 277, by Penn of Fremont, a bill for an act to provide for the protection of bridges and drainage ditches and providing a penalty for the violation thereof.

February 19th, referred to Committee on Roads and Highways.

House File No. 278, by Hunter of Polk, a bill for an act to authorize the issuance of a search warrant, and the seizure of cigarettes and cigarette papers.

February 22d, reported from committee recommending indefinite postponement, minority recommending passage.

House File No. 279, by Elliott of Page, a bill for an act to declare certain diseases contagious and infectious, and to provide rules and regulations for the control of the same, and to fix the punishment for violation thereof.

February 19th, referred to Committee on Public Health.

House File No. 280, by Kull of Howard, a bill for an act to repeal Chapter Thirteen (13) of the Supplement to the Code, 1907, with the exception of Sections Two Thousand Seven Hundred Thirty-eight (2738), Two Thousand Seven Hundred Thirty-nine (2739) and Two Thousand Seven Hundred Forty-two (2742), relative to the qualifications of county superintendents of schools, and examinations and certificates of teachers, and to enact a substitute therefor.

February 19th, referred to Committee on Schools and Text Books.

House File No. 281, by Dawson of Cherokee, a bill for an act to provide for special tile drainage districts when the land to be drained is owned by fewer than six (6) persons.

February 20th, referred to Committee on Agriculture.

House File No. 282, by Ripley of Hancock, a bill for an act to amend Section Thirteen (13) of Chapter Two (2) of the Code, relating to compensation of officers and employes.

February 20th, referred to Committee on Compensation of Public Officers.

House File No. 283, by Harding of Woodbury, a bill for an act creating the office of State Fire Marshal and Deputy Fire Marshal, prescribing their duties and providing for their compensation and for the maintenance of the State Fire Marshal's office.

February 20th, referred to Committee on Insurance.

House File No. 284, by Hickenlooper of Monroe, a bill for an act to amend the law as it appears in Section One Thousand One Hundred Thirty-seven-a-one (1137-a-1) of the Supplement to the Code, 1907, relative to expenditure of money by candidates for any office to be voted for at any primary, municipal or general election.

February 20th, referred to Committee on Elections.

House File No. 285, by Marston of Cerro Gordo, a bill for an act making an appropriation of two hundred dollars (\$200) to reimburse Company A, fifty-sixth (56th) Infantry, Iowa National Guards, for money paid by it to Robert Mann as damages resulting from the accidental killing by said Company of a horse belonging to said Robert Mann.

February 24th, reported from committee recommending passage and referred to Committee on Appropriations; report adopted and bill so referred.

House File No. 286, by Penn of Fremont, a bill for an act to repeal a part of Section Twenty-five Hundred and Eighty-eight (2588), title twelve (12), Chapter Eighteen (18) of the Code, relating to registered pharmacists.

February 24th, withdrawn from committee and from further consideration of House.

House File No. 287, by Hunter of Polk, a bill for an act to repeal Section Four Hundred and Sixty-nine (469) of the Supplement to the Code, 1907, and to enact a substitute therefor, relating to the compensation of Board of Supervisors.

February 20th, referred to Committee on Compensation of Public Officers.

House File No. 288, by Ward of Woodbury, a bill for an act to amend the law as it appears in Section Three Thousand and Forty-one (3041) of the Code, relating to usury.

February 20th, referred to Committee on Judiciary.

House File No. 289, by Klay of Sioux and Davidson of Palo Alto, a bill for an act to require telephone companies to construct and maintain suitable physical connections for the transfer of messages and conversations from one line to another and giving cities or towns authority to require such connections to be made and to prescribe the rules under which such transfer of messages shall be made.

February 20th, referred to Committee on Telephones.

House File No. 290, by Fourt of Allamakee, a bill for an act amendatory to and additional to Chapter Fifteen (15), Title Twelve (XII) of the Code and Supplement to the Code, relative to the care and propagation of fish.

February 20th, referred to Committee on Fish and Game.

House File No. 291, by Ripley of Hancock (by request), a bill for an act to amend Section Four Thousand Nine Hundred and Seventy-nine (4979) of the Code, relating to offenses against the public health.

February 20th, referred to Committee on Public Health.

House File No. 292, by Inman of Floyd, a bill for an act to repeal Section Two Thousand Nine Hundred Forty-two-j (2942-j) of the Supplement to the Code, 1907, relating to certain conveyances of real estate legalized by executors, administrators and guardians in this and foreign states and to enact a substitute therefor.

February 20th, referred to Committee on Judiciary.

House File No. 293, by Goodykoontz of Boone, a bill for an act concerning railroads and to protect the lives of their employes and the traveling public and providing penalties for violation thereof.

February 22d, referred to Committee on Railroads and Transportation.

House File No. 294, by Ward of Woodbury, a bill for an act to amend the law as it appears in Section Three Thousand Forty-seven (3047) of the Supplement to the Code, 1907, relating to the assignment of open accounts.

February 22d, referred to Committee on Judiciary.

House File No. 295, by Corrie of Ida, a bill for an act amending subdivision Twenty-nine (29) of Section Two Hundred Ninety-six (296) of the Supplement to the Code, relative to fees in probate matters to be collected by the Clerk of the District Court.

February 22d, referred to Committee on Judiciary.

House File No. 296, by Arney of Marshall, a bill for an act to repeal Sections Twenty-five Hundred and Sixty-three-a (2563-a), Twenty-five Hundred and Sixty-three-b (2563-b), Twenty-five Hundred and Sixty-three-c (2563-c), Twenty-five Hundred and Sixty-three-d (2563-d), Twenty-five Hundred Sixty-three-e (2563-e), Twenty-five Hundred Sixty-three-f (2563-f), Twenty-five Hundred Sixty-three-g (2563-g), Twenty-five Hundred Sixty-three-h (2563-h), of the Supplement to the Code, 1907, and to enact in lieu thereof the following, relating to protection of game.

February 22d, referred to Committee on Fish and Game.

House File No. 297, by Jones of Lee, a bill for an act to provide for the procuring of oil portraits of the present and future governors of Iowa and photographs of the present and future members of the General Assemblies of the State of Iowa, to be placed in the art galleries of the Historical Department.

February 22d, referred to Committee on Public Libraries.

House File No. 298, by Burt of Taylor, a bill for an act to amend the law as it appears in Section One Thousand Three Hundred Eleven (1311) of the Code, relating to the deducting of debts from moneys and credits.

February 22d, referred to Committee on Ways and Means.

House File No. 299, by Moore of Wapello, a bill for an act prohibiting the wearing of the uniforms of the United States Army or Navy or National Guard, and providing a penalty for the violation thereof.

February 22d, referred to Committee on Military.

House File No. 300, by Beery of Henry, a bill for an act to amend Section Fifteen Hundred and Nine (1509) of the Code and Section Fifteen Hundred and Thirty-two-a (1532-a), Supplement to the Code, 1907, relative to the power and duties of the Trustees, Board of Regents and Board of Control, in regard to roads and highways in and around lands owned by the state.

February 22d, referred to Committee on Roads and Highways.

House File No. 301, by Beery of Henry, a bill for an act to amend section four hundred and fifty-eight-c (458-c) of the Supplement to the Code, 1907, relative to injuries of domestic animals by dogs and wolves.

February 25th, reported from committee; recommending passage; report adopted.

House File No. 302, by Ritter of Des Moines, a bill for an act for the protection, preservation, propagation, taking, use and transportation of fish and game, and game and certain harmless birds and animals and to repeal all acts or parts of acts heretofore passed inconsistent with or contrary to the provisions hereof.

February 22d, referred to Committee on Fish and Game.

House File No. 303, by Hanson of Humboldt, a bill for an act to provide for liens upon horses and other animals for the cost of shoeing the same and upon vehicles, machines and tools for the cost of manufacturing or repairing the same.

February 23d, referred to Committee on Labor.

House File No. 304, by Sullivan of Polk (by request), a bill for an act making an appropriation for John Jones on account of injuries received by him at the State Hospital for Insane persons at Clarinda, Iowa.

February 23d, referred to Committee on Claims.

House File No. 305, by Hunter of Polk, a bill for an act to amend the law as it appears in section two hundred ninety-eight (298) of the Supplement to the Code, 1907, relating to compensation of clerks of the District Court and their deputies.

February 23d, referred to Committee on Compensation of Public Officers.

House File No. 306, by Hunter of Polk, a bill for an act to amend the law as it appears in section eight hundred and fifty-c (850-c) of the Supplement to the Code, 1907, authorizing the levy of an additional tax of one (1) mill on the dollar on all taxable property for park purposes, relating to park commissioners, their powers and duties.

February 23d, referred to Committee on Judiciary.

House File No. 307, by Byerly of Jones, a bill for an act to legalize the resolutions and proceedings of the Council of the City of Monticello, Iowa, relating to the parking, curbing, guttering and macadamizing of a portion of Sycamore street in said city, and all acts done thereunder.

February 23d, referred to Committee on Judiciary.

House File No. 308, by Wilson of Tama, a bill for an act to repeal sections four hundred ten (410) and four hundred eleven (411) of the Supplement to the Code of 1907, and to enact a substitute therefor relating to the term of office of the County Board of Supervisors.

February 23d, referred to Committee on Judiciary.

House File No. 309, by Etter of Keokuk, a bill for an act to amend the law as it appears in section twenty-eight hundred and six (2806), Title thirteen (13), Chapter fourteen (14), of the Code, and Supplement of the Code, relative to estimating tax levies by School Boards.

February 23d, referred to Committee on Schools and Text-books.

House File No. 310, by Perkins of Delaware, a bill for an act to repeal Section five thousand and seventy-seven-a-twenty (5077-a20) of the Supplement of the Code, nineteen hundred and seven (1907), relating to agricultural seeds and enacting a substitute therefor.

February 23d, referred to Committee on Food and Dairy.

House File No. 311, by Perkins of Delaware, a bill for an act repealing section four thousand nine hundred and ninety-nine-a-21 (4999-a21) of the Supplement of the Code, nineteen hundred and seven (1907), relating to pure foods and enacting substitute therefor.

February 23d, referred to Committee on Food and Dairy.

House File No. 312, by Penn of Fremont, a bill for an act to regulate the dispensing of medicines by physicians and to amend section two thousand five hundred eighty-eight (2588), Title twelve (12), Chapter eighteen (18), of the Code, relative to pharmacy.

February 23d, referred to Committee on Pharmacy.

House File No. 313, by Hackler of Webster, a bill for an act to legalize certain ordinances of the town of Callender, Webster county, Iowa. February 24th, referred to Committee on Judiciary.

House File No. 314, by Schulte of Clayton, a bill for an act to amend sections Eight Hundred Forty-nine-a (849-a), Eight Hundred Forty-nine-b (849-b), Eight Hundred Forty-nine-c (849-c), Eight Hundred Forty-nine-e (849-e), Eight Hundred Forty-nine-f (849-f), Eight Hundred Forty-nine-g (849-g), and Eight Hundred Forty-nine-h (849-h) of the Supplement to the Code, 1907, relating to the protection of city and town property from floods.

February 24th, referred to Committee on Appropriations.

House File No. 315, by Marston of Cerro Gordo, a bill for an act to repeal Chapter One Hundred and Eighty-one (181) of the laws as enacted by the Thirty-second General Assembly of the State of Iowa, relating to the assumption of risks, and providing a substitute therefor.

February 24th, referred to Committee on Agriculture.

House File No. 316, by Bascom of Dickinson, a bill for an act to compensate D. N. Guthrie for the damages sustained by him by the construction of a dam by the State of Iowa across the outlet of lower Gar Lake.

February 24th, referred to Committee on Claims.

House File No. 317, by Bowman of Linn, a bill for an act to legalize certain acts of the city council of the city of Cedar Rapids, Linn county, Iowa, and of the Auditor, Treasurer, and Board of Supervisors of said Linn county, Iowa, relating to a levy of park.

February 24th, referred to Committee on Judiciary.

House File No. 318, by Bowman of Linn, a bill for an act to legalize collection of general and special taxes heretofore levied by the city of Cedar Rapids, Iowa, before its organization under Chapter Forty-eight of the Acts of the Thirty-second General Assembly of the State of Iowa by the County Treasurer of Linn county, Iowa, and to legalize issuance of tax deeds by said County Treasurer on tax sales for general and special taxes made heretofore by the City Treasurer of said city of Cedar Rapids, Iowa.

February 24th, referred to Committee on Judiciary.

House File No. 319, by Koontz of Johnson, a bill for an act to repeal Section Two Thousand Five Hundred and Forty-three (2543) of the Code relating to the care and propagation of fish and the protection of birds and game, and enact a substitute therefor.

February 24th, referred to Committee on Fish and Game.

House File No. 320, by Hanson of Humboldt, a bill for an act to amend the law as it appears in Section Four Thousand Nine Hundred and Ninety-nine-a Twenty-five (4999-a 25) of the Supplement to the Code Nineteen Hundred and Seven (1907) relating to penalty for violation of the Pure Food Laws.

February 24th, referred to Committee on Food and Dairy.

House File No. 321, by Hanson of Humboldt, a bill for an act to amend the law as it appears in section Four Thousand Nine Hundred and Ninety-nine-a Thirty-one (4999-a 31) of the Supplement to the Code Nineteen Hundred and Seven (1907) relating to food standards.

February 24th, referred to Committee on Food and Dairy.

House File No. 322, by Elliott of Page, a bill for an act appropriating the sum of One Hundred Thirty-nine Dollars and Sixty-five Cents (\$139.65) to be paid to S. J. McCord in settlement of a claim against the State of Iowa arising by reason of the efforts of the said S. J. McCord to extradite one James F. Milligan.

February 24th, referred to Committee on Claims.

House File No. 323, by Holmes of Kossuth, a bill for an act to authorize the purchase of land for a colony for epileptics and making an appropriation for that purpose.

February 25, referred to Committee on Appropriations.

House File No. 324, by Dalby of Adair (by request), a bill for an act to amend sections seventeen hundred and nine (1709) of the Supplement to the Code, 1907, as amended by the acts of the Thirty-first and Thirty-second General Assemblies, relative to insurance other than life.

February 25, referred to Committee on Insurance.

House File No. 325, by Inman of Floyd, a bill for an act additional to and amendatory of the law as it appears in chapter six (6) of title twelve (XII.) of the Code, and Supplement to the Code, 1907, relative to intoxicating liquors, providing for the appointment of liquor law enforcement commissioners and their deputies, describing their duties, fixing their compensation and creating a fund therefor.

February 25, referred to Committee on Suppression of Intemperance.

House File No. 326, by White of Story, a bill for an act relating to the building of county bridges.

February 25, referred to Committee on Roads and Highways.

House File No. 327, by Corrie of Ida, a bill for an act to repeal section fifteen hundred thirty (1530) of the Code, 1907, relating to a county road fund and to enact a substitute therefor and to provide for the establishment of county roads and the making thereof, and the appointing of a county engineer of roads.

February 25, referred to Committee on Roads and Highways.

House File No. 328, by Hunter of Polk, a bill for an act to provide for the supplying of electric light and power to military reservations of the United States in this state.

February 25, referred to Committee on Municipal Corporations.

House File No. 329, by Bowman of Linn, a bill for an act to amend section four hundred and sixty-nine (469) of the Supplement to the Code, 1907, relative to the compensation of county supervisors.

February 25, referred to Committee on Compensation of Public Officers.



House File No. 330, by Bowman of Linn, a bill for an act to amend section nine hundred fifteen (915) of the Supplement to the Code, 1907, relating to acknowledgement and recording of plats, and to provide for the certificate of the county attorney.

February 25, referred to Committee on Judiciary.

House File No. 331, by Koontz of Johnson, a bill for an act to repeal section forty-two hundred and ninety-five (4295) of the Code, relating to the satisfaction of mortgages and to enact a substitute therefor.

February 25, referred to Committee on Judiciary

House File No. 332, by Koontz of Johnson, a bill for an act to amend the law as it appears in sections twenty-five hundred and forty (2540), twenty-five hundred forty-a (2540-a), twenty-five hundred forty-one (2541), twenty-five hundred fifty-six (2556) of the Supplement to the Code, 1907; and sections twenty-five hundred forty-four (2544), twenty-five hundred fifty-two (2552), twenty-five hundred fifty-four (2554), twenty-five hundred fifty-five (2555) and twenty-five hundred sixty-two (2562) of the Code, relating to the protection of fish and game.

February 25, referred to Committee on Fish and Game.

House File No. 333, by Holmes of Kossuth, a bill for an act making an appropriation to defray the expenses of the Lincoln program.

February 25, referred to Committee on Appropriations.

House File No. 334, by Hunter of Polk, a bill for an act making an appropriation for the Lindquist-Holt Hardware Company, on account of damage come to property caused by reason of the negligently constructed and maintained wagon carrying mail from the Des Moines postoffice to the Capitol building, operated by an employe of the State of Iowa.

February 25, referred to Committee on Claims.

House File No. 335, by Marston, a bill for an act to appropriate the sum of nine hundred eighty-eight and ninety-eight one hundredths dollars (\$988.98) to reimburse the State Board of Dental Examiners for moneys charged off their account August 10, 1907.

February 25, referred to Committee on Appropriations.

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

House Joint Resolution No. 1, by Joint Committee on Additional Employes, Joint Resolution relating to the selection of additional employes of the Thirty-third General Assembly, fixing their compensation and defining their duties.

January 22, reported correctly enrolled.

House Joint Resolution No. 2, House Joint Resolution providing for and empowering the Board of Regents of the State University, the Trustees of the Iowa State College of Agriculture and Mechanic Arts and the Trustees of the Iowa State Normal School to make application for the admission of these State institutions to the rights and privileges of the Carnegie Foundation for the Advancement of Teaching and to receive the same.

January 26, passed House, messaged to Senate.

House Joint Resolution No. 3, Joint Resolution proposing to amend the constitution so as to prohibit the manufacture and sale of intoxicating liquors as a beverage within this state.

February 24, reported from committee recommending passage. Report adopted.

Senate File No. 3, by Senator Dowell, a bill for an act to repeal the law as it appears in section 1457 of the Supplement to the Code, and enact a substitute therefor relating to the subject of loaning or depositing of public funds.

February 16, referred to Committee on Ways and Means.

Senate File No. 6, by Senator Cosson, a bill for an act to repeal sections 301, 302, 305, 306, and 307, of the Code, relating to the duties and limitations of the County Attorney and to enact substitutes therefor.

February 20, reported back with amendments on General File.

Senate File No. 7, by Senator Cosson, a bill for an act to repeal sections 499 and 502 of the Code, relating to the duties and powers of the sheriff and his deputy, and to enact a substitute therefor.

February 20th, reported back with amendments.

Senate File No. 11, by Senator Allen of Van Buren, a bill for an act to amend section four hundred and thirty-three (433) of the Supplement of 1907 to the Code, relating to the burial of indigent soldiers and sailors.

February 24th, recalled by the Senate. •

Senate File No. 12, by Senator Allen of Van Buren, a bill for an act to amend section three hundred thirty-three (333) of the Code relating to persons exempt from liability to act as jurors.

February 1st, reported correctly enrolled.

Senate File No. 16, by Senator Hammill, a bill for an act to amend the law as it appears in section (2310-a-24) of the Supplement to the Code, 1907, relating to furnishing intoxicating liquors or narcotic drugs to paroled inebriates.

February 24th, referred to Committee on Suppression of Intemperance.

Senate File No. 17, by Senator Proudfoot, a bill for an act to amend section (3311) of the Code, relating to the valuation of personal property.

January 30th, referred to Conference Committee.

Senate File No. 22, by Senator Peterson, a bill for an act to amend the law as it appears in section (740) of the 1907 Supplement to the Code, relating to aiding by taxation the maintenance of any institution of learning or benevolence including hospitals acquired by any county, city, town or school corporation by gift or devise.

February 25th, passed House, messaged to Senate.

Senate File No. 25, by Senator Moon, a bill for an act to repeal chapter (240) of the Acts of the Thirty-second General Assembly, relating to the sale of abandoned channel of the Des Moines river within the corporate limits of the city of Ottumwa, Iowa.

February 3d, reported correctly enrolled.

Senate File No. 28, by Senator Quigley, a bill for an act to provide for the payment of bounty for the destruction of rattlesnakes.

February 19th, passed House, messaged to Senate.

Senate File No. 33, by Senator Gilliland, a bill for an act to amend chapter (4), Title (7) of the Code, relating to the collection of tax upon inheritances.

February 17th, referred to Committee on Ways and Means.

Senate File No. 37, by Senator Nichols, a bill for an act to repeal section (1366) of the Code and enact a substitute therefor relative to assessment rolls.

February 20th, reported correctly enrolled.

Senate File No. 43, by Senator Maytag, a bill for an act making an appropriation to pay the additional employes of the Thirty-third General Assembly.

February 8th, reported correctly enrolled.

Senate File No. 44, by Senator Maytag, a bill for an act making an appropriation for the purchase of (20,000) copies of the Railroad Commissioners official maps to be distributed by the members of the General Assembly and Railroad Commissioners.

February 17th, Conference Committee appointed.

Senate File No. 45, by Senator Smith of Mitchell, a bill for an act providing a method for the settlement of claims and demands for money or other property held by the state against persons.

February 23d, reported correctly enrolled.

Senate File No. 48, by Senator Nichols, a bill for an act to amend section (1661-a) of the Supplement to the Code relative to State aid to County and District fairs.

February 17th, referred to Committee on Appropriations.

Senate File No. 50, by Senator Hoyt, a bill for an act to legalize the action and proceedings of the city council of the city of Manchester, relative to the boundary line and extent of the limits of said city.

February 23d, reported correctly enrolled.

Senate File No. 63, by Senator Francis, a bill for an act making it the duty of all persons operating vessels propelled by machinery to carry lights during certain hours, providing rules for action upon meeting other vessels and fixing penalty for violation.

February 23, reported correctly enrolled.

Senate File No. 65, by Senator Saunders, a bill for an act to repeal the law as it appears in section 232 of the Supplement to the Code, 1907, and enact a substitute therefor, relating to the schedule of times of holding terms of court.

February 10th, reported correctly enrolled.

Senate File No. 67, by Senator Cosson, a bill for an act to amend section (5448) of the Code, relating to the time in which an appeal may be taken from the final judgement in criminal cases.

February 5th, reported correctly enrolled.

Senate File No. 72, by Senator Burgess, a bill for an act requiring the entrance and exit doors of all hotels, churches, lodge halls, court houses, assembly halls, theaters, opera houses, seminaries, colleges and public school buildings to open outward.

February 25th, passed House, messaged to Senate.

Senate File No. 75, by Senator Proudfoot (by request), a bill for an act to repeal sections (16), (17), and (20) of chapter (20), of the Acts of the Extra Session of the Twenty-sixth General Assembly as the same appears on page (4) of the prefix to the Code and enact substitutes therefor; to repeal sections (18) and (19) of chapter (20) of the Acts of the Extra Session of the Twenty-sixth General Assembly as amended by chapter (1) of the Acts of the Thirty-first General Assembly and as the same appears on page (5) of the prefix to the 1907 Supplement to the Code and enact substitutes therefor; and to repeal sections (42), (43), (44), (45), and (46) of the Code and enact substitutes therefor, relating to the distribution and sale of, and accounting for, the Codes and Session Laws.

February 22d, passed House, messaged to Senate

Senate File No. 79, by Senator Chapman, a bill for an act to legalize a special election of the city of Anamosa, Iowa, held October 28, 1907, for purchase of water works system, and voting bonds therefor and the ordinances, resolutions and acts of the council, relating to such water works.

Read first and second time and referred to Committee on Judiciary.  
February 10th, reported correctly enrolled.

Senate File No. 81, by Senator Clarkson, a bill for an act to repeal chapter one hundred and eighty-one (181) of the laws as enacted by the Thirty-second General Assembly of the State of Iowa, relating to the assumption of risks, and providing a substitute therefor.

February 18th, referred to Committee on Judiciary.

Senate File No. 87, by Senator Savage, a bill for an act to repeal section sixteen hundred and seventy-five (1675) of the Supplement to the Code and to enact a substitute therefor; relative to Farmers' Institutes.

February 24th referred to Committee on Agriculture.

Senate File No. 88, by Senator Savage, a bill for an act to repeal section twenty-three hundred and forty-one-d (2341-d) of the Supplement to the Code, 1907, and to enact a substitute therefor, relative to the transfer of state certificates for pure bred stallions.

February 20th, reported correctly enrolled.

Senate File No. 93, by Senator Bruce (by request), a bill for an act to repeal the law as it appears in section sixteen hundred fifty-seven-q (1657-q) of the Supplement to the Code and to enact a substitute therefor, relating to the auditing of accounts of the Department of Agriculture.

February 20th, reported correctly enrolled.

Senate File No. 98, by Senator Stuckslager, a bill for an act for the relief of the grantees O. J. Felton, and for the purpose of having a patent issued in the name of Thos. Wilmont for a certain tract of land of Iowa.

February 17th, referred to Committee on Judiciary.

Senate File No. 100, by Senator Saunders, a bill for an act amending section seven hundred and forty-six (746) of the Supplement to the Code relating to contracts and expenditures from the water works sinking fund for the purposes incident to the making and submission to the people of contracts for the purchase or erection of water works.

February 20th, indefinitely postponed.

Senate File No 101, by Senator Saunders, a bill for an act to change the name and official title of the various poor farms of the State of Iowa.

February 17th, reported from committee, recommending substitute known as House File No. 257; report adopted. Substitute read first and second time and passed on file.

February 25th, passed House, messaged to Senate.

Substitute for Senate File No. 99, by DeWolf, a bill for an act to amend the law as it appears in section 2675 of the Code, 1907, by providing an official name for the state normal school at Cedar Falls.

February 25, referred to Committee on Normal Schools.

Senate File No. 219, by Maytag, a bill for an act to amend the law as it appears in section 2692-a and 2692-c of the Supplement to the Code, 1907, relating to state agents and making appropriations therefor.

February 25, referred to Committee on Appropriations.

Senate File No. 108, by Senator Peterson, a bill for an act to amend the law as it appears in section eleven hundred and six (1106) of the Supplement to the Code 1907, relating to election ballots.

February 17, referred to Committee on Elections.

Senate File No. 117, by Senator Quigley, a bill for an act to authorize the sheriff and county attorney, when permitted by the board of supervisors, to employ the service of detectives and providing for payment thereof.

February 18th, referred to Committee on Judiciary.

Senate File No. 119, by Senator Larrabee (by request), a bill for an act to amend sections fifteen hundred and seventy-one-b (1571-b), fifteen hundred and seventy-one-c (1571-c), fifteen hundred and seventy-one-e (1571-e), and fifteen hundred and seventy-one-f (1571-f) of the 1907 Supplement to the Code, in reference to motor vehicles.

February 22d, passed House, messaged to Senate.

Senate File No. 121, by Senator Chapman, a bill for an act to legalize certain ordinances of the town of Oxford Junction, Jones county, Iowa.

February 20th, passed House, messaged to Senate.

Senate File No. 127, by Senator Moon, a bill for an act amending the law as it appears in Section six hundred and seventy-four (674) of the Supplement to the Code, 1907, relating to the compensation of assessors in cities of first class.

February 24th, referred to Committee on Municipal Corporations.

Senate File No. 129, by Committee on Cities and Towns, a bill for an act to amend section nine hundred and ninety-five (995) of the Code relating to powers and duties of commissioners in cities of special charter.

February 22d, passed House, messaged to Senate.

Senate File No. 136, by Senator Maytag, a bill for an act making appropriation to defray the expenses of the inaugural ceremonies.

February 18th, reported from committee, recommending passage; report adopted.

Senate File No. 141, by Senator Savage, a bill for an act to repeal section thirteen hundred and sixty-three (1363) of the Code, relative to statistics, and enacting a substitute therefor.

February 24th, referred to Committee on Agriculture.

Senate File No. 145, by Senator Van Law, a bill for an act to co-operate with the city of Marshalltown, in constructing a permanent dam across the Iowa river.

February 24th, referred to Committee on Appropriations.

Senate File No. 150, by Senator Saunders, a bill for an act to amend the law as it appears in section five hundred eleven (511) of the Supplement to the Code 1907, relating to the compensation of sheriffs for boarding prisoners.

February 13th, referred to Committee on Compensation of Public Officers.

Senate File No. 154, a bill for an act to create a commission authorized to locate and erect a pedestal for a monument to the memory of the late William B. Alison and making an appropriation to defray the expense thereof.

February 23, reported correctly enrolled.

Substitute for Senate File No. 157, a bill for an act to amend the law as it appears in chapter two (2)-a, title ten (10) of the Supplement to the Code, 1907, relating to levees, ditches, drain and water courses, and providing for work beyond the boundary lines of the district and for the acquirement by condemnation of lands therefor, by adding thereto the following:

February 18, read first and second time and referred to Committee on Judiciary.

Senate File No. 162, by Senator Francis, a bill for an act amending the law as it appears in section thirteen hundred sixty-one (1361) of the Supplement to the Code, 1907, and section thirteen hundred fifty-four (1354) and section thirteen hundred fifty-five (1355) of the Code, relating to the making of affidavit in assessment of property.

February 22d, passed House, messaged to Senate.

Senate File No. 166, by Senator Foley, a bill for an act to enable counties to establish and maintain public hospitals, levy a tax and issue bonds therefor, elect hospital trustees, maintain training schools for nurses, provide suitable means for the care of tuberculous persons, and to make possible the ultimate establishment of an adequate supply of hospitals with equal rights to all and special privileges to none.

February 24, reported from committee with amendments. Report adopted.

Senate File No. 170, by Senator Cosson, a bill for an act to legalize the establishment of the superior court of the City of Perry, Dallas County, State of Iowa, and all the proceedings in the matter of establishing said court and the acts of all the officers of said City of Perry in relation to the establishment of said court, the issuance of the proclamation by the mayor and the election held on said establishment and the vote of the electors in establishing said court and the canvassing said vote and the declaring the result and the appointment of the judge thereof and the election of his successor and the official acts, orders, judgments, and decrees of said judges and the court and all the proceedings in said court and the official acts of the clerk thereof or any other officers of said court, legalizing all the aforesaid matters, acts, and proceedings and record as fully and exactly as if the law in every particular had been complied with.

February 17, referred to Committee on Judiciary.

Senate File No. 179, by Senator Saunders, a bill for an act to amend the law as it appears in sections two hundred fifty-four-a-thirteen (254-a-13), two hundred fifty-four-a-fourteen (254-a-14), two hundred fifty-four-a-fifteen (254-a-15), two hundred fifty-four-a-sixteen (254-a-16), two hundred fifty-four-a-seventeen (254-a-17), two hundred fifty-four-a-eighteen (254-a-18), two hundred fifty-four-a-nineteen (254-a-19), two hundred fifty-four-a-twenty (254-a-20), two hundred fifty-four-a-twenty-one (254-a-21), two hundred fifty-four-a-twenty-two (254-a-22), two hundred fifty-four-a-twenty-three (254-a-23), two hundred fifty-four-a-twenty-four (254-a-24), two hundred fifty-four-a-twenty-five (254-a-25), two hundred fifty-four-a-twenty-six (254-a-26), two hundred fifty-four-a-twenty-seven (254-a-27), two hundred fifty-four-a-twenty-eight (254-a-28), two hundred fifty-four-a-twenty-nine (254-a-29), two hundred fifty-four-a-thirty (254-a-30), of the Supplement to the Code, 1907, relating to juvenile courts, detention homes and schools and conferring concurrent jurisdiction upon superior courts with district courts of proceedings brought under said sections.

February 24, referred to Committee on Judiciary.

Senate File No. 196, by Senator Van Law, a bill for an act to amend section forty-eight hundred ninety-eight (4898) of the Code, relating to breaking jail and escape of prisoners from custody.

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

February 17, referred to Committee on Judiciary.

Senate File No. 203, by Senator Proudfoot, a bill for an act to legalize the ordinances of the town of Norwalk, Warren County, Iowa, and the acts and proceedings of the council of said town had thereunder.

February 18, referred to Committee on Judiciary.

Senate File No. 216, by Senator Saunders, a bill for an act prohibiting the detention or confinement of any female in any house, room, build- or premises by force, false pretense, or intimidation, for purposes of prostitution or with intent to cause such female to become a prostitute and providing a punishment for the violation thereof.

February 24, referred to Committee on Judiciary.

Substitute for Senate File No. 23, by Allen of Pocahontas, a bill for an act to amend the law as it appears in section 2116 of the Supplement to the Code, 1907, relative to the duty of railways to furnish transportation.

February 25, referred to Committee on Railroads and Transportation.



# JOURNAL OF THE HOUSE

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HALL OF THE HOUSE OF REPRESENTATIVES,  
DES MOINES, IOWA, MARCH 3, A. D. 1909.

House met pursuant to adjournment.

Speaker Feely in the Chair.

Prayer was offered by the Rev. Frank P. Shaffer of Osage, Iowa.

Journal of Thursday, February 25th, corrected and approved.

Inman of Floyd in the Chair.

On request of Beery of Henry, leave of absence was granted Blackmore of Worth until Monday.

On request of McDonald of Carroll, leave of absence was granted Wolfe of Clinton until Friday.

On request of Byerly of Jones, leave of absence was granted Schulte of Clayton until Thursday.

On request of Arney of Marshall, leave of absence was granted Welden of Hardin until Monday.

On request of Kellogg of Harrison, leave of absence was granted Sheldon of Ringgold until Friday.

## PETITIONS, MEMORIALS AND REMONSTRANCES.

Finlayson of Grundy presented petition of citizens of Grundy County relative to the prohibitory amendment.

Referred to Committee on Suppression of Intemperance.

Hanson of Humboldt presented remonstrance of members of Bradgate Camp No. 2939, Modern Woodmen of America, protesting against the passage of the Minimum Rate Law.

Referred to Committee on Insurance.

Tilton of Iowa presented petition of citizens of Iowa County, relative to the prohibitory amendment.

Referred to Committee on Suppression of Intemperance.

Burt of Taylor presented remonstrance of members of Lenox Camp No. 1665, Modern Woodmen of America, protesting against the passage of the Minimum Rate Law.

Referred to Committee on Insurance.

DeWitt of Montgomery presented petition of citizens of Montgomery County relative to House File No. 88.

Referred to Committee on Railroads and Transportation.

DeWitt of Montgomery presented petition of citizens of Montgomery County, relative to the prohibitory amendment.

Referred to Committee on Suppression of Intemperance.

Fulliam of Muscatine presented petition of merchants of Muscatine County relative to House File No. 232, referring to personal exemptions.

Referred to Committee on Commerce and Trade.

Fulliam of Muscatine presented remonstrance of citizens of Wilton Junction, protesting against the passage of Senate File No. 103.

Referred to Committee on Pharmacy.

Burt of Taylor presented petition of merchants of Taylor County, relative to House File No. 232, referring to personal exemptions.

Referred to Committee on Commerce and Trade.

Fulton of Jefferson presented remonstrance of members of Fairfield Camp No. 246, Modern Woodmen of America, protesting against the Minimum Rate Law.

Referred to Committee on Insurance.

Fulton of Jefferson presented petition of citizens of Jefferson County, relative to House File No. 169, referring to breach of the Sabbath.

Referred to Committee on Judiciary.

Fulton of Jefferson presented petition of merchants of Jefferson County, relative to House File No. 232, referring to personal exemptions.

Referred to Committee on Commerce and Trade.

Dalby of Adair presented remonstrances of citizens of Adair County, protesting against the passage of the School Bill.

Referred to Committee on Schools and Text Books.

Marston of Cerro Gordo presented remonstrance of citizens of Cerro Gordo County protesting against the passage of Senate File No. 81 and House File No. 25.

Referred to Committee on Judiciary.

Marston of Cerro Gordo presented petition of citizens of Cerro Gordo County, relative to the erection of buildings by railway corporations and requiring passenger trains to stop at certain junctions.

Referred to Committee on Railroads and Transportation.

Dalby of Adair presented petition of citizens of Adair County, relative to House File No. 169, referring to breach of the Sabbath.

Referred to Committee on Judiciary.

Dalby of Adair presented petition of merchants and tax payers of Adair County, relative to House File No. 232, referring to exemptions.

Referred to Committee on Commerce and Trade.

Dalby of Adair presented remonstrance of Orient Camp, Modern Woodmen of America, protesting against the passage of the Minimum Rate Law.

Referred to Committee on Insurance.

Cooper of Jasper presented petition of merchants and tax payers of Jasper County, relative to House File No. 232, referring to exemptions.

Referred to Committee on Commerce and Trade.

Dodds of Des Moines presented remonstrance of Brotherhood Railroad Trainmen of Burlington, Iowa, protesting against the passage of House File No. 169, and Senate File No. 90.

Referred to Committee on Judiciary.

Dodds of Des Moines presented petition of members of the Iowa Federation of Women's Clubs of Burlington, Iowa, relative to the passage of the School Bill.

Referred to Committee on Schools and Text Books.

Moore of Linn presented petition of citizens of Linn County, relative to House File No. 169, referring to breach of the Sabbath.

Referred to Committee on Judiciary.

Moore of Linn presented remonstrances of Hod Carriers' and Building Laborers' Union of America and American Federation of Labor, protesting against the passage of House File No. 232.

Referred to Committee on Commerce and Trade.

Moore of Linn presented remonstrance of Structural Building Trades Alliance of Cedar Rapids, protesting against the passage of House File No. 232.

Referred to Committee on Commerce and Trade.

Moore of Linn presented two petitions of merchants and tax payers of Linn County, relative to House File No. 232, referring to exemptions.

Referred to Committee on Commerce and Trade.

Moore of Linn presented remonstrance of Linden Camp, Modern Woodmen of America, protesting against the passage of the Minimum Rate Law.

Referred to Committee on Insurance.

Mr. Speaker presented petition of citizens of Black Hawk County, relative to House File No. 169, referring to breach of the Sabbath.

Referred to Committee on Judiciary.

Anderson of Hamilton presented remonstrance of Enterprise Camp No. 4100, Modern Woodmen of America, protesting against the passage of the Minimum Rate Law.

Referred to Committee on Insurance.

Allred of Wayne, presented remonstrance of citizens of Wayne County, protesting against the passage of the School Bill.

Referred to Committee on Schools and Text Books.

Bauman of Van Buren presented petition of merchants and tax payers of Van Buren County, relative to House File No. 232, referring to exemptions.

Referred to Committee on Commerce and Trade.

Thompson of Benton presented petition of merchants and tax payers of Benton County, relative to House File No. 232; referring to exemptions.

Referred to Committee on Commerce and Trade.

Bowman of Linn presented petition of merchants and tax payers of Linn County, relative to House File No. 232, referring to exemptions.

Referred to Committee on Commerce and Trade.

Hunter of Polk presented petitions of citizens of Polk County, relative to House File No. 169, referring to breach of the Sabbath.

Referred to Committee on Judiciary.

Boettger of Scott presented remonstrance of United Brotherhood of Leather Workers, protesting against the passage of House File No. 232, referring to exemptions.

Referred to Committee on Commerce and Trade:

Boettger of Scott presented remonstrance of Davenport Trades and Labor Assembly, protesting against the passage of House File No. 232, referring to exemptions.

Referred to Committee on Commerce and Trade.

Sullivan of Polk presented remonstrance of United Mine Workers of America, protesting against any change in the exemption law.

Referred to Committee on Commerce and Trade.

Sullivan of Polk presented remonstrance of Local Union No. 33 of the United Association of Plumbers, Gas Fitters, etc., protesting against the passage of House File No. 232.

Referred to Committee on Commerce and Trade.

Schee of O'Brien presented petition of citizens of O'Brien County, relative to the prohibitory amendment.

Referred to Committee on Suppression of Intemperance.

Cassady of Monona presented petition of merchants of Monona County relative to House File No. 232, referring to personal exemptions.

Referred to Committee on Commerce and Trade.

Reitz of Lee presented petition of merchants of Lee County, relative to House File No. 232, referring to personal exemptions.

Referred to Committee on Commerce and Trade.

Reitz of Lee presented petition of citizens of Lee County, relative to a Fish and Game Protective Association.

Referred to Committee on Fish and Game.

Bowman of Linn presented petition of citizens of Linn County, relative to House File No. 169, referring to breach of the Sabbath.

Referred to Committee on Judiciary.

Reaney of Louisa presented remonstrance of citizens of Louisa County, protesting against the passage of the School Bill.

Referred to Committee on Schools and Text Books.

Reaney of Louisa presented petition of citizens of Louisa County, relative to the prohibitory amendment.

Referred to Committee on Suppression of Intemperance.

Perkins of Delaware presented petition of citizens of Delaware County, relative to House File No. 169, referring to breach of the Sabbath.

Referred to Committee on Judiciary.

Sullivan of Polk presented petition of merchants and tax payers of Polk County, relative to House File No. 232, referring to exemptions.

Referred to Committee on Commerce and Trade.

Sullivan of Polk presented remonstrance of the American Federation of Labor of Dubuque, Iowa, protesting against the passage of House File No. 169, referring to breach of the Sabbath.

Referred to Committee on Judiciary.

Miller of Dubuque presented petition of citizens of Dubuque County, relative to House File No. 169, referring to breach of the Sabbath.

Referred to Committee on Judiciary.

Newell of Plymouth presented petition of citizens of Plymouth County, relative to House File No. 169, referring to breach of the Sabbath.

Referred to Committee on Judiciary.

Ellis of Jackson presented remonstrance of citizens of Jackson County, protesting against the passage of House File No. 139.

Referred to Committee on Judiciary.

Beebe of Franklin presented petition of citizens of Franklin County, requesting that Good Friday be made a legal holiday.

Referred to Committee on Judiciary.

Byerly of Jones presented petition of merchants of Jones County, relative to House File No. 232, referring to personal exemptions.

Referred to Committee on Commerce and Trade.

Byerly of Jones presented remonstrance of tax payers of Jones County, protesting against the passage of the School Law.

Referred to Committee on Schools and Text Books.

Schee of O'Brien, presented petition of citizens of O'Brien County, relative to House File No. 169, referring to breach of the Sabbath.

Referred to Committee on Judiciary.

Ritter of Des Moines presented remonstrance of the Royal Highlanders of Burlington, Iowa, protesting against the passage of the Minimum Rate Law.

Referred to Committee on Insurance.

Ritter of Des Moines presented petition of the Iowa Federation of Women's Clubs of Burlington, Iowa, relative to the passage of School Bill.

Referred to Committee on Schools and Text Books.

Swan of Appanoose presented petition of merchants and tax payers of Appanoose County, relative to House File No. 232, referring to exemptions.

Referred to Committee on Commerce and Trade.

Tegeler of Dubuque presented remonstrance of citizens of Dubuque County, protesting against the passage of the School Bill.

Referred to Committee on Schools and Text Books.

Grier of Poweshiek presented petition of merchants and tax payers of Poweshiek County, relative to House File No. 232, referring to exemptions.

Referred to Committee on Commerce and Trade.

Dewey of Guthrie presented petition of citizens of Guthrie County, relative to House File No. 169, referring to breach of the Sabbath.

Referred to Committee on Judiciary.

Inman of Floyd presented petition of citizens of Floyd County, relative to House File No. 169, referring to breach of the Sabbath.

Referred to Committee on Judiciary.

Perkins of Delaware presented petition of merchants and tax payers of Delaware County, relative to House File No. 232, referring to exemptions.

Referred to Committee on Commerce and Trade.

Beery of Henry presented petition of merchants of Henry County, relative to House File No. 232, referring to personal exemptions.

Referred to Committee on Commerce and Trade.

Inman of Floyd presented petition of merchants of Floyd County, relative to House File No. 232, referring to personal exemptions.

Referred to Committee on Commerce and Trade.

Boomgaarden of Lyon presented petition of merchants of Lyon County, relative to House File No. 232, referring to personal exemptions.

Referred to Committee on Commerce and Trade.



Felt of Clay presented remonstrance of citizens of Clay County, protesting against the passage of Senate File No. 90, referring to breach of the Sabbath.

Referred to Committee on Judiciary.

Swift of Shelby presented petition of merchants of Shelby County, protesting against the passage of House File No. 232, relative to personal exemptions.

Referred to Committee on Commerce and Trade.

McDonald of Carroll presented petition of citizens of Carroll County, relative to House File No. 232, referring to personal exemptions.

Referred to Committee on Commerce and Trade.

Moore of Wapello presented petition of citizens of Wapello County, relative to House File No. 169, referring to breach of the Sabbath.

Referred to Committee on Judiciary.

Moore of Wapello presented petition of citizens of Wapello County, relative to the prohibitory amendment.

Referred to Committee on Suppression of Intemperance.

Beebe of Franklin presented petition of merchants of Franklin County, relative to House File No. 232, referring to personal exemptions.

Referred to Committee on Commerce and Trade.

Speaker Feely in the Chair.

#### REPORTS OF COMMITTEES.

Hanson of Humboldt, from the Committee on Telegraph and Express, submitted the following report:

MR. SPEAKER—Your Committee on Telegraph and Express, to whom was referred House File No. 167, a bill for an act to amend Section twenty-one hundred sixty-four (2164) of the Code relating to the presentation of claims to telegraph and telephone companies, beg leave to report they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same be amended as follows:

That all of said bill after the enacting clause be stricken out and the following substituted in lieu thereof:

SECTION 1. That Section 2164 of the Code be amended by striking out of the tenth line thereof the words "sixty days" and by substituting in lieu thereof the words "six months," and when so amended the bill do pass.

T. O. HANSON,  
*Chairman.*

Report adopted.

Sullivan of Polk, from the Committee on Judiciary, submitted the following report:

MR. SPEAKER—Your committee on Judiciary, to whom was referred House File No. 93, a bill for an act to amend Section five thousand two hundred and eighty-nine (5289) of the Code of 1897, by adding thereto a provision permitting the county attorney to amend indictments to correct errors therein, or to add allegations thereto, beg leave to report they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same be amended as follows: By striking out all of the title and substituting therefor the following: "A bill for an act to amend the law as it appears in Section five thousand two hundred eighty-nine (5289) of the Code, by adding thereto a provision permitting the county attorney to amend indictments and to require that objections to indictments be waived if not made before swearing the jury on the trial of the case."

By striking out all after the enacting clause and substituting therefor the following:

SECTION 1. That the law as it appears in Section five thousand two hundred eighty-nine (5289) of the Code be amended by adding thereto the following paragraphs, to-wit:

7. The county attorney may, at any time before or during the trial of defendant upon indictment, amend the indictment so as to correct errors or omissions therein as to matters of form, or to correct errors in the name of any person or in the description of any person or thing, or in the allegations concerning the ownership of property that may be described in the indictment; but such amendment shall not prejudice the substantial rights of the defendant, or charge him with a different crime or different degree of crime from that charged in the original indictment returned by the grand jury.

8. A notice of the time the state will ask permission to file such amendment, together with a copy of such amendment shall be served upon the defendant or his attorney and an opportunity be given the defendant to resist the filing of such amendment. No continuance or delay in trial shall be granted because of such amendment, except upon the defendant's application, it appearing to the court that defendant should have additional time to prepare for trial because of the new allegations contained in the indictment.

9. All objections to the indictment which might be raised by a plea in abatement shall be deemed waived if not raised by the defendant before

the jury is sworn on the trial of the case, and when so amended the bill do pass.

JOHN B. SULLIVAN,  
*Chairman.*

Report adopted.

Also:

MR. SPEAKER—Your committee on Judiciary, to whom was referred Substitute for Senate File No. 4, a bill for an act to amend the law as it appears in Section twenty hundred and seventy-one (2071) of the Supplement to the Code, 1907, relating to the liability of corporations operating a railway for negligence or wrongs of employes, beg leave to report they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same do pass.

JOHN B. SULLIVAN,  
*Chairman.*

Adopted.

Also:

MR. SPEAKER—Your committee on Judiciary, to whom was referred Senate File No. 157, a bill for an act to amend the law as it appears in Chapter two (2)-A, Title ten (10) of the Supplement to the Code, 1907, relating to levees, ditches, drains and water courses, and providing for work beyond the boundary lines of the district and for the acquirement by condemnation of lands therefor, by adding thereto the following, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same be referred to the Committee on Drainage.

JOHN B. SULLIVAN,  
*Chairman.*

Adopted, and referred to Special Drainage Committee.

Also:

MR. SPEAKER—Your committee on Judiciary, to whom was referred House File No. 175, a bill for an act to repeal Section thirteen hundred three (1303) of the Supplement to the Code, 1907, relating to levy of taxes by board of supervisors, and to enact a substitute therefor, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same be amended as follows:

First. By striking out all of the title and inserting in lieu thereof the following: A bill for an act to amend Section one thousand three hundred and three (1,303) of the Supplement to the Code, 1907, relating to levying of taxes by board of supervisors.

Second. By striking out all after the enacting clause and inserting the following in lieu thereof: Section 1. That division two (2) of Section one thousand three hundred and three (1303) of the Supplement to the

Code, 1907, be and the same is hereby amended by adding to said subdivision two (2) the following: "Provided, however, that in any county where, by reason of extraordinary or unusual litigation the rates herein fixed for ordinary county revenue are found to be insufficient to pay the same, the board of supervisors may create an additional fund to be known as "Court expense fund," and may levy for such fund, such rate of taxes, as shall be necessary to pay all court expenses chargeable to the county. Such fund shall be used for no other purpose, and the levy therefor shall be dispensed with, when the authorized levy for the ordinary county revenue is sufficient to meet the necessary county expenditures, including such court expenses," and when so amended that the bill do pass.

JOHN B. SULLIVAN,  
*Chairman.*

Adopted.

Also:

MR. SPEAKER—Your committee on Judiciary, to whom was referred House File No. 271, a bill for an act to amend Section two thousand nine hundred and ninety-one (2991) of the Code relating to the termination of tenancy at will, beg leave to report they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same be indefinitely postponed.

JOHN B. SULLIVAN,  
*Chairman.*

Adopted, and House File No. 271 was indefinitely postponed.

White of Story, from the Committee on Ways and Means, submitted the following report:

MR. SPEAKER—Your committee on Ways and Means, to whom was referred House File No. twenty-six (26), a bill for an act to provide for the taxation of mortgages of real property, beg leave to report they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same be amended as follows:

By striking out Section one and inserting in lieu thereof the following:

SECTION 1. The word "mortgage" used in this act shall mean any instrument creating or evidencing a lien of any kind on real property, given or taken as security for debt, notwithstanding such debt may also be secured in part by a lien upon personality. An executory contract for the sale of land, under which the vendee is entitled to or does take possession thereof, shall be deemed for the purpose of this act, a mortgage securing the same and other indebtedness, additional to that upon which such tax has been paid, be taxable hereunder, except for such added sum.

That Section two of said act be amended as follows:

By striking out the words and figures "fifty (50)" in the first line of said Section and inserting in lieu thereof the following: "ten (10)" and by inserting after the word "cents" in the said first line of said Section the following: "for every year or fraction thereof of the life of the mortgage."

Further, by striking out from the tenth line of said Section two the word "as" and inserting in lieu thereof the word "and."

Further, by striking out Section seven of said act and inserting in lieu thereof the following:

"Every renewal and extension of any mortgage shall be subject to the same tax, regulations and provisions of this act as the mortgage itself, and no such mortgage, no renewal or extension thereof, no papers relating to their foreclosure, no transcript or assignment, release or satisfaction thereof shall be recorded or registered after April 30, 1909, nor shall any such document, or any record thereof, be received in evidence in any court or have any validity as notice or otherwise unless said tax shall have been paid."

By striking out Section ten and inserting in lieu thereof the following:

SEC. 10. This act, being deemed of immediate importance, 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, and when so amended the bill do pass.

GEO. C. WHITE.

*Chairman*

Report adopted.

#### INTRODUCTION OF BILLS.

By Hickenlooper of Monroe (by request), House File No. 336, a bill for an act to amend the law as it appears in Section Three Thousand Three Hundred Five (3305) of the Code, relating to time within which administration may be originally granted on estates of decedents.

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

By Goodykoontz of Boone, House File No. 337, a bill for an act amending the law as it appears in Section Twenty-four Hundred Eighty-nine-a (2489-a), Supplement to the Code, 1907, relating to examination of mine foremen, pit bosses and hoisting engineers.

Read first and second time and referred to Committee on Mines and Mining.

By Elliott of Page, House File No. 338, a bill for an act to amend Section Five Thousand Six Hundred Twenty-six (5626) of Chapter Forty-nine (49), Title Twenty-five (25), of the Code in relation to pardons and the remission of fines and forfeitures by the Governor, and to enact a substitute therefor.

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

By Miller of Bremer, House File No. 339, a bill for an act to amend the law as it appears in Section Two Thousand Five Hundred and Seventy-eight-a (2578-a) of the Supplement to the Code, relating to the revocation of physician's certificate.

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

Boomgaarden of Lyon offered the following resolution and moved that the rule be suspended and the resolution adopted:

WHEREAS, The Honorable Samuel A. Feay, of Lyon County, Iowa, an honored member of the House during the Thirty-second General Assembly, departed this life at his home in Rock Rapids, Iowa, on the 27th day of February, 1909, therefore be it

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

Motion prevailed, and the resolution was adopted.

The Speaker appointed the following committee: Boomgaarden of Lyon, Koontz of Johnson and Swift of Shelby.

Hickenlooper of Monroe offered the following resolution, and moved that the rule be suspended and the resolution adopted:

WHEREAS, The Hon. Josiah T. Young, an honored member of this House from Monroe County in the Twenty-third General Assembly, departed this life at his home in Albia, Iowa, on November 11, 1907, therefore be it

*Resolved*, That a committee of three be appointed to prepare and present suitable resolutions respecting his life, character and public service.

Motion prevailed, and the resolution was adopted.

The Speaker appointed the following committee: Hickenlooper of Monroe, Allred of Wayne and Dabney of Davis.

Etter of Keokuk offered the following resolution and moved that the rule be suspended and the resolution adopted:

WHEREAS, The Hon. Louis P. Hollingsworth, a pioneer settler of Iowa and an honored member of the House of Representatives in the Ninth General Assembly, died at his home in Des Moines, Iowa, December 27, 1908, therefore be it

*Resolved*, That a committee of three be appointed to prepare suitable resolutions commemorating his life and public service.

Motion prevailed, and the resolution was adopted.

The Speaker appointed the following committee: Etter of Keokuk, Sullivan of Polk and Penn of Fremont.

Miller of Dubuque called up Senate Concurrent Resolution relative to memorializing the Congress of the United States to provide by law for the improvement of the rivers, harbors and waterways, and the issuance of bonds therefor, and moved that the House concur.

Motion prevailed, and the resolution declared concurred in.

MESSAGES FROM THE SENATE.

The following messages were received from the Senate:

MR. SPEAKER—I am directed to inform your honorable body that the Senate has passed the following bill in which the concurrence of the House is asked:

Senate File No. 124, a bill for an act to amend Section 2578-a of the Supplement to the Code of Iowa, relating to the revocation of certificates by the board of medical examiners.

S. W. NEAL,  
*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. 148, a bill for an act to amend the law as it appears in Section 510-a of the Supplement to the Code, 1907, relating to the compensation of sheriffs and providing for the disposition of mileage heretofore earned by sheriffs.

S. W. NEAL,  
*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. 262, a bill for an act relative to legalizing resolutions and proceedings of the council of the city of Monticello.

S. W. NEAL,  
*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:

Substitute for Senate File No. 91, a bill for an act to define and regulate the practice of optometry and for the creation of a board of examiners in optometry.

S. W. NEAL,  
*Secretary.*

Also:

MR. SPEAKER—I am directed to inform your honorable body that the Senate has passed the following bill in which the concurrence of the Senate was asked:

House File No. 123, a bill for an act to amend Section 850-j of the Supplement to the Code, 1907, relating to park districts.

S. W. NEAL,  
*Secretary.*

Also:

MR. SPEAKER—I am directed to inform your honorable body that the Senate has concurred in House Amendments to Senate File No. 75, a bill for an act relating to the distribution and sale of, and the accounting for, the codes and session laws.

S. W. NEAL,  
*Secretary.*

Also:

MR. SPEAKER—I am directed to inform your honorable body that the Senate insists on its substitute amendment to House File No. 9, a bill for an act to repeal the law which appears as Section 3307 of the Supplement to the Code, 1907, relating to estates of absentees, and enacting a substitute therefor, and asks for a conference committee, and the president of the Senate appoints as the committee on the part of the Senate: Senators Whipple, Hammill, Whiting and Proudfoot.

S. W. NEAL,  
*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. 213, a bill for an act fixing the liability of a bank to its depositor for payment of forged or raised checks.

S. W. NEAL,  
*Secretary.*

Also:

MR. SPEAKER—I am directed to inform your honorable body that the Senate has amended and passed the following bill in which the concurrence of the Senate was asked:

House File No. 171, a bill for an act providing for the completion and distribution of the Roster of Iowa Soldiers, Sailors and Marines as provided by Chapter 223, laws of the Thirty-second General Assembly, fixing the number of volumes and making an additional appropriation therefor.

S. W. NEAL,  
*Secretary.*



## SENATE MESSAGES CONSIDERED.

Senate File No. 124, a bill for an act to amend Section Twenty-five Hundred and Seventy-eight-a (2578-a) of the Supplement to the Code of Iowa, relating to the revocation of certificates by the Board of Medical Examiners.

Read first and second time and referred to Committee on Public Health.

Senate File No. 148, a bill for an act to amend the law as it appears in Section Five Hundred Ten-a (510-a) of the Supplement to the Code, 1907, relating to the compensation of sheriffs and providing for the disposition of mileage heretofore earned by sheriffs.

Read first and second time and referred to Committee on Compensation of Public Officers.

Senate File No. 262, a bill for an act to legalize the resolutions and proceedings of the Council of the City of Monticello, Iowa, relating to the parking, curbing, guttering and macadamizing of a portion of Sycamore street in said city, and all acts done thereunder.

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

Senate File No. 213, a bill for an act fixing the liability of a bank to its depositor for payment of forged or raised checks.

Read first and second time and referred to Committee on Banks and Banking.

Substitute for Senate File No. 91, a bill for an act to define and regulate the practice of optometry and for the creation of a Board of Examiners in Optometry.

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

## SENATE AMENDMENTS CONSIDERED.

On request of Anderson of Hamilton, unanimous consent having been given, House File No. 171, a bill for an act providing for the completion and distribution of the Roster of Iowa soldiers, sailors and marines, as provided by Chapter 223, Laws of the Thirty-sec-

ond General Asembly, fixing number of volumes, and making an additional appropriation therefor, with the following Senate amendments, was taken up and the amendments read and considered.

Amend Section 1 by striking out the words and figures "twelve thousand five hundred dollars (\$12,500.00)" in the first and second lines of said section and inserting the words and figures "ten thousand (\$10,000.00) dollars" in lieu thereof; also that "Section 2" be stricken out and the following substitute be inserted in lieu thereof:

"Sec. 2. The edition of each volume hereafter printed shall be three thousand, instead of ten thousand, as provided by said chapter. Two thousand of each edition shall be bound in half sheep and the remainder shall be stitched and stored for future use and so bound whenever required for sale or distribution. One hundred sets of said roster and record shall be placed in the hands of the Adjutant General and one hundred sets in the State Library, for exchange with libraries of other states, the War Department Library, and the Librarian of Congress and such other institutions of other states as have extended or may hereafter extend courtesies of like character to this state; one set shall be issued to each camp of the Union Veterans' Legion, located in the State of Iowa; the remainder of the edition shall be disposed of as provided in Section three of the aforesaid chapter, except as said Section is modified by the provisions of this act."

Anderson of Hamilton moved that the House concur in the Senate amendments.

On the question, Shall the House concur?

The ayes were:

Allred, Anderson, Balluff, Bauman, Beans, Beebe, Beery, Boettger, Bonwell, Boomgaarden, Bowman, Brandes, Burt, Byerly, Calkins, Cassady, Cooper, Corrie, Cousins, Crummer, Cunningham, Dabney, Dalby, Darrah, Dawson, Derrough, Dewey, DeWitt, Dodds, Drury, Dye, Elliott, Ellis, Etter, Felt, Fenn, Finlayson, Fourt, Fox, Fulliam, Goodykoontz, Grier, Hackler, Hanson, Harding, Hickenlooper, Holmes, Hunter, Ide, Inman, Johnson, Kellogg, Kendall, Kull, Larrabee, Lee, McCleery, McDonald, Marston, Miller of Dubuque, Moore of Wapello, Moore of Linn, Newell, O'Connor, Penn, Perkins, Reaney, Reitz, Ripley, Ritter, Sankey, Schee, Schroeder,

Smith, Stillman, Stoddard, Sullivan, Swan, Swift, Tegeler, Thompson, Tilton, White, Mr. Speaker—84.

The nays were:

None.

Absent or not voting:

Arney, Bascom, Blackmore, Boe, Crozier, Davidson, Dewell, Fulton, Harvey, Huffaker, Jacobs, Jewell, Jones, Klay, Koontz, Meredith, Miller of Bremer, Schulte, Sheldon, Ward, Welden, Wilson, Wolfe, Zeller—24.

So the motion prevailed, and the House concurred in the Senate amendments.

The roll was called to ascertain whether or not a quorum was present.

Those present were:

Allred, Anderson, Balluff, Bauman, Beans, Beebe, Beery, Boettger, Bonwell, Boomgaarden, Bowman, Brandes, Burt, Byerly, Calkins, Cassady, Cooper, Corrie, Cousins, Crummer, Cunningham, Dabney, Dalby, Darrah, Dawson, Derrough, Dewey, DeWitt, Dodds, Drury, Dye, Ellis, Etter, Felt, Fenn, Finlayson, Fourt, Fox, Fulliam, Fulton, Goodykoontz, Grier, Hackler, Hanson, Harding, Hick-enlooper, Holmes, Hunter, Ide, Inman, Johnson, Kellogg, Kendall, Kull, Larrabee, Lee, McCleery, McDonald, Marston, Miller of Dubuque, Moore of Wapello, Moore of Linn, Newell, O'Connor, Penn, Perkins, Reaney, Reitz, Ripley, Ritter, Sankey, Schee, Schroeder, Smith, Stillman, Stoddard, Sullivan, Swan, Swift, Tegeler, Thompson, Tilton, White, Zeller, Mr. Speaker—85.

Those absent were:

Arney, Bascom, Blackmore, Boe, Crozier, Davidson, Elliott, Harvey, Huffaker, Jacobs, Jewell, Jones, Klay, Koontz, Meredith, Miller of Bremer, Schulte, Sheldon, Ward, Welden, Wilson, Wolfe, —23.

#### CONSIDERATION OF BILLS.

On motion of Cooper of Jasper, Senate File No. 136, a bill for an act making an appropriation to defray the expenses of the inaugural ceremonies, was taken up and considered.

Cooper of Jasper moved that the rules be suspended, the bill be read a third time now, which motion prevailed, and the bill was read a third time.

On the question, "Shall the bill pass?"

The ayes were:

Allred, Anderson, Balluff, Bauman, Beans, Beebe, Beery, Boettger, Bonwell, Boomgaarden, Brandes, Burt, Byerly, Calkins, Casady, Cooper, Corrie, Cousins, Crummer, Cunningham, Dabney, Dalby, Darrah, Dawson, Derrough, Dewey, DeWitt, Dodds, Drury, Dye, Elliott, Ellis, Etter, Felt, Fenn, Finlayson, Fourt, Fox, Fulham, Fulton, Goodykoontz, Grier, Hackler, Hanson, Harding, Hick-enlooper, Holmes, Hunter, Inman, Johnson, Kellogg, Kendall, Kull, Larrabee, Lee, McCleery, McDonald, Marston, Miller of Dubuque, Moore of Wapello, Moore of Linn, Newell, O'Connor, Penn, Perkins, Reaney, Reitz, Ripley, Ritter, Sankey, Schee, Schroeder, Smith, Stillman, Stoddard, Sullivan, Swan, Swift, Tegeler, Thompson, Tilton, Ward, White, Zeller, Mr. Speaker—85.

The nays were:

None.

Absent or not voting:

Arney, Bascom, Blackmore, Boe, Bowman, Crozier, Davidson, Dewell, Harvey, Huffaker, Ide, Jacobs, Jewell, Jones, Klay, Koontz, Meredith, Miller of Bremer, Schulte, Sheldon, Welden, Wilson, Wolfe—23.

So the bill passed and the title was agreed to.

On motion of Beery of Henry, House File No. 173, a bill for an act to amend Section One Thousand Seven Hundred Eighty-nine (1789) of the Code, relating to the assignment of life insurance policies, was taken up and considered.

Beery of Henry moved that the rules be suspended, 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 ayes were:

Allred, Anderson, Balluff, Bauman, Beans, Beebe, Beery, Boettger, Bonwell, Boomgaarden, Bowman, Brandes, Burt, Byerly, Calkins, Cassady, Cooper, Corrie, Cousins, Crummer, Cunningham, Dabney, Dalby, Dawson, Derrough, Dewey, DeWitt, Dodds, Drury, Dye, Ellis, Etter, Felt, Fenn, Finlayson, Fourt, Fox, Fulliam, Fulton, Goodykoontz, Grier, Hackler, Hanson, Harding, Hickenlooper, Holmes, Hunter, Ide, Inman, Johnson, Kendall, Kull, McCleery, McDonald, Miller of Bremer, Miller of Dubuque, Moore of Wapello, Moore of Linn, Newell, O'Connor, Penn, Perkins, Reaney, Ripley, Ritter, Sankey, Schee, Smith, Stoddard, Sullivan, Swan, Swift, Tegeler, Thompson, Tilton, Ward, White, Zeller, Mr. Speaker—79.

The nays were:

Larrabee, Reitz—2.

Absent or not voting:

Arney, Bascom, Blackmore, Boe, Crozier, Darrah, Davidson, Dewell, Elliott, Harvey, Huffaker, Jacobs, Jewell, Jones, Kellogg, Klay, Koontz, Lee, Marston, Meredith, Schroeder, Schulte, Sheldon, Stillman, Welden, Wilson, Wolfe—27.

So the bill passed and the title was agreed to.

On motion of Brandes of Pottawattamie, House File No. 223, a bill for an act to amend Section One (1), Chapter One Hundred and Twenty-two (122), of the laws of the Twenty-ninth General Assembly, relating to the support of the Iowa School for the Deaf at Council Bluffs, was taken up and considered. ●

Brandes of Pottawattamie moved that the rules be suspended, 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 ayes were:

Allred, Anderson, Balluff, Bauman, Beans, Beebe, Beery, Boettger, Bonwell, Boomgaarden, Bowman, Brandes, Burt, Byerly, Calkins, Cassady, Cooper, Corrie, Cousins, Crummer, Cunningham, Dabney, Dalby, Darrah, Davidson, Dawson, Derrough, Dewey, DeWitt, Dodds, Drury, Dye, Elliott, Ellis, Etter, Felt, Fenn, Finlayson, Fourt, Fox, Fulliam, Fulton, Goodykoontz, Grier, Hackler, Hanson, Harding, Hickenlooper, Huffaker, Hunter, Ide, Inman,

Kellogg, Kendall, Kull, Larrabee, Lee, McCleery, McDonald, Miller of Dubuque, Moore of Wapello, Moore of Linn, Newell, O'Connor, Penn, Perkins, Reaney, Reitz, Ripley, Ritter, Sankey, Schee, Smith, Stillman, Stoddard, Sullivan, Swan, Swift, Tegeler, Thompson, Tilton, Ward, White, Zeller, Mr. Speaker—85.

The nays were:

None.

Absent or not voting:

Arney, Bascom, Blackmore, Boe, Crozier, Dewell, Harvey, Holmes, Jacobs, Jewell, Johnson, Jones, Klay, Koontz, Marston, Meredith, Miller of Bremer, Schroeder, Schulte, Sheldon, Welden, Wilson, Wolfe—23.

So the bill passed and the title was agreed to.

On motion of Sullivan of Polk, House File No. 159, a bill for an act to repeal Section Eighteen Hundred Twenty (1820) of the Code relative to limitations of actions and enacting a substitute therefor, with report of committee recommending passage as amended by substitute amendment, was taken up, considered, and the substitute amendment adopted.

Sullivan of Polk moved that the rules be suspended, 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 ayes were:

Allred, Anderson, Balluff, Bauman, Beans, Beebe, Beery, Boettger, Bonwell, Boomgaarden, Bowman, Brandes, Burt, Byerly, Casady, Cooper, Corrie, Cousins, Crummer, Cunningham, Dabney, Dalby, Darrah, Davidson, Dawson, Derrough, Dewey, DeWitt, Dodds, Drury, Dye, Elliott, Ellis, Etter, Felt, Fenn, Finlayson, Fourt, Fox, Fulliam, Fulton, Goodykoontz, Hackler, Hanson, Harding, Hickenlooper, Holmes, Hunter, Ide, Inman, Kellogg, Kendall, Kull, Larrabee, Lee, McCleery, McDonald, Miller of Bremer, Miller of Dubuque, Moore of Wapello, Moore of Linn, Newell, O'Connor, Penn, Perkins, Reaney, Ripley, Ritter, Sankey, Schee, Schroeder, Smith, Stillman, Stoddard, Sullivan, Swan, Swift, Tegeler, Thompson, Tilton, Ward, White, Zeller, Mr. Speaker—84.

The nays were:

Calkins—1.

Absent or not voting:

Arney, Bascom, Blackmore, Boe, Crozier, Dewell, Grier, Harvey, Huffaker, Jacobs, Jewell, Johnson, Jones, Klay, Koontz, Marston, Meredith, Reitz, Schulte, Sheldon, Welden, Wilson, Wolfe—23.

So the bill passed and the title was agreed to.

The Speaker announced as the Conference Committee on part of the House on Senate amendments to House File No. 9: Ripley of Hancock, Lee of Emmet, Sullivan of Polk, and Balluff of Scott.

On motion of Miller of Dubuque, the House adjourned until 9:00 o'clock, A. M., Thursday.

# JOURNAL OF THE HOUSE

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HALL OF THE HOUSE OF REPRESENTATIVES,  
DES MOINES, IOWA, MARCH 4, A. D. 1909.

House met pursuant to adjournment.

Speaker Feely in the Chair.

Prayer was offered by the Rev. William Hardcastle of Iowa Falls, Iowa.

Journal of Wednesday, March 3d, corrected and approved.

## PETITIONS, MEMORIALS AND REMONSTRANCES.

Crozier of Marion presented petitions of citizens of Marion County, relative to the prohibitory amendment.

Referred to Committee on Suppression of Intemperance.

Crozier of Marion presented remonstrance of citizens of Marion County, protesting against the passage of the School Bill.

Referred to Committee on Schools and Text Books.

Arney of Marshall presented three petitions of citizens of Marshall County, relative to House File No. 169, referring to breach of the Sabbath.

Referred to Committee on Judiciary.

Arney of Marshall presented two petitions of merchants and tax payers of Marshall County, relative to House File No. 232, referring to exemptions.

Referred to Committee on Commerce and Trade.

Harding of Woodbury presented petitions of citizens of Woodbury County, relative to House File No. 169, referring to breach of the Sabbath.



Referred to Committee on Judiciary.

Harding of Woodbury presented remonstrance of citizens of Woodbury County, protesting against the passage of the School Bill.

Referred to Committee on Schools and Text Books.

Ellis of Jackson presented petition of merchants of Jackson County, relative to House File No. 232, referring to exemptions.

Referred to Committee on Commerce and Trade.

White of Story presented remonstrance of citizens of Story County, protesting against the passage of the School Bill.

Referred to Committee on Schools and Text Books.

Klay of Sioux presented petition of merchants of Sioux County, relative to House File No. 232, referring to exemptions.

Referred to Committee on Commerce and Trade.

Newell of Plymouth presented petition of merchants of Plymouth County, relative to House File No. 232, referring to exemptions.

Referred to Committee on Commerce and Trade.

Goodykoontz of Boone presented petition of merchants of Boone County, relative to House File No. 232, referring to exemptions.

Referred to Committee on Commerce and Trade.

Hanson of Humboldt presented petition of merchants of Humboldt County, relative to House File No. 232, referring to exemptions.

Referred to Committee on Commerce and Trade.

Anderson of Hamilton presented petition of members of Modern Woodmen of America of the 37th Senatorial District, protesting against the passage of the Minimum Rate Law.

Referred to Committee on Insurance.

Stoddard of Buchanan presented petition of citizens of Buchanan County, relative to House File No. 232, referring to exemptions.

Referred to Committee on Commerce and Trade.

Burt of Taylor presented petition of citizens of Taylor County, relative to House File No. 169, referring to breach of the Sabbath.

Referred to Committee on Judiciary.

Jones of Lee presented petition of citizens of Lee County, recommending the passage of the Fish and Game Bill.

Referred to Committee on Fish and Game.

Grier of Poweshiek presented petition of citizens of Poweshiek County, relative to the prohibitory amendment.

Referred to Committee on Suppression of Intemperance.

Felt of Clay presented petition of citizens of Clay County, relative to House File No. 232, referring to exemptions.

Referred to Committee on Judiciary.

Meredith of Cass presented petition of citizens of Cass County, relative to House File No. 169, referring to breach of the Sabbath.

Referred to Committee on Judiciary.

Meredith of Cass presented remonstrance of citizens of Cass County, protesting against the passage of any measure intended to increase the amount of license of itinerant vendors of medicines, drugs, etc.

Referred to Committee on Pharmacy.

Wilson of Tama presented petitions of citizens of Tama County, relative to the prohibitory amendment.

Referred to Committee on Suppression of Intemperance.

Wilson of Tama presented petitions of citizens of Tama County, relative to House File No. 169, referring to breach of the Sabbath.

Referred to Committee on Judiciary.

Wilson of Tama presented petition of citizens of Tama County, requesting the passage of the Newberry Bill.

Referred to Committee on Agriculture.

Ward of Woodbury presented petition of judges and attorneys of Woodbury County, relative to the increase in the salary of short-hand reporters.

Referred to Committee on Compensation of Public Officers.

Reitz of Lee presented petition of citizens of Lee County, relative to House File No. 232, referring to exemptions.

Referred to Committee on Commerce and Trade.

Ward of Woodbury presented two petitions of citizens of Woodbury County, relative to House File No. 169, referring to breach of the Sabbath.

Referred to Committee on Judiciary.

Ward of Woodbury presented petition of merchants and tax payers of Woodbury County, relative to House File No. 232, referring to exemptions.

Referred to Committee on Commerce and Trade.

Ward of Woodbury presented remonstrance of citizens of Woodbury County, protesting against the passage of House File No. 139.

Referred to Committee on Pharmacy.

Ripley of Hancock presented petition of citizens of Hancock County, protesting against the passage of the School Bill.

Referred to Committee on Schools and Text Books.

Thompson of Benton presented petition of citizens of Benton County, relative to Womens' Suffrage.

Referred to Committee on Woman Suffrage.

Johnson of Mitchell presented petition of citizens of Mitchell County, relative to House File No. 169, referring to breach of the Sabbath.

Referred to Committee on Judiciary.

Welden of Hardin presented petition of merchants of Hardin County, relative to House File No. 232, referring to exemptions.

Referred to Committee on Commerce and Trade.

Welden of Hardin presented petition of citizens of Hardin County, relative to the Hunters' License Law.

Referred to Committee on Fish and Game.

Bauman of Van Buren presented remonstrance of teachers of Van Buren County, protesting against the passage of the School Law.

Referred to Committee on Schools and Text Books.

Mr. Speaker presented remonstrance of committee representing Lodge No. 133, Brotherhood of Boilermakers, Iron Ship Builders and Helpers of America, protesting against the passage of House File No. 169, referring to breach of the Sabbath.

Referred to Committee on Judiciary.

Elliott of Page presented petitions of citizens of Page County, relative to the prohibitory amendment.

Referred to Committee on Suppression of Intemperance.

Boe of Winnebago presented petition of teachers of Des Moines County, requesting the enactment of the amendment to Section 34 of the School Bill.

Referred to Committee on Schools and Text Books.

Boe of Winnebago presented petition of citizens of Winnebago County, relative to House File No. 169, referring to breach of the Sabbath.

Referred to Committee on Judiciary.

Jewell of Winneshiek presented petition of citizens of Winneshiek County, relative to House File No. 169, referring to breach of the Sabbath.

Referred to Committee on Judiciary.

Schroeder of Crawford presented petition of citizens of Crawford County, relative to House File No. 232, referring to exemptions.

Referred to Committee on Commerce and Trade.

Brandes of Pottawattamie presented petition of citizens of Pottawattamie County, relative to House File No. 169, referring to breach of the Sabbath.

Referred to Committee on Judiciary.

Smith of Wright presented petition of citizens of Wright County, relative to House File No. 169, referring to breach of the Sabbath.

Referred to Committee on Judiciary.

Jewell of Winneshiek presented petition of merchants and tax payers of Winneshiek County, relative to House File No. 232, referring to exemptions.

Referred to Committee on Commerce and Trade.

Reitz of Lee presented petition of citizens of Lee County, relative to the Fish and Game Bill.

Referred to Committee on Fish and Game.

Jewell of Winneshiek presented petition of citizens of Winneshiek County, relative to House File No. 279.

Referred to Committee on Public Health.

Meredith of Cass presented two remonstrances of Pleasant Camp Modern Woodmen of America and Wiota Camp Modern Woodmen of America, protesting against the passage of the Minimum Rate Law.

Referred to Committee on Insurance.

Cunningham of Buena Vista presented petition of citizens of Buena Vista County, requesting the establishment of the Agricultural Short Course.

Referred to Committee on Agriculture.

Cunningham of Buena Vista presented two remonstrances of citizens of Buena Vista County, protesting against the passage of the bill prohibiting the shooting of water fowl in the spring.

Referred to Committee on Fish and Game.

Cooper of Jasper presented petition of citizens of Jasper County, relative to the passage of House File No. 279.

Referred to Committee on Public Health.

Cooper of Jasper presented petition of merchants and tax payers of Jasper County, relative to House File No. 232, referring to exemptions.

Referred to Committee on Commerce and Trade.

#### REPORTS OF COMMITTEES.

Sullivan of Polk, from the Committee on Judiciary, submitted the following report:

MR. SPEAKER—Your committee on Judiciary, to whom was referred House File No. 295, a bill for an act amending subdivision twenty-nine (29) of Section two hundred ninety-six (296) of the Supplement to the Code, 1907, relative to fees in probate matters to be collected by the clerk of the district court, beg leave to report they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same be indefinitely postponed.

JOHN B. SULLIVAN,

*Chairman.*

Report adopted, and House File No. 295, was indefinitely postponed.

Also:

MR. SPEAKER—Your committee on Judiciary, to whom was referred House File No. 313, a bill for an act to legalize certain ordinances of the town of Callender, Webster County, Iowa, beg leave to report they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same do pass.

JOHN B. SULLIVAN,  
*Chairman.*

Report adopted.

Also:

MR. SPEAKER—Your committee on Judiciary, to whom was referred House File No. 292, a bill for an act to repeal Section two thousand nine hundred forty-two-j (2942-j) of the Supplement to the Code, 1907, relating to certain conveyances of real estate legalized by executors, administrators and guardians in this and foreign states and to enact a substitute therefor, beg leave to report they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same be amended as follows:

First. By striking out the title and substituting the following in lieu thereof: A bill for an act to amend Section two thousand nine hundred forty-two-j (2942-j) of the Supplement to the Code, 1907, relating to legalizing of certain conveyances of real estate made by executors, administrators, trustees or guardians.

Second. Strike out all after the enacting clause and substitute the following in lieu thereof: Section one. That Section two thousand nine hundred forty-two-j (2942-j) of the Supplement to the Code, 1907, be amended by striking out in the second line the words and figures, "eighteen hundred seventy (1870)" and inserting in lieu thereof the words and figures, "eighteen hundred eighty-five (1885)," also by inserting between the word "administrator" and the word "or" in the third line, the word "trustee." Also by striking out in the seventh line the words and figures "eighteen hundred seventy-one (1871)" and inserting in lieu thereof the words and figures "eighteen hundred eighty-six (1886)." Also by inserting between the word "administrator" and the word "or" in the eleventh line, the word "trustee." Also by inserting between the word "administrator" and the word "or" in the fourteenth line the word "trustee." Also by inserting between the word "executor" and the word "or" in the fifteenth line the word "trustee." Also by inserting after the word "effect" in the last line the following: "the passage of this act shall in no wise affect pending litigation," and when so amended the bill do pass.

JOHN B. SULLIVAN,  
*Chairman.*

Report adopted.

## INTRODUCTION OF BILLS.

By Zeller of Madison, House File No. 340, a bill for an act making an appropriation for I. N. Gordon, George Darnall, W. R. Danforth, William I. Gordon, Samuel A. Gordon, William Thornburg, James Berthoff and William Hartsook, as compensation for services rendered the state.

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

By Fulliam of Muscatine, House File No. 341, a bill for an act to amend Section Ten Hundred and Seventy-six (1076) of the Supplement to the Code, 1907, defining what shall constitute a calendar day.

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

By Hunter of Polk, House File No. 342, a bill for an act to repeal Section Twenty-eight Hundred Twenty-a (2820-a), Twenty-eight Hundred Twenty-b (2820-b), Twenty-eight Hundred Twenty-c (2820-c), and Twenty-eight Hundred Twenty-d (2820-d) of the Supplement to the Code, 1907, relative to the limit of indebtedness of independent school districts and to enact a substitute therefor.

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

By Hunter of Polk, House File No. 343, a bill for an act to amend the law as it appears in Section Nineteen Hundred Forty (1940) of the Supplement to the Code, 1907, relating to levees, drains, ditches, and water courses.

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

By Hunter of Polk, House File No. 344, a bill for an act to provide for the maintenance of certain cemeteries and to provide a tax for such purpose.

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

By Ward of Woodbury, House File No. 345, a bill for an act to establish a State Live Stock Sanitary Board of Iowa, and to pro-

vide for the control and suppression of dangerous, contagious or infectious diseases of domestic animals, and for the inspection of live stock imported into the State of Iowa for breeding work, or dairy purposes.

Read first and second time and referred to Committee on Animal Industry.

By Lee of Emmet, House File No. 346, a bill for an act to amend the law as it appears in Sections One Thousand Eighty-seven-a-1 (1087-a-1), One Thousand Eighty-seven-a-5 (1087-a-5), One Thousand Eighty-seven-a-6 (1087-a-6), One Thousand Eighty-seven-a-10 (1087-a-10), One Thousand Eighty-seven-a-12 (1087-a-12), One Thousand Eighty-seven-a-14 (1087-a-14), One Thousand Eighty-seven-a-19 (1087-a-19), One Thousand Eighty-seven-a-21 (1087-a-21), One Thousand Eighty-seven-a-22 (1087-a-22), One Thousand Eighty-seven-a-24 (1087-a-24), One Thousand Eighty-seven-a-25 (1087-a-25), One Thousand Eighty-seven-a-26 (1087-a-26), and One Thousand Eighty-seven-a-27 (1087-a-27), of the Supplement to the Code, 1907, and to repeal the law as it appears in Sections One Thousand Eighty-seven-a-13 (1087-a-13), One Thousand Eighty-seven-a-15 (1087-a-15) and One Thousand Eighty-seven-a-18 (1087-a-18), of the Supplement to the Code, 1907, and to enact substitutes therefor, relating to the holding of primary elections by political parties.

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

By Kull of Howard, House File No. 347, a bill for an act to amend Section Two Thousand Three Hundred Forty-one-a (2341-a) Supplement to the Code, 1907, relative to the requirements as to soundness of stallions kept for public service.

Read first and second time and referred to Committee on Animal Industry.

By Sullivan of Polk (by request), House File No. 348, a bill for an act providing for the adoption of distinctive mark or marks of ownership of cans, bottles, casks, kegs, barrels, vessels or other receptacles used in the handling, manufacture, sale or transportation of dairy products, ice-cream, milk or cream, by filing with the Secretary of State a description of such distinctive mark or marks of ownership, the use to be made of the same, and publication in



some weekly newspaper in the state; making it unlawful to use any such can, bottle, cask, keg, barrel, vessel or other receptacle for the handling, manufacture, sale or transportation of any dairy products, ice-cream, milk or cream, if the same have ever been used in handling any filthy, unclean, or unwholesome product or commodity whatsoever, and making it unlawful for anyone to have in possession, use, handle, ship, mutilate or destroy any such can, bottle, cask, keg, barrel, vessel, or other receptacle, without the owner's written permission; providing penalties for violation of this act; and charging the food and dairy commissioner with the enforcement of this act.

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

By Hunter of Polk, House Joint Resolution No. 4.

HOUSE JOINT RESOLUTION NO. 4.

Joint Resolution Proposing an Amendment to the Constitution of the State of Iowa, Amendatory of Section One of Article 11 of Said Constitution, Relative to Right of Suffrage.

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

That Section one of Article 11 of the Constitution of the State of Iowa be amended by striking out the word "male" in the first line thereof.

*Resolved Further,* That the foregoing proposed amendment to the Constitution of the State of Iowa be, and the same is hereby referred to the Legislature to be chosen at the next general election for members of the General Assembly, and that the Secretary of State cause the same to be published for three months previous to the day of such election, as provided by law.

*Resolved Further,* That should said proposed amendment be agreed to by a majority of the members of the said succeeding General Assembly, the said proposed amendment shall be submitted to the electors of the State of Iowa at the general election in the year 1912.

Read first and second time and referred to Committee on Woman Suffrage.

Sankey of Decatur, chairman of the committee appointed to draft resolutions respecting the life and public service of the Hon. W. S. Warnock, presented the resolutions prepared by that committee and moved their adoption.

Motion prevailed, the resolutions were adopted, and ordered printed in the Journal.

Stillman of Greene, chairman of the committee appointed to draft resolutions respecting the life and public service of the Hon. John Wilson, presented the resolutions prepared by that committee and moved their adoption.

Motion prevailed, the resolutions were adopted, and ordered printed in the Journal.

#### CONSIDERATION OF BILLS.

On motion of Schulte of Clayton, House File No. 36, a bill for an act to amend Chapter Six (6), Title Five (5) of the Code, relating to sprinkling of streets and providing for the assessment of the cost thereof on the property benefited thereby, with report of committee recommending passage as amended, was taken up, considered, and the substitute amendment adopted.

Schulte of Clayton proposed the following amendment:

I move to amend by striking out the words "that all" being the first two words of said bill, and inserting in lieu thereof "Section 1" and by writing the first word with a capital letter.

Amendment adopted.

Schulte of Clayton proposed the following amendment:

I move to amend House File No. 36 by striking out the word "two" and inserting the word "four" in lieu thereof in line four of the printed bill.

Amendment adopted.

Schulte of Clayton moved that the rules be suspended, 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 ayes were:

Arney, Balluff, Bascom, Bauman, Beans, Beebe, Beery, Boe, Boettger, Bonwell, Boomgaarden, Bowman, Byerly, Calkins, Casady, Cooper, Corrie, Cousins, Crozier, Davidson, Dodds, Drury, Ellis, Etter, Felt, Finlayson, Fourt, Fulliam, Goodykoontz, Hacker, Hanson, Harding, Harvey, Hickenlooper, Holmes, Huffaker, Hunter, Ide, Jacobs, Jewell, Kendall, Koontz, Kull, Larrabee, Mc-

Donald, Meredith, Miller of Dubuque, Moore of Wapello, Moore of Linn, Newell, O'Connor, Penn, Reaney, Reitz, Ritter, Sankey, Schee, Schroeder, Schulte, Sheldon, Smith, Stoddard, Sullivan, Swan, Swift, Tegeler, Thompson, Ward, White, Wilson, Zeller, Mr. Speaker—71.

The nays were:

Allred, Anderson, Brandes, Burt, Crummer, Cunningham, Dabney, Dalby, Darrah, Derrough, Dewey, DeWitt, Dye, Elliott, Fenn, Fox, Fulton, Inman, Johnson, Jones, Klay, McCleery, Marston, Perkins, Ripley, Stillman, Tilton—27.

Absent or not voting:

Blackmore, Dawson, Dewell, Grier, Kellogg, Lee, Miller of Bremer, Sheldon, Welden, Wolfe—10.

So the bill passed and the title was agreed to.

On motion of Moore of Linn, House File No. 42, a bill for an act requiring all Guaranty, Fidelity and Surety companies doing business in the State of Iowa, to deposit with the Auditor of State, a guarantee fund for the protection of citizens of the State, with report of committee recommending passage as amended, was taken up, considered, and the amendments adopted.

Moore of Linn moved to amend House File No. 42 by inserting the word "subject" following the comma in line 8 of Section 1.

Amendment adopted.

Johnson of Mitchell moved to amend by inserting the words "or other securities secured by mortgages on real estate" after the word "deposit" in line 8 of Section 1.

Amendment adopted.

Cooper of Jasper proposed the following amendment:

I move to amend House File No. 42 by striking out the word "to" being the third word in the 14th line of Section 1 thereof, and inserting in lieu thereof the word "shall" and the words "or garnishment" after the word "sale" in the 15th line of Section 1 of said bill.

Moore of Linn moved that the rules be suspended, 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 ayes were:

Allred, Anderson, Balluff, Bascom, Bauman, Beans, Beebe, Beery, Boe, Boettger, Bonwell, Bowman, Brandes, Burt, Byerly, Calkins, Cassady, Cooper, Corrie, Cousins, Crozier, Crummer, Cunningham, Dabney, Dalby, Darrah, Davidson, Dawson, Derrough, Dewey, DeWitt, Dodds, Drury, Dye, Elliot, Etter, Felt, Fenn, Finlayson, Fourt, Fox, Fulliam, Fulton, Goodykoontz, Grier, Hackler, Hanson, Harding, Harvey, Hickenlooper, Holmes, Huffaker, Hunter, Ide, Inman, Jacobs, Jewell, Johnson, Jones, Kellogg, Klay Koontz, Kull, Larrabee, Lee, McCleery, McDonald, Marston, Meredith, Miller of Dubuque, Moore of Wapello, Moore, of Linn, Newell, O'Connor, Penn, Perkins, Reaney, Reitz, Ripley, Ritter, Sankey, Schee, Schroeder, Schulte, Smith, Stillman, Stoddard, Sullivan, Swift, Tegeler, Thompson, Tilton, Ward, White, Wilson, Zeller, Mr. Speaker—97.

The nays were:

Arney, Boomgaarden—2.

Absent or not voting:

Blackmore, Dewell, Ellis, Kendall, Miller of Bremer, Sheldon, Swan, Welden, Wolfe—9.

So the bill passed and the title was agreed to.

Swift of Shelby in the Chair.

On motion of Arney of Marshall, House File No. 109, a bill for an act to repeal Section Thirteen Hundred and Sixty-three (1363) of the Code, relating to statistics, and enacting a substitute therefor, was taken up and considered.

Arney of Marshall moved that the rules be suspended, 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 ayes were:

Allred, Anderson, Arney, Balluff, Bascom, Beans, Beebe, Beery, Boe, Boettger, Bonwell, Boomgaarden, Bowman, Brandes, Burt, Cassady, Cooper, Corrie, Crummer, Dabney, Dalby, Darrah, Dav-

idson, Dawson, Derrough, Dewey, DeWitt, Dodds, Drury, Dye, Elliott, Felt, Fenn, Finlayson, Fox, Fulton, Goodykoontz, Grier, Hackler, Hanson, Harding, Harvey, Hickenlooper, Hunter, Ide, Inman, Jacobs, Johnson, Jones, Kellogg, Kendall, Klay, Kull, Larabee, Lee, McCleery, Marston, Meredith, Moore of Wapello, Moore of Linn, Newell, O'Connor, Perkins, Reaney, Ripley, Schroeder, Schulte, Stillman, Sullivan, Swan, Swift, Thompson, Ward, White, Wilson, Mr. Speaker—76.

The nays were:

Bauman, Byerly, Calkins, Cousins, Crozier, Ellis, Etter, Fulham, Huffaker, Jewell, Miller of Dubuque, Penn, Reitz, Sankey, Schee, Smith, Stoddard, Tegeler, Tilton—19.

Absent or not voting:

Blackmore, Cunningham, Dewell, Fourt, Holmes, Koontz, McDonald, Miller of Bremer, Ritter, Sheldon, Welden, Wolfe, Zeller—13.

So the bill passed and the title was agreed to.

On motion of Arney of Marshall, House File No. 108, a bill for an act to repeal Section Sixteen Hundred Seventy-five (1675) of the Supplement to the Code and to enact a substitute therefor, relative to Farmers' Institutes, was taken up and considered.

Arney of Marshall moved to amend by inserting the figures "1907" immediately after the words "Supplement to the Code" in Section 1, and in the title.

Amendment adopted.

Arney of Marshall moved that the rules be suspended, 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 ayes were:

Allred, Anderson, Arney, Balluff, Bascom, Bauman, Beans, Beebe, Beery, Boe, Bonwell, Boomgaarden, Bowman, Brandes, Burt, Byerly, Calkins, Cooper, Corrie, Cousins, Crozier, Crummer, Cunningham, Dabney, Dalby, Darrah, Davidson, Dawson, Derrough, Dewey, DeWitt, Dodds, Drury, Dye, Elliott, Ellis, Etter,

Felt, Fenn, Finlayson, Fourt, Fox, Fulliam, Fulton, Goodykoontz, Grier, Hackler, Hanson, Harding, Harvey, Hickenlooper, Holmes, Huffaker, Hunter, Ide, Inman, Jacobs, Jewell, Johnson, Jones, Kellogg, Kendall, Klay, Koontz, Kull, Larrabee, Lee, McCleery, Marston, Meredith, Miller of Dubuque, Moore of Wapello, Newell, O'Connor, Penn, Perkins, Reaney, Reitz, Ripley, Ritter, Sankey, Schee, Schroeder, Schulte, Smith, Stoddard, Sullivan, Swan, Swift, Tegeler, Thompson, Tilton, Ward, White, Wilson, Zeller, Mr. Speaker—97.

The nays were:

Moore of Linn—1.

Absent or not voting:

Blackmore, Boettger, Cassady, Dewell, McDonald, Miller of Bremer, Sheldon, Stillman, Welden, Wolfe—10.

So the bill passed and the title was agreed to.

On motion of Reaney of Louisa, House File No. 61, a bill for an act to amend Section Sixteen Hundred and Sixty-one-a (1661-a) of the Supplement to the Code, relative to state aid to county and district fairs, was taken up, considered, and Senate File No. 48 was substituted for House File No. 61.

Reaney of Louisa moved that the rules be suspended, the bill be read a third time now, which motion prevailed, and the bill was read a third time.

On the question, "Shall the bill pass?"

The ayes were:

Allred, Anderson, Arney, Balluff, Bascom, Beans, Beebe, Beery, Boe, Bonwell, Boomgaarden, Bowman, Byerly, Cassady, Cooper, Cousins, Crummer, Dabney, Dalby, Davidson, Dawson, Derrough, Dewey, DeWitt, Dodds, Drury, Dye, Elliott, Ellis, Etter, Felt, Fenn, Finlayson, Fourt, Fox, Fulliam, Fulton, Goodykoontz, Grier, Hackler, Hanson, Harding, Harvey, Hickenlooper, Holmes, Huffaker, Hunter, Inman, Jacobs, Jewell, Johnson, Jones, Kellogg, Kendall, Klay, Koontz, Larrabee, Lee, Marston, Meredith, Miller of Dubuque, Moore of Wapello, Newell, O'Connor, Penn, Perkins, Reaney, Ripley, Ritter, Schee, Schulte, Smith, Stillman, Stoddard, Sullivan, Swan, Swift, Tegeler, Thompson, Tilton, Ward, White, Zeller, Mr. Speaker—84.

The nays were:

Burt, Crozier, Cunningham, Ide, Kull, McCleery, Reitz, Sankey, Schroeder—9.

Absent or not voting:

Bauman, Blackmore, Boettger, Brandes, Calkins, Corrie, Darrah, Dewell, McDonald, Miller of Bremer, Moore of Linn, Sheldon, Welden, Wilson, Wolfe—15.

So the bill passed and the title was agreed to.

On motion of Fulliam of Muscatine, House File No. 251, a bill for an act to amend Section Four Thousand Nine Hundred and Thirty-six (4936) of the Supplement to the Code of Iowa, relating to marriage of cousins, was taken up and considered.

Fulliam of Muscatine moved that the rules be suspended, 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 ayes were:

Allred, Anderson, Arney, Balluff, Bascom, Bauman, Beans, Beebe, Beery, Boe, Boettger, Bonwell, Boomgaarden, Bowman, Brandes, Burt, Byerly, Cassady, Cooper, Corrie, Cousins, Crozier, Crummer, Cunningham, Dabney, Dalby, Darrah, Davidson, Dawson, Derrough, Dewey, Dodds, Drury, Dye, Elliott, Ellis, Etter, Felt, Fenn, Finlayson, Fourt, Fulliam, Fulton, Goodykoontz, Grier, Hackler, Hanson, Harding, Hickenlooper, Holmes, Huffaker, Hunter, Ide, Inman, Jewell, Johnson, Jones, Kellogg, Kendall, Koontz, Kull, Larrabee, Lee, McCleery, Marston, Miller of Dubuque, Moore of Wapello, Moore of Linn, Newell, O'Connor, Penn, Perkins, Reaney, Reitz, Ripley, Ritter, Sankey, Schee, Schroeder, Schulte, Smith, Stillman, Stoddard, Sullivan, Swan, Swift, Tegeler, Thompson, Tilton, Ward, White, Wilson, Mr. Speaker—93.

The nays were:

Meredith, Zeller—2.

Absent or not voting:

Blackmore, Calkins, Dewell, DeWitt, Fox, Harvey, Jacobs, Klay, McDonald, Miller of Bremer, Sheldon, Welden, Wolfe—13.

So the bill passed.

DeWitt of Montgomery proposed to amend the title by inserting the figures "1907" after the words "Supplement to the Code"; and by unanimous consent the figures "1907" were inserted after the words "Supplement to the Code," in the body of the bill.

Title as amended agreed to.

On motion of Sullivan of Polk, House File No. 149, a bill for an act to amend the law as it appears in Section Twenty-one Hundred and Fifty-seven-g (2157-g) of the Supplement to the Code, 1907, in relation to the issuance, furnishing and giving of free tickets, free passes, free transportation and discriminating reduced rates to certain persons, with report of committee recommending passage as amended, was taken up, considered, and the amendment adopted.

Speaker Feely in the Chair.

Ward of Woodbury moved to amend by striking out the publication clause.

Motion lost.

Sullivan of Polk moved that the rules be suspended, 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 ayes were:

Allred, Balluff, Bascom, Beans, Beebe, Beery, Boe, Boettger, Bonwell, Bowman, Brandes, Cassady, Cooper, Corrie, Crozier, Dabney, Darrah, Davidson, Derrough, Dewey, DeWitt, Dodds, Dye, Elliott, Ellis, Etter, Fenn, Fox, Fulliam, Goodykoontz, Hackler, Hanson, Harding, Harvey, Hickenlooper, Holmes, Huffaker, Hunter, Jacobs, Johnson, Kellogg, Kendall, Koontz, Kull, Lee, McCleary, Marston, Meredith, Miller of Dubuque, Moore of Wapello, Moore of Linn, O'Connor, Perkins, Reaney, Reitz, Ripley, Ritter, Schee, Schroeder, Schulte, Sullivan, Swan, Swift, Thompson, Tilton, Ward, White, Wilson, Mr. Speaker—69.

The nays were:

Anderson, Bauman, Boomgaarden, Burt, Byerly, Cousins, Crummer, Dalby, Dawson, Drury, Felt, Finlayson, Fulton, Grier, Ide,



Inman, Jewell, Jones, Larrabee, Miller of Bremer, Newell, Penn, Sankey, Smith, Stillman, Stoddard, Zeller—27.

Absent or not voting:

Arney, Blackmore, Calkins, Cunningham, Dewell, Fourt, Klay, McDonald, Sheldon, Tegeler, Welden, Wolfe—12.

So the bill passed and the title was agreed to.

Lee of Emmet moved that the House suspend all business for the balance of the day and that the House adjourn in honor of the newly inaugurated President of the United States.

Motion prevailed.

# JOURNAL OF THE HOUSE

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HALL OF THE HOUSE OF REPRESENTATIVES,  
DES MOINES, IOWA, MARCH 5, A. D. 1909.

House met pursuant to adjournment.

Speaker Feely in the Chair.

Prayer was offered by Representative Inman of Floyd County.

Journal of Thursday, March 4th, corrected and approved.

## PETITIONS, MEMORIALS AND REMONSTRANCES.

Ide of Union presented petition of merchants of Union County relative to House File No. 232, referring to exemptions.

Referred to Committee on Commerce and Trade.

Smith of Wright presented petition of citizens of Wright County relative to the prohibitory amendment.

Referred to Committee on Suppression of Intemperance.

Burt of Taylor presented petition of members of the Nineteenth Century Club, requesting the passage of the School Bill.

Referred to Committee on Schools and Text-books.

Tilton of Iowa presented petition of citizens of Iowa County relative to the prohibitory amendment.

Referred to Committee on Suppression of Intemperance.

Moore of Linn presented petition of citizens of Kline Independent School District protesting against the passage of the School Bill.

Referred to Committee on Schools and Text-books.

Jewell of Winneshiek presented petition of citizens of Winneshiek County relative to the prohibitory amendment.

Referred to Committee on Suppression of Intemperance.

Dalby of Adair presented petitions of citizens of Adair County relative to the prohibitory amendment.

Referred to Committee on Suppression of Intemperance.

Jacobs of Calhoun presented petitions of citizens of Calhoun County relative to the prohibitory amendment.

Referred to Committee on Suppression of Intemperance.

Jacobs of Calhoun presented remonstrance of citizens of Calhoun County protesting against the passage of the School Bill.

Referred to Committee on Schools and Text-books.

Reitz of Lee presented remonstrance of physicians of Lee County protesting against the passage of the bill establishing a board to license optometrists.

Referred to Committee on Judiciary.

Ripley of Hancock presented three remonstrances of citizens of Hancock County protesting against the passage of the School Bill.

Referred to Committee on Schools and Text-books.

Stoddard of Buchanan presented petitions of citizens of Buchanan County relative to the prohibitory amendment.

Referred to Committee on Suppression of Intemperance.

Stoddard of Buchanan presented remonstrance of Modern Woodmen of America protesting against the passage of the Minimum Rate Law.

Referred to Committee on Insurance.

Dabney of Davis presented petitions of citizens of Davis County relative to the prohibitory amendment.

Referred to Committee on Suppression of Intemperance.

White of Story presented petitions of citizens of Story County relative to the prohibitory amendment.

Referred to Committee on Suppression of Intemperance.

Klay of Sioux presented petition of citizens of Sioux County relative to the prohibitory amendment.

Referred to Committee on Suppression of Intemperance.

Klay of Sioux presented petition of citizens of Orange City, Iowa, relative to the enactment of an amendment to the Pharmacy Law.

Referred to Committee on Pharmacy.

Hanson of Humboldt presented petitions of citizens of Humboldt County relative to the prohibitory amendment.

Referred to Committee on Suppression of Intemperance.

Larrabee of Fayette presented remonstrances of citizens of Fayette County protesting against the passage of the School Bill.

Referred to Committee on Schools and Text Books.

Etter of Keokuk presented petition of citizens of Keokuk County relative to the prohibitory amendment.

Referred to Committee on Suppression of Intemperance.

Perkins of Delaware presented two petitions of merchants and tax payers of Delaware County relative to House File No. 232, referring to exemptions.

Referred to Committee on Commerce and Trade.

Huffaker of Mills presented petition of merchants and tax payers of Mills County relative to House File No. 232, referring to exemptions.

Referred to Committee on Commerce and Trade.

Miller of Dubuque presented petitions of citizens of Dubuque County relative to the prohibitory amendment.

Referred to Committee on Suppression of Intemperance.

Miller of Dubuque presented remonstrance of Union of Journeymen Plumbers, etc., protesting against the passage of House File Nos. 169, 232 and Senate File Nos. 90 and 202.

Referred to Committees on Judiciary and Commerce and Trade.

Darrah of Lucas presented petition of citizens of Lucas County relative to House File No. 169, referring to breach of the Sabbath.

Referred to Committee on Judiciary.

Darrah of Lucas presented remonstrance of United Mine Workers of Lucas, Iowa, protesting against the passage of House File No. 232.

Referred to Committee on Commerce and Trade.

Darrah of Lucas presented petition of citizens of Russell, Iowa, relative to the prohibitory amendment.

Referred to Committee on Suppression of Intemperance.

Darrah of Lucas presented remonstrance of citizens of Lucas County, protesting against the passage of the School Bill.

Referred to Committee on Schools and Text Books.

Fenn of Clarke, presented petitions of citizens of Clarke County relative to the prohibitory amendment.

Referred to Committee on Suppression of Intemperance.

Brandes of Pottawattamie presented resolutions of citizens of Pottawattamie County requesting the passage of Senate File No. 134.

Referred to Committee on Ways and Means.

Perkins of Delaware presented petition of citizens of Delaware County relative to House File No. 169, referring to breach of the Sabbath.

Referred to Committee on Judiciary.

Perkins of Delaware presented remonstrance of citizens of Delaware County protesting against the passage of the School Bill.

Referred to Committee on Schools and Text Books.

Swan of Appanoose presented petitions of citizens of Appanoose County relative to the prohibitory amendment.

Referred to Committee on Suppression of Intemperance.

Fulton of Jefferson presented petitions of citizens of Jefferson County relative to the prohibitory amendment.

Referred to Committee on Suppression of Intemperance.

Zeller of Madison presented petitions of citizens of Madison County relative to House File No. 169, referring to breach of the Sabbath.

Referred to Committee on Judiciary.

Kellogg of Harrison presented petitions of citizens of Harrison County relative to the prohibitory amendment.

Referred to Committee on Suppression of Intemperance.

Kellogg of Harrison presented petition of merchants of Missouri Valley relative to House File No. 232, referring to exemptions.

Referred to Committee on Commerce and Trade.

Sankey of Decatur presented petitions of citizens of Decatur County relative to the prohibitory amendment.

Referred to Committee on Suppression of Intemperance.

Ellis of Jackson presented petition of merchants and tax payers of Jackson County relative to House File No. 232, referring to exemptions.

Referred to Committee on Commerce and Trade.

Ellis of Jackson presented remonstrance of citizens of Jackson County protesting against the passage of the School Bill.

Referred to Committee on Schools and Text Books.

Ellis of Jackson presented remonstrance of Modern Woodmen of America protesting against the passage of the Minimum Rate Law.

Referred to Committee on Insurance.

Cassady of Monona presented petition of citizens of Monona County relative to the prohibitory amendment.

Referred to Committee on Suppression of Intemperance.

Calkins of Adams presented petitions of citizens of Adams County relative to the prohibitory amendment.

Referred to Committee on Suppression of Intemperance.

Ellis of Jackson presented petitions of citizens of Jackson County relative to the prohibitory amendment.

Referred to Committee on Suppression of Intemperance.

Fox of Dallas presented petitions of citizens of Dallas County relative to the prohibitory amendment.

Referred to Committee on Suppression of Intemperance.

Bauman of Van Buren presented remonstrances of electors of School District of Van Buren County protesting against the passage of the School Bill.

Referred to Committee on Schools and Text Books.

Jones of Lee presented petitions of merchants of Lee County relative to House File No. 232, referring to exemptions.

Referred to Committee on Commerce and Trade.

Beebe of Franklin presented petitions of citizens of Franklin County relative to the prohibitory amendment.

Referred to Committee on Suppression of Intemperance.

McDonald of Carroll presented remonstrances of citizens of Carroll County protesting against the adoption of the Sunday Observance Law.

Referred to Committee on Judiciary.

McDonald of Carroll presented remonstrance of citizens of Carroll County protesting against the resubmission of a prohibitory amendment to the Constitution.

Referred to Committee on Suppression of Intemperance.

McDonald of Carroll presented petition of citizens of Carroll County relative to the prohibitory amendment.

Referred to Committee on Suppression of Intemperance.

Harvey of Osceola presented petition of citizens of Osceola County relative to House File No. 169, referring to breach of the Sabbath.

Referred to Committee on Judiciary.

Harvey of Osceola presented petition of merchants and tax payers of Osceola County relative to House File No. 232, referring to exemptions.

Referred to Committee on Commerce and Trade.

Hunter of Polk presented remonstrance of Local Union No. 1042, U. M. W. of Des Moines protesting against the passage of the exemption law.

Referred to Committee on Commerce and Trade.

Hunter of Polk presented petition of merchants of Mitchellville relative to House File No. 232, referring to exemptions.

Referred to Committee on Commerce and Trade.

Hunter of Polk presented remonstrances of Freight Handlers Union protesting against the passage of House File No. 232, referring to exemptions.

Referred to Committee on Commerce and Trade.

Hunter of Polk presented remonstrance of members of Valley Lodge No. 620, International Association of Machinists protesting against the passage of House File No. 169, referring to breach of the Sabbath.

Referred to Committee on Judiciary.

Klay of Sioux presented petitions of citizens of Sioux County relative to the prohibitory amendment.

Referred to Committee on Suppression of Intemperance.

Newell of Plymouth presented petition of citizens of Plymouth County relative to the prohibitory amendment.

Referred to Committee on Suppression of Intemperance.

Schulte of Clayton presented remonstrance of members of New Leaf Camp No. 537 Modern Woodmen of America protesting against the passage of the Minimum Rate Law.

Referred to Committee on Insurance.

Schulte of Clayton presented remonstrance of members of White-wood Camp No. 156, Modern Woodmen of America protesting against the passage of the Minimum Rate Law.

Referred to Committee on Insurance.

Reaney of Louisa presented petitions of citizens of Louisa County relative to the prohibitory amendment.



Referred to Committee on Suppression of Intemperance.

Mr. Speaker presented petitions of citizens of Black Hawk County relative to the prohibitory amendment.

Referred to Committee on Suppression of Intemperance.

Cunningham of Buena Vista presented petitions of citizens of Buena Vista County relative to the prohibitory amendment.

Referred to Committee on Suppression of Intemperance.

Cunningham of Buena Vista presented petition of citizens of Buena Vista County relative to House File No. 169, referring to breach of the Sabbath.

Referred to Committee on Judiciary.

Anderson of Hamilton presented petition of citizens of Hamilton County relative to the prohibitory amendment.

Referred to Committee on Suppression of Intemperance.

Felt of Clay presented petition of citizens of Clay County relative to the prohibitory amendment.

Referred to Committee on Suppression of Intemperance.

Hackler of Webster presented petition of merchants of Webster County relative to House File No. 232, referring to exemptions.

Referred to Committee on Commerce and Trade.

Derrough of Warren presented petition of citizens of Warren County relative to the prohibitory amendment.

Referred to Committee on Suppression of Intemperance.

Cousins of Butler presented petitions of citizens of Butler County relative to the prohibitory amendment.

Referred to Committee on Suppression of Intemperance.

Dawson of Cherokee presented petition of citizens of Cherokee County relative to the prohibitory amendment.

Referred to Committee on Suppression of Intemperance.

Sullivan of Polk presented remonstrance of members of Valley Lodge No. 620, International Association of Machinists protesting against House File No. 169, relative to breach of the Sabbath.

Referred to Committee on Judiciary.

Sullivan of Polk presented petition of women of Iowa relative to the woman's suffrage bill.

Referred to Committee on Woman's Suffrage.

Kendall of Clinton presented petition of members of the Iowa Retail Hardware Association of Mason City, relative to House File No. 232, referring to exemptions.

Referred to Committee on Commerce and Trade.

Hickenlooper of Monroe presented petition of merchants of Monroe County relative to House File No. 232, referring to exemptions.

Referred to Committee on Commerce and Trade.

Sullivan of Polk presented petitions of physicians of Polk County protesting against the passage of the bill establishing a board to license optometrists.

Referred to Committee on Judiciary.

Sullivan of Polk presented petition of attorneys of Cedar County relative to the increase in the salary of shorthand reporters.

Referred to Committee on Compensation of Public Officers.

Beans of Mahaska presented remonstrance of residents of Jefferson Township protesting against the passage of the School Bill.

Referred to Committee on Schools and Text-books.

Beans of Mahaska presented petitions of merchants of Mahaska County relative to House File No. 232, referring to exemptions.

Referred to Committee on Commerce and Trade.

Sullivan of Polk presented petition of citizens of Polk County relative to the prohibitory amendment.

Referred to Committee on Suppression of Intemperance.

Sullivan of Polk presented petition of citizens of Polk County relative to House File No. 169, referring to breach of the Sabbath.

Referred to Committee on Judiciary.

Sullivan of Polk presented remonstrances of Commercial Clubs of Keokuk protesting against the passage of House File No. 25, referring to employees liability.

Referred to Committee on Judiciary.

## REPORTS OF COMMITTEES.

Moore of Linn, from the Committee on Appropriations, submitted the following report:

MR. SPEAKER—Your committee on Appropriations to whom was referred House File No. 333, a bill for an act making appropriation to defray the expenses of the Lincoln Day program beg leave to report that they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same do pass.

ERNEST R. MOORE,  
*Chairman.*

Adopted.

Sullivan of Polk, from the Committee on Judiciary, submitted the following report:

MR. SPEAKER—Your committee on Judiciary to whom was referred Senate File No. 203, a bill for an act to legalize the ordinances of the town of Norwalk, Warren County, Iowa, and the acts and proceedings of the council of said town had thereunder beg leave to report they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same do pass.

JOHN B. SULLIVAN,  
*Chairman.*

Adopted.

Also:

MR. SPEAKER—Your committee on Judiciary to whom was referred substitute for Senate File No. 91, a bill for an act to define and regulate the practice of optometry and for creation of a Board of Examiners in Optometry, beg leave to report they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same be amended as follows:

*First.* By striking out all after the word "appointed" in the sixth line of section two (2) and up to and including the word "year" in line seven (7) of said section two (2), and inserting in lieu of said stricken part the following: "on or before July 1st, 1909, and each year thereafter and their terms of office shall be one year from July 1st in each year.

*Second.* That section three (3) be amended by striking out the word "present" in the sixth line of said section.

*Third.* That section six (6) be amended by striking out the word "July" in the first line and inserting in lieu thereof the word "October."

*Fourth.* That section nine (9) be stricken out and the following inserted in lieu thereof as section nine (9): "Every person to whom a license is issued under this act shall file the same for record with the Clerk of the District Court in the county or counties in which he desires to practice optometry and the Clerk of the District Court shall be entitled to a fee of fifty cents (50c) for recording such license."

*Fifth.* That section thirteen (13) be amended by striking out the words, "January 1st" in said section and inserting in lieu thereof the following: "June thirtieth." and when so amended the bill do pass.

JOHN B. SULLIVAN,  
*Chairman.*

Adopted.

Also:

MR. SPEAKER—Your committee on Judiciary to whom was referred substitute for Senate File No. 98, a bill for an act authorizing the Governor of the State of Iowa to issue patent attested by the Secretary of State to certain land to and in favor of O. J. Felton, being the property situated in Linn County, Iowa, described as follows, to-wit: The south-west quarter (S.W.  $\frac{1}{4}$ ) of the north-west quarter (N.W.  $\frac{1}{4}$ ) and the south-east quarter (S.E.  $\frac{1}{4}$ ) of the south-west quarter (S.W.  $\frac{1}{4}$ ) of Section Sixteen (16), Township Eighty-five (85) North, Range Five (5), West of the 5th P. M., beg leave to report they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same be amended as follows: By inserting after the word "thereof" in the last line of section one the following: "Provided, however, that this shall not affect pending litigation," and when so amended the bill do pass.

JOHN B. SULLIVAN,  
*Chairman.*

Adopted.

Amendment adopted.

Also:

MR. SPEAKER—Your committee on Judiciary to whom was referred Senate File No. 170, a bill for an act to legalize the establishment of the Superior Court of the city of Perry, Dallas County, State of Iowa, and all the proceedings in the matter of establishing said court and the acts of all the officers of said city of Perry in relation to the establishment of said court, legalizing all the aforesaid matters, acts, and proceedings and record as fully and exactly as if the law in every particular had been complied with, beg leave to report they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same be amended as follows: By adding thereto after the word "law" in the last line of section one the following: "Provided, however, that this shall not affect pending litigation," and when so amended the bill do pass.

JOHN B. SULLIVAN,  
*Chairman.*

Adopted.

Amendment adopted.

Beebe of Franklin, from the Committee on Claims, submitted the following report:

MR. SPEAKER—Your committee on Claims to whom was referred House File No. 222, a bill for an act to compensate Jonah Smith for services as chaplain at Camp McKinley for the period from June 24th to September 5th, 1898, and to make an appropriation therefor, beg leave to report they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same be indefinitely postponed.

N. W. BEEBE,  
*Chairman.*

Adopted, and House File No. 222 was indefinitely postponed.

Drury of Sac, from the Committee on Compensation of Public Officers, submitted the following report:

MR. SPEAKER—Your committee on Compensation of Public Officers, to whom was referred Senate File No. 150, a bill for an act to amend the law as it appears in section Five Hundred Eleven (511) of the Supplement to the Code, 1907, relating to the compensation of sheriffs for boarding prisoners, beg leave to report they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same do pass.

WILL DRURY,  
*Chairman.*

Adopted.

Also:

MR. SPEAKER—Your committee on Compensation of Public Officers, to whom was referred House File No. 282, a bill for an act to amend Section Thirteen (13) of Chapter Two (2) of the Code, relating to compensation of officers and employees, 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.

WILL DRURY,  
*Chairman.*

Adopted, and House File No. 282 was indefinitely postponed.

Arney of Marshall from the Committee on Agriculture, submitted the following report:

MR. SPEAKER—Your committee on Agriculture to whom was referred House File No. 315, a bill for an act to repeal Chapter One Hundred and Eighty-one (181) of the laws enacted by the Thirty-second General Assembly of the State of Iowa, relating to the assumption of risks, and providing a substitute therefor, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same do pass, and

further requests that the same be referred to the committee on Judiciary.

W. H. ARNEY,

*Chairman.*

Adopted, and was so referred.

Meredith of Cass, from the Committee on Railroads and Transportation, submitted the following report:

MR. SPEAKER—Your committee on Railroads and Transportation to whom was referred House File No. 22, a bill for an act to amend Section Two Thousand Seventy-seven (2077) of the Code Supplement relative to passenger rates for transporting persons and baggage, beg leave to report they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same be indefinitely postponed.

C. A. MEREDITH,

*Chairman pro tem.*

Adopted, and House File No. 22 was indefinitely postponed.

Bonwell of Audubon, from the Committee on Roads and Highways, submitted the following report:

MR. SPEAKER—Your committee on Roads and Highways to whom was referred House File No. 300, a bill for an act to amend Section Fifteen Hundred and Nine (1509) of the Code and Section Fifteen Hundred and Thirty-two-A (1532-A) Supplement to the Code 1907, relative to the power and duties of the trustees, board of regents and board of control, in regard to roads and highways in and around lands owned by the State, beg leave to report they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same be amended as follows: Amend the title by prefixing the word "with" to the word "in" and by striking out the word "around" and inserting in lieu thereof the word "adjacent." That Section one of said bill be amended by striking out the word "surrounding" in the sixth line and inserting in lieu thereof the word "adjacent," and when so amended the bill do pass.

J. C. BONWELL,

*Chairman.*

Adopted.

Also:

MR. SPEAKER—Your committee on Roads and Highways to whom was referred House File No. 180, a bill for an act to amend Chapter Two (2) of Title Eight (8) of the Code of 1897, as published in Supplement to the Code of Iowa, 1907, by adding thereto Sections 1571-M, 1571-N, and 1571-O, relating to the levy of annual license taxes upon the owners of motor vehicles, and providing for the disbursement of the fund arising therefrom to encourage the improvement and maintenance of public highways, beg leave to report they have had the same under consideration

and have instructed me to report the same back to the House with the recommendation that the same be indefinitely postponed.

J. C. BONWELL,  
*Chairman.*

Adopted, and House File No. 180 was indefinitely postponed.

Also:

MR. SPEAKER—Your committee on Roads and Highways to whom was referred House File No. 181, a bill for an act to amend Section Fifteen Hundred and Thirty (1530), subdivision one (1) of Section Fifteen Hundred and Twenty-eight (1528), and sub-division two (2) of Section fifteen hundred and twenty-eight (1528) of the Code of 1897, as amended and published in Supplement of Code of 1907, relating to the levy of the county road funds and the expenditure thereof in the improvement of roads, beg leave to report they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same be amended as follows: By striking out the words, "city or town council" after the word "control" in the fourteenth line thereof and inserting in lieu thereof the words, "Board of Supervisors." That the bill also be amended by striking out the comma in the thirty-second line after the word "chapter" and inserting in lieu thereof a period, also by striking out all after the word "chapter," and when so amended the bill do pass.

J. C. BONWELL,  
*Chairman.*

Adopted.

#### INTRODUCTION OF BILLS.

By Anderson of Hamilton (by request), House File No. 349, a bill for an act to create the Iowa State Drainage, Waterways and Conservation Commission, and defining the powers and duties of the same.

Read first and second time and referred to Committee on Conservation of Forests and Water Power.

By Anderson of Hamilton (by request), House File No. 350, a bill for an act to authorize the organization and establishment of an association to be known as the Iowa Bank Deposit Guarantee Association, and providing for the guarantee of deposits in banks and trust companies within the State of Iowa against loss to depositors.

Read first and second time and referred to Committee on Banks and Banking.

By Anderson of Hamilton, House File No. 351, a bill for an act for creating and maintaining the Iowa State Conservation Commission and defining the powers and duties of the same.

Read first and second time and referred to Committee on Conservation of Forests and Water Power.

By Fox of Dallas (by request), House File No. 352, a bill for an act to repeal Sections Twenty-three Hundred eighty-seven (2387), Twenty-three Hundred Eighty-nine (2389), Twenty-three Hundred Ninety-one (2391), Twenty-three Hundred Ninety-four (2394), Twenty-three Hundred Ninety-five (2395), Twenty-three Hundred Ninety-six (2396), Twenty-three Hundred Ninety-seven (2397), Twenty-three Hundred Ninety-eight (2398), and Twenty-three Hundred Ninety-nine (2399), of the Code of 1897, and Sections Twenty-three Hundred Eighty-eight (2388), Twenty-three Hundred Ninety (2390), Twenty-three Hundred Ninety-two (2392), Twenty-three Hundred Ninety-three (2393), Twenty-four Hundred (2400), and Twenty-four Hundred One (2401), of the Supplement to the Code of 1907, referring to the granting of permits to licensed pharmacists.

Read first and second time and referred to Committee on Suppression of Intemperance.

By Harvey of Osceola, House File No. 353, a bill for an act to legalize the acts of the Board of Directors and electors of the school township of Wilson, in the County of Osceola and State of Iowa, in authorizing the building of a school house in sub-district Number Four (4) in said school township, and in building the same, and in levying and collecting taxes for the purpose of building, keeping and maintaining the same.

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

By Davidson of Palo Alto, House File No. 354, a bill for an act to amend the law as it appears in Section Five Thousand Six Hundred Twenty-six (5626) of the Code, relating to pardons and the remission of fines and forfeitures.

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

By Davidson of Palo Alto, House File No. 355, a bill for an act to repeal the law as it appears in Chapter Forty-one (41) of the laws of the Thirty-second General Assembly and to enact a substitute therefor, relating to the powers of certain cities and towns



to levy taxes for the purpose of constructing outlets and purifying plants for sewers and to issue bonds therefor.

Read first and second time and referred to Committee on Municipal Corporations.

By Swan of Appanoose, House File No. 356, a bill for an act to promote the safety of employers and travelers upon railroads by limiting the hours of service of employees thereon, additional to Chapter Five (5), Title Ten (10), of the Code.

Read first and second time and referred to Committee on Railroads and Transportation.

By Fulliam of Muscatine, House File No. 357, a bill for an act to amend the law as it appears in Section Three Thousand One Hundred Forty-one (3141) of the Code, 1907, relating to granting of marriage license by Clerk of the District Court.

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

By Jones of Lee, House File No. 358, a bill for an act to amend Section Two Hundred and Twenty-seven (227) of the Supplement to the Code, 1907, changing the boundaries of the first, second and sixth judicial districts, and providing for the election of judges in these districts, and defining their jurisdiction.

Read first and second time and referred to Committee on Judicial Districts.

By Kull of Howard, House File No. 359, a bill for an act to amend Section Twenty-five Hundred Eighty-two (2582) of the Supplement to the Code, relative to the practice of medicine and providing for the issuance of temporary permits.

Read first and second time and referred to Committee on Public Health.

By Miller of Bremer, House File No. 360, a bill for an act to amend Paragraph Two (2), Section Thirteen Hundred and Four (1304) of the Supplement to the Code, 1907, relating to exemption from taxation of charitable and benevolent institutions.

Read first and second time and referred to Committee on Ways and Means.

By Arney of Marshall, House File No. 361, a bill for an act to repeal the law as it appears in Sections Two Thousand Six Hundred Six-a (2606-a), Two Thousand Six Hundred Six-b (2606-b) and Two Thousand Six Hundred Six-c (2606-c) of Supplement of the Code of 1907, relating to pensions of members of the Soldiers' Home.

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

By Bowman of Linn, House File No. 362, a bill for an act to legalize acknowledgement by interested stockholders.

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

By Tilton of Iowa, House File No. 363, a bill for an act to amend the law as it appears in Section Two Thousand Eight Hundred Four (2804) of the Code, relating to the deduction of school taxes from tuition of non-resident pupils attending school in independent districts.

Read first and second time and referred to Committee on Schools and Text Books.

By Tilton of Iowa, House File No. 364, a bill for an act to amend the law as it appears in Section Two Thousand Eight Hundred Six (2806) of the Code, relating to the amount that may be levied for contingent fund in school districts.

Read first and second time and referred to Committee on Schools and Text Books.

By Schee of O'Brien (by request), House File No. 365, a bill for an act to legalize deed of Osceola County, Iowa, to Edgar Baker for government lots two, three and four in Section Ten, in Township One Hundred North of Range Thirty-nine west of the 5th principal meridian.

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

By Lee of Emmet, House File No. 366, a bill for an act to repeal Section Two Thousand One Hundred Eleven (2111) of the Code and to enact a substitute therefor, relating to the appointment, organization, powers, and duties of the Board of Railroad

Commissioners, and to repeal Section Two Thousand One Hundred Twenty-two (2122) of the Code, and to enact a substitute therefor, relating to the regulation of railroads and other common carrier, and telegraph and telephone companies, and defining the terms "railroad" and "railway" and relating to the jurisdiction, supervision, powers and duties of the Board of Railroad Commissioners, and for an act additional to Chapter Seven (7), Title Ten (10), of the Code, relating to the regulation of railroads and other common carriers, telegraph and telephone companies, and to repeal Sections One Thousand Sixty-eight (1068) and Two Thousand One Hundred Twenty-one (2121) of the Code as amended.

Read first and second time and referred to Committee on Railroads and Transportation.

Allred of Wayne, chairman of the committee appointed to draft resolutions respecting the life and public service of the Hon. Samuel Wright, presented the resolutions prepared by that committee and moved their adoption.

Motion prevailed, and the resolutions were adopted, and ordered printed in the Journal.

Hickenlooper of Monroe, chairman of the committee appointed to draft resolutions respecting the life and public service of the Hon. Josiah T. Young, presented the resolutions prepared by that committee and moved their adoption.

Motion prevailed, the resolutions were adopted, and ordered printed in the Journal.

Hackler of Webster, called up his motion to reconsider the vote by which House File No. 2 passed to its third reading and the vote by which it failed to pass the House.

Motion prevailed, and the House proceeded to reconsider.

Hackler of Webster proposed the following amendment:

I move that House File No. 2 be amended in the following particulars, to-wit:

That Section 1 of said bill as amended be stricken out and the following enacted in lieu thereof:

SECTION 1. That Section ten hundred fifty-six-a-seventeen (1056-a-17) of Chapter fourteen-c (14-c) of the Supplement to the Code, 1907, be and the same is hereby repealed and the following enacted in lieu thereof:

Cities having by the last preceding state or national census a population of seven thousand or over, including any such city acting under special charter, may become organized as a city under the provisions of this act by proceeding as hereinafter provided.

That said bill be further amended by striking out Section two (2) thereof as amended and inserting in lieu thereof, the following:

That Section ten hundred fifty-six-a-eighteen (1056-a-18) of Chapter fourteen-c (14-c) of the Supplement to the Code, 1907, be and the same is hereby repealed and the following enacted in lieu thereof:

SEC. 2. Upon petition of electors equal in number to twenty-five per centum of the votes cast for all candidates for mayor at the last preceding city election of any such city, the mayor shall, by proclamation, submit the question of organizing as a city under this act at a special election to be held at a time specified therein, and within two months after said petition is filed; provided, however, that in case any city is located in two or more townships said petition shall be signed by twenty-five per centum of the qualified electors of said city residing in each of said townships. If said plan is not adopted at the special election called, the question of adopting said plan shall not be re-submitted to the voters of said city for adoption within two years thereafter, and then the question to adopt shall be resubmitted upon the presentation of a petition signed by electors as hereinbefore provided, equal in number to twenty-five per centum of the votes cast for all candidates for mayor at the last preceding general city election. At such election, the proposition to be submitted shall be, "Shall the proposition to organize the city (name the city), under Chapter fourteen-c (14-c) of the Supplement to the Code, 1907, as amended by the Acts of the Thirty-third General Assembly, be adopted?" and the election thereupon shall be conducted, the vote canvassed, and the result declared in the same manner as provided by law in respect to other city elections. If the majority of the votes cast shall be in favor thereof, cities having a population of twenty-five thousand and over shall thereupon proceed to the election of a mayor and four councilmen, and cities having a population of seven thousand, and less than twenty-five thousand, shall proceed to the election of a mayor and two councilmen, as hereinafter provided.

Immediately after such proposition is adopted, the mayor shall transmit to the Governor, to the Secretary of State, and to the County Auditor, each a certificate stating that such proposition was adopted. At the next regular city election after the adoption of such proposition there shall be elected a mayor and councilmen. In the event, however, that the next regular city election does not occur within one year after such special election the mayor shall, within ten days after such special election by proclamation call a special election for the election of a mayor and councilmen, sixty days' notice thereof being given in such call; such election in either case to be conducted as hereinafter provided.

That Section Four (4) of said bill as amended be further amended by striking out the words "less than twenty-five thousand" in the 8th line thereof and inserting in lieu thereof the following: "Seven thousand and less than twenty-five thousand."

That Section five (5) of said bill as amended be stricken out and the following enacted in lieu thereof:

Sec. 5. That Section ten hundred fifty-six-a-twenty-one (1056-a-21) of the Supplement to the Code, 1907, be repealed and the following enacted in lieu thereof:

“Candidates to be voted for at all general municipal elections at which a mayor and councilmen are to be elected under the provisions of this act shall be nominated by a primary election, and no other names shall be placed upon the general ballot except those selected in the manner hereinafter prescribed. The primary election for such nomination shall be held on the second Monday preceding the general municipal election. The judges of election appointed for the general municipal election shall be the judges of the primary election, and it shall be held at the same place, so far as possible, and the polls shall be opened and closed at the same hours, with the same clerks as are required for said general municipal election. Any person desiring to become a candidate for mayor or councilman shall, at least ten days prior to said primary election, file with the said clerk a statement of such candidacy, in substantially the following form:

STATE OF IOWA, }  
                  } ss:  
\_\_\_\_\_ COUNTY, }

I, ....., being duly sworn, say that I reside at ..... street, city of ....., county of ....., State of Iowa; that I am a qualified voter therein; that I am a candidate for nomination to the office of (mayor or councilman) to be voted upon at the primary election to be held on the ..... Monday of ....., 19....., and I hereby request that my name be printed upon the official primary ballot for nomination by such primary election for such office.

(Signed).....

Subscribed and sworn to (or affirmed) before me by ..... on this ..... day of ....., 19....

(Signed).....

and shall at the same time file therewith the petition of at least twenty-five qualified voters requesting such candidacy. Each petition shall be verified by one or more persons as to the qualifications and residence, with street number, of each of the persons so signing the said petition, and the said petition shall be in substantially the following form:

PETITION ACCOMPANYING NOMINATING STATEMENT.

The undersigned, duly qualified electors of the city of ....., and residing at the places set opposite our respective names hereto, do hereby request that the name of (name of candidate) be placed on the ballot as a candidate for nomination for (name of office) at the primary election to be held in such city on the ..... Monday of ....., 19.... We further state that we know him to be a qualified elector of said city and a man of good moral character and qualified in our judgment for the duties of such office.

Name of qualified electors.	Number.	Street.
.....	.....	.....

Immediately upon the expiration of the time of filing the statements and petitions for candidacies, the said city clerk shall cause to be published for three successive days in all the daily newspapers published in the city, in proper form, the names of the persons as they are to appear upon the primary ballot, and if there be no daily newspaper, then in two issues of any other newspapers that may be published in said city; and the said clerk shall thereupon cause the primary ballots to be printed, authenticated with a fac-simile of his signature. Upon the said ballot the names of the candidates for mayor, arranged alphabetically, shall first be placed, with a square at the left of each name, and immediately below the words, "Vote for one." Following these names, likewise arranged in alphabetical order, shall appear the names of the candidates for councilmen, with a square at the left of each name, and below the names of such candidates shall appear the words "Vote for four," or "Vote for two" as the case may be. The ballots shall be printed upon plain, substantial white paper, and shall be headed:

CANDIDATES FOR NOMINATION FOR MAYOR AND COUNCILMEN OF .....  
CITY AT THE PRIMARY ELECTION.

but shall have no party designation or mark whatever. The ballots shall be in substantially the following form:

(Place a cross in the square preceding the names of the parties you favor as candidates for the respective positions.)

**OFFICIAL PRIMARY BALLOT.**

CANDIDATES FOR NOMINATION FOR MAYOR AND COUNCILMEN OF .....  
CITY AT THE PRIMARY ELECTION.

For Mayor.

(Name of candidate.)

(Vote for one.)

For Councilman.

(Name of candidate.)

(Vote for four) or (Vote for two) as the case may be.

Official ballot. Attest:

(Signature.)

.....,  
*City Clerk.*

Having caused said ballots to be printed, the said city clerk shall cause to be delivered at each polling place a number of said ballots equal to twice the number of votes cast in such polling precinct at the last general municipal election for mayor. The persons who are qualified to vote at the general municipal election shall be qualified to vote at such primary election, and challenges can be made by not more than two persons, to be appointed at the time of opening the polls by the judges of election; and

the law applicable to challenges at a general municipal election shall be applicable to challenges made at such primary election. Judges of election shall, immediately upon the closing of the polls, count the ballots and ascertain the number of votes cast in such precinct for each of the candidates, and make return thereof to the city clerk, upon proper blanks to be furnished by the said clerk, within six hours of the closing of the polls. On the day following the said primary election, the said city clerk shall canvass said returns so received from all the polling precincts, and shall make and publish in all newspapers of said city, at least once, the result thereof. Said canvass by the city clerk shall be publicly made. The two candidates receiving the highest number of votes for mayor shall be the candidates, and the only candidates, whose names shall be placed upon the ballot for mayor at the next succeeding general municipal election, and in cities having a population of twenty-five thousand and over, the eight candidates receiving the highest number of votes for councilman, or all such candidates if less than eight, and in cities having a population of seven thousand and less than twenty-five thousand, the four candidates receiving the highest number of votes for councilman, or all such candidates if less than four, shall be the candidates, and the only candidates whose names shall be placed upon the ballot for councilman at such municipal election. All electors of cities under this act who by the laws governing cities of the first and second class and cities acting under special charter would be entitled to vote for the election of officers at any general municipal election in such cities, shall be qualified to vote at all elections under this act; and the ballot at such general municipal election shall be in the same general form as for such primary election, so far as applicable, and in all elections in such city the election precinct, voting places, methods of conducting election, canvassing the vote and announcing the results, shall be the same as by law provided for election of officers in such cities, so far as the same are applicable and not inconsistent with the provisions of this act.

That Section six (6) of said bill as amended be further amended by striking out in the eighth and ninth lines thereof the words: "less than twenty-five thousand," and insert in lieu thereof "seven thousand and less than twenty-five thousand."

That Section nine (9) of said bill and the substitute for the same that has been adopted be stricken out and the following enacted in lieu thereof:

That Section ten hundred fifty-six-a-twenty-eight (1056-a-28) of Chapter fourteen-c (14-c) of the Supplement to the Code, 1907, be and the same is hereby amended by striking out all of said Section beginning with the word "The" in the first line thereof, and ending with the figures and dollar mark "\$3,000," in the third line from the top of page 214 as the same appears in the Supplement to the Code, 1907, and inserting in lieu thereof the following:

"The mayor and councilmen shall have an office at the city hall, and their total compensation shall be as follows:

In cities having by the last preceding state or national census a population of 7,000 and less than 10,000, the mayor's annual salary shall be \$600.00, and each councilman \$450.00. In cities having by such census a population of 10,000 and less than 15,000, the mayor's annual salary shall

be \$1,200.00 and each councilman \$900.00. In cities having by such census a population of 15,000 and less than 25,000 the mayor's annual salary shall be \$1,500.00 and each councilman \$1,200.00. In cities having by such census a population of 25,000 and less than 40,000, the mayor's annual salary shall be \$2,500.00 and each councilman \$1,800.00. In cities having by such census a population of 40,000 and less than 60,000, the mayor's salary shall be \$3,000.00, and each councilman \$2,500.00, and in cities having by such census a population of 60,000 or more the mayor's annual salary shall be \$3,500.00 and that of councilman \$3,000.00.

That Section ten (10) of said bill as amended be further amended by striking out in the 6th line thereof the words, "less than twenty-five thousand" and inserting in lieu thereof "seven thousand and less than twenty-five thousand."

Zeller of Madison moved that the bill and the amendment be referred to the Committee on Municipal Corporations.

Roll call demanded.

On the question, Shall the House recommit?

The ayes were:

Brandes, Byerly, Calkins, Cousins, Crummer, Dodds, Dye, Etter, Fenn, Fourt, Huffaker, O'Connor, Penn, Reitz, Sankey, Zeller—16.

The nays were:

Allred, Anderson, Arney, Balluff, Bascom, Bauman, Beans, Beebe, Boe, Boettger, Bonwell, Boomgaarden, Bowman, Burt, Cassady, Corrie, Crozier, Cunningham, Dabney, Dalby, Darrah, Davidson, Dawson, Derrough, Dewell, Dewey, DeWitt, Drury, Elliott, Ellis, Finlayson, Fox, Fulliam, Fulton, Goodykoontz, Grier, Hackler, Hanson, Harding, Harvey, Hickenlooper, Hunter, Ide, Inman, Jacobs, Jewell, Johnson, Jones, Kendall, Klay, Koontz, Kull, Larrabee, Marston, Meredith, Miller of Bremer, Miller of Dubuque, Moore of Wapello, Moore of Linn, Newell, Reaney, Ripley, Ritter, Schee, Schroeder, Schulte, Smith, Stillman, Stoddard, Sullivan, Swan, Tegeler, Thompson, Tilton, Ward, White, Mr. Speaker—77.

Absent or not voting:

Beery, Blackmore, Cooper, Felt, Holmes, Kellogg, Lee, McCleery, McDonald, Perkins, Sheldon, Swift, Welden, Wilson, Wolfe—15.

So the motion was lost and the House refused to recommit.



Hackler of Webster moved that the amendments to House File No. 2 be printed in the Journal, and the consideration thereof be made a Special Order for Saturday, A. M., at 10:00 o'clock.

Moore of Linn addressed the House on a question of personal privilege, prefacing his remarks by presenting the following affidavit:

STATE OF IOWA, }  
                  } ss:  
COUNTY OF POLK, }

I, Edna L. Boone, being first duly sworn, depose and say that I am an employe of the House of Representatives of the Thirty-third General Assembly. That on or about February 2, I was directed by Ernest R. Moore, a member of the said House of Representatives in the Thirty-third General Assembly, to visit the office of the Secretary of the State Board of Health and to secure from that office certain vital statistics. I further state that in accordance with such directions I visited such office and there explained to the persons in charge the instructions I had received and requested the information. This was refused me and I was told that such refusal was due to a rule established in that office. I so reported to Mr. Moore and was instructed by him to again visit the office of the Secretary of the State Board of Health and to request of Mr. Thomas personally the information sought. In accordance with such instructions I did on the following day visit such office and requested of the Secretary of the State Board of Health the desired information and was again refused, and I was told that such information could not be given out as the Board of Health had established a rule forbidding it. This second refusal I also reported to Mr. Moore.

EDNA L. BOONE.

Subscribed and sworn to before me this 5th day of March, 1909.

J. C. BENNETT,

*Notary Public in and for Polk County.*

Hunter of Polk moved that the resolution offered by Inman of Floyd, relative to investigating the charges brought against the State Board of Health, be taken from the table.

Motion lost.

Johnson of Mitchell, chairman of the Conference Committee on the part of the House on Senate File No. 172, made the following report:

MR. SPEAKER—Your conference committee appointed to confer on disagreement arising on the House amendment to Senate File No. 172, a bill for an act to amend Section twenty-six hundred and one (2601) of the Code relating to admission of inmates to the Iowa Soldiers' Home at Marshalltown, beg leave to report that they have held a conference over said matter and that the full conference committee of the Senate and House

has agreed upon an amendment to said bill as a substitute for the House amendment and respectfully recommend its adoption. That said amendment agreed upon is in words and figures following, to-wit:

That Section one (1) of said bill be amended by striking out the last three words of said Section and inserting in lieu thereof the following: "a comma and the word 'fathers.'"

C. F. PETERSON,  
A. C. SAVAGE,  
JOHN F. REAM,

*Members on the part of the Senate.*

K. J. JOHNSON,  
PAUL E. STILLMAN,  
W. L. ETTER,

*Members on the part of the House.*

STATEMENT.

It appearing to the Conference Committee on the part of the House, that the effect of its amendment to Senate File No. 172 might be accomplished satisfactorily to the committee on the part of the Senate by a different arrangement of the subject matter and words of said amendment, your committee unanimously joins in the adoption of the above report.

K. J. JOHNSON,  
PAUL E. STILLMAN,  
W. L. ETTER.

Johnson of Mitchell moved the adoption of the amendment.

On the question, Shall the amendment be adopted?

The ayes were:

Allred, Anderson, Arney, Balluff, Bascom, Bauman, Beans, Beebe, Beery Boe, Boettger, Bonwell, Boomgaarden, Bowman, Brandes, Burt, Byerly, Calkins, Cassady, Cooper, Corrie, Cousins, Crozier, Crummer, Dabney, Dalby, Darrah, Davidson, Dawson, Derrough, Dewell, Dewey, DeWitt, Dodds, Dye, Elliott, Ellis, Etter, Felt, Fenn, Finlayson, Fourt, Fox, Fulliam, Fulton, Goodykoontz, Grier, Hackler, Harding, Harvey, Hickenlooper, Holmes, Huffaker, Hunter, Ide, Inman, Jacobs, Jewell, Johnson, Jones, Kellogg, Klay, Koontz, Kull, Larrabee, Lee, McCleery, McDonald, Meredith, Miller of Bremer, Miller of Dubuque, Moore of Wapello, Moore of Linn, Newell, O'Connor, Penn, Perkins, Reaney, Reitz, Ripley, Ritter, Sankey, Schee, Schroeder, Schulte, Sheldon, Smith, Stillman, Stoddard, Sullivan, Swan, Swift, Tegeler, Thompson, Tilton, Ward, White, Wilson, Zeller, Mr. Speaker—100.

The nays were:

None.

Absent or not voting:

Blackmore, Cunningham, Drury, Hanson, Kendall, Marston, Welden, Wolfe—8.

So the motion prevailed, and the amendment was adopted.

Koontz of Johnson moved that House File No. 331, be withdrawn from the Committee on Judiciary, and the further consideration of the House.

Motion prevailed.

Sullivan of Polk moved that House File No. 142, be withdrawn from the Committee on Elections and that House File No. 144 be withdrawn from the Committee on Judiciary and the further consideration of the House.

Motion prevailed.

Fulliam of Muscatine moved that House File No. 197, be withdrawn from the Committee on Ways and Means and the further consideration of the House.

Motion prevailed.

Harding of Woodbury moved that House Files Nos. 89 and 99 be withdrawn from further consideration of the House.

Motion prevailed.

#### CONSIDERATION OF BILLS.

On motion of Kellogg of Harrison, House File No. 236, a bill for an act to amend Section Two Thousand Five Hundred Sixty-three-a (2563-a), Two Thousand Five Hundred Sixty-three-c (2563-c), Two Thousand Five Hundred Sixty-three-d (2563-d), and Two Thousand Five Hundred Sixty-three-g (2563-g) of the Supplement to the Code, 1907, relating to non-residents hunters' licenses, was taken up and considered.

Kellogg of Harrison moved that the rules be suspended, 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 ayes were:

Allred, Anderson, Arney, Bascom, Beans, Beebe, Beery, Boe, Boettger, Bonwell, Boomgaarden, Bowman, Brandes, Burt, Cas-

sady, Cooper, Corrie, Cousins, Crummer, Cunningham, Dabney, Dalby, Darrah, Davidson, Dawson, Derrough, Dewell, Dewey, DeWitt, Dodds, Drury, Dye, Elliott, Ellis, Felt, Finlayson, Fourt, Fox, Fulliam, Fulton, Goodykoontz, Grier, Hackler, Hanson, Harding, Harvey, Hickenlooper, Holmes, Huffaker, Hunter, Ide, Jacobs, Johnson, Jones, Kellogg, Kendall, Klay, Koontz, Kull, Larrabee, Lee, McCleery, McDonald, Marston, Meredith, Miller of Bremer, Miller of Dubuque, Moore of Wapello, Moore of Linn, Newell, O'Connor, Penn, Perkins, Reaney, Ripley, Ritter, Schee, Schroeder, Schulte, Sheldon, Smith, Stillman, Stoddard, Sullivan, Swan, Swift, Tegeler, Thompson, Ward, White, Wilson, Zeller, Mr. Speaker—93.

The nays were:

Bauman, Calkins, Crozier, Etter, Inman, Jewell, Sankey, Tilton—8.

Absent or not voting:

Balluff, Blackmore, Byerly, Fenn, Reitz, Welden, Wolfe—7.

So the bill passed and the title was agreed to.

#### MESSAGES FROM THE SENATE.

The following messages were received from the Senate:

MR. SPEAKER—I am directed to inform your honorable body that the Senate recedes from its amendment to Section 1, and insists on its amendment to Section 2 on House File No. 130, a bill for an act relating to the distribution of laws becoming effective by publication, and asks for a conference committee and the President of the Senate appoints as committee on the part of the Senate: Senators Francis, Allen of Van Buren and Wilson.

Also:

S. W. NEAL,  
*Secretary.*

MR. SPEAKER—I am directed to inform your honorable body that the Senate has concurred in House amendment to Senate File No. 162, a bill for an act relating to the making of affidavit in assessment of property.

Also:

S. W. NEAL,  
*Secretary.*

MR. SPEAKER—I am directed to inform your honorable body that the Senate has passed the following bill in which the concurrence of the House is asked:

Senate File No. 208, a bill for an act relating to the dissolution of savings banks.

S. W. NEAL,  
*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 59, a bill for an act relating to the sale of intoxicating liquors by permit holders.

S. W. NEAL,  
*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:

Substitute for Senate File No. 115, a bill for an act relating to recovery of interest in real estate when the spouse has failed to join in the conveyance.

S. W. NEAL,  
*Secretary.*

#### SENATE MESSAGES CONSIDERED.

Substitute for Senate File No. 115, a bill for an act to amend the law as it appears in Section Thirty-four Hundred Forty-seven-b (3447-b) of the Supplement to the Code, 1907, relating to recovery of interest in real estate when the spouse has failed to join in the conveyance.

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

Senate File No. 208, a bill for an act to amend Section Eighteen Hundred and Fifty-seven (1857) of the Code, relating to the dissolution of state banks.

Read first and second time and referred to Committee on Banks and Banking.

Senate File No. 59, a bill for an act to amend Section Two Thousand Three Hundred Ninety-four (2394) of the Code, relating to the sale of intoxicating liquors by permit holders.

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

The Speaker announced that he had appointed Holmes of Kossuth as member of the Allison Monument Commission.

On motion of Hunter of Polk, the House adjourned.

# JOURNAL OF THE HOUSE

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HALL OF THE HOUSE OF REPRESENTATIVES,  
DES MOINES, IOWA, MARCH 6, A. D. 1909.

House met pursuant to adjournment.

Speaker Feely in the Chair.

Prayer was offered by the Rev. De Witt C. Perry of Stanwood, Iowa.

Journal of Friday, March 5th, corrected and approved.

On request of Dabney of Davis, leave of absence was granted Swan of Appanoose until Wednesday.

On request of Sankey of Decatur, leave of absence was granted De Witt of Montgomery until Monday.

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

## PETITIONS, MEMORIALS AND REMONSTRANCES.

Cooper of Jasper presented petition of citizens of Jasper County relative to the prohibitory amendment.

Referred to Committee on Suppression of Intemperance.

Cooper of Jasper presented remonstrance of physicians of Jasper County, protesting against the passage of the Optometry Bill.

Referred to Committee on Judiciary.

Bowman of Linn presented petition of merchants and tax payers of Linn County, relative to House File No. 232, referring to exemptions.

Referred to Committee on Commerce and Trade.

Elliott of Page presented petition of members of the Iowa Synod, relative to the prohibitory amendment.

Referred to Committee on Suppression of Intemperance.

Ellis of Jackson presented remonstrance of members of Coloma Camp No. 2783, Modern Woodmen of America, protesting against the passage of the Minimum Rate Law.

Referred to Committee on Insurance.

Moore of Wapello presented remonstrance of members of the Wapello Bar protesting against any change in their judicial district.

Referred to Committee on Judicial Districts.

Hanson of Humboldt presented petition of citizens of Humboldt County, requesting the passage of the Lien Law.

Referred to Committee on Judiciary.

Fox of Dallas presented petition of citizens of Dallas County, relative to House File No. 169, referring to breach of the Sabbath.

Referred to Committee on Judiciary.

Schroeder of Crawford presented remonstrance of citizens of Jackson County protesting against the passage of the School Bill.

Referred to Committee on Schools and Text-books.

Calkins of Adams presented petitions of citizens of Adams County relative to the prohibitory amendment.

Referred to Committee on Suppression of Intemperance.

Allred of Wayne presented petition of citizens of Wayne County, relative to House File No. 169, referring to breach of the Sabbath.

Referred to Committee on Judiciary.

Sheldon of Ringgold presented petitions of merchants of Ringgold County relative to House File No. 232, referring to exemptions.

Referred to Committee on Commerce and Trade.

Marston of Cerro Gordo presented petition of Board of Directors of the Cerro Gordo County Merchants Credit Association relative to House File No. 232, referring to exemptions.

Referred to Committee on Commerce and Trade.

Ripley of Hancock presented remonstrance of school electors of Eli Township, Hancock County, protesting against the passage of the School Bill.

Referred to Committee on Schools and Text-books.

Dye of Pottawattamie presented petition of Independent School District of Council Bluffs requesting the passage of Senate File No. 134.

Referred to Committee on Ways and Means.

Larrabee of Fayette presented petitions of citizens of Fayette County relative to House File No. 169, referring to breach of the Sabbath.

Referred to Committee on Judiciary.

Larrabee of Fayette presented remonstrance of Palm Camp No. 230, Modern Woodmen of America protesting against the passage of the Minimum Rate Law.

Referred to Committee on Insurance.

Inman of Floyd presented petition of merchants and tax payers of Floyd County relative to House File No. 232, referring to exemptions.

Referred to Committee on Commerce and Trade.

Koontz of Johnson presented petitions of citizens of Johnson County relative to the prohibitory amendment.

Referred to Committee on Suppression of Intemperance.

White of Story presented petition of merchants and tax payers of Story County relative to House File No. 232, referring to exemptions.

Referred to Committee on Commerce and Trade.

Ellis of Jackson presented resolution of Iowa Retail Hardware Association requesting the passage of House No. 232, referring to exemptions.

Referred to Committee on Commerce and Trade.



Schroeder of Crawford presented remonstrance of citizens of Crawford County relative to the prohibitory amendment.

Referred to Committee on Suppression of Intemperance.

Allred of Wayne presented petition of citizens of Wayne County relative to the prohibitory amendment.

Referred to Committee on Suppression of Intemperance.

Allred of Wayne presented petition of citizens of Wayne County relative to House File No. 169, referring to breach of the Sabbath.

Referred to Committee on Judiciary.

Bowman of Linn presented remonstrance of citizens of Linn County protesting against the passage of the School Bill.

Referred to Committee on Schools and Text-books.

Hackler of Webster presented petition of citizens of Webster County relative to the prohibitory amendment.

Referred to Committee on Suppression of Intemperance.

Hackler of Webster presented remonstrance of United Mine Workers of America protesting against the passage of House File No. 232.

Referred to Committee on Commerce and Trade.

Allred of Wayne presented petition of citizens of Wayne County relative to House File No. 232 referring to exemptions.

Referred to Committee on Commerce and Trade.

Allred of Wayne presented remonstrance of citizens of Wayne County protesting against the passage of the School Bill.

Referred to Committee on Schools and Text-books.

Allred of Wayne presented petition of citizens of Wayne County relative to woman's suffrage bill.

Referred to Committee on Woman Suffrage.

Elliott of Page presented petition of merchants of Page County relative to House File No. 232, referring to exemptions.

Referred to Committee on Commerce and Trade.

Kellogg of Harrison presented petition of citizens of Dunlap relative to the prohibitory amendment.

Referred to Committee on Suppression of Intemperance.

#### REPORTS OF COMMITTEES.

Sullivan of Polk, from the Committee on Judiciary, submitted the following report:

MR. SPEAKER—Your committee on Judiciary, to whom was referred House File No. 111, a bill for an act to provide for a change of place of trial on certain written contracts, and to provide for taxing the costs therein, beg leave to report they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same be amended as follows:

First. By striking out the title and inserting the following in lieu thereof: "A bill for an act to amend Sections three thousand five hundred five (3505), three thousand five hundred seven (3507), three thousand five hundred eleven (3511), of the Code, and Section four thousand four hundred eighty-one (4881) of the Code, as amended, all relating to the place of trial of actions.

Second. By striking out all after the enacting clause and substituting the following in lieu thereof.

SECTION 1. That Section three thousand five hundred five (3505) of the Code be, and the same is hereby amended by inserting after the word "obtained" in the twenty-seventh (27th) line of said Section the following:

6. Fraudulent Contracts. In an action brought on a written contract in the county where the contract by its express terms is to be performed, in which a defendant to said action; residing in a different county in the state, has filed a sworn answer alleging fraud in the inception of the contract constituting a complete defense thereto, such defendant, upon application and the filing of a sufficient bond, may have such action transferred to the district court of the county of his residence. If upon the trial of the action judgment is rendered against the defendant, it shall include the reasonable expenses incurred by the plaintiff and his attorney, on account of change of place of trial, as part of the costs. The bond above referred to shall be with surties to be approved by the clerk, in an amount to be fixed by the court or judge in vacation for the payment of all costs which may accrue in the action in the court in which it is brought, or in any other to which it may be carried, either to the plaintiff or to the officers of the court."

SECTION 2. That Section three thousand five hundred seven (3507) of the Code be, and the same is hereby amended by inserting after the word "judge" and before the word "the" in the third (3) line of said Section, the following: "or subdivision six of the first Section of this chapter."

Sec. 3. That Section three thousand five hundred eleven (3511) of the Code be, and the same is hereby amended by striking out the word

“or” in the second line and inserting a comma in place thereof, and inserting after the word “five” and before the word “of” in the second line of said Section the following: “or six.”

SEC. 4. That Section four thousand four hundred and eighty-one (4481) of the Code as amended be amended by adding thereto, after the last word thereof, the following: “Provided, however, that where an action is brought relying upon the foregoing provisions to fix the venue in a township in a county other than the residence of the signer of a written contract, and the defendant files a verified answer setting forth a legal defense alleging fraud in the inception of the contract, and he files therein a motion asking to have said cause transferred to the county of his residence, accompanied by a cost bond of \$50.00 to be approved by the court where the action is brought, the justice before whom such action is brought shall thereupon order the same transferred to such county upon the defendant paying fees of transcript and postage, and all papers and transcript shall forthwith be mailed, by registered letter to the clerk of district court of the county of defendant's residence, and said cause shall be docketed for trial. If two or more defendants in the same cause apply for change of venue as herein provided the justice shall transmit said papers to the county of the defendant making first application.

If, upon trial, the defendant shall establish his defense of fraud, then he shall be entitled to recover, as a part of his costs, the reasonable expense, including attorney's fees, for securing the change of place of trial, but if he shall fail to establish said defense, then he shall be liable to plaintiff, as a part of the costs, for the reasonable additional expense caused to him by reason of such change, and when so amended the bill do pass.

JOHN B. SULLIVAN,  
*Chairman.*

Adopted.

Also:

MR. SPEAKER—Your committee on Judiciary, to whom was referred Senate File No. 262, a bill for an act to legalize the resolutions and proceedings of the council of the city of Monticello, Iowa, relating to the parking, curbing, guttering and macadamizing of a portion of Sycamore street in said city, and all acts done thereunder, beg leave to report they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same do pass.

JOHN B. SULLIVAN,  
*Chairman.*

Adopted.

Also:

MR. SPEAKER—Your committee on Judiciary, to whom was referred Substitute for Senate File No. 117, a bill for an act to authorize the sheriff and county attorney, when permitted by the board of supervisors, to employ the service of detectives and providing for payment therefor,

beg leave to report they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same be indefinitely postponed.

JOHN B. SULLIVAN,  
*Chairman.*

Adopted, and Senate File No. 117 was indefinitely postponed.

Also:

MR. SPEAKER—Your committee on Judiciary, to whom was referred House File No. 336, a bill for an act to amend the law as it appears in Section three thousand three hundred five (3305) of the Code, relating to time within which administration may be originally granted on estates of decedents, beg leave to report they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same do pass.

JOHN B. SULLIVAN,  
*Chairman.*

Adopted.

Also:

MR. SPEAKER—Your committee on Judiciary, to whom was referred Senate File No. 216, a bill for an act prohibiting the detention or confinement of any female in any house, room, building, or premises for force, false pretense, or intimidation, for purposes of prostitution or with intent to cause such female to become a prostitute and providing a punishment for the violation thereof, beg leave to report they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same do pass.

JOHN B. SULLIVAN,  
*Chairman.*

Adopted.

Also:

MR. SPEAKER—Your committee on Judiciary, to whom was referred House File No. 307, a bill for an act to legalize the resolutions and proceedings of the council of the city of Monticello, Iowa, relating to the parking, curbing, guttering and macadamizing of a portion of Sycamore street in said city, and all acts done thereunder, beg leave to report they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same do pass.

JOHN B. SULLIVAN,  
*Chairman.*

Adopted.

Drury of Sac, from the Committee on Compensation of Public Officers, submitted the following report:

MR. SPEAKER—Your committee on Compensation of Public Officers, to whom was referred House File No. 287, a bill for an act to repeal Section

four hundred and sixty-nine (469) of the Supplement to the Code, 1907, and to enact a substitute therefor, relating to the compensation of board of supervisors, beg leave to report they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same be indefinitely postponed.

WILL DRURY,  
*Chairman.*

Adopted, and House File No. 287 was indefinitely postponed.

Moore of Linn, from the Committee on Appropriations, submitted the following report:

MR. SPEAKER—Your committee on Appropriations, to whom was referred House File No. 182, a bill for an act authorizing the extension of the traveling library and other activities of the Iowa Library Commission, and providing additional funds therefor, beg leave to report they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same do pass.

ERNEST R. MOORE,  
*Chairman.*

Adopted.

Also:

MR. SPEAKER—Your committee on Appropriations, to whom was referred House File No. 211, a bill for an act to appropriate money on account of injuries received by Thomas H. Rattenbury at the state sanatorium, beg leave to report they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same do pass.

ERNEST R. MOORE,  
*Chairman.*

Adopted.

Also:

MR. SPEAKER—Your committee on Appropriations, to whom was referred Senate File No. 219, a bill for an act to amend Section twenty-six hundred ninety-two-a and Section twenty-six hundred ninety-two-c of the Supplement to the Code, 1907, relating to state agents and making appropriation therefor, beg leave to report they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same do pass.

ERNEST R. MOORE,  
*Chairman.*

Adopted.

Also:

MR. SPEAKER—Your committee on Appropriations, to whom was referred House File No. 231, a bill for an act making appropriation for ad-

ditional improvements and land at the Iowa State Fair and Exposition grounds, beg leave to report they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same be amended as follows: By striking out of lines three and four all following the word "of" in line three and by striking out the figures "\$165,000.00)" in line six of Section one and substituting in lieu thereof the figures "\$100,000.00;" and by striking out lines seven and eight of Section one, and when so amended the bill do pass.

ERNEST R. MOORE,  
*Chairman.*

Adopted.

Also:

MR. SPEAKER—Your committee on Appropriations, to whom was referred House File No. 335, a bill for an act to appropriate the sum of nine hundred eighty-eight and ninety-eight one-hundredths dollars (\$988.98) to reimburse the state board of dental examiners for moneys charged off their account August 10, 1907, beg leave to report they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same be indefinitely postponed.

ERNEST R. MOORE,  
*Chairman.*

Adopted, and House File No. 335 was indefinitely postponed.

Inman of Floyd, from the Committee on Public Libraries, submitted the following report.

MR. SPEAKER—Your committee on Public Libraries, to whom was referred House File No. 266, a bill for an act defining the management of the historical department of Iowa and making an appropriation for the permanent support thereof, beg leave to report they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same do pass, subject to the action of the appropriation committee.

L. W. INMAN,  
*Chairman.*

Adopted, and House File No. 266 was so referred.

Also:

MR. SPEAKER—Your committee on Public Libraries, to whom was referred House File No. 267, a bill for an act to amend Section 2881-e of the Supplement to the Code, 1907, relating to the appropriation for the state library and historical department, reducing the appropriation and confining the same to the state library, beg leave to report they have had the same under consideration and have instructed me to report the same back

to the House with the recommendation that the same do pass, subject to the action of the appropriation committee.

L. W. INMAN,  
*Chairman.*

Adopted, and House File No. 267 was so referred.

Harding of Woodbury, from the Committee on Municipal Corporations, submitted the following report:

MR. SPEAKER—Your committee on Municipal Corporations, to whom was referred House File No. 355, a bill for an act to repeal the law as it appears in Chapter forty-one (41) of the laws of the Thirty-second General Assembly and to enact a substitute therefor relating to the powers of certain cities and towns to levy taxes for the purpose of constructing outlets and purifying plants for sewers and to issue bonds therefor, beg leave to report they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same do pass.

W. L. HARDING,  
*Chairman.*

Adopted.

Hackler of Webster, from the Committee on Commerce and Trade, submitted the following report:

MR. SPEAKER—Your committee on Commerce and Trade, to whom was referred House File No. 185, a bill for an act to amend Chapter one hundred forty-two (142) of the Thirty-second General Assembly, relating to the sale of denatured alcohol and to enact an amendment thereto, beg leave to report they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same be amended by substituting the following:

A Bill for an Act to Amend Section Two Thousand Five Hundred Eighty-eight (2588) of the Code, and Section Two Thousand Five Hundred Ninety-three (2593) of the Supplement to the Code, 1907, Relating to the Sale of Denatured Alcohol.

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

SECTION 1. That Section two thousand five hundred eighty-eight (2588) of the Code be, and the same is hereby amended by inserting after the word "selling" in the twelfth (12) line of said Section the following: "denatured alcohol."

SEC. 2. That Section two thousand five hundred ninety-three (2593) of the Supplement to the Code, 1907, be, and the same is hereby amended by striking out of the ninth (9) line of said Section the words "denatured alcohol" and the comma immediately following the same, and by striking out of the twenty-seventh (27) line of said Section the words "denatured alcohol and," and when so amended the bill do pass.

C. W. HACKLER,  
*Chairman.*

Adopted.

Hanson of Humboldt, from the Committee on Telegraph and Express, submitted the following report:

MR. SPEAKER—Your committee on Telegraph and Express, to whom was referred House File No. 21, a bill for an act to amend Section twenty-one hundred sixty-five-a (2165-a) and twenty-one hundred sixty-five-b (2165-b) of the Supplement to the Code of 1907 pertaining to the duty of express companies maintaining an office at or near the business center of cities and towns, and the duty of the railroad commissioners as to the same, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same be amended as follows:

First. That the words "Code Supplement" in the title and in Sections 1 and 2 of the bill be stricken out and the words "Supplement to the Code of 1907" be inserted in lieu thereof.

Second. That the words and figures "Three Hundred (300)" in Sections 1 and 2 be stricken out and the words "Eighteen Hundred (1800)" be inserted in lieu thereof, and when so amended that the bill do pass.

T. O. HANSON,  
*Chairman.*

Adopted.

Arney of Marshall, from the Committee on Agriculture, submitted the following report:

MR. SPEAKER—Your committee on Agriculture, to whom was referred House File No. 281, a bill for an act to provide for special drainage districts when the land to be drained is owned by fewer than six persons, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same be referred to the Special Drainage Committee.

W. H. ARNEY,  
*Chairman.*

Adopted, and House File No. 281 was so referred.

#### INTRODUCTION OF BILLS.

By Meredith of Cass, House File No. 367, a bill for an act to provide for recognition by the State Board of Medical Examiners of standard attainments in colleges other than medical colleges.

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

By Meredith of Cass, House File No. 368, a bill for an act requiring that boots and shoes made in certain parts of substitute leather, and boots and shoes made by "convict or prison labor" to be stamped and providing a penalty for failure to so stamp.



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

By Boe of Winnebago, House File No. 369, a bill for an act to repeal Section Two Thousand Five Hundred and Thirty-four (2534) of the Supplement to the Code, 1907, and to enact a substitute therefor, and to amend Section Five Thousand Twenty-eight-j (5028-j) of the Supplement to the Code, 1907, all relating to the State Veterinary Surgeon.

Read first and second time and referred to Committee on Animal Industry.

By Harding of Woodbury, House File No. 370, a bill for an act requiring the proper equipment of locomotives used exclusively in switching or yard service; providing for the safety of employes engaged in their operation, and providing a penalty for failure to properly equip such switch engines.

Read first and second time and referred to Committee on Railroads and Transportation.

By Dawson of Cherokee (by request), House File No. 371, a bill for an act to repeal Section Six Hundred and Forty-eight (648), Title V, Chapter II, of the Code of 1907, and to enact a substitute therefor, relating to elections.

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

By Smith of Wright, House File No. 372, a bill for an act to amend Sections Twenty-four Hundred Thirty-two (2432) and Twenty-four Hundred Forty-five (2445) of the Code, relating to the mullet tax.

Read first and second time and referred to Committee on Roads and Highways.

By Schulte of Clayton, House File No. 373, a bill for an act to amend Section Three Hundred Thirty-seven (337) of the Supplement to the Code, 1907, relating to the selection of jury lists.

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

By Ripley of Hancock, House File No. 374, a bill for an act to repeal Section Seventeen Hundred and Seventy-four (1774), Chap-

ter Six (6), Title Nine (9), of the Code and enact a substitute therefor, relating to the valuation of life insurance policies, the deposit of securities by life insurance companies, and the preliminary term insurance.

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

By Ripley of Hancock, House File No. 375, a bill for an act to repeal Section Eighteen Hundred and Thirteen (1813), Chapter Eight (8), Title Nine (9), of the Code and enact a substitute therefor, relating to life insurance policies.

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

By Jones of Lee, House File No. 376, a bill for an act to fix the number of hours which shall constitute a day's labor for guards of Iowa State penitentiaries and to fix the minimum compensation thereof.

Read first and second time and referred to Committee on Compensation of Public Officers.

By Sullivan of Polk (by request), House File No. 377, a bill for an act to amend the law as it appears in Section Twenty-five Hundred Five (2505) of the Supplement to the Code, 1907, relating to the inspection of petroleum products.

Read first and second time and referred to Committee on Public Health.

By Miller of Dubuque, House File No. 378, a bill for an act giving to cities and towns, including cities acting under special charters, power to provide by ordinance for the trimming of trees along public streets and sidewalks, and to assess the cost thereof to the owners of the abutting property.

Read first and second time and referred to Committee on Municipal Corporations.

By Jewell of Winneshiek, House File No. 379, a bill for an act requiring incorporated cities and towns to publish the acts or proceedings of the Board of Aldermen and city and town councils.

Read first and second time and referred to Committee on Municipal Corporations.

Time having arrived for Special Order on the amendment to House File No. 2, Hackler of Webster, moved the adoption of the amendment.

Hanson of Humboldt proposed the following amendment:

I move to amend the amendment to House File No. 2, by striking out the words "seven thousand" wherever they occur and insert the word "two thousand."

Amendment to the amendment lost.

Original amendment adopted.

Hackler of Webster moved that the rules be suspended, 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 ayes were:

Allred, Anderson, Balluff, Bascom, Bauman, Beans, Beebe, Beery, Boe, Boettger, Bonwell, Bowman, Brandes, Burt, Cassady, Cooper, Corrie, Crozier, Dabney, Dalby, Darrah, Davidson, Dawson, Derrough, Dewell, Dewey, Dodds, Drury, Elliott, Felt, Finlayson, Fourt, Fox, Fulliam, Fulton, Goodykoontz, Grier, Hackler, Hanson, Harding, Harvey, Hickenlooper, Huffaker, Hunter, Ide, Inman, Jewell, Jones, Klay, Koontz, Kull, Larrabee, Lee, Marston, Meredith, Miller of Dubuque, Moore of Wapello, Moore of Linn, Newell, O'Connor, Perkins, Reaney, Ripley, Ritter, Schee, Schroeder, Schulte, Sheldon, Stillman, Sullivan, Swan, Swift, Tegeler, Thompson, Tilton, Ward, White, Wilson, Wolfe, Zeller, Mr. Speaker—81.

The nays were:

Boomgaarden, Byerly, Calkins, Cousins, Crummer, Ellis, Etter, Fenn, McCleery, McDonald, Penn, Sankey, Smith, Stoddard—14.

Absent or not voting:

Arney, Blackmore, Cunningham, De Witt, Dye, Holmes, Jacobs, Johnson, Kellogg, Kendall, Miller of Bremer, Reitz, Welden—13.

So the bill passed and the title was agreed to.

## CONSIDERATION OF BILLS.

On motion of Byerly of Jones, Senate File No. 262, a bill for an act to legalize the resolutions and proceedings of the Council of the City of Monticello, Iowa, relating to the parking, curbing, guttering and macadamizing of a portion of Sycamore Street in said city and all acts done thereunder, was taken up and considered.

Speaker pro tempore Lee in the Chair.

Byerly of Jones moved that the rules be suspended, the bill be read a third time now, which motion prevailed, and the bill was read a third time.

On the question, "Shall the bill pass?"

The ayes were :

Allred, Anderson, Arney, Balluff, Bascom, Bauman, Beans, Beebe, Beery, Boe, Boettger, Bonwell, Boomgaarden, Bowman, Brandes, Burt, Byerly, Cooper, Cousins, Crozier, Crummer, Dabney, Dalby, Darrah, Dawson, Derrough, Dewell, Dewey, Dodds, Drury, Elliott, Ellis, Etter, Felt, Fenn, Finlayson, Fourt, Fox, Fulliam, Fulton, Goodykoontz, Grier, Haekler, Hanson, Harding, Hickenlooper, Huf-faker, Hunter, Ide, Inman, Jacobs, Jewell, Johnson, Jones, Kendall, Klay, Koontz, Kull, Larrabee, Lee, McCleery, McDonald, Mars-ton, Meredith, Miller of Bremer, Miller of Dubuque, Moore of Wap-ello, Newell, O'Connor, Penn, Perkins, Reaney, Reitz, Ripley, Rit-ter, Sankey, Schroeder, Schulte, Sheldon, Smith, Stoddard, Sulli-van, Swift, Tegeler, Thompson, Tilton, Ward, White, Wolfe, Zel-ler—90.

The nays were :

None.

Absent or not voting :

Blackmore, Calkins, Cassidy, Corrie, Cunningham, Davidson, De Witt, Dye, Harvey, Holmes, Kellogg, Moore of Linn, Schee, Still-man, Swan, Welden, Wilson, Mr. Speaker—18.

So the bill passed and the title was agreed to.

On motion of Dabney of Davis, House File No. 221, a bill for an act to amend Section Four Thousand Two Hundred Fifty-three (4253) of the Code, relating to leasing real estate partitions for

sale, with report of committee recommending passage as amended, was taken up, considered, and amendment adopted.

Dabney of Davis moved that the rules be suspended, 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 ayes were:

Anderson, Arney, Balluff, Bascom, Bauman, Beans, Beebe, Beery, Boe, Boettger, Bonwell, Boomgaarden, Bowman, Brandes, Burt, Byerly, Calkins, Cooper, Corrie, Cousins, Crummer, Cunningham, Dabney, Dalby, Darrah, Dawson, Derrough, Dewell, Dewey, Dodds, Drury, Elliott, Ellis, Etter, Felt, Fenn, Finlayson, Fourn, Fox, Fulliam, Fulton, Goodykoontz, Grier, Hackler, Hanson, Harding, Hicklenooper, Huffaker, Hunter, Ide, Inman, Jacobs, Jewell, Johnson, Kellogg, Kendall, Klay, Koontz, Kull, Larrabee, Lee, McCleery, McDonald, Marston, Meredith, Miller of Bremer, Miler of Dubuque, Moore of Wapello, Moore of Linn, Newell, O'Connor, Penn, Perkins, Reaney, Reitz, Ripley, Ritter, Sankey, Schee, Schroeder, Schulte, Sheldon, Smith, Stillman, Stoddard, Sullivan, Swift, Tegeler, Thompson, Tilton, Ward, White, Wolfe, Zeller—94.

The nays were:

None.

Absent or not voting:

Allred, Blackmore, Cassady, Crozier, Davidson, De Witt, Dye, Harvey, Holmes, Jones, Swan, Welden, Wilson, Mr. Speaker—14.

So the bill passed and the title was agreed to.

Cooper of Jasper moved that House File No. 217, be withdrawn from the Committee on Judiciary, and the further consideration of the House.

Motion prevailed.

Fulton of Jefferson moved that House File No. 215, be withdrawn from the Committee on Judiciary, and the further consideration of the House.

Motion prevailed.

Byerly of Jones moved to withdraw House File No. 307, from the further consideration of the House.

Motion prevailed.

#### MESSAGES FROM THE SENATE.

The following messages were received from the Senate:

MR. SPEAKER—I am directed to inform your honorable body that the Senate has passed the following bill in which the concurrence of the House is asked:

Substitute for Senate File No. 8, a bill for an act authorizing the district court or judge to remove officers for misfeasance, malfeasance or non-feasance in office, and providing the method of procedure therefor.

S. W. NEAL,  
*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:

Substitute for Senate File No. 238, a bill for an act relative to railroad rates.

S. W. NEAL,  
*Secretary.*

#### SENATE MESSAGES CONSIDERED.

Substitute for Senate File No. 238, a bill for an act amending Section Two Thousand One Hundred and Twenty-six (2126) of the Code, relative to railroad rates.

Read first and second time and referred to Committee on Railroads and Transportation.

Substitute for Senate File No. 8, a bill for an act authorizing the district court or judge to remove officers for misfeasance, malfeasance or non-feasance in office, and providing for method of procedure therefor.

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

The Speaker announced as the Conference Committee on Senate amendments to House File No. 130: Lee of Emmet, Hanson of Humboldt and Crozier of Marion.

Hunter of Polk moved that the House adjourn until Monday, A. M., at ten o'clock.

Miller of Dubuque moved to amend to change the time to 9:00 o'clock.

Amendment adopted.

Motion to adjourn prevailed.

# JOURNAL OF THE HOUSE

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HALL OF THE HOUSE OF REPRESENTATIVES,  
DES MOINES, IOWA, MARCH 8, A. D. 1909.

House met pursuant to adjournment.

Speaker Feely in the Chair.

Prayer was offered by Rev. Father J. F. Nugent of Des Moines, Iowa.

Journal of Saturday, March 6th, corrected and approved.

On request of Fenn of Clarke, leave of absence was granted Fox of Dallas until Tuesday.

On request of Perkins of Delaware, leave of absence was granted Allred of Wayne until Tuesday.

On request of Grier of Poweshiek, leave of absence was granted Goodykoontz of Boone until Tuesday.

On request of Bauman of Van Buren, leave of absence was granted Crozier of Marion until Tuesday.

On request of Beery of Henry, leave of absence was granted Blackmore of Worth until Wednesday.

## PETITIONS, MEMORIALS AND REMONSTRANCES.

Cousins of Butler presented petition of citizens of Clarksville, Iowa, relative to House File No. 232, referring to exemptions.

Referred to Committee on Commerce and Trade.

Schroeder of Crawford presented remonstrances of citizens of Crawford County, relative to House File No. 169, referring to breach of the Sabbath.

Referred to Committee on Judiciary.



Jewell of Winneshiek presented petition of citizens of Winneshiek County, relative to the Fish Laws.

Referred to Committee on Fish and Game.

Jewell of Winneshiek presented petition of citizens of Winneshiek County, relative to the enfranchisement of women.

Referred to Committee on Woman Suffrage.

Welden of Hardin presented remonstrance of citizens of Hardin County, protesting against the passage of the School Bill.

Referred to Committee on Schools and Text Books.

Reitz of Lee presented remonstrance of Keokuk Trades and Labor Asembly, protesting against the passage of House File No. 169, referring to breach of the Sabbath.

Referred to Committee on Judiciary.

Meredith of Cass in the Chair.

Beans of Mahaska presented remonstrance of physicians of Mahaska County, protesting against the passage of the Optometry Bill.

Referred to Committee on Judiciary.

Dewell of Cedar presented petition of merchants of Cedar County, relative to House File No. 232, referring to exemptions.

Referred to Committee on Commerce and Trade.

Felt of Clay presented petition of merchants of Clay County, relative to House File No. 232, referring to exemptions.

Referred to Committee on Commerce and Trade.

Kendall of Clinton presented petition of merchants and tax payers of Clinton County, relative to House File No. 232, referring to exemptions.

Referred to Committee on Commerce and Trade.

Kendall of Clinton presented resolution of the Tri-City Labor Congress, protesting against the enactment of House File No. 169, referring to breach of the Sabbath.

Referred to Committee on Judiciary.

Ripley of Hancock presented remonstrances of citizens of Hancock County, protesting against the passage of the School Bill.

Referred to Committee on Schools and Text Books.

Ripley of Hancock presented remonstrance of Modern Woodmen of America of Hancock County, protesting against the passage of the Minimum Rate Law.

Referred to Committee on Insurance.

Felt of Clay presented petition of citizens of Clay County, relative to the enfranchisement of women.

Referred to Committee on Woman Suffrage.

Dewey of Guthrie presented petition of citizens of Guthrie County, relative to the prohibitory amendment.

Referred to Committee on Suppression of Intemperance.

Arney of Marshall presented remonstrance of members of Rhodes Camp No. 2760, Modern Woodmen of America, protesting against the passage of the Minimum Rate Law.

Referred to Committee on Insurance.

Cooper of Jasper presented remonstrance of citizens of Richland Township, protesting against the passage of the School Bill.

Referred to Committee on Schools and Text Books.

Boettger of Scott presented remonstrance of physicians of Scott County, protesting against the passage of the Optometry Bill.

Referred to Committee on Judiciary.

Kellogg of Harrison presented petition of citizens of Harrison County, relative to House File No. 169, referring to breach of the Sabbath.

Referred to Committee on Judiciary.

Kellogg of Harrison presented petitions of citizens of Harrison County, relative to the prohibitory amendment.

Referred to Committee on Suppression of Intemperance.

## REPORTS OF COMMITTEES.

Anderson of Hamilton, from the Committee on Conservation of Forests, submitted the following report:

MR. SPEAKER—Your committee on Conservation of Forests, to whom was referred House File No. 349, a bill for an act to create the Iowa State Drainage, Water-ways and Conservation Commission and defining the powers and duties of the same, beg leave to report they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same do pass, and that it be referred to the committee on Appropriations.

WM. ANDERSON,  
*Chairman.*

Adopted, and House File No. 349 was so referred.

Jewell of Winneshiek, from the Committee on Public Health, submitted the following report:

MR. SPEAKER—Your committee on Public Health, to whom was referred Senate File No. 124, a bill for an act to amend Section twenty-five hundred seventy-eight-a (2578-a) of the Supplement to the Code of Iowa, 1907, relating to the revocation of certificates by the board of medical examiners, beg leave to report they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same do pass.

P. M. JEWELL,  
*Chairman.*

Adopted.

Also:

MR. SPEAKER—Your committee on Public Health, to whom was referred House File No. 291, a bill for an act to amend Section four thousand nine hundred seventy-nine (4979) of the Code, relating to offenses against the public health, beg leave to report they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same do pass.

P. M. JEWELL,  
*Chairman.*

Adopted.

Also:

MR. SPEAKER—Your committee on Public Health, to whom was referred House File No. 203, a bill for an act relating to the production and distribution of antitoxin in Iowa by the bacteriological laboratory of the medical department of the State University at Iowa City, and making appropriation therefor, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same be indefinitely postponed.

P. M. JEWELL,  
*Chairman.*

Adopted, and House File No. 203 was indefinitely postponed.

White of Story, from the Committee on Ways and Means, submitted the following report:

MR. SPEAKER—Your committee on Ways and Means, to whom was referred Senate File No. 3, a bill for an act to repeal the law as it appears in Section fourteen hundred fifty-seven (1457) of the Supplement to the Code, 1907, and to enact a substitute therefor relating to the subject of loaning or depositing of public funds, beg leave to report they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same be amended as follows:

In line seventeen (17) of the original bill after the words "by reason of such deposit or deposits." change the period to a semicolon and insert the following words "provided that in cases where an approved surety company's bond is furnished, said bond may be accepted in an amount equal to 10% more than the amount deposited."

Insert before the Senate Amendment, "which shall accrue to the benefit of the General County Fund" the words "all of."

Between the words "on" and "daily" in line 11, subdivision two of Section 1 the words "ninety per cent. of the" be inserted, and when so amended the bill do pass.

GEO. C. WHITE,  
*Chairman.*

Adopted.

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

MR. SPEAKER—Your committee on Elections, to whom was referred House File No. 252, a bill for an act to amend the law as it appears in Section 1137-a-7 of the Supplement to the Code of 1907 relating to the elections and voting machines, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same be amended as follows: By inserting a comma after the word "Code" in the second line in Section 1 and after said comma the figures "1907;" and by striking from line three of said Section the words, "word town" and inserting in lieu thereof the following: "comma following the word town," and when so amended that the bill do pass.

J. H. DARRAH,  
*Chairman.*

Adopted.

Also:

MR. SPEAKER—Your committee on Elections, to whom was referred House File No. 346, a bill for an act to amend the law as it appears in Sections 1087-a-1, 1087-a-5, 1087-a-6, 1087-a-10, 1087-a-12, 1087-a-14, 1087-a-19, 1087-a-21, 1087-a-22, 1087-a-24, 1087-a-25, 1087-a-26 and 1087-a-27 of the Sup-

plement to the Code, 1907, and to repeal the law as it appears in Sections 1087-a-13, 1087-a-15 and 1087-a-18 of the Supplement to the Code, 1907, and to enact substitutes therefor, relating to the holding of primary elections by political parties, beg leave to report they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same be amended as follows: By striking out the word "occurring" where it appears in the eighth line of Section thirteen of the bill and inserting in lieu thereof the word "and" and by inserting after the word "Vacancies" and before the word "in" in the seventh line of the same Section the word "occurring," and when so amended the bill do pass.

J. H. DARRAH,  
*Chairman.*

Adopted.

Also:

MR. SPEAKER—Your committee on Elections, to whom was referred House File No. 201, a bill for an act to repeal Section ten hundred ninety-one (1091) of the Code, relative to polling places for country precincts and to enact a substitute therefor, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same do pass.

J. H. DARRAH,  
*Chairman.*

Adopted.

Also:

MR. SPEAKER—Your committee on Elections, to whom was referred House File No. 105, a bill for an act to amend Section one thousand ninety-three (1093) of the Code and Supplement of Nineteen Hundred and Seven (1907), relating to election boards, beg leave to report they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same be indefinitely postponed.

J. H. DARRAH,  
*Chairman.*

Adopted, and House File No. 105 was indefinitely postponed.

Also:

MR. SPEAKER—Your committee on Elections, to whom was referred House File No. 371, a bill for an act to repeal Section six hundred and forty-eight (648), Title V, Chapter 11 of the Code of 1907 and to enact a substitute therefor, relating to elections, beg leave to report they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same be indefinitely postponed.

J. H. DARRAH,  
*Chairman.*

Adopted, and House File No. 371 was indefinitely postponed.

Sullivan of Polk, from the Committee on Judiciary, submitted the following report:

MR. SPEAKER—Your committee on Judiciary, to whom was referred House File No. 317, a bill for an act to legalize certain acts of the city council of the city of Cedar Rapids, Linn County, Iowa, and of the auditor, treasurer and board of supervisors of said Linn County, Iowa, relating to levy of park tax, beg leave to report they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same be amended as follows: By inserting after the word "with" in the last line of Section one the following: "Provided, however, that this shall not affect pending litigation," and when so amended the bill do pass.

JOHN B. SULLIVAN,  
*Chairman.*

Adopted.

Amendment adopted.

Also:

MR. SPEAKER—Your committee on Judiciary, to whom was referred House File No. 308, a bill for an act to repeal Sections four hundred ten (410) and four hundred eleven (411) of the Supplement to the Code, 1907, and to enact a substitute therefor, relating to the term of office of the county board of supervisors, beg leave to report they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same be indefinitely postponed.

JOHN B. SULLIVAN,  
*Chairman.*

Adopted, and House File No. 308 was indefinitely postponed.

Also:

MR. SPEAKER—Your committee on Judiciary, to whom was referred House File No. 362, a bill for an act to legalize acknowledgment by interested stockholders, beg leave to report they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same be indefinitely postponed.

JOHN B. SULLIVAN,  
*Chairman.*

Adopted, and House File No. 362 was indefinitely postponed.

Also:

MR. SPEAKER—Your committee on Judiciary, to whom was referred Senate File No. 196, a bill for an act to amend Section forty-eight hundred ninety-eight of the Code relating to breaking jail and escape of prisoners from custody, beg leave to report they have had the same under consider-

ation and have instructed me to report the same back to the House with the recommendation that the same be amended by striking out Section three, and when so amended the bill do pass.

JOHN B. SULLIVAN,  
*Chairman.*

Adopted.

Also:

MR. SPEAKER—Your committee on Judiciary, to whom was referred House File No. 13, a bill for an act requiring that all bonds required to be given in any judicial proceeding shall contain a contract for the payment of attorney's fees and providing for their collection, beg leave to report they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same be amended as follows:

First. By striking out all of Section one.

Second. By striking out the following words in the first and second lines of Section two, to-wit: "When judgment is recovered upon a bond containing an agreement to pay an attorney's fee" and inserting in lieu thereof the following "When judgment is recovered upon any bond or bonds hereafter executed which are now, or may hereafter be required to be given in any proceeding pending in any of the courts of this state."

Third. By numbering Section two of this bill as Section one.

Fourth. By numbering Section three of this bill as Section two.

Fifth. By striking out all of the title and substituting the following therefor: "A bill for an act providing for the taxing and collecting of attorney's fees as a part of the costs in suits on bonds in any proceeding pending in any of the courts in this state," and when so amended the bill do pass.

JOHN B. SULLIVAN,  
*Chairman.*

Adopted.

Also:

MR. SPEAKER—Your committee on Judiciary, to whom was referred House File No. 344, a bill for an act to provide for the maintenance of certain cemeteries and to provide a tax for such purpose, beg leave to report they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same do pass.

JOHN B. SULLIVAN,  
*Chairman.*

Adopted.

Speaker Feely in the Chair.

Moore of Linn, chairman of the Conference Committee on the part of the House on Senate File No. 44, made the following report:

MR. SPEAKER—Your conference committee, to whom was referred Senate File No. 44, a bill for an act making an appropriation for the purchase of twenty-thousand (20,000) copies of the railroad commissioners' official maps to be distributed by the members of the General Assembly and the

railroad commissioners, beg leave to report that they have had the same under consideration and have unanimously agreed to recommend that the bill be further amended by inserting after the word "delivered" in the eighth line of Section 1 of said bill the words "on request."

T. L. MAYTAG,  
 FREDERIC LARRABEE,  
 J. A. WHITE,  
 JOHN F. REAM,  
 N. BALKEMA,

*Conference Committee on Part of the Senate.*

ERNEST R. MOORE,  
 PAUL E. STILLMAN,  
 N. J. LEE,  
 W. ANDERSON,  
 W. D. DODDS,

*Conference Committee on Part of the House.*

Report adopted.

The following statement was filed by conferees on part of the House:

The original bill, as it passed the Senate, authorized the delivering of sixty copies of the mounted maps to each member of the General Assembly. The House of Representatives amended the Senate bill by increasing the number to be delivered to each member to seventy-five.

The Senate refused to concur in the House amendment. The Senate now is willing to so concur providing the bill is amended by making the maps deliverable to the members of the General Assembly on request, thus obviating the necessity for the railroad commissioners to send the maps to any member unless request is made for them.

ERNEST R. MOORE,  
 W. ANDERSON,  
 PAUL E. STILLMAN,  
 W. D. DODDS,

*Conferees on Part of House.*

Moore of Linn moved the adoption of the amendment.

On the question, Shall the amendment be adopted?

The ayes were:

Anderson, Arney, Balluff, Bascom, Bauman, Beans, Beebe, Beery, Boettger, Bonwell, Boomgaarden, Bowman, Brandes, Burt, Byerly, Calkins, Cassady, Cooper, Corrie, Cousins, Crummer, Cunningham, Dabney, Dalby, Darrah, Davidson, Dawson, Derrough, Dewell, Dewey, Dodds, Drury, Dye, Elliott, Ellis, Etter, Felt, Fenn, Fourt, Fulliam, Fulton, Grier, Hanson, Harding, Harvey, Hickenlooper, Huffaker, Ide, Jacobs, Jewell, Johnson, Jones, Kellogg, Kendall, Klay, Kull, Larrabee, McCleery, Marston, Meredith, Miller of Du-buque, Moore of Wapello, Moore of Linn, Newell, O'Connor, Penn,



Perkins, Reaney, Reitz, Ripley, Ritter, Sankey, Schee, Schroeder, Schulte, Sheldon, Smith, Stoddard, Sullivan, Tegeler, Thompson, Tilton, Ward, Welden, White, Wolfe, Zeller, Mr. Speaker—88.

The nays were:

None.

Absent or not voting:

Allred, Blackmore, Boe, Crozier, DeWitt, Finlayson, Fox, Goodykoontz, Hackler, Holmes, Hunter, Inman, Koontz, Lee, McDonald, Miller of Bremer, Stillman, Swan, Swift, Wilson—20.

So the amendment was adopted.

Johnson of Mitchell, chairman of the Conference Committee on the part of the House on Senate File No. 172, made the following report:

MR. SPEAKER—Your conference committee appointed to confer on disagreement arising on the House amendment to Senate File No. 172, a bill for an act to amend Section twenty-six hundred and one (2601) of the Code relating to admission of inmates to the Iowa Soldiers' Home at Marshalltown, beg leave to report that they have held a conference over said matter and that the full conference committee of the Senate and House has agreed upon an amendment to said bill as a substitute for the House amendment and respectfully recommend its adoption. That said amendment agreed upon is in words and figures following, to-wit:

That Section one (1) of said bill be amended by striking out the last three words of said Section and inserting in lieu thereof the following: "a comma and the word 'fathers.'"

C. F. PETERSON,  
A. C. SAVAGE,  
JOHN F. REAM,

*Members on the part of the Senate.*

K. J. JOHNSON,  
PAUL E. STILLMAN,  
W. L. ETTER,

*Members on the part of the House.*

Johnson of Mitchell moved the adoption of the report:

Motion prevailed.

STATEMENT.

It appearing to the conference committee on the part of the House that the effect of its amendment to Senate File No. 172, might be accomplished satisfactorily to the committee on the part of the Senate by a different ar-

rangement of the subject matter and words of said amendment, your committee unanimously joins in the adoption of the above report.

K. J. JOHNSON,  
PAUL E. STILLMAN,  
W. L. ETTER.

Johnson of Mitchell moved the adoption of the amendment.

On the question, Shall the amendment be adopted?

The ayes were:

Anderson, Arney, Balluff, Bascom, Bauman, Beans, Beebe, Beery, Boettger, Bonwell, Boomgaarden, Bowman, Brandes, Burt, Byerly, Calkins, Cassady, Cooper, Corrie, Cousins, Crummer, Cunningham, Dabney, Dalby, Darrah, Davidson, Dawson, Derrough, Dewell, Dodds, Drury, Dye, Elliott, Ellis, Etter, Felt, Fenn, Fourt, Fulliam, Fulton, Grier, Hanson, Harding, Harvey, Hickenlooper, Hufaker, Ide, Jacobs, Johnson, Jones, Kellogg, Kendall, Klay, Kull, Larrabee, Lee, McCleery, McDonald, Marston, Meredith, Miller of Bremer, Miller of Dubuque, Moore of Wapello, Moore of Linn, Newell, O'Connor, Penn, Perkins, Reaney, Reitz, Ripley, Ritter, Sankey, Schroeder, Schulte, Sheldon, Smith, Stoddard, Sullivan, Swift, Tegeler, Thompson, Tilton, Ward, Welden, White, Wolfe, Zeller, Mr. Speaker—89.

The nays were:

None.

Absent or not voting:

Allred, Blackmore, Boe, Crozier, Dewey, DeWitt, Finlayson, Fox, Goodykoontz, Hackler, Holmes, Hunter, Inman, Jewell, Koontz, Schee, Stillman, Swan, Wilson—19.

So the amendment was adopted.

#### INTRODUCTION OF BILLS.

By Zeller of Madison, House File No. 380, a bill for an act to establish a Department of Horticulture and Forestry.

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

By Fulton of Jefferson, House File No. 381, a bill for an act to legalize the incorporation of the town of Packwood, Jefferson

County, Iowa, the election of its officers and all acts done and ordinances passed by the town council of said town.

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

By Cassady of Monona, House File No. 382, a bill for an act to amend Section Thirteen Hundred Three (1303) of the Supplement to the Code, 1907, relative to the amount of taxes to be levied for making and repairing bridges.

Read first and second time and referred to Committee on Roads and Highways.

By Kull of Howard, House File No. 383, a bill for an act to prohibit any person, company, partnership, association or corporation, engaged in the business of lumber dealing, or owning or operating lumber yards, from combining or entering into any agreement, contract, trust, or pool to fix the prices at which lumber is to be sold, or to prevent the free action of competition in the buying of lumber, or the selling of lumber, and to provide punishment for the violation of this act.

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

By Dabney of Davis, House File No. 384, a bill for an act to provide for a dealer's tax on firearms.

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

By Harding of Woodbury, House File No. 385, a bill for an act authorizing Boards of Supervisors to grant the use of public highways for erecting and maintaining poles and wires for the transmission of electricity, and fixing the liability for damages arising from the construction thereof.

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

By Bauman of Van Buren, House File No. 386, a bill for an act in relation to the furnishing of election supplies additional to Chapter Three (3) of Title Six (VI.) of the Code, relating to elections.

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

By Bauman of Van Buren, House File No. 387, a bill for an act to repeal Sections Ten Hundred Ninety-three (1093) and Eleven Hundred Thirty (1130) of the Supplement to the Code and Section Eleven Hundred and Thirty-eight (1138) of the Code, and to enact substitutes therefor, relating to boards of election and the manner of canvassing the ballots.

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

By Grier of Poweshiek, House File No. 388, a bill for an act to amend Section Two Thousand Eight Hundred and Six (2806) of the Supplement to the Code, 1907, relative to school taxes and transportation fund.

Read first and second time and referred to Committee on Ways and Means.

By Meredith of Cass, House File No. 389, a bill for an act for the relief of Edith May Eaton, minor child of J. N. Eaton, who was killed while working on the State Historical building of the State of Iowa.

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

#### MESSAGES FROM THE SENATE.

The following messages were received from the Senate:

MR. SPEAKER—I am directed to inform your honorable body that the Senate has passed the following bill in which the concurrence of the House is asked:

Senate File No. 153, a bill for an act granting to the Omaha, Council Bluffs and Suburban Railway Company a right of way over and across the land of the Iowa School for the Deaf, located near Council Bluffs, Iowa.

S. W. NEAL,  
*Secretary.*

Also:

MR. SPEAKER—I am directed to inform your honorable body that the Senate has amended and passed the following bill in which the concurrence of the Senate was asked:

House File No. 177, a bill for an act relating to bucket shops and bucket-shopping.

S. W. NEAL,  
*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. 176, a bill for an act relating to the levy of a cemetery tax.

S. W. NEAL,  
*Secretary.*

Also:

MR. SPEAKER—I am directed to inform your honorable body that the Senate has concurred in House amendments, adopted the report of the conference committee, and adopted the amendment as proposed by the conference committee on Senate File No. 44, a bill for an act making appropriation for the purchase of 20,000 railroad commissioners' official maps to be distributed by the members of the General Assembly and railroad commissioners.

S. W. NEAL,  
*Secretary.*

Also:

MR. SPEAKER—I am directed to inform your honorable body that the Senate has passed the following bill in which the concurrence of the Senate was asked:

House File No. 158, a bill for an act relating to the lien and liability of hotel and inn-keepers.

S. W. NEAL,  
*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. 282, a bill for an act legalizing the action of the board of supervisors of Mills County relating to issuance of drainage bonds.

S. W. NEAL,  
*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:

Substitute for Senate File No. 105, a bill for an act relating to unfair discrimination between different sections, communities or localities.

S. W. NEAL,  
*Secretary.*

Also:

MR. SPEAKER—I am directed to inform your honorable body that the Senate has adopted the report of conference committee and concurred in the substitute amendment, as recommended by the conference committee on Senate File No. 172, a bill for an act to amend Section 2601 of the Code

relating to admission of inmates to the Iowa Soldiers' Home at Marshalltown.

S. W. NEAL,  
*Secretary.*

SENATE MESSAGES CONSIDERED.

Senate File No. 153, a bill for an act granting to the Omaha, Council Bluffs & Suburban Railway Company a right of way over and across the lands of the Iowa School for the Deaf, located near Council Bluffs, Iowa.

Read first and second time and referred to Committee on Railroads and Transportation.

Senate File No. 176, a bill for an act to amend the law as it appears in Section Five Hundred Eighty-six, (586) and Section Eight Hundred Ninety-four, (894) of the Supplement to the Code, 1907, relating to the levy of cemetery tax.

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

Substitute for Senate File No. 105, a bill for an act to amend the law as it appears in Section Five Thousand Twenty-eight-b (5028-b) of the Supplement to the Code, 1907, relating to unfair discrimination between different sections, communities or localities, defining the same and providing penalties for persons found guilty thereof.

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

Senate File No. 282, a bill for an act to legalize the action and proceedings of the board of supervisors of Mills County, Iowa, in the matter of issuance of bonds for the refunding of the indebtedness of Pony Creek Drainage District No. 1 and the widening, deepening and improvement of said Pony Creek and in the levy of an assessment therefor.

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

SENATE AMENDMENTS CONSIDERED.

On request of Sullivan of Polk, unanimous consent having been given, House File No. 177, a bill for an act to repeal Sections Forty-nine Hundred Seventy-five-d (4975-d), Forty-nine Hundred

Seventy-five-g (4975-g), and Forty-nine Hundred Seventy-five-h (4975-h) of the Supplement to the Code, 1907, relating to Bucket-shops and Bucket-shopping, and to enact substitutes therefor, with the following Senate amendments, was taken up and the amendments read and considered.

Strike out the word and figure "Section 2," as the same appear in line 4 of the original bill.

Strike out the word and figure "Section 3" and insert in lieu thereof the word and figure "Section 2."

Strike out the word and figure "Section 4."

Strike out the word and figure "Section 5," and insert in lieu thereof the word and figure "Section 3."

Sullivan of Polk moved that the House concur in the Senate amendments.

On the question, Shall the House concur?

The ayes were:

Anderson, Balluff, Bascom, Bauman, Beans, Beebe, Beery, Bonwell, Boomgaarden, Bowman, Brandes, Burt, Byerly, Calkins, Casady, Cooper, Corrie, Cousins, Crummer, Cunningham, Dabney, Dalby, Darrah, Davidson, Dawson, Derrough, Dewell, Dewey, Dodds, Drury, Dye, Elliott, Ellis, Etter, Fenn, Finlayson, Fourt, Fulliam, Fulton, Grier, Harding, Harvey, Hickenlooper, Huffaker, Ide, Jacobs, Jewell, Johnson, Kellogg, Kendall, Klay, Kull, Larabee, Lee, McCleery, McDonald, Marston, Meredith, Miller of Dubuque, Moore of Wapello, Newell, O'Connor, Penn, Perkins, Reaney, Reitz, Ripley, Ritter, Sankey, Schee, Schroeder, Schulte, Smith, Stillman, Stoddard, Sullivan, Siwft, Tegeler, Thompson, Tilton, Ward, Welden, Wolfe, Zeller, Mr. Speaker—85.

The nays were:

None.

Absent or not voting:

Allred, Arney, Blackmore, Boe, Boettger, Crozier, DeWitt, Felt, Fox, Goodykoontz, Hackler, Hanson, Holmes, Hunter, Inman, Jones, Koontz, Miller of Bremer, Moore of Linn, Sheldon, Swan, White, Wilson—23.

So the motion prevailed, and the amendment was concurred in.

#### CONSIDERATION OF BILLS.

On motion of Thompson of Benton, House File No. 94, a bill for an act to appropriate money for the use of the College for the Blind at Vinton, Iowa, was taken up and considered.

Thompson of Benton moved that the rules be suspended, 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 ayes were:

Anderson, Arney, Balluff, Bascom, Bauman, Beans, Beebe, Beery, Bonwell, Boomgaarden, Brandes, Burt, Byerly, Calkins, Cassady, Cooper, Cousins, Crummer, Cunningham, Dabney, Dalby, Darrah, Dawson, Derrough, Dewell, Dewey, Dodds, Drury, Dye, Elliott, Ellis, Etter, Felt, Fenn, Fourt, Fulliam, Fulton, Grier, Harding, Harvey, Hickenlooper, Ide, Inman, Jacobs, Jewell, Johnson, Jones, Kellogg, Kendall, Klay, Kull, Larrabee, Lee, McCleery, McDonald, Marston, Meredith, Miller of Dubuque, Moore of Wapello, Moore of Linn, Newell, O'Connor, Penn, Perkins, Reaney, Reitz, Ripley, Ritter, Sankey, Schee, Schroeder, Schulte, Sheldon, Smith, Stillman, Stoddard, Sullivan, Swift, Tegeler, Thompson, Tilton, Ward, Welden, Wolfe, Zeller, Mr. Speaker—86.

The Nays were:

None.

Absent or not voting:

Allred, Blackmore, Boe, Boettger, Bowman, Corrie, Crozier, Davidson, DeWitt, Finlayson, Fox, Goodykoontz, Hackler, Hanson, Holmes, Huffaker, Hunter, Koontz, Miller of Bremer, Swan, White, Wilson—22.

So the bill passed and the title was agreed to.

On motion of Ripley of Hancock, House File No. 138, a bill for an act to provide for feeble-minded men at Glenwood and the



maintenance thereof. (Amendatory of Chapter Seven (7), Title Thirteen (XIII), of the Code, relating to the Institution for Feeble-Minded Children, was taken up and considered.

Ripley of Hancock moved that the rules be suspended, 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 ayes were:

Arney, Balluff, Bascom, Bauman, Beans, Beebe, Boettger, Bonwell, Boomgaarden, Bowman, Brandes, Burt, Byerly, Calkins, Casady, Cooper, Corrie, Cousins, Crummer, Cunningham, Dabney, Dalby, Darrah, Davidson, Dawson, Derrough, Dewell, Dewey, Dodds, Drury, Dye, Elliott, Ellis, Etter, Finlayson, Fourt, Fulham, Fulton, Grier, Hackler, Harding, Harvey, Hickenlooper, Huffaker, Ide, Inman, Jacobs, Jewell, Johnson, Kellogg, Kendall, Klay, Larrabee, Lee, McDonald, Marston, Meredith, Miller of Dubuque, Moore of Wapello, Newell, O'Connor, Penn, Reaney, Reitz, Ripley, Ritter, Sankey, Schee, Schroeder, Schulte, Sheldon, Smith, Stillman, Stoddard, Sullivan, Swift, Tegeler, Tilton, Ward, Welden, White, Wilson, Wolfe, Zeller, Mr. Speaker—85.

The nays were:

Anderson, McCleery, Perkins—3.

Absent or not voting:

Allred, Beery, Blackmore, Boe, Crozier, DeWitt, Felt, Fenn, Fox, Goodykoontz, Hanson, Holmes, Hunter, Jones, Koontz, Kull, Miller of Bremer, Moore of Linn, Swan, Thompson—20.

So the bill passed and the title was agreed to.

On motion of Cooper of Jasper, House File No. 239, a bill for an act to amend Section Twenty-four Hundred Seventy-seven (2477) of the Supplement to the Code, 1907, relating to compensation and expenses of the Department of the Bureau of Labor Statistics, was taken up and considered.

Schulte of Clayton in the Chair.

Cooper of Jasper moved that the rules be suspended, 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 ayes were:

Anderson, Arney, Balluff, Bascom, Beans, Beebe, Beery, Boe, Boettger, Bonwell, Bowman, Brandes, Burt, Cassady, Cooper, Corrie, Cousins, Crummer, Dabney, Darrah, Davidson, Dawson, Derrough, Dewell, Dye, Elliott, Fourt, Grier, Hackler, Hanson, Harding, Hickenlooper, Jacobs, Jewell, Johnson, Jones, Kellogg, Klay, Larrabee, Lee, McDonald, Marston, Meredith, Miller of Dubuque, Moore of Wapello, Moore of Linn, O'Connor, Perkins, Reaney, Ripley, Schulte, Sheldon, Smith, Stillman, Sullivan, Thompson, Tilton, Ward, Welden, White, Wolfe, Zeller, Mr. Speaker—63.

The nays were:

Bauman, Boomgaarden, Byerly, Calkins, Cunningham, Dalby, Dewey, Dodds, Drury, Ellis, Etter, Finlayson, Fulliam, Fulton, Harvey, Huffaker, Inman, Kendall, Kull, Miller of Bremer, Newell, Penn, Ritter, Sankey, Schee, Stoddard, Swift, Tegeler—28.

Absent or not voting:

Allred, Blackmore, Crozier, DeWitt, Felt, Fenn, Fox, Goodykoontz, Holmes, Hunter, Ide, Koontz, McCleery, Reitz, Schroeder, Swan, Wilson—17.

So the bill passed and the title was agreed to.

On motion of Jacobs of Calhoun, House File No. 132, a bill for an act to amend the law as it appears in Section Four Thousand Nineteen (4019) and Four Thousand Twenty (4020) of the Code, relating to the preference of debts owing for labor and the filing and allowing of claims therefor, with report of committee recommending passage as amended was taken up, considered and the amendments adopted.

Jacobs of Calhoun moved that the rules be suspended, 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 ayes were:

Anderson, Arney, Balluff, Bascom, Bauman, Beans, Beebe, Beery, Boe, Boettger, Bonwell, Boomgaarden, Bowman, Brandes, Burt,

Byerly, Calkins, Cassady, Cooper, Corrie, Cousins, Crummer, Cunningham, Dabney, Dalby, Darrah, Davidson, Dawson, Derrough, Dewell, Dewey, Dodds, Drury, Dye, Elliott, Ellis, Etter, Felt, Fenn, Finlayson, Fourt, Fulliam, Fulton, Grier, Hackler, Hanson, Harding, Harvey, Hickenlooper, Huffaker, Ide, Inman, Jacobs, Jewell, Johnson, Jones, Kellogg, Kendall, Klay, Kull, Larrabee, Lee, McCleery, McDonald, Marston, Miller of Bremer, Miller of Dubuque, Moore of Wapello, Moore of Linn, Newell, O'Connor, Penn, Reaney, Ripley, Ritter, Sankey, Schee, Schroeder, Schulte, Sheldon, Smith, Stillman, Stoddard, Sullivan, Swift, Tegeler, Thompson, Tilton, Ward, Welden, White, Wilson, Wolfe, Zeller—94.

The nays were:

Meredith—1.

Absent or not voting:

Allred, Blackmore, Crozier, DeWitt, Fox, Goodykoontz, Holmes, Hunter, Koontz, Perkins, Reitz, Swan, Mr. Speaker—13.

So the bill passed.

Jacobs of Calhoun proposed to amend the title by inserting a comma after the figures "4019," and by inserting the word "and" after the figures "4020" and by inserting a comma after the words "filing," and the word "and" after the word "allowing."

Amendment adopted, and the title as amended agreed to.

On motion of Klay of Sioux, House File No. 232, a bill for an act to repeal Section Four Thousand Eleven (4011) of the Code and to enact a substitute therefor, relative to personal earnings, was taken up and considered.

Speaker Feely in the Chair.

Johnson of Mitchell moved that the bill be referred to the Judiciary Committee.

Motion prevailed, and the bill was so referred.

Ritter of Des Moines, chairman of the committee appointed to draft resolutions respecting the life and public service of the Hon. Louis M. Jaeger, presented the resolutions prepared by that committee and moved their adoption.

Motion prevailed, the resolutions were adopted and ordered printed in the Journal.

Drury of Sac, offered the following Concurrent Resolution:

CONCURRENT RESOLUTION.

WHEREAS, The opinion is prevalent that there are more district judges in Iowa than are needed to efficiently administer the work of the courts, therefore be it

*Resolved by the House, the Senate Concurring,* That a joint committee of five be appointed, consisting of three members of the House to be named by the Speaker and two members of the Senate be named by the President, to investigate the subject and report their findings to the General Assembly at an early date.

Laid over under Rule 34.

Cunningham of Buena Vista, offered the following Concurrent Resolution:

CONCURRENT RESOLUTION.

WHEREAS, The judicial districts of Iowa as now constituted are unequal in size, and inequitable and unfair in the work required of the judges and reporters in the different districts and

WHEREAS, There is a demand for an increase in the salaries of some of the judges, and an allowance for the traveling expenses of others, and

WHEREAS, The court reporters are making strenuous demands of the General Assembly for an increase in per diem allowance, and

WHEREAS, Under existing conditions said judges and court reporters are working on an average of less than six months in the year, therefore,

*Be it Resolved by the House of Representatives, the Senate Concurring,* That a committee of five be appointed; three by the Speaker of the House on the part of the House, and two by the President of the Senate on the part of the Senate, to re-apportion the State of Iowa into judicial districts on a basis that in their judgment will best serve the people of the state and place our judicial districts on a reasonable working basis that will be fair and equitable to all portions of the state, and to report their recommendations back to this General Assembly not later than April 1, 1909.

Laid over under Rule 34.

Felt of Clay moved that Senate File No. 166 be re-referred to the Committee on Public Health.

Motion prevailed, and Senate File No. 166 was so referred.

Anderson of Hamilton moved that House File No. 351 be withdrawn from the Committee on Conservation of Forests and Water Power, and the further consideration of the House.

Motion prevailed.

Lee of Emmet moved that House File No. 346 be made a Special Order for Wednesday at 10:00 o'clock.

Motion prevailed.

Moore of Wapello moved that House File No. 114 be withdrawn from the Committee on Conservation of Forests and Water Power, and the further consideration of the House.

Motion prevailed.

Sullivan of Polk moved that the House adjourn until 2:00 o'clock, P. M.

Davidson of Palo Alto moved to amend by making the time 1:30 o'clock.

Amendment adopted.

Motion to adjourn prevailed.

#### AFTERNOON SESSION.

House met pursuant to adjournment.

On request leave of absence was granted Inman of Floyd on account of sickness.

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

#### CONSIDERATION OF BILLS.

On motion of Bonwell of Audubon, House File No. 274, a bill for an act to amend the law as it appears in Section Four Thousand Seven Hundred Seventy-one (4771) of the Code, relating to punishment for the crime of assault with intent to inflict great bodily injury, was taken up and considered.

Bonwell of Audubon moved that the rules be suspended, 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 ayes were:

Arney, Balluff, Bascom, Bauman, Beans, Beebe, Beery, Boe, Boettger, Bonwell, Boomgaarden, Bowman, Brandes, Burt, Cal-

kins, Cassady, Cooper, Corrie, Cousins, Crummer, Cunningham, Dabney, Dalby, Darrah, Davidson, Dawson, Derrough, Dewell, Dewey, DeWitt, Dodds, Drury, Dye, Elliott, Ellis, Etter, Felt, Fenn, Finlayson, Fourt, Fox, Fulliam, Fulton, Grier, Hackler, Hanson, Harvey, Hickenlooper, Huffaker, Jacobs, Jewell, Johnson, Kellogg, Kendall, Klay, Kull, Larrabee, Lee, McCleery, McDonald, Marston, Meredith, Miller of Bremer, Miller of Dubuque, Moore of Wapello, Moore of Linn, Newell, O'Connor, Perkins, Reaney, Reitz, Ripley, Ritter, Sankey, Schee, Schroeder, Schulte, Smith, Stoddard, Sullivan, Tegeler, Thompson, Tilton, Ward, Welden, White, Wolfe, Zeller, Mr. Speaker—89.

The nays were:

Anderson, Jones—2.

Absent or not voting:

Allred, Blackmore, Byerly, Crozier, Goodykoontz, Harding, Holmes, Hunter, Ide, Inman, Koontz, Penn, Sheldon, Stillman, Swan, Swift, Wilson—17.

So the bill passed and the title was agreed to.

On motion of Bowman of Linn, House File No. 248, a bill for an act to amend Section Five Thousand Six Hundred and Fifty-two (5652) of the Code of Iowa, relating to hard labor by persons confined in jails, was taken up and considered.

Bowman of Linn moved that the rules be suspended, 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 ayes were:

Anderson, Arney, Balluff, Bascom, Bauman, Beans, Beebe, Beery, Boe, Boettger, Bonwell, Boomgaarden, Bowman, Brandes, Burt, Calkins, Cassady, Cooper, Corrie, Cousins, Crozier, Crummer, Cunningham, Dabney, Darrah, Davidson, Dawson, Derrough, Dewell, Dewey, Dodds, Drury, Dye, Elliott, Ellis, Etter, Felt, Fenn, Finlayson, Fourt, Fox, Fulton, Hackler, Hanson, Harvey, Hickenlooper, Huffaker, Jacobs, Jewell, Johnson, Jones, Kellogg, Kendall, Klay, Kull, Larrabee, Lee, McDonald, Marston, Meredith, Miller of Bremer, Moore of Wapello, Moore of Linn, Newell,

O'Connor, Reaney, Reitz, Ripley, Ritter, Schee, Schroeder, Schulte, Sheldon, Smith, Stillman, Stoddard, Sullivan, Tegeler, Thompson, Tilton, Ward, Welden, Wilson, Wolfe, Zeller, Mr. Speaker—86.

The nays were:

Fulliam, Miller of Dubuque, Perkins, Sankey—4.

Absent or not voting:

Allred, Blackmore, Byerly, Dalby, DeWitt, Goodykoontz, Grier, Harding, Holmes, Hunter, Ide, Inman, Koontz, McCleery, Penn, Swan, Swift, White—18.

So the bill passed and the title was agreed to.

On motion of Bonwell of Audubon, Senate File No. 7, a bill for an act to repeal Sections 499 and 502 of the Code, relating to the duties and powers of the sheriff and his deputy, and to provide for the payment of certain expenses and to enact a substitute therefor, with report of committee recommending passage as amended, was taken up and considered, and the amendments adopted.

Johnson of Mitchell moved to reconsider the vote by which the committee amendments were adopted.

Motion lost.

Lee of Emmet moved that the rules be suspended, the bill be read a third time now, which motion prevailed, and the bill was read a third time.

On the question, "Shall the bill pass?"

The ayes were:

Anderson, Arney, Bascom, Bauman, Beans, Beebe, Beery, Boe, Bonwell, Boomgaarden, Bowman, Brandes, Burt, Cassady, Cooper, Corrie, Cousins, Crozier, Crummer, Cunningham, Dabney, Dalby, Darrah, Davidson, Dawson, Derrough, Dewell, Dewey, DeWitt, Dodds, Drury, Dye, Elliott, Fenn, Finlayson, Fourt, Fox, Fulliam, Fulton, Grier, Hackler, Hanson, Harding, Harvey, Hickenlooper, Huffaker, Ide, Jacobs, Jewell, Johnson, Kellogg, Kendall, Klay, Larabee, Lee, McCleery, Meredith, Miller of Bremer, Moore of Wapello, Moore of Linn, Newell, O'Connor, Perkins, Reaney, Ripley, Ritter, Smith, Stillman, Stoddard, Sullivan, Thompson, Ward, Welden, White, Zeller, Mr. Speaker—76.

The nays were:

Balluff, Boettger, Byerly, Calkins, Ellis, Etter, Kull, McDonald, Miller of Dubuque, Penn, Reitz, Sankey, Schee, Schroeder, Schulte, Sheldon, Swift, Tegeler, Tilton, Wolfe—20.

Absent or not voting:

Allred, Blackmore, Felt, Goodykoontz, Holmes, Hunter, Inman, Jones, Koontz, Marston, Swan, Wilson—12.

So the bill passed and the title was agreed to.

On motion of Balluff of Scott, House File No. 12, a bill for an act to define an "absentee" and to provide for the care and management of the estate of such absentee and for the distribution of his or her estate by an administrator or executor, with report of committee recommending passage as amended by substitute amendment, was taken up, considered, and the substitute amendment adopted.

Balluff of Scott moved that the rules be suspended, 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 ayes were:

Anderson, Arney, Balluff, Bascom, Bauman, Beans, Beebe, Beery, Boe, Boettger, Bonwell, Boomgaarden, Bowman, Brandes, Burt, Byerly, Calkins, Cassady, Cooper, Corrie, Cousins, Crozier, Cunningham, Dabney, Dalby, Dawson, Derrough, Dewell, Dewey, DeWitt, Dodds, Drury, Dye, Elliott, Ellis, Etter, Felt, Fenn, Finlayson, Fourt, Fox, Fulliam, Fulton, Grier, Hackler, Hanson, Harding, Harvey, Hickenlooper, Huffaker, Ide, Jacobs, Jewell, Kellogg, Kendall, Klay, Kull, Larrabee, Lee, McCleery, McDonald, Marston, Meredith, Miller of Bremer, Miller of Dubuque, Moore of Wapello, Moore of Linn, Newell, O'Connor, Penn, Reaney, Reitz, Ripley, Ritter, Sankey, Schee, Schroeder, Schulte, Sheldon, Smith, Stillman, Stoddard, Sullivan, Swift, Tegeler, Thompson, Tilton, Ward, Welden, White, Wilson, Wolfe, Zeller, Mr. Speaker—94.

The nays were:

Crummer—1.



**Absent or not voting:**

Allred, Blackmore, Darrah, Davidson, Goodykoontz, Holmes, Hunter, Inman, Johnson, Jones, Koontz, Perkins, Swan—13.

So the bill passed.

Balluff of Scott moved to strike out the title and insert in lieu thereof the following: "A bill for an act providing for the guardianship of the estates of absentees. (Additional to Chapter Five (5), Title Sixteen (XVI) of the Code.)"

Amendment adopted and the title as amended was agreed to.

On motion of Davidson of Palo Alto, substitute for Senate File No. 6, a bill for an act to repeal Sections Three Hundred One (301), Three Hundred Two (302), Three Hundred Six (306), and Three Hundred Seven (307) of the Code, relating to the duties of the county attorney, and to enact substitutes therefor, with report of committee recommending passage as amended, was taken up, considered, and the amendments adopted.

Davidson of Palo Alto moved that the rules be suspended, the bill be read a third time now, which motion prevailed, and the bill was read a third time.

On the question, "Shall the bill pass?"

The ayes were:

Anderson, Arney, Bascom, Bauman, Beans, Beebe, Beery, Boe, Bonwell, Boomgaarden, Bowman, Burt, Cassady, Cooper, Corrie, Cousins, Crozier, Crummer, Cunningham, Dabney, Dalby, Darrah, Davidson, Dawson, Derrrough, Dewell, Dewey, DeWitt, Dodds, Drury, Dye, Elliott, Felt, Fenn, Finlayson, Fourt, Fox, Fulliam, Fulton, Grier, Hackler, Hanson, Harding, Harvey, Hickenlooper, Huffaker, Ide, Jacobs, Jewell, Johnson, Jones, Kendall, Klay, Kull, Larrabee, Lee, McCleery, Marston, Meredith, Miller of Bremer, Moore of Wapello, Moore of Linn, Newell, O'Connor, Perkins, Reaney, Ripley, Schee, Smith, Stillman, Stoddard, Sullivan, Swift, Thompson, Tilton, Ward, Welden, White, Wilson, Wolfe, Zeller, Mr. Speaker—82.

The nays were:

Boettger, Byerly, Calkins, Etter, McDonald, Miller of Dubuque, Penn, Reitz, Sankey, Schroeder, Schulte, Tegeler—12.

Absent or not voting :

Allred, Balluff, Blackmore, Brandes, Ellis, Goodykoontz, Holmes, Hunter, Inman, Kellogg, Koontz, Ritter, Sheldon, Swan—14.

So the bill passed and the title was agreed to.

On motion of Arney of Marshall, the House adjourned until 9:00 o'clock, A. M., Tuesday.

# JOURNAL OF THE HOUSE

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HALL OF THE HOUSE OF REPRESENTATIVES,  
DES MOINES, IOWA, MARCH 9, A. D. 1909.

House met pursuant to adjournment.

Speaker Feely in the Chair.

Prayer was offered by the Rev. J. H. Freedline of Elliott, Iowa.

Journal of Monday, March 8th, corrected and approved.

On request of Dye of Pottawattamie, leave of absence was granted Brandes of Pottawattamie until Wednesday.

On request of Grier of Poweshiek, leave of absence was granted Goodykoontz of Boone until Wednesday.

On request of Fulliam of Muscatine, leave of absence was granted Huffaker of Mills on account of sickness.

## PETITIONS, MEMORIALS AND REMONSTRANCES.

Johnson of Mitchell presented petition of merchants of Mitchell County, relative to House File No. 232, referring to exemptions.

Referred to Committee on Judiciary.

Welden of Hardin presented remonstrance of citizens of Alden, Iowa, protesting against the passage of the Public Utilities Bill.

Referred to Committee on Railroads and Transportation.

Ide of Union presented petition of citizens of Union County, relative to the prohibitory amendment.

Referred to Committee on Suppression of Intemperance.

## REPORT OF COMMITTEE ON ENROLLED BILLS.

Klay of Sioux, 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. 123, a bill for an act to amend Section eight hundred fifty-j (850-j) of the Supplement to the Code, 1907, relating to park districts.

Also:

House File No. 158, a bill for an act to amend Section three thousand one hundred thirty-eight (3138) of the Supplement to the Code, 1907, relating to the lien and liability of hotel and inn-keepers.

Also:

House File No. 171, a bill for an act providing for the completion and distribution of the roster of Iowa soldiers, sailors and marines as provided by Chapter 223, Laws of the Thirty-second General Assembly, fixing number of volumes, and making an additional appropriation therefor.

GERRIT KLAY,  
*Chairman.*

Adopted.

#### REPORT OF JOINT COMMITTEE ON ENROLLED BILLS.

Klay of Sioux, 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. 123, a bill for an act to amend Section eight hundred fifty-j (850-j) of the Supplement to the Code, 1907, relating to park districts.

Also:

House File No. 158, a bill for an act to amend Section three thousand one hundred thirty-eight (3138) of the Supplement to the Code, 1907, relating to the lien and liability of hotel and inn-keepers.

Also:

House File No. 171, a bill for an act providing for the completion and distribution of the roster of Iowa soldiers, sailors and marines as provided by Chapter 223, Laws of the Thirty-second General Assembly, fixing number of volumes, and making an additional appropriation therefor.

GERRIT KLAY,  
*Chairman House Committee.*  
HENRY L. ADAMS,  
*Chairman Senate Committee.*

Adopted.

#### INTRODUCTION OF BILLS.

By Thompson of Benton (by request), House File No. 390, a bill for an act to provide for work upon public roads, streets, ave-

nues, boulevards, lanes and alleys not within the territory of incorporated cities or towns; for the incidental establishment of grades thereof; for the construction therein or thereon of sidewalks, sewers, manholes, bridges, cesspools, gutters, tunnels, curbing and cross-walks; for the issue of bonds representing the costs and expenses thereof; for a special fund derived in part from the county road fund and in part by special assessment upon a district, and for the establishment of such districts.

Read first and second time and referred to Committee on Roads and Highways.

By Anderson of Hamilton, House File No. 391, a bill for an act providing for the planting of forest trees upon lands owned by county or state.

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

By Johnson of Mitchell, House File No. 392, a bill for an act to amend Section Thirteen Hundred Twelve (1312) of the Code, relating to the listing of property for taxation by persons acting in a fiduciary capacity.

Read first and second time and referred to Committee on Ways and Means.

By Dabney of Davis, House File No. 393, a bill for an act to amend Section Four Hundred Four (404) of the Code, relating to the sale or exchange of bonds issued under the provisions of Section Four Hundred Three (403) of the Nineteen Hundred Seven (1907) Supplement of the Code.

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

By Committee on Roads and Highways, House File No. 394, a bill for an act to repeal Sections Fifteen Hundred Seventy-b (1570-b) and Fifteen Hundred Seventy-c (1570-c) of the Supplement to the Code, 1907, and to enact a substitute therefor relating to the working of highways and providing penalties for injury to such highways or the work done thereon.

Read first and second time and placed on file.

By Committee on Roads and Highways, House File No. 395, a bill for an act to appropriate money for the use of the Iowa Highway Commission.

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

Jacobs of Calhoun offered the following Concurrent Resolution:

CONCURRENT RESOLUTION.

A Concurrent Resolution Memorializing the Iowa Delegation in Congress to Provide for the Improvement of the Post Roads in the State of Iowa, and to Secure an Appropriation therefor.

WHEREAS, In the early history of the State, Congress provided for the construction of main lines of railroad by the donation of great tracts of public lands and immediate development and prosperity of the State evidenced the wisdom of such legislative action, and

WHEREAS, The roads over which rural delivery routes are established are the important connecting links between the farm and the main transportation lines,

*Therefore be it Resolved by the House, the Senate Concurring,* That we hereby memorialize our Senators and Representatives in Congress to use their efforts to procure the enactment of a law for the improvement of the post roads in the State of Iowa under the supervision of the Agricultural Department of the United States and to secure an adequate appropriation therefor, and that copies of this resolution be forwarded to each member of the Iowa Delegation in Congress.

Laid over under Rule 34.

CONSIDERATION OF BILLS.

On motion of Holmes of Kossuth, House File No. 191, a bill for an act to amend the law as it appears in Section Twenty-four Hundred Seventy-seven-d (2477-d), 1907 Supplement to the Code, relating to authority of officers to demand proof of age of children employed and defining what said proof shall be, with report of committee recommending passage as amended, was taken up, considered, and the amendment adopted.

Holmes of Kossuth moved that the rules be suspended, 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 ayes were:

Allred, Anderson, Arney, Balluff, Bascom, Bauman, Beans, Beebe, Beery, Boe, Boettger, Bonwell, Boomgaarden, Bowman, Burt, Byerly, Calkins, Cooper, Corrie, Cousins, Crozier, Crummer, Cun-

ningham, Dabney, Dalby, Darrah, Dawson, Derrough, Dewell, Dewey, DeWitt, Dodds, Dye, Elliott, Ellis, Etter, Felt, Fenn, Finlayson, Fox, Fulliam, Fulton, Grier, Hackler, Hanson, Harding, Harvey, Hickenlooper, Holmes, Hunter, Ide, Inman, Jacobs, Jewell, Johnson, Jones, Kellogg, Kendall, Klay, Kull, Larrabee, McCleery, McDonald, Marston, Meredith, Miller of Bremer, Miller of Dubuque, Moore of Linn, Newell, O'Connor, Penn, Perkins, Reaney, Reitz, Ripley, Ritter, Schee, Schroeder, Schulte, Sheldon, Smith, Stillman, Stoddard, Sullivan, Tegeler, Thompson, Tilton, Ward, Welden, White, Wolfe, Mr. Speaker—92.

The nays were:

None.

Absent or not voting:

Blackmore, Brandes, Cassady, Davidson, Drury, Fourt, Goodykoontz, Huffaker, Koontz, Lee, Moore of Wapello, Sankey, Swan, Swift, Wilson, Zeller—16.

So the bill passed and the title was agreed to.

On motion of Grier of Poweshiek, House File No. 243, a bill for an act legalizing ordinances numbers Thirty-eight and Thirty-nine, establishing the grades of streets and side walks in the incorporated town of Deep River, Poweshiek County, Iowa, with report of committee recommending passage as amended, was taken up, considered, and the amendment adopted.

Hickenlooper of Monroe in the Chair.

Grier of Poweshiek moved that the rules be suspended, 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 ayes were:

Allred, Anderson, Arney, Balluff, Bascom, Bauman, Beans, Beebe, Beery, Boe, Boettger, Bonwell, Boomgaarden, Bowman, Burt, Byerly, Calkins, Cooper, Corrie, Cousins, Crozier, Crummer, Cunningham, Dabney, Dalby, Darrah, Dawson, Derrough, Dewell, Dewey, DeWitt, Dodds, Drury, Dye, Elliott, Ellis, Etter, Felt, Fenn, Finlayson, Fourt, Fox, Fulliam, Fulton, Grier, Hackler, Hanson, Harvey, Hickenlooper, Holmes, Hunter, Ide, Inman, Jacobs, Jewell,

Johnson, Jones, Kellogg, Kendall, Klay, Kull, Larrabee, McCleery, McDonald, Marston, Meredith, Miller of Bremer, Miller of Dubuque, Moore of Linn, Newell, O'Connor, Penn, Perkins, Reaney, Reitz, Ripley, Ritter, Schee, Schroeder, Schulte, Sheldon, Smith, Stillman, Stoddard, Sullivan, Tegeler, Thompson, Tilton, Ward, Welden, White, Zeller—92.

The nays were:

None.

Absent or not voting:

Blackmore, Brandes, Cassady, Davidson, Goodykoontz, Harding, Huffaker, Koontz, Lee, Moore of Wapello, Sankey, Swan, Swift, Wilson, Wolfe, Mr. Speaker—16.

So the bill passed and the title was agreed to.

On motion of O'Connor of Chickasaw, House File No. 261, a bill for an act to legalize the special election held in the City of New Hampton, Iowa, on the 5th day of February, 1907, wherein there was submitted to the voters of said city the question of issuing bonds in the sum of Eighteen Thousand Dollars (\$18,000) for the purpose of erecting a combined water-works, electric light and power plant and water tower and tank, and to validate and legalize the bonds issued in pursuance of said elections, with report of committee recommending passage as amended, was taken up, considered, and the amendments adopted.

O'Connor of Chickasaw moved that the rules be suspended, 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 ayes were:

Allred, Anderson, Arney, Balluff, Bascom, Bauman, Beans, Beebe, Beery, Boe, Boettger, Bonwell, Boomgaarden, Bowman, Burt, Byerly, Calkins, Cassady, Cooper, Corrie, Cousins, Crozier, Crummer, Cunningham, Dabney, Dalby, Darrah, Davidson, Dawson, Derrough, Dewell, Dewey, Dodds, Drury, Dye, Elliott, Ellis, Etter, Fenn, Finlayson, Fourt, Fox, Fulliam, Fulton, Grier, Hackler, Hanson, Harding, Harvey, Hickenlooper, Hunter, Ide, Inman, Jacobs, Jewell, Johnson, Kellogg, Kendall, Klay, Kull, Larrabee, Mc-



Cleery, McDonald, Marston, Meredith, Miller of Bremer, Miller of Dubuque, Moore of Linn, Newell, O'Connor, Penn, Perkins, Reaney, Reitz, Ripley, Ritter, Schee, Schroeder, Schulte, Sheldon, Smith, Stodard, Sullivan, Tegeler, Thompson, Tilton, Welden, White, Wilson, Wolfe, Zeller, Mr. Speaker—92.

• The nays were:

None.

Absent or not voting:

Blackmore, Brandes, DeWitt, Felt, Goodykoontz, Holmes, Huf-faker, Jones, Koontz, Lee, Moore of Wapello, Sankey, Stillman, Swan, Swift, Ward—16.

So the bill passed and the title was agreed to.

Speaker Feely in the Chair.

On motion of Moore of Linn, House File No. 44, a bill for an act to provide that any fiduciary required by law to give a bond may include the expense thereof as part of the lawful expense of executing his trust, etc., with report of committee recommending passage as amended by substitute amendment, was taken up and considered.

Moore of Linn moved that the substitute amendment be adopted.

Schee of O'Brien proposed to amend the amendment by adding thereto the following: "At a cost not to exceed one per centum per annum on the amount of such bond."

Amendment to the amendment lost.

Original motion prevailed, and the committee amendment was adopted.

Moore of Linn moved that the rules be suspended, 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 ayes were:

Allred, Anderson, Arney, Balluff, Bascom, Bauman, Beans, Bee-be, Beery, Boe, Boettger, Bonwell, Boomgaarden, Bowman, Burt, Byerly, Calkins, Cassady, Cooper, Corrie, Cousins, Crozier, Crum-

mer, Cunningham, Dabney, Dalby, Darrah, Davidson, Dawson, Derrough, Dewell, Dewey, DeWitt, Dodds, Drury, Dye, Elliott, Etter, Fenn, Finlayson, Fourt, Fox, Fulliam, Fulton, Grier, Hackler, Hanson, Harding, Harvey, Hickenlooper, Holmes, Hunter, Ide, Inman, Jewell, Johnson, Kellogg, Kendall, Klay, Kull, Larrabee, McCleery, McDonald, Marston, Meredith, Miller of Dubuque, Moore of Linn, Newell, Penn, Perkins, Reaney, Reitz, Ripley, Ritter, Sankey, Schee, Schroeder, Schulte, Sheldon, Smith, Stoddard, Sullivan, Swift, Tegeler, Thompson, Tilton, Ward, Welden, White, Wilson, Wolfe, Zeller, Mr. Speaker—93.

The nays were:

None.

Absent or not voting:

Blackmore, Brandes, Ellis, Felt, Goodykoontz, Huffaker, Jacobs, Jones, Koontz, Lee, Miller of Bremer, Moore of Wapello, O'Connor, Stillman, Swan—15.

So the bill passed and the title was agreed to.

On motion of Dye of Pottawattamie, House File No. 96, a bill for an act to amend Section 1407 of the Code, and the Supplement to the Code, relating to the collection of delinquent personal property tax, with report of committee recommending passage as amended, was taken up, considered, and the amendments adopted.

Dye of Pottawattamie moved that the rules be suspended, 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 ayes were:

Allred, Anderson, Arney, Balluff, Bascom, Bauman, Beans, Beebe, Beery, Boe, Boettger, Bonwell, Boomgaarden, Bowman, Burt, Byerly, Calkins, Cassady, Cooper, Corrie, Cousins, Crozier, Crummer, Cunningham, Dabney, Dalby, Darrah, Davidson, Dawson, Derrough, Dewell, DeWitt, Dodds, Drury, Dye, Elliott, Ellis, Etter, Fenn, Finlayson, Fourt, Fox, Grier, Hackler, Hanson, Harding, Harvey, Hickenlooper, Holmes, Hunter, Ide, Inman, Jacobs, Johnson, Jones, Kellogg, Kendall, Klay, Kull, Lee, Marston, Meredith, Miller of Dubuque, Moore of Linn, Newell, O'Connor, Penn, Per-

kins, Reaney, Reitz, Ripley, Ritter, Sankey, Schee, Schroeder, Schulte, Sheldon, Smith, Stillman, Stoddard, Sullivan, Swift, Tegeler, Tilton, Ward, Welden, White, Wilson, Wolfe, Zeller, Mr. Speaker—91.

The nays were :

Dewey, Fulliam, Jewell, Larrabee, McDonald—5.

Absent or not voting :

Blackmore, Brandes, Felt, Fulton, Goodykoontz, Huffaker, Koontz, McCleery, Miller of Bremer, Moore of Wapello, Swan, Thompson—12.

So the bill passed and the title was agreed to.

On motion of Meredith of Cass, House Joint Resolution No. 3, proposing to amend the constitution so as to prohibit the manufacture and sale of intoxicating liquors as a beverage within this state, was taken up and considered.

Meredith of Cass proposed the following amendment :

I move to amend House Joint Resolution No. 3 by inserting the words "twenty-six" between the word "section" and the figures "26," in line two thereof, and by inserting the word "one" between the word "article" and the figure "1" in said line one; and by inclosing said figures "26" and "1" in parentheses.

Meredith of Cass moved the adoption of the amendment.

Amendment adopted.

Schee of O'Brien proposed the following amendment :

I move to amend House Joint Resolution No. 3 by striking out of the first line of the proposed Section 26 to Article 1 of the Constitution of the State of Iowa, the words "as a beverage."

Schee of O'Brien moved the adoption of the amendment.

Roll call was demanded by Moore of Linn and Schee of O'Brien.

On the question, Shall the amendment be adopted?

The yeas were :

Balluff, Boettger, Byerly, Ellis, Harding, Kendall, Kull, Lee, McDonald, Miller of Bremer, Miller of Dubuque, Moore of Linn,

Newell, O'Connor, Penn, Reitz, Ripley, Schee, Schroeder, Sullivan, Swift, Tegeler, Tilton, Ward, White, Wolfe, Mr. Speaker—27.

The nays were:

Allred, Anderson, Arney, Bascom, Bauman, Beans, Beebe, Boe, Bonwell, Boomgaarden, Bowman, Burt, Calkins, Cassady, Cooper, Corrie, Cousins, Crozier, Crummer, Cunningham, Dabney, Dalby, Darrah, Davidson, Dawson, Derrough, Dewell, Dewey, DeWitt, Dodds, Drury, Dye, Elliott, Etter, Felt, Fenn, Finlayson, Fourt, Fox, Fulliam, Fulton, Grier, Hackler, Hanson, Harvey, Hickenlooper, Holmes, Hunter, Ide, Inman, Jacobs, Jewell, Johnson, Jones, Klay, Larrabee, McCleery, Marston, Meredith, Perkins, Reaney, Ritter, Sankey, Schulte, Sheldon, Smith, Stillman, Stoddard, Thompson, Welden, Wilson, Zeller—72.

Absent or not voting:

Beery, Blackmore, Brandes, Goodykoontz, Huffaker, Kellogg, Koontz, Moore of Wapello, Swan—9.

So the amendment was lost.

Miller of Bremer proposed the following amendment:

I move to amend House Joint Resolution No. 3 by striking out the period after the word "beer" in the fourth line and adding the words "and cider."

Miller of Bremer moved the adoption of the amendment.

Roll call was demanded by Meredith of Cass and Moore of Linn.

On the question, Shall the amendment be adopted?

The yeas were:

Boettger, Dye, Ellis, Fulliam, Harding, Jones, Kendall, Kull, Marston, Miller of Bremer, Miller of Dubuque, Moore of Linn, Newell, O'Connor, Penn, Perkins, Reitz, Ripley, Ritter, Sankey, Schroeder, Schulte, Sheldon, Sullivan, Swift, Tegeler, Tilton, Ward—28.

The nays were:

Allred, Anderson, Arney, Bascom, Bauman, Beans, Beebe, Beery, Boe, Bonwell, Boomgaarden, Bowman, Burt, Byerly, Calkins, Cassady, Cooper, Corrie, Cousins, Crozier, Crummer, Cunningham, Dabney, Dalby, Darrah, Davidson, Dawson, Derrough, Dewell, Dewey, DeWitt, Drury, Elliott, Etter, Felt, Fenn, Finlayson, Fourt,

Fox, Fulton, Grier, Hackler, Hanson, Harvey, Hickenlooper, Holmes, Hunter, Ide, Inman, Jacobs, Jewell, Johnson, Klay, Larrabee, McCleery, Meredith, Reaney, Schee, Smith, Stillman, Stoddard, Thompson, Welden, White, Wilson, Zeller, Mr. Speaker—67.

Absent or not voting:

Balluff, Blackmore, Brandes, Dodds, Goodykoontz, Huffaker, Kellogg, Koontz, Lee, McDonald, Moore of Wapello, Swan, Wolfe—13.

So the amendment was lost.

Marston of Cerro Gordo moved that House Joint Resolution No. 3 be referred to the Committee on Judiciary.

Roll call was demanded by Meredith of Cass and Elliott of Page.

On the question, Shall House Joint Resolution No. 3 be referred to the Committee on Judiciary?

The yeas were:

Balluff, Bascom, Beery, Boettger, Bonwell, Byerly, Calkins, Casady, Corrie, Dewell, Dye, Ellis, Etter, Fulliam, Harding, Harvey, Jones, Kendall, Kull, Lee, McDonald, Marston, Miller of Bremer, Miller of Dubuque, Moore of Linn, Newell, Penn, Reitz, Ripley, Ritter, Sankey, Schee, Schroeder, Schulte, Sheldon, Sullivan, Swift, Tilton, Ward, White, Wolfe, Mr. Speaker—42.

The nays were:

Allred, Anderson, Arney, Bauman, Beans, Beebe, Boe, Boomgaarden, Bowman, Burt, Cooper, Cousins, Crozier, Crummer, Cunningham, Dabney, Dalby, Darrah, Davidson, Dawson, Derrough, Dewey, DeWitt, Dodds, Drury, Elliott, Felt, Fenn, Finlayson, Fourt, Fox, Fulton, Grier, Hackler, Hanson, Hickenlooper, Holmes, Hunter, Ide, Inman, Jacobs, Jewell, Johnson, Klay, Larrabee, McCleery, Meredith, Perkins, Reaney, Smith, Stillman, Stoddard, Swan, Thompson, Welden, Wilson, Zeller—57.

Absent or not voting:

Blackmore, Brandes, Goodykoontz, Huffaker, Kellogg, Koontz, Moore of Wapello, O'Connor, Tegeler—9.

So the motion to refer was lost.

Miller of Bremer moved that the House adjourn until 9:00 o'clock, A. M., Wednesday.

# JOURNAL OF THE HOUSE

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HALL OF THE HOUSE OF REPRESENTATIVES,  
DES MOINES, IOWA, MARCH 10, A. D. 1909.

House met pursuant to adjournment.

Speaker Feely in the Chair.

Prayer was offered by Rev. S. H. Zendt, of Oskaloosa, Iowa.

Journal of Tuesday, March 9th, corrected and approved.

On request of Ritter of Des Moines, leave of absence was granted Johnson of Mitchell until Friday.

## PETITIONS, MEMORIALS AND REMONSTRANCES.

Kendall of Clinton presented remonstrance of the Tri-City Labor Congress protesting against the passage of House File No. 169, referring to breach of the Sabbath.

Referred to Committee on Judiciary.

McCleery of Washington presented petition of citizens of Washington County relative to the enfranchisement of women.

Referred to Committee on Woman Suffrage.

Etter of Keokuk presented petition of citizens of Keokuk County relative to the enfranchisement of women.

Referred to Committee on Woman Suffrage.

Harvey of Osceola presented petition of citizens of Osceola County relative to the prohibitory amendment.

Referred to Committee on Suppression of Intemperance.

Moore of Linn presented remonstrance of Local Camp No. 193, Iron Molders of North America, protesting against the passage of House File No. 169, referring to breach of the Sabbath.

Referred to Committee on Judiciary.

Derrough of Warren presented remonstrance of the City Council of Indianola, Iowa, protesting against the passage of the Public Utilities Bill.

Referred to Committee on Railroads and Transportation.

Ripley of Hancock presented petition of citizens of Hancock County relative to the prohibitory amendment.

Referred to Committee on Suppression of Intemperance.

Moore of Linn presented petition of citizens of Mount Vernon, Iowa, requesting the passage of the School Bill.

Referred to Committee on Schools and Text Books.

Sankey of Decatur presented petition of citizens of Decatur County requesting the enactment of a law prohibiting the killing of quails during any month in the year.

Referred to Committee on Fish and Game.

Sankey of Decatur presented petition of citizens of Decatur County relative to the prohibitory amendment.

Referred to Committee on Suppression of Intemperance.

Dewell of Cedar presented petition of citizens of Cedar County relative to House File No. 169, referring to breach of the Sabbath.

Referred to Committee on Judiciary.

Wilson of Tama presented petition of citizens of Tama County relative to the prohibitory amendment.

Referred to Committee on Suppression of Intemperance.

McDonald of Carroll presented petitions of merchants and taxpayers of Carroll County relative to House File No. 232, referring to exemptions.

Referred to Committee on Judiciary.

O'Connor of Chickasaw presented remonstrance of citizens of Nashua, Iowa, protesting against the passage of the Public Utilities Bill.

Referred to Committee on Railroads and Transportation.

Mr. Speaker presented remonstrance of citizens of Waterloo, Iowa, protesting against the passage of House File, No. 169, referring to breach of the Sabbath.

Referred to Committee on Judiciary.

Hunter of Polk presented petitions of citizens of Polk County relative to House File No. 169, referring to breach of the Sabbath.

Referred to Committee on Judiciary.

Beans of Mahaska presented remonstrance of citizens of Mahaska County protesting against the passage of the Public Utilities Bill.

Referred to Committee on Railroads and Transportation.

Zeller of Madison presented petitions of citizens of Madison County relative to the prohibitory amendment.

Referred to Committee on Suppression of Intemperance.

Allred of Wayne presented petition of citizens of Wayne County relative to the enfranchisement of women.

Referred to Committee on Woman Suffrage.

Crummer of Pocahontas presented remonstrance of physicians of Fonda, Iowa, protesting against the passage of the Optometry Bill.

Referred to Committee on Judiciary.

Swift of Shelby presented remonstrances of the German-American Liberal League of Manning, Iowa, protesting against the resubmission of the prohibitory amendment.

Referred to Committee on Suppression of Intemperance.

Ward of Woodbury presented remonstrance of the Sioux City Trades and Labor Assembly protesting against the passage of House File No. 169, referring to breach of the Sabbath.

Referred to Committee on Judiciary.

Cousins of Butler presented petition of citizens of Butler County relative to the prohibitory amendment.

Referred to Committee on Suppression of Intemperance.

Ellis of Jackson presented petition of citizens of Jackson County relative to Senate File No. 13, referring to protection of Game.

Referred to Committee on Fish and Game.



Cunningham of Buena Vista presented petition of citizens of Buena Vista County relative to the prohibitory amendment.

Referred to Committee on Suppression of Intemperance.

Ward of Woodbury presented petition of citizens of Woodbury County relative to House File No. 169, referring to breach of the Sabbath.

Referred to Committee on Judiciary.

Swan of Appanoose presented remonstrance of citizens and attorneys of Appanoose County protesting against the proposed consolidation of the first and second judicial districts.

Referred to Committee on Judicial Districts.

Newell of Plymouth presented petition of citizens of Plymouth County relative to the prohibitory amendment.

Referred to Committee on Suppression of Intemperance.

Dye of Pottawattamie presented remonstrance of the City Council of Council Bluffs, Iowa, protesting against the passage of the Public Utilities Bill.

Referred to Committee on Railroads and Transportation.

Dye of Pottawattamie presented remonstrance of the Trades and Labor Assembly of Council Bluffs, Iowa, protesting against the passage of House File No. 232, referring to exemptions.

Referred to Committee on Judiciary.

Hunter of Polk presented petitions of citizens of Polk County relative to the prohibitory amendment.

Referred to Committee on Suppression of Intemperance.

Boettger of Scott presented remonstrance of International Alliance Theatrical Stage Employes Union No. 85, of Davenport, Iowa, protesting against the passage of House File No. 232, referring to exemptions.

Referred to Committee on Judiciary.

Cooper of Jasper presented petitions of citizens of Jasper County relative to the prohibitory amendment.

Referred to Committee on Suppression of Intemperance.

Bascom of Dickinson presented petition of citizens of Dickinson County relative to the prohibitory amendment.

Referred to Committee on Suppression of Intemperance.

Fulliam of Muscatine presented petition of teachers of the city schools of Muscatine favoring the passage of the School Bill.

Referred to Committee on Schools and Text Books.

Byerly of Jones presented petition of citizens of Jones County relative to the prohibitory amendment.

Referred to Committee on Suppression of Intemperance.

Reaney of Louisa presented petition of citizens of Louisa County relative to the prohibitory amendment.

Referred to Committee on Suppression of Intemperance.

Wolfe of Clinton presented remonstrance of citizens of Clinton County protesting against the passage of House File No. 169, referring to breach of the Sabbath.

Referred to Committee on Judiciary.

#### REPORTS OF COMMITTEES.

Sullivan of Polk, from the Committee on Judiciary, submitted the following report:

MR. SPEAKER—Your committee on Judiciary, to whom was referred House File No. 199, a bill for an act relating to the trial of attachment cases where an equitable interest in real estate is attached, additional to Section thirty-eight hundred and ninety-nine (3899) of the Code, beg leave to report they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same do pass.

JOHN B. SULLIVAN,  
*Chairman.*

Adopted.

Also:

MR. SPEAKER—Your committee on Judiciary, to whom was referred Substitute for Senate File No. 8, a bill for an act authorizing the district court or judge to remove officers for misfeasance, malfeasance or non-feasance in office, and providing the method of procedure therefor, beg leave to report they have had the same under consideration and have

instructed me to report the same back to the House with the recommendation that the same do pass.

JOHN B. SULLIVAN,  
*Chairman.*

Adopted.

Also:

MR. SPEAKER—Your committee on Judiciary, to whom was referred Substitute for Senate File No. 115, a bill for an act to amend the law as it appears in Section thirty-four hundred forty-seven-b (3447-b) of the Supplement to the Code, 1907, relating to recovery of interest in real estate when the spouse has failed to join in the conveyance, beg leave to report they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same be indefinitely postponed.

JOHN B. SULLIVAN,  
*Chairman.*

Adopted, and Substitute for Senate File No. 115 was indefinitely postponed.

Also:

MR. SPEAKER—Your committee on Judiciary, to whom was referred House File No. 330, a bill for an act to amend Section nine hundred fifteen (915) of the Supplement to the Code, 1907, relating to acknowledgment and recording of plats, and to provide for the certificate of the county attorney, beg leave to report they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same be amended as follows:

First. By striking out the title and substituting the following in lieu thereof: "A bill for an act to repeal Section nine hundred fifteen (915) of the Supplement to the Code, 1907, and to enact a substitute therefor, relating to acknowledgment and recording of plats."

Second. By striking out all after the enacting clause and inserting the following in lieu thereof:

SECTION 1. That Section nine hundred fifteen (915) of the Supplement to the Code, 1907, be, and the same is hereby repealed and the following enacted in lieu thereof: "Every such plat when offered for record shall have attached thereto a statement to the effect that the subdivision of (here insert a correct description of the land or of parcel subdivided), as appears on this plat, is with the free consent and in accordance with the desire of the proprietor, which shall be signed and acknowledged by him before such officer authorized to take the acknowledgment of deeds. Such proprietor shall also procure from the treasurer of the county in which the land lies, and file with the recorder, a certified statement that the land laid out into lots, streets and alleys is free from taxes, and a certified statement of the clerk of the district court that said land is free from all judgment, attachment, mechanics' or other liens, as appears by the records of his office, and a certified statement by the county attorney of the county

to the effect that the fee title is in such proprietor, and that it is free from incumbrance or if incumbered the particular character of the incumbrance and the amount thereof, and also the certificate of approval of the council of said city or town in which such land is situated, or which is proposed to be made an addition thereto. If such certificates are to the effect that the fee title is in the proprietor and that the land is free from all judgment, attachment, mechanics' or other liens or incumbrances, and the subdivision or addition has the approval of the council of the city or town, the recorder shall, upon receiving the proper recording fee, file and record such plat, statement and certificates; but if the parcel of land so laid out shall be incumbered with a debt certain in amount, and which the creditor will not accept with accrued interest to the day of proffered payment if it draws interest, or with a rebate of interest at the rate of six per cent. per annum if it draws no interest, or if the creditor can not be found, then such proprietor, and, if a corporation, its proper officer or agent, may file with the recorder of such county an affidavit, stating either that such proprietor has offered to pay such creditor the full amount of his debts, with interest, or with a rebate of interest, as the case may be, and that he would not accept the same, or that he cannot be found, whereupon such proprietor may execute and file with the recorder a bond in double the amount of such incumbrance, with three or more sureties who shall be freeholders of the county, to be approved by the recorder and clerk of the district court, which bond shall run to the county, and shall be for the benefit of the purchaser of any lots, and shall be conditioned for the payment of such incumbrance and the cancellation thereof of record as soon as practicable after the same becomes due, and for the holding of all purchasers and those claiming under them forever, harmless from such incumbrance. When such affidavit and bond shall have been filed with the recorder, said plat, statement and certificates shall be admitted to record, and be as valid as if such land was free from the said incumbrance, and when so amended the bill do pass.

JOHN B. SULLIVAN,

*Chairman.*

Adopted.

Also:

MR. SPEAKER—Your committee on Judiciary, to whom was referred House File No. 393, a bill for an act to amend Section four hundred four (404) of the Code relating to the sale or exchange of bonds issued under the provisions of Section four hundred three (403) of the Supplement to the Code, 1907, beg leave to report they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same do pass.

JOHN B. SULLIVAN,

*Chairman.*

Adopted.

Also:

MR. SPEAKER—Your committee on Judiciary, to whom was referred House File No. 200, a bill for an act making the provisions of Section

three thousand eight hundred forty-seven (3847), Code Supplement of 1907, Section three thousand four hundred forty-eight (3448), Section three thousand eight hundred forty-nine (3489) Code Supplement, Section three thousand eight hundred fifty, 'fifty-one and 'fifty-two (3850-'51-'52), applicable to actions in justices' courts and providing for the deposit of money in lieu of bond, beg leave to report they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same be amended as follows:

First. By striking out the title and inserting the following in lieu thereof: "A bill for an act providing for the deposit of money in lieu of bond where bonds are required as security for costs."

Second. By striking out all after the enacting clause and substituting the following in lieu thereof: "Section one.

"SECTION 1. In all cases in which a bond for security for costs is required, the party required to give such security may deposit in cash the amount fixed in said bond with the clerk of the district court or justice of the peace in lieu of said bond," and when so amended the bill do pass.

JOHN B. SULLIVAN,

*Chairman.*

Adopted.

Also:

MR. SPEAKER—Your committee on Judiciary, to whom was referred House File No. 384, a bill for an act to provide for a dealer's tax on firearms, beg leave to report they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same be referred to the committee on Police Regulations.

JOHN B. SULLIVAN,

*Chairman.*

Adopted, and House File No. 384 was referred to the Committee on Police Regulations.

Hunter of Polk, from the Committee on Mines and Mining, submitted the following report:

MR. SPEAKER—Your committee on Mines and Mining, to whom was referred House File No. 337, a bill for an act amending the law as it appears in Section twenty-four hundred eighty-nine-a (2489-a), Supplement to the Code, 1907, relating to examination of mine foremen, pit bosses and hoisting engineers, beg leave to report they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same do pass.

F. H. HUNTER,

*Chairman.*

Adopted.

Drury of Sac, from the Committee on Compensation of Public Officers, submitted the following report:

MR. SPEAKER—Your committee on Compensation of Public Officers, to whom was referred Senate File No. 197, a bill for an act to grant to certain officers and other employes of the state institutions under the control of the board of control of state institutions, annual vacations with pay and to repeal Section fifty-seven hundred eighteen-a-29 (5718-a-29) and Section fifty-seven hundred eighteen-a-30 (5718-a-30) of the Supplement to the Code, 1907, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same do pass.

WILL DRURY,  
*Chairman.*

Adopted.

White of Story, from the Committee on Ways and Means, submitted the following report:

MR. SPEAKER—Your committee on Ways and Means, to whom was referred House File No. 139, a bill for an act to amend the law as it appears in Section twenty-five hundred and ninety-four (2594) of the Code, relating to the practice of pharmacy, beg leave to report they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same be indefinitely postponed.

GEO. C. WHITE,  
*Chairman.*

Adopted, and House File No. 139 was indefinitely postponed.

Also:

MR. SPEAKER—Your committee on Ways and Means, to whom was referred House File No. 230, a bill for an act to amend Section two thousand two hundred and forty-seven (2247) of the Code in relation to the levy of a poor tax, beg leave to report they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same do pass.

GEO. C. WHITE,  
*Chairman.*

Adopted.

Also:

MR. SPEAKER—Your committee on Ways and Means, to whom was referred House File No. 3, a bill for an act to create a legislative commission, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same be amended as follows: In line three, Section one of the original bill after the word "Representative" and before the word "and" and words "and members of the two leading political parties" be inserted. In line seven, Section four of the original bill the word "December" be stricken out and the word "July" be inserted in lieu thereof. In Section four, line nine of the original bill after the word "Assem-

bly" the words "and the people of the State" be inserted. In Section four, line eight after the word "report" and before the word "which" the words and figures "ten thousand (10,000) of" be inserted. In Section six, line two of the original bill the words and figures "fifteen thousand (\$15,000) dollars" be stricken out and the words and figures "ten thousand (\$10,000) dollars" be inserted in lieu thereof, and when so amended the bill be referred to the Appropriation Committee.

GEO. C. WHITE,  
*Chairman.*

Adopted, and House File No. 3 was referred to the Committee on Appropriations.

Finlayson of Grundy, from the Committee on Normal Schools, submitted the following report:

MR. SPEAKER—Your committee on Normal Schools, to whom was referred Senate File No. 99, a bill for an act to amend the law as it appears in Section 2675 of the Code, 1907, by providing an official name for the State Normal School at Cedar Falls, beg leave to report they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same be amended as follows: By striking out the word "Normal" in the sixth (6th) line of Section one (1) and insert in lieu thereof the word "Teachers," and when so amended the bill do pass.

ROBERT M. FINLAYSON,  
*Chairman.*

Adopted.

Bonwell of Audubon, from the Committee on Roads and Highways, submitted the following report:

MR. SPEAKER—Your committee on Roads and Highways, to whom was referred House File No. 255, a bill for an act to promote the building of permanent roads in the state and providing for the establishment of districts and providing for the construction of roads and prescribing the method for so doing, and providing for assessment and collecting of a portion of the cost of the same, and issuing improvement certificates therefor and providing for a tax in aid thereof, beg leave to report they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same do pass.

JOHN C. BONWELL,  
*Chairman.*

Adopted.

Also:

MR. SPEAKER—Your committee on Roads and Highways, to whom was referred House File No. 275, a bill for an act to provide for the creation of the office of county highway engineer, and to define the duties thereof, beg leave to report they have had the same under consideration and have

instructed me to report the same back to the House with the recommendation that the same be indefinitely postponed.

JOHN C. BONWELL,  
*Chairman.*

Adopted, and House File No. 275 was indefinitely postponed.

Kellogg of Harrison, from the Committee on Insurance, submitted the following report:

MR. SPEAKER—Your committee on Insurance, to whom was referred House File No. 195, a bill for an act to amend the law as it appears in Section 1758-a and Section 1709 of the Supplement to the Code, 1907, giving insurance companies, in addition to the authority now enjoyed, the right to issue policies upon automobiles and marine risks and further adding to the list of properties and rights that may be insured, repealing the law as it appears in Section 1710 of the Supplement to the Code, 1907, and enacting a substitute therefor, beg leave to report they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same be amended as follows:

That Section 1 be amended by inserting after the word "Section" and before the figures "1758-a" in the first line of Section 1 of the printed bill the words "one thousand seven hundred fifty-eight-a" and that the figures "1758-a" be enclosed in brackets, and by inserting between the word "Section" and the figures "1709" in the first line of Section 2 of the printed bill the words "one thousand seven hundred nine," and that the figures "1709" be enclosed in brackets. And by striking out the comma and the word "including" in the sixth line of Section 2 of the printed bill and inserting in lieu thereof a semicolon ";" and the word "and." And by inserting between the word "Section" and the figures "1710" in the first line of Section 3 of the printed bill the words "one thousand seven hundred ten" and by enclosing the figures "1710" in brackets and by striking out the words "guarantee the fidelity of persons in places of public or private trust, nor to companies that;" in the 32d and 33d lines of Section 3 of the printed bill, and when so amended the bill do pass.

GEO. A. KELLOGG,  
*Chairman.*

Adopted.

Also:

MR. SPEAKER—Your committee on Insurance, to whom was referred House File No. 263, a bill for an act to repeal Section 1699 of the Code, relating to the investment of their funds by insurance companies other than life organized under Chapter four of Title nine of the Code, and to enact a substitute therefor, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same be amended as follows:

By striking out Section 3 and substituting in lieu thereof the following: "Section 3. Notes and bonds or other interest bearing securities



secured by mortgages in either case which the first liens upon real estate within the state worth at least double the amount loaned thereon and secured thereby exclusive of improvements, or two and one-half times such amount including the improvements thereon, but no such improvements shall be considered in estimating the value unless the owner shall contract to keep the same insured in some reliable fire insurance company or companies authorized to do business in this state during the life of the loan in a sum at least double the excess of the loan above one-half the value of the ground exclusive of improvements, the insurance to be made payable in case of loss to the company or association loaning its funds as its interest may appear at the time of the loss."

By inserting as Section 4 the following: "Notes and bonds or other interest bearing securities secured by mortgages in either case which are first liens upon real estate within any other state in which said company is authorized to do business worth at least two and one-half times the amount loaned thereon and secured thereby exclusive of improvements, provided, however, that no such company shall invest to exceed fifty per cent. of its funds in securities described in this Section."

That Section 4 be numbered Section 5 and that it be further amended by inserting a comma and the words "drainage district" following the word "town" in the second line thereof.

That Section 5 be numbered Section 6 and that it be further amended by inserting after the words "United States" in line two of the original bill the words "and located in the state of Iowa or in the capital stock of any state or savings bank duly organized under the laws of the State of Iowa."

That Section 6 be numbered Section 7 and that it be further amended by striking out the word "ten" in the seventh line of said Section and inserting in lieu thereof the word "twenty," and when so amended that the bill do pass.

GEO. A. KELLOGG,  
*Chairman.*

Adopted.

Davidson of Palo Alto, chairman of the Committee to hear the contest in the case of L. F. Springer, contestant, vs. B. F. Stoddard, incumbent, presented the following report:

MR. SPEAKER—Your special committee, consisting of Davidson of Palo Alto, Beebe of Franklin, Ripley of Hancock, O'Connor of Chickasaw and Swift of Shelby, to hear and report upon the contest brought by L. F. Springer against B. F. Stoddard, involving the question of who had been elected to represent the sixty-seventh Representative district in the House of Representatives at this session, beg leave to report:

There came into the hands of this committee from the Clerk of this House the notice of contest given by the contestant, L. F. Springer, together with his statement and declaration of contest, to which the incumbent, B. F. Stoddard, interposed a motion for the dismissal of the contest. This motion, with the consent of the committee, was later withdrawn and a motion to strike portions of the contestant's pleading was

made in lieu thereof. This motion brought before the committee the question as to whether if the ballots should be counted it would be proper to count those ballots which had been marked by the voter with a cross or circle or a square or other form of mark in front of the name of the president and vice president, or either of them, and this question was argued by the attorneys for the parties, contestant appearing by Messrs. George W. Ball of Iowa City and John T. Sullivan of Independence, and the incumbent appearing by Messrs. O. B. Courtright of Waterloo and E. E. Hasner of Independence. After hearing these arguments, the committee took the motion under advisement and consulted with members of other contest committees appointed by the House, for the purpose of ascertaining if some rule could not be laid down with reference to this class of ballots which should be followed by all of the contest committees, so that this committee might not follow one rule and some other committee an opposite rule.

Thereafter, meeting was held in which the members of all of the contest committees of the House appeared and took part, the joint meeting of the committees being presided over by Hackler of Webster. It appeared to be the sentiment of the members of these several committees, that, while it was the law that ballots which bore other marks than those required to properly express the voters' choice which were designedly made would be considered as identifying marks, and that if we strictly followed the law, such ballots as those above referred to should be rejected; still it was felt that such a course would result in the disfranchisement of many voters, and the sentiment seemed to be in favor of the more liberal rule of counting such ballots. However, these committees meeting jointly as above stated, were unable to agree upon any rule, and thereafter each committee was left free to adopt such rule as it might see fit.

This committee thereupon, by unanimous vote, overruled the motion interposed by the incumbent to strike portions of the statement and declaration of contest, leaving the question as to the counting of these disputed ballots to be determined as a question of fact upon the recount, in case a recount should be later had. Thereafter, and on the 27th day of January, 1909, the incumbent filed answer putting in issue all of the material allegations of the statement and declaration of contest. One of the issues raised by this answer was that the ballots in the several precincts in Buchanan County cast at the general election in 1908 had not been cared for as required by law, in that the judges of election in the several precincts had not folded, wired and sealed the ballots as required by law, but returned them to the auditor in an unsealed condition and in a manner which exposed them to interference, and further, that the ballots had not been kept by the auditor of Buchanan County, after he had received them from the election judge, in the manner required by law. To this portion of the answer the contestant interposed a motion to require the incumbent to make his allegations in relation to the lack of care used in the preservation of said ballots more specific, which motion was sustained by the committee, and on the first day of February, 1909, an amendment to the answer covering these points was filed by the incumbent.

The issues having been thus made up between the parties, this committee sought to get as early a hearing as possible, in order that this contest might be gotten out of the way of the more important business of the session. But, owing to the engagement of the attorneys on both sides, the earliest date that could be fixed for hearing the contest was the 16th day of February, 1909. At the time stated, to-wit, the 16th day of February, 1909, at 9 o'clock A. M., the committee met, all members being present, in room number fifteen of the State Capitol to hear the evidence in the said contest. Thereupon evidence was offered on behalf of the contestant for the purpose of showing the competency of the ballots cast at the general election in 1908, in Buchanan County. It affirmatively appeared from the evidence that in about one-half of the twenty-one precincts of Buchanan County, the judges of election had returned the ballots to the county auditor in an unsealed condition, that is to say, the canvas sack containing the ballots was unsealed at that time. The auditor testified he had made no investigation to see whether the ballots on the inside of the sack were folded and wired or not. The evidence further showed that in all other cases, save one, these ballots were brought in to the county auditor on the day following the election or else on the day following that, by one of the judges of election. In the other case referred to, the auditor testified that the ballots were brought by a man from one of the county townships whom he thought was not a judge or clerk of election in that precinct, and that he did not remember whether the canvas bag containing the ballots from that precinct was sealed or not. In the case of Jefferson Township, in Buchanan County, it appeared by the contestant's own evidence that the ballots were brought in by one of the judges of that township on the day following the election and that the auditor refused to receive these ballots because the canvas bag in which they were contained was not sealed. The auditor testified further that he refused to receive the ballots because they were not sealed and because the judge of election did not have the precinct seal with him so that they could be sealed at the auditor's office as was done in the other cases where ballots were brought in without being sealed; but stated that on the day following, the same judge of election returned with the ballots in the canvas bag properly sealed and that he then accepted and receipted for them. This judge of election from Jefferson Township was a witness before the committee, and stated that he brought the ballots from Jefferson Township to the county auditor on the day after election, but the auditor refused to receive them because they were not properly sealed, and that he returned them to his buggy in Independence and left the buggy at a livery stable while he went elsewhere to get his dinner, and later in the day drove home with the ballots, left them in his house over night and in the morning he sealed the sack and returned the ballots to the auditor, who then received them. The evidence showed that after the ballots came into the possession of the auditor they were stored by him in a closet in a fire-proof building which was kept locked, except that there was a small door leading into this closet from the treasurer's office, which the treasurer testified was kept closed at all times but was not locked, and, of course, might have been opened at any time by the treasurer or some person in his office. The committee was satisfied, however, that no person had had

an opportunity to tamper with the ballots after they passed into the hands of the auditor, and that while the evidence raised a grave question as to whether the ballots in some of the townships should be received because of their having been taken to the auditor in an unsealed condition, still the committee felt that there was no evidence that tended to show that the ballots had been intentionally exposed or that they had been tampered with, so that the objections interposed by the incumbent to the reception of the ballots because of irregularities were overruled.

The county auditor of Buchanan County produced the ballots, which in all cases were in canvas bags, and opened them in the presence of the committee. It would be extending this report unduly to describe the condition of each of these packages, suffice it to say, that out of the twenty-one precincts in Buchanan County there were but four in which the ballots had been properly folded, wired, the wire knotted and sealed and placed in the canvas bag and the bag sealed, as required by law. In all of the other precincts there were irregularities, some of them amounting to the grossest kind of carelessness. In fully one-half of the cases the wiring was done in such a manner that the ballots could be readily opened up and the marks therein changed, without in any manner disturbing the seals. The packages of ballots were frequently wired at one end, sometimes through the center, and in one case the canvas bag simply had the corners at the top drawn together and sealed, leaving it so that there was abundant room for a person to insert his hand and change the ballots without in any manner disturbing the seal upon the sack or the seal upon the wire on the ballots. The objections therefore made to the reception of ballots with additional objections to each of the several precincts offered were renewed, but the committee felt that as the ballots from some of the precincts would be competent evidence, it would be manifestly unfair and unsatisfactory to throw out and refuse to count a considerable portion of the vote in the county, so that after due deliberation, it was decided that all ballots should be recounted.

The committee, before beginning the count, voted to count all ballots marked in front of the name of president and vice president, or either one, should be counted; and one member of the committee dissenting, it was decided that a separate count should be kept of the ballots so voted.

Thereupon, the attorneys proceeded to count the ballots, under agreed rules, which resulted in B. F. Stoddard receiving 2,252 votes and L. F. Springer 2,232 votes, giving to the said B. F. Stoddard a majority of twenty of the ballots cast at the general election of 1908 in Buchanan County.

Thereupon, it was stipulated and agreed between the parties, through their attorneys, that the foregoing was a correct and true return of the votes cast in said county for representative at said election and that B. F. Stoddard was duly and legally elected.

The separate count kept of those ballots in which the voter attempted to mark in front of the name of president and vice president, or either of them, showed that of those voting for B. F. Stoddard ninety-eight had marked their ballots in front of the name of the president and vice president, or one of them, while ninety-seven of those voting for L. F. Springer had so marked their ballots.

In closing this report, your committee feels that special attention should be called to the fact that judges of election seem to misapprehend, or fail to follow the law either through ignorance or carelessness. Another committee, adopting a more strict rule, might have easily reached the conclusion that these ballots were not competent evidence, and thus a recount could not have been had because of the carelessness with which these ballots were returned by the election judges to the county auditor. It is therefore recommended that this Honorable Body adopt this report, and that it declare the incumbent, B. F. Stoddard, the duly elected representative of the sixty-seventh Representative district of Iowa.

All of the pleadings, subpoenas, bills of attorneys and other papers in any way relating to this contest are herewith returned and filed with the Clerk of this House.

Respectfully submitted,

(Signed)

F. C. DAVIDSON,  
 N. W. BEEBE,  
 CUBRAN F. SWIFT,  
 A. C. RIPLEY,  
 F. A. O'CONNOR.

Passed on file.

Davidson of Palo Alto presented the following supplemental report of the Committee:

MR. SPEAKER—Your special committee on the contested election case from the sixty-seventh Representative district begs leave to submit the following report with relation to the expenses incurred in connection with the contest, to-wit:

W. C. Ballou, witness, two days, 129 miles .....	\$ 15.40
A. M. Donnham, witness, two days, 129 miles .....	15.40
W. C. Kinney, witness, two days, 129 miles .....	15.40
M. B. Griffity, witness, two days, 129 miles .....	15.40
Lillie E. Soener, witness, two days, 129 miles .....	15.40
Chas. L. Foster, witness, three days, 129 miles .....	16.65
Patrick McCorstin, witness, three days, 129 miles .....	16.65
L. W. Goen, witness, two days, 129 miles .....	15.40
Mrs. Alice Hayes, three days, 129 miles .....	16.65
C. E. Hayes, county auditor, six days, 129 miles .....	23.30
C. E. Hayes, expense of bringing ballots .....	18.48
Sheriff Buchanan County, serving subpoenas .....	5.10
F. C. Davidson, telephone to Senator Ball .....	.75
	<hr/>
	\$186.98

Your committee further reports that bills have been filed by the several attorneys for their services and expenses, as shown by the itemized bills which are returned by this report, being as follows, to-wit:

O. B. Courtright .....	\$206.25
E. E. Hasner .....	164.66

J. T. Sullivan .....	209.50
George W. Ball .....	239.59

Total .....	\$819.91
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Without in any way questioning the fairness of these bills so far as the parties are concerned, your committee feels that it cannot recommend their payment in full by the State. On the other hand, this committee feels that the allowance of \$150.00 to L. F. Springer and a like amount to B. F. Stoddard in full payment of attorney fees should be made, because that seems to have been the rule heretofore followed by other committees. The fees of witnesses and of the auditor and his expenses, as shown above, should be allowed:

In view of the numerous contests and of the heavy expense entailed thereby, your committee would recommend that in the future attorney fees should not be allowed, even though the contest, as in this case, be brought in the utmost good faith.

All of which is most respectfully submitted.

F. C. DAVIDSON,  
N. W. BEEBE,  
CURRAN F. SWIFT,  
A. C. RIPLEY,  
F. A. O'CONNOR.

*Committee.*

Passed on file.

The further consideration of House Joint Resolution No. 3 was resumed, and Balluff of Scott proposed the following amendment:

I move to amend House Joint Resolution No. 3 by inserting following line seven thereof and as a separate paragraph of the resolution the following:

“Resolved, further, that the Legislature next following the adoption of this amendment is hereby directed to make the necessary appropriation and establish the necessary tribunals to ascertain the damages suffered by those engaged in the manufacture and sale of intoxicating liquors including ale, wine and beer, to compensate them out of the State treasury to the extent of such damages.”

Balluff of Scott moved the adoption of the amendment.

Roll call was demanded by Moore of Linn and Meredith of Cass.

On the question, “Shall the amendment be adopted?”

The yeas were:

Balluff, Boettger, Byerly, Calkins, Dodds, Ellis, Etter, Fulliam, Kendall, Kull, McDonald, Miller of Bremer, Miler of Dubuque, Reitz, Ritter, Sankey, Schroeder, Schulte, Swift, Tegeler, Tilton, Wolfe—22.

The nays were:

Allred, Anderson, Arney, Bascom, Beans, Beebe, Beery, Boe, Bonwell, Boomgaarden, Bowman, Burt, Cassady, Cooper, Corrie, Cousins, Crozier, Crummer, Cunningham, Dabney, Dalby, Darrah, Davidson, Dawson, Derrough, Dewell, Dewey, DeWitt, Drury, Dye, Elliott, Felt, Finlayson, Fourt, Fox, Fulton, Goodykoontz, Grier, Hackler, Hanson, Harvey, Hickenlooper, Holmes, Huffaker, Hunter, Ide, Inman, Jacobs, Jewell, Johnson, Jones, Kellogg, Klay, Larrabee, Lee, McCleery, Marston, Meredith, Moore of Wapello, Moore of Linn, Penn, Perkins, Reaney, Ripley, Schee, Sheldon, Smith, Stillman, Stoddard, Swan, Thompson, Ward, Welden, White, Wilson, Zeller, Mr. Speaker—77.

Absent or not voting:

Bauman, Blackmore, Brandes, Fenn, Harding, Koontz, Newell, O'Connor, Sullivan—9.

So the amendment was lost.

Meredith of Cass moved that the rules be suspended, that House Joint Resolution No. 3 be considered engrossed, read for a third time now, and placed on its passage.

Harding of Woodbury proposed the following amendment:

I move to amend House Joint Resolution No. 3 by striking out the words, "for members of the next General Assembly" as they appear in the third line from the bottom of the printed bill.

Swan of Appanoose moved the previous question.

Motion lost for want of a second.

Swan of Appanoose renewed his motion.

Motion seconded by Dewey of Guthrie.

Roll call was demanded by Moore of Linn and Sullivan of Polk.

On the question, "Shall the main question be now put?"

The yeas were :

Anderson, Arney, Beans, Burt, Cooper, Cousins, Cunningham, Dawson, Derrough, Dewell, Dewey, DeWitt, Fenn, Fox, Fulton, Goodykoontz, Hackler, Hanson, Hickenlooper, Smith, Swan—21.

The nays were :

Allred, Balluff, Bascom, Bauman, Beebe, Beery, Boe, Boettger, Bonwell, Boomgaarden, Bowman, Byerly, Calkins, Cassady, Corrie, Crozier, Crummer, Dabney, Dalby, Darrah, Davidson, Dodds, Drury, Dye, Elliott, Ellis, Etter, Felt, Finlayson, Fourt, Fulliam, Grier, Harding, Harvey, Holmes, Huffaker, Hunter, Ide, Inman, Jacobs, Jewell, Johnson, Jones, Kellogg, Kendall, Klay, Kull, Larrabee, Lee, McCleery, McDonald, Marston, Meredith, Miller of Bremer, Miller of Dubuque, Moore of Wapello, Moore of Linn, Newell, O'Connor, Penn, Perkins, Reaney, Reitz, Ripley, Ritter, Sankey, Schee, Schroeder, Schulte, Stillman, Stoddard, Sullivan, Swift, Tegeler, Thompson, Tilton, Ward, Welden, White, Wilson, Wolfe, Zeller, Mr. Speaker—84.

Absent or not voting :

Blackmore, Brandes, Koontz—3.

So the motion was lost, and the House refused to order the main question.

Harding of Woodbury moved the adoption of the amendment.

Roll call was demanded by Sullivan of Polk and Miller of Dubuque.

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

The yeas were :

Balluff, Bascom, Bauman, Beery, Boettger, Byerly, Calkins, Cassady, Corrie, Dabney, Davidson, Dewell, Dodds, Dye, Ellis, Etter, Fulliam, Hackler, Harding, Harvey, Kellogg, Kendall, Klay, Kull, Lee, McCleery, McDonald, Marston, Miller of Bremer, Miller of Dubuque, Moore of Linn, Newell, O'Connor, Penn, Perkins, Reitz, Ripley, Ritter, Sankey, Schroeder, Schulte, Sheldon, Sullivan, Swift, Tegeler, Thompson, Tilton, Ward, Welden, White, Wilson, Wolfe, Mr. Speaker—53.

The nays were :



Allred, Anderson, Arney, Beans, Beebe, Boe, Bonwell, Boomgaarden, Bowman, Burt, Cooper, Cousins, Crozier, Crummer, Cunningham, Dalby, Darrah, Dawson, Derrough, Dewey, DeWitt, Drury, Elliott, Felt, Fenn, Finlayson, Fourt, Fox, Fulton, Goodykoontz, Grier, Hanson, Hickenlooper, Holmes, Huffaker, Hunter, Ide, Inman, Jacobs, Jewell, Johnson, Jones, Larrabee, Meredith, Moore of Wapello, Reaney, Schee, Smith, Stillman, Stoddard, Swan, Zeller—52.

Absent or not voting:

Blackmore, Brandes, Koontz—3.

So the amendment was adopted.

Miller of Bremer proposed the following amendment:

I move to amend House Joint Resolution No. 3 by substituting a semi-colon for the period after the word "beer" in the fourth line and adding the words: "and neither shall any person sell or keep for sale any cider after it has developed more than one-half of one per cent of alcohol."

Amendment lost.

Crummer of Pocahontas moved that the House adjourn until 2:00 o'clock P. M.

Sullivan of Polk moved as a substitute amendment that the House adjourn until 9:00 o'clock, A. M., Thursday.

Substitute amendment lost.

Mr. Crummer withdrew his motion to adjourn.

Stillman of Greene moved that the main question be now put.

Motion prevailed, and the main question was ordered.

The motion that the rules be suspended, that House Joint Resolution No. 3 be considered engrossed, and read a third time prevailed, and House Joint Resolution No. 3 was read a third time.

## HOUSE JOINT RESOLUTION NO. 3.

Joint Resolution Proposing to Amend the Constitution so as to Prohibit the Manufacture and Sale of Intoxicating Liquors as a Beverage Within This State.

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

That the following amendment to the constitution of the State of Iowa be, and the same is hereby proposed: To add, as Section twenty-six (26) to Article one (1) of said constitution the following:

SECTION 26. No person shall manufacture for sale, or sell or keep for sale as a beverage, any intoxicating liquors whatever, including ale, wine and beer.

The General Assembly shall by law prescribe regulations for the enforcement of the prohibition herein contained, and shall thereby provide suitable penalties for the violation of the provisions hereof.

*Resolved, Further,* That the foregoing proposed amendment, with the yeas and nays taken thereon in each of the two Houses, be entered on their respective journals and referred to the Legislature to be chosen at the next general election, and that the same be published as by law required, for three months previous to the time of said election.

On the question, "Shall the Joint Resolution pass?"

The yeas were:

Allred, Anderson, Arney, Bauman, Beans, Beebe, Beery, Boe, Bonwell, Bowman, Burt, Cooper, Cousins, Crozier, Crummer, Cunningham, Dabney, Dalby, Darrah, Davidson, Dawson, Derrough, Dewell, Dewey, De Witt, Drury, Elliott, Felt, Fenn, Finlayson, Fox, Fulton, Goodykoontz, Grier, Hackler, Hanson, Hickenlooper, Holmes, Huffaker, Hunter, Ide, Inman, Jacobs, Jewell, Johnson, Jones, Kellogg, Klay, Larrabee, Lee, McCleery, Meredith, Moore of Wapello, Penn, Perkins, Reaney, Ripley, Schee, Sheldon, Smith, Stillman, Stoddard, Swan, Thompson, Welden, White, Wilson, Zeller—68.

The nays were:

Balluff, Bascom, Boettger, Boomgaarden, Byerly, Calkins, Casady, Corrie, Dodds, Dye, Ellis, Etter, Fourt, Fulliam, Harding, Harvey, Kendall, Kull, McDonald, Marston, Miller of Bremer, Miller of Dubuque, Moore of Linn, Newell, O'Connor, Reitz, Ritter, Sankey, Schroeder, Schulte, Sullivan, Swift, Tegeler, Tilton, Ward, Wolfe, Mr. Speaker—37.

Absent or not voting:

Blackmore, Brandes, Koontz—3.

So House Joint Resolution No. 3, having received a constitutional majority was declared to have passed the House and the title was agreed to.

#### EXPLANATION OF VOTE.

Crozier of Marion offered the following explanation :

Having taken no part in the discussion of the question before the House, I desire to say a word in explanation of my vote. I came here expecting to vote against this proposition, for the reason that I did not believe that the time was ripe for it or that the people of the state desired it. Since becoming a member of this House, I have received petitions from nearly one-third of the voters of my county, asking for the submission of this amendment to the constitution, and have received nothing from the other side. From the petitions that I have received from my constituents and from petitions that have come to the members of this House, it is evident to me that this measure is desired by a great many of our people. I would not vote to submit an amendment to the constitution merely as an experiment. I should desire that there should be some evidence that there is a demand for the amendment.

Gentlemen have spoken of the right of local self-government as a democratic principle. The highest and most honored principle of democracy, a principle that is concurred in by all, is the right of the people to mould, fashion, alter or change at their pleasure their form of government.

While I do not bind myself by my vote on this question to any line of conduct either in voting for my successor two years hence, or upon the question when submitted to the people of Iowa, I trust that I shall always be found in favor of every measure for the elevation of humanity, for the mitigation of the evils of the traffic; yet, at the same time, when it comes the time to vote upon this proposition when submitted to the people, I shall then be governed by my best judgment, by the conditions as they then exist. But in view of the petitions that have come from my constituents and the people of the state at large, it is evident that the people desire an opportunity to express themselves upon this question, and it is not for me to stand in their way. I therefore desire to vote yea.

GEO. W. CROZIER.

By unanimous consent, the time set for Special Order No. 6, was extended to 10:00 o'clock, A. M., Thursday.

On motion of Moore of Linn, the House adjourned until 9:00 o'clock A. M., Thursday.

# JOURNAL OF THE HOUSE

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HALL OF THE HOUSE OF REPRESENTATIVES,  
DES MOINES, IOWA, MARCH 11, A. D. 1909.

House met pursuant to adjournment.

Speaker Feely in the Chair.

Prayer was offered by the Rev. L. F. Troutman of Anthon, Iowa.

Journal of Wednesday, March 10th, corrected and approved.

On request of Tilton of Iowa, leave of absence was granted Jewell of Winneshiek until Friday.

On request of Ritter of Des Moines, leave of absence was granted Kull of Howard until Tuesday.

## PETITIONS, MEMORIALS AND REMONSTRANCES.

Corrie of Ida presented remonstrance of members of Castle No. 557, Royal Highlanders, protesting against the passage of the Minimum Rate Law.

Referred to Committee on Insurance.

Bauman of Van Buren presented petition of citizens of Van Buren County, relative to House File No. 169, referring to breach of the Sabbath.

Referred to Committee on Judiciary.

Anderson of Hamilton presented remonstrance of members of Stratford Camp No. 4135, Modern Woodmen of America, protesting against the passage of the Minimum Rate Law.

Referred to Committee on Insurance.

Cunningham of Buena Vista presented petition of citizens of Storm Lake, relative to the establishment of Short Course Agricultural Schools.

Referred to Committee on Ways and Means.

Meredith of Cass presented remonstrance of citizens of Cass County, protesting against the passage of House File No. 169, referring to breach of the Sabbath.

Referred to Committee on Judiciary.

Jones of Lee presented remonstrance of the Cigarmakers Union of Fort Madison, Iowa, protesting against the passage of House File No. 169, referring to breach of the Sabbath.

Referred to Committee on Judiciary.

Bauman of Van Buren presented remonstrance of citizens of Van Buren County, protesting against the passage of the School Bill.

Referred to Committee on Schools and Text Books.

Hickenlooper of Monroe presented remonstrance of members of the Monroe County Bar, protesting against any change in the Second Judicial District.

Referred to Committee on Judicial Districts.

Mr. Speaker presented petition of citizens of Blackhawk County, relative to House File No. 169, referring to breach of the Sabbath.

Referred to Committee on Judiciary.

Reitz of Lee presented remonstrance of Local Union No. 181, of Cigarmakers of Fort Madison, relative to House File No. 169, referring to breach of the Sabbath.

Referred to Committee on Judiciary.

Swan of Appanoose presented petition of members of the Bar and County officials of Appanoose County, relative to creating a new judicial district.

Referred to Committee on Judicial Districts.

#### REPORTS OF COMMITTEES.

Moore of Linn, from the Committee on Appropriations, submitted the following report:

MR. SPEAKER—Your committee on Appropriations, to whom was referred Senate File No. 145, a bill for an act authorizing the State of Iowa

to co-operate with the city of Marshalltown in constructing a permanent dam across the Iowa river, providing for the maintenance thereof and making an appropriation therefor, beg leave to report they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same do pass.

ERNEST R. MOORE,  
*Chairman.*

Adopted.

Also:

MR. SPEAKER—Your committee on Appropriations, to whom was referred House File No. 153, a bill for an act to establish a laboratory at the Iowa College of Agriculture and Mechanic Arts to manufacture hog cholera serum and tuberculin and make an appropriation therefor, beg leave to report they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same be amended by substituting the following substitute amendment:

A Bill for an Act to Establish a Laboratory for the Manufacture of Hog Cholera Serum at or Near Des Moines Under the Supervision of the State Veterinary Surgeon and Make an Appropriation Therefor.

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

SECTION 1. The state veterinary surgeon is hereby authorized to establish a laboratory for the manufacture of hog cholera serum, and to provide the necessary equipment therefor at or near Des Moines, Iowa. The state veterinary surgeon shall be director of said laboratory. He shall employ such assistants as he may deem necessary to carry on said work. The director of the laboratory, with the approval of the executive council, shall fix the salaries of the employes connected with the manufacture of said serum. Upon application made to the director of the laboratory, he shall furnish said serum for use within the State of Iowa at actual cost of manufacture, and shall also furnish applicants with instructions for the use of same. If said applicant should require the services of the state veterinary surgeon or his assistants, the expenses for their services rendered shall be paid by the applicant to the director of the laboratory or his authorized assistant. The receipts from the sale of serum and from salvage shall be used by the director of the laboratory to promote the work, and he shall file with the executive council a separate official and itemized statement of all such receipts and expenditures in lieu of turning such receipts in to the state treasurer, as provided in Section one hundred seventy-d (170-d) of the Supplement to the Code, 1907. The director of the laboratory shall issue receipts for all moneys received by him and shall annually file with the executive council a complete statement of all moneys received by him or expended in the equipping and conducting of said business.

Upon passage and publication of this act there shall be made immediately available an appropriation out of any moneys in the state treasury not otherwise appropriated, the sum of eight thousand dollars (\$8,-

000) or so much thereof as may be necessary to carry out the provisions of this act. The amount above mentioned shall be paid upon the order of the director of the laboratory upon approval by the executive council, and when so amended the bill do pass.

ERNEST R. MOORE,  
*Chairman.*

Adopted.

Also:

MR. SPEAKER—Your committee on Appropriations, to whom was referred House File No. 168, a bill for an act to amend Sections sixteen hundred fifty-seven-d (1657-d), sixteen hundred fifty-seven-k (1657-k) and sixteen hundred fifty-seven-t (1657-t) of the Supplement to the Code, relative to the department of agriculture, beg leave to report they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same be indefinitely postponed.

ERNEST R. MOORE,  
*Chairman.*

Adopted, and House File No. 168 was indefinitely postponed.

Allred of Wayne, from the Committee on Military, submitted the following report:

MR. SPEAKER—Your committee on Military, to whom was referred House File No. 273, a bill for an act to authorize the commandant of the soldiers' home to sell effects of deceased soldiers, beg leave to report they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same be amended by the following substitute amendment:

SUBSTITUTE AMENDMENT FOR HOUSE FILE NO. 273.

A Bill for An Act to Amend Chapter One Hundred Twelve (112) of the Acts of the Thirtieth General Assembly and Provide for the Collection of Certificates of Deposit, Promissory Notes, and Other Demands Owned by Deceased Inmates of State Institutions and to Provide for the Sale of the Personal Effects of Such Deceased Inmates, and the Disposition of the Money so Received.

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

SECTION 1. That Section one (1) of Chapter one hundred twelve (112) of the Acts of the Thirtieth General Assembly is hereby amended to read as follows:

SECTION 1. That when an inmate of any institution under the control of the board of control of state institutions dies intestate, leaving money, certificate of deposit, promissory note, or other evidence of indebtedness in writing on deposit with the chief executive or other officer, or shall leave in the possession of such institution or of any officer or employee thereof any personal property, it shall be the duty of the chief executive

officer of said institution to take into his possession, if he does not already have it; such money, certificate of deposit, promissory note or other evidence of indebtedness in writing, and to receive any money which may have been due, or property which may have been owned by the decedent, and to dispose of the same as follows:

(a) To deliver such money or other property to the legal representative of the decedent as soon as he shall have qualified and become authorized to receive it.

(b) If administration be not granted within one year from the date of the death of the decedent, and the value of the estate of decedent is so small as to make the granting of administration under the general law inadvisable, then delivery of the money and other property left by the decedent may be made to the surviving spouse and heirs, if known, of the decedent.

(c) If administration be not granted within one year from the date of the death of the decedent and no surviving spouse or heir is known to the institution, although diligent search for them shall have been made, the chief executive officer of the institution shall be authorized to collect the certificate of deposit, promissory note or other evidence of indebtedness, and for that purpose is authorized to indorse the name of decedent as made by himself in his official capacity, and such indorsement shall have the same effect as though actually made by the decedent in his life time; and said chief executive officer shall be authorized to sell at either public or private sale, as shall be approved in writing by said board of control, all personal property of the decedent which shall have come into his possession. The money which shall be received by said chief executive officer as aforesaid shall be transmitted to the treasurer of state at the end of one year from the death of the intestate, or as soon thereafter as is practicable, and shall be credited to the support fund of the institution from which it was sent. A complete permanent record of the money so sent, showing by whom and with whom it was left, its amount, the date of the death of the owner, his reputed place of residence before he became an inmate of the institution, the date on which it was sent to the state treasurer and any other facts which may tend to identify the intestate and explain the case shall be kept by the chief executive officer of the institution and a transcript thereof shall be sent to and kept by the treasurer of state.

SEC. 2. This act, being deemed of immediate importance, 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, and when so amended the bill do pass.

W. P. ALLRED,  
*Chairman.*

Adopted.

Also:

MR. SPEAKER—Your committee on Military, to whom was referred House File No. 361, a bill for an act to repeal the law as it appears in Sections two thousand six hundred six-a (2606-a), two thousand six hundred six-b



(2606-b), two thousand six hundred six-c (2606-c) of Supplement of the Code of 1907 relating to pensions of members of the soldiers' home, beg leave to report they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same do pass.

W. P. ALLRED,  
*Chairman.*

Adopted.

Arney of Marshall, from the Committee on Agriculture, submitted the following report:

MR. SPEAKER—Your committee on Agriculture, to whom was referred Substitute for Senate File No. 105, a bill for an act to amend the law as it appears in Section 5028-h of the Supplement to the Code, 1907, relating to unfair discrimination between different sections, communities or localities, beg leave to report they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same be amended as follows: By striking out the words "but prices made to meet competition in such locality shall not be in violation of this act," and when so amended the bill do pass.

W. H. ARNEY,  
*Chairman.*

Adopted.

Also:

MR. SPEAKER—Your committee on Agriculture, to whom was referred Substitute for Senate File No. 87, a bill for an act to repeal Section sixteen hundred seventy-five (1675) of the Supplement to the Code and to enact a substitute therefor, relative to farmers' institutes, beg leave to report they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same do pass.

W. H. ARNEY,  
*Chairman.*

Adopted.

Sullivan of Polk, from the Committee on Judiciary, submitted the following report:

MR. SPEAKER—Your committee on Judiciary, to whom was referred Senate File No. 282, a bill for an act to legalize the action and proceedings of the board of supervisors of Mills County, Iowa, in the matter of issuance of bonds for the refunding of the indebtedness of Pony Creek drainage district No. 1 and the widening, deepening and improvement of said Pony Creek and in the levy of an assessment therefor, beg leave to report they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same do pass.

JOHN B. SULLIVAN,  
*Chairman.*

Adopted.

Also:

MR. SPEAKER—Your committee on Judiciary, to whom was referred House File No. 381, a bill for an act to legalize the incorporation of the town of Packwood, Jefferson County, Iowa, the election of its officers and all acts done and ordinances passed by the town council of said town, beg leave to report they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same do pass.

JOHN B. SULLIVAN,  
*Chairman.*

Adopted.

Also:

MR. SPEAKER—Your committee on Judiciary, to whom was referred House File No. 348, a bill for an act providing for the adoption of distinctive mark or marks of ownership of cans, bottles, casks, kegs, barrels, vessels or other receptacles used in the handling, manufacture, sale or transportation of dairy products, ice-cream, milk or cream, by filing with the Secretary of State a description of such distinctive mark or marks of ownership, the use to be made of the same, and publication in some weekly newspaper in the state; making it unlawful to use any such can, bottle, cask, keg, barrel, vessel or other receptacle for the handling, manufacture, sale or transportation of any dairy products, ice-cream, milk or cream, if the same have ever been used in handling any filthy, unclean, or unwholesome product or commodity whatsoever, and making it unlawful for anyone to have in possession, use, handle, ship, mutilate or destroy any such can, bottle, cask, keg, barrel, vessel, or other receptacle, without the owner's written permission; providing penalties for violation of this act; and charging the food and dairy commissioner with the enforcement of this act, beg leave to report they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same be indefinitely postponed.

JOHN B. SULLIVAN,  
*Chairman.*

Adopted, and House File No. 348 was indefinitely postponed.

Also:

MR. SPEAKER—Your committee on Judiciary, to whom was referred House File No. 338, a bill for an act to amend Section five thousand six hundred twenty-six (5626) of Chapter forty-nine (49), Title twenty-five (25) of the Code in relation to pardons and the remission of fines and forfeitures by the governor, and to enact a substitute therefor, beg leave to report they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same be indefinitely postponed.

JOHN B. SULLIVAN,  
*Chairman.*

Adopted, and House File No. 338 was indefinitely postponed.

Jewell of Winneshiek, from the Committee on Public Health, submitted the following report:

MR. SPEAKER—Your committee on Public Health, to whom was referred Senate File No. 166, a bill for an act to enable counties to establish and maintain public hospitals, levy a tax and issue bonds therefor, elect hospital trustees, maintain training schools for nurses, provide suitable means for the care of tuberculous persons, and to make possible the ultimate establishment of an adequate supply of hospitals with equal rights to all and special privileges to none, beg leave to report they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same do pass.

P. M. JEWELL,  
*Chairman.*

Adopted.

Also:

MR. SPEAKER—Your committee on Public Health, to whom was referred House File No. 279, a bill for an act to declare certain diseases contagious and infectious and to provide rules and regulations for the control of the same, and to fix the punishment for violation thereof, beg leave to report they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same do pass.

P. M. JEWELL,  
*Chairman.*

Adopted.

#### REPORT OF COMMITTEE ON ENROLLED BILLS.

Klay of Sioux, 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. 98, a bill for an act to repeal the law as it now appears in Section three hundred thirty-seven-d (337-d) of the Supplement to the Code, 1907, relating to the time and manner of selecting jury lists, and to enact a substitute therefor.

Also:

House File No. 177, a bill for an act to repeal Sections forty-nine hundred seventy-five-d (4975-d), forty-nine hundred seventy-five-g (4975-g) and forty-nine hundred seventy-five-h (4975-h) of the Supplement to the Code, 1907, relating to bucket shops and bucket-shopping, and to enact substitutes therefor.

GERRIT KLAY,  
*Chairman.*

Adopted.

## REPORT OF JOINT COMMITTEE ON ENROLLED BILLS.

Klay of Sioux, 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. 98, a bill for an act to repeal the law as it now appears in Section three hundred thirty-seven-d (337-d) of the Supplement to the Code, 1907, relating to the time and manner of selecting jury lists and enact a substitute therefor.

Also:

House File No. 177, a bill for an act to repeal Sections forty-nine hundred seventy-five-d (4975-d), forty-nine hundred seventy-five-g (4975-g) and forty-nine hundred seventy-five-h (4975-h) of the Supplement to the Code, 1907, relating to bucket shops and bucket-shopping, and to enact substitutes therefor.

GERRIT KLAY,  
*Chairman House Committee.*

HENRY L. ADAMS,  
*Chairman Senate Committee.*

Adopted.

Also:

MR. SPEAKER—Your Joint Committee on Enrolled Bills respectfully report that they have examined, and find correctly enrolled, Senate File No. 44, a bill for an act making appropriation for the purchase of twenty thousand (20,000) copies of the railroad commissioners' official maps to be distributed by the members of the General Assembly and railroad commissioners.

Also:

Senate File No. 72, a bill for an act to amend the law as it appears in Section forty-nine hundred ninety-nine-a-9 (4999-a-9) of the Supplement to the Code, 1907, relating to protection against fire and providing means for escape.

Also:

Senate File No. 172, a bill for an act to amend Section Twenty-six hundred and one (2601) of the Code relating to admission of inmates to the Iowa soldiers home located at Marshalltown.

GERRIT KLAY,  
*Chairman House Committee.*

HENRY L. ADAMS,  
*Chairman Senate Committee.*

Adopted.

Also:

MR. SPEAKER—Your Joint Committee on Enrolled Bills respectfully report that they have examined, and find correctly enrolled, Senate File No. 48, a bill for an act to amend the law as it appears in Section sixteen hundred and sixty-one-a (1661-a) of the Supplement to the Code, 1907, relative to state aid to county and district fairs.

Also:

Senate File No. 262, a bill for an act to legalize the resolutions and proceedings of the council of the city of Monticello, Iowa, relating to the parking, curbing, guttering and macadamizing of a portion of Sycamore street in said city, and all acts done thereunder.

GERRIT KLAY,  
*Chairman House Committee.*

HENRY L. ADAMS,  
*Chairman Senate Committee.*

Adopted.

Also:

MR. SPEAKER—Your Joint Committee on Enrolled Bills respectfully report that they have examined, and find correctly enrolled, Senate File No. 75, a bill for an act to repeal Sections sixteen (16), seventeen (17) and twenty (20) of Chapter twenty (20) of the Acts of the Extra Session of the Twenty-sixth General Assembly as the same appear on page four (4) of the Prefix to the Code, and enact substitutes therefor; to repeal Sections eighteen (18) and nineteen (19) of Chapter twenty (20) of the Acts of the Extra Session of the Twenty-sixth General Assembly, as amended by Chapter one (1) of the Acts of the Thirty-first General Assembly, and as same appear on page five (5) of the Prefix to the Supplement to the Code, 1907, and enact substitutes therefor; and to repeal Sections forty-two (42), forty-three (43), forty-four (44), forty-five (45) and forty-six (46) of the Code and enact substitutes therefor, relating to the distribution and sale of, and the accounting for, the Codes and Session Laws.

Also:

Senate File No. 136, a bill for an act making appropriation to defray the expenses of the inaugural ceremonies.

Also:

Senate File No. 162, a bill for an act amending the law as it appears in Section thirteen hundred sixty-one (1361) of the Supplement to the Code, 1907, and Section thirteen hundred fifty-five (1355) of the Code, relating to the making of affidavit in assessment of property.

GERRIT KLAY,  
*Chairman House Committee.*

HENRY L. ADAMS,  
*Chairman Senate Committee.*

Adopted.

## INTRODUCTION OF BILLS.

By Arney of Marshall, House File No. 396, a bill for an act to appropriate money for the Soldiers' Home at Marshalltown, Iowa.

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

By Arney of Marshall, House File No. 397, a bill for an act to amend the law as it appears in Section Five (5), Chapter One Hundred and Fifty-seven (157), Laws of the Thirty-second General Assembly, relating to the preservation of the public archives.

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

By Miller of Bremer, House File No. 398, a bill for an act creating a State Board of Chiropractic Examiners, and to regulate the practice of chiropractic in the State of Iowa, to license chiropractors, and to punish persons violating the provisions of this act.

Read first and second time and referred to Committee on Public Health.

By Grier of Poweshiek, House File No. 399, a bill for an act providing for the trial of persons charged with the commission of the crime of murder who are confined in a prison or reformatory.

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

By Sullivan of Polk (by request), House File No. 400, a bill for an act to amend Section One Thousand Seven Hundred Eighty-eight (1788) of the Supplement to the Code, 1907, relating to the matter of the assessment of life insurance associations, and providing for the deposit by members, of cash or notes for future assessments.

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

By Meredith of Cass, House File No. 401, a bill for an act to amend the law as it appears in Section Ten Hundred Eighty-seven-a-4 (1087-a-4) of the Supplement to the Code, 1907, relating to primary elections.

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

By Meredith of Cass, House File No. 402, a bill for an act making it a misdemeanor for any person summoned or about to be summoned as a witness before any court, tribunal, or officer authorized to receive testimony, to knowingly demand or receive more than legal compensation for services as such witness.

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

By Meredith of Cass, House File No. 403, a bill for an act to amend the law as it appears in Section Thirty-three Hundred Twenty-three (3323) of the Code, relating to bonds of executors and administrators on sale of real estate.

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

By Meredith of Cass, House File No. 404, a bill for an act to amend the law as it appears in Section Fifty-two Hundred Fifty-six (5256) of the Supplement to the Code, 1907, relating to the compensation of the clerk to the grand jury.

Read first and second time and referred to Committee on Compensation of Public Officers.

By Ritter of Des Moines, House File No. 405, a bill for an act to amend Section Twenty-five Hundred and Seventy-five-a-thirty (2575-a-30) and Twenty-five Hundred Seventy-five-a-thirty-one (2575-a-31) of the Supplement of the Code, and to repeal Section Twenty-five Hundred and Seventy-five-a-twenty-nine (2575-a-29) of the Supplement to the Code, relative to the qualifications of nurses and enacting a substitute therefor.

Read first and second time and referred to Committee on Public Health.

By Perkins of Delaware, House File No. 406, a bill for an act to amend Section Twenty-eight Hundred Twenty-three-a (2823-a), Supplement to the Code, 1907, relating to the duties of parents or guardians.

Read first and second time and referred to Committee on Schools and Text Books.

By Ripley of Hancock, House File No. 407, a bill for an act to amend Section Two Thousand Five Hundred and Forty (2540) of the Supplement to the Code, 1907, relating to the catching and to the transportation of fish.

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

By Stoddard of Buchanan, House File No. 408, a bill for an act to prevent disease among bees and to provide for inspection thereof.

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

By Beery of Henry, House File No. 409, a bill for an act to indemnify Mamie McMahan for personal injury sustained by her while employed as nurse at the Mt. Pleasant State Hospital, Mt. Pleasant, Iowa.

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

By Beery of Henry, House File No. 410, a bill for an act to define the standard width of wagons, carriages, buggies, and other vehicles to be used upon the public highways.

Read first and second time and referred to Committee on Roads and Highways.

By Byerly of Jones, House File No. 411, a bill for an act authorizing the State Board of Control to enter into a contract for the employment of certain inmates of the Reformatory at Anamosa.

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

Holmes of Kossuth moved that a committee of three be appointed to invite the Pioneer Lawmakers to visit the House.

Motion prevailed.

The Speaker appointed the following committee: Holmes of Kossuth, DeWitt of Montgomery and Schroeder of Crawford.

Boomgaarden of Lyon, chairman of the committee appointed to draft resolutions respecting the life and public service of Hon. Samuel A. Feay, presented the report of that committee and moved its adoption.



Motion prevailed, the resolutions were adopted and ordered printed in the Journal.

The report of the committee on the Springer-Stoddard contest, submitted yesterday was taken up, read and considered.

Davidson of Palo Alto moved the adoption of the report.

Motion prevailed, the report was adopted, and B. F. Stoddard was declared to be the duly elected representative to the Thirty-third General Assembly from the Sixty-seventh Representative District of Iowa.

The supplemental report of said committee was then read and considered.

On motion of Davidson of Palo Alto the report was adopted.

The Speaker announced that as Speaker of the House, in the presence of the House, he had signed House File Nos. 98, 177, 123, 171, and 158, and Senate File Nos. 136, 162, 48, 172, 72, 44, 262, and 75.

Arney of Marshall moved that House File No. 187, be withdrawn from the Committee on Appropriations, and the further consideration of the House.

Motion prevailed.

A committee representing the Pioneer Lawmakers appeared and notified the House they were in session and extended the members an invitation to visit them.

Holmes of Kossuth moved that a vote of thanks be extended that body for their invitation.

Motion prevailed.

Holmes of Kossuth presented the following report of the Special Committee to arrange for a program in honor of the Pioneer Lawmakers Association:

MR. SPEAKER—We, your committee appointed to invite the Iowa Pioneer Lawmakers' Association to visit the House, make the following report:

We recommend that when this House adjourns it do adjourn to meet at 1:15 this afternoon. That the Pioneer Lawmakers' Association will be present at 1:30, and that the following program be given:

Address of Welcome .....	Speaker Feely
Response .....	G. L. Dobson
Address .....	Representative Jacobs of Calhoun
Response .....	Alonzo Abernethy
Address .....	Representative Crozier of Marion
Response .....	Ben McCoy
Address .....	Representative Perkins of Delaware
Solo .....	Mrs. Alice Cheek

That this report and the proceedings be printed in the Journal.

O. H. HOLMES,

*Chairman.*

H. C. SCHROEDER,

C. E. DEWITT.

Adopted.

Holmes of Kossuth moved that when the House adjourn it be until 1:15 o'clock, P. M.

Motion prevailed.

#### SPECIAL ORDER.

Time having arrived for Special Order No. 6, on motion of Lee of Emmet, House File No. 346, a bill for an act to amend the law as it appears in Sections One Thousand Eighty-seven-a-1 (1087-a-1), One Thousand Eighty-seven-a-5 (1087-a-5), One Thousand Eighty-seven-a-6 (1087-a-6), One Thousand Eighty-seven-a-10 (1087-a-10), One Thousand Eighty-seven-a-12 (1087-a-12), One Thousand Eighty-seven-a-14 (1087-a-14), One Thousand Eighty-seven-a-19, (1087-a-19), One Thousand Eighty-seven-a-21 (1087-a-21), One Thousand Eighty-seven-a-22 (1087-a-22), One Thousand Eighty-seven-a-24 (1087-a-24), One Thousand Eighty-seven-a-25 (1087-a-25), One Thousand Eighty-seven-a-26 (1087-a-26), One Thousand Eighty-seven-a-27 (1087-a-27), of the Supplement to the Code, 1907, and to repeal the law as it appears in Sections One Thousand Eighty-seven-a-13 (1087-a-13), One Thousand Eighty-seven-a-15 (1087-a-15), and One Thousand Eighty-seven-a-18 (1087-a-18), of the Supplement to the Code, 1907, and to enact substitutes therefor, relating to the holding of primary elections by political parties, with report of committee recommending passage as amended, was taken up, considered, and the report of the committee adopted.

Lee of Emmet proposed the following amendment:

I move to amend House File No. 346 by inserting after the word "Section" and before the word "and" in the third line of the

printed bill of Section 13, the following: "down to and including the word 'occurs' in the eighth line of said section."

Amendment adopted.

Lee of Emmet proposed the following amendment:

I move to amend House File No. 346 by adding the following as Section 17:

"Section 17. Nothing in this act contained shall be construed so as to repeal Chapter One (1), of the Acts of the Thirty-second General Assembly, passed at the extra session thereof, begun August 31, 1908."

Amendment adopted.

Hanson of Humboldt in the Chair.

Sankey of Decatur proposed the following amendment and moved its adoption:

I move to amend by striking out lines 27, 28 and 29, of Section 14 of the printed bill; also by striking out lines 11, 12 and 13, of Section 15, of the printed bill now under consideration, and by striking out lines 12, 13 and 14 of Section 16 of the printed bill.

Amendment lost.

Balluff of Scott proposed the following amendment:

I move to amend House File No. 346 by adding the following section thereto:

"Section 18. That the law as it appears in Section One Thousand Eighty-seven-a-10 (1087-a-10) of the Supplement to the Code, be and the same is hereby amended by adding after the words "Secretary of State," in the tenth line thereof the following: 'And in case there is pending an amendment or amendments to the Constitution of the State of Iowa, which must be submitted to the legislature for which Senators and Representatives are to be elected, then the candidates for such offices shall file at least ten days previous to their nomination papers a statement as to how they will vote as legislators upon such amendment or amendments and the Secretary of State shall be prohibited from filing or certifying the nominations of such candidate unless the statement herein referred to has been so filed.' "

Balluff of Scott moved the adoption of the amendment.

Roll call was demanded by Ritter of Des Moines and Sankey of Decatur.

On the question, Shall the amendment be adopted?

The ayes were:

Balluff, Boettger, Byerly, Calkins, Dabney, Dodds, Ellis, Fulham, Huffaker, Kendall, McDonald, Miller of Bremer, Miller of Dubuque, Penn, Perkins, Ritter, Sankey, Schroeder, Schulte, Swift, Tegeler, Wolfe—22.

The nays were:

Allred, Anderson, Arney, Bascom, Beans, Beebe, Beery, Boe, Bonwell, Boomgaarden, Brandes, Burt, Cassady, Cooper, Corrie, Cousins, Crummer, Cunningham, Dalby, Darrah, Davidson, Dawson, Derrough, Dewell, Dewey, DeWitt, Drury, Dye, Elliott, Felt, Fenn, Finlayson, Fourt, Fox, Fulton, Goodykoontz, Grier, Hackler, Hanson, Harvey, Hickenlooper, Holmes, Ide, Inman, Johnson, Jones, Kellogg, Larrabee, Lee, McCleery, Marston, Meredith, Moore of Wapello, Newell, Ripley, Schee, Smith, Stillman, Stoddard, Sullivan, Swan, Thompson, Tilton, Ward, Welden, Zeller, Mr. Speaker—67.

Absent or not voting:

Bauman, Blackmore, Bowman, Crozier, Etter, Harding, Hunter, Jacobs, Jewell, Klay, Koontz, Kull, Moore of Linn, O'Connor, Reaney, Reitz, Sheldon, White, Wilson—19.

So the amendment was lost.

Ripley of Hancock proposed the following amendment:

I move to amend House File No. 346, by inserting between Sections 14 and 15, the following:

“Section 15. That the law as it appears in Section One Thousand Eighty-seven-a-25 (1087-a-25) of the Supplement to the Code, be amended by inserting after the word ‘thereof’ and before the word ‘thus’ in line thirty-seven (37) the following: ‘or when delegates representing a majority of the precincts,’ and to further amend said bill by numbering Section 15 as Section 16 and numbering Section 16 as Section 17, and Section 17 as Section 18.’”

Amendment adopted.

Cooper of Jasper proposed the following amendment:

I move to amend House File No. 346 by striking out the words "Two Dollars each" in the 7th line of Section 2 of the printed bill, and substituting the words "twenty-five cents per hour" in lieu thereof.

Amendment adopted.

On motion of Miller of Dubuque, the House adjourned.

#### AFTERNOON SESSION.

House met pursuant to adjournment.

Speaker Feely in the Chair.

#### PETITIONS, MEMORIALS AND REMONSTRANCES.

Moore of Linn presented petition of citizens of Linn County, relative to State inspection of bees.

Referred to Committee on Animal Industry.

#### REPORTS OF COMMITTEES.

Grier of Poweshiek, from the Committee on Banks and Banking, submitted the following report:

MR. SPEAKER—Your committee on Banks and Banking, to whom was referred House File No. 350, a bill for an act to authorize the organization and establishment of an association to be known as the Iowa Bank Deposit Guarantee Association and providing the guarantee of deposits in banks and trust companies within the State of Iowa against loss to depositors, beg leave to report they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same be indefinitely postponed.

GEO. E. GRIER,  
*Chairman.*

Adopted, and House File No. 350 was indefinitely postponed.

Also:

MR. SPEAKER—Your committee on Banks and Banking, to whom was referred House File No. 76, a bill for an act to create a depositors' guaranty fund to insure depositors against loss if the banks become insolvent and empowering the auditor of state to levy and collect the same, additional to Title nine (9), etc., beg leave to report they have had the same

under consideration and have instructed me to report the same back to the House with the recommendation that the same be indefinitely postponed.

GEO. E. GRIER,  
*Chairman.*

Adopted, and House File No. 76 was indefinitely postponed.

Also:

MR. SPEAKER—Your committee on Banks and Banking, to whom was referred House File No. 184, a bill for an act to amend the negotiable instruments law relative to the payment of instruments payable at a bank, beg leave to report they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same do pass.

GEO. E. GRIER,  
*Chairman.*

Adopted.

Also:

MR. SPEAKER—Your committee on Banks and Banking, to whom was referred House File No. 57, a bill for an act to repeal paragraph four (4) of Section eighteen hundred fifty (1850) of the Supplement to the Code and to enact a substitute therefor, relating to the investment of funds of savings banks, beg leave to report they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same be amended by the following substitute amendment:

A Bill for an Act to Amend Section Eighteen Hundred Fifty (1850) of the Supplement to the Code, 1907, Relating to the Investment of Funds in Savings Banks.

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

SECTION 1. That paragraph three (3) of Section eighteen hundred fifty (1850) of the Supplement to the Code, 1907, be amended by striking out the words "of this state" after the word "district" and before the word "issued" in the second line of said paragraph.

SEC. 2. That paragraph four (4) of Section eighteen hundred fifty (1850) of the Supplement to the Code, 1907, be amended by striking out the words "in this state" after the word "estate" and before the word "worth" in the second line of said paragraph and by adding to said paragraph the following: "Provided, however, that no loan on real estate outside of this state shall be made for more than forty per cent (40%) of the value of such real estate, exclusive of improvements, as fixed by an appraisement by three disinterested persons," and when so amended the bill do pass.

GEO. E. GRIER,  
*Chairman.*

Adopted.

Also:

MR. SPEAKER—Your committee on Banks and Banking, to whom was referred House File No. 163, a bill for an act to authorize the creation of a state banking department, and providing for the appointment of a board of state bank commissioners and for the creation of a depositors' guaranty fund, beg leave to report they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same be indefinitely postponed.

GEO. E. GRIER,  
*Chairman.*

Ordered passed on file.

#### MINORITY RECOMMENDATIONS.

MR. SPEAKER—We, the undersigned, a minority of your committee on Banks and Banking, desire to dissent from the views of a majority of your committee recommending House File No. 163 for indefinite postponement, and beg leave to submit the following minority report: That the report of a majority of your committee, recommending House File No. 163 for indefinite postponement, be substituted by the report of a minority of your committee recommending House File No. 163 for passage.

EDWARD McDONALD,  
I. T. DABNEY,  
F. A. O'CONNOR,  
H. C. SCHROEDER,  
E. J. SANKEY.

Ordered passed on file.

#### REPORT OF COMMITTEE ON ENROLLED BILLS.

MR. SPEAKER—Your committee on enrolled bills respectfully report that they have this day sent to the governor for his approval, House File No. 98, a bill for an act to repeal the law as it now appears in Section three hundred thirty-seven-d (337-d) of the Supplement to the Code, 1907, relating to the time and manner of selecting jury lists, and to enact a substitute therefor.

Also:

House File No. 177, a bill for an act to repeal Sections forty-nine hundred seventy-five-d (4975-d), forty-nine hundred seventy-five-g (4975-g), and forty-nine hundred seventy-five-h (4975-h) of the Supplement to the Code, 1907, relating to bucket shops and bucket-shopping, and to enact substitutes therefor.

GERRIT KLAY,  
*Chairman.*

Adopted.

Also:

House File No. 123, a bill for an act to amend Section eight hundred fifty-j (850-j) of the Supplement to the Code, 1907, relating to park districts.

Also:

House File No. 158, a bill for an act to amend Section three thousand one hundred thirty-eight (3138) of the Supplement to the Code, 1907, relating to the lien and liability of hotel and inn-keepers.

Also:

House File No. 171, a bill for an act providing for the completion and distribution of the roster of Iowa soldiers, sailors and marines as provided by Chapter 223, Laws of the Thirty-second General Assembly, fixing number of volumes, and making an additional appropriation therefor.

GERRIT KLAY,  
*Chairman.*

Adopted.

#### INTRODUCTION OF BILLS.

By Calkins of Adams, House File No. 412, a bill for an act providing for Legislative Investigation Committee.

Read first and second time and referred to Committee on Ways and Means.

By Crozier of Marion, House File No. 413, a bill for an act to amend the law relative to the payment of certain expenses and costs incurred on account of patients committed as inebriates to State hospitals.

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

By Holmes of Kossuth (by request), House File No. 414, a bill for an act relating to the investigation of complaints as to the management and treatment of inmates of County and private institutions in which insane persons are kept, and of children cared for by associations and societies contemplated by the law as it appears in Section Three Thousand Two Hundred Sixty-j (3260-j) of the Supplement to the Code, 1907.

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



By Perkins of Delaware, House File No. 415, a bill for an act to amend the law as it appears in Section Thirteen Hundred Six-b (1306-b) of the Supplement to the Code, 1907, so as to authorize cities and incorporated towns to incur an indebtedness not exceeding in the aggregate added to all other indebtedness five per centum of the actual value of the taxable property within such cities or incorporated towns for the purpose of extending as well as purchasing, erecting or maintaining and operating water-works electric light and power plants, gas works and heating plants, or building and constructing sewers.

Read first and second time and referred to Committee on Municipal Corporations.

Upon the arrival of the Pioneer Lawmakers Association the following program was rendered:

#### PROGRAM.

Address of Welcome .....	Speaker Feely
Response .....	G. L. Dobson
Address .....	Representative Jacobs of Calhoun
Response .....	Alonzo Abernethy
Address .....	Representative Crozier of Marion
Response .....	Ben McCoy
Solo .....	Mrs. Alice Cheek
Address .....	Representative Perkins of Delaware
Address .....	Governor B. F. Carroll
Address .....	Pres. Moir of the Pioneer Lawmakers' Association

Holmes of Kossuth moved that a vote of thanks be tendered Mrs. Alice Cheek for her solos.

Motion prevailed.

Cooper of Jasper moved that House File No. 85 be withdrawn from the Committee on Compensation of Public Officers, and the further consideration of the House.

Motion prevailed.

Dewell of Cedar moved that House File No. 186 be withdrawn from the Committee on Roads and Highways, and the further consideration of the House.

Motion prevailed.

On motion of Lee of Emmet the House adjourned.

# JOURNAL OF THE HOUSE

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HALL OF THE HOUSE OF REPRESENTATIVES,  
DES MOINES, IOWA, MARCH 12, A. D. 1909.

House met pursuant to adjournment.

Speaker Feely in the Chair.

Prayer was offered by the Rev. G. L. Bergeman of Hancock, Iowa.

On request of Kellogg of Harrison, leave of absence was granted Sheldon of Ringgold until Monday.

## PETITIONS, MEMORIALS AND REMONSTRANCES.

Bauman of Van Buren presented remonstrance of citizens of Upton School District, protesting against the passage of the School Bill.

Referred to Committee on Schools and Text Books.

Mr. Speaker presented petition of merchants of Black Hawk County, relative to House File No. 232, referring to exemptions.

Referred to Committee on Judiciary.

Fulliam of Muscatine presented remonstrance of citizens of Fulton Township, protesting against the passage of the School Bill.

Referred to Committee on Schools and Text Books.

Reaney of Louisa presented remonstrance of citizens of Morning Sun Township, protesting against the passage of the School Bill.

Referred to Committee on Schools and Text Books.

## REPORTS OF COMMITTEES.

Welden of Hardin, from the Committee on Railroads and Transportation, submitted the following report:

MR. SPEAKER—Your committee on Railroads and Transportation to whom was referred House File No. 264, a bill for an act to amend Section twenty-one hundred fifty-seven-g (2157-g) of the Supplement to the Code 1907, relating to free passes by common carriers, beg leave to report they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same do pass.

WM. WELDEN,  
*Chairman.*

Adopted.

Also:

MR. SPEAKER—Your committee on Railroads and Transportation to whom was referred Substitute for Senate File No. 23, a bill for an act to amend Section two thousand one hundred sixteen (2116) of the Code, relating to the duties or railroads as to furnishing transportation, beg leave to report they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same do pass.

WM. WELDEN,  
*Chairman.*

Adopted.

Also:

MR. SPEAKER—Your committee on Railroads and Transportation to whom was referred House File No. 214, a bill for an act to repeal sections twenty-one hundred eleven (2111), twenty-one hundred fifty-one (2151) of the Code, relating to the election, limitations, powers and duties of the Board of Railroad Commissioners and to enact substitutes therefor, etc., beg leave to report they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same be amended as follows:

*First.* Strike out all of Section one.

*Second.* Strike out all of Section two (2) of said bill after the word "repeal" in the second line thereof and place a period after said word "repeal" and that the same be designated in said bill as Section one (1).

*Third.* That the bill be further amended by adding thereto the following as Section two:

SEC. 2. That Section twenty-one hundred and twenty-one (2121) of the Supplement to the Code 1907, be and the same is hereby amended by adding thereto the following: "The Commissioners or any one of them or their Secretary, when necessarily absent from the seat of government in the performance of their duties shall be allowed the very actual expenses including railroad fare." No expenditure for traveling

expenses to other states shall be made by the board or by any officer or agent thereto unless the authority to make such trip is granted by a meeting of the board upon a written resolution adopted by the board, which shall state the purpose of said trip and the reason the same is deemed necessary. Said resolution, if adopted, shall then be submitted to the Governor for a written approval and if he does not approve of the same such trip shall not be made at the expense of the State; and the acceptance by others of the Commissioners or their Secretary by free transportation or other favors from any railroad corporations or express companies or associations is hereby prohibited and made a misdemeanor.

*Fourth.* Strike out all of Section three (3) of the bill.

*Fifth.* Make Section four (4) of the bill Section three (3); and when so amended the bill do pass.

WM. WELDEN,  
*Chairman.*

Adopted.

Marston of Cerro Gordo, from the Committee on Labor, submitted the following report:

MR. SPEAKER—Your committee on Labor, to whom was referred House File No. 8, a bill for an act to compel manufacturers and owners of corn huskers, shuckers and shredders, to provide automatic feeders or other safety device to safeguard against accidents and making the sale or use thereof a misdemeanor and fixing a penalty for violation, beg leave to report they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same be amended as follows:

*First.* That the title be stricken out and the following substituted in lieu thereof:

“A Bill for an act to require manufacturers and owners of corn huskers, shuckers and shredders to provide feeders or other safety devices to properly safeguard against accidents and making the sale and use of machines not so equipped a misdemeanor and fixing a penalty therefor.”

*Second.* That all after the enacting clause be stricken out and the following substituted in lieu therefor:

SECTION 1. Hereafter it shall be unlawful for any person, firm, corporation or any agent or officer thereof, to sell or offer for sale in the State of Iowa, machines commonly known as corn huskers, shuckers or shredders, unless the same be properly guarded by automatic feeders or other safety devices.

*Third.* That all of Section two (2) be stricken out and the following substituted in lieu thereof:

SEC. 2. It shall be unlawful for the owner of any corn husker, shredder or shucker to use or operate the same or permit the use or operation of the same by any one in his employment, or under his control, unless the same is properly equipped with automatic feeder or safety device, provided, however, that this shall not apply where automatic feeders or safety devices are not manufactured for the machines in use.

*Fourth.* That all of Section three (3) be stricken out and the following substituted in lieu thereof:

SEC. 3. Any person, firm, corporation or any officer or agent thereof, violating the provisions of this act shall be guilty of a misdemeanor, and upon conviction thereof, shall be punished by a fine not exceeding one hundred dollars or imprisonment not exceeding ninety days, or both such fine and imprisonment in the discretion of the court.

*Fifth.* That Section four (4) shall read as follows:

SEC. 4. It shall be the duty of the Commissioner of Labor to enforce the provisions of this act; and when so amended the bill do pass.

CHAS. L. MARSTON,

*Chairman.*

Adopted.

Moore of Linn, from the Committee on Appropriations, submitted the following report:

MR. SPEAKER—Your committee on Appropriations, to whom was referred House File No. 285, a bill for an act making an appropriation of two hundred dollars (\$200) to reimburse Company A, Fifty-sixth Infantry, Iowa National Guard, for money paid by it to Robert Mann as damages resulting from the accidental killing by said Company of a horse belonging to said Robert Mann, beg leave to report they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same do pass.

ERNEST R. MOORE,

*Chairman.*

Adopted.

Also:

MR. SPEAKER—Your committee on Appropriations, to whom was referred House File No. 228, a bill for an act making appropriation to the State Historical Society of Iowa, beg leave to report they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same do pass.

ERNEST R. MOORE,

*Chairman.*

Adopted.

Drury of Sac, from the Committee on Compensation of Public Officers, submitted the following report:

MR. SPEAKER—Your committee on Compensation of Public Officers, to whom was referred House File No. 31, a bill for an act repealing Section five hundred and ninety (590) of the Code relative to the compensation of township trustees and enacting a substitute therefor, beg leave to report they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same be amended by the following substitute amendment.

## SUBSTITUTE AMENDMENT.

A Bill for an act to amend Section five hundred ninety (590) of the Code, relating to compensation of township trustees.

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

SECTION 1. That Section five hundred and ninety (590) of the Code be amended by adding to sub-division one (1), "except in townships having a population of thirty thousand (30,000) or over such compensation shall be three dollars (\$3.00) per day"; and when so amended the bill do pass.

WILL DRURY,  
*Chairman.*

Adopted.

Also:

MR. SPEAKER—Your committee on Compensation of Public Officers, to whom was referred House File No. 30, a bill for an act to repeal Section five hundred and ninety-two (592) of the Code, relating to the compensation of township assessors and enacting a substitute therefor, beg leave to report they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same be amended by striking out all after the enacting clause, and inserting in lieu thereof the following:

SECTION 1. That Section five hundred ninety-two of the Code be and the same is hereby repealed and the following enacted in lieu thereof:

"Each township assessor shall receive, in full for all services required of him by law, a sum to be paid out of the county treasury, and fixed annually by the Board of Supervisors of the county at the January session; said compensation shall be for the succeeding year, and shall not exceed the sum of two and one-half dollars (\$2.50) for each day of eight hours, except in townships having a population of thirty thousand (30,000) or over such compensation shall be four dollars (\$4.00) per day which said board determines may necessarily be required in the discharge of all the official duties of such assessor; and when so amended the bill do pass.

WILL DRURY,  
*Chairman.*

Adopted.

Also:

MR. SPEAKER—Your committee on Compensation of Public Officers, to whom was referred House File No. 29, a bill for an act to repeal Section five hundred and ninety-one (591) of the Code relating to the compensation of township clerks and enacting a substitute therefor, beg leave to report they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same be amended by the following substitute amendment.

## SUBSTITUTE AMENDMENT.

A BILL for an act to amend Section five hundred and ninety-one (591) of the Code relating to compensation of township clerks.

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

SECTION 1. That Section five hundred and ninety-one (591) of the Code be amended by adding to sub-division one (1), "except in townships having a population of thirty thousand (30,000) or over such compensation shall be three dollars (\$3.00) per day"; and when so amended the bill do pass.

WILL DRUBY,  
*Chairman.*

Adopted.

Also:

MR. SPEAKER—Your committee on Compensation of Public Officers, to whom was referred House File No. 14, a bill for an act to repeal Section four hundred ninety-one (491) of the Code relating to compensation of deputy treasurers; and enacting a substitute therefor, beg leave to report they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same be amended by the following substitute amendment:

## SUBSTITUTE AMENDMENT.

A Bill for an Act to Repeal Section 491 of the Code and Enact a Substitute Therefor Relative to the Compensation of Deputy Treasurers.

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

SECTION 1. That Section four hundred and ninety-one (491) of the Code be and hereby is repealed and the following enacted in lieu thereof:

Each county treasurer may, in writing, with the consent of the board of supervisors, appoint one or more deputies not holding a county office, for whose acts he shall be responsible, and from whom he shall require a bond, which bond shall be approved by the officer who has the approval of the principal's bond, and such appointment may be revoked in writing; each appointment and revocation shall be filed and kept in the auditor's office. The person thus appointed shall qualify by taking the same oath as the principal, endorsed upon the certificate of appointment. The deputy, in the absence or disability of his principal, may perform all the duties of the principal pertaining to his office and each deputy receive a salary to be fixed by the board of supervisors as follows: In counties exceeding ten thousand (10,000) inhabitants but not exceeding twenty thousand (20,000) inhabitants, not to exceed nine hundred (900) dollars; in counties having a population of twenty thousand (20,000) and not exceeding thirty thousand (30,000), not to exceed one thousand (1,000) dollars; in counties having a population of thirty thousand (30,000) and not exceeding forty thousand (40,000), not to exceed eleven hundred (1,100) dollars; in counties having a population of forty thousand (40,000) and

not exceeding fifty thousand (50,000), not to exceed twelve hundred (1,200) dollars; in counties having a population of fifty thousand (50,000) and not exceeding sixty thousand (60,000), not to exceed thirteen hundred (1,300) dollars; in counties having a population of sixty thousand (60,000) and not exceeding seventy-five thousand (75,000), not to exceed fourteen hundred (1,400) dollars; in counties having a population exceeding seventy-five thousand (75,000), not to exceed fifteen hundred (1,500) dollars.

In case no deputy shall be appointed, but, on account of the pressure of business in his office, the treasurer is compelled temporarily to employ an assistant, he shall file the bill for such service at their next regular meeting, and the board of supervisors shall make a reasonable allowance therefor. In counties where the population does not exceed ten thousand (10,000) the board shall not allow to exceed three hundred (300) dollars for deputy or clerk hire, and in counties having a population of more than thirty thousand (30,000) it may allow such sums in addition to salary above fixed for clerk hire as may be proper, and when so amended the bill do pass.

WILL DRURY,  
*Chairman.*

Adopted.

Sullivan of Polk, from the Committee on Judiciary, submitted the following report:

MR. SPEAKER—Your committee on Judiciary, to whom was referred House File No. 169, a bill for an act to amend Section five thousand and forty (5040) of the Code relating to breach of the Sabbath, beg leave to report they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same be indefinitely postponed.

JOHN B. SULLIVAN,  
*Chairman.*

Adopted, and House File No. 169, was indefinitely postponed.

Bonwell of Audubon, from the Committee on Roads and Highways, submitted the following report:

MR. SPEAKER—Your committee on Roads and Highways, to whom was referred House File No. 47, a bill for an act to create a highway commission for the State of Iowa, defining the powers and duties of the same, and to provide for a system of state co-operation with townships and counties in the improvement of the public wagon roads, and to make an appropriation therefor, beg leave to report they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same be indefinitely postponed.

J. C. BONWELL,  
*Chairman.*

Ordered passed on file.



## MINORITY RECOMMENDATIONS.

MR. SPEAKER—We, the undersigned, a minority of your Committee on Roads and Highways, desire to dissent from the views of the majority of your committee, recommending House File No. 47 for indefinite postponement, and beg leave to submit the following minority recommendations:

That the report of a majority of your committee recommending House File No. 47 for indefinite postponement, be substituted by the recommendations of minority of your committee recommending House File No. 47, as substituted by the committee, for passage.

ELI C. PERKINS,  
J. C. BONWELL,  
CHAS. L. MARSTON,  
W. LARRABEE, JR.,  
ENOCH BEERY,  
WARD WILSON,  
GERRIT KLAY,  
C. F. SWIFT.

Passed on file.

## SUBSTITUTE FOR HOUSE FILE NO. 47.

A Bill for an act to Create a Highway Commission for the State of Iowa; Defining the Powers and Duties of the Same; and to Provide for a System of State Co-operation with Townships and Counties in the Improvement of the Public Wagon Roads, and to Make an Appropriation Therefor.

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

SECTION 1. That the Iowa State College of Agriculture and Mechanic Arts, at Ames, shall act as a Highway Commission for Iowa, which commission shall be charged with the giving of instruction in the art of building, improving and preparing public wagon roads and bridges, collecting reports from township trustees, boards of supervisors, superintendents and street commissioners in cities and towns, and with the distribution of any state reward for improving the public wagon roads that may be provided by the legislature and any funds that may be given to the state for such purposes by the United States government.

SEC. 2. Said commission, with the approval of the Governor, shall appoint a highway engineer, and may revoke such appointment at pleasure and whenever the highway engineer shall, by reason of sickness, absence or other cause, be disabled from executing the duties of his office, the commission shall appoint some competent person to execute the duties of said highway engineer until such disability or cause be removed, or until a new highway engineer shall be appointed.

SEC. 3. The highway engineer shall receive an annual salary of two thousand five hundred dollars (2,500), to be paid monthly. Said highway

engineer may employ with the approval of the Executive Council such other clerks or employees as may be necessary to perform the duties incumbent upon the department. The running expenses of the commission and the salaries of the highway engineer and others employed under the authority of this act shall be approved by the Executive Council and paid upon the warrant of the Auditor of State. It shall also be the duty of the Highway Commission, through its highway engineer, to furnish outline, plans and specifications for the improvement of public wagon roads, and when requested to, and where proposed improvements are of sufficient importance to warrant, he shall go or send some one to give expert advice how best to build or improve public roads and bridges. It shall also gather all the information possible about all kinds of road building material in the state, its relative value, cost and also cost of transportation throughout the state, and to give this information upon request to any road or street official in the state free of charge to them. The Highway Commission shall also keep a complete record of the work of its department, which record shall be the property of the state, and shall, as soon as possible, make a map of every township in the state showing the roads, their condition, together with marks indicating where road building material can be found and the kind and quality thereof. The Highway Commission shall have authority to provide suitable rooms at the Iowa State College in which to conduct the business of the Highway Commission, furniture and office equipment to be furnished by the Executive Council in the same manner as provided with respect to other state offices. Said highway engineer shall, within fifteen (15) days from the time of notice of appointment, take and subscribe the oath of office and file the same in the office of the Secretary of State, and said highway engineer shall give a bond running to the state in the penal sum of five thousand dollars (\$5,000), with sureties to be approved by the Governor, conditioned for the faithful discharge of the duties of his office. Said highway engineer shall make such report as the Executive Council may call for and a biennial report to the Governor to be by him transmitted to the legislature at each biennial session thereof. Such biennial report shall contain the name and compensation of each and every person employed by the department and the whole amount of expenses by the department, covering the period not previously reported. Such report shall be made on or before the first day of January, 1911, and every two years thereafter, and the Executive Council shall have printed a sufficient number of these reports to furnish one to each of the following officers: township trustees, members of the board of supervisors, superintendents and street commissioners, and as many more as the Executive Council may authorize.

SEC. 4. The township trustees, road superintendents and members of the board of supervisors of each and every county in the state shall meet in a road institute when requested by the Highway Commission and at such time and place in the county as they may designate, there to consider such matters as may be presented to their attention by the highway engineer and to discuss such matters of road improvement as may be

of special interest to such trustees, superintendents and supervisors and such township trustees, superintendents and members of board of supervisors shall be allowed compensation for one day at the same per diem allowed for their regular official services, together with actual expenses for the day, to be allowed and paid in the same manner as is provided for the payment of their regular per diem. Every road superintendent shall make a sworn report to the highway engineer of the Highway Commission on or before November first, together with such other supplemental reports as may be called for by the highway engineer, giving him such information as he may require relating to the roads in their district. Any such officer who shall refuse or neglect to make such report, or who shall make a report which shall be in whole or in part wilfully false, shall be guilty of a misdemeanor, and upon conviction thereof in any court of competent jurisdiction shall be fined in any sum of not less than ten (\$10) dollars nor more than one hundred (\$100) dollars and costs, or be confined in jail not less than ten (10) days nor more than thirty (30) days for each and every offense, at the discretion of the court.

SEC. 5. In order to obtain the premium as hereafter specified the township trustees of any township or townships within the state, shall file notice with the Highway Commission, setting forth that the township has made arrangements to improve a mile or more of public wagon road, together with a profile of the road to be improved. It shall be the duty of said commission to enter such application in the order that it is received and to furnish the outline, plans and general specifications, and provided there are any funds in the State Treasury appropriated for such awards for roads not yet allotted it shall make the allotment, and when any township or townships acting conjointly on boundary line roads for building a mile or more of said road as is hereinafter described, has completed such road according to such specifications and it has been inspected by the highway engineer of said commission and is found to be up to the required standard, he shall verify the same to the Auditor of State, who shall draw upon the State Treasury payable to the proper authorities in such township or townships for the amount of reward due them, for the amount of and class of road built.

SEC. 6. The terms roads, public roads, public wagon roads, as used in this act shall be construed to mean the public wagon roads or highways outside of incorporated cities or towns and the following described roads, when built, shall merit the reward attached to each description:

(a) For every mile of well graded road on which the steepest incline shall not exceed ten per cent and the width of which shall not be less than twenty-five feet between side ditches, and which shall be properly drained, and have a wagon way or travel track not less than ten feet wide, made with clay properly dragged with an approved road drag in such a way as to shed water quickly to the said ditches, shall merit, if approved by the commission a reward from the state of seventy-five dollars a mile and pro rata for extra miles and fractions thereof in excess of the first mile.

(b) For every mile of well graded road on which the steepest incline shall not exceed six per cent and the width of which shall not be less than twenty-five feet between side ditches, and which shall be properly drained, and have a wagon or travel track not less than ten feet wide in two courses, the bottom course to be approved mixture of clay and sand not less than five (5) inches thick after rolling and covered with a layer of gravel which shall not be less than five (5) inches thick after rolling; provided that the tracks shall be properly crowned so as to shed water quickly to the side ditches, shall merit, if approved by the commission, a reward from the state of one hundred fifty dollars a mile and pro rata for extra miles and fractions thereof in excess of the first mile.

(c) For every mile of well graded road on which the steepest incline shall not exceed six per cent and the width of which shall not be less than eighteen feet between side ditches, and which shall be properly drained, having a wagon way or travel track not less than nine feet wide and which shall consist of not less than eight inches of compact gravel, which must be applied in not less than (2) layers, each layer to be rolled separately and crowned as provided in the preceding sub-division of this section, shall merit, if approved by the Highway Commission, a reward from the state of two hundred fifty dollars a mile and pro rata for extra miles and fractions thereof to excess of the first mile.

(d) For every mile of well graded road on which the steepest incline shall not exceed six per cent and the width of which shall not be less than eighteen feet between side ditches, and which shall be properly drained and have a wagon way or travel track not less than nine feet wide made in two (2) courses, the bottom course to be crushed stone, which shall not be less than four (4) inches thick after thorough rolling, and the top course consist of a layer of gravel which shall not be less than three (3) inches thick after being thoroughly rolled and crowned as provided in sub-division (b) of this section, shall merit, if approved by the Highway Commission, a reward from the state of four hundred dollars per mile and pro rata for extra miles and fractions thereof in excess of the first mile.

(e) For every mile of well graded road on which the steepest incline shall not exceed six per cent and the width of which shall not be less than eighteen feet between side ditches, and which shall be properly drained and have a wagon way or travel track not less than nine feet wide made in two (2) courses, the bottom course to be of gravel and not less than four (4) inches thick after thorough rolling and the top course consisting of a layer of crushed stone which shall not be less than three (3) inches thick after being thoroughly rolled and properly bonded with sufficient stone screenings and properly crowned as provided in sub-division (b), shall merit, if approved by the commission, a reward from the state of four hundred dollars per mile and pro rata for extra miles and fractions thereof in excess of the first mile.

(f) For every mile of well graded road on which the steepest incline shall not exceed six per cent and the width of which shall not be less

than eighteen feet between side ditches, and which shall be properly drained and have a wagon way or travel track not less than nine feet wide of well compacted macadam not less than six inches thick laid in not less than two (2) courses, each to be properly bonded with a sufficient stone screenings and thoroughly rolled and properly crowned as provided in sub-division (b), shall merit, if approved by the commission, a reward from the state of six hundred dollars per mile and pro rata for extra miles and fractions thereof in excess of the first mile.

SEC. 7. No county shall receive to exceed eight hundred fifty dollars in one year.

SEC. 8. The commission is hereby given the authority to refuse further road reward to any township or county that has been rewarded by the state for improving roads that does not keep these state rewarded roads in proper repair, but upon such refusal to any township or county for allotment of said reward it shall be the commission's duty to inform such township or county of what repairs are necessary to place them in a position to again be eligible to receive state reward, and if these repairs are made satisfactory to the commission it shall reinstate them to the eligible reward list. The decision to the commission as to whether the road meets the requirements to merit state reward shall be final, and it shall have the right to retain any amount of the reward it deems advisable until the road has been thoroughly tested.

SEC. 9. To carry out the provisions of this act there is hereby appropriated for the period ending June 30, 1910 the sum of one hundred thousand dollars (\$100,000), and for the year ending June 30, 1911, the sum of one hundred thousand dollars (\$100,000) dollars, of which not to exceed \$15,000.00 each year shall be used by the commission to cover the salary of the highway engineer and running expenses of the department, to be paid as hereinbefore provided, and the balance shall constitute the state reward fund for encouraging the improvement of the public wagon roads.

SEC. 10. This act being deemed of immediate importance, 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.

Harding of Woodbury, from the Committee on Municipal Corporations, submitted the following report:

MR. SPEAKER—Your committee on Municipal Corporations, to whom was referred House File No. 328, a bill for an act to provide for the supplying of electric light and power to military reservations of the United States in this state, beg leave to report they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same be amended as follows: By striking out said title and substituting the following: "A bill for an act to provide for the supplying of electric light and power and gas to military reser-

vations of the United States in this state," also by striking out all after the enacting clause and substituting the following:

SECTION 1. That all individuals or private corporations to which any city in this state has granted authority to erect and maintain an electric light and power plant or gas works with all the necessary stations, poles, wires, mains, pipes, conduits, and other appurtenances in such city, including the Des Moines Electric Company now owning and operating an electric light and power plant in the city of Des Moines, and including the Des Moines Gas Company, now owning and operating gas-works in the city of Des Moines, shall, whenever the United States has or may hereafter establish a military reservation within a distance of five miles from either of the boundaries of such city, be authorized to use such electric light and power plant and gas-works in said city and the poles, wires, mains, pipes, conduits and appurtenances now and hereafter erected in the streets, highways or alleys of said city, for the purpose of furnishing electric light or power or gas to such military reservation or to persons, firms or corporations in the territory lying between such city and such reservation, such authority to continue so long as under franchises now held or hereafter granted such individuals or corporations or their assigns, shall be authorized to maintain and operate such electric light and power plant or gas-works in such cities.

SEC. 2. The board of supervisors of any county in which such military reservation is or may hereafter be located shall have the power to authorize any such corporation or individual to lay and erect its poles, wires, pipes, conduits, etc., in any of the highways of the county for the purpose of extending the same to any such military reservation; any such authorization from the board of supervisors heretofore granted under which electric light or power or gas is at this time being furnished to such military reservation, is hereby legalized.

SEC. 3. This act, being deemed of immediate importance, shall take effect at once upon publication in the Register and Leader and Des Moines Daily Capital, newspapers published in Des Moines, said publication to be without expense to the state, and when so amended the bill be referred to the Judiciary Committee.

W. L. HARDING,  
*Chairman.*

Adopted, and House File No. 328, was so referred.

Also:

MR. SPEAKER—Your committee on Municipal Corporations, to whom was referred House File No. 265, a bill for an act to amend Section fifteen hundred and thirty (1530) of the Supplement to the Code, 1907, by providing for the delivery to the city treasurer of so much of the county road fund tax as is collected from property within the incorporated limits of any city, beg leave to report they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same be amended as follows: By striking out all after the enacting clause and substituting the following therefor:

SECTION 1. That Section fifteen hundred thirty (1530) of the Supplement to the Code, 1907, be and the same is hereby repealed and the following enacted in lieu thereof:

"The board of supervisors of each county shall, at the time of levying taxes for other purposes, levy a tax of not more than one mill on the dollar of the assessed value of the taxable properties in its county, including all taxable property in municipalities which shall be collected at the same time and in the same manner as other taxes and be known as the county road fund and be paid out only on the order of the board for the purchase of road tools or machinery or for work done on the roads in the county in such places as it shall determine, provided, that on written petition of a majority of the electors who are freeholders of any township in any county the board of supervisors may levy an additional mill in said township to be expended by said board of supervisors on roads in the township where the same is levied. One-half of the county road fund arising from the property within any municipality shall be paid over by the county treasurer to the treasurer of the municipality in the same manner as other municipal taxes and shall be expended on the roads or streets within such municipality by and under the direction of the council or commission. The county treasurer shall receive the same compensation for collecting this tax as he does for collecting corporation taxes, except as hereinafter provided. Taxes already collected under Section fifteen hundred thirty (1530) of the Supplement to the Code, 1907, and in the hands of the county treasurer shall be paid over to the treasurer of the municipality in the same manner as other municipal taxes. Moneys so collected shall not be transferrable to any other fund nor used for any other purpose. The board of supervisors shall levy such additional sum for the benefit of such township as shall have certified a desire for such additional levy as provided for in Section fifteen hundred twenty-eight (1528) of this chapter. The amount for the general township fund and the county road fund shall not exceed in any year five mills on the dollar.

SEC. 2. The administrative bodies of such municipalities shall have authority to appropriate out of the fund arising from such tax, the whole or any part thereof, for the improvement of roads outside of the limits of their municipality where the board of supervisors are making improvements on such roads, in which case the amount of such appropriation shall be paid over to the treasurer of the county for such specific improvement and disbursed by the board of supervisors. If expended by the administrative body of the municipality it shall be expended upon that part of the roads within its limits which are reserved and used for traveling purposes and only upon such roads as are a continuation of country roads which are main arteries of travel, and one-half of the road fund collected within the municipality and retained for disbursement by the board of supervisors shall be by them used on such roads as are main arteries of travel immediately tributary to the municipality for which such tax has been collected. Nothing herein contained shall prevent the board of

supervisors from paying over to the treasurer of the municipality the whole or any part of said tax raised within such municipality to be expended by such municipality as herein provided.

SEC. 3. In municipalities where taxes are collected independent of the county treasurer no compensation shall be paid to the county treasurer for the collection of this tax.

SEC. 4. The term municipality as herein used is defined to include cities, towns, cities acting under special charter and those under the commission form of government, and when so amended the bill do pass.

W. L. HARDING,  
*Chairman.*

Adopted.

Also:

MR. SPEAKER—Your committee on Municipal Corporations, to whom was referred House File No. 314, a bill for an act to amend Section eight hundred forty-nine-a (849-a), eight hundred forty-nine-b (849-b), eight hundred forty-nine-c (849-c), eight hundred forty-nine-e (849-e), eight hundred forty-nine-f (849-f), eight hundred forty-nine-g (849-g) and eight hundred forty-nine-h (849-h) of the Supplement to the Code, 1907, relating to the protection of city and town property from floods, beg leave to report they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same do pass.

W. L. HARDING,  
*Chairman.*

Adopted.

Also:

MR. SPEAKER—Your committee on Municipal Corporations, to whom was referred House File No. 415, a bill for an act to amend the law as it appears in Section thirteen hundred six-b (1306-b) of the Supplement to the Code, 1907, so as to authorize cities and incorporated towns to incur an indebtedness not exceeding in the aggregate added to all other indebtedness five per centum of the actual value of the taxable property within such cities or incorporated towns for the purpose of extending as well as purchasing, erecting or maintaining and operating water-works, electric light and power plants, gas works and heating plants, or building and constructing sewers, beg leave to report they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same be amended as follows: By inserting after the word "Section" and before the word "the" in the last line of Section 1 a comma, (,), and when so amended the bill do pass.

W. L. HARDING,  
*Chairman.*

Adopted.



Lee of Emmet, chairman of the Visiting Committee, submitted the following report:

*To the President of the Senate and the Speaker of the House of Representatives of the Thirty-third General Assembly:*

Your committee appointed under Senate concurrent resolution to visit the State Educational Institutions of Iowa, beg leave to report as follows:

By the terms of said resolution the committee was directed to visit the State University, the State College of Agriculture and Mechanic Arts and the State Normal School, before March 1, 1909. After the appointment of said committee, it organized by electing Senator Stuckslager, chairman, and Mr. Lee, secretary.

The committee visited the State College of Agriculture and Mechanic Arts on the 20th day of February, 1909, the State University on the 22d day of February and the State Normal School on the 26th day of February.

Aside from directing the committee to visit the three educational institutions of the state before March 1, 1909, and such of the state institutions under the State Board of Control as the Committees on Appropriations might direct, the scope of the duties of the committee was not defined. Owing to the lack of time and facilities, it was entirely impracticable for the committee to make anything like a thorough and full examination into the entire system of business management and educational policies of these institutions. Such an investigation was not contemplated by the concurrent resolution, nor was it expected by the General Assembly.

The three educational institutions have filed reports for the last biennial period as provided by law, which reports set forth much detailed information. The report of the committee appointed by the Thirtieth General Assembly to inquire into the management and affairs of the state educational institutions of the state contains valuable information and recommendations that are still timely and pertinent.

These educational institutions of the state are accomplishing a great work in the field of higher education. This has been possible largely by reason of the uniform fairness and liberality with which the people of Iowa have dealt with them. This generous treatment on the part of the state has not only enabled these institutions to sustain themselves properly, but has at the same time, made possible their steady growth and expansion and at this time these institutions have attained to the highest standard of excellence in their respective fields. The State University is accorded recognition among the universities of this and foreign countries not heretofore enjoyed. This redounds to the benefit of the university and its graduates as well as reflecting credit upon the state as a whole.

The College of Agriculture and Mechanic Arts stands foremost among its kind. The great success achieved by this institution could not have been possible except under a wise and sound policy of the state in relation to it. The benefits derived from this institution are well worth its cost to the state. It is one of the most valuable assets of our commonwealth.

The State Normal School, also, has made rapid strides. Its development and influence are very satisfactory. It accomplishes a work peculiarly its own to perform. It fits thousand of our young men and women annually to train the youth of our state. This institution possesses an individuality which cannot help but exert a great and beneficent influence in moulding the education and character of its students.

The government of the three state educational institutions, being vested in three separate and independent governing boards, there is of necessity more or less of unnecessary duplication and competition. This is probably inevitable under existing conditions. It evidently was not the purpose of the acts creating these institutions that they should occupy a common field to any considerable extent. There is ample scope for each to excel in its own legitimate and natural sphere. There should be no jealousy, rivalry or undue competition among these schools. Their energies and the energy of the state should be expended in their development along proper lines.

The buildings erected for these institutions from the millage tax voted for that purpose are a credit to the state. They are in the main substantial fire proof stone buildings of the best type and most modern equipments. The only stone building at the Normal School is the library building now in process of construction. When completed it will be a very fine building. The other buildings at the Normal School are brick structures, some of them not fire proof. The administration building and the Hall of Agriculture at Ames are splendid stone structures. The criticism has been made with respect to these buildings that they are somewhat more pretentious in style and equipment than should characterize buildings for such purposes. This criticism might be pertinent to the Administration Building. Its halls are very wide and spacious, has broad, easy stairways, and its corridors are filled with large columns, the whole taking on very much the appearance of a magnificent public building. It is probably true that more space in this building could have been utilized for the real needs of the institution without in any degree impairing either the sightliness or efficiency of the structure. While permanent structures answering every need of this great institution, not only for the present, but for many years in the future, might have been erected at a much smaller cost to the state, yet no one will seriously complain because, after all, they are in a true sense a great credit to the state.

Your committee regrets that it did not have more time in which to investigate more minutely into the business management and educational policies of the state educational institutions. To do this with any degree of completeness and satisfaction, and to justify the drawing of fair and reliable conclusions therefrom, would require full opportunity to examine into the methods of bookkeeping, the policy of conducting their financial affairs, make comparisons with other institutions and consider many other matters properly bearing on the subject.

The state ought to insist on good management of the business and financial affairs of these institutions. It should hold to the same policy of rigid economy in the expenditure of its funds for educational purposes

that it adopts in relation to other business transactions. There should be no waste, extravagance or looseness in connection with the business management.

The State University has asked the Thirty-third General Assembly to make an annual increase in the following funds, to-wit:

For additional support fund.....	\$92,500
For repair and contingent fund.....	12,500
For library support .....	30,000
For university and extension correspondence work.....	20,000
For the extension and enlargement of the summer session and the further development of the school of education..	20,000

Your committee has endeavored to inquire with some care into the necessity of granting these askings. It endeavored to ascertain what increases are justified under all the circumstances and recommends such increases in the funds mentioned as are consistent with the needs of the institution and the financial ability of the state.

Your committee recommends an increase in the support fund of \$22,000 annually hereafter, and the further sum of \$15,000 a year for the next two years. This increase, the committee believes, is liberal.

Your committee recommends an annual increase in the repair contingent fund of \$7,500. The committee believes this sum, together with the annual appropriation heretofore granted the university in this fund, is ample for present needs.

Your committee believes that the amount heretofore granted the university for library support has been insufficient and has to some extent hampered the work of the several departments. It does not believe, however, that it is wise to allow the sum asked for that item, namely, \$30,000, annually. The committee believes that \$10,000 a year in addition to the \$5,000 a year that the university receives under previous acts will be reasonably sufficient for library support. The committee does not deem it wise at this time to recommend an annual addition to the fund mentioned, but does recommend a special appropriation in the sum of \$20,000 for library support for the next biennium.

The university asks \$20,000 annually for university extension and correspondence work and \$20,000 for the extension and enlargement of the summer session and the further development of the school of education. Your committee ascertained that the university has already undertaken, in a small way, university extension and correspondence work, and in the last year expended in this direction something like \$500.00 out of its support fund. The committee does not deem it wise at this time to recognize this item or asking for a special or separate appropriation. However, the committee in recommending the increase in the support fund, made due allowance for the university extension and correspondence work. The university expended last year for summer session and for school of education, about \$6,500, which was taken out of the support fund. No appropriation has been made by the state especially for this work or for the last preceding item, and your committee does not see fit to recognize the summer session and school of education for a

special appropriation, but the committee made due allowance for this work in the increase recommended for the support fund.

The university also asks the Thirty-third General Assembly to make special appropriations for various purposes as follows:

For additional boiler and equipment, automatic stokers, coal and ash conveying machinery, boiler feed pump, engine and dynamo and additional fuel room for central heating plant; automatic stokers and fuel room for hospital heating plant, and additional dynamo at hydraulic power station.....	\$ 28,600
For the purchase of additional lands.....	100,000
For department equipment and supplies.....	30,000
For paving and sidewalks .....	6,000
For improvement and care of grounds.....	4,000
For the creation of a woman's building and for the equipment and land for same.....	150,000
For building equipment for the buildings now partially equipped, and for equipment for new law building and other buildings to be erected .....	30,000

With reference to the first item, your committee endeavored to determine the immediate necessity of the several matters included therein. Undoubtedly, all of the improvements suggested ought to be made ultimately, but in view of the fact that there are limitations upon the ability of the legislature to vote money for all of the needs of these institutions, the committee has concluded to recommend appropriations for the things which are most urgently needed. The committee thinks that the dynamo ought to be installed at the hydraulic power station; automatic stokers should be installed in the central heating plant; the boiler feed pump and an additional boiler are needed in the central heating plant. These things are not only badly needed at the present time, but will result in economy and saving to the state, and your committee recommends that a special appropriation be granted in the sum of \$15,000.00 for said purposes.

With reference to the asking for the purchase of additional lands, the committee believes that certain lands are needed at this time for the following purposes: land for woman's building, land for detention hospital, for tracks and shops and for dumping of ashes. The committee inspected the parcels of land proposed to be purchased for these purposes and believes the sum of \$35,000 ample therefor.

The university is ambitious to extend its campus in two directions, north and east, but the committee does not deem it wise to recommend any appropriation at this time for lands beyond those needed for present use.

Your committee recommends that \$15,000 be appropriated for departmental equipment and supplies. The sum of \$6,000 is asked for paving and sidewalks and \$4,000 for improvement and care of grounds. Your committee has concluded to recommend an appropriation of \$6,000 for both of said items.

Your committee recommends that the sum of \$15,000 be appropriated for equipment of new law building and other buildings to be erected, which sum is deemed sufficient for said purposes.

Your committee does not see its way clear to recommend a special appropriation for the erection of a woman's building. In the recommendation above made for the purchase of land, allowance was made for the purchase of a site for the proposed woman's building. The committee is opposed to the policy of making special appropriations for the erection of permanent buildings of this character, in view of the millage tax that has been voted by preceding General Assemblies. The amount realized from the millage levies for the State University amounts to the annual sum of approximately \$132,000. The committee estimates that the amount that will be derived for the five year period from this source will equal about \$750,000 which ought to be ample to provide for all buildings to be erected in that length of time.

Your committee was impressed with the need and desirability, both for protection and from sentimental reasons, of making the Old Capitol Building fire proof. This building is in a good state of preservation and by a reasonable expenditure, can be made fire proof. We believe that the people of Iowa would approve of measures taken to preserve this historic land mark of the state. It is being utilized now for the work of the university and can be made more useful, safe and permanent by improving the same, but your committee does not recommend any special appropriation for the purposes mentioned, but believes that the improvement of the Old Capitol Building should be made out of the millage tax of the university, and your committee recommends that such a recommendation or direction be included in the appropriation bill for the State University.

Some criticism has been heard relative to the building of a President's House by the Regents of the University. Attention of the committee was drawn to the expenditure of the state's money for this improvement. The house in question is now nearing completion. It is a fine brick structure, built upon the heights in the north part of the city and at an expense of substantially \$25,000. The committee learned that this building was erected from the millage tax levied prior to the last millage act and represented the balance of such fund. As to the propriety of the Board of Regents in making such an improvement, the committee expresses no opinion. It is claimed by some that no authority exists in law for such an expenditure. The contention of the Board of Regents is that it had ample authority to expend money from the millage fund for such a purpose. The Board of Regents, in its report to the Governor for the year 1905-6 in discussing the matter of erecting a residence for the president, said: "The university now owns a highly desirable building site which this board has reserved for this purpose, feeling that the time would soon come when we could afford, and indeed would be forced, to erect upon it an official residence for the president. Whether that time has come is a matter for the legislature to settle. The board feels that such provision is now necessary for the best interests of the university, and proposes, if the plans submitted meet the approval of the legislature, to proceed

with its erection, at an expense of approximately \$15,000, to be paid from the one-fifth mill building tax."

However it may be, no authority was expressly given by the state, either through the legislature or Executive Council, for the erection of this building. There was no such condition or requirement in the act providing for the millage out of which the residence was built, but in the last millage act there was a provision requiring the Board of Regents to secure the approval of all plans for all buildings to be erected from the tax. It is evident that the General Assembly voting the last millage tax for the benefit of the university intended to place restrictions about the expenditure of the funds derived therefrom. This provision was in the law before the erection of the building in question was commenced.

The State College of Agriculture and Mechanic Arts asks for an increase annually in certain of its funds, as follows:

For support of the college and its educational departments	\$75,000
For repairs, minor improvements and contingencies.....	22,000
For equipments of departments.....	2,500
For support of agricultural experiment station.....	50,000
For support of engineering experiment station.....	11,000
For library book fund .....	2,500
For agricultural extension work .....	8,000

The committee sought to determine the necessity of granting these askings with the same care that it examined into the askings of the State University.

The erection of additional permanent buildings for the college and its growth and development undoubtedly call for an increase in some of its funds. A large part of the increase asked for in the support fund is proposed to be used in the raising of salaries of the instructional force and to employ additional instructors. The claim is made by the college authorities that it is difficult to prevent instructors from going to other schools, because larger salaries are offered. The same claim is made by the heads of the other institutions. The committee has concluded to recommend an increase annually of \$15,000 for the support of the college in its educational departments and the further sum of \$10,000 annually for the next two years. The committee believes, that these sums added to the present income of the college will be reasonable and adequate for its needs for the next two years.

Your committee recommends an increase of \$13,000 annually for repairs, minor improvements and contingencies. This increase is made necessary because of the erection of new permanent buildings, heating plant and other additional expenses which properly come under this head.

Your committee recommends that a special appropriation of \$15,000 be made for equipment of departments for the next biennium and that the library book fund be increased \$2,500 annually.

The college asks an increase of \$50,000 a year for support of the agricultural experiment station. The present income to the college for this purpose is \$49,000, so that if the asking should be granted in full it would more than double the present income. The college might be able to use

this amount to advantage, yet the committee does not deem it wise at this time to recommend an increase in the sum asked. After a very careful consideration of this asking, the committee, by unanimous action recommends a special appropriation of \$30,000 for the next biennium for support of the agricultural experiment station.

The Thirty-second General Assembly voted an annual appropriation of \$3,500 for the support of the engineering experiment station. The college asks this General Assembly to increase this amount in the sum of \$11,500 annually. The committee does not see the wisdom of allowing this asking in full and recommends that only \$1,500 annually be granted for the purpose last mentioned. An annual increase of \$8,000 is asked for agricultural extension work. The last General Assembly voted an annual appropriation of \$27,000 for this work and the committee recommends that no additional amount be allowed.

The college also asks for special appropriations for the following purposes:

For furnishings and fixtures for the hall of agriculture.....	\$35,000
For furnishings and fixtures for the general engineering laboratory	5,000
For completion of central heating and power plant.....	50,000
For sidewalks and grading .....	11,000
For gymnasium, auditorium and armory building.....	50,000
For abattoir laboratory and meat curing building .....	25,000
For ceramics building .....	15,000
For poultry and farm buildings .....	10,000

With reference to the asking for the first item, the committee reports that the college asked an appropriation in the sum of \$30,000 by the Thirty-second General Assembly. In the report of the board of trustees of the college to the Thirty-second General Assembly they estimated that it would cost \$30,000 to buy furnishings and fixtures for the hall of agriculture that is now nearing completion. The Thirty-second General Assembly voted the sum of \$10,000 for the purpose mentioned. At the time of the making of said report by the trustees of the college the plans and specifications for such fixtures and furnishings had not been drawn and no estimate had been made by the architect as to the amount required to pay for same.

After the adjournment of the Thirty-second General Assembly, plans and specifications were drawn for furnishings and fixtures for the hall of agriculture by architects employed by the board of trustees and the architects estimated the cost of such furnishings and fixtures to be \$35,000. Bids were advertised for and submitted to the college for such furnishings in accordance with the plans and specifications and the aggregate amount of the several bids accepted was \$43,186.88. In addition to this there was charged to this item as an architect's fee and as the fee of a purchasing agent the further sum of \$2,159.34. \$23.25 was charged for advertising, \$1.08 for telegrams and \$188.95 for traveling expenses of committee to inspect furniture at Grand Rapids, Mich., making a total of \$45,559.50 in connection with buying furnishings and fixtures for the hall of agriculture.

It will be noted that the estimated cost of the furnishings and fixtures for the agricultural hall by the architects exceeded by \$5,000 the total amount asked of the last General Assembly; that the total amount of the bids, plus other expenses, exceeded the estimate of the architect by the sum of over \$10,500.00.

The Thirty-third General Assembly is asked to appropriate the sum of \$35,000 to pay for the proposed furnishings and fixtures, \$10,000 being in the possession of the college at this time, for that purpose. If the full amount be granted, the expense for furnishings and fixtures would be nearly \$46,000. The committee does not deem it necessary to expend this amount of money to properly furnish the new agricultural hall. It recommends that a special appropriation of \$25,000 be made for the purpose mentioned. It may be proper and in accordance with good business management to pay the sum of \$2,159.34 as architect's fees and fees of purchasing agents for the purchase of the property mentioned, but the committee is not convinced that the expenditure of the state's funds in this amount for the purpose stated is necessary.

It may be proper for your committee at this juncture to call attention to the fact that furnishing and fixtures and furniture of the new buildings at the college are of a somewhat elegant and expensive variety. The committee believes that less money might be spent for such purposes without in any way injuring or crippling the efficiency of the college in any of its departments. The committee does not pretend to say that the furnishings and furniture and equipment of the buildings in any of the state schools should be cheap and of poor quality, nor that the state should adopt a niggardly policy or deal with these institutions in a parsimonious manner.

The committee recommends that the sum of \$7,500 be voted for sidewalks and grading. There is an urgent present need for more substantial walks on the college campus and considerable grading will have to be done around agricultural hall, and while the full sum of \$11,000 asked by the college for this purpose might be expended to advantage, yet your committee does not see its way clear to recommend the full amount asked.

The central heating and power plant is in a state of incompleteness. It does not furnish heat for all of the buildings. Several of the buildings are heated by independent plants, all of which results in more or less waste and is more expensive in operation. The committee believes that as a matter of economy to the state, the heating and power plant ought to be completed. It is estimated that it will cost \$50,000 to do this. This sum will be used in the enlargement of the building itself, the installation of additional boilers, dynamos, stokers, etc. The committee unanimously recommends that the sum of \$50,000 be appropriated for this purpose.

Your committee recommends that no appropriation be made for furnishings and fixtures for the general engineering laboratory; that in recommending an appropriation for equipment of departments the asking for the item just mentioned was taken into consideration.

Your committee recommends that no appropriation be made for abattoir laboratory and meat curing building as asked. The committee was not greatly impressed with the representations that were made as to the need of such a building, and express the opinion that there would be no



benefit derived to the people of the state in any way commensurate with the expense of erecting such a building, equipping and maintaining it. The college authorities seemed greatly interested in the erection of the gymnasium, auditorium and armory building. Claims are made that such a building is greatly needed. There are similar buildings at the State University and State Normal School.

The erection of such a building as is proposed to be built by the college commends itself to your committee, but the committee is opposed to the policy of making a special appropriation for such a purpose, and what was said along this line with reference to the woman's building for the State University applies to the proposed building at the Agricultural College. The committee believes that the building in question ought to be erected from the millage tax heretofore voted for the purpose of erecting permanent buildings at the College of Agriculture and Mechanic Arts.

What has been said with reference to the gymnasium building applies equally to the other buildings proposed to be built, namely, a ceramics building and poultry farm buildings. The committee recommends, therefore, that no special appropriations be made for any of these items.

The State Normal School asks the legislature for the following annual appropriations:

For the payment of teachers .....	\$15,000
For contingent expenses .....	10,000

The additional amount asked for teachers' fund is proposed to be used in large part for increasing the salaries of teachers and professors. The claim is made that it is difficult to hold these professors and instructors, as they are tempted by the offer of higher salaries by other schools. Some of this amount is proposed to be used in the establishment of a department to train commercial teachers. While there may be something of a demand for such a department, the committee does not deem it wise at this time to recognize it as a separate department by the making of a special appropriation therefor, and it is the sense of the committee that such a department ought not at this time, to be established. The committee is favorably impressed, however, with the propriety and necessity of making an annual increase in the teachers' fund, and recommends that the additional sum of \$10,000 be appropriated annually therefor. The contingent expense of the Normal School will be larger as a result of the new library building that is now in process of erection and because of the natural growth and needs of the school, and the committee believes that the sum of \$6,000 ought to be appropriated annually for this purpose.

The committee calls attention to the fact that the funds of the Normal School are more general as compared with the funds of the other state schools, and are embraced under the two general heads of the teachers' fund and contingent expense fund. The teachers' fund is used exclusively for the payment of instructors and all other expenses, including salary of superintendent and all subordinate employes, expense of fuel, up-keep, etc., are paid out of the contingent expense fund.

The following special appropriations are asked for by the State Normal School:

For support of library .....	\$10,000
For librarian's salary .....	10,000
For paving, permanent walks and improvement of grounds.....	5,000
For the part purchase of a pipe organ .....	5,000
For nurse and hospital support .....	4,000

The amount asked for library support is the same amount that was voted by the last General Assembly for the last biennium and the committee recommends that the sum asked for that purpose be appropriated. The amount used by the Normal School for the last biennium for librarians' salaries was \$8,000. An increase of \$2,000 for the biennium is represented in the asking for this item. The additional amount is proposed to be used for additional help and to raise the salary of librarian to some extent. The committee believes that the full amount asked ought to be appropriated.

The committee also recommends that the sum of \$5,000 be appropriated for paving, permanent walks and improvement of grounds, as these improvements are needed.

The committee recommends that no appropriation be made toward the purchase of a pipe organ. The Normal School has a fund amounting to something like \$4,000 to be used for this purpose and is anxious to install a pipe organ in the chapel. However, the committee cannot see its way clear to recommend this appropriation at this time.

The Normal School has not heretofore been enabled to furnish its students the convenience of a hospital. It is proposed to convert the old residence of the president of the Normal School into a hospital and the sum of \$4,000 is asked to aid in the equipment of the hospital and to hire nurses therefor and to sustain the same. The committee recommends that the sum asked for be granted to enable the hospital to be equipped, but it is of the opinion that such hospital, when equipped, ought to be self-sustaining so that the state will not be called upon to make annual appropriations therefor and in making a recommendation for the sum mentioned, it is not intended to commit the state to the policy of making annual appropriations.

What has been said with reference to the erection of a president's house at the State University applies in large part to the building which has been erected at the State Normal School as a residence for the president. It is the understanding of the committee that it was built with funds derived from the millage tax voted before the last millage act. It is nearing completion and is a very substantial brick structure and will cost, when completed, in the neighborhood of \$20,000.

Your committee, in making recommendations with reference to the various askings of the state educational institutions, has endeavored to act with impartiality and with the utmost fairness. It has been the purpose to avoid doing any harm or injury to any of them.

It was impossible for the committee, in the brief time that it had, to investigate into the needs of the institutions with that care and completeness which it would very much like to have done. Having in mind that the amounts which this General Assembly is asked to appropriate are in the aggregate, at least, double the amount of available funds, one

of two alternatives must be resorted to, either the askings must be scaled down or the state levy must be increased sufficiently to meet the amounts asked for.

The committee is unanimously of the opinion that the levy ought not to be increased and it is therefore a foregone conclusion that the appropriations asked of this General Assembly must be kept within the limits of the state's income.

The committee has reduced the askings where it would work the least possible injury.

Your committee states that this report and all matters and recommendations embraced therein are the result of the unanimous agreement of all its members.

All of which is most respectfully submitted.

W. C. STUCKSLAGER,

F. L. MAYTAG,

WARD WILSON,

N. J. LEE,

CURRAN F. SWIFT,

*Committee.*

Passed on file.

#### INTRODUCTION OF BILLS.

By Stillman of Greene, House File No. 416, a bill for an act abolishing the office of school treasurer and providing for the handling of all school funds by the County Treasurer.

Read first and second time and referred to Committee on Schools and Text Books.

By Anderson of Hamilton, House File No. 417, a bill for an act to repeal Section One Thousand Nine Hundred Eighty-nine-a-forty-two (1989-a-42) to the Supplement of the Code, 1907, relative to the duties of the County Auditor and to the employment of additional help for County Auditors in levee of drainage districts, and to the drainage record, and the enactment of a substitute therefore.

Read first and second time and referred to Committee on Compensation of Public Officers.

By Harvey of Osceola, House File No. 418, a bill for an act to amend Section Twenty-six Hundred Twenty-six (2626) of the Code, and Section Twenty-seven Hundred Thirty-four-q (2734-q) of the Supplement to the Code, 1907, relating to the support of County Teachers' Institutes.

Read first and second time and referred to Committee on Schools and Text Books.

By Hunter of Polk, House File No. 419, a bill for an act to amend Section Twenty-five Hundred Sixty-four (2564), Supplement to the Code, 1907, relative to the qualifications for Secretary of State Board of Health.

Read first and second time and referred to Committee on Public Health.

By Bowman of Linn, House File No. 420, a bill for an act to authorize the construction of electric transmission lines and the procuring of right of way therefor.

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

By Dabney of Davis, House File No. 421, a bill for an act to make an appropriation for the erection of a monument and otherwise beautify the lot where rests the remains of Wilson A. Scott.

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

By Dabney of Davis, House File No. 422, a bill for an act to provide for the meetings of the Iowa State Poultry Association, the elections of its officers, the manner of its government and to make an annual appropriation therefor.

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

By Beans of Mahaska, House File No. 423, a bill for an act to amend Section Six Hundred Thirty-eight (638) of the Code, relating to villages.

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

By Boe of Winnebago, House File No. 424, a bill for an act to amend Section Twenty-eight Hundred Twenty-three-a (2823-a) of the Supplement to the Code, 1907, relating to education.

Read first and second time and referred to Committee on Schools and Text Books.

By Sullivan of Polk, House File No. 425, a bill for an act amending Section Two Thousand Four Hundred Twenty-six (2426) of the Code, relating to the termination of leases.

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

By Klay of Sioux, House Joint Resolution No. 5.

HOUSE JOINT RESOLUTION NO 5.

A joint resolution and memorial requesting Congress, under the provision of Article five of the Constitution of the United States, to call a convention to propose an amendment to the Constitution of the United States whereby polygamous cohabitation shall be prohibited and Congress given power to enforce such prohibition by appropriate legislation.

*Be it Resolved by the House of Representatives and Senate Concurring:*

WHEREAS, It appears from investigation recently made by the Senate of the United States, and otherwise, that polygamy still exists in certain places in the United States notwithstanding prohibitory statutes enacted by the several states thereof; and

WHEREAS, The practice of polygamy is generally condemned by the people of the United States, and there is a demand for the more effectual prohibition thereof, by placing the subject under federal jurisdiction and control, at the same time reserving to each state the right to make and enforce its own laws relating to marriage and divorce;

*Now Therefore, Be it Resolved,* That application be and hereby is made to Congress, under the provision of Article five of the Constitution of the United States, for the calling of a convention to propose an amendment to the Constitution of the United States, whereby polygamy and polygamous cohabitation shall be prohibited, and Congress shall be given power to enforce such prohibition by appropriate legislation.

*Resolved,* That the Legislatures of all other States of the United States now in session, or when next convened, be and they are hereby respectfully requested to join in this application by the adoption of this or any equivalent resolution.

*Resolved Further,* That the Secretary of State be and hereby is directed to transmit copies of this application to the Senate and House of Representatives of the United States and to the several members of said bodies representing this State therein; also to transmit copies hereof to the Legislatures of all other States of the United States.

Read first and second time and referred to Committee on Federal Relations.

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

House File No. 5, a bill for an act relative to the duties of township trustees; the election and compensation of road superintendents; the division and consolidation of road districts and the collection of property road tax.

S. W. NEAL,  
Secretary.

## SENATE AMENDMENTS CONSIDERED.

On request of Zeller of Madison, unanimous consent having been given, House File No. 5, a bill for an act to amend the law as it appears in Section Fifteen Hundred Thirty-two-a (1532-a) of the Supplement to the Code, 1907, relative to the duties of township trustees; the election and compensation of road superintendents; the division and consolidation of road districts, with the following Senate amendments, was taken up and the amendments read and considered.

## SUBSTITUTE FOR HOUSE FILE NO. 5.

A bill for an Act to Amend the Law as it appears in Section Fifteen Hundred Thirty-two-a (1532-a) of the Supplement to the Code, 1907, Relative to the Duties of Township Trustees; the Election and Compensation of Road Superintendents; the Division and Consolidation of Road Districts and the Collection of Property Road Tax.

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

SECTION 1. That the law as it appears in Section fifteen hundred thirty-two-a (1532-a), Supplement to the Code, 1907, be hereby amended by inserting after the period at the end of said Section the following: "Provided, however, the board of township trustees at any regular meeting shall, when a written petition is presented to them, signed by at least sixty-five per cent. of the voters of such township residing outside of incorporated towns who voted at the last preceding general election, divide the township into two or more road districts, said division to take effect on the first day of January succeeding. When a township is so divided, the electors of each road district at the succeeding general election shall elect a road superintendent for the term of two years. The several road superintendents shall be entitled to receive salaries as fixed by the board of township trustees not exceeding three dollars (\$3.00) per day for each full day's service actually performed.

SEC. 2. The board of township trustees, after a trial of two or more years of this plan, shall, when a written petition is presented to them signed by a majority of the voters who voted at the last preceding general election, at the April meeting in any year consolidate the road districts of the township and return to the one-district plan, said change to take effect on the first day of January following.

SEC. 3. The township trustees of each township where road superintendents are to be elected shall prepare for each election precinct in such township a separate ballot box with compartments to correspond with the number of the different road districts in the township or election precincts and number the same accordingly. The vote for road superintendent shall be on a separate ballot and deposited in the proper compartment of the ballot box, numbered to correspond with the road district.

SEC. 4. In townships so divided into two or more road districts the township trustees shall permit property owners to work out not to exceed fifty per cent of their property road tax for the year in which said tax

is assessed and shall as above provided at their regular annual meeting in April determine the amount of tax to be paid in labor and the amount to be paid in cash, provided that two-thirds of the amount of tax payable in labor shall be worked out under direction of the road superintendent before July first, each year.

SEC. 5. The township clerk shall make out a list of the property and tax for each superintendent of roads. The property road tax worked out shall be certified by township clerk to the county auditor on or before the second Monday of November of each year and the county auditor shall credit the amount of tax worked out upon the tax list before delivering the tax list to the county treasurer.

Zeller of Madison moved that the House concur in the Senate amendments.

On the question, Shall the House concur?

The ayes were:

Balluff, Bascom, Bauman, Beans, Beebe, Beery, Blackmore, Boe, Boettger, Bonwell, Boomgaarden, Bowman, Brandes, Byerly, Calkins, Cooper, Corrie, Cousins, Crummer, Cunningham, Dabney, Dalby, Darrah, Dawson, Derrough, Dewell, Dewey, DeWitt, Drury, Dye, Elliott, Ellis, Etter, Felt, Penn, Finlayson, Fourt, Fox, Fulton, Goodykoontz, Grier, Hanson, Harding, Harvey, Hickenlooper, Holmes, Huffaker, Hunter, Ide, Jacobs, Jones, Kendall, Koontz, McCleery, McDonald, Meredith, Moore of Wapello, Moore of Linn, Newell, Perkins, Reaney, Reitz, Ritter, Sankey, Schroeder, Schulte, Smith, Stillman, Stoddard, Sullivan, Swan, Swift, Thompson, Tilton, Welden, White, Wilson, Wolfe, Zeller, Mr. Speaker—80.

The nays were:

Burt, Fulliam, Klay, Larrabee, Lee, Marston, Miller of Dubuque, Ripley, Tegeler—10.

Absent or not voting:

Allred, Anderson, Arney, Cassady, Crozier, Davidson, Dodds, Hackler, Inman, Jewell, Johnson, Kellogg, Kull, Miller of Bremer, O'Connor, Penn, Schee, Sheldon—18.

So the amendment was concurred in.

Time for Special Order No. 6 was extended and unanimous consent was given for the consideration of House File No. 415.

## CONSIDERATION OF BILLS.

On motion of Perkins of Delaware, House File No. 415, a bill for an act to amend the law as it appears in Section Thirteen Hundred Six-b (1306-b) of the Supplement to the Code, 1907, so as to authorize cities and incorporated towns to incur an indebtedness not exceeding in the aggregate added to all other indebtedness five per centum of the actual value of the taxable property within such cities or incorporated towns for the purpose of extending as well as purchasing, erecting or maintaining and operating water-works, electric light and power plants, gas works and heating plants, or building and constructing sewers, with report of committee recommending passage as amended, was taken up and considered, and the amendment adopted.

Perkins of Delaware moved that the rules be suspended, 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 ayes were:

Anderson, Arney, Balluff, Bascom, Bauman, Beans, Beebe, Blackmore, Boe, Boettger, Bonwell, Boomgaarden, Bowman, Burt, Byerly, Calkins, Cooper, Corrie, Cousins, Crummer, Cunningham, Dabney, Dalby, Darrah, Dawson, Derrrough, Dewey, DeWitt, Dodds, Drury, Dye, Elliott, Ellis, Etter, Felt, Fenn, Finlayson, Fourt, Fox, Fulliam, Fulton, Goodykoontz, Grier, Hackler, Hanson, Harding, Harvey, Hickenlooper, Holmes, Huffaker, Hunter, Ide, Inman, Jacobs, Jewell, Johnson, Jones, Kellogg, Kendall, Klay, Larrabee, Lee, McCleery, McDonald, Marston, Meredith, Miller of Dubuque, Moore of Wapello, Newell, Perkins, Reaney, Reitz, Ripley, Ritter, Sankey, Schroeder, Schulte, Smith, Stillman, Stoddard, Sullivan, Swan, Swift, Tegeler, Tilton, Ward, Welden, White, Wilson, Wolfe, Mr. Speaker—91.

The nays were:

Schee—1.

Absent or not voting:

Allred, Beery, Brandes, Cassady, Crozier, Davidson, Dewell, Koontz, Kull, Miller of Bremer, Moore of Linn, O'Connor, Penn, Sheldon, Thompson, Zeller—16.



So the bill passed and the title was agreed to.

The consideration of House File No. 346 was resumed.

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

Sullivan of Polk in the Chair.

Speaker Feely in the Chair.

DeWitt of Montgomery moved to reconsider the vote by which the rule was suspended, the bill considered engrossed, and passed to its third reading.

Motion seconded by Meredith of Cass.

Motion prevailed.

Cooper of Jasper proposed the following amendment and moved its adoption:

I move to amend Section 4 of the bill by adding thereto the following:

That the law as it appears in Section Ten Hundred Eighty-seven-a-20 of the Supplement to the Code, 1907, be and the same is hereby amended by striking out the word "township" in line fifty of said section and by adding after the word "ticket" in the last line of said section, the following: "But nothing in this act shall be construed to refer to township officers by such officers shall be selected by the electors of the respective parties of the respective precincts at a township caucus and certificates of nomination shall be certified to the county auditor not more than sixty nor less than twenty days prior to the date fixed by law for the holding of the general election. Notice of any township caucus shall be published for two successive weeks immediately prior to the holding of any such caucus and by posting three notices in three public places in such precinct one of which shall be at the place of holding such caucus. The county auditor shall thereupon cause the printing of the names of said township officers on the respective ballots for each township.

Roll call was demanded by Lee of Emmet and Marston of Cerro Gordo.

On the question, Shall the amendment be adopted?

The ayes were:

Allred, Balluff, Bauman, Beery, Boettger, Bowman, Brandes, Byerly, Cooper, Dewell, DeWitt, Dodds, Dye, Elliott, Ellis, Etter, Finlayson, Fourt, Fox, Fulton, Harvey, Hickenlooper, Huffaker, Inman, Jacobs, Jones, Kellogg, Kendall, Miller of Dubuque, Moore of Wapello, Perkins, Reaney, Reitz, Ritter, Sankey, Schroeder, Schulte, Swan, Swift, Tegeler, Thompson, Tilton, White, Zeller—44.

The nays were:

Anderson, Arney, Bascom, Beans, Beebe, Blackmore, Boe, Bonwell, Boomgaarden, Burt, Cassady, Corrie, Cousins, Crummer, Dalby, Darrah, Dawson, Derrough, Dewey, Drury, Felt, Fenn, Goodykoontz, Hackler, Hanson, Hunter, Ide, Jewell, Johnson, Klay, Larrabee, Lee, McDonald, Marston, Meredith, Newell, Ripley, Schee, Smith, Stillman, Stoddard, Ward, Welden, Wilson, Mr. Speaker—45.

Absent or not voting:

Calkins, Crozier, Cunningham, Dabney, Davidson, Fulliam, Grier, Harding, Holmes, Koontz, Kull, McCleery, Miller of Bremer, Moore of Linn, O'Connor, Penn, Sheldon, Sullivan, Wolfe—19.

So the amendment was lost.

Swift of Shelby proposed the following amendment:

I move to amend by striking out lines 27, 28 and 29 of Section 14 and lines 11, 12 and 13 of Section 15 and lines 12, 13 and 14 of Section 16 of the printed bill and inserting in lieu thereof the following: "The County convention may make nomination for any and all offices for which no person was voted for in the primary election of such party."

Roll call was demanded by Lee of Emmet and Felt of Clay.

On the question, Shall the amendment be adopted?

The ayes were:

Balluff, Bauman, Beebe, Beery, Boettger, Byerly, Cassady, Dabney, Dodds, Ellis, Etter, Fulliam, Harvey, Huffaker, Kendall, Mil-

ler of Dubuque, Perkins, Reitz, Ritter, Sankey, Schroeder, Schulte, Swift, Tegeler, Thompson—25.

The nays were:

Allred, Anderson, Arney, Bascom, Beans, Blackmore, Boe, Bonwell, Boomgaarden, Burt, Cooper, Corrie, Cousins, Crummer, Cunningham, Dalby, Darrah, Dawson, Derrough, Dewell, DeWitt, Drury, Dye, Elliott, Felt, Fenn, Finlayson, Fourt, Fox, Fulton, Goodykoontz, Grier, Hackler, Hanson, Hickenlooper, Holmes, Hunter, Ide, Inman, Jacobs, Jewell, Johnson, Jones, Kellogg, Klay, Larrabee, Lee, McDonald, Marston, Meredith, Moore of Wapello, Newell, Reaney, Ripley, Smith, Stoddard, Sullivan, Swan, Tilton, Welden, Wilson, Zeller, Mr. Speaker—64.

Absent or not voting:

Bowman, Brandes, Calkins, Crozier, Davidson, Harding, Koontz, Kull, McCleery, Miller of Bremer, Moore of Linn, O'Connor, Penn, Schee, Sheldon, Sullivan, Ward, White, Wolfe—19.

So the amendment was lost.

Lee of Emmet moved that the rules be suspended, 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 ayes were:

Allred, Anderson, Areny, Balluff, Bascom, Bauman, Beebe, Beery, Blackmore, Boe, Boettger, Bonwell, Boomgaarden, Bowman, Burt, Byerly, Cassady, Cooper, Corrie, Cousins, Crummer, Cunningham, Dalby, Darrah, Dawson, Derrough, Dewell, Dewey, DeWitt, Drury, Dye, Elliott, Felt, Fenn, Finlayson, Fourt, Fox, Fulton, Goodykoontz, Grier, Hackler, Hanson, Harvey, Hickenlooper, Holmes, Hunter, Ide, Inman, Jacobs, Jewell, Johnson, Jones, Kellogg, Klay, Koontz, Larrabee, Lee, McDonald, Marston, Meredith, Moore of Wapello, Newell, O'Connor, Perkins, Reaney, Ripley, Ritter, Schee, Smith, Stillman, Stoddard, Sullivan, Swan, Thompson, Tilton, Ward, Welden, Wilson, Zeller, Mr. Speaker—79.

The nays were:

Beans, Dabney, Dodds, Ellis, Etter, Huffaker, Kendall, Miller of Dubuque, Sankey, Schroeder, Schulte, Swift, Tegeler, Wolfe—14.

Absent or not voting:

Brandes, Calkins, Crozier, Davidson, Fulliam, Harding, Kull, McCleery, Miller of Bremer, Moore of Linn, O'Connor, Penn, Reitz, Sheldon, White—15.

So the bill passed and the title was agreed to.

Drury of Sac offered the following Concurrent Resolution:

CONCURRENT RESOLUTION.

WHEREAS, The judicial districts of Iowa as now constituted are unequal in size, and inequitable and unfair in the work required of the judges and reporters in the different districts and

WHEREAS, There is a demand for an increase in the salaries of some of the judges, and an allowance for the traveling expenses of others, and

WHEREAS, The court reporters are making strenuous demands of the General Assembly for an increase in per diem allowance, and

WHEREAS, Under existing conditions said judges and court reporters are working on an average of less than six months in the year, therefore be it

*Resolved, By the House of Representatives, the Senate Concurring:*

That a committee of five be appointed; three by the Speaker of the House on the part of the House, and two by the President of the Senate on part of the Senate, to draft a bill reapportioning the State of Iowa into Judicial Districts on a basis that in their judgment will best serve the people of the state and place our judicial districts on a reasonable working basis that will be fair and equitable to all portions of the state, and to report their recommendations back to this General Assembly not later than March 25, 1909.

Drury of Sac asked unanimous consent for the immediate consideration of the resolution, and moved its adoption.

Harding of Woodbury moved that the resolution be laid over under Rule 34.

Motion prevailed, and the resolution was laid over.

Anderson of Hamilton moved that House File No. 176 be withdrawn from the Committee on Compensation of Public Officers, and the further consideration of the House.

Motion prevailed.

Harding of Woodbury moved that the House adjourn until 9:00 o'clock, A. M., Saturday.

Motion prevailed.

# JOURNAL OF THE HOUSE

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HALL OF THE HOUSE OF REPRESENTATIVES,  
DES MOINES, IOWA, MARCH 13, A. D. 1909.

House met pursuant to adjournment.

Speaker Feely in the Chair.

Prayer was offered by the Rev. Charles L. Nye of Woodbine, Iowa.

Journal of Friday, March 12th, corrected and approved.

On request of Reaney of Louisa, leave of absence was granted Corrie of Ida until Tuesday.

On request of Wolfe of Clinton, leave of absence was granted Dabney of Davis until Monday.

On request of Hickenlooper of Monroe, leave of absence was granted Swan of Appanoose until Tuesday.

On request of Grier of Poweshiek, leave of absence was granted Hanson of Humboldt until Monday.

On request of Arney of Marshall, leave of absence was granted Welden of Hardin until Monday.

## PETITIONS, MEMORIALS AND REMONSTRANCES.

Cooper of Jasper presented petition of citizens of Jasper County, requesting the passage of Senate File No. 320.

Referred to Committee on Judiciary.

Moore of Linn presented remonstrance of citizens of Linn County, protesting against the passage of House File No. 58.

Referred to Committee on Schools and Text Books.

Reaney of Louisa presented remonstrance of citizens of Louisa County, protesting against the passage of the School Bill.

Referred to Committee on Schools and Text Books.

Fulton of Jefferson presented remonstrance of citizens of Jefferson County, protesting against the passage of the School Bill.

Referred to Committee on Schools and Text Books.

Lee of Emmet presented petitions of citizens of Emmet County, relative to the prohibitory amendment.

Referred to Committee on Suppression of Intemperance.

Lee of Emmet presented petition of merchants and tax payers of Emmet County, relative to House File No. 232, referring to exemptions.

Referred to Committee on Judiciary.

Derrough of Warren presented petition of citizens of Warren County, relative to House File No. 169, referring to breach of the Sabbath.

Referred to Committee on Judiciary.

Derrough of Warren presented petition of merchants and tax payers of Warren County, relative to House File No. 232, referring to exemptions.

Referred to Committee on Judiciary.

Penn of Fremont presented petition of citizens of Fremont County, requesting the passage of the School Bill.

Referred to Committee on Schools and Text Books.

Penn of Fremont presented remonstrance of Nishna Valley Camp 1020, Modern Woodmen of America, protesting against the passage of the Minimum Rate Law.

Referred to Committee on Insurance.

Meredith of Cass presented petitions of citizens of Cass County, relative to House File No. 169, referring to breach of the Sabbath.

Referred to Committee on Judiciary.

Meredith of Cass presented petition of citizens of Cass County, requesting the enactment of a law providing for a State Inspector of Bees.

Referred to Committee on Agriculture.

Boe of Winnebago presented petition of citizens of Iowa, requesting that Good Friday be made a legal holiday.

Referred to Committee on Judiciary.

Blackmore of Worth presented remonstrance of citizens of Deer Creek Township, protesting against the passage of the School Law.

Referred to Committee on Schools and Text Books.

Bauman of Van Buren presented remonstrance of citizens of the Thirty-third Senatorial District, relative to Senate File No. 320, referring to equal right in Schools and Colleges.

Referred to Committee on Schools and Text Books.

Beans of Mahaska presented petition of citizens of Mahaska County, relative to the enfranchisement of women.

Referred to Committee on Woman Suffrage.

Fulton of Jefferson presented remonstrance of Cigarmakers Union, Fairfield, Iowa, protesting against the passage of House File No. 232, referring to exemptions.

Referred to Committee on Judiciary.

Burt of Taylor presented remonstrance of citizens of Taylor County, protesting against the passage of the Public Utilities Bill.

Referred to Committee on Railroads and Transportation.

Ellis of Jackson presented petition of merchants and tax payers of Jackson County, relative to House File No. 232, referring to exemptions.

Referred to Committee on Judiciary.

O'Connor of Chickasaw presented remonstrance of Hardware Dealers of Washington, protesting against a firearms sales tax.

Referred to Committee on Police Regulations.

Blackmore of Worth presented petitions of Iowa Retail Hardware Dealers and other merchants relative to House File No. 232, referring to exemptions.

Referred to Committee on Judiciary.

Kellogg of Harrison presented petition of citizens of Harrison County, relative to House File No. 325, referring to liquor commissioners.

Referred to Committee on Suppression of Intemperance.

#### REPORTS OF COMMITTEES.

Sullivan of Polk, from the Committee on Judiciary, submitted the following report:

MR. SPEAKER—Your committee on Judiciary, to whom was referred House File No. 260, a bill for an act relating to river front improvement commissions in cities organized under the provisions of Chapter forty-eight (48) of the Acts of the Thirty-second General Assembly, and additional to said Chapter forty-eight (48) of the Acts of the Thirty-second General Assembly and additional to Chapter two hundred and ten (210) of the Acts of the Twenty-ninth General Assembly, and legalizing the establishment of river front improvement commissions in cities acting under special charter having a population of over twenty-five thousand (25,000), beg leave to report they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same do pass.

JOHN B. SULLIVAN,  
*Chairman.*

Adopted.

Also:

MR. SPEAKER—Your committee on Judiciary, to whom was referred House File No. 368, a bill for an act requiring that boots and shoes made in certain parts of substitutes for leather, and boots and shoes made by "convict or prison labor" to be stamped, and providing a penalty for failure to so stamp, beg leave to report they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same be referred to the committee on Commerce and Trade.

JOHN B. SULLIVAN,  
*Chairman.*

Adopted, and House File No. 368 was referred to the Committee on Commerce and Trade.

Also:

MR. SPEAKER—Your committee on Judiciary, to whom was referred House File No. 399, a bill for an act providing for the trial of persons charged with the commission of the crime of murder who are confined in a prison or reformatory, beg leave to report they have had the same under



consideration and have instructed me to report the same back to the House with the recommendation that the same do pass.

JOHN B. SULLIVAN,  
*Chairman.*

Adopted.

Beery of Henry, from the Committee on Food and Dairy, submitted the following report:

MR. SPEAKER—Your committee on Food and Dairy, to whom was referred House File No. 321, a bill for an act to amend the law as it appears in Section four thousand nine hundred and ninety-nine-a-thirty-one (4999-a-31) of the Supplement to the Code, 1907, relating to food standards, beg leave to report they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same do pass.

ENOCH BEERY,  
*Chairman.*

Adopted.

Also:

MR. SPEAKER—Your committee on Food and Dairy, to whom was referred House File No. 320, a bill for an act to amend the law as it appears in Section four thousand nine hundred and ninety-nine-a-twenty-five (4999-a-25) of the Supplement to the Code, 1907, relating to penalty for violation of the pure food laws, beg leave to report they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same do pass.

ENOCH BEERY,  
*Chairman.*

Adopted.

Stillman of Greene, from the Committee on Schools and Text Books, submitted the following report:

MR. SPEAKER—Your committee on Schools and Text Books, to whom was referred House File No. 62, a bill for an act to revise, amend and codify the statutes in relation to the public schools, beg leave to report they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same be indefinitely postponed.

PAUL E. STILLMAN,  
*Chairman.*

Adopted, and House File No. 62 was indefinitely postponed.

Also:

MR. SPEAKER—Your committee on Schools and Text Books, to whom was referred House File No. 364, a bill for an act to amend the law as it appears in Section 2806 of the Code, relating to the amount that may be

levied for contingent fund in school districts, beg leave to report they have had the same under consideration and have instructed me to report the same back to the House without recommendation and further recommend that the same be referred to the Ways and Means Committee.

PAUL E. STILLMAN,  
*Chairman.*

Adopted, and House File No. 364 was so referred.

Also:

MR. SPEAKER—Your committee on Schools and Text Books, to whom was referred House File No. 309, a bill for an act to amend the law as it appears in Section twenty-eight hundred and six (2806), Title thirteen (13), Chapter fourteen (14) of the Code and Supplement of the Code relative to estimated tax levies by school boards, beg leave to report they have had the same under consideration and have instructed me to report the same back to the House without recommendation and further recommend that the same be referred to the Ways and Means Committee.

PAUL E. STILLMAN,  
*Chairman*

Adopted, and House File No. 309 was so referred.

Also:

MR. SPEAKER—Your committee on Schools and Text Books, to whom was referred House File No. 363, a bill for an act to amend the law as it appears in Section 2804 of the Code, relating to the deduction of school taxes from tuition of non-resident pupils attending school in independent districts, beg leave to report they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same be indefinitely postponed.

PAUL E. STILLMAN,  
*Chairman.*

Adopted, and House File No. 363 was indefinitely postponed.

Also:

MR. SPEAKER—Your committee on Schools and Text Books, to whom was referred Senate File No. 110, a bill for an act providing for the education of deaf and blind children at the school for the deaf and the college for the blind, beg leave to report they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same do pass.

PAUL E. STILLMAN,  
*Chairman.*

Adopted.

Elliott of Page, from the Committee on Suppression of Intemperance, submitted the following report:

MR. SPEAKER—Your committee on Suppression of Intemperance, to whom was referred House File No. 352, a bill for an act to repeal certain

Sections of the Code of 1897 and of the Supplement to the Code of 1907 relating to the granting of permits to licensed pharmacists, beg leave to report they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same be amended as follows: By inserting in line ten (10) of Section 1 of the original bill, the words "of the Supplement to the Code, 1907," and when so amended the bill do pass.

J. D. ELLIOTT,  
*Chairman.*

Adopted.

Inman of Floyd, from the Committee on Public Libraries, submitted the following report:

MR. SPEAKER—Your committee on Public Libraries, to whom was referred House File No. 272, a bill for an act to amend Section 728 of the Code and Supplement, relating to vacancies in office of library trustees, beg leave to report they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same be indefinitely postponed.

L. W. INMAN,  
*Chairman.*

Adopted, and House File No. 272 was indefinitely postponed.

Also:

MR. SPEAKER—Your committee on Public Libraries, to whom was referred House File No. 297, a bill for an act to provide for the procuring of oil portraits of the present and future governors of Iowa and photographs of the present and future members of the General Assemblies of the State of Iowa, to be placed in the art galleries of the historical department, beg leave to report they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same do pass, and further that the same be referred to the Appropriation Committee.

L. W. INMAN,  
*Chairman.*

Adopted, and House File No. 297 was so referred.

Koontz of Johnson, from the Committee on Fish and Game, submitted the following report:

MR. SPEAKER—Your committee on Fish and Game, to whom was referred House File No. 296, a bill for an act to repeal Sections twenty-five hundred and sixty-three-a (2563-a), twenty-five hundred and sixty-three-b (2563-b), twenty-five hundred and sixty-three-c (2563-c), twenty-five hundred and sixty-three-d (2563-d), twenty-five hundred and sixty-three-e (2563-e), twenty-five hundred sixty-three-f (2563-f), twenty-five hundred sixty-three-g (2563-g), twenty-five hundred sixty-three-h (2563-h) of the Supplement to the Code, 1907, and to enact in lieu thereof the following relating to the protection of game, beg leave to report they have had the

same under consideration and have instructed me to report the same back to the House with the recommendation that the same be amended as follows: By striking out all after the enacting clause and inserting the following in lieu thereof:

SUBSTITUTE FOR HOUSE FILE NO. 296.

Section 1. That section twenty-five hundred sixty-three-a (2563-a), twenty-five hundred sixty-three-b (2563-b), twenty-five hundred sixty-three-c (2563-c), twenty-five hundred sixty-three-d (2563-d), twenty-five hundred and sixty-three-e (2563-e), twenty-five hundred sixty-three-f (2563-f), twenty-five hundred sixty-three-g (2563-g), and twenty-five hundred sixty-three-h (2563-h) of the Supplement to the Code, 1907, are hereby repealed and the following enacted in lieu thereof.

Sec. 2. No person shall hunt, pursue, kill or take any wild animal, bird, or game in this state, without first procuring a license as herein provided.

Sec. 3. No license shall be granted any person under eighteen years of age unless the written consent of parents or guardian is attached to the application.

Sec. 4. The State Fish and Game Warden, shall furnish county auditors with application blanks for a license and license blank. These blanks shall provide for an insertion of the name, age, sex, and place of residence of the applicant, and of the licensee. The license shall authorize its holder to hunt in accordance with the provisions of this act in any county of the state, but not on enclosed or cultivated lands without permission of the owner, or the tenant; and shall bear a fac simile signature of the State Fish and Game Warden, and the seal and signature of the county auditor in which it is issued.

Sec. 5. An applicant for a license shall fill out and authorize application blanks and subscribe and swear to it before the county auditor. Before the license is issued, the applicant, if a resident of the State of Iowa, shall pay the county auditor the sum of one dollar (\$1.00) as a license fee, and if a non-resident of the State of Iowa shall pay the sum of ten dollars (\$10.00) as a license fee. These fees the county auditor shall pay at the end of each month to the State Treasurer, who shall place them to the credit of a fund known as the Fish and Game Protection Fund.

Sec. 6. A non-resident holding a valid license may take from the state not to exceed twenty-five (25) game birds or animals, provided they are so carried as to be readily inspected and his license is shown on request.

Sec. 7. The State Fish and Game Protection Fund shall be used for the payment of the expenditures made necessary under the provisions of Section 2539 of the Code, for the traveling, contingent and office expenses of the warden; for deputy wardens' salaries and expenses; for the protection and propagation of fish and game; for gathering and distributing fish in the public waters of the state; for the expenditures made necessary under the operation or enforcement of this statute or any other laws enacted affecting the fish and game service; and shall

be paid out only on verified vouchers approved by the Executive Council.

Sec. 8. The county auditor shall keep a record of the licenses he issues which shall show the date of issue, the name and address of the person to whom issued, and the date of revocation, if revoked.

Section 9. The license shall be signed by the licensee in ink, and shall entitle the person to whom issued to hunt, pursue and kill wild animals, birds or game within the state at any time when it shall be lawful to hunt, pursue and kill such wild animals, birds or game, but it shall not entitle the person to whom issued, to hunt, pursue or kill wild animals, birds or game in this state without being prepared at the time of so doing to exhibit it for inspection and permitting it, on demand, to be examined by any person. All licenses shall be void after the first day of July next succeeding issuance. It is provided, however, that owners of farm land, their children and tenants, shall have the right, without procuring a license, to hunt and kill wild animals, birds or game, upon the lands owned and occupied by them. Any person found guilty of violating any of the provisions of this section shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not less than twenty-five dollars (\$25.00) nor more than fifty dollars (\$50.00) for each offense, and shall be committed to the county jail until such costs and fines are paid, but such imprisonment shall not exceed thirty (30) days for each offense. Any person who shall alter or change a license in any material manner shall be deemed guilty of forgery and upon conviction thereof shall be subject to the penalties provided for the commission of forgery. Any person who uses or attempts to use the license of another, or altered license, shall be guilty of a misdemeanor, and upon conviction shall be fined not less than twenty five dollars (\$25.00) nor more than fifty dollars (\$50.00) for each offense, and shall be committed to the county jail until such fine and costs are paid, but such imprisonment shall not exceed thirty (30) days for each offense.

Sec. 10. A license in the possession of any person other than to whom first issued, and on complaint, the license of any person hunting on enclosed or cultivated land, without permission of the owner or tenant may be revoked by the county auditor.

Sec. 11. Possession of a gun in the fields of forests or on the waters of the state, or upon the ice of the same; and the failure to display a license when it is demanded by any person, shall be, except in the case of the owner or tenant, prima facie evidence of a violation of the provisions of this section, and the offender shall be deemed guilty of a misdemeanor and shall be proceeded against as provided in section 9 of this act.

Sec. 12. Any appropriation made by the General Assembly for the use of the State Fish and Game Warden shall not be drawn upon until the fund arising from license fees shall be exhausted.

Sec. 13. All acts and parts of acts inconsistent with this act are hereby repealed, and when so amended the bill do pass.

GEO. W. KOONTZ,  
*Chairman.*

Adopted.

Also:

MR. SPEAKER—Your committee on Fish and Game, to whom was referred House File No. 290, a bill for an act amendatory to and additional to Chapter fifteen (15), Title twelve (12) of the Code and Supplement to the Code, relative to the care and propagation of fish, beg leave to report they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same be amended as follows:

By striking out the words "for each trammel net, or each" in line nine, Section two (2) of the original bill.

Also by inserting the words "stretch measure and comma," in line twenty-one of Section three (3) of the original bill.

Also to amend Section four (4) by striking out the words "less than eleven inches" in line three and "less than eight inches" and "less than fourteen inches" in line four, and "less than seven inches" in line five of Section four of the original bill, and when so amended the bill do pass.

GEO. W. KOONTZ,

*Chairman.*

Adopted.

Bonwell of Audubon, from the Committee on Roads and Highways, submitted the following report:

MR. SPEAKER—Your committee on Roads and Highways, to whom was referred House File No. 245, a bill for an act relating to the indebtedness of counties and providing for the issuance of bonds for the purpose of building and constructing permanent highways, bridges, culverts, levees, drains and ditches, and providing for the appointment of county engineers, and defining their duties, beg leave to report they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same be indefinitely postponed.

J. C. BONWELL,

*Chairman.*

Adopted, and House File No. 245 was indefinitely postponed.

Also:

MR. SPEAKER—Your committee on Roads and Highways, to whom was referred House File No. 137, a bill for an act providing for the establishment of a state highway department by the appointment of a state highway commissioner, a staff of two assistants and defining the powers and duties thereof, authorizing the state highway department to co-operate with the several counties and townships in the improvement of the public highways and the maintenance of improved highways providing for the application of counties and townships for state aid in highway improvement and maintenance providing for the payment of the cost of highway improvements made under the provision of this act by the state, the counties and the townships and making an appropriation for the purpose and providing a penalty for maliciously destroying improved roads,

beg leave to report they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same be indefinitely postponed.

J. C. BONWELL,  
*Chairman.*

Adopted, and House File No. 137 was indefinitely postponed.

Also:

MR. SPEAKER—Your committee on Roads and Highways, to whom was referred House File No. 382, a bill for an act to amend Section thirteen hundred three (1303) of the Supplement to the Code, 1907, relative to the amount of taxes to be levied for making and repairing bridges, beg leave to report they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same be amended as follows: By striking out the word "six" in the last line of Section 1 and inserting in lieu thereof the word "five," and when so amended the bill do pass.

J. C. BONWELL,  
*Chairman.*

Adopted.

White of Story offered the following report:

MR. SPEAKER—Your committee on Retrenchment and Reform would recommend to the members of this House that Walter Taylor be temporarily placed upon the pay roll, on and after March 10th, as assistant cloak-room janitor, during the absence of Andrew Ford, who is temporarily detained on account of sickness.

GEO. L. WHITE,  
ERNEST R. MOORE,  
J. B. SULLIVAN.

Adopted.

#### INTRODUCTION OF BILLS.

By Boe of Winnebago, House File No. 426, a bill for an act to amend Section Three Thousand Fifty-three of the Code, 1897, relating to Legal Holidays.

Read first and second time and referred to Committee on Schools and Text Books.

By Judiciary Committee, House File No. 427, a bill for an act to amend the law as it appears in Section Three Hundred Fifty-eight (358) of the Code relating to qualification of sureties of certain official bonds.

Read first and second time and passed on file.

By Bascom of Dickinson, House File No. 428, a bill for an act to amend the law as it appears in Section Four Hundred Twelve

(412) Supplement to the Code, 1907, relating to the meeting of Board of Supervisors.

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

By Koontz of Johnson, House File No. 429, a bill for an act authorizing Boards of Supervisors to suspend payment of taxes on homesteads not exceeding in value, the sum of one thousand (\$1,000.00) dollars.

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

By Perkins of Delaware, House File No. 430, a bill for an act to authorize the removal of wires for the purpose of moving buildings or for the transportation of any other object on the highway or upon any waterway.

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

By Anderson of Hamilton, House File No. 431, a bill for an act providing for the temporary closing of certain schools and providing school privileges for the children residing in said districts.

Read first and second time and referred to Committee on Schools and Text Books.

Koontz of Johnson offered the following resolution, and moved that the rule be suspended and the resolution adopted:

WHEREAS, The Hon. Samuel H. Fairall, one of the old time pioneers of Iowa, a resident of Johnson County, Iowa, for over fifty-four years, an active and honored member of the House of Representatives of the Ninth General Assembly and a member of the Iowa Senate in the Twelfth, Thirteenth, Fourteenth and Fifteenth General Assemblies, from Johnson County, passed away at his home in Iowa City, Iowa, on the 8th day of March, 1909, therefore be it

*Resolved*, That a committee of three be appointed by the Speaker of the House to prepare and submit resolutions commemorating his life, character and services to his state.

Motion prevailed, and the resolution was adopted.

The Speaker appointed the following committee: Koontz of Johnson, Sankey of Decatur and Sullivan of Polk.

Byerly of Jones, Chairman of the Committee appointed to draft resolutions respecting the life and public service of Hon.



Nathan Potter, presented the report of that Committee and moved its adoption.

Motion prevailed, the resolutions were adopted and ordered printed in the Journal.

Brandes of Pottawattamie offered the following resolution:

RESOLUTION.

WHEREAS, Your committee appointed to investigate the treatment of patients in the insane hospitals of the state, have made certain investigations, and

WHEREAS, Said investigations thus far made have convinced the committee that flagrant abuses exist in said hospitals as to the treatment of patients therein, and believing that such abuses should be more fully investigated and that such further investigation requires the production of witnesses before your committee, therefore be it

*Resolved by the House of Representatives of this General Assembly,* That your investigating committee be empowered and authorized to designate the names of such persons they desire to examine as witnesses and that the Speaker of the House and Chief Clerk be directed to sign such subpoenas for witnesses as your committee shall present to them.

H. C. BRANDES,

DR. E. B. FULLIAM,

S. M. McCLEERY,

*Committee.*

Mr. Brandes asked unanimous consent for immediate consideration of the resolution, and moved its adoption.

Motion prevailed.

CONSIDERATION OF BILLS.

On motion of Cooper of Jasper, House File No. 278, a bill for an act to authorize the issuance of a search warrant, and the seizure of cigarettes and cigarette papers, with report of committee recommending indefinite postponement and minority recommendation recommending passage, was taken up and considered.

Sullivan of Polk moved the adoption of the report.

Cooper of Jasper moved that the minority recommendation be substituted for the majority report.

Roll call demanded by Cooper of Jasper and Burt of Taylor.

On the question, "Shall the minority views be substituted for the majority report?"

The ayes were :

Allred, Anderson, Arney, Bauman, Beans, Beebe, Blackmore, Boe, Bonwell, Boomgaarden, Bowman, Brandes, Burt, Byerly, Calkins, Cassady, Cooper, Cousins, Crummer, Cunningham, Dalby, Darrah, Davidson, Dawson, Derrough, Dewell, Dewey, DeWitt, Dodds, Drury, Elliott, Ellis, Fenn, Finlayson, Fourt, Fox, Fulton, Goodykoontz, Grier, Hackler, Harvey, Hickenlooper, Huffaker, Hunter, Ide, Jewell, Jones, Kendall, Klay, Larrabee, Lee, McCleery, Meredith, Moore of Wapello, Moore of Linn, Newell, Ripley, Sankey, Schee, Smith, Stillman, Stoddard, Sullivan, Swift, Thompson, Tilton, White, Zeller, Mr. Speaker—69.

The nays were :

Balluff, Bascom, Boettger, Etter, Felt, Fulliam, Johnson, McDonald, Miller of Bremer, Miller of Dubuque, O'Connor, Penn, Perkins, Reitz, Ritter, Schroeder, Schulte, Tegeler, Wilson, Wolfe—20.

Absent or not voting :

Beery, Corrie, Crozier, Dabney, Dye, Hanson, Harding, Holmes, Inman, Jacobs, Kellogg, Koontz, Kull, Marston, Reaney, Sheldon, Swan, Ward, Welden—19.

So the minority views were substituted for the majority report.

Hunter of Polk moved the adoption of the substituted report.

Klay of Sioux proposed the following amendment :

I move to amend House File No. 278 by inserting after the word "warrant" in the ninth line of Section 1 the following: "particularly describing the place to be searched and the persons or things to be seized."

Amendment adopted.

Motion prevailed.

Report adopted.

Hunter of Polk moved that the rules be suspended, 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 ayes were:

Allred, Anderson, Arney, Bascom, Bauman, Beans, Beebe, Beery, Blackmore, Boe, Bonwell, Boomgaarden, Bowman, Brandes, Burt, Cassady, Cooper, Cousins, Crummer, Cunningham, Dalby, Darrah, Davidson, Dawson, Dewell, DeWitt, Dodds, Drury, Dye, Elliott, Ellis, Felt, Fenn, Finlayson, Fourt, Fox, Fulton, Goodykoontz, Grier, Hackler, Harvey, Hickenlooper, Hunter, Ide, Inman, Jewell, Kendall, Klay, Larrabee, Lee, McCleery, Marston, Meredith, Moore of Wapello, Moore of Linn, Beaney, Ripley, Schee, Smith, Stillman, Stoddard, Sullivan, Thompson, Tilton, Ward, White, Wilson, Zeller—68.

The nays were:

Boettger, Byerly, Calkins, Crozier, Dewey, Etter, Fulliam, Hufaker, Johnson, Jones, Kellogg, Koontz, McDonald, Miller of Dubuque, Newell, O'Connor, Penn, Perkins, Reitz, Ritter, Sankey, Schroeder, Schulte, Swift, Tegeler, Wolfe—26.

Absent or not voting:

Balluff, Corrie, Dabney, Derrough, Hanson, Harding, Holmes, Jacobs, Kull, Miller of Bremer, Sheldon, Swan, Welden, Mr. Speaker—14.

So the bill passed and the title was agreed to.

Darrah of Lucas in the chair.

On motion of Ellis of Jackson, House File No. 166, a bill for an act to amend Section Fourteen Hundred-f (1400-f) of the Supplement to the Code, 1907, providing for additional forest trees, was taken up and considered.

Anderson of Hamilton proposed to amend the Title and Section 1 by placing the figures "1400-f" in parantheses and inserting the words "fourteen hundred-f" preceding same.

Amendment adopted.

Ellis of Jackson moved that the rules be suspended, 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 ayes were:

Allred, Anderson, Arney, Bascom, Bauman, Beans, Beebe, Beery, Blackmore, Boe, Bonwell, Boomgaarden, Bowman, Brandes, Calkins, Cassady, Cooper, Cousins, Crozier, Crummer, Dalby, Darrah, Davidson, Dawson, Dewell, Dewey, DeWitt, Dodds, Elliott, Ellis, Etter, Felt, Fenn, Finlayson, Fourt, Fox, Fulliam, Fulton, Hackler, Harding, Harvey, Hickenlooper, Huffaker, Hunter, Ide, Inman, Jewell, Johnson, Kellogg, Kendall, Klay, Koontz, Larabee, Lee, McCleery, Marston, Meredith, Miller of Dubuque, Moore of Wapello, Moore of Linn, Newell, O'Connor, Penn, Perkins, Reaney, Reitz, Ripley, Ritter, Sankey, Schee, Schroeder, Schulte, Smith, Stoddard, Sullivan, Swift, Tegeler, Thompson, Tilton, Ward, White, Zeller—82.

The nays were:

None.

Absent or not voting:

Balluff, Boettger, Burt, Byerly, Corrie, Cunningham, Dabney, Derrough, Drury, Dye, Goodykoontz, Grier, Hanson, Holmes, Jacobs, Jones, Kull, McDonald, Miller of Bremer, Sheldon, Stillman, Swan, Welden, Wilson, Wolfe, Mr. Speaker—26.

So the bill passed and the title was agreed to.

On motion of Fulton of Jefferson, Senate File No. 182, a bill for an act for the relief of the grantees of Joel J. Bradshaw, and for the purpose of having a patent issued in the name of W. F. Werner for a certain tract of land, was taken up and considered.

Fulton of Jefferson moved that the rules be suspended, the bill be read a third time now, which motion prevailed, and the bill was read a third time.

Speaker Feely in the chair.

On the question, "Shall the bill pass?"

The ayes were:

Allred, Anderson, Arney, Balluff, Bascom, Bauman, Beans, Beebe, Beery, Blackmore, Boe, Boettger, Bonwell, Boomgaarden, Bowman, Brandes, Burt, Byerly, Calkins, Cassady, Cooper, Cousins, Crozier, Crummer, Cunningham, Dalby, Darrah, Dawson, Dewell, Dewey, DeWitt, Dodds, Drury, Elliott, Ellis, Etter, Fenn, Finlayson, Fourt, Fox, Fulliam, Fulton, Goodykoontz, Grier, Hack-

ler, Harding, Harvey, Hickenlooper, Huffaker, Hunter, Ide, Inman, Jewell, Johnson, Kellogg, Kendall, Klay, Koontz, Larrabee, Lee, McCleery, McDonald, Meredith, Miller of Dubuque, Moore of Wapello, Moore of Linn, Newell, O'Connor, Penn, Perkins, Reaney, Reitz, Ripley, Ritter, Sankey, Schee, Schroeder, Schulte, Smith, Stillman, Stoddard, Sullivan, Swift, Tegeler, Thompson, Tilton, White, Wolfe, Zeller, Mr. Speaker—90.

The nays were:

None.

Absent or not voting:

Corrie, Dabney, Davidson, Derrough, Dye, Felt, Hanson, Holmes, Jacobs, Jones, Kull, Marston, Miller of Bremer, Sheldon, Swan, Ward, Welden, Wilson—18.

So the bill passed and the title was agreed to.

On motion of Dodds of Des Moines, House File No. 189, a bill for an act to add to the provisions of Title Nine (9), Chapter Three (3), Supplement to the Code of 1897, additional to Section Sixteen Hundred Sixty-one-a (1661-a), with report of committee recommending passage as amended by substitute amendment, was taken up, considered, and the substitute amendment adopted.

Klay of Sioux proposed the following amendment:

I move to amend by adding after the figure "5" in line 5 of Section 2 the word "members" and by striking out of line 6 the words and figures, "of four (4) or more days" and insert the same after the word "session" in line 5. Also by striking out of the sixteenth line the word "paid" and inserting in lieu thereof the word "received."

Amendment adopted.

Cunningham of Buena Vista offered the following amendment:

I move to amend by adding the following:

Sec. 3. All counties not holding a regular Farmers' Institute and where a short course is held, the money appropriated for such Farmers' Institute as provided in Section 1675 of the Supplement of the Code, 1907, shall apply and be payable to said "Short Course" upon proof of such organization and such "Short

Course" having been held, being filed with the State Board of Agriculture by the officers of said Short Course.

Amendment adopted.

Dodds of Des Moines moved that the rules be suspended, the bill be considered engrossed, and read a third time now, which motion prevailed, and the bill was a read a third time.

On the question, "Shall the bill pass?"

The ayes were:

Allred, Anderson, Arney, Balluff, Bascom, Bauman, Beans, Beebe, Beery, Blackmore, Boe, Boettger, Bonwell, Boomgaarden, Bowman, Brandes, Burt, Byerly, Calkins, Cassady, Cooper, Cousins, Crozier, Cunningham, Dalby, Darrah, Dawson, Dewell, Dewey, DeWitt, Dodds, Drury, Dye, Elliott, Ellis, Etter, Felt, Fenn, Fourt, Fox, Fulliam, Fulton, Goodykoontz, Grier, Hackler, Harding, Harvey, Hickenlooper, Huffaker, Ide, Inman, Jacobs, Jewell, Johnson, Jones, Kellogg, Kendall, Klay, Koontz, Larrabee, McCleery, McDonald, Marston, Meredith, Miller of Bremer, Miller of Dubuque, Moore of Wapello, Moore of Linn, Newell, O'Connor, Penn, Perkins, Reitz, Ripley, Ritter, Sankey, Schee, Schroeder, Schulte, Smith, Stillman, Stoddard, Sullivan, Swift, Tegeler, Thompson, Tilton, Ward, White, Wilson, Wolfe, Zeller, Mr. Speaker—93.

The nays were:

None.

Absent or not voting:

Corrie, Crummer, Dabney, Davidson, Derrough, Finlayson, Hanson, Holmes, Hunter, Kull, Lee, Reaney, Sheldon, Swan, Welden—15.

So the bill passed.

By unanimous consent the Title and Section 1 were amended by inserting the words and figures "and Sixteen Hundred Seventy-five (1675)," and when so amended the title was agreed to.

On motion of Koontz of Johnson House File No. 229, a bill for an act relating to fish and game, and making appropriation for the Fish and Game Commission of the State of Iowa, with report of committee recommending passage as amended was taken up, considered, and the amendments adopted.

Koontz of Johnson moved that the rules be suspended, 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 ayes were:

Allred, Anderson, Arney, Balluff, Bascom, Bauman, Beans, Beebe, Beery, Blackmore, Boe, Boettger, Bonwell, Boomgaarden, Bowman, Brandes, Byerly, Calkins, Cassady, Cooper, Cousins, Crozier, Cunningham, Dalby, Darrah, Dawson, Dewell, Dewey, DeWitt, Doods, Drury, Dye, Elliott, Ellis, Etter, Felt, Fenn, Fourt, Fox, Fulliam, Fulton, Goodykoontz, Grier, Hackler, Harding, Harvey, Hickenlooper, Hunter, Ide, Inman, Jewell, Johnson, Jones, Kellogg, Kendall, Klay, Koontz, Larrabee, Lee, McDonald, Marston, Meredith, Miller of Dubuque, Moore of Wapello, Moore of Linn, Newell, O'Connor, Penn, Perkins, Reitz, Ripley, Ritter, Sankey, Schroeder, Schulte, Smith, Stillman, Stoddard, Sullivan, Swift, Tegeler, Thompon, Tilton, Ward, White, Wilson, Wolfe, Zeller, Mr. Speaker—89.

The nays were:

None.

Absent or not voting:

Burt, Corrie, Crummer, Dabney, Davidson, Derrough, Finlayson, Hanson, Holmes, Huffaker, Jacobs, Kull, McClery, Miller of Bremer, Reaney, Schee, Sheldon, Swan, Welden—19.

So the bill passed and the title was agreed to.

On request of DeWitt of Montgomery unanimous consent having been given, House File No. 134, a bill for an act to amend Section Fifteen Hundred Sixty-one (1561) of the Code of Iowa, 1897, relating to the erection of guide boards, with the following Senate amendments, was taken up and the amendments read and considered.

Amend by striking from the title of the bill the words "of Iowa, 1907," and from line 1 of Section the words "of Iowa 1897."

DeWitt of Montgomery moved that the House concur in the Senate amendments.

On the question, "Shall the House concur?"

The ayes were:

Allred, Anderson, Arney, Bauman, Beans, Beebe, Beery, Blackmore, Bonwell, Boomgaarden, Bowman, Brandes, Burt, Calkins, Cousins, Crozier, Crummer, Cunningham, Dalby, Darrah, Dawson, Dewey, DeWitt, Dodds, Drury, Dye, Elliott, Ellis, Etter, Fourt, Fox, Fulliam, Fulton, Grier, Hackler, Harding, Harvey, Hickenlooper, Huffaker, Ide, Inman, Jewell, Jones, Kellogg, Klay, Koontz, Larabee, Lee, McDonald, Meredith, Miller of Dubuque, Newell, O'Connor, Penn, Perkins, Reitz, Ripley, Ritter, Schee, Schroeder, Schulte, Smith, Stillman, Stoddard, Swift, Tegeler, Thompson, Ward, Wilson, Zeller, Mr. Speaker—71.

The nays were:

None.

Absent or not voting:

Balluff, Bascom, Boe, Boettger, Byerly, Cassady, Cooper, Corrie, Dabney, Davidson, Derrough, Dewell, Felt, Fenn, Finlayson, Goodykoontz, Hanson, Holmes, Hunter, Jacobs, Johnson, Kendall, Kull, McCleery, Marston, Miller of Bremer, Moore of Wapello, Moore of Linn, Reaney, Sankey, Sheldon, Sullivan, Swan, Tilton, Welden, White, Wolfe—37.

So the House concurs.

Sullivan of Polk moved that when the House adjourn it be until 1:30 o'clock P. M.

Motion prevailed.

Arney of Marshall moved that House File No. 107 be withdrawn from the Committee on Agriculture, and the further consideration of the House.

Motion prevailed.

Arney of Marshall moved that the House request the recall of House File No. 108 from the Senate.

Motion prevailed.

Dawson of Cherokee moved that House File No. 235 be withdrawn from the Committee on Compensation of Public Officers, and the further consideration of the House.

Motion prevailed.



## 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. 134, a bill for an act relating to the erection of guideboards.

S. W. NEAL,  
*Secretary.*

Also:

MR. SPEAKER—I am directed to inform your honorable body that the Senate has concurred in House Amendments to Senate File No. 72, a bill for an act to amend the law as it appears in Section 4999-a-9 of the Supplement to the Code, 1907, relating to protection against fire and providing means for escape.

S. W. NEAL,  
*Secretary.*

Also:

MR. SPEAKER—I am directed to inform your honorable body that the Senate has passed the following bill in which the concurrence of the Senate was asked:

House File No. 98, a bill for an act to repeal the law as it appears in Section .337-d of the Supplement to the Code, 1907, relating to the time and manner of selecting jury lists, and to enact a substitute therefor.

S. W. NEAL,  
*Secretary.*

Also:

MR. SPEAKER—I am directed to inform your honorable body that the Senate herewith requests the return to the Senate of Senate File No. 141, a bill for an act to repeal Section 1363 of the Code, relative to statistics and enacting a substitute therefor.

S. W. NEAL,  
*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. 198, a bill for an act relative to the creation of a state board of education for the state university, the college of agriculture and mechanic arts, and the normal school.

S. W. NEAL,  
*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:

Substitute for Senate File No. 290, a bill for an act relative to the limit of indebtedness of independent school districts.

S. W. NEAL,  
*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. 235, a bill for an act relating to the compensation and duties of the fish and game warden.

S. W. NEAL,  
*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:

Substitute for Senate File No. 61, a bill for an act relating to the teaching of agriculture and domestic science in the state university, state college of agriculture and mechanic arts, state normal school and county normal institutes.

S. W. NEAL,  
*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:

Substitute for Senate File No. 130, a bill for an act providing for the punishment of intoxicants, use of profane, indecent or boisterous language, or disturbing the peace and quiet of any railway station or car.

S. W. NEAL,  
*Secretary.*

Also:

MR. SPEAKER—I am directed to inform your honorable body that the Senate has passed the following bill in which the concurrence of the House is asked:

Senate File No. 111, a bill for an act providing for the assessment of different portions of a tract of real estate when the same has been sold subsequent to the biennial assessment of the same.

S. W. NEAL,  
*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. 276, a bill for an act legalizing certain instruments in writing heretofore executed by corporations conveying, encumbering or

affecting real estate, that have been executed without the attaching or affixing of the corporate seal thereto.

S. W. NEAL,  
*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:

Substitute for Senate File No. 137, a bill for an act to amend Section 1467 of the Code relative to the assessment and collection of collateral inheritance tax.

S. W. NEAL,  
*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. 317, a bill for an act relating to the working of highways and providing penalties for injury to such highways or the work done thereon.

S. W. NEAL,  
*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. 224, a bill for an act relating to officers holding over for any reason.

S. W. NEAL,  
*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. 113, a bill for an act relating to the holding of primary elections by political parties.

S. W. NEAL,  
*Secretary.*

#### SENATE MESSAGES CONSIDERED.

Senate File No. 198, a bill for an act to create a State Board of Education for the State University, the College of Agriculture and Mechanic Arts, and the Normal School, and to prescribe its duties and to provide for the management and control of the State University, the College of Agriculture and Mechanic Arts, and the Normal School, to make appropriation therefor, and to repeal Sections Two Thousand Six Hundred Seventeen (2617),

Two Thousand Six Hundred Eighteen (2618), Two Thousand Six Hundred Nineteen (2619), Two Thousand Six Hundred Twenty (2620), Two Thousand Six Hundred Thirty-five (2635), Two Thousand Six Hundred Thirty-six (2636), Two Thousand Six Hundred Forty-two (2642), Two Thousand Six Hundred Forty-seven (2647), Two Thousand Six Hundred Fifty-one (2651), Two Thousand Six Hundred Fifty-two (2652), Two Thousand Six Hundred Fifty-three (2653), Two Thousand Six Hundred Sixty-eight (2668), Two Thousand Six Hundred Sixty-nine (2669), Two Thousand Six Hundred Seventy (2670), Two Thousand Six Hundred Eighty-one (2681) of the Code, and the law as it appears in Sections Two Thousand Six Hundred Forty-six (2646), Two Thousand Six Hundred Fifty (2650), Two Thousand Seven Hundred Twenty-seven-A-Fifty-three (2727-A-53), Two Thousand Seven Hundred Twenty-seven-A-Fifty-four (2727-A-54), Two Thousand Seven Hundred Twenty-seven-A-Fifty-five (2727-A-55), Two Thousand Seven Hundred Twenty-seven-A-Fifty-six (2727-A-56), of the Supplement to the Code, 1907, and to repeal all acts and parts of acts inconsistent with this act.

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

Senate File No. 224, a bill for an act to amend Section Eleven Hundred Ninety-five (1195) of the Code, relating to officers holding over for any reason.

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

Senate File No. 317, a bill for an act to repeal Sections Fifteen Hundred Seventy-B (1570-B) and Fifteen Hundred Seventy-C (1570-C) of the Supplement to the Code, 1907, and to enact a substitute therefor, relating to the working of highways and providing penalties for injury to such highways or the work done thereon.

Read first and second time and referred to Committee on Roads and Highways.

Substitute for Senate File No. 290, a bill for an act to repeal Section Twenty-eight Hundred Twenty-a (2820-a), Twenty-eight Hundred Twenty-b (2820-b), Twenty-eight Hundred Twenty-c (2820-c), and Twenty-eight Hundred Twenty-d (2820-d) of the

Supplement to the Code, 1907, and to enact a substitute therefor, relative to the limit of indebtedness of independent school districts.

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

Senate File No. 111, a bill for an act to amend the law as it appears in Section Thirteen Hundred Eighty-five-B (1385-B) of the Supplement to the Code, 1907, and to provide for the assessment of different portions of a tract of real estate when the same has been sold subsequent to the biennial assessment of the same.

Read first and second time and referred to Committee on Ways and Means.

Substitute for Senate File No. 61, a bill for an act requiring the teachers of agriculture and domestic science to be included in the course of study of the State University of Iowa, The State College of Agriculture and Mechanic Arts, the State Normal School and County Normal Institutes, for the purpose of preparing teachers of agriculture and domestic science, and providing for the teaching of elementary agriculture and domestic science in the public schools and making this subject one of the requirements in examinations of teachers for certificates after a specified time.

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

Senate File No. 276, a bill for an act legalizing certain instruments of writing heretofore executed by corporations conveying, encumbering or affecting real estate that have been executed without the attaching or affixing of the corporate seal thereto.

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

Senate File No. 235, a bill for an act to amend Section Two Thousand Five Hundred and Thirty-nine (2539) of the Supplement to the Code, 1907, relating to the compensation and duties of the Fish and Game Warden.

Read first and second time and referred to Committee on Compensation of Public Officers.

Substitute for Senate File No. 113, a bill for an act to amend the law as it appears in Sections Ten Hundred Eighty-seven-a 1

(1087-a 1), Ten Hundred Eighty-seven-a 5 (1087-a 5), Ten Hundred Eighty-seven-a 6 (1087-a 6), Ten Hundred Eighty-seven-a 12 (1087-a 12), Ten Hundred Eighty-seven-a 21 (1087-a 21), Ten Hundred Eighty-seven-a 22 (1087-a22), Ten Hundred Eighty-seven-a 24 (1087-a 24), Ten Hundred Eighty-seven-a 25 (1087-a 25), Ten Hundred Eighty-seven-a 27 (1087-a 27), of the Supplement to the Code, 1907, and to repeal the law as it appears in Sections Ten Hundred Eighty-seven-a 13 (1087-a 13), Ten Hundred Eighty-seven-a 15 (1087-a 15) and Ten Hundred Eighty-seven-a 18 (1087-a 18) of the Supplement to the Code, 1907, and enact substitutes therefor relating to the holding of primary elections by political parties.

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

Substitute for Senate File No. 137, a bill for an act to amend the law as it appears in Section One Thousand Four Hundred and Sixty-seven (1467) of the Supplement to the Code, 1907, relating to collateral inheritance tax and exemptions.

Read first and second time and referred to Committee on Ways and Means.

Substitute for Senate File No. 130, a bill for an act to prohibit drinking intoxicating liquors as a beverage or the use of profane and indecent language on any railway passenger car or street car in service and make the same a misdemeanor and giving the conductor of any train carrying passengers the right to refuse to permit any person intoxicated to enter any passenger car or street car in service and to eject from his train disorderly persons.

Read first and second time and referred to Committee on Railroads and Transportation.

Arney of Marshall moved that the request of the Senate asking for the recall of Senate File No. 141 be granted.

Motion prevailed.

Lee of Emmet moved that Senate File No. 8 be made a Special Order for 2:00 o'clock P. M.

Motion prevailed.

Harding of Woodbury moved that the House adjourn.

## AFTERNOON SESSION.

House met pursuant to adjournment.

Speaker Feely in the Chair.

On request of Klay of Sioux, leave of absence was granted Darrah of Lucas until Monday.

On request of Reaney of Louisa, leave of absence was granted Cooper of Jasper until Monday.

## INTRODUCTION OF BILLS.

By Perkins of Delaware, House File No. 432, a bill for an act appropriating the sum of two thousand dollars (\$2,000) to Hugh Livingston on account of damage caused by the quarantine of the stock of the said Hugh Livingston by the State Veterinary.

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

By Davidson of Palo Alto, House File No. 433, a bill for an act to amend Section Two Thousand Twenty-eight as it appears in the Supplement to the Code, 1907, relating to ways to lands which have no other means of access.

Read first and second time and referred to Committee on Roads and Highways.

Cunningham of Buena Vista, called up his Concurrent Resolution to reapportion the State of Iowa into judicial Districts.

Cunningham of Buena Vista proposed the following amendment:

I move to amend the Concurrent Resolution by adding after the word "Senate" in the 13th line the words "to investigate and if deemed advisable" and by striking out the word and figures "April 1st" and inserting in lieu thereof the word and figures "March 25th."

Amendment adopted.

O'Connor of Chickasaw proposed the following amendment:

I move to amend the Concurrent Resolution by striking out the fourth paragraph of the preamble not including the last word thereof.

Amendment adopted.

Sullivan of Polk proposed the following amendment:

I move to amend Concurrent Resolution by striking out all of the preamble, including all from line 1 to line 9.

Amendment adopted.

Concurrent Resolution as amended adopted.

#### MOTION TO RECONSIDER.

MR. SPEAKER—I move to reconsider the vote by which Senate File No. 8 was made a Special Order for this afternoon at 2 o'clock.

C. A. MEREDITH.

I second the motion.

JOHN FOX.

Ruled out of order.

Meredith of Cass moved that Senate File No. 8 take its regular place on the Calendar.

Motion seconded by Inman of Floyd.

Ruled out of order.

#### SPECIAL ORDER.

Time having arrived for Special Order No. 7, on motion of Lee of Emmet, Senate File No. 8, a bill for an act authorizing the district court or judge to remove officers for misfeasance, malfeasance or non-feasance in office, and providing for method of procedure therefor, was taken up and considered.

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

Hunter of Polk proposed the following amendment:

I move to amend Senate File No. 8 by striking out the last sentence of Section 7 as amended.

Meredith of Cass moved that the further consideration of Senate File No. 8 be deferred until Thursday, March 18, at 10:00 o'clock, A. M.

Sullivan of Polk moved as an amendment that the date be made Monday, March 15, at 10:00 o'clock, A. M., and that the bill be printed in the Journal.

Amendment lost.



Original motion prevailed, and substitute for Senate File No. 8 was made a Special Order for Thursday, March 18, at 10:00 o'clock, A. M., and ordered printed in the Journal as passed by the Senate.

SUBSTITUTE FOR SENATE FILE NO. 8.

A Bill for an Act Authorizing the District Court or Judge to Remove Officers for Misfeasance, Malfeasance or Nonfeasance in Office, and providing the Method of Procedure Therefor.

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

Section 1. Any county attorney, sheriff, mayor, police officer, marshal or constable shall be removed from office by the district court or judge upon charges made in writing and hearing thereunder for the following causes:

1. For wilfull or habitual neglect or refusal to perform the duties of his office.
2. For willful misconduct or maladministration in office.
3. For corruption.
4. For extortion.
5. Upon conviction of a felony.
6. For intoxication or upon conviction of being intoxicated.

Sec. 2. The complaint or petition shall be entitled in the name of the State of Iowa, and may be filed upon the relation of any ten qualified electors of the county in which the person charged is an officer, the county attorney of such county, or the attorney general, and shall be filed by the attorney general when directed so to do by the governor.

Sec. 3. It shall be the duty of the governor, whenever he has knowledge that reasonable grounds exist for the filing of complaint against any of the within named officers, to direct the attorney general to file the same against the offending party and prosecute said action. The accused shall be named as defendant and the petition, unless filed by the attorney general, shall be verified. The petition shall state the charges against the accused and may be amended as in ordinary actions, and shall be filed in the office of the clerk of the district court of the county in which the person charged is an officer. The accused may at any time prior to the time fixed for hearing file in the office of the clerk of the district court his answer which shall be verified.

Sec. 4. If the person or persons filing the complaint believe that the cause ought not to be heard before any of the judges in such district, he shall at the time he files his petition in the office of the clerk of the district court, file a copy thereof in the office of the clerk of the supreme court, together with an application to the supreme court asking for the appointment of a judge outside of such district to hear the complaint. Upon the filing of the copy of said complaint, together with the application, in the office of the clerk of the supreme court, it shall be the duty of the chief justice of the supreme court, or in his absence or inability to act, any justice thereof, to forthwith issue a written commission directing a district judge in the State of Iowa outside of such

district to proceed to the county in which the complaint was filed and hear the same. Upon the receipt of such commission, said judge shall immediately make an order fixing a time for hearing, which shall be not less than ten (10) nor more than twenty (20) days thereafter, and forward said order to the clerk of the district court of the county in which the hearing is to be had. The clerk shall file said order and forthwith cause a copy thereof or a notice of the time and place of hearing to be served on the accused. If the cause is to be heard by a judge within the judicial district, upon the presentation of the petition, or a copy thereof, to such judge, he shall make the order fixing a time for the hearing as hereinbefore specified.

Sec. 5. The proceeding shall be summary in its nature and trialable as an equitable action and may be heard either in vacation or term time, and shall be heard before the court or judge without the intervention of a jury. Upon the filing of the petition in the office of the clerk of the district court and presentation of the same to the judge, the court or judge may suspend the accused from office, if in his judgment sufficient cause appear from the petition and affidavit or affidavits which may be presented in support of the charges contained therein. In case of suspension, as herein provided, the temporary vacancy shall be filled in the manner specified in Section 1257 of the Code.

Sec. 6. If upon the hearing herein provided for, the district court or judge shall find that the accused should be removed from office, he shall make and enter of record an order of removal and the vacancy thus created shall be filled as provided in Section 1272 of the Supplement to the Code, 1907.

Sec. 7. In case of appeal to the supreme court, the cause shall be advanced and take precedence over all other causes upon the court calendar, and shall be heard at the next term after the appeal is taken, provided the abstract and arguments are filed in said court in time for said action to be heard. The supreme court shall fix the time of hearing and the filing of arguments. The taking of an appeal by the defendant and the filing of a supersedeas bond shall not operate to stay the proceedings of the district court or judge, or restore said defendant to office pending such appeal. If the final termination of such proceedings be favorable to any accused officer, said officer shall be allowed the reasonable and necessary expense he has incurred in making his defense, by the county if he be a county officer, or by the city or town in which he holds office if he be mayor, police officer or marshal. If the action is instituted upon complaint of citizens as herein provided, and it appears to the court that there was no reasonable cause for filing the complaint, the costs may be taxed against the complaining parties.

Sec. 8. Any judge who is required to preside at a hearing, herein provided for, outside of his judicial district, shall be allowed his necessary and actual expenses incurred by reason of such hearing, and the necessary and actual expense of his official reporter. An itemized sworn statement shall be made by such judge and official reporter, showing the amount of expenses incurred, and the same shall be filed

with the auditor of state. Thereupon, the auditor shall draw his warrant upon the treasurer of state for such amount.

Sec. 9. All acts and parts of acts in conflict with this act, in so far as they apply to the officers herein designated, are hereby repealed.

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

#### CONSIDERATION OF BILLS.

On motion of Kendall of Clinton, House File No. 174, a bill for an act to provide for the payment of bounties for killing ground hogs, with report of committee recommending passage as amended, was taken up, considered, and the amendment was adopted.

Kendall of Clinton moved that the rules be suspended, 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 ayes were:

Allred, Arney, Balluff, Bascom, Bauman, Beans, Beebe, Beery, Blackmore, Boe, Boettger, Bonwell, Boomgaarden, Bowman, Brandes, Burt, Byerly, Calkins, Cassady, Cousins, Crozier, Crummer, Dalby, Dawson, DeWitt, Dodds, Drury, Dye, Elliott, Ellis, Etter, Felt, Fenn, Fourt, Fox, Fulliam, Fulton, Goodykoontz, Grier, Hackler, Harding, Harvey, Hickenlooper, Huffaker, Ide, Inman, Jacobs, Jewell, Johnson, Jones, Kellogg, Kendall, Klay, Koontz, Larrabee, McCleery, Meredith, Miller of Dubuque, Newell, O'Connor, Ripley, Ritter, Sankey, Schulte, Smith, Stoddard, Sullivan, Swift, Tegeler, Tilton, Ward, White, Wolfe, Zeller, Mr. Speaker—75.

The nays were:

Dewey, McDonald, Moore of Linn, Penn, Wilson—5.

Absent or not voting:

Anderson, Cooper, Corrie, Cunningham, Dabney, Darrah, Davidson, Derrough, Dewell, Finlayson, Hanson, Holmes, Hunter, Kull, Lee, Marston, Miller of Bremer, Moore of Wapello, Perkins, Reaney, Reitz, Schee, Schroeder, Sheldon, Stillman, Swan, Thompson, Welden—28.

So the bill passed and the title was agreed to.

Wilson of Tama moved that the House adjourn.

Motion lost.

On motion of Dodds of Des Moines, House File No. 81, a bill for an act for the payment of a reward for the arrest and conviction of persons stealing horses and cattle in the State of Iowa, with report of committee recommending passage as amended by substitute amendment, was taken up, considered, and the substitute amendment adopted.

Speaker pro tempore Lee in the Chair.

Dodds of Des Moines moved that the rules be suspended, 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 ayes were:

Allred, Anderson, Arney, Balluff, Bauman, Beans, Beebe, Beery, Blackmore, Boe, Boettger, Bonwell, Boomgaarden, Brandes, Burt, Byerly, Calkins, Cassady, Cousins, Crozier, Crummer, Cunningham, Dalby, Dawson, Dewell, DeWitt, Dodds, Drury, Dye, Elliott, Ellis, Etter, Felt, Fourt, Fox, Fulliam, Fulton, Goodykoontz, Grier, Hackler, Harding, Harvey, Hickenlooper, Huffaker, Hunter, Ide, Inman, Jacobs, Johnson, Jones, Kellogg, Kendall, Klay, Koontz, Larrabee, McCleery, McDonald, Meredith, Miller of Dubuque, Newell, O'Connor, Penn, Perkins, Reaney, Reitz, Ripley, Ritter, Sankey, Schroeder, Schulte, Smith, Stillman, Stoddard, Sullivan, Swift, Tegeler, Thompson, Tilton, Ward, White, Wilson, Wolfe, Zeller—83.

The nays were:

Bascom, Dewey, Jewell, Lee—4.

Absent or not voting:

Bowman, Cooper, Corrie, Dabney, Darrah, Davidson, Derrough, Fenn, Finlayson, Hanson, Holmes, Kull, Marston, Miller of Bremer, Moore of Wapello, Moore of Linn, Schee, Sheldon, Swan, Weldden, Mr. Speaker—21.

So the bill passed and the title was agreed to.

On motion of Arney of Marshall, House File No. 102, a bill for an act to repeal Section Fifteen Hundred Seventy-one (1571) of the Code, and to enact a substitute in lieu thereof, relating to traction engines on the public roads, with report of committee recommending passage as amended by substitute amendment, was taken up, considered, and the substitute amendment adopted.

McDonald of Carroll proposed the following amendment:

I move to amend by striking out that part of Section 2 commencing with the word "This" in the 6th line and including the word "bridges" in the last line of said section.

Amendment adopted.

Schee of O'Brien moved that the bill be indefinitely postponed.

Motion lost.

Arney of Marshall moved that House File No. 102 be made a Special Order for 11:00 o'clock, A. M., Monday.

Harding of Woodbury moved as a substitute that House File No. 102 be re-referred to the Committee on Agriculture.

Motion prevailed.

Substitute motion prevailed and House File No. 102 was re-referred.

On motion of Allred of Wayne, House File No. 250, a bill for an act to repeal Title Eleven of the Code and the law as it appears in Title Eleven of the Supplement to the Code, 1907, relating to the militia and enacting a substitute therefor to be known as "The Military Code of Iowa," with report of committee recommending passage as amended, was taken up, considered, and the amendments adopted.

Moore of Linn proposed the following amendment:

I move to amend Section 4 by striking out the word "hereinafter" in the third line and inserting in lieu thereof the word "hereafter," also by striking out the word "of" in the fifth line and inserting in lieu thereof the word "or," also by striking out the word "hereinafter" in the tenth line and inserting in lieu thereof the word "hereafter."

Also to amend Section 5 by striking out the comma (,) after the words "medical corps" in the fourth line, also by striking out the word "and" after the word "cavalry" in the sixth line and inserting in lieu

thereof a comma (,), also by striking out the words "technical and service corps" in lines six and seven and inserting in lieu thereof the words "staff corps or departments."

Also to amend Section 11 by striking out the word "line" in the thirteenth line and inserting in lieu thereof the word "company"; also by striking out the words "field and" in the eighteenth line; also by adding the letter "S" to the word "organization" in the eighteenth line.

Also to amend Section 18 by inserting before the word "The" in the first line the following "The Division Staff" shall be appointed and commissioned by the Governor, upon the recommendation of the division commander. The brigade staff shall be appointed and commissioned by the Governor, upon the recommendation of the brigade commander. Also by inserting the following "such division," brigade and after the word "of" in the fourth line, also by changing the period (.) following the word "staff" in the ninth line to a comma (,) and inserting following such comma (,) the word "and" and by beginning the word "Upon" in the tenth line with the lower case "u," and by adding to this section the following paragraph "When staff corps or departments are authorized by the governor as contemplated in Section 5 of this act, the Governor shall appoint and commission the chief of the staff corps or department, and shall appoint and commission such officers for such staff corps or department as may be authorized by orders and regulations, upon the recommendation of the chief of the staff corps of department."

Also to amend Section 24 by inserting the following "for such service" after the word "received" in the sixth line and by striking out the following "at the time of such service," in the seventh line and by changing the period (.) following the word "quarters" in the ninth and tenth lines to a comma (,) and adding the following "except as herein otherwise provided," also by striking out the word "from" after the word "paid" and before the words "the United States" in the thirty-fourth line and inserting in lieu thereof the word "by," also by striking out the word "for" after the word "stoppage" in the forty-first line and inserting in lieu thereof the word "of," and by striking out the word "of" after the word "payment" in the forty-first line and inserting in lieu thereof the word "for."

Also to amend Section 38 by striking out the word "may" after the word "transcript" in the thirteenth line and inserting in lieu thereof the word "shall."

Also to amend Section 49 by adding the letter "s" to the word "court" of the compound word "court-martial" in the first line.

Also to amend Section 42 by striking out the word "of" after the word "improvements" in the fourth line and inserting in lieu thereof the word "on."

Also to amend Section 44 by striking out the word "of" before the word "enlistment" in the sixth line and inserting in lieu thereof the word "or."

I move to amend Section 34 by striking out the comma (,) after the word "duty" also the word "Personal" in the first line and the words "road and" in the second line, and inserting in lieu thereof the following "and labor on the road on account of."

Amendments adopted.

Goodykoontz of Boone proposed the following amendment:

I move to amend Section 41 of House File No. 250, by striking therefrom that part of said Section after the word "purposes" in line three thereof and ending with the word "town" in line seven of said section.

Amendment adopted.

Allred of Wayne moved that the rules be suspended, 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 ayes were:

Allred, Anderson, Arney, Balluff, Bascom, Bauman, Beans, Beebe, Beery, Blackmore, Boe, Boettger, Bonwell, Boomgaarden, Bowman, Brandes, Burt, Byerly, Cassady, Cousins, Crummer, Cunningham, Dalby, Davidson, Dawson, Dewell, Dewey, DeWitt, Dodds, Dye, Elliott, Ellis, Felt, Fourt, Fox, Fulliam, Fulton Goodykoontz, Grier, Hackler, Harding, Harvey, Hickenlooper, Huffaker, Hunter, Ide, Inman, Jacobs, Jewell, Jones, Kellogg, Kendall, Klay, Koontz, Larrabee, Lee, McCleery, Meredith, Miller of Bremer, Moore of Wapello, Moore of Linn, Newell, Reitz, Ritter, Schee, Schroeder, Schulte, Smith, Stillman, Stoddard, Swift, Thompson, Tilton, Ward, White, Wilson, Wolfe, Zeller, Mr. Speaker—79.

The nays were:

None.

Absent or not voting:

Calkins, Cooper, Corrie, Crozier, Dabney, Darrah, Derrough, Drury, Etter, Fenn, Finlayson, Hanson, Holmes, Johnson, Kull, McDonald, Marston, Miller of Dubuque, O'Connor, Penn, Perkins, Reaney, Ripley, Sankey, Sheldon, Sullivan, Swan, Tegeler, Welden—29.

So the bill passed and the title was agreed to.

Moore of Linn moved that House File No. 194 be re-referred to the Committee on Appropriations.

Motion prevailed.

Lee of Emmet, chairman of the Committee in the Davidson-Penn contest, filed the following announcement:

I hereby appoint Miss Agnes Brennan, as clerk to the committee appointed to hear and report on contest filed by W. T. Davidson vs. A. V. Penn, incumbent, from the Tenth Representative District. Such appointment to be effective from and after the tenth day of March, 1909, and until March 15, 1909.

N. J. LEE, Chairman.

Anderson of Hamilton moved that the House adjourn.



# JOURNAL OF THE HOUSE

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HALL OF THE HOUSE OF REPRESENTATIVES,  
DES MOINES, IOWA, MARCH 15, A. D. 1909.

House met pursuant to adjournment.

Speaker Feely in the Chair.

Prayer was offered by the Rev. G. D. Gurley of Des Moines, Iowa.

Journal of Saturday, March 13th, corrected and approved.

On request of Dye of Pottawattamie leave of absence was granted Brandes of Pottawattamie until Tuesday.

On request of Davidson of Palo Alto leave of absence was granted Holmes of Kossuth until Tuesday.

On request of Fulton of Jefferson leave of absence was granted Finlayson of Grundy until Tuesday.

On request of Dawson of Cherokee leave of absence was granted Corrie of Ida until Tuesday.

On request of Jacobs of Calhoun leave of absence was granted Johnson of Mitchell until Tuesday.

On request of Fulliam of Muscatine leave of absence was granted Huffaker of Mills indefinitely on account of sickness.

On request of Kellogg of Harrison leave of absence was granted Moore of Linn until Tuesday.

On request of Kellogg of Harrison leave of absence was granted Sheldon of Ringgold until Tuesday.

## PETITIONS, MEMORIALS AND REMONSTRANCES.

Crozier of Marion presented remonstrance of citizens of Knoxville Township protesting against the passage of the School Bill.

Referred to Committee on Schools and Text Books.

Mr. Speaker presented reply of Olive M. Reese to interrogatives of the Investigation Committee.

Referred to Committee on Investigation of Hospitals.

Mr. Speaker presented invitation of former residents of Iowa now residents of Seattle and the State of Washington to visit the Alaska-Yukon-Pacific Exposition during the summer of 1909.

Referred to the House.

Bauman of Van Buren presented petition of citizens of Van Buren County relative to the School Laws.

Referred to Committee on Schools and Text Books.

Ripley of Hancock presented remonstrance of citizens of Garner, Iowa protesting against the passage of the Public Utilities Bill.

Referred to Committee on Railroads and Transportation.

DeWitt of Montgomery presented remonstrance of citizens of Jackson Township protesting against the passage of the School Law.

Referred to Committee on School and Text Books.

#### REPORTS OF COMMITTEES.

Dewell of Cedar, from the Committee on Judicial Districts submitted the following report:

MR. SPEAKER—Your committee on Judicial Districts, to whom was referred House File No. 358, a bill for an act to amend Section two hundred twenty-seven (227) of the Supplement to the Code, 1907, changing the boundaries of the first, second and sixth judicial districts, and providing for the election of judges in these districts, and defining their jurisdiction, beg leave to report they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same be amended by striking out all after the enacting clause and the following substituted:

SECTION 1. That Section two hundred twenty-seven (227) of the Supplement to the Code, 1907, be and the same is hereby amended by striking out in line two the word "twenty" and substituting in lieu thereof the word "nineteen" and by striking out all of line three and insert in lieu thereof "the first district shall consist of the counties of Lee, Des Moines, Henry, Louisa, and Washington and have three judges," and that the same be further amended by striking out of said section, lines forty-five and forty-six thereof.

SEC. 2. That Section two hundred twenty-seven (227) of the Supplement to the Code, 1907, be further amended by striking out all of lines fourteen and fifteen and inserting the following in lieu thereof: "The sixth district shall consist of the counties of Jasper, Poweshiek, Mahaska and Keokuk, and have three judges."

SEC. 3. That on or before the fourth day of July, 1909, the judges of the first, twentieth and sixth judicial districts shall make such assignment of terms of court as they deem necessary to put in effect the provisions of this act and after the taking effect of this act the jurisdiction of the judges of the first and twentieth judicial districts as formerly constituted, shall conform and extend to the first judicial district as herein established and constituted.

SEC. 4. That all acts and parts of acts in conflict with the provisions of this act are hereby repealed.

Also that the title be amended to read as follows:

A bill for an act to amend Section two hundred twenty-seven (227) of the Supplement to the Code, 1907, changing the boundaries of the first, sixth and twentieth judicial districts, and for an act providing for judges in these districts, and defining their jurisdictions, and when so amended the bill do pass.

HIRAM DEWELL,  
*Chairman.*

Adopted.

Drury of Sac, from the Committee on Compensation of Public Officers, submitted the following report:

MR. SPEAKER—Your committee on Compensation of Public Officers, to whom was referred House File No. 417, a bill for an act to repeal Section one thousand nine hundred eighty-nine-a-forty-two (1989-a-42) of the Supplement to the Code, 1907, and the enactment of a substitute therefor, beg leave to report they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same do pass.

WILL DRURY,  
*Chairman.*

Adopted.

Also:

MR. SPEAKER—Your committee on Compensation of Public Officers, to whom was referred House File No. 15, a bill for an act to repeal Section four hundred and eighty-one (481) of the Code relating to compensation of deputy auditors and enacting a substitute therefor, beg leave to report they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same be amended by striking out everything after the enacting clause and inserting the following in lieu thereof:

SECTION 1. That Section four hundred eighty-one (481) of the Code be and hereby is repealed and the following enacted in lieu thereof:

Each county auditor may, in writing, with the consent of the board of supervisors, appoint one or more deputies not holding a county office, for whose acts he shall be responsible, and from whom he shall require a bond, which bond shall be approved by the officer who has the approval of the principal's bond, and such appointment may be revoked in writing; each appointment and revocation shall be filed and kept in the auditor's office. The person thus appointed shall qualify by taking the same oath as the principal, endorsed upon the certificate of appointment. The deputy, in the absence or disability of his principal, may perform all the duties of the principal pertaining to his office and each deputy shall receive a salary to be fixed by the board of supervisors as follows: In counties exceeding ten thousand (10,000) inhabitants but not exceeding twenty thousand (20,000) inhabitants, not to exceed nine hundred (\$900) dollars; in counties having a population of twenty thousand (20,000) and not exceeding thirty thousand (30,000), not to exceed one thousand (\$1,000) dollars; in counties having a population of thirty thousand (30,000) and not exceeding forty thousand (40,000), not to exceed eleven hundred (\$1,100) dollars; in counties having a population of forty thousand (40,000) and not exceeding fifty thousand (50,000), not to exceed twelve hundred (1,200) dollars; in counties having a population of fifty thousand (50,000) and not exceeding sixty thousand (60,000), not to exceed thirteen hundred (\$1,300) dollars; in counties having a population of sixty thousand (60,000) and not exceeding seventy-five thousand (75,000), not to exceed fourteen hundred (\$1,400) dollars; in counties having a population exceeding seventy-five thousand (75,000), not to exceed fifteen hundred (\$1,500) dollars.

In case no deputy shall be appointed, but on account of the pressure of business in his office the auditor is compelled temporarily to employ an assistant, he shall file the bill for such service at their next regular meeting, and the board of supervisors shall make a reasonable allowance therefor. In counties where the population does not exceed ten thousand (10,000), the board shall not allow to exceed three hundred (\$300) dollars for deputy or clerk hire, and in counties having a population of more than thirty thousand (30,000) it may allow such sums in addition to salary above fixed for clerk hire as may be proper, and when so amended the bill do pass.

WILL DEUBY,  
*Chairman.*

Adopted.

Also:

MR. SPEAKER—Your committee on Compensation of Public Officers, to whom was referred House File No. 101, a bill for an act to repeal Section four hundred ninety-seven (497) of the 1907 Supplement to the Code, relative to the compensation of county auditors, and to enact in lieu thereof the following, beg leave to report they have had the same under consideration and have instructed me to report the same back to

the House with the recommendation that the same be indefinitely postponed.

WILL DRURY,  
*Chairman.*

Adopted, and House File No. 101 was indefinitely postponed.

Also:

MR. SPEAKER—Your committee on Compensation of Public Officers, to whom was referred House File No. 16, a bill for an act to repeal Section four hundred ninety-six (496) of the Code relating to compensation of deputy recorders and enacting a substitute therefor, beg leave to report they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same be indefinitely postponed.

WILL DRURY,  
*Chairman.*

Adopted, and House File No. 16, was indefinitely postponed.

Also:

MR. SPEAKER—Your committee on Compensation of Public Officers, to whom was referred House File No. 376, a bill for an act to fix the number of hours which shall constitute a day's labor for guards of Iowa State penitentiaries and to fix the minimum compensation thereof, beg leave to report they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same be indefinitely postponed.

WILL DRURY,  
*Chairman.*

Adopted, and House File No. 376 was indefinitely postponed.

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

MR. SPEAKER—Your committee on Elections, to whom was referred House File No. 341, a bill for an act to amend Section ten hundred and seventy-six (1076) of the Supplement to the Code, 1907, defining what shall constitute a calendar day, beg leave to report they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same be amended as follows:

By striking out all after the enacting clause and inserting the following: Section 1. That Section ten hundred and seventy-six (1076) of the Supplement to the Code, 1907, be and the same is amended by striking out in line seventeen the words "two dollars and fifty cents for each calendar day," and insert in lieu thereof the words "twenty-five cents for each hour," and when so amended the bill do pass.

J. H. DARRAH,  
*Chairman.*

Adopted.

Arney of Marshall, from the Committee on Agriculture, submitted the following report:

MR. SPEAKER—Your committee on Agriculture, to whom was referred House File No. 126, a bill for an act providing that owners or keepers of stallions or jacks shall have a lien upon the get of any such animal for the service fee thereof, beg leave to report they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same be amended by the following substitute amendment:

SUBSTITUTE FOR HOUSE FILE NO. 126.

A Bill for an Act Providing that Owners or Keepers of Stallions or Jacks shall have a Lien upon the Get of any such Animal for the Service Fee Thereof.

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

SECTION 1. The owner or keeper of a stallion kept for public services who has complied with Sections twenty-three hundred and forty-one-a (2341-a), twenty-three hundred and forty-one-b (2341-b), twenty-three hundred and forty-one-c (2341-c) and twenty-three hundred and forty-one-d (2341-d) of the Supplement to the Code, 1907, shall have a prior lien upon the progeny of such stallion to secure the amount due such owner or keeper for the service of such stallion, resulting in said progeny, provided, that where such owner or keeper misrepresents such stallion by false pedigree no lien shall be obtained.

SEC. 2. The lien herein provided for shall remain in force for a period of six months from the birth of said progeny and shall not be enforced thereafter.

SEC. 3. The owner or keeper of such stallion may enforce the lien herein provided by placing in the hands of any constable an affidavit containing a description of the stallion and a description of the dam and the time and terms of service, and said constable shall thereupon take possession of said progeny and sell the same for non-payment of service fee by giving the owner of said progeny ten (10) days' written notice, which notice shall contain a copy of the affidavit and a full description of the progeny to be sold, the time and hour when, and the place at which the sale will take place, and posting for the same length of time in three public places in the township of such owner's residence a copy of such notice. If payment of the service fee and the costs are not made before the date thus fixed, the constable may sell at public auction to the highest bidder such progeny and the owner or keeper of the stallion may be a bidder at such sale. The constable shall apply the proceeds, first, in the payment of the costs, second, in the payment of the service fee. Any surplus arising from sale shall be returned to the owner of the progeny.

SEC. 4. The right of the owner or keeper to foreclose, as well as the amount claimed to be due, may be contested by anyone interested in so doing, and the proceeding may be transferred to the district court, for

which purpose an injunction may issue, if necessary, and when so amended the bill do pass.

W. H. ARNEY,  
*Chairman.*

Adopted.

#### INTRODUCTION OF BILLS.

By Goodykoontz of Boone, House File No. 434, a bill for an act giving cities and towns the power to prohibit or regulate the erection and maintaining of livery stables and garages.

Read first and second time and referred to Committee on Municipal Corporations.

By Jacobs of Calhoun, House File No. 435, a bill for an act to amend Section Two Thousand Nine Hundred Fifty-seven (2957) of the Code, and to make affidavits recorded thereunder competent evidence and the fact of the record thereof presumptive evidence.

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

#### CONSIDERATION OF BILLS.

On motion of Hackler of Webster, House File No. 313, a bill for an act to legalize certain ordinances of the town of Callender, Webster County, Iowa, was taken up, and considered.

Hackler of Webster moved that the rules be suspended, 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 ayes were:

Allred, Anderson, Arney, Balluff, Bascom, Bauman, Beans, Beebe, Beery, Blackmore, Bonwell, Boomgaarden, Bowman, Burt, Byerly, Cassady, Cooper, Cousins, Crozier, Crummer, Dabney, Dalby, Darrah, Davidson, Dawson, Derrough, Dewell, Dewey, DeWitt, Dodds, Drury, Dye, Elliott, Ellis, Etter, Fenn, Fourt, Fox, Fulliam, Fulton, Goodykoontz, Grier, Hackler, Hanson, Harding, Harvey, Hickenlooper, Hunter, Ide, Inman, Jacobs, Jewell, Jones, Kellogg, Klay, Larrabee, Lee, McDonald, Miller of Dubuque, Newell, O'Connor, Perkins, Reaney, Reitz, Ripley, Ritter, Sankey, Schroeder, Schulte, Smith, Stillman, Stoddard, Sullivan, Swan, Swift, Tegeler, Thompson, Tilton, Ward, White, Wilson, Wolfe, Zeller, Mr. Speaker—84.

The nays were:

None.

Absent or not voting:

Boe, Boettger, Brandes, Calkins, Corrie, Cunningham, Felt, Finlayson, Holmes, Huffaker, Johnson, Kendall, Koontz, Kull, McCleery, Marston, Meredith, Miller of Bremer, Moore of Wapello, Moore of Linn, Penn, Schee, Sheldon, Welden—24.

So the bill passed and the title was agreed to.

On motion of Tilton of Iowa, House File No. 167, a bill for an act to amend Section Twenty-one Hundred Sixty-four (2164) of the Code, relating to the presentation of claims to telegraph and telephone companies with report of committee recommending passage as amended by substitute amendment was taken up, considered, and the substitute amendment adopted.

Meredith of Cass proposed the following amendment:

I move to amend substitute for House File No. 167, by writing in before the figures 2164 in line one of same as printed on page 628 of the Journal the words "Twenty-one Hundred Sixty-four."

Amendment adopted.

Tilton of Iowa moved that the rules be suspended, 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 ayes were:

Anderson, Bascom, Bauman, Beans, Beebe, Beery, Blackmore, Boomgaarden, Bowman, Burt, Byerly, Cassady, Cooper, Cousins, Crozier, Crummer, Cunningham, Dabney, Dalby, Darrah, Davidson, Dawson, Derrough, Dewell, Dewey, DeWitt, Dodds, Drury, Dye, Elliott, Ellis, Etter, Felt, Fenn, Fourt, Fox, Fulton, Goodykoontz, Grier, Hackler, Hanson, Harvey, Hickenlooper, Ide, Inman, Jacobs, Jewell, Jones, Klay, Larrabee, Lee, Meredith, Miller, of Dubuque, Newell, Reaney, Reitz, Ripley, Sankey, Schee, Schroeder, Smith, Stillman, Stoddard, Swan, Swift, Thompson, Tilton, Ward, Zeller—69.



The nays were:

Allred, Arney, Boettger, Fulliam, Harding, McCleery, McDonald, Moore of Wapello, O'Connor, Schulte, Sullivan, Tegeler, Wilson, Wolfe, Mr. Speaker—15.

Absent or not voting:

Balluff, Boe, Bonwell, Brandes, Calkins, Corrie, Finlayson, Holmes, Huffaker, Hunter, Johnson, Kellogg, Kendall, Koontz, Kull, Marston, Miller of Bremer, Moore of Linn, Penn, Perkins, Ritter, Sheldon, Welden, White—24.

So the bill passed and the title was agreed to.

On motion of Derrough of Warren, Senate File No. 203, a bill for an act to legalize the ordinances of the town of Norwalk, Warren County, Iowa, and the acts and proceedings of the councils of said town had thereunder, was taken up and considered.

Derrough of Warren moved that the rules be suspended, the bill be read a third time now, which motion prevailed, and the bill was read a third time.

On the question, "Shall the bill pass?"

The ayes were:

Allred, Anderson, Arney, Balluff, Bascom, Bauman, Beans, Beebe, Beery, Blackmore, Boettger, Bonwell, Boomgaarden, Bowman, Burt, Byerly, Cassady, Cooper, Cousins, Crozier, Crummer, Dabney, Dalby, Darrah, Davidson, Dawson, Derrough, Dewell, Dewey, DeWitt, Dodds, Drury, Dye, Elliott, Ellis, Etter, Fenn, Fourt, Fulliam, Fulton, Grier, Hackler, Hanson, Harding, Harvey, Hickenlooper, Ide, Inman, Jacobs, Jewell, Jones, Kellogg, Larrabee, McCleery, McDonald, Meredith, Miller of Dubuque, Moore of Wapello, Newell, O'Connor, Perkins, Reaney, Reitz, Ripley, Sankey, Schroeder, Schulte, Smith, Stillman, Stoddard, Swan, Swift, Tegeler, Thompson, Tilton, Ward, Wolfe, Zeller, Mr. Speaker—79.

The nays were:

None.

Absent or not voting:

Boe, Brandes, Calkins, Corrie, Cunningham, Felt, Finlayson, Fox, Goodykoontz, Holmes, Huffaker, Hunter, Johnson, Kendall, Klay, Koontz, Kull, Lee, Marston, Miller of Bremer, Moore of Linn, Penn, Ritter, Schee, Sheldon, Sullivan, Welden, White, Wilson—29.

So the bill passed and the title was agreed to.

On motion of Bowman of Linn, Senate File No. 98, a bill for an act authorizing the Governor of the State of Iowa, to issue a patent attested by the Secretary of State, to certain land to and in favor of O. J. Felton, being the property situated in Linn County, Iowa, described as follows, to-wit: The southwest quarter (S. W. 1-4) of the northwest quarter (N. W. 1-4) and the southeast quarter (S. E. 1-4) of the southwest quarter (S. W. 1-4) of Section Sixteen (16), Township Eighty-five (85), North Range Five (5), west of the 5th principal meridian, was taken up and considered.

Bowman of Linn moved that the rules be suspended, the bill be read a third time now, which motion prevailed, and the bill was read a third time.

On the question, "Shall the bill pass?"

The ayes were:

Allred, Anderson, Balluff, Bascom, Bauman, Beans, Beebe, Beery, Blackmore, Boettger, Bonwell, Boomgaarden, Bowman, Burt, Byerly, Cassady, Cooper, Cousins, Crozier, Crummer, Dabney, Dalby, Darrah, Davidson, Dawson, Derrough, Dewell, Dewey, DeWitt, Dodds, Drury, Dye, Elliott, Ellis, Etter, Fenn, Fourt, Fulliam, Fulton, Goodykoontz, Grier, Hackler, Hanson, Harding, Harvey, Hickenlooper, Hunter, Ide, Jewell, Jones, Kellogg, Kendall, Klay, Larrabee, Lee, McCleery, McDonald, Meredith, Miller of Dubuque, Newell, O'Connor, Perkins, Reaney, Ripley, Ritter, Sankey, Schee, Schroeder, Schulte, Smith, Stillman, Stoddard, Sullivan, Swan, Swift, Tegeler, Tilton, Wilson, Wolfe, Zeller, Mr. Speaker—81.

The nays were:

None.

Absent or not voting:

Arney, Boe, Calkins, Corrie, Cunningham, Felt, Finlayson, Fox, Holmes, Huffaker, Inman, Jacobs, Johnson, Koontz, Kull, Marston, Miller of Bremer, Moore of Wapello, Moore of Linn, Penn, Reitz, Sheldon, Thompson, Ward, Welden, White—27.

So the bill passed and the title was agreed to.

On motion of Wilson of Tama, House File No. 153, a bill for an act to establish a laboratory at the Iowa College of Agriculture and Mechanic Arts to manufacture hog cholera serum and tuberculin and make an appropriation therefor, with report of committee recommending passage as amended by substitute amendment was taken up, considered and the substitute amendment adopted.

Wilson of Tama moved that the rules be suspended, 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 ayes were:

Allred, Anderson, Arney, Balluff, Bascom, Bauman, Beans, Beebe, Beery, Blackmore, Boettger, Bonwell, Boomgaarden, Burt, Byerly, Cassady, Cooper, Cousins, Crozier, Crummer, Cunningham, Dabney, Dalby, Darrah, Davidson, Derrough, Dewell, DeWitt, Dodds, Drury, Dye, Elliott, Etter, Felt, Fenn, Fourt, Fox, Fulham, Fulton, Goodykoontz, Grier, Hackler, Hanson, Harding, Harvey, Hickenlooper, Hunter, Ide, Inman, Jacobs, Jewell, Jones, Kellogg, Klay, Koontz, Larrabee, Lee, McCleery, McDonald, Meredith, Miller of Dubuque, Moore of Wapello, Newell, O'Connor, Perkins, Reaney, Reitz, Ripley, Ritter, Sankey, Schee, Schroeder, Schulte, Smith, Stillman, Stoddard, Sullivan, Swan, Swift, Tegeler, Thompson, Tilton, White, Wilson, Wolfe, Zeller, Mr. Speaker—87.

The nays were:

None.

Absent or not voting:

Boe, Bowman, Brandes, Calkins, Corrie, Dawson, Dewey, Ellis, Finlayson, Holmes, Huffaker, Johnson, Kendall, Kull, Marston, Miller of Bremer, Moore of Linn, Penn, Sheldon, Ward, Welden—21.

So the bill passed and the title was agreed to.

On motion of Grier of Poweshiek, House File No. 399, a bill for an act providing for the trial of persons charged with the commission of the crime of murder who are confined in a prison or reformatory, was taken up and considered.

Grier of Poweshiek moved that the rules be suspended, 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 ayes were:

Allred, Anderson, Balluff, Bascom, Bauman, Beans, Beebe, Beery, Blackmore, Boettger, Boomgaarden, Bowman, Burt, Byerly, Cassady, Cooper, Cousins, Crozier, Crummer, Dabney, Dalby, Dawson, Derrough, Dewell, Dewey, DeWitt, Dodds, Drury, Dye, Elliott, Ellis, Etter, Felt, Fenn, Fourt, Fox, Fulliam, Fulton, Goodykoontz, Grier, Hackler, Hanson, Harding, Harvey, Hickenlooper, Ide, Inman, Jacobs, Jones, Kellogg, Kendall, Klay, Larrabee, Lee, McCleery, McDonald, Meredith, Miller of Bremer, Miller of Dubuque, Moore of Wapello, Newell, O'Connor, Perkins, Reaney, Reitz, Ritter, Sankey, Schee, Schroeder, Schulte, Smith, Stillman, Stoddard, Sullivan, Swan, Swift, Tegeler, Thompson, Tilton, Welden, White, Wilson, Wolfe, Zeller, Mr. Speaker—85.

The nays were:

None.

Absent or not voting:

Arney, Boe, Bonwell, Brandes, Calkins, Corrie, Cunningham, Darrah, Davidson, Finlayson, Holmes, Huffaker, Hunter, Jewell, Johnson, Koontz, Kull, Marston, Moore of Linn, Penn, Ripley, Sheldon, Ward—23.

So the bill passed and the title was agreed to.

On motion of Balluff of Scott, House File No. 13, a bill for an act requiring that all bonds required to be given in any judicial proceedings shall contain a contract for the payment of attorney's fees and providing for their collection, with report of committee recommending passage as amended, was taken up, considered, and the amendments adopted.

Balluff of Scott moved that the rules be suspended, 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 ayes were:

Allred, Anderson, Arney, Balluff, Bascom, Beans, Beebe, Beery, Blackmore, Boettger, Bonwell, Boomgaarden, Bowman, Burt, Byerly, Cassady, Cooper, Cousins, Crozier, Crummer, Dabney, Dalby, Darrah, Derrough, Dewell, DeWitt, Dodds, Drury, Dye, Elliott, Ellis, Etter, Fenn, Fourt, Fox, Fulliam, Goodykooztz, Grier, Hacker, Hanson, Harding, Harvey, Hickenlooper, Hunter, Ide, Inman, Jacobs, Jewell, Jones, Kellogg, Klay, Koontz, Larrabee, Lee, McCleery, McDonald, Meredith, Miller of Dubuque, Moore of Wapello, Newell, O'Connor, Perkins, Reaney, Reitz, Ripley, Ritter, Schee, Schroeder, Schulte, Smith, Stillman, Stoddard, Sullivan, Swan, Tegeler, Thompson, Ward, White, Wilson, Zeller, Mr. Speaker—81.

The nays were:

Cunningham, Dawson, Dewey, Felt, Fulton, Sankey—6.

Absent or not voting:

Bauman, Boe, Brandes, Calkins, Corrie, Davidson, Finlayson, Holmes, Huffaker, Johnson, Kendall, Kull, Marston, Miller of Bremer, Moore of Linn, Penn, Sheldon, Swift, Tilton, Welden, Wolf—21.

So the bill passed and the title was agreed to.

On motion of Cassady of Monona, House File No. 382, a bill for an act to amend Section Thirteen Hundred Three (1303) of the Supplement to the Code, 1907, relative to the amount of taxes to be levied for making and repairing bridges, with report of committee recommending passage as amended, was taken up, considered, and the amendment adopted.

Cassady of Monona moved that the rules be suspended, 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 ayes were:

Allred, Anderson, Arney, Balluff, Bascom, Beans, Beebe, Beery, Blackmore, Boettger, Bonwell, Boomgaarden, Bowman, Byerly, Cassady, Cooper, Cousins, Crummer, Cunningham, Dabney, Darrah, Dawson, Derrough, Dewell, Dewey, DeWitt, Dodds, Drury, Dye, Elliott, Ellis, Etter, Fenn, Fox, Goodykoontz, Grier, Hackler, Hanson, Harding, Harvey, Hickenlooper, Hunter, Ide, Inman, Jacobs, Jewell, Jones, Kellogg, Kendall, Klay, Larrabee, Lee, McCleery, McDonald, Meredith, Miller of Bremer, Miller of Dubuque, Moore of Wapello, Newell, O'Connor, Perkins, Reaney, Reitz, Ritter, Sankey, Schroeder, Schulte, Smith, Stillman, Stoddard, Sullivan, Swan, Swift, Tegeler, Thompson, Tilton, Welden, White, Wilson, Wolfe—80.

The nays were :

Bauman, Crozier, Dalby, Fulliam, Fulton—5.

Absent or not voting :

Boe, Brandes, Burt, Calkins, Corrie, Davidson, Felt, Finlayson, Fourt, Holmes, Huffaker, Johnson, Koontz, Kull, Marston, Moore of Linn, Penn, Ripley, Schee, Sheldon, Ward, Zeller, Mr. Speaker—23.

So the bill passed and the title was agreed to.

On motion of Davidson of Palo Alto, House File No. 355, a bill for an act to repeal the law as it appears in Chapter Forty-one (41) of the laws of the Thirty-second General Assembly, and to enact a substitute therefor, relating to the powers of certain cities and towns to levy taxes for the purpose of constructing outlets and purifying plants for sewers and to issue bonds therefor, was taken up and considered.

Davidson of Palo Alto moved that the rules be suspended, 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 ayes were :

Allred, Anderson, Arney, Balluff, Bascom, Bauman, Beans, Beebe, Beery, Blackmore, Boettger, Bonwell, Boomgaarden, Bowman, Byerly, Cooper, Cousins, Crozier, Crummer, Dabney, Dalby, Darrah, Davidson, Derrough, Dewell, Dewey, DeWitt, Dodds, Drury, Dye, Elliott, Ellis, Etter, Felt, Fourt, Fox, Fulton, Goody-

koontz, Grier, Hackler, Hanson, Harding, Harvey, Hickenlooper, Hunter, Ide, Jacobs, Jewell, Jones, Kellogg, Kendall, Klay, Larra-  
bee, Lee, McCleery, McDonald, Meredith, Miller of Dubuque,  
Moore of Wapello, O'Connor, Perkins, Reaney, Ritter, Sankey,  
Schulte, Smith, Stillman, Stoddard, Sullivan, Swan, Swift, Tegeler,  
Thompson, Tilton, Welden, White, Wilson, Wolfe, Mr. Speaker  
—79.

The nays were :

Cunningham, Dawson, Fulliam, Inman, Miller of Bremer, Reitz,  
Schee, Zeller—8.

Absent or not voting :

Boe, Brandes, Burt, Calkins, Cassady, Corrie, Fenn, Finlayson,  
Holmes, Huffaker, Johnson, Koontz, Kull, Marston, Moore of  
Linn, Newell, Penn, Ripley, Schroeder, Sheldon, Ward—21.

So the bill passed and the title, was agreed fo.

#### MESSAGES FROM THE SENATE.

The following messages were received from the Senate:

MR. SPEAKER—I am directed to inform your honorable body that the  
Senate has passed the following bill in which the concurrence of the  
House is asked:

Senate File No. 185, a bill for an act relative to the requirements of  
applicants for registration as pharmacists.

S. W. NEAL,  
*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. 229, a bill for an act to prohibit the living, boarding,  
stopping or rooming of unmarried females under the age of eighteen  
years in any house, building or premises where prostitution, etc., is al-  
lowed or practiced.

S. W. NEAL,  
*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. 164, a bill for an act amending Section 1758-a and Section 1709 of the Supplement to the Code, 1907, giving insurance companies, in addition to authority now enjoyed.

S. W. NEAL,  
*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. 324, a bill for an act relating to the investigation of complaints as to the management and treatment of inmates of county and private institutions in which insane persons are kept.

S. W. NEAL,  
*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. 329, a bill for an act relating to the listing of property for taxation by persons acting in a fiduciary capacity.

S. W. NEAL,  
*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. 319, a bill for an act authorizing boards of supervisors to grant the use of public highways for erecting and maintaining poles and wires for the transmission of electricity, and fixing the liability for damages arising from the construction thereof.

S. W. NEAL,  
*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. 296, a bill for an act legalizing the issuing of certain warrants on the school fund by the board of directors of the independent school district of Farmington, in Van Buren County, State of Iowa.

S. W. NEAL,  
*Secretary.*

Also:

MR. SPEAKER—I am directed to inform your honorable body that the Senate has passed the following bill in which the concurrence of the Senate was asked:

House File No. 218, a bill for an act relative to the levying of taxes for public libraries.

S. W. NEAL,  
*Secretary.*



Also:

MR. SPEAKER—I am directed to inform your honorable body that the Senate has passed the following bill in which the concurrence of the Senate was asked:

House File No. 261, a bill for an act to legalize the special election held in the city of New Hampton, Iowa, on the 5th day of February, 1907.

S. W. NEAL,  
*Secretary.*

Also:

MR. SPEAKER—I am directed to inform your honorable body that the Senate has indefinitely postponed the following bill in which the concurrence of the Senate was asked:

House File No. 100, a bill for an act providing for the oiling of streets and assessing the cost thereto to abutting property.

S. W. NEAL,  
*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. 245, a bill for an act relating to the sale of drugs, medicines, poisons and chemicals and providing for the sale of concentrated lye, potash, and insecticides by persons other than registered pharmacists.

S. W. NEAL,  
*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. 278, a bill for an act in relation to holding district courts and the assignment of judges therefor.

S. W. NEAL,  
*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. 269, a bill for an act relative to the reincorporations of the cemetery associations.

S. W. NEAL,  
*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. 248, a bill for an act relating to challenges for cause.

S. W. NEAL,  
*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. 318, a bill for an act legalizing the ordinances of the town of Maynard, Fayette County, Iowa, and the acts and proceedings of the council of said town had thereunder.

S. W. NEAL,  
*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. 267, a bill for an act legalizing the elections, acts and transactions, resolutions, by-laws, rules and regulations, contracts and certificates of the Ottumwa Cemetery Association.

S. W. NEAL,  
*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. 256, a bill for an act providing for the growing of posts.

S. W. NEAL,  
*Secretary.*

#### SENATE MESSAGES CONSIDERED.

Senate File No. 269, a bill for an act amending the law as it appears in Section Sixteen Hundred Fifty (1650) of the Code, relating to the re-incorporations of the cemetery associations.

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

Senate File No. 324, a bill for an act relating to the investigation of complaints as to the management and treatment of inmates of County and private institutions in which insane persons are kept, and of children cared for by associations and societies contemplated by the law as it appears in Section Three Thousand Two Hundred Sixty-j (3260-j) of Supplement to the Code, 1907.

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

Senate File No. 318, a bill for an act to legalize the ordinances of the town of Maynard, Fayette County, Iowa, and the acts and proceedings of the council of said town had thereunder.

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

Senate File No. 267, a bill for an act to legalize the elections, acts and transaction, resolutions, by-laws, rules and regulations, contracts and certificates of the Ottumwa Cemetery Association.

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

Senate File No. 229, a bill for an act to prohibit the living, boarding, stopping, or rooming of unmarried females under the age of eighteen years in any house, building, or premises where prostitution, fornication, or concubinage is allowed or practiced and providing punishment for the violation thereof.

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

Senate File No. 296, a bill for an act to legalize the issuing of certain warrants on the school fund by the Board of Directors of the Independent School District of Farmington, in Van Buren County, State of Iowa.

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

Senate File No. 164, a bill for an act to amend the law as it appears in Section Seventeen Hundred and Fifty-eight-a (1758-a) and Section Seventeen Hundred and Nine (1709) of the Supplement to the Code, 1907, giving insurance companies, in addition to the authority now enjoyed, the right to issue policies upon automobiles and marine risks and further adding to the list of properties and rights that may be insured; repealing the law as it appears in Section Seventeen Hundred and Ten (1710) of the Supplement to the Code, 1907, and enacting a substitute therefor.

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

Senate File No. 278, a bill for an act in relation to holding district courts and the assignment of judges therefor.

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

Senate File No. 256, a bill for an act to amend Section Fifteen Hundred and Seventy (1570) of the Supplement to the Code, 1907, and to provide for the growing of posts.

Read first and second time and referred to Committee on Roads and Highways.

Senate File No. 319, a bill for an act authorizing Boards of Supervisors to grant the use of public highways for erecting and maintaining poles and wires for the transmission of electricity, and fixing the liability for damages arising from the construction thereof.

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

Senate File No. 329, a bill for an act to amend Section Thirteen Hundred Twelve (1312) of the Code, relating to the listing of monies and credits for taxation by persons acting in a fiduciary capacity.

Read first and second time and referred to Committee on Ways and Means.

Senate File No. 245, a bill for an act to amend Section Two Thousand Five Hundred Eighty-eight (2588) of the Code, relating to the sale of drugs, medicines, poisons, and chemicals, and providing for the sale of denatured alcohol, fly paper, concentrated lye, potash, and insecticides by persons other than registered pharmacists.

Read first and second time and referred to Committee on Public Health.

Senate File No. 185, a bill for an act to amend Section Two Thousand Five Hundred Eighty-nine-b (2589-b) of the Supplement to the Code, 1907, relative to the requirements of applicants for registration as pharmacists.

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

Senate File No. 248, a bill for an act to repeal paragraph five (5) of Section Thirty-six Hundred Eighty-eight (3688) of the

Code and to enact a substitute therefor, relating to challenges for cause.

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

The following resignation was filed:

*Chief Clerk Benedict, House of Representatives.*

DEAR SIR—I desire to present my resignation as Clerk for the Minority, to take effect Tuesday morning, March 16th.

Yours respectfully,

RAY R. SHEEHAN.

On motion of Harding of Woodbury, the House adjourned until 1:30 o'clock.

#### AFTERNOON SESSION.

House met pursuant to adjournment.

Speaker Feely in the Chair.

On request of Goodykoontz of Boone, leave of absence was granted Boe of Winnebago until Tuesday.

#### PETITIONS, MEMORIALS AND REMONSTRANCES.

Welden of Hardin presented petition of citizens of Alden Township, relative to the present School Laws.

Referred to Committee on Schools and Text Books.

Welden of Hardin presented remonstrance of citizens of Hardin County, protesting against the passage of the School Bill.

Referred to Committee on Schools and Text Books.

#### REPORTS OF COMMITTEES.

Arney of Marshall, from the Committee on Agriculture, submitted the following report:

MR. SPEAKER—Your committee on Agriculture, to whom was referred Substitute for House File No. 102, a bill for an act to repeal Section fifteen hundred seventy-one (1571) of the Code, and to enact a substitute in lieu thereof, relating to traction engines on the public roads, beg leave to report they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same be amended as follows:

By striking out Section 2, and inserting in lieu thereof the following:  
"SEC. 2. In crossing any bridge, crossing or culvert in the public highway or street, four sound strong planks, each not less than twelve (12) feet long, and one (1) foot wide and two (2) inches thick shall be used by placing and keeping continuously two of them under the wheels. This shall be in full force and effect until July 1, 1912, by which time all the counties or townships (by their officers) shall have built or repaired all bridges in such a substantial manner so as to admit of safe passage over same, for all steam traction engines that do not exceed eighteen (18) horse-power, or any other traction engine that does not exceed in weight an eighteen (18) horse-power steam traction engine.

No traction engine having mud lugs or ice spuds attached to its wheels, shall be driven over any bridge, culvert or street crossing until the said mud lugs or ice spuds shall have been removed.

The violation of any of the provisions of this act relating to owners and operators of traction engines shall be deemed a misdemeanor punishable by a fine not exceeding twenty-five dollars (\$25.00) for the first offense, and punishable by a fine of not less than twenty-five (\$25.00) nor more than fifty dollars \$50.00) or imprisonment not exceeding thirty (30) days in the county jail for a second and subsequent offense."

Insert in title and in Section 1, after figures "(1571)" the words "of the Supplement to the Code, 1907," and when so amended the bill do pass.

W. H. ARNEY,  
*Chairman.*

Adopted.

#### REPORT OF COMMITTEE ON ENROLLED BILLS.

Klay of Sioux, from the Committee on Enrolled Bills, submitted the following report:

MR. SPEAKER—Your Committee on Enrolled Bills respectfully report that they have examined, and find correctly enrolled, House File No. 5, a bill for an act to amend the law as it appears in Section fifteen hundred thirty-two-a (1532-a) of the Supplement to the Code, 1907, relative to the duties of township trustees; the election and compensation of road superintendents; the division and consolidation of road districts and the collection of property road tax.

Also:

House File No. 134, a bill for an act to amend Section fifteen hundred sixty-one (1561) of the Code relating to the erection of guide boards.

Also:

House File No. 218, a bill for an act to amend Section seven hundred thirty-two (732), Supplement to the Code, 1907, relative to the levying of taxes for public libraries.

Also:

House File No. 261, a bill for an act to legalize the special election held in the city of New Hampton, Iowa, on the 5th day of February, 1907, wherein there was submitted to the voters of said city the question of issuing bonds in the sum of eighteen thousand dollars (\$18,000.00) for the purpose of erecting a combined water-works, electric light and power plant and water-tower and tank, and to validate and legalize the bonds issued in pursuance of said election.

GERRIT KLAY,  
*Chairman.*

Adopted.

#### REPORT OF JOINT COMMITTEE ON ENROLLED BILLS.

Klay of Sioux, 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. 5, a bill for an act to amend the law as it appears in Section fifteen hundred thirty-two-a (1532-a) of the Supplement to the Code, 1907, relative to the duties of township trustees; the election and compensation of road superintendents; the division and consolidation of road districts and the collection of property road tax.

Also:

House File No. 134, a bill for an act to amend Section fifteen hundred sixty-one (1561) of the Code relating to the erection of guide boards.

Also:

House File No. 218, a bill for an act to amend Section seven hundred thirty-two (732), Supplement to the Code, 1907, relative to the levying of taxes for public libraries.

Also:

House File No. 261, a bill for an act to legalize the special election held in the city of New Hampton, Iowa, on the 5th day of February, 1907, wherein there was submitted to the voters of said city the question of issuing bonds in the sum of eighteen thousand dollars (\$18,000.00) for the purpose of erecting a combined water-works, electric light and power plant and water-tower and tank, and to validate and legalize the bonds issued in pursuance of said election.

GERRIT KLAY,  
*Chairman House Committee.*

HENRY L. ADAMS,  
*Chairman Senate Committee.*

Adopted.

## INTRODUCTION OF BILLS.

By Inman of Floyd, House File No. 436, a bill for an act relating to the renewal of teachers' certificates.

Read first and second time and referred to Committee on Schools and Text Books.

By White of Story, House File No. 437, a bill for an act providing a method by which the indebtedness of cities and towns in excess of the statutory limit of one and one-fourth per cent and within the five per cent constitutional limit may be legalized.

Read first and second time and referred to Committee on Ways and Means.

By Elliott of Page, House File No. 438, a bill for an act requiring all persons engaged as abstractors to give bond and providing penalty for non-compliance.

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

By Reaney of Louisa, House File No. 439, a bill for an act to amend Section Eleven Hundred Forty-three (1143) of the Code, relating to destruction of ballots.

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

By Grier of Poweshiek, House File No. 440, a bill for an act providing that Superior Courts shall have jurisdiction of dipsomaniacs, inebriates and those addicted to the excessive use of narcotics, under Chapter 2-a of the Supplement to the Code, 1907.

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

By Grier of Poweshiek, House File No. 441, a bill for an act to amend Section Two Hundred and Seventy (270) of the Code of 1897, relative to juries in Superior Court.

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

White of Story moved that the House adjourn at 3:00 o'clock, P. M.

Motion prevailed.



## CONSIDERATION OF BILLS.

On motion of Boettger of Scott, House File No. 14, a bill for an act to repeal Section Four Hundred Ninety-one (491) of the Code, relating to compensation of deputy treasurers and enacting a substitute therefor, with report of committee recommending passage as amended by substitute amendment, was taken up, considered and the substitute amendment adopted.

Boettger of Scott moved that the rules be suspended, 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 ayes were:

Allred, Balluff, Bascom, Bauman, Beebe, Blackmore, Boettger, Bonwell, Boomgaarden, Bowman, Byerly, Calkins, Cassady, Cousins, Cunningham, Dabney, Darrah, Dawson, Derrough, Dewey, Drury, Dye, Ellis, Etter, Fenn, Fourn, Fulliam, Goodykoontz, Grier, Hackler, Hanson, Harding, Hickenlooper, Hunter, Ide, Jewell, Jones, Kendall, Klay, Koontz, Miller of Bremer, Miller of Dubuque, O'Connor, Perkins, Reaney, Reitz, Ritter, Sankey, Schulte, Sullivan, Swift, Tegeler, Welden, White, Wilson, Wolfe, Zeller, Mr. Speaker—58

The nays were:

Anderson, Arney, Beans, Burt, Cooper, Crummer, Davidson, Dewell, DeWitt, Elliott, Fox, Fulton, Harvey, Inman, Jacobs, Larrabee, McCleery, Meredith, Moore of Wapello, Newell, Ripley, Schee, Schroeder, Smith, Stillman, Stoddard, Swan, Thompson, Tilton—29.

Absent or not voting:

Beery, Boe, Brandes, Corrie, Crozier, Dalby, Dodds, Felt, Finlayson, Holmes, Huffaker, Johnson, Kellogg, Kull, Lee, McDonald, Marston, Moore of Linn, Penn, Sheldon, Ward—21.

So the bill passed and the title was agreed to.

On motion of Beery of Henry, House File No. 301, a bill for an act to amend Section Four Hundred and Fifty-eight-c (458-c) of the Supplement to the Code, 1907, relative to injuries of domestic animals by dogs and wolves, was taken up and considered.

Beery of Henry proposed the following amendment:

I move to amend by striking out all of Section One (1) following the semi-colon in the fourth line of the printed bill, to and including the word "supervisors" in the fifth line and inserting the following in lieu thereof:

Also by placing a period after the word "upon" in the tenth line and striking out all of the Section following to and including the word "supervisors."

Amendment adopted.

Beery of Henry moved that the rules be suspended, 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 ayes were:

Allred, Anderson, Arney, Balluff, Bascom, Bauman, Beans, Beebe, Beery, Blackmore, Boettger, Bonwell, Bowman, Burt, Byerly, Calkins, Cooper, Cousins, Crummer, Cunningham, Dabney, Dalby, Darrah, Dawson, Derrough, Dewell, Dewey, DeWitt, Dodds, Drury, Dye, Elliott, Ellis, Felt, Fenn, Fourt, Fox, Fulton, Goodykoontz, Grier, Hackler, Hanson, Harding, Harvey, Hickenlooper, Hunter, Ide, Inman, Jacobs, Jewell, Jones, Kellogg, Kendall, Klay, Koontz, Larrabee, McCleery, Miller of Dubuque, Moore of Wapello, Newell, O'Connor, Perkins, Reaney, Ripley, Ritter, Schee, Schulte, Smith, Stillman, Stoddard, Sullivan, Swan, Tegeler, Thompson, Tilton, Ward, Welden, White, Wolfe, Zeller, Mr. Speaker—81.

The nays were:

Boomgaarden, Davidson, Etter, Fulliam, Meredith, Miller of Bremer, Reitz, Sankey, Schroeder, Swift,—10.

Absent or not voting:

Boe, Brandes, Cassady, Corrie, Crozier, Finlayson, Holmes, Huffaker, Johnson, Kull, Lee, McDonald, Marston, Moore of Linn, Penn, Sheldon, Wilson—17.

So the bill passed and the title was agreed to.

On motion of Hunter of Polk, House File No. 344, a bill for an act to provide for the maintenance of certain cemeteries and to provide a tax for such purpose, was taken up and considered.

Hunter of Polk moved that the rules be suspended, 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 ayes were :

Allred, Anderson, Arney, Balluff, Bascom, Bauman, Beans, Beebe, Blackmore, Boettger, Bonwell, Boomgaarden, Bowman, Byerly, Calkins, Cassady, Cooper, Crummer, Cunningham, Dabney, Dalby, Darrah, Dawson, Derrough, Dewell, Dewey, DeWitt, Drury, Dye, Elliott, Ellis, Etter, Felt, Fenn, Fourt, Fox, Fulliam, Fulton, Goodykoontz, Grier, Hackler, Hanson, Harding, Hickenlooper, Hunter, Ide, Inman, Jacobs, Jewell, Jones, Kellogg, Kendall, Klay, Koontz, Larrabee, Lee, McCleery, Meredith, Miller of Bremer, Miller of Dubuque, Moore of Wapello, O'Connor, Reaney, Reitz, Ripley, Sankey, Schroeder, Schulte, Smith, Stillman, Stoddard, Sullivan, Swan, Swift, Tegeler, Thompson, Tilton, Welden, White, Wilson, Mr. Speaker—80.

The nays were :

None.

Absent or not voting :

Beery, Boe, Brandes, Burt, Corrie, Cousins, Crozier, Davidson, Dodds, Felt, Finlayson, Harvey, Holmes, Huffaker, Johnson, Kull, McDonald, Marston, Moore of Linn, Newell, Penn, Perkins, Ritter, Schee, Sheldon, Ward, Wolfe, Zeller—28.

So the bill passed and the title was agreed to.

On motion of Bowman of Linn, House File No. 317, a bill for an act to legalize certain acts of the city council of the city of Cedar Rapids, Linn County, Iowa, and of the auditor, treasurer, and Board of Supervisors of said Linn County, Iowa, relating to a levy of park tax, was taken up and considered.

Bowman of Linn moved that the rules be suspended, 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 ayes were :

Allred, Anderson, Areny, Balluff, Bascom, Bauman, Beans, Beebe, Beery, Blackmore, Boettger, Bonwell, Boomgaarden, Bowman, Burt, Byerly, Calkins, Cassady, Cooper, Cousins, Crummer, Cunningham, Dabney, Dalby, Darrah, Dawson, Derrough, Dewell, Dewey, DeWitt, Drury, Dye, Elliott, Ellis, Etter, Felt, Fenn, Finlayson, Fourt, Fox, Fulliam, Fulton, Goodykoontz, Grier, Hackler, Hanson, Harvey, Hickenlooper, Ide, Inman, Jacobs, Jewell, Jones, Kellogg, Kendall, Klay, Larrabee, McCleery, McDonald, Meredith, Miller of Bremer, Miller of Dubuque, Moore of Wapello, Newell, O'Connor, Penn, Perkins, Reaney, Ripley, Ritter, Sankey, Schroeder, Schulte, Smith, Stillman, Stoddard, Sullivan, Swan, Swift, Tegeler, Thompson, Tilton, Welden, White, Wilson, Wolfe, Zeller, Mr. Speaker—87.

The nays were:

None.

Absent or not voting:

Boe, Brandes, Corrie, Crozier, Davidson, Dodds, Felt, Harding, Holmes, Huffaker, Hunter, Johnson, Koontz, Kull, Lee, Marston, Moore of Linn, Reitz, Schee, Sheldon, Ward—21.

So the bill passed and the title was agreed to.

On motion of Miller of Bremer, House File No. 8, a bill for an act to compel manufacturers and owners of corn huskers, shuckers, and shredders, to provide automatic feeders or other safety device to safeguard against accidents and making the sale or use thereof a misdemeanor and fixing a penalty for violation, with report of committee recommending passage as amended by substitute amendment, was taken up, considered, and the substitute amendment adopted.

Miller of Bremer moved that the rules be suspended, 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 ayes were:

Anderson, Arney, Balluff, Bascom, Bauman, Beans, Beebe, Beery, Blackmore, Boettger, Bonwell, Boomgaarden, Burt, Byerly, Calkins, Cassady, Cooper, Cousins, Crummer, Cunningham, Dabney,

Dalby, Darrah, Dawson, Derrough, Dewell, Dewey, DeWitt, Dye, Elliott, Ellis, Etter, Fourt, Fox, Fulliam, Fulton, Goodykoontz, Grier, Hackler, Hanson, Harding, Harvey, Hickenlooper, Hunter, Ide, Inman, Jacobs, Jewell, Jones, Kellogg, Kendall, Klay, Koontz, Larrabee, Meredith, Miller of Bremer, Miller of Dubuque, Moore of Wapello, O'Connor, Reaney, Reitz, Ripley, Ritter, Sankey, Schee, Schroeder, Schulte, Smith, Stillman, Stoddard, Sullivan, Swan, Swift, Tegeler, Thompson, Tilton, Welden, White, Wolfe, Zeller, Mr. Speaker—81.

The nays were :

Drury, Newell—2.

Absent or not voting :

Allred, Boe, Bowman, Brandes, Corrie, Crozier, Davidson, Dodds, Felt, Fenn, Finlayson, Holmes, Huffaker, Johnson, Kull, Lee, McCleery, McDonald, Marston, Moore of Linn, Penn, Perkins, Sheldon, Ward, Wilson—25.

So the bill passed and the title was agreed to.

On motion of Goodykoontz of Boone, House File No. 337, a bill for an act amending the law as it appears in Section Twenty-four Hundred Eighty-nine-a (2489-a), Supplement to the Code, 1907, relating to examination of mine foremen, pit bosses and hoisting engineers, was taken up and considered.

Goodykoontz of Boone moved that the rules be suspended, 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 ayes were :

Allred, Anderson, Arney, Balluff, Bascom, Bauman, Beans, Beebe, Beery, Blackmore, Boettger, Bonwell, Boomgaarden, Bowman, Burt, Calkins, Cassady, Cooper, Cousins, Crummer, Cunningham, Dabney, Dalby, Darrah, Dawson, Derrough, Dewell, Dewey, DeWitt, Drury, Dye, Elliott, Ellis, Etter, Felt, Fenn, Finlayson, Fourt, Fox, Fulliam, Fulton, Goodykoontz, Grier, Hackler, Hanson, Harding Harvey, Hickenlooper, Ide, Inman, Jacobs, Jewell, Jones, Kellogg, Kendall, Klay, Koontz, Larrabee, Lee, McCleery, Meredith, Miller of Dubuque, Moore of Wapello, Newell, O'Connor, Penn, Perkins, Reaney, Ripley, Schee, Schroeder, Schulte,

Smith, Stillman, Stoddard, Sullivan, Swan, Swift, Tegeler, Thompson, Tilton, Welden, White, Wilson, Zeller, Mr. Speaker—87.

The nays were :

None.

Absent or not voting :

Boe, Brandes, Byerly, Corrie, Crozier, Davidson, Dodd, Holmes, Huffaker, Hunter, Johnson, Kull, McDonald, Marston, Miller of Bremer Moore of Linn, Reitz, Sankey, Sheldon, Ward, Wolfe—21.

So the bill passed and the title was agreed to.

On motion of Fox of Dallas, Senate File No. 170, a bill for an act to legalize the establishment of the Superior Court of the City of Perry, Dallas County, State of Iowa, and all the proceeding in the matter of establishing said court and the acts of all the officers of said city of Perry in relation to the establishment of said court, the issuance of the proclamation by the mayor and the election held on said establishment and the vote of the electors in establishing said court and the canvassing said vote and the declaring the result and the appointment of the judges thereof and the election of his successor and the official acts, orders, judgments, and decrees of said judges and the court and all the proceedings in said court and the official acts of the clerk thereof or any other officers of said court, legalizing all the aforesaid matters, acts and proceedings and record as fully and exactly as if the law in every particular had been complied with, was taken up and considered.

Fox of Dallas moved that the rules be suspended, the bill be read a third time now, which motion prevailed, and the bill was read a third time.

On the question, "Shall the bill pass?"

The ayes were :

Allred, Anderson, Arney, Balluff, Bascom, Bauman, Beans, Beebe, Beery, Blackmore, Boettger, Bonwell, Boomgaarden, Bowman, Burt, Byerly, Calkins, Cassady, Cooper, Cousins, Crummer, Cunningham, Dabney, Dalby, Darrah, Dawson, Derrough, Dewell, Dewey, DeWitt, Dodds, Drury, Dye, Elliott, Ellis, Etter, Felt, Fenn, Finlayson, Fourt, Fox, Fulliam, Fulton, Goodykoontz,

Grier, Hackler, Hanson, Harding, Harvey, Hickenlooper, Hunter, Ide, Inman, Jacobs, Jewell, Jones, Kellogg, Kendall, Klay, Koontz, Larrabee, McCleery, Meredith, Miller of Dubuque, Moore of Wapello, Newell, Perkins, Reaney, Reitz, Ripley, Ritter, Sankey, Schee, Schroeder, Schulte, Smith, Stillman, Stoddard, Sullivan, Swan, Swift, Tegeler, Thompson, Tilton, Ward, Welden, Wilson, Wolfe, Zeller, Mr. Speaker—90.

The nays were:

None.

Absent or not voting:

Boe, Brandes, Corrie, Crozier, Davidson, Holmes, Huffaker, Johnson, Kull, Lee, McDonald, Marston, Miller of Bremer, Moore of Linn, O'Connor, Penn, Sheldon, White—18.

So the bill passed and the title was agreed to.

The Speaker of the House announced that as Speaker of the House, in the presence of the House, he had signed House File Nos. 5, 218, 261, and 134.

Arney of Marshall moved to withdraw House File No. 361 from the further consideration of the House.

Motion prevailed.

The House adjourned.

# JOURNAL OF THE HOUSE

HALL OF THE HOUSE OF REPRESENTATIVES,  
DES MOINES, IOWA, MARCH 16, A. D. 1909.

House met pursuant to adjournment.

Speaker Feely in the Chair.

Prayer was offered by the Rev. Albert B. Gilbert of Emmetsburg, Iowa.

Journal of Monday, March 15th, corrected and approved.

On request of Kendall of Clinton, leave of absence was granted Ellis of Jackson until Wednesday.

On request, leave of absence was granted Allred of Wayne from the afternoon session.

On request of Swift of Shelby, leave of absence was granted Zeller of Madison until Wednesday.

## PETITIONS, MEMORIALS AND REMONSTRANCES.

Derrough of Warren presented petition of citizens of Warren County, requesting the passage of Senate File Nos. 279 and 280.

Referred to Committee on Railroads and Transportation.

Dye of Pottawattamie presented remonstrance of Council Bluffs Bricklayers' Union, protesting against the passage of House File No. 232, referring to exemptions.

Referred to Committee on Judiciary.

Hackler of Webster presented petition of citizens of Fort Dodge, requesting the enactment of a law providing for a State Inspector of Bees.

Referred to Committee on Agriculture.

Bauman of Van Buren presented remonstrance of citizens of Van Buren County, protesting against the passage of the School Bill.



Referred to Committee on Schools and Text Books.

Dalby of Adair presented remonstrances of citizens of Grove Township, protesting against the passage of the School Bill.

Referred to Committee on Schools and Text Books.

Dawson of Cherokee presented petition of citizens of Cherokee County, relative to House File No. 4, referring to Commerce Council.

Referred to Committee on Railroads and Transportation.

Tilton of Iowa presented petition of citizens of Iowa County, requesting a law providing for a State Inspector of Bees.

Referred to Committee on Agriculture.

Fulton of Jefferson presented petition of citizens of Jefferson County, relative to an increase appropriation for the Extension Department of Iowa State College at Ames, Iowa.

Referred to Committee on Appropriations.

Welden of Hardin presented remonstrances of citizens of Hardin County, protesting against the passage of the School Bill.

Referred to Committee on Schools and Text Books.

Reitz of Lee presented petition of citizens of Lee County, requesting the enactment of Senate File No. 320.

Referred to Committee on Constitutional Amendments.

Anderson of Hamilton presented petition of citizens of Hamilton County, requesting the enactment of a law providing for a State Inspector of Bees.

Referred to Committee on Agriculture.

#### REPORT OF COMMITTEE.

Kellogg of Harrison, from the Committee on Insurance, submitted the following report:

MR. SPEAKER—Your committee on Insurance, to whom was referred Senate File No. 164, a bill for an act to amend the law as it appears in Section 1758-a and Section 1709 of the Supplement to the Code, 1907, giving insurance companies, in addition to the authority now enjoyed, the right to issue policies upon automobiles and marine risks and further adding to the list of properties and rights, etc., beg leave to report they

have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same do pass.

GEO. A. KELLOGG,  
*Chairman.*

Adopted.

#### INTRODUCTION OF BILLS.

By Grier of Poweshiek, House File No. 442, a bill for an act relating to the practice of pharmacy, creating the office of Commissioner of Pharmacy, a Board of Pharmacy and Inspectors, and fixing the compensation thereof, also abolishing the office of Commission of Pharmacy and of Secretary and Treasurer thereof.

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

By Hanson of Humboldt (by request), House File No. 443, a bill for an act requiring railway companies to maintain telegraph stations in certain cases.

Read first and second time and referred to Committee on Railroads and Transportation.

By Hunter of Polk, House File No. 444, a bill for an act to amend Section Ten Hundred and Seventy-three of the Code of 1897, relative to the election and term of office of Justices of the Peace and Constables, in cities having a population of 75,000 or more.

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

By Harding of Woodbury, House File No. 445, a bill for an act to legalize certain actions of the city council of the city of Sioux City, Iowa, relating to the transfer of moneys from the Library Bond Fund to the Judgment Fund.

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

By Miller of Bremer, House File No. 446, a bill for an act to repeal Section Twenty-five Hundred Ninety-six-a (2596-a), Supplement to the Code, 1907, and to enact a substitute therefor relating to the sale of cocaine and other drugs.

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

By Fourt of Allamakee, House File No. 447, a bill for an act prohibiting minors remaining in any billiard hall, beer saloon or nine or ten pin alley.

Read first and second time and referred to Committee on Police Regulations.

Schulte of Clayton offered the following Concurrent Resolution.

CONCURRENT RESOLUTION.

A concurrent resolution memorializing the Iowa delegation in Congress to use their efforts to secure an act providing for the acquisition of certain lands at the confluence of the Wisconsin and Mississippi Rivers for the use as a national park and to secure an appropriation therefor.

WHEREAS, The preservation of the means of health and happiness which through selfishness or thoughtlessness are so likely to be destroyed are of great importance to the American people, and,

WHEREAS, The present and future happiness and welfare of our country demands that we have permanent public pleasure grounds and parks which are accessible by many and kept as near as possible in their natural state and,

WHEREAS, We are awakening to the fact that in order to retain for ourselves and our posterity any of the natural conditions of our rivers, lakes, hills and bluffs with their growth of vegetation and native groves, it is necessary that those tracts be taken in charge by the government before the natural beauty has been destroyed by human greed, and,

WHEREAS, The Father of Waters flows through a valley of untold resources and wealth, which is destined, as time passes, to become the home of unnumbered millions, whose health and happiness demands that they have public play grounds and parks and,

WHEREAS, The hills and bluffs, rising hundreds of feet above the river, with numerous springs and brooklets of pure water, the flats and islands at the confluence of the Wisconsin and Mississippi rivers are most desirable and suitable for a public park and,

WHEREAS, Said Place is historical, as well as picturesque, still showing the mounds and trails of the Red Man as they were left by him, and the rock-ribbed hills as made by the elements through the ages, with native forests but slightly touched by human hand, and,

WHEREAS, The said lands on either side of the Mississippi, as well as the numerous islands in the river, can be purchased at a reasonable price,

*Therefore be it Resolved by the House, the Senate Concurring,* That we hereby memorialize our Senators and Representatives in Congress to use their efforts to secure the enactment of a law providing for the acquisition of said territory to be used as a national park, and to secure an adequate appropriation therefor and that copies of this resolution be forwarded to each member of the Iowa delegation in Congress.

Laid over under Rule 34.

## CONSIDERATION OF BILLS.

On motion of O'Connor of Chickasaw, substitute for Senate File No. 91, a bill for an act to define and regulate the practice of optometry and for the creation of a Board of Examiners in Optometry, with report of committee recommending passage as amended, was taken up, considered, and the amendments adopted.

Jewell of Winneshiek proposed the following amendment:

I move to amend Senate File No. 81 by striking out Section One (1) of the substitute and insert in lieu thereof the following as Section One (1).

“Section 1. The practice of optometry is defined to be the employment of any means other than the use of drugs for the measurement of the powers of vision and the adaptation of lenses for the aid thereof.”

Amendment adopted.

Klay of Sioux proposed the following amendment:

I move to strike out all of Section Six (6) of Senate substitute for Senate File No. 91, as amended after the word “license” in line thirteen thereof.

Amendment lost.

Schee of O'Brien proposed the following amendment:

I move to amend Senate Substitute by striking out the word and figure “three (3)” in the fourth line from the bottom of Section 6 and insert in lieu thereof the word and figure “five (5).”

Amendment adopted.

Schee of O'Brien moved that the previous question be ordered.

Motion prevailed, and the main question was ordered.

O'Connor of Chickasaw moved that the rules be suspended, the bill be read a third time now, which motion prevailed, and the bill was read a third time.

On the question, “Shall the bill pass?”

The ayes were:

Arney, Blackmore, Boe, Bowman, Burt, Calkins, Cassady, Crozier, Dabney, Darrah, Davidson, Dewey, DeWitt, Drury, Etter, Fenn, Fulliam, Hackler, Harding, Holmes, Hunter, Ide, Inman, Jacobs, Johnson, Kendall, Koontz, Lee, McDonald, Miller of Bremer, Miller of Dubuque, Moore of Linn, Penn, Reitz, Ritter, Sankey, Schee, Schroeder, Schulte, Smith, Stillman, Stoddard, Swift, Tegeler, Ward, Welden, Wolfe, Mr. Speaker—48.

**The nays were :**

Allred, Anderson, Bascom, Bauman, Beans, Beebe, Beery, Bonwell, Boomgaarden, Cooper, Corrie, Cousins, Crummer, Cunningham, Dalby, Dawson, Derrough, Dewell, Dodds, Dyé, Elliott, Felt, Finlayson, Fourt, Fox, Fulton, Goodykoontz, Grier, Hanson, Harvey, Hickenlooper, Jewell, Jones, Klay, Larrabee, McCleery, Marston, Meredith, Moore of Wapello, Newell, O'Connor, Perkins, Reaney, Ripley, Sullivan, Swan, Thompson, Tilton, Wilson—49.

**Absent or not voting :**

Balluff, Boettger, Brandes, Byerly, Ellis, Huffaker, Kellogg, Kull, Sheldon, White, Zeller—11.

Roll call verified.

So the bill having failed to receive a constitutional majority failed to pass the House.

**MESSAGES FROM THE SENATE.**

The following messages were received from the Senate :

MR. SPEAKER—I am directed to inform your honorable body that the Senate has passed the following bill in which the concurrence of the House is asked :

Senate File No. 338, a bill for an act relating to the time of the commencement of the term of officers chosen at a general election.

S. W. NEAL,  
*Secretary.*

Also :

MR. SPEAKER—I am directed to inform your honorable body that the Senate has amended and passed the following bill in which the concurrence of the Senate was asked :

House File No. 251, a bill for an act relating to the marriage of cousins.

S. W. NEAL,  
*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. 254, a bill for an act to provide for the employment of prisoners in the county jails and for paying their earnings to their families.

S. W. NEAL,  
*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:

Substitute for Senate File No. 35, a bill for an act relative to the location of places wherein intoxicating liquors are sold.

S. W. NEAL,  
*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:

Substitute for Senate File No. 283, a bill for an act relating to cities acting under special charters.

S. W. NEAL,  
*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. 306, a bill for an act relating to the sufficiency of notice of appeal.

S. W. NEAL,  
*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. 307, a bill for an act relating to the practice in the supreme court.

S. W. NEAL,  
*Secretary.*

Also :

MR. SPEAKER—I am directed to inform your honorable body that the Senate has passed the following bill in which the concurrence of the Senate was asked:

House File No. 243, a bill for an act legalizing ordinances 38 and 39 in the incorporated town of Deep River, Poweshiek County, Iowa.

S. W. NEAL,  
*Secretary.*

Also:

MR. SPEAKER—I am directed to inform your honorable body that the Senate has passed the following bill in which the concurrence of the Senate was asked:

House File No. 96, a bill for an act relating to the collection of delinquent personal property tax.

S. W. NEAL,  
*Secretary.*

Also:

MR. SPEAKER—I am directed to inform your honorable body that the Senate has concurred in House Amendments to Senate File No. 22, a bill for an act relating to aiding by taxation the maintenance of any institution of benevolence, including hospitals acquired by any county, city, town by gift or devise.

S. W. NEAL,  
*Secretary.*

Also:

MR. SPEAKER—I am directed to inform your honorable body that the Senate has concurred in House Substitute Amendment for Senate File No. 101, a bill for an act relating to the care and support of the poor.

S. W. NEAL,  
*Secretary.*

#### SENATE MESSAGES CONSIDERED.

Senate File No. 338, a bill for an act to amend the law as it appears in Section Ten Hundred Sixty (1060) of the Supplement to the Code, 1907, relating to the time of the commencement of the term of officers chosen at a general election.

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

Senate File No. 254, a bill for an act to provide for the employment of prisoners in the County jails and for paying their earnings to their families.

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

Substitute for Senate File No. 35, a bill for an act to amend the law as it appears in Sub-division Two (2) and Sub-division Six (6), of Section Twenty-four Hundred Forty-eight (2448) of the Supplement to the Code, 1907, relative to the location or place

wherein intoxicating liquors are sold, and the furnishing of lunch therein.

Read first and second time and referred to Committee on Suppression of Intemperance.

Senate File No. 307, a bill for an act to amend Section Four Thousand One Hundred Thirty-nine (4139) of the Code, relating to practice in the Supreme Court.

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

Substitute for Senate File No. 283, a bill for an act to amend the law as it appears in Section Fifteen Hundred and Thirty (1530) of the Supplement to the Code, 1907, relating to the levy and expenditure of the County Road Fund.

Read first and second time and referred to Committee on Municipal Corporations.

Senate File No. 306, a bill for an act to amend the law as it appears in Section Four Thousand One Hundred Fourteen (4114) of the Supplement to the Code, 1907, relating to the sufficiency of notice of appeal.

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

#### SENATE AMENDMENTS CONSIDERED.

On request of Fulliam of Muscatine, unanimous consent having been given, House File No. 251, a bill for an act to amend Section Four Thousand Nine Hundred and Thirty-six (4936) of the Supplement to the Code, 1907, relative to marriage of cousins, with the following Senate amendments, was taken up and the amendments read and considered.

Amend the title by inserting after the word "amend" the words "the law as it appears in."

Also by striking out the words "of Iowa" in the title.

Also amend Section 1 by inserting after the word "that" in the first line, the words "the law as it appears in."

Fulliam of Muscatine moved that the House concur in the Senate amendments.



On the question, "Shall the House concur?"

The ayes were:

Allred, Anderson, Arney, Balluff, Bascom, Bauman, Beans, Beebe, Beery, Blackmore, Boe, Bonwell, Boomgaarden, Bowman, Burt, Byerly, Calkins, Cooper, Corrie, Cousins, Crozier, Crummer, Cunningham, Dabney, Darrah, Davidson, Dawson, Derrough, Dewey, DeWitt, Dodds, Drury, Dye, Elliott, Etter, Felt, Fenn, Finlayson, Fourt, Fox, Fulliam, Fulton, Góodykoontz, Grier, Hackler, Hanson, Harding, Hickenlooper, Holmes, Hunter, Ide, Inman, Jacobs, Jewell, Johnson, Jones, Kellogg, Kendall, Klay, Kull, Larrabee, Lee, McCleery, McDonald, Marston, Meredith, Miller of Bremer, Miller of Dubuque, Moore of Wapello, Newell, O'Connor, Perkins, Reaney, Reitz, Ripley, Ritter, Sankey, Schee, Schroeder, Schulte, Smith, Stillman, Stoddard, Swan, Swift, Tegeler, Thompson, Tilton, Ward, Welden, White, Wilson, Wolfe, Mr. Speaker—94.

The nays were:

Harvey, Penn—2.

Absent or not voting:

Boettger, Brandes, Cassady, Dalby, Dewell, Ellis, Huffaker, Koontz, Moore of Linn, Sheldon, Sullivan, Zeller—12.

So the House concurs.

Arney of Marshall moved that House File No. 102 be made a Special Order for Wednesday at 10:00 A. M.

Motion prevailed.

Thompson of Benton moved that the House adjourn until 1:30 o'clock.

Sullivan of Polk moved to amend to make the time 1:00 o'clock.

Amendment lost.

Motion to adjourn until 1:30 o'clock prevailed.

#### AFTERNOON SESSION.

House met pursuant to adjournment.

Speaker Feely in the Chair.

On request of Swift of Shelby, leave of absence was granted Drury of Sac until Wednesday.

## REPORTS OF COMMITTEES.

White of Story, from the Committee on Ways and Means, submitted the following report:

MR. SPEAKER—Your committee on Ways and Means, to whom was referred House File No. 309, a bill for an act to amend the law as it appears in Section twenty-eight hundred and six (2806), Title thirteen (13), Chapter fourteen (14) of the Code and Supplement of the Code relative to estimating tax levies by school boards, beg leave to report they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same be indefinitely postponed.

Geo. C. WHITE,  
*Chairman.*

Adopted, and House File No. 309 was indefinitely postponed.

Also:

MR. SPEAKER—Your committee on Ways and Means, to whom was referred House File No. 205, a bill for an act to amend the law as it appears in Sections 1382 and 1383 of the Supplement to the Code, pertaining to valuations and tax rates to be used by county auditors in the preparation of tax lists, for the purpose of uniformity throughout the state, beg leave to report they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same be indefinitely postponed.

Geo. C. WHITE,  
*Chairman.*

Adopted, and House File No. 205 was indefinitely postponed.

Also:

MR. SPEAKER—Your committee on Ways and Means, to whom was referred House File No. 364, a bill for an act to amend the law as it appears in Section 2806 of the Code, relating to the amount that may be levied for a contingent fund in school districts, 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.

Geo. C. WHITE,  
*Chairman.*

Adopted, and House File No. 364 was indefinitely postponed.

Also:

MR. SPEAKER—Your committee on Ways and Means, to whom was referred House File No. 388, a bill for an act to amend Section two thousand eight hundred and six (2806) of the Supplement to the Code, 1907, relative to school taxes and transportation fund, beg leave to report that

they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same do pass.

GEO. C. WHITE,  
*Chairman.*

Adopted.

Ripley of Hancock, from the Committee on Horticulture, submitted the following report:

MR. SPEAKER—Your committee on Horticulture, to whom was referred House File No. 380, a bill for an act to establish a department of horticulture and forestry, beg leave to report they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same be amended as follows:

Strike out the words "The first Friday after the second Wednesday in December" in the twelfth line of Section 1 and insert in lieu thereof the following: "a date fixed by the society," and when so amended the bill do pass, and further recommends that the bill be referred to the committee on appropriations.

A. C. RIPLEY,  
*Chairman.*

Adopted, and House File No. 388 was so referred.

#### REPORT OF COMMITTEE ON ENROLLED BILLS.

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 amend the law as it appears in Section fifteen hundred thirty-two-a (1532-a) of the Supplement to the Code, 1907, relative to the duties of township trustees; the election and compensation of road superintendents; the division and consolidation of road districts and the collection of property road tax.

Also:

House File No. 134, a bill for an act to amend Section fifteen hundred sixty-one (1561) of the Code relating to the erection of guide boards.

Also:

House File No. 218, a bill for an act to amend Section seven hundred thirty-two (732), Supplement to the Code, 1907, relative to the levying of taxes for public libraries.

Also:

House File No. 261, a bill for an act to legalize the special election held in the city of New Hampton, Iowa, on the 5th day of February, 1907, wherein there was submitted to the voters of said city the question of issuing bonds in the sum of eighteen thousand dollars (\$18,000.00) for the purpose of erecting a combined water-works, electric light and power

plant and water-tower and tank, and to validate and legalize the bonds issued in pursuance of said election.

GERRIT KLAY,  
*Chairman.*

Adopted.

#### INTRODUCTION OF BILLS.

By McDonald of Carroll, House File No. 448, a bill for an act to amend Section One Thousand Three Hundred Four (1304) of the Supplement to the Code, 1907, in relation to the classes of property exempt from the assessment of taxes.

Read first and second time and referred to Committee on Ways and Means.

By Davidson of Palo Alto, House File No. 449, a bill for an act to amend Sections Forty-seven Hundred Seventy-five-c (4775-c), and Forty-seven Hundred Seventy-five-d (4775-d) of the Supplement to the Code, 1907, relating to wife desertion and to the bond that may be given in case of the person who deserts his wife.

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

By Reaney of Louisa, House File No. 450, a bill for an act providing for the enumeration of deaf and blind persons additional to Chapter One (1), Title Seven (7), of the Code.

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

By Cooper of Jasper and Ripley of Hancock, House File No. 451, a bill for an act to amend Section Four Thousand Two Hundred Ninety-nine (4299) of the Code, relating to the declaration of forfeiture of contracts, and the service of notice relating thereto, and to amend Section Four Thousand Three Hundred (4300) of the Code, relating to the recording of notice of forfeiture of contract.

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

Stillman of Greene moved that the House adjourn at 3:00 o'clock P. M.

Motion prevailed.

Lee of Emmet, chairman of the Conference Committee, submitted the following report:

MR. SPEAKER—The Committee of Conference on the disagreeing votes of the House and Senate on the amendment of the Senate to the bill (House File No. 130) for an act relating to the distribution of laws becoming effective by publication, having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

That the House recede from its disagreement to the amendment of the Senate numbered A, as shown on the original bill, and agree to the same, the effect of which is to strike out the word "daily" from the third line of Section 2 of the original bill.

L. E. FRANCIS,

W. S. ALLEN,

J. L. WILSON,

*Conferees on the Part of the Senate.*

N. J. LEE,

T. O. HANSON,

GEO. W. CROZIER,

*Conferees on the Part of the House.*

Report adopted.

Lee of Emmet moved that the House concur in the Senate amendments.

On the question, "Shall the House concur?"

The ayes were:

Anderson, Arney, Balluff, Bascom, Bauman, Beans, Beebe, Beery, Boettger, Boomgaarden, Bowman, Byerly, Calkins, Cassady, Cooper, Corrie, Cousins, Crummer, Dabney, Dalby, Darrah, Davidson, Dawson, Derrough, Dewell, Dewey, DeWitt, Dodds, Dye, Elliott, Etter, Felt, Fenn, Finlayson, Fourt, Fox, Fulliam, Fulton, Goodykoontz, Grier, Hackler, Hanson, Harvey, Hickenlooper, Holmes, Hunter, Ide, Inman, Jacobs, Jewell, Johnson, Jones, Kellogg, Kendall, Klay, Koontz, Kull, Larrabee, Lee, McCleery, McDonald, Marston, Meredith, Miller of Dubuque, Moore of Linn, Newell, Penn, Perkins, Reaney, Reitz, Ripley, Ritter, Sankey, Schee, Schulte, Sheldon, Smith, Stillman, Stoddard, Sullivan, Swan, Swift, Tegeler, Thompson, Tilton, Ward, Welden, White, Wilson, Mr. Speaker—90.

The nays were:

None.

Absent or not voting :

Allred, Blackmore, Boe, Bonwell, Brandes, Burt, Crozier, Cunningham, Drury, Ellis, Harding, Huffaker, Miller of Bremer, O'Connor, Schroeder, Wolfe, Zeller—18.

So the House concurs.

#### CONSIDERATION OF BILLS.

On motion of Holmes of Kossuth, House File No. 333, a bill for an act making an appropriation to defray the expenses of the Lincoln program, was taken up and considered.

Holmes of Kossuth moved that the rules be suspended, 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 ayes were :

Arney, Balluff, Bascom, Bauman, Beans, Beebe, Beery, Blackmore, Boettger, Boomgaarden, Bowman, Byerly, Calkins, Cassady, Cooper, Corrie, Cousins, Crozier, Crummer, Cunningham, Dabney, Dalby, Darrah, Davidson, Dawson, Derrough, Dewell, Dewey, DeWitt, Dodds, Dye, Elliott, Etter, Felt, Fenn, Finlayson, Fourt, Fox, Fulliam, Fulton, Goodykoontz, Hackler, Hanson, Harding, Harvey, Hickenlooper, Holmes, Hunter, Ide, Inman, Jewell, Johnson, Jones, Kellogg, Kendall, Klay, Koontz, Kull, Larrabee, Lee, McCleery, McDonald, Marston, Meredith, Miller of Dubuque, Moore of Wapello, Moore of Linn, Newell, O'Connor, Penn, Perkins, Reaney, Reitz, Ripley, Ritter, Sankey, Schee, Schroeder, Schulte, Sheldon, Smith, Stillman, Stoddard, Sullivan, Swan, Swift, Tegeler, Tilton, Ward, Welden, White, Wilson, Wolfe, Mr. Speaker—94.

The nays were :

None.

Absent or not voting :

Allred, Anderson, Boe, Bonwell, Brandes, Burt, Drury, Ellis, Grier, Huffaker, Jacobs, Miller of Bremer, Thompson, Zeller—14.

So the bill passed and the title was agreed to.

On motion of Beery of Henry, House File No. 300, a bill for an act to amend Section Fifteen Hundred and Nine (1509) of the

Code, and Section Fifteen Hundred and Thirty-two-a (1532-a), Supplement to the Code, 1907, relative to the power and duties of the trustees, Board of Regents and Board of Control, in regard to roads and highways in and around lands owned by the State, with report of committee recommending passage as amended, was taken up, considered and the amendments adopted.

Beery of Henry moved that the rules be suspended, 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 ayes were:

Anderson, Balluff, Bascom, Bauman, Beans, Beebe, Beery, Blackmore, Boettger, Boomgaarden, Bowman, Byerly, Calkins, Cassady, Cooper, Corrie, Cousins, Crozier, Crummer, Cunningham, Dabney, Dalby, Darrah, Davidson, Dawson, Derrough, Dewell, Dewey, De Witt, Dodds, Dye, Elliott, Etter, Felt, Fenn, Finlayson, Fourt, Fox, Fulliam, Fulton, Goodykoontz, Grier, Hackler, Hanson, Harding, Harvey, Hickenlooper, Holmes, Ide, Inman, Jacobs, Jewell, Johnson, Jones, Kellogg, Kendall, Koontz, Kull, Larrabee, McDonald, Marston, Meredith, Miller of Dubuque, Moore of Wapello, Moore of Linn, Newell, O'Connor, Penn, Perkins, Reaney, Reitz, Ripley, Ritter, Sankey, Schee, Schroeder, Schulte, Sheldon, Smith, Spillman, Stoddard, Sullivan, Swan, Swift, Tegeler, Thompson, Tilton, Ward, Welden, White, Wilson, Wolfe, Mr. Speaker—93.

The nays were:

None.

Absent or not voting:

Allred, Arney, Boe, Bonwell, Brandes, Burt, Drury, Ellis, Hufaker, Hunter, Klay, Lee, McCleery, Miller of Bremer, Zeller—15.

So the bill passed and the title was agreed to.

On motion of Davidson of Palo Alto, House File No. 93, a bill for an act to amend Section Five Thousand Two Hundred and Eighty-nine (5289) of the Code of 1897, by adding thereto a provision permitting the county attorney to amend indictments to

correct errors therein or to add allegations thereto, with report of committee recommending passage as amended by substitute amendment was taken up, considered, and the substitute amendment adopted.

Ripley of Hancock proposed the following amendment:

I move to amend the substitute bill by striking out of line four of the printed bill the words, "In the description of any person or thing or."

Amendment lost.

Davidson of Palo Alto moved that the rules be suspended, 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 ayes were:

Anderson Arney, Balluff, Bascom, Bauman, Beans, Beebe, Blackmore, Boe, Boettger, Bonwell, Boomgaarden, Bowman, Calkins, Cassady, Cooper, Corrie, Cousins, Crozier, Crummer, Cunningham, Dabney, Dalby, Darrah, Davidson, Derrrough, Dewell, Dewey, DeWitt, Dodds, Dye Elliott, Etter, Felt, Fenn, Finlayson, Fourt, Fulliam, Fulton, Grier, Hackler, Hanson, Harding, Harvey, Hick-enlooper, Hunter, Ide, Inman, Jacobs, Johnson, Jones, Kellogg, Kendall, Klay, Koontz, Kull, Larrabee, Lee, McCleery, McDonald, Marston, Meredith, Miller of Bremer, Miller of Dubuque, Moore of Wapello, Moore of Linn, Newell, O'Connor, Penn, Reaney, Ripley, Ritter, Schee, Schroeder, Schulte, Sheldon, Smith, Stillman, Stoddard, Swan Swift, Tegeler, Thompson, Welden, White, Wilson, Wolfe, Mr. Speaker—88.

The nays were:

Jewell, Reitz, Tilton—3.

Absent or not voting:

Allred, Beery, Brandes, Burt, Byerly, Dawson, Drury, Ellis, Fox, Goodykoontz, Holmes, Huffaker, Perkins, Sankey, Stoddard, Ward, Zeller—17.

So the bill passed and the title was agreed to.

The following motions to reconsider were filed:



MR. SPEAKER—I move to reconsider the vote by which Substitute for Senate File No. 91 failed to pass the house.

I second the motion.

T. A. O'CONNOR.

W. LARRABEE, JR.

MR. SPEAKER—I move to reconsider the vote by which Substitute for Senate File No. 91 passed to its third reading.

I second the motion.

T. A. O'CONNOR.

W. LARRABEE, JR.

The hour of three having arrived the House was declared adjourned.

# JOURNAL OF THE HOUSE

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HALL OF THE HOUSE OF REPRESENTATIVES,  
DES MOINES, IOWA, MARCH 17, A. D. 1909.

House met pursuant to adjournment.

Speaker Feely in the Chair.

Prayer was offered by Rabbi W. H. Fineshriber of Davenport, Iowa.

Journal of Tuesday, March 16th, corrected and approved.

On request of Finlayson of Grundy, leave of absence was granted Cunningham of Buena Vista until Thursday.

On request of Byerly of Jones, leave of absence was granted Hufaker of Mills indefinitely on account of illness.

On request of Koontz of Johnson, leave of absence was granted McDonald of Carroll until Thursday.

## PETITIONS, MEMORIALS AND REMONSTRANCES.

Balluff of Scott presented petition of citizens of Dixon, Iowa, requesting the enactment of a law providing for a State Inspector of Bees.

Referred to Committee on Agriculture.

Ellis of Jackson presented remonstrance of citizens of Mill Rock School District, protesting against the passage of the School Bill.

Referred to Committee on Schools and Text Books.

Tegeler of Dubuque presented remonstrance of merchants of Dubuque, protesting against the bill for a tax on the sale of fire-arms.

Referred to Committee on Judiciary.

Drury of Sac presented petition of citizens of Sac County, relative to the better enforcement of the Liquor Laws.

Referred to Committee on Suppression of Intemperance.

Calkins of Adams presented petition of citizens of Adams County, relative to substitute for House File No. 126, referring to the protection of stallion and jack owners.

Referred to Committee on Agriculture.

Grier of Poweshiek presented petition of citizens of Poweshiek County, relative to an increase appropriation for the Extension Department of Iowa State College at Ames, Iowa.

Referred to Committee on Appropriations.

Meredith of Cass presented remonstrance of citizens of Cass County, protesting against the passage of the Public Utilities Bill.

Referred to Committee on Railroads and Transportation.

#### REPORTS OF COMMITTEES.

Bonwell of Audubon, from the Committee on Roads and Highways, submitted the following report:

MR. SPEAKER—Your committee on Roads and Highways, to whom was referred House File No. 372, a bill for an act to amend Sections twenty-four hundred thirty-two (2432) and twenty-four hundred forty-five (2445) of the Code relating to the mulct tax, beg leave to report they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same be referred to the committee on Suppression of Intemperance.

J. C. BONWELL,  
*Chairman.*

Adopted, and House File No. 372 was so referred.

Also:

MR. SPEAKER—Your committee on Roads and Highways, to whom was referred House File No. 433, a bill for an act to amend Section two thousand twenty-eight as it appears in the Supplement to the Code, 1907, relative to lands which have no other means of access, beg leave to report they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same be amended by striking out of the last line of the bill the words "or meander," also the comma after the word "sub-division" and inserting the

word "or" between the words "sub-division" and "forty," and when so amended the bill do pass.

J. C. BONWELL,  
*Chairman.*

Adopted.

Also:

MR. SPEAKER—Your committee on Roads and Highways, to whom was referred House File No. 326, a bill for an act relating to the building of county bridges, beg leave to report they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same be indefinitely postponed.

J. C. BONWELL,  
*Chairman.*

Adopted, and House File No. 326 was indefinitely postponed.

Also:

MR. SPEAKER—Your committee on Roads and Highways, to whom was referred House File No. 390, a bill for an act to provide for work upon public roads, streets, avenues, boulevards, lanes and alleys not within the territory of incorporated cities or towns; for the incidental establishment of grades thereof; for the construction therein or thereon of sidewalks, sewers, manholes, bridges, cesspools, gutters, tunnels, curbing and crosswalks; for the issue of bonds representing the costs and expenses thereof; for a special fund derived in part from the county road fund and in part by special assessment upon a district, and for the establishment of such districts, beg leave to report they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same be indefinitely postponed.

J. C. BONWELL,  
*Chairman.*

Adopted, and House File No. 390 was indefinitely postponed.

Stillman of Greene, from the Committee on Schools and Text Books, submitted the following report:

MR. SPEAKER—Your committee on Schools and Text Books, to whom was referred House File No. 416, a bill for an act abolishing the office of school treasurer and providing for the handling of all school funds by the county treasurer, beg leave to report they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same do pass.

PAUL E. STILLMAN,  
*Chairman.*

Adopted.

Also:

MR. SPEAKER—Your committee on Schools and Text Books, to whom was referred House File No. 418, a bill for an act to amend Section twenty-six hundred and twenty-six of the Code, and Section twenty-seven hundred thirty-four of the Supplement to the Code of 1907, relating to the support of county teachers' institutes, beg leave to report they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same do pass.

PAUL E. STILLMAN,  
*Chairman.*

Adopted.

Also:

MR. SPEAKER—Your committee on Schools and Text Books, to whom was referred House File No. 426, a bill for an act to amend Section three thousand fifty-three of the Code, 1897, relating to legal holidays, beg leave to report they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same be indefinitely postponed.

PAUL E. STILLMAN,  
*Chairman.*

Adopted, and House File No. 426 was indefinitely postponed.

Welden of Hardin, from the Committee on Railroads and Transportation, submitted the following report:

MR. SPEAKER—Your committee on Railroads and Transportation, to whom was referred Senate File No. 153, a bill for an act granting to the Omaha, Council Bluffs and Suburban Railway Company a right of way over and across the land of the Iowa School for the Deaf, located near Council Bluffs, Iowa, beg leave to report they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same do pass.

WM. WELDEN,  
*Chairman.*

Adopted.

Also:

MR. SPEAKER—Your committee on Railroads and Transportation, to whom was referred House File No. 370, a bill for an act requiring the proper equipment of locomotives used exclusively in switching and yard service, providing for the safety of employes engaged in their operation, and providing a penalty for failure to properly equip such switch engines, beg leave to report they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same be amended as follows:

That Section one (1) be amended by inserting after the word "engines" in line 13 of the printed bill the words "or during a period not exceeding six hours when a switch engine is being cleaned or washed out," and after the word "accidents" in line 14 of the printed bill the words "or needed repairs," and when so amended the bill do pass.

WM. WELDEN,  
*Chairman.*

Adopted.

Sullivan of Polk, from the Committee on Judiciary, submitted the following report:

MR. SPEAKER—Your committee on Judiciary, to whom was referred House File No. 373, a bill for an act to amend Section three hundred thirty-seven (337) of the Supplement to the Code, 1907, relating to the selection of jury lists, beg leave to report they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same do pass.

JOHN B. SULLIVAN,  
*Chairman.*

Adopted.

Also:

MR. SPEAKER—Your committee on Judiciary, to whom was referred House File No. 414, a bill for an act relating to the investigation of complaints as to the management and treatment of inmates of county and private institutions in which insane persons are kept, and of children cared for by associations and societies contemplated by the law as it appears in Section three thousand two hundred sixty-j (3260-j) of the Supplement to the Code, 1907, beg leave to report they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same do pass.

JOHN B. SULLIVAN,  
*Chairman.*

Adopted.

Also:

MR. SPEAKER—Your committee on Judiciary, to whom was referred House File No. 445, a bill for an act to legalize certain actions of the city council of the city of Sioux City, Iowa, relating to the transfer of moneys from the library bond fund to the judgment fund, beg leave to report they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same do pass.

JOHN B. SULLIVAN,  
*Chairman.*

Adopted.

Also:

MR. SPEAKER—Your committee on Judiciary, to whom was referred Senate File No. 318, a bill for an act to legalize the ordinances of the town of Maynard, Fayette County, Iowa, and the acts and proceedings of the council of said town had thereunder, beg leave to report they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same do pass.

JOHN B. SULLIVAN,  
*Chairman.*

Adopted.

Also:

MR. SPEAKER—Your committee on Judiciary, to whom was referred House File No. 357, a bill for an act to amend the law as it appears in Section three thousand one hundred forty-one (3411) of the Code, 1897, relating to granting of marriage license by clerk of the district court, beg leave to report they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same do pass.

JOHN B. SULLIVAN,  
*Chairman.*

Adopted.

Also:

MR. SPEAKER—Your committee on Judiciary, to whom was referred House File No. 365, a bill for an act to legalize deed of Osceola County, Iowa, to Edgar Baker for government lots two, three and four, in section ten, in township one hundred, north of range thirty-nine west of the fifth principal meridian, beg leave to report they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same do pass.

JOHN B. SULLIVAN,  
*Chairman.*

Adopted.

Also:

MR. SPEAKER—Your committee on Judiciary, to whom was referred House File No. 428, a bill for an act to amend the law as it appears in Section four hundred twelve (412), Supplement to the Code, 1907, relative to the meeting of the board of supervisors, beg leave to report they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same do pass.

JOHN B. SULLIVAN,  
*Chairman.*

Adopted.

Also:

MR. SPEAKER—Your committee on Judiciary, to whom was referred House File No. 354, a bill for an act to amend the law as it appears in Section five thousand six hundred twenty-six (5626) of the Code relating to pardons and the remission of fines and forfeitures, beg leave to report they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same be indefinitely postponed.

JOHN B. SULLIVAN,  
*Chairman.*

Adopted, and House File No. 354 was indefinitely postponed.

Also:

MR. SPEAKER—Your committee on Judiciary, to whom was referred Senate File No. 248, a bill for an act to repeal paragraph five (5) of Section thirty-six hundred eighty-eight (3688) of the Code and to enact a substitute therefor, relating to challenges for cause, beg leave to report they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same be indefinitely postponed.

JOHN B. SULLIVAN,  
*Chairman.*

Adopted, and Senate File No. 248 was indefinitely postponed.

Also:

MR. SPEAKER—Your committee on Judiciary, to whom was referred House File No. 232, a bill for an act to repeal Section four thousand eleven (4011) of the Code and to enact a substitute therefor, relative to personal earnings, beg leave to report they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same be indefinitely postponed.

JOHN B. SULLIVAN,  
*Chairman.*

Adopted, and House File No. 232 was indefinitely postponed.

Also:

MR. SPEAKER—Your committee on Judiciary, to whom was referred House File No. 339, a bill for an act to amend the law as it appears in Section two thousand five hundred and seventy-eight-a (2578-a) of the Supplement of the Code relating to the revocation of physicians' certificate, beg leave to report they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same be indefinitely postponed.

JOHN B. SULLIVAN,  
*Chairman.*

Adopted, and House File No. 339 was indefinitely postponed.



Also:

MR. SPEAKER—Your committee on Judiciary, to whom was referred Senate File No. 229, a bill for an act to prohibit the living, boarding, stopping or rooming of unmarried females under the age of eighteen years in any house, building, or premises where prostitution, fornication, or concubinage is allowed or practiced and providing punishment for the violation thereof, beg leave to report they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same do pass.

JOHN B. SULLIVAN,  
*Chairman.*

Adopted.

Beebe of Franklin, from the Committee on Claims, submitted the following report:

MR. SPEAKER—Your committee on Claims, to whom was referred House File No. 340, a bill for an act making an appropriation for J. N. Gordon, George Darnell, W. R. Danforth, Wm. I. Gordon, Samuel A. Gordon, Wm. Thornburg, Jas. Bertholf and Wm. Hartsook as compensation for services rendered the State, beg leave to report they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same be indefinitely postponed.

N. W. BEEBE,  
*Chairman.*

Adopted, and House File No. 340 was indefinitely postponed.

Also:

MR. SPEAKER—Your committee on Claims, to whom was referred House File No. 334, a bill for an act making an appropriation for the Lindquist-Holt Hardware Company, on account of damage done property caused by reason of the negligently constructed and maintained wagon carrying mail from the Des Moines postoffice to the Capitol building, operated by an employe of the State of Iowa, beg leave to report they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same be indefinitely postponed.

N. W. BEEBE,  
*Chairman.*

Adopted, and House File No. 334 was indefinitely postponed.

Also:

MR. SPEAKER—Your committee on Claims, to whom was referred House File No. 389, a bill for an act for the relief of Edith May Eaton, minor child of J. N. Eaton, who was killed while working on the State Historical Building of the State of Iowa, beg leave to report they have had the same under consideration and have instructed me to report the same back to

the House with the recommendation that the same be indefinitely postponed.

N. W. BEEBE,  
*Chairman.*

Adopted, and House File No. 389 was indefinitely postponed.

Drury of Sac, from the Committee on Compensation of Public Officers, submitted the following report:

MR. SPEAKER—Your committee on Compensation of Public Officers, to whom was referred House File No. 404, a bill for an act to amend the law as it appears in Section fifty-two hundred fifty-six (5256) of the Supplement to the Code, 1907, relating to the compensation of the clerk to the grand jury, beg leave to report they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same be indefinitely postponed.

WILL DRURY,  
*Chairman.*

Adopted, and House File No. 404 was indefinitely postponed.

Also:

MR. SPEAKER—Your committee on Compensation of Public Officers, to whom was referred Senate File No. 235, a bill for an act to amend Section two thousand five hundred thirty-nine (2539), relating to the compensation and duties of the fish and game warden, beg leave to report they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same do pass.

WILL DRURY,  
*Chairman.*

Adopted.

#### REPORT OF COMMITTEE ON ENROLLED BILLS.

Klay of Sioux, 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. 96, a bill for an act to amend Section one thousand four hundred seven (1407) of the Supplement to the Code, 1907, relative to the collection of delinquent property personal tax.

Also:

House File No. 243, a bill for an act legalizing ordinances numbers thirty-eight and thirty-nine establishing the grades of streets and sidewalks in the incorporated town of Deep River, Poweshiek County, Iowa.

Also:

House File No. 251, a bill for an act to amend the law as it appears in Section four thousand nine hundred and thirty-six (4936) of the Supplement to the Code, 1907, relative to marriage of cousins.

Also:

House File No. 256, a bill for an act to amend Sections seven hundred twenty (720), seven hundred twenty-one (721), and seven hundred seventy-six (776) of the Supplement to the Code, 1907, relating to the purchase of water or gas-works, heat plants and electric plants, the granting of franchises and the submission of the question to the voters.

Also:

House File No. 399, a bill for an act providing for the trial of persons charged with the commission of the crime of murder who are confined in a prison or reformatory.

GERRIT KLAY,  
*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. 96, a bill for an act to amend Section one thousand four hundred seven (1407) of the Supplement to the Code, 1907, relative to the collection of delinquent property personal tax.

Also:

House File No. 243, a bill for an act legalizing ordinances numbers thirty-eight and thirty-nine establishing the grades of streets and sidewalks in the incorporated town of Deep River, Poweshiek County, Iowa.

Also:

House File No. 251, a bill for an act to amend the law as it appears in Section four thousand nine hundred and thirty-six (4936) of the Supplement to the Code, 1907, relative to marriage of cousins.

Also:

House File No. 256, a bill for an act to amend Sections seven hundred twenty (720), seven hundred twenty-one (721), and seven hundred seventy-six (776) of the Supplement to the Code, 1907, relating to the purchase of water or gas-works, heat plants and electric plants, the granting of franchises and the submission of the question to the voters.

GERRIT KLAY,  
*Chairman.*

Adopted.

## REPORT OF JOINT COMMITTEE ON ENROLLED BILLS.

Klay of Sioux, 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. 96, a bill for an act to amend Section one thousand four hundred seven (1407) of the Supplement to the Code, 1907, relative to the collection of delinquent property personal tax.

**Also:**

House File No. 243, a bill for an act legalizing ordinances numbers thirty-eight and thirty-nine establishing the grades of streets and sidewalks in the incorporated town of Deep River, Poweshiek County, Iowa.

**Also:**

House File No. 251, a bill for an act to amend the law as it appears in Section four thousand nine hundred and thirty-six (4936) of the Supplement to the Code, 1907, relative to marriage of cousins.

**Also:**

House File No. 256, a bill for an act to amend Sections seven hundred twenty (720), seven hundred twenty-one (721), and seven hundred seventy-six (776) of the Supplement to the Code, 1907, relating to the purchase of water or gas-works, heat plants and electric plants, the granting of franchises and the submission of the question to the voters.

**Also:**

Senate File No. 22, a bill for an act to amend the law as it appears in Section seven hundred and forty (740) of the Supplement to the Code, 1907, relating to aiding by taxation the maintenance of any institution of benevolence including hospitals acquired by any county, city, town by gift or devise.

**Also:**

Senate File No. 101, a bill for an act to amend Section four hundred twenty-three (423) and amendments thereto, two thousand two hundred thirty-one (2231), two thousand two hundred thirty-three (2233), two thousand two hundred forty-one (2241), two thousand two hundred forty-two (2242), two thousand two hundred forty-three (2243), two thousand two hundred forty-four (2244), two thousand two hundred forty-five (2245), two thousand two hundred forty-six (2246), two thousand two hundred forty-eight (2248), two thousand two hundred forty-nine (2249), two thousand two hundred seventy-one (2271), two thousand two hundred thirty-four (2234), two thousand two hundred thirty (2230) and two thousand three hundred eight (2308) and amendments thereto, of the Code relating to the care and support of the poor.

Also:

Senate File No. 182, a bill for an act for the relief of the grantees of Joel Bradshaw, and for the purpose of having a patent issued in the name of W. F. Werner for a certain tract of land.

Also:

House File No. 399, a bill for an act providing for the trial of persons charged with the commission of the crime of murder who are confined in a prison or reformatory.

GERRIT KLAY,  
*Chairman House Committee.*

HENRY L. ADAMS,  
*Chairman Senate Committee.*

Adopted.

Lee of Emmet, Chairman of the Davidson-Penn Contest Committee, submitted the following report:

REPORT OF COMMITTEE ON CONTEST.

W. T. Davidson, Contestant,

vs.

A. V. Penn, Incumbent.

MR. SPEAKER—Your special committee, consisting of Lee of Emmet, Harding of Woodbury, Perkins of Delaware, Kull of Howard and Dabney of Davis, to hear and report upon the contest brought by Hon. W. T. Davidson against the Hon. A. V. Penn, involving the question of who had been elected to the office of representative in the Thirty-third General Assembly of Iowa, from the Tenth Representative District of Iowa, beg leave to submit the following as its report thereon:

The papers filed in said contest, towit: the notice of contest, declaration of contest, and the answer to the declaration of contest, were placed in the possession of this committee by the Chief Clerk of the House.

The committee proceeded to inspect all the papers and filings in said contest to determine if the contest had been brought in accordance with the provisions of law relating to such cases, and to determine what issues were presented by the declaration of contest and the answer thereto. Your committee determined and report that the notice of said contest had been duly served upon the said incumbent in the manner and within the time provided by law; that the declaration of contest filed by said W. T. Davidson was filed in pursuance of said notice of contest, and came within the provisions of the law relating to the filing of such papers. Your committee further reports that the declaration of contest in effect alleged that the said contestant had received more votes than the incumbent in the last general election for the office of representative in the thirty-third General Assembly of Iowa, from the tenth representative district, but, that all of the votes duly and legally cast for said contestant were not counted for

him as cast by reason of errors, mistakes and erroneous interpretations of the law; and alleged further that more votes were counted as cast for the incumbent in said office than were in fact cast for him or should have been counted for him according to law, and that by reason thereof the said contestant ought to have been declared elected instead of the incumbent. The declaration of contest did not allege any fraud on the part of election officials in said district, nor on the part of any person, but so far as the declaration of contest itself shows, it raised purely questions of fact.

The incumbent in his answer denied the material allegations of the declaration of contest and denied that the contestant had received more votes than the incumbent at said election, and denied that more votes had been counted for the incumbent than were received by him and that he was duly and legally declared elected to said office as provided by law, and that he was rightfully elected to said office and entitled to all the rights, privileges and emoluments thereof.

Your committee reports further that it is the unanimous opinion of the committee that the contest was brought in the utmost good faith, that the contestant believed that he had good grounds for bringing the contest; that the incumbent was declared elected by a plurality of five votes.

Your committee reports further that both parties to the contest appeared in person before your committee and by their attorneys, the Hon. R. C. Campbell, as attorney for the contestant, and the Hon. Jerry B. Sullivan as attorney for incumbent.

The contestant stated to the committee that he expected to support his contentions and the allegation of his declaration by a re-count of the ballots cast at said election for the office of representative, as aforesaid, and asked the committee to cause the county auditor of Fremont County to be subpoenaed as a witness and to require the said county auditor to have and produce as evidence in the contest in behalf of contestant all of the ballots cast at said election in said district, and all books, tally sheets, etc. connected with said election.

The incumbent interposed no objection to the said request of the contestant. The incumbent also requested the committee to cause certain citizens of Fremont County to be subpoenaed as witnesses in his behalf in said contest.

Thereupon, the committee by unanimous action requested the Speaker and Chief Clerk of the House to issue subpoenas for the said county auditor, Mr. G. C. Coleman, of Sidney, Iowa, which subpoena is marked exhibit "A," is attached to this report, and made a part hereof; and the committee also requested the Speaker and the Chief Clerk of the House to issue subpoenas for the persons designated by the incumbent, viz: J. D. McKean, W. H. Norcutt, L. T. Webster, and W. L. Van Eaton, Jr., which subpoena is marked exhibit "B," is attached hereto and made a part of this report. Said subpoenas were by the committee placed in the hands of the Sheriff of Fremont County for service, and were by him duly served upon the persons named therein as by law provided.

That on the day fixed for the appearance of said witnesses, to-wit: the 11th day of February, 1909, at the hour of two o'clock P. M., the said witnesses duly made their appearance before the committee. The contestant appeared not in person, but the Hon. L. E. Francis appeared for him, but not as his paid attorney. The incumbent appeared in person and by his attorney, the Hon. J. B. Sullivan, and thereupon the contest proceeded to final hearing.

The attorney for contestant examined the county auditor for the purpose of laying the foundation for the introduction of the ballots and books referred to as evidence in behalf of contestant.

The incumbent produced and examined as witnesses the said J. D. McKean, W. H. Norcutt, L. T. Webster and W. L. Van Eaton, Jr., for the purpose of negating the admissibility of said ballots, papers, etc., as evidence.

At the conclusion of the examination of said witnesses by both sides to the contest, the contestant offered said ballots, books and tally sheets already referred to, as evidence in support of the declaration of contest filed by said contestant; and the incumbent made an oral motion before the committee that the committee exclude and not receive said ballots, books, papers, etc., as evidence in the contest, on the ground that the ballots had not been kept and preserved after the holding of the said election and until the county auditor was subpoenaed as by law required in such cases.

Thereupon, the committee made a close examination of the envelopes and other receptacles in which the ballots in question were contained, and examined the seals thereon, and duly considered all the evidence and testimony upon the question; and the committee being duly advised in the premises sustained the motion, as made by incumbent, to refuse to receive said ballots in evidence on the ground stated in said motion.

The committee deems it proper to report that there was no evidence or claim to the effect that anyone had in fact tampered with the ballots, or that there was any suspicion even that this had been done. The testimony of the county auditor of Fremont County showed that he had left his office open on various occasions, with the door to the vault and to the office open, with no deputy or person in charge of the office, and had gone out for a considerable time; that while thus absent from his office, the ballots in question were in the vault, where persons were in the habit of going to consult records, books, etc., and the ballots were kept in a place for a considerable time where persons had an opportunity of handling and tampering with the same, if they had so desired.

Your committee thinks that the conduct of the county auditor in relation to these ballots was extremely negligent and careless and it was by reason of his conduct in the premises that the committee felt impelled under the law and the facts to sustain the motion rejecting the ballots as evidence.

The committee having by majority vote sustained said motion, it brought the contest to a close, the decision of the committee upon the

motion being decisive of the questions raised in the contest. Thereupon, the committee voted to dismiss the contest and find against the contestant, and found and determined the incumbent, the Hon. A. V. Penn, duly elected to the office of representative in the Thirty-third General Assembly of Iowa, from the tenth representative district and that he was duly declared elected and entitled to his seat in said Assembly.

The said notice of contest, the declaration of contest and the answer to the declaration of contest, are herewith returned and filed with the Clerk of this House.

Your committee therefore recommends that the House of Representatives adopt this report, and that it declare the incumbent, the Hon. A. V. Penn, the duly elected representative in the Thirty-third General Assembly of Iowa from the tenth representative district.

All of which is most respectfully submitted.

N. J. LEE,  
HEEMAN KULL,  
W. S. HARDING,  
ELI C. PERKINS,  
I. T. DABNEY,

*Committee.*

Passed on file.

Lee of Emmet also filed the following supplemental report:

SUPPLEMENT REPORT OF COMMITTEE.

W. T. Davidson, Contestant,

vs.

A. V. Penn, Incumbent.

MR. SPEAKER—Your special committee appointed to hear and report upon the contest brought and filed by W. T. Davidson, contestant, against the Hon. A. V. Penn, incumbent, from the tenth representative district of Iowa, begs leave to submit the following as supplemental to the report it made and filed in said matter, in relation to expenses incurred in said contest, to wit:

T. C. Harris, sheriff of Fremont County, serving subpoenas .....	\$ 2.85
J. D. McKean, witness three days, 200 miles.....	23.75
W. H. Norcutt, witness three days, 200 miles.....	23.75
L. T. Webster, witness three days, 200 miles.....	23.75
W. L. Van Eaton, Jr., witness three days, 200 miles....	23.75
G. C. Coleman, witness three days, 200 miles.....	23.75
G. C. Coleman, express, drayage, telephone and telegraph .....	7.15
A. V. Penn, expense serving answer in contest and two trips from Sidney to Des Moines and from Des Moines to Sidney, and expense of defending contest..	28.50
<b>Total .....</b>	<b>\$157.25</b>



Your committee further reports that Mr. W. E. Mitchell, of Sidney, Iowa, rendered legal services for the incumbent in connection with the drafting of the answer in the contest and rendered other legal services in connection therewith. Your committee recommends that there be allowed the contestant, W. T. Davidson, for compensation for services and expenses of his attorneys and himself in relation to this contest, the sum of.....\$ 90.00

That there be allowed to the incumbent, A. V. Penn, as compensation for services and expenses of his attorneys in relation to this contest, the sum of..... 115.00

Total .....\$205.00

Your committee recommends that the foregoing fees, expenses, etc., be paid to the persons named and in the amounts shown.

Respectfully submitted,

N. J. LEE,  
 HERMAN KULL,  
 W. S. HARDING,  
 ELI C. PERKINS,  
 I. T. DABNEY,

*Committee.*

Passed on file.

INTRODUCTION OF BILLS.

By Elliott of Page, House File No. 452, a bill for an act to amend Section Four Hundred Thirty (430) of the Code relative to dependent soldiers' and sailors' tax.

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

By Lee of Emmet, House File No. 453, a bill for an act to appropriate money for the purpose of defraying expenses incurred in the election contest from the tenth representative district of Iowa, and to pay sundry persons for services, per diem, mileage, expenses rendered and incurred in conducting the said election contest.

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

By Hunter of Polk, House File No. 454, a bill for an act to repeal Section Twenty-eight Hundred Eighty-one-g (2881-g) of the Supplement to the Code, 1907 relating to the salaries of assistants to the Librarian, and enact a substitute therefor.

Read first and second time and referred to Committee on Public Libraries.

Hanson of Humboldt moved that Senate File No. 59 be taken from the Committee on Pharmacy and referred to the Committee on Suppression of Intemperance.

Motion lost.

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 refuses to concur in House amendments to Senate File No. 7, a bill for an act relating to duties and powers of the sheriff and his deputy and to provide for payments of certain expenses and to enact a substitute therefor.

S. W. NEAL,  
*Secretary.*

Also:

MR. SPEAKER—I am directed to inform your honorable body that the Senate has passed the following bill in which the concurrence of the Senate was asked:

House File No. 256, a bill for an act relating to the purchase of water or gas works, heat plants and electric plants, the granting of franchises and the submission of the question to the voters.

S. W. NEAL,  
*Secretary.*

Also:

MR. SPEAKER—I am directed to inform your honorable body that the Senate has passed the following bill in which the concurrence of the House is asked:

Senate File No. 97, a bill for an act relating to the compensation of clerks of the district court.

S. W. NEAL,  
*Secretary.*

Also:

MR. SPEAKER—I am directed to inform your honorable body that the Senate has amended and passed the following bill in which the concurrence of the Senate was asked:

House File No. 248, a bill for an act relating to hard labor by persons confined in jails.

S. W. NEAL,  
*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. 187, a bill for an act relative to the use of corporate seals.

S. W. NEAL,  
*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. 305, a bill for an act to grant and relinquish to the city of Dubuque the title of the State of Iowa in or to a portion of the abandoned river bed of the Mississippi River.

S. W. NEAL,  
*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:

Substitute for Senate File No. 298, a bill for an act limiting the number of persons to whom city or town councils may, by resolution, grant consent to sell intoxicating liquors.

S. W. NEAL,  
*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. 131, a bill for an act relating to the office and duties of the attorney general, and to enact substitutes therefor.

S. W. NEAL,  
*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. 217, a bill for an act to promote the building of permanent roads in the state and providing for the establishment of districts.

S. W. NEAL,  
*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. 310, a bill for an act legalizing the acts of the board of directors of the school township of Wilson in the County of Osceola, State of Iowa.

S. W. NEAL,  
*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:

Substitute for Senate File No. 76, a bill for an act to prohibit any person except a qualified elector from engaging in the sale of intoxicating liquors at retail.

S. W. NEAL,  
*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:

Substitute for Senate File No. 177, a bill for an act requiring the partial enclosure of platforms on street cars.

S. W. NEAL,  
*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. 281, a bill for an act increasing the amount that may be levied for the contingent fund in a school district.

S. W. NEAL,  
*Secretary.*

Also:

MR. SPEAKER—I am directed to inform your honorable body that the Senate has concurred in House amendments to Senate File No. 6, a bill for an act relating to the duties and limitations of the county attorney and to enact substitutes therefor.

S. W. NEAL,  
*Secretary.*

Also:

MR. SPEAKER—I am directed to inform your honorable body that the Senate has amended by substituting Senate File No. 301 for House File No. 44 and passed House File No. 44, a bill for an act relating to bonds by guarantee companies.

S. W. NEAL,  
*Secretary.*

Also:

MR. SPEAKER—I am directed to inform your honorable body that the Senate has amended and passed the following bill in which the concurrence of the Senate was asked.

House File No. 399, a bill for an act providing for the trial of persons charged with the commission of the crime of murder, who are confined in prison or reformatory.

S. W. NEAL,  
*Secretary.*

Also:

MR. SPEAKER—I am directed to inform your honorable body that the Senate has amended and passed the following bill in which the concurrence of the Senate was asked:

House File No. 227, a bill for an act relating to the submission of questions to voters.

S. W. NEAL,  
*Secretary.*

SENATE MESSAGES CONSIDERED.

Senate File No. 97, a bill for an act to amend Section Two Hundred ninety-seven (297) of the Code relating to the compensation of Clerks of the District Court.

Read first and second time and referred to Committee on Compensation of Public Officers.

Senate File No. 281, a bill for an act to amend the law as it appears in Section Two Thousand Eight Hundred Six (2806) of the Supplement to the Code, 1907. to increase the amount that may be levied for the contingent fund in a school district.

Read first and second time and referred to Committee on Ways and Means.

Senate File No. 187, a bill for an act to amend Section Three Thousand and Sixty-eight (3068) of the Code relative to the use of corporate seals.

Read first and second time and referred to Committee on Private Corporations.

Senate File No. 305, a bill for an act to grant and relinquish to the city of Dubuque, Iowa, the title of the State of Iowa in or to a portion of the abandoned river bed of the Mississippi River, being land of the character described in Section One (1) of Chapter Two Hundred and Twelve (212) of the Acts of the Thirty-first General Assembly, lying within the limits of said city and in Sections Twenty-five (25) and Thirty-six (36), Township Eighty-nine (89) North, Range Two (2) East of the Fifth Principal Meridian and authorizing and directing the Governor and Secretary of State to issue a patent therefor.

Read first and second time and referred to Committee on Municipal Corporations.

Senate File No. 310, a bill for an act to legalize the acts of the Board of Directors of the School Township of Wilson in the county of Osceola and State of Iowa in authorizing a school house to be built in sub-division number four (4) in said school township and in levying a tax therefor.

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

Substitute for Senate File No. 76, a bill for an act to prohibit any person, except a qualified elector, from engaging in the sale of intoxicating liquors at retail and to prohibit any person, firm, association or corporation engaged or interested in the manufacture, brewing, distilling or refining of intoxicating liquors, from owning or leasing any building, fixtures, furniture or apparatus to be used for the purpose of selling intoxicating liquors at retail.

Read first and second time and referred to Committee on Suppression of Intemperance.

Substitute for Senate File No. 177, a bill for an act requiring persons, partnerships or corporations owning or operating street car systems to provide transparent shields for the platforms of certain street cars and providing a penalty for the violation of the requirements hereof.

Read first and second time and referred to Committee on Municipal Corporations.

Substitute for Senate File No. 298, a bill for an act limiting the number of persons to whom city or town councils may, by resolution, grant consent to sell intoxicating liquors, and to prohibit any person who shall be convicted or enjoined for violating the laws of this State relating to the sale or disposition of intoxicating liquors, from engaging in the sale of intoxicating liquors within five years from the date thereof.

Read first and second time and referred to Committee on Suppression of Intemperance.

Senate File No. 131, a bill for an act to repeal Sections Two Hundred Eight (208), Two Hundred Nine (209), and Two Hundred Ten (210) of the Code, relating to the office and duties of the Attorney General, and to enact substitutes therefor.

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

Senate File No. 217, a bill for an act to promote the building of permanent roads in the State and providing for the establishing of districts, and providing for the construction of roads, and prescribing the method for so doing, and providing for assessment

and collection of a portion of the cost of the same, and issuing improvement certificates therefor and providing for a tax in aid thereof.

Read first and second time and referred to Committee on Roads and Highways.

**SPECIAL ORDER.**

Time having arrived for Special Order No. 8, substitute for House File No. 102, a bill for an act to repeal Section Fifteen Hundred Seventy-one (1571) of the Code, and to enact a substitute in lieu thereof, relating to traction engines on the public roads, with report of committee recommending passage as amended, was taken up, considered, and on motion of Arney of Marshall the amendment was adopted.

Lee of Emmet proposed the following amendment:

I move to amend House File No. 102 as amended by striking out all of Section 2 and substituting therefor as Sections 2 and 3 the following:

SEC. 2. Until the first day of November, 1910, no traction engine shall cross any bridge, crossing or culvert in the public highway or street unless sound, strong planks not less than one foot wide and two inches thick be placed and kept continuously under the wheels. No traction engine having mud lugs or ice spurs attached to its wheels shall be moved over any bridge, culvert, or street crossing.

SEC. 3. Any person violating any of the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction shall be fined not to exceed one hundred dollars or be imprisoned in the county jail not to exceed thirty days.

Amendment adopted.

Perkins of Delaware proposed the following amendment:

I move to amend Section 10 by adding the following thereto:

“And in no case shall the county be liable for damages occurring to any engine or separator.”

Amendment lost.

Lee of Emmet proposed the following amendment:

I move to amend the title to House File No. 102 as amended, by striking out the words “of the Code.”

Amendment adopted.

Also to amend Section One of House File No. 102 as amended by striking out the words "of the Code" in line one.

Amendment adopted.

Arney of Marshall moved that the rules be suspended, 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 ayes were:

Allred, Anderson, Arney, Balluff, Bascom, Bauman, Beans, Beebe, Beery, Blackmore, Boe, Boettger, Bonwell, Bowman, Burt, Calkins, Casady, Cooper, Corrie, Cousins, Crummer, Dabney, Dalby, Darrah, Dewell, Dewey, DeWitt, Dodds, Drury, Dye, Elliott, Finlayson, Fourt, Fox, Fulton, Goodykoontz, Grier, Hackler, Hanson, Harding, Harvey, Hickenlooper, Holmes, Hunter, Ide, Inman, Jacobs, Jewell, Johnson, Jones, Kellogg, Koontz, Kull, Larrabee, Lee, Marston, Miller of Dubuque, Moore of Linn, Newell, O'Connor, Penn, Reaney, Reitz, Ripley, Ritter, Sheldon, Stillman, Stoddard, Swan, Tegeler, Thompson, Ward, Welden, White, Wilson, Wolfe, Mr. Speaker—77.

The nays were:

Boomgaarden, Dawson, Derrough, Ellis, Etter, Fulliam, Kendall, Klay, Meredith, Perkins, Sankey, Schee, Schroeder, Schulte, Smith, Sullivan, Swift, Tilton Zeller—19.

Absent or not voting:

Brandes, Byerly, Crozier, Cunningham, Davidson, Felt, Fenn, Huffaker, McCleery, McDonald, Miller of Bremer, Moore of Wapello—12.

So the bill passed and the title was agreed to.

#### CONSIDERATION OF BILLS.

On motion of Ward of Woodbury, House File No. 26, a bill for an act to provide for the taxation of mortgages of real property, with report of committee recommending passage as amended, was taken up and considered.

Schee of O'Brien proposed the following amendment, and moved its adoption.



I move to amend the first amendment of the Ways and Means Committee, to Section Two of House File No. 26, by striking out of said amendment the word and figures "ten (10)" and inserting in lieu thereof the word and figures "twenty (20)."

Roll call demanded by Schee of O'Brien and Balluff of Scott.

On the question, Shall the amendment be adopted?"

The ayes were:

Allred, Balluff, Bauman, Beery, Blackmore, Boettger, Burt, Byerly, Cousins, Crozier, Crummer, Dabney, Dewell, Dewey, Finlayson, Fulliam, Fulton, Hanson, Hickenlooper, Kellogg, McCleery, Marston, Newell, O'Connor, Penn, Ritter, Sankey, Schee, Schulte, Stillman, Sullivan, Swift, Zeller—34.

The nays were:

Anderson, Arney, Bascom, Beans, Beebe, Boe, Bonwell, Boomgaarden, Bowman, Cassady, Cooper, Corrie, Dalby, Darrah, Derrough, DeWitt, Dodds, Drury, Elliott, Ellis, Etter, Fenn, Fourt, Fox, Goodykoontz, Grier, Hackler, Harding, Harvey, Holmes, Hunter, Ide, Inman, Jacobs, Jewell, Johnson, Jones, Kendall, Klay, Koontz, Kull, Larrabee, Lee, Meredith, Miller of Bremer, Miller of Dubuque, Moore of Linn, Perkins, Reaney, Reitz, Ripley, Sheldon, Swan, Tegeler, Thompson, Tilton, Ward, Welden, White, Wilson, Wolfe, Mr. Speaker—62.

Absent or not voting:

Brandes, Calkins, Cunningham, Davidson, Dye, Felt, Huffaker, McDonald, Moore of Wapello, Schroeder, Smith, Stoddard—12.

So the amendment to the amendment was lost.

#### SENATE AMENDMENTS CONSIDERED.

On request of Bowman of Linn unanimous consent having been given, House File No. 248, a bill for an act to amend Section Five Thousand Six Hundred Fifty-two (5652) of the Code of Iowa, relating to hard labor by persons confined in jails, with the following Senate amendment was taken up and the amendment read and considered.

Amend Section One by striking out the words "of Iowa" appearing in the second line thereof.

Bowman of Linn moved that the House concur in the Senate amendment.

On the question "Shall the House concur?"

The ayes were:

Allred, Arney, Balluff, Bascom, Beebe, Blackmore, Boe, Boettger, Bonwell, Boomgaarden, Burt, Byerly, Calkins, Cooper, Corrie, Cousins, Crummer, Cunningham, Dabney, Dalby, Darrah, Dawson, Derrough, Dewey, DeWitt, Dodds, Drury, Dye, Elliott, Ellis, Etter, Felt, Fenn, Finlayson, Fourt, Fox, Fulliam, Fulton, Goodykoontz, Grier, Hackler, Hanson, Harding, Harvey, Hickenlooper, Ide, Jacobs, Jewell, Johnson, Jones, Kellogg, Kendall, Klay, Koontz, Kull, Larrabee, Lee, Meredith, Miller of Dubuque, Moore of Wapello, Newell, O'Connor, Perkins, Reaney, Reitz, Ritter, Sankey, Schee, Schroeder, Schulte, Smith, Stillman, Stoddard, Swan, Swift, Tegeler, Thompson, Tilton, Welden, White, Wilson, Wolfe, Zeller, Mr. Speaker—84.

The nays were:

None.

Absent or not voting:

Anderson, Bauman, Beans, Beery, Bowman, Brandes, Cassady, Crozier, Davidson, Dewell, Holmes, Huffaker, Hunter, Inman, McCleery, McDonald, Marston, Miller of Bremer, Moore of Linn, Penn, Ripley, Sheldon, Sullivan, Ward—24.

So the House concurs.

On request of Grier of Poweshiek, unanimous consent having been given, House File No. 399, a bill for an act providing for the trial of persons charged with the commission of the crime of murder who are confined in a prison or reformatory, with the following Senate amendments, was taken up and the amendments read and considered.

Amend Section 3 by striking out of the 4th line thereof the words, "as in other cases," and by inserting in lieu thereof the words, "upon such conviction as provided by law."

Also to amend Section 3 by striking out the words, "in any degree" in the last line and inserting the words, "or manslaughter" in lieu thereof.

Grier of Poweshiek moved that the House concur in the Senate amendments.

On the question, "Shall the House concur?"

The ayes were:

Allred, Anderson, Balluff, Bascom, Bauman, Beans, Beebe, Beery, Boe, Boettger, Bonwell, Boomgaarden, Bowman, Burt, Byerly, Calkins, Cassady, Cooper, Corrie, Cousins, Crozier, Crummer, Dabney, Dalby, Darrah, Davidson, Dawson, Derrough, Dewell, Dewey, DeWitt, Dodds, Drury, Dye, Elliott, Ellis, Etter, Felt, Fenn, Finlayson, Fourt, Fox, Fulliam, Fulton, Goodykoontz, Grier, Hackler, Hanson, Harding, Harvey, Hickenlooper, Holmes, Ide, Inman, Jacobs, Jewell, Jones, Kellogg, Kendall, Klay, Koontz, Kull, Larrabee, Lee, McCleery, Marston, Meredith, Miller of Dubuque, Moore of Linn, Newell, O'Connor, Penn, Perkins, Reaney, Reitz, Ripley, Ritter, Schee, Schroeder, Schulte, Sheldon, Smith, Stillman, Stoddard, Sullivan, Swan, Swift, Tegeler, Thompson, Tilton, Ward, Welden, Wilson, Wolfe, Zeller, Mr. Speaker—96.

The nays were:

None.

Absent or not voting:

Anderson, Blackmore, Brandes, Cunningham, Huffaker, Hunter, Johnson, McDonald, Miller of Bremer, Moore of Wapello, Sankey, White—12.

So the House concurs.

On request of Moore of Linn, unanimous consent having been given, House File No. 44, a bill for an act to provide that any fiduciary required by law to give a bond may include the expense thereof as part of the lawful expense of executing his trust, etc., with the following substitute amendment, was taken up and the substitute amendment read and considered.

SENATE SUBSTITUTE FOR HOUSE FILE NO 44.

A Bill for an Act to Amend Section Three Hundred and Sixty (360) of the Code, Relating to Bonds by Guarantee Companies.

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

SECTION 1. Section three hundred and sixty (360) of the Code is hereby amended by striking from line ten thereof the period following the word "Code" and adding thereto the following:

And the premium for any such guaranty or surety company bond as defined in this section, may, by the approval of the court be paid out of the trust funds in the hands of the party of whom the bond is required.

Moore of Linn moved that the House concur in the Senate amendments.

On the question, "Shall the House concur?"

The ayes were:

Allred, Anderson, Arney, Balluff, Bauman, Beans, Beebe, Beery, Blackmore, Boe, Boettger, Bonwell, Boomgaarden, Bowman, Burt, Byerly, Calkins, Cassady, Cooper, Corrie, Cousins, Crozier, Crummer, Dalby, Darrah, Dawson, Derrough, Dewell, Dodds, Drury, Dye, Elliott, Ellis, Etter, Felt, Fenn, Finlayson, Fourt, Fox, Fulliam, Fulton, Goodykoontz, Grier, Hackler, Hanson, Harding, Harvey, Hickenlooper, Holmes, Ide, Inman, Jacobs, Jewell, Johnson, Jones, Kellogg, Kendall, Klay, Koontz, Larrabee, McCleery, Marston, Meredith, Miller of Dubuque, Moore of Linn, Newell, O'Connor, Penn, Perkins, Reaney, Reitz, Ripley, Ritter, Sankey, Schee, Schroeder, Schulte, Sheldon, Smith, Stillman, Stoddard, Sullivan, Swan, Tegeler, Tilton, Ward, Welden, Wilson, Wolfe, Zeller, Mr. Speaker—92.

The nays were:

None.

Absent or not voting:

Bascom, Brandes, Cunningham, Dabney, DeWitt, Huffaker, Hunter, Kull, Lee, McDonald, Miller of Bremer, Moore of Wapello, Swift, Thompson, White—16.

So the House concurs.

On request of Kellogg of Harrison, unanimous consent having been given, House File No. 227, a bill for an act to amend Section Seven Hundred Forty-one-g (741-g), Seven Hundred Forty-one-m (741-m), Seven Hundred Forty-one-q (741-q), and Seven Hundred Forty-six (746) of the Supplement to the Code, 1907, relating to the submission of questions to voters, with the following Senate amendments, was taken up and the amendments read and considered.

Amend by striking out the word "Daily" as it appears before the word "Capital" in Section 5 of the bill.

Kellogg of Harrison moved that the House concur in the Senate amendments.

On the question, "Shall the House concur?"

The ayes were:

Allred, Anderson, Balluff, Bascom, Bauman, Beebe, Beery, Blackmore, Boe, Boettger, Bonwell, Boomgaarden, Bowman, Byerly, Calkins, Cassady, Cooper, Corrie, Cousins, Crummer, Dabney, Dalby, Darrah, Davidson, Dawson, Derrough, Dewell, Dewey, DeWitt, Dodds, Drury, Dye, Elliott, Ellis, Felt, Fenn, Finlayson, Fourt, Fox, Fulliam, Fulton, Goodykoontz, Grier, Hackler, Hanson, Harding, Harvey, Hickenlooper, Holmes, Ide, Jewell, Johnson, Jones, Kellogg, Kendall, Klay, Koontz, Kull, Larrabee, McCleery, Marston, Meredith, Miller of Dubuque, Moore of Linn, O'Connor, Penn, Reaney, Ripley, Ritter, Schroeder, Smith, Stillman, Stoddard, Sullivan, Swan, Tegeler, Thompson, Tilton, Ward, Welden, White, Wolfe, Mr. Speaker—84.

The nays were:

None.

Absent or not voting:

Arney, Beans, Brandes, Burt, Crozier, Cunningham, Etter, Huffaker, Hunter, Inman, Jacobs, Lee, McDonald, Miller of Bremer, Moore of Wapello, Newell, Perkins, Reitz, Sankey, Schee, Sheldon, Swift, Wilson, Zeller—24.

So the House concurs.

The Speaker announced that as Speaker of the House, in the presence of the House, he had signed Senate File Nos. 101, 22 and 182, and House File Nos. 251, 96, 243, 256 and 399.

Lee of Emmet moved that the House insist on its amendments to substitute for Senate File No. 7.

Motion prevailed.

Lee of Emmet moved that a Conference Committee of three from the House and three from the Senate be appointed.

Motion prevailed.

The Speaker appointed as such committee: Lee of Emmet, Davidson of Palo Alto and Schroeder of Crawford.

On motion of White of Story the House adjourned until 1:30 o'clock P. M.

AFTERNOON SESSION.

The House met pursuant to adjournment.

Speaker Feely in the Chair.

PETITIONS, MEMORIALS AND REMONSTRANCES.

Inman of Floyd presented petition of citizens of Floyd County, relative to an increase appropriation for the Extension Department of Iowa State College at Ames, Iowa.

Referred to Committee on Appropriations.

On request of Dewey of Guthrie, leave of absence was granted Darrah of Lucas until Thursday.

REPORTS OF COMMITTEES.

Jewell of Winneshiek, from the Committee on Public Health, submitted the following report:

MR. SPEAKER—Your Committee on Public Health to whom was referred House File No. 213, a bill for an act regulating certain classes of advertisements, prohibiting other classes, and providing a penalty for violation thereof, beg leave to report they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same be amended by inserting after the word "women" in the eighth line of the printed bill, the following, "Caused by self-abuse, excessive indulgence or illicit intercourse." And by striking out all after the comma following the word "produced" in the ninth line of section one (1) and all of line ten (10) of said section.

That section two (2) be amended by striking out the words "this act" in the third line and inserting in lieu thereof the words, "section one (1)."

Also by striking out the words "this act" in line five (5) of said section two (2) and inserting in lieu thereof, "section one."

Also, by striking out the words "this act" in the second line of section three (3) and inserting in lieu thereof the words "section one." And by striking out the word "herein" in the fourth line of section three (3) and inserting in lieu thereof the words "in section one (1)."

Also, that all of section four (4) be stricken out, and when so amended the bill do pass.

P. M. JEWELL,  
*Chairman.*

Adopted.

Also:

MR. SPEAKER—Your Committee on Public Health to whom was referred House File No. 377, a bill for an act to amend the law as it appears in section two thousand five hundred five (2505) of the Supplement to the Code, 1907, relating to the inspection of petroleum products, beg leave to report they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that th same do pass.

P. M. JEWELL,  
*Chairman.*

Adopted.

Also:

MR. SPEAKER—Your Committee on Public Health to whom was referred House File No. 419, a bill for an act to amend section twenty-five hundred sixty-four (2564) Supplement to the Code, 1907, relative to the qualifications for Secretary of State Board of Health, beg leave to report they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same do pass.

P. M. JEWELL,  
*Chairman.*

Adopted.

Sullivan of Polk, from the Committee on Judiciary, submitted the following report:

MR. SPEAKER—Your Committee on Judiciary to whom was referred Substitute for Senate File No. 290, a bill for an act to repeal section twenty-eight hundred twenty-a (2820-a), twenty-eight hundred twenty-b (2820-b), twenty-eight hundred twenty-c (2820-c), and twenty-eight hundred twenty-d (2820-d) of the Supplement to the Code, 1907, and to enact a substitute therefor relative to the limit of indebtedness of independent school districts, beg leave to report they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same be amended as follows:

First: By striking out in the fourth line of section two thereof, the following words, to-wit: "forty per cent of the qualified electors" and inserting in lieu thereof the following: "a number of qualified electors equal to forty (40) per cent of the number."

Second: By striking out the words "sixty (60) per cent or more" as they appear in line one of section four, and inserting in lieu thereof the following: "a majority," and when so amended the bill do pass.

JOHN B. SULLIVAN,  
*Chairman.*

Adopted.

Also:

MR. SPEAKER—Your Committee on Judiciary to whom was referred House File No. 407, a bill for an act to amend section two thousand five

hundred and forty (2540) of the Supplement to the Code, 1907, relating to the catching and to the transportation of fish, beg leave to report they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same be amended as follows:

First: By striking out section one thereof and inserting the following in lieu thereof: "Section one: That section two thousand five hundred forty (2540) of the Supplement to the Code, 1907, be and the same is hereby amended by striking out in the sixth line the words and figures "of said fish from the waters of the state in any one day more than forty (40) of any or all kinds of said kinds of fish" and insert in lieu thereof the following: "from the waters of the state in any one day of bass, pike and pickerel, a total of more than fifteen (15), or of all of the kinds of fish named in said section a total of more than forty (40)."

Second: By adding thereto as section three, the following: "This act being deemed of immediate importance shall be in force and effect from and after its publication in the Register and Leader and the Des Moines Capital, newspapers published in Des Moines, Iowa, and when so amended the bill do pass.

JOHN B. SULLIVAN,  
*Chairman.*

Adopted.

Grier of Poweshiek, from the Committee on Banks and Banking, submitted the following report:

MR. SPEAKER—Your Committee on Banks and Banking to whom was referred House File No. 276, a bill for an act to amend the law as it appears in Section 3106 of the Code relating to limited partnerships, beg leave to report they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same do pass.

GEO. E. GRIER,  
*Chairman.*

Adopted.

Also:

MR. SPEAKER—Your Committee on Banks and Banking to whom was referred Senate File No. 208, a bill for an act to amend section eighteen hundred and fifty-seven (1857) of the Code relating to the dissolution of savings banks, beg leave to report they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same do pass.

GEO. E. GRIER,  
*Chairman.*

Adopted.

Also:

MR. SPEAKER—Your Committee on Banks and Banking to whom was referred Senate File No. 213, a bill for an act fixing the liability of a bank



to its depositor for payment of forged or raised checks, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same do pass.

GEO. E. GRIER,  
*Chairman.*

Adopted.

#### REPORT OF COMMITTEE ON ENROLLED BILLS.

Klay of Sioux, from the Committee on Enrolled Bills, submitted the following report:

MR. SPEAKER—Your Committee on enrolled bills respectfully report that they have this day sent to the Governor for his approval, House File No. 399, a bill for an act providing for the trial of persons charged with the commission of the crime of murder who are confined in a prison or reformatory.

GERRIT KLAY,  
*Chairman.*

Lee of Emmet submitted the following report:

*To the President of the Senate and to the Speaker of the House of Representatives of the Thirty-third General Assembly:*

Your committee appointed under Senate Concurrent Resolution to visit the State Educational Institutions of Iowa, beg leave to submit the following as supplemental to its report filed on the 13th day of March, 1909:

Your committee in making its recommendation for library support for the State University made an error in that the committee acted in the belief that the State University had a permanent income of \$5,000 a year for library support. It appears that the appropriation granted for library support for the State University was for the present biennium. It will be observed from the former report of the committee that it was the intention of the committee to allow the University \$15,000 a year for the next two years and the committee so recommends.

The committee made a further error in the drafting of the former report in the amount recommended for additional support fund. The committee recommended an annual increase of \$22,000 a year and the further sum of \$15,000 a year for the next two years. The latter amount should be \$25,000 a year for the next two years, and the recommendation of the committee as to this asking is modified accordingly.

Your committee in making the recommendation in its report for an appropriation in the sum of \$15,000 for equipment of departments at the College of Agriculture and Mechanic Arts intended to add to said sum the further sum of five thousand dollars for furnishings and fixtures for the general engineering laboratory, but which was not done through oversight.

The committee therefore recommends that the sum of \$5,000 be appropriated for furnishings and fixtures for the general engineering laboratory.

Respectfully submitted,

W. C. STUCKSLAGER,

F. L. MAYTAG,

WABD WILSON,

N. J. LEE,

CURRAN F. SWIFT,

*Committee.*

Pased on file.

#### INTRODUCTION OF BILLS.

By Holmes of Kossuth, House File No. 455, a bill for an act to amend Section Two Thousand Eight Hundred Twenty-three-e (2823-e) of the Supplement to the Code, 1907, relating to the probation officers.

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

By Bauman of Van Buren, House File No. 456, a bill for an act to promote the public safety by requiring persons or corporations operating railways within the State of Iowa, to equip locomotives or other motive power with headlights of certain power, and providing a penalty for the violation thereof.

Read first and second time and referred to Committee on Railroads and Transportation.

By Bauman of Van Buren, House File No. 457, a bill for an act to amend Section Twenty-seven Hundred and Fifty-seven (2757) of the Supplement to the Code, 1907, relating to meetings of school directors and election of school officers, and to enact a substitute therefor.

Read first and second time and referred to Committee on Schools and Text Books.

By Hunter of Polk, House File No. 458, a bill for an act amending the law as it appears in Section Twenty-four Hundred Seventy-eight (2478) of the Code, relating to mining inspectors.

Read first and second time and referred to Committee on Mines and Mining.

By Ritter of Des Moines, House File No. 459, a bill for an act to amend the law as it appears in Section Twenty-seven Hundred

and Thirty-four-h (2734-h) of the Supplement to the Code, 1907, relative to the renewal of second grade certificates.

Read first and second time and referred to Committee on Schools and Text Books.

By Arney of Marshall, House File No. 460, a bill for an act in regard to admission to the Soldiers' Home and payment for support by members.

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

By Dawson of Cherokee, House File No. 461, a bill for an act to amend Section Twenty-five Hundred Eighty-nine-b (2589-b) of the Supplement to the Code, 1907, relating to the practice of Pharmacy.

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

By Dabney of Davis, House File No. 462, a bill for an act to repeal Section Thirteen Hundred Eleven (1311) of the Code, relating to the deducting of debts from the assessment of moneys and credits.

Read first and second time and referred to Committee on Ways and Means.

Consideration of House File No. 26 was resumed.

Ward of Woodbury moved the adoption of the committee amendments:

Dawson of Cherokee proposed the following amendment:

I move to amend the amendment by striking out of the third and fourth lines of Section 1 the words: "notwithstanding such debt may also be secured in part by a lien upon personality."

Roll call was demanded by Dawson of Cherokee and Schee of O'Brien.

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

The ayes were:

Balluff, Blackmore, Boettger, Boomgaarden, Burt, Byerly, Crozier, Dawson, Dewey, Dye, Etter, Finlayson, Fulliam, Kellogg, Mc-

Cleery, O'Connor, Penn, Reitz, Sankey, Schee, Schroeder, Schulte, Swift, Tilton, Zeller—25.

The nays were :

Allred, Arney, Bascom, Beebe, Beery, Boe, Bonwell, Bowman, Cooper, Corrie, Cousins, Dalby, Darrah, Davidson, Derrough, Dewell, DeWitt, Dodds, Drury, Elliott, Ellis, Fourt, Fox, Fulton, Goodykoontz, Hackler, Harding, Hickenlooper, Holmes, Hunter, Ide, Inman, Jewell, Johnson, Jones, Kendall, Klay, Larrabee, Lee, Meredith, Miller of Bremer, Miller of Dubuque, Moore of Linn, Newell, Reaney, Ripley, Ritter, Stillman, Swan, Tegeler, Thompson, Ward, Welden, White, Wilson, Mr. Speaker—56.

Absent or not voting :

Anderson, Bauman, Beans, Brandes, Calkins, Cassady, Crummer, Cunningham, Dabney, Felt, Fenn, Grier, Hanson, Harvey, Huf-faker, Jacobs, Koontz, Kull, McDonald, Marston, Moore of Wap-ello, Perkins, Sheldon, Smith, Stoddard, Sullivan, Wolfe—27.

So the amendment to the amendment was lost.

Committee amendments adopted.

Balluff of Scott proposed the following amendment :

I move to strike out that part of Section 3 down to and including the word "taxes" in the second line of said section.

Roll call demanded by Balluff of Scott and Dabney of Davis.

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

The ayes were :

Balluff, Bauman, Boettger, Calkins, Crummer, Dawson, Dewey, Dodds, Etter, Fulliam, Harvey, Jacobs, Kellogg, Kull, Miller of Bremer, Miller of Dubuque, O'Connor, Penn, Perkins, Reitz, Rit-ter, Sankey, Schroeder, Schulte, Sheldon, Sullivan, Swift, Wolfe, Zeller—29.

The nays were :

Allred, Anderson, Arney, Bascom, Beans, Beebe, Beery, Boe, Bonwell, Boomgaarden, Bowman, Cassady, Cooper, Corrie, Cous- ins, Crozier, Dalby, Darrah, Davidson, Derrough, Dewell, DeWitt, Drury, Elliott, Ellis, Felt, Fenn, Finlayson, Fourt, Fox, Fulton,

Goodykoontz, Grier, Hackler, Harding, Hickenlooper, Hunter, Inman, Jewell, Johnson, Jones, Kendall, Klay, Larrabee, Marston, Meredith, Moore of Linn, Newell, Reaney, Ripley, Stillman, Stoddard, Swan, Tegeler, Thompson, Tilton, Ward, Welden, White, Wilson, Mr. Speaker—61.

Absent or not voting:

Blackmore, Brandes, Burt, Byerly, Cunningham, Dabney, Dye, Hanson, Holmes, Huffaker, Ide, Koontz, Lee, McCleery, McDonald, Moore of Wapello, Schee, Smith—18.

So the amendment was lost.

Speaker pro tempore Lee in the Chair.

Schee of O'Brien proposed the following amendment:

I move to amend House File No. 26 by adding to the end of Section 2 the following: "But nothing herein shall prevent the taxing of all debts secured by mortgages as specified herein and owned by citizens of this state, from being subject to the ordinary taxes for school purposes."

Schee of O'Brien moved the adoption of the amendment.

Roll call demanded by Schee of O'Brien and Sankey of Decatur.

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

The ayes were:

Balluff, Bauman, Boomgaarden, Calkins, Crummer, Dabney, Dawson, Dewey, Dye, Etter, Fulliam, Hanson, Ide, Lee, Newell, O'Connor, Penn, Reitz, Sankey, Schee, Schroeder, Schulte, Stillman, Stoddard, Sullivan, Swift, Tegeler—27.

The nays were:

Allred, Anderson, Arney, Bascom, Beans, Beebe, Beery, Boe, Boettger, Bonwell, Bowman, Cassady, Cooper, Corrie, Cousins, Crozier, Dalby, Darrah, Davidson, Derrough, DeWitt, Drury, Elliott, Ellis, Finlayson, Fourt, Fox, Fulton, Goodykoontz, Hackler, Harding, Hickenlooper, Hunter, Inman, Jacobs, Jewell, Johnson, Jones, Kendall, Klay, Koontz, Kull, Larrabee, McCleery, Marston, Meredith, Miller of Dubuque, Moore of Wapello, Moore of Linn, Reaney, Ripley, Ritter, Swan, Ward, Welden, White, Wilson, Zeller, Mr. Speaker—59.

Absent or not voting:

Blackmore, Brandes, Burt, Byerly, Cunningham, Dewell, Dodds, Felt, Fenn, Grier, Harvey, Holmes, Huffaker, Kellogg, McDonald, Miller of Bremer, Perkins, Sheldon, Smith, Thompson, Tilton, Wolfe—22.

So the amendment was lost.

On motion of Harding of Woodbury, the House adjourned.

# JOURNAL OF THE HOUSE

HALL OF THE HOUSE OF REPRESENTATIVES,  
DES MOINES, IOWA, MARCH 18, A. D. 1909.

House met pursuant to adjournment.

Speaker Feely in the Chair.

Prayer was offered by the Rev. A. E. Slothower of Corydon, Iowa.

Journal of Wednesday, March 17th, corrected and approved.

On request, leave of absence was granted Jewell of Winneshiek, indefinitely on account of illness.

## PETITIONS, MEMORIALS AND REMONSTRANCES.

DeWitt of Montgomery presented remonstrance of citizens of Red Oak, protesting against the removal of Dr. L. A. Thomas as secretary of the Board of Health.

Referred to Committee on Public Health.

Miller of Dubuque presented remonstrance of merchants of Dubuque, protesting against the passage of House File No. 384, referring to tax on sale of fire-arms.

Referred to Committee on Police Regulations.

Beery of Henry presented remonstrance of citizens of Henry County, protesting against the passage of Senate File No. 103, referring to tax of medicine dealers.

Referred to Committee on Pharmacy.

Moore of Linn presented remonstrance of citizens of Linn County, protesting against the passage of the School Bill.

Referred to Committee on Schools and Text Books.

Inman of Floyd presented petition of citizens of Floyd County relative to the prohibitory amendment.

Referred to Committee on Suppression of Intemperance.

Bowman of Linn presented petition of citizens of Linn County, relative to the enactment of a law providing for the State inspection of bees.

Referred to Committee on Agriculture.

Bowman of Linn presented petition of citizens of Linn County, relative to pensioning disabled and retired firemen.

Referred to Committee on Insurance.

Ellis of Jackson presented petition of citizens of Jackson County, relative to the enactment of a law providing for the State inspection of bees.

Referred to Committee on Agriculture.

#### REPORTS OF COMMITTEES.

Moore of Linn, from the Committee on Appropriations, submitted the following report:

MR. SPEAKER—Your committee on Appropriations, to whom was referred House File No. 422, a bill for an act to provide for the meetings of the Iowa Poultry Association, the elections of its officers, the manner of its government and to make an annual appropriation therefor, beg leave to report they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same be indefinitely postponed.

ERNEST R. MOORE,  
*Chairman.*

Adopted, and House File No. 422 was indefinitely postponed.

Also:

MR. SPEAKER—Your committee on Appropriations, to whom was referred House File No. 395, a bill for an act to appropriate money for the use of the Iowa Highway Commission, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same be amended as follows: By striking out in line 3 of Section 1 the words and figures "Twenty Thousand (\$20,000) Dollars" and inserting in lieu thereof the words and figures "Ten Thousand (\$10,000) Dollars," and when so amended the bill do pass.

ERNEST R. MOORE,  
*Chairman.*

Adopted



Also :

MR. SPEAKER—Your committee on Appropriations, to whom was referred House File No. 50, a bill for an act providing for the purchase and erection of a monument in memory of the Indian Chief Black Hawk and at the point of the first military post in the State of Iowa, and making an appropriation therefor, beg leave to report they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same be indefinitely postponed.

ERNEST R. MOORE,  
*Chairman.*

Adopted, and House File No. 50 was indefinitely postponed.

Also :

MR. SPEAKER—Your committee on Appropriations, to whom was referred House File No. 397, a bill for an act to amend the law as it appears in Section five (5), Chapter one hundred and fifty-seven (157) of the thirty-second General Assembly, relating to the preservation of the public archives, beg leave to report they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same be indefinitely postponed.

ERNEST R. MOORE,  
*Chairman.*

Adopted, and House File No. 397 was indefinitely postponed.

Also :

MR. SPEAKER—Your committee on Appropriations, to whom was referred House File No. 39, a bill for an act authorizing the regents of the state university to adopt university extension and correspondence teaching and making appropriation therefor, beg leave to report they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same be indefinitely postponed.

ERNEST R. MOORE,  
*Chairman.*

Adopted, and House File No. 39 was indefinitely postponed.

Also :

MR. SPEAKER—Your committee on Appropriations, to whom was referred House File No. 207, a bill for an act to encourage the dairy industry of the State of Iowa, to aid in providing instruction in practical and scientific dairying and making an appropriation therefor, beg leave to report they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same be indefinitely postponed.

ERNEST R. MOORE,  
*Chairman.*

Passed on file.

The following minority views were filed on House File No. 207:

MR. SPEAKER—We, the undersigned, a minority of your committee on Appropriations, desire to dissent from the views of the majority of said committee recommending House File No. 207 for indefinite postponement, and beg leave that the report of the majority of said committee, recommending said House File No. 207 for indefinite postponement, be substituted by the recommendation of the minority of said committee, recommending the same for passage.

E. H. CUNNINGHAM,  
WM. LARRABEE, JR.,  
L. W. INMAN,  
WM. ANDERSON,  
G. W. TILTON,  
L. W. BOE,  
G. H. SCHULTE.

Passed on file.

Moore of Linn, from the Committee on Appropriations, submitted the following report:

MR. SPEAKER—Your committee on Appropriations, to whom was referred House File No. 297, a bill for an act to provide for the procuring of oil portraits of the present and future Governors of Iowa and photographs of the present and future members of the General Assemblies of the State of Iowa, to be placed in the art galleries of the Historical Department, beg leave to report they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same be indefinitely postponed.

ERNEST R. MOORE,  
*Chairman.*

Adopted, and House File No. 297 was indefinitely postponed.

Also:

MR. SPEAKER—Your committee on Appropriations, to whom was referred House File No. 323, a bill for an act to authorize the purchase of land for a colony for epileptics, and making an appropriation for that purpose, beg leave to report they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same be indefinitely postponed.

ERNEST R. MOORE,  
*Chairman.*

Adopted, and House File No. 323 was indefinitely postponed.

Arney of Marshall, from the Committee on Agriculture, submitted the following report:

MR. PRESIDENT—Your committee on Agriculture, to whom was referred Substitute for Senate File No. 61, a bill for an act requiring the teaching

of agriculture and domestic science to be included in the course of study of the State University of Iowa, the State College of Agriculture and Mechanic Arts, the State Normal School and county normal institutes, for the purpose of preparing teachers of agriculture and domestic science, and providing for the teaching of elementary agriculture and domestic science in the public schools and making this subject one of the requirements in examinations of teachers for certificates after a specified time, beg leave to report they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same do pass.

W. H. ARNEY,  
*Chairman.*

Adopted.

Hackler of Webster, from the Committee on Commerce and Trade, submitted the following report:

MR. SPEAKER—Your committee on Commerce and Trade, to whom was referred House File No. 368, a bill for an act requiring that boots and shoes made in certain parts of substitutes for leather, and boots and shoes made by "convict or prison labor" to be stamped, and providing a penalty for failure to so stamp, beg leave to report they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same be indefinitely postponed.

C. W. HACKLER,  
*Chairman.*

Adopted, and House File No. 368 was indefinitely postponed.

Johnson of Mitchell, from the Committee on Penitentiaries, submitted the following report:

MR. SPEAKER—Your committee on Penitentiaries, to whom was referred House File No. 411, a bill for an act authorizing the State Board of Control to enter into a contract for the employment of certain inmates of the reformatory at Anamosa beg leave to report they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same do pass.

KARL J. JOHNSON,  
*Chairman.*

Adopted.

Stillman of Greene, from the Committee on Schools and Text Books, submitted the following report:

MR. SPEAKER—Your committee on Schools and Text Books, to whom was referred House File No. 424, a bill for an act to amend Section twenty-eight hundred twenty-three-a (2823-a) of the Supplement to the Code, 1907, relating to education, beg leave to report they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same be amended by substituting the following:

## SUBSTITUTE FOR HOUSE FILE NO. 424.

A Bill for an Act to Amend Section Two Thousand Eight Hundred Twenty-three-a of the Supplement to the Code, 1907, Relating to the Attendance at the Public Schools.

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

SECTION 1. That Section two thousand eight hundred twenty-three-a of the Supplement to the Code, 1907, be and the same is hereby amended by striking out the period in the sixteenth line of said Section, and inserting after the word "thereof" in said line the following: "or while attending religious services or receiving religious instruction," and when so amended the bill do pass.

PAUL E. STILLMAN,  
*Chairman.*

Adopted.

Drury of Sac, from the Committee on Compensation of Public Officers, submitted the following report:

MR. SPEAKER—Your committee on Compensation of Public Officers, to whom was referred House File No. 329, a bill for an act to amend Section four hundred sixty-nine (469) of the Supplement to the Code, 1907, relative to the compensation of county supervisors, beg leave to report they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same be amended by striking out all after the enacting clause and the following inserted in lieu thereof:

SECTION 1. That Section four hundred and sixty-nine (469) of the Supplement to the Code, 1907, be and the same is hereby amended by inserting after the period following the word "service" in line nine the following words: "Provided, that in counties having a population of over fifty thousand (50,000), and the board consists of but three members, they shall receive four (4) dollars per day each for each day actually employed on committee service, exclusive of mileage," and when so amended the bill do pass.

WILL DRURY,  
*Chairman.*

Adopted.

Also:

MR. SPEAKER—Your committee on Compensation of Public Officers, to whom was referred House File No. 112, a bill for an act to amend the law as it appears in Section two hundred ninety-seven (297) of the Code relating to the compensation of clerks of the district court, beg leave to report they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same be indefinitely postponed.

WILL DRURY,  
*Chairman.*

Adopted, and House File No. 112 was indefinitely postponed.

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

MR. SPEAKER—Your committee on Elections, to whom was referred House File No. 386, a bill for an act in relation to the furnishing of election supplies additional to Chapter three (3) of Title six (VI) of the Code, relating to elections, beg leave to report they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same be indefinitely postponed.

J. H. DARRAH,  
*Chairman.*

Adopted, and House File No. 386 was indefinitely postponed.

Also:

MR. SPEAKER—Your committee on Elections, to whom was referred House File No. 172, a bill for an act to amend Section ten hundred seventy-four (1074) and Section ten hundred seventy-five (1075) of the Supplement to the Code, 1907, relating to the election of township trustees and township clerks, beg leave to report they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same be amended as follows: By adding to Section one (1) thereof the following:

“Provided further, that where a township contains one or more incorporated towns, not co-extensive in area with the township itself, a majority of the trustees shall be selected from the voters residing without the limits of any such town or towns,” and when so amended the bill do pass.

J. H. DARRAH,  
*Chairman.*

Adopted.

Also:

MR. SPEAKER—Your committee on Elections, to whom was referred House File No. 439, a bill for an act to amend Section eleven hundred forty-three (1143) of the Code relating to destruction of ballots, beg leave to report they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same do pass.

J. H. DARRAH,  
*Chairman.*

Adopted.

Also:

MR. SPEAKER—Your committee on Elections, to whom was referred House File No. 125, a bill for an act to amend Section one thousand one hundred six (1106), to repeal Section one thousand one hundred nine (1109), and enact a substitute therefor, to repeal Section one thousand one hundred nineteen (1119), and to enact a substitute therefor, to repeal Sec-

tion one thousand one hundred twenty (1120), and enact a substitute therefor, to repeal Section one thousand one hundred twenty-one (1121), and enact a substitute therefor, of the Code Supplement of 1907, relating to the form, marking, counting and validity of ballots to be used at elections, beg leave to report they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same be amended as follows:

That the following words in Section 1 be stricken out: "Code Supplement of" and that the words "Supplement to the Code" be inserted; that the word "of" in the fourth line of said Section following the word "code" be stricken out. That the following words in Section 2 be stricken out: "Code Supplement of" and that there be inserted in lieu thereof "Supplement to the Code." That the following words in Section 3 be stricken out: "Code Supplement of" and that the words "Supplement to the Code" be inserted. That the following words in Section 5 be stricken out: "Code Supplement of" and that the words "Supplement to the Code" be inserted. That the title to said bill be amended by inserting after the comma and before the word "to" in the second line the words "Supplement to the Code, 1907." That there be added in the second line after the comma and before the word "and" the following words: "Supplement to the Code, 1907." That there be added to the fourth line after the comma and before the word "and" the words "Supplement to the Code, 1907." That between the comma and the word "and" in the fifth line there be added the words: "Supplement to the Code, 1907." That there be added between the comma and the word "and" in the seventh line thereof the words: "Supplement to the Code, 1907." That the words "of the Code Supplement of 1907," appearing in the seventh and eighth lines be stricken out, and when so amended the bill do pass.

J. H. DARRAH,  
*Chairman.*

Adopted.

Beebe of Franklin, from the Committee on Claims, submitted the following report:

MR. SPEAKER—Your committee on Claims, to whom was referred House File No. 322, a bill for an act appropriating the sum of one hundred thirty-nine dollars and sixty-five cents (\$139.65) to be paid to S. J. McCord in settlement of a claim against the State of Iowa arising by reason of the efforts of the said S. J. McCord to extradite one James F. Milligan, beg leave to report they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same do pass, and further recommend that it be referred to the committee on Appropriations.

N. W. BEEBE,  
*Chairman.*

Adopted, and House File No. 322 was so referred.

## INTRODUCTION OF BILLS.

By Anderson of Hamilton, House File No. 463, a bill for an act repealing Sections One Thousand Eight Hundred and Seventy-two (1872) and One Thousand Eight Hundred and Seventy-three (1873) of the Code, relating to quarterly statements of state and savings banks and examinations by the Auditor of State and providing substitutes therefor.

Read first and second time and referred to Committee on Banks and Banking.

Moore of Linn, chairman of the Committee on Appropriations, presented the following resolution adopted by that committee:

## RESOLUTION.

WHEREAS, Attention has been called to uses of funds by State Educational Boards during the past biennial period which are criticized by the press and the public as of questionable character, and unworthy the approval or sanction of the General Assembly, and

WHEREAS, As examples of such uses of funds, attention is drawn to the erection at Iowa City of a \$25,000 residence for occupancy by the President of the State University; also to the erection at Cedar Falls of a \$15,000 residence for occupancy by the President of the State Normal School; and

WHEREAS, At least one of the projects mentioned above (that at Iowa City) was submitted to the last General Assembly, in a much more modest form, and approval therefor was not secured, and it was assumed that having consulted the General Assembly in this matter, the board of this institution would not override its wishes, and

WHEREAS, Regardless of the legal right of the boards to use, for the purposes mentioned, old funds not technically within legislative control, as they claim to have done, their action has violated the spirit of the Statutes of 1906, which provided that no new building shall be erected by said boards until plans have been submitted and approval secured from the General Assembly.

*Therefore be it Resolved*, That the Appropriations Committee of this House disclaims all responsibility in the matters mentioned, strongly protests against an action which has committed the state to a policy entirely unauthorized and unwarranted, and has deprived the General Assembly of proper control over one of its most important functions, and insists that the spirit of legislative directions regarding all expenditures of public moneys shall be strictly observed.

Laid over under Rule 34.

Corrie of Ida, chairman of the committee appointed to draft resolutions respecting the life and public service of the Hon. Jesse

Kennedy, presented the resolutions prepared by that committee and moved their adoption.

Motion prevailed, the resolutions were adopted, and ordered printed in the Journal.

#### CONSIDERATION OF BILLS.

The further consideration of House File No. 26 was resumed.

Time having arrived for Special Order No. 7, Lee of Emmet moved that the time be extended until the consideration of House File No. 26 had been completed.

Motion prevailed.

Lee of Emmet moved the previous question.

Motion prevailed, and the previous question was ordered.

Ward of Woodbury moved that the rules be suspended, 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 ayes were:

Allred, Anderson, Arney, Bascom, Beebe, Beery, Boe, Bonwell, Brandes, Cassady, Corrie, Cousins, Cunningham, Dewell, Drury, Elliott, Ellis, Fox, Goodykoontz, Grier, Harding, Holmes, Hunter, Inman, Jones, Klay, Koontz, Larrabee, McDonald, Marston, Miller of Dubuque, Moore of Wapello, Moore of Linn, Newell, Ripley, Sullivan, Swan, Thompson, Ward, Welden, White, Zeller, Mr. Speaker—43.

The nays were:

Balluff, Bauman, Beans, Blackmore, Boettger, Boomgaarden, Bowman, Burt, Calkins, Cooper, Crozier, Crummer, Dabney, Dalby, Darrah, Davidson, Dawson, Derrough, Dewey, DeWitt, Dodds, Dye, Etter, Felt, Fenn, Finlayson, Fourt, Fulliam, Fulton, Hackler, Hanson, Harvey, Hickenlooper, Ide, Jacobs, Kellogg, Kendall, Kull, Lee, McCleery, Meredith, Miller of Bremer, O'Connor, Penn, Reaney, Reitz, Ritter, Sankey, Schee, Schroeder, Schulte, Sheldon, Smith, Stillman, Stoddard, Swift, Tegeler, Tilton—58.



Absent or not voting:

Byerly, Huffaker, Jewell, Johnson, Perkins, Wilson, Wolfe—7.

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

The following recommendation was filed by the Committee on Committee Clerks:

Your committee on Committee Clerks recommend the appointment of Agnes Brennan in place of Ray Sheehan, resigned March 16th, and that Amanda Korf be elected to take the place of Callie Cline resigned March 18th.

W. H. ABNEY,  
ERNEST R. MOORE,  
PAUL E. STILLMAN,  
*Committee.*

Sheldon of Ringgold moved that Senate File No. 319 be transferred from the Committee on Telephones to the Committee on Judiciary.

Motion prevailed.

On motion of Stillman of Greene, the House adjourned until 1:30 o'clock, P. M.

#### AFTERNOON SESSION.

House met pursuant to adjournment.

Speaker Feely in the Chair.

Amanda C. Korf came to the desk and took and signed the following oath:

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.

AMANDA C. KORF.

The Speaker of the House announced that as Speaker of the House, in the presence of the House, he had signed Senate File Nos. 203 and 6, and House File Nos. 44, 415, 248, 227, and 1.

#### REPORT OF COMMITTEE ON ENROLLED BILLS.

Klay of Sioux, 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 make an appropriation for the removal of the remains of ex-Governor Ansel Briggs from Omaha, Nebraska, to Andrew, Jackson County, Iowa, and for the erection of a monument in the cemetery at that place in commemoration of his memory.

Also:

House File No. 44, a bill for an act to amend section three hundred and sixty (360) of the Code, relating to bonds by guarantee companies.

Also:

House File No. 415, a bill for an act to amend the law as it appears in section thirteen hundred-six-b (1306-b) of the Supplement to the Code, 1907, so as to authorize cities and incorporated towns to incur an indebtedness not exceeding in the aggregate added to all other indebtedness five per centum of the actual value of the taxable property within such cities or incorporated towns for the purpose of extending as well as purchasing, erecting or maintaining and operating waterworks, electric light and power plants, gas works and heating plants, or building and constructing sewers.

Also:

House File No. 227, a bill for an act to amend sections seven hundred forty-one-g (741-g), seven hundred forty-one-m (741-m), seven hundred forty-one-q (741-q), and seven hundred forty-six (746) of the Supplement to the Code, 1907, relating to the submission of questions to voters.

Also:

House File No. 248, a bill for an act to amend section five thousand six hundred and fifty-two (5652) of the Code, relating to hard labor by persons confined in jails.

GERRIT KLAY,  
*Chairman.*

Adopted.

MR. SPEAKER—Your Committee on enrolled bills respectfully report that they have this day sent to the governor for his approval, House File, No. 227, a bill for an act to amend sections seven hundred forty-one-g (741-g) seven hundred forty-one-m (741-m), seven hundred forty-one-q (741-q), and seven hundred forty-six (746) of the Supplement to the Code, 1907, relating to the submission of questions to voters.

Also:

House File No. 248, a bill for an act to amend section five thousand six hundred and fifty-two (5652) of the Code, relating to hard labor by persons confined in jails.

Also:

House File No. 1, a bill for an act to make an appropriation for the removal of the remains of ex-Governor Ansel Briggs from Omaha, Nebraska to Andrew, Jackson County, Iowa, and for the erection of a monument in the cemetery at that place in commemoration of his memory.

Also:

House File No. 44, a bill for an act to amend section three hundred and sixty (360) of the Code, relating to bonds by guarantee companies.

Also:

House File No. 415, a bill for an act to amend the law as it appears in section thirteen hundred six-b (1306-b) of the Supplement to the Code, 1907, so as to authorize cities and incorporated towns to incur an indebtedness not exceeding in the aggregate added to all other indebtedness five per centum of the actual value of the taxable property within such cities or incorporated towns for the purpose of extending as well as purchasing, erecting or maintaining and operating waterworks, electric light and power plants, gas works and heating plants, or building and constructing sewers.

GERBIT KLAY,  
*Chairman.*

Adopted.

#### REPORT OF JOINT COMMITTEE ON ENROLLED BILLS.

Klay of Sioux, 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 make an appropriation for the removal of the remains of ex-Governor Ansel Briggs from Omaha, Nebraska, to Andrew, Jackson County, Iowa, and for the erection of a monument in the cemetery at that place in commemoration of his memory.

Also:

House File No. 44, a bill for an act to amend Section three hundred and sixty (360) of the Code, relating to bonds by guarantee companies.

Also:

House File No. 415, a bill for an act to amend the law as it appears in Section thirteen hundred six-b (1306-b) of the Supplement to the Code, 1907, so as to authorize cities and incorporated towns to incur an indebtedness not exceeding in the aggregate added to all other indebtedness five per centum of the actual value of the taxable property within such cities or incorporated towns for the purpose of extending as well as purchasing, erecting or maintaining and operating water-works, electric light and power plants, gas-works and heating plants, or building and constructing sewers.

Also :

Senate File No. 6, a bill for an act to repeal Sections three hundred one (301), three hundred two (302), three hundred six (306) and three hundred seven (307) of the Code, and to enact a substitute therefor relating to the duties of the county attorney.

Also :

Senate File No. 203, a bill for an act to legalize the ordinances of the town of Norwalk, Warren County, Iowa, and the acts and proceedings of the council of said town had thereunder.

Also :

House File No. 227, a bill for an act to amend Sections seven hundred forty-one-g (741-g), seven hundred forty-one-m (741-m), seven hundred forty-one-q (741-q), and seven hundred forty-six (746) of the Supplement to the Code, 1907, relating to the submission of questions to voters.

Also :

House File No. 248, a bill for an act to amend Section five thousand six hundred and fifty-two (5652) of the Code, relating to hard labor by persons confined in jails.

GERRIT KLAY,  
*Chairman House Committee.*

HENRY L. ADAMS,  
*Chairman Senate Committee.*

Adopted.

#### INTRODUCTION OF BILLS.

By Balluff of Scott, House File No. 464, a bill for an act to enable certain cities to improve their water fronts and to levy a tax to pay for such work and in certain cases to borrow money therefor and issue negotiable bonds for such debt.

Read first and second time and referred to Committee on Municipal Corporations.

By Ward of Woodbury, House File No. 465, a bill for an act to amend Section Thirteen Hundred and Ten (1310) of the Code, relating to the assessment of moneys, credits, annuities, bank notes and stock, and to enact a substitute therefor.

Read first and second time and referred to Committee on Ways and Means.

By Moore of Linn, House File No. 466, a bill for an act amendatory of and additional to paragraph three (3) of Section Three

Thousand Five Hundred Five (3505) of the Code, providing for change of place of trial in civil actions.

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

By Ward of Woodbury, House File No. 467, a bill for an act to amend the law as it appears in Section One Hundred Eleven (111) of the Code relating to banks as depositories.

Read first and second time and referred to Committee on Banks and Banking.

White of Story offered the following resolution:

RESOLUTION.

*Resolved*, That the Speaker of the House shall, at his discretion as to time, appoint a sifting committee, to consist of seven members, to which shall be referred all bills except appropriation bills, and that thereafter no bills, except appropriation bills, shall be considered unless reported by said committee.

Laid over under Rule 34.

SPECIAL ORDER.

Time having arrived for Special Order No. 7, substitute for Senate File No. 8, a bill for an act authorizing the district court or judge to remove officers for misfeasance, malfeasance or non-feasance in office, and providing for method of procedure therefor, was taken up and considered.

Hunter of Polk withdrew his amendment.

Stillman of Green proposed the following amendment and moved its adoption:

I move to amend Section 2 of substitute for Senate File No. 8, by striking out the word "ten" in line 2 of the printed bill and insert in lieu thereof the word "five."

Amendment adopted.

Davidson of Palo Alto proposed the following amendment:

I move to amend Section 2 of substitute for Senate File No. 8, by adding the following: "It shall be the duty of the County At-

torney to appear and prosecute this proceeding when the officer sought to be removed is one other than himself; and when the proceeding is brought to remove the County Attorney, the court may appoint an attorney to appear in behalf of the State and prosecute such proceeding."

Amendment adopted.

Dabney of Davis proposed the following amendment:

I move to amend Section 3 by striking out of line 7 of the printed bill the words: "and may be amended as in ordinary actions."

Amendment lost.

Schulte of Clayton proposed the following amendment:

I move to amend substitute for Senate File No. 8 by striking out all of Section 4 of said bill and renumbering the following sections to correspond.

Ripley of Hancock moved as a substitute amendment the following:

I move to amend Section 4 by inserting after the word "complaint" in the first line thereof the words "or the defendant," and by inserting after the word "petition" in the third line the words "or answer."

Motion prevailed, and the substitute amendment was substituted for the original amendment.

Substitute amendment adopted.

Crozier of Marion proposed the following amendment and moved its adoption:

I move to amend Section 5 by striking out all of said section down to and including the word "jury" and inserting in lieu thereof the following: "The cause shall be tried as an ordinary action at law but the judge may on proper cause shown suspend the officer from the performance of his duties until final hearing."

Roll call was demanded by Schulte of Clayton and McDonald of Carroll.

On the question, Shall the amendment be adopted?

The ayes were:

Balluff, Bauman, Boettger, Byerly, Calkins, Crozier, Dabney, Ellis, Etter, Fulliam, Kendall, Kull, McDonald, Miller of Bremer, Miller of Dubuque, O'Connor, Penn, Reitz, Sankey, Schroeder, Schulte, Swift, Tegeler, Zeller—24.

The nays were:

Allred, Anderson, Arney, Bascom, Beans, Beebe, Beery, Blackmore, Boe, Bonwell, Boomgaarden, Bowman, Brandes, Burt, Casady, Cooper, Corrie, Cousins, Crummer, Cunningham, Dalby, Darrah, Dawson, Derrough, Dewell, Dewey, DeWitt, Dodds, Drury, Dye, Elliott, Felt, Fenn, Finlayson, Fourt, Fox, Fulton, Goodykoontz, Grier, Hackler, Hanson, Harding, Harvey, Hickenlooper, Holmes, Hunter, Ide, Inman, Jacobs, Johnson, Jones, Klay, Larrabee, Lee, McCleery, Marston, Meredith, Moore of Wapello, Newell, Perkins, Reaney, Ripley, Schee, Sheldon, Smith, Stoddard, Sullivan, Swan, Thompson, Tilton, Ward, Welden, White, Mr. Speaker—75.

Absent or not voting:

Davidson, Huffaker, Jewell, Kellogg, Koontz, Ritter, Stillman, Wilson, Wolfe—9.

So the amendment was lost.

O'Connor of Chickasaw moved that the House adjourn.

Motion lost.

Balluff of Scott proposed the following amendment:

I move to amend Section 7 by adding after the word "expense" in line eleven as printed in the House Journal the following: "including reasonable attorney's fee to be fixed by the court or judge and also any other loss," and by inserting after the word "incurred" in line eleven the words "or sustained."

Lee of Emmet moved to amend the amendment by striking out all following the word "court" in line five thereof.

Amendment to the amendment adopted.

Amendment as amended adopted.

Lee of Emmet moved that the rules be suspended, 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 ayes were:

Allred, Anderson, Arney, Bascom, Bauman, Beans, Beebe, Beery, Blackmore, Boe, Bonwell, Boomgaarden, Bowman, Brandes, Burt, Cassady, Cooper, Corrie, Cousins, Crummer, Cunningham, Dalby, Darrah, Davidson, Dawson, Derrough, Dewell, Dewey, DeWitt, Dodds, Drury, Dye, Elliott, Felt, Fenn, Finlayson, Fourt, Fox, Fulton, Goodykoontz, Grier, Hackler, Hanson, Harding, Harvey, Hickenlooper, Holmes, Hunter, Ide, Inman, Jacobs, Johnson, Jones, Kellogg, Klay, Larrabee, Lee, McCleery, Marston, Meredith, Moore of Wapello, Moore of Linn, Newell, O'Connor, Penn, Perkins, Reaney, Ripley, Schee, Sheldon, Smith, Stillman, Stoddard, Sullivan, Swan, Thompson, Tilton, Ward, Welden, White, Zeller, Mr. Speaker—82.

The nays were:

Balluff, Boettger, Byerly, Crozier, Dabney, Ellis, Etter, Fulliam, Kendall, Koontz, Kull, McDonald, Miller of Bremer, Miller of Dubuque, Reitz, Ritter, Sankey, Schroeder, Schulte, Swift, Tegeler—21.

Absent or not voting:

Calkins, Huffaker, Jewell, Wilson, Wolfe—5.

So the bill passed and the title was agreed to.

Kellogg of Harrison moved that the House adjourn until 9:00 o'clock A. M., Friday.



# JOURNAL OF THE HOUSE

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HALL OF THE HOUSE OF REPRESENTATIVES,  
DES MOINES, IOWA, March 19, A. D. 1909.

House met pursuant to adjournment.

Speaker Feely in the Chair.

Prayer was offered by Rev. E. H. Fleisher of Lenox, Iowa.

Journal of Thursday, March 18th, corrected and approved.

On request of Etter of Keokuk, leave of absence was granted Fuliam of Muscatine indefinitely.

On request of Kendall of Clinton, leave of absence was granted Drury of Sac until Monday.

On request of Schulte of Clayton, leave of absence was granted Byerly of Jones until Saturday.

## PETITIONS, MEMORIALS AND REMONSTRANCES.

Swan of Appanoose presented remonstrance of citizens of Appanoose County protesting against the passage of Senate File No. 103, referring to tax of medicine dealers.

Referred to Committee on Pharmacy.

Thompson of Benton presented remonstrance of citizens of Benton County, protesting against the passage of Senate File No. 103, referring to tax of medicine dealers.

Referred to Committee on Pharmacy.

Hunter of Polk presented remonstrance of United Mine Workers District No. 13, protesting against the coal tariff of the railroads on Illinois coal shipments.

Referred to Committee on Railroads and Transportation.

## REPORTS OF COMMITTEES.

Sullivan of Polk, from the Committee on Judiciary, submitted the following report:

MR. SPEAKER—Your Committee on Judiciary to whom was referred House File No. 342, a bill for an act to repeal section twenty-eight hundred twenty-a (2820-a), twenty-eight hundred twenty-b (2820-b), twenty-eight hundred twenty-c (2820-c) and twenty-eight hundred twenty-d (2820-d) of the Supplement to the Code, 1907, relative to the limit of indebtedness of independent school districts and to enact a substitute therefor, beg leave to report they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same be indefinitely postponed.

JOHN B. SULLIVAN,  
*Chairman.*

Adopted, and House File No. 342 was indefinitely postponed.

Also:

MR. SPEAKER—Your Committee on Judiciary to whom was referred House File No. 420, a bill for an act to authorize the construction of electric transmission lines and the procuring of right of way therefor, beg leave to report they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same be indefinitely postponed.

JOHN B. SULLIVAN,  
*Chairman.*

Adopted, and House File No. 420 was indefinitely postponed.

Also:

MR. SPEAKER—Your Committee on Judiciary to whom was referred Senate File No. 324, A bill for an act relating to the investigation of complaints as to the management and treatment of inmates of county and private institutions in which insane persons are kept, and of children cared for by associations and societies contemplated by the law as it appears in section three thousand two hundred sixty-j (3260-j) of the Supplement to the Code, 1907, beg leave to report they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same do pass.

JOHN B. SULLIVAN,  
*Chairman.*

Adopted.

Also:

MR. SPEAKER—Your Committee on Judiciary to whom was referred House File No. 328, a bill for an act to provide for the supplying of electric light and power to military reservations of the United States in this state,

beg leave to report they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the substitute recommended by the Committee on Municipal Corporations be adopted.

JOHN B. SULLIVAN,  
*Chairman.*

Adopted.

Also:

MR. SPEAKER—Your Committee on Judiciary to whom was referred House File No. 385, a bill for an act authorizing boards of supervisors to grant the use of public highways for erecting and maintaining poles and wires for the transmission of electricity, and fixing the liability for damages arising from the construction thereof, beg leave to report they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same be indefinitely postponed.

JOHN B. SULLIVAN,  
*Chairman.*

Adopted, and House File No. 385 was indefinitely postponed.

Also:

MR. SPEAKER—Your Committee on Judiciary to whom was referred Senate File No. 276, a bill for an act legalizing certain instruments of writing heretofore executed by corporations conveying, encumbering or effecting real estate that have been executed without the attaching or affixing of the corporate seal thereto, beg leave to report they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same be indefinitely postponed.

JOHN B. SULLIVAN,  
*Chairman.*

Adopted, and Senate File No. 276 was indefinitely postponed.

Also:

MR. SPEAKER—Your Committee on Judiciary to whom was referred House File No. 444, a bill for an act to amend section ten hundred and seventy-three of the Code of 1897, relative to the election and term of office of justices of the peace and constables, in cities having a population of 75,000 or more, beg leave to report they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same be indefinitely postponed.

JOHN B. SULLIVAN,  
*Chairman.*

Adopted, and House File No. 444 was indefinitely postponed.

Also:

MR. SPEAKER—Your Committee on Judiciary to whom was referred House File No. 425, a bill for an act amending section two thousand four hundred twenty-six (2426) of the Code, relating to the termination of leases, beg leave to report they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same be indefinitely postponed.

JOHN B. SULLIVAN,  
*Chairman.*

Adopted, and House File No. 425 was indefinitely postponed.

Also:

MR. SPEAKER—Your Committee on Judiciary to whom was referred Senate File No. 310, a bill for an act to legalize the acts of the board of directors of the school township of Wilson in the county of Osceola and State of Iowa in authorizing a school house to be built in sub-division number four (4) in said school township and in levying a tax therefor, beg leave to report they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same do pass.

JOHN B. SULLIVAN,  
*Chairman.*

Adopted.

Also:

MR. SPEAKER—Your Committee on Judiciary to whom was referred Senate File No. 367, a bill for an act to provide for recognition by the State Board of Medical Examiners of standard attainments in colleges other than medical colleges, beg leave to report they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same be referred to the Committee on State Educational Institutions.

JOHN B. SULLIVAN,  
*Chairman.*

Adopted, and Senate File No. 367 was so referred.

Also:

MR. SPEAKER—Your Committee on Judiciary to whom was referred Senate File No. 224, a bill for an act to amend section eleven hundred ninety-five (1195) of the Code, relating to officers holding over for any reason, beg leave to report they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same do pass.

JOHN B. SULLIVAN,  
*Chairman.*

Adopted.

Also:

MR. SPEAKER—Your Committee on Judiciary to whom was referred House File No. 306, a bill for an act to amend the law as it appears in section eight hundred and fifty-c (850-c) of the Supplement to the Code, 1907, authorizing the levy of an additional tax of one (1) mill on the dollar on all taxable property for park purposes, relating to park commissioners, their powers and duties, beg leave to report they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same do pass.

JOHN B. SULLIVAN,  
*Chairman.*

Adopted.

Also:

MR. SPEAKER—Your Committee on Judiciary to whom was referred Senate File No. 319, a bill for an act authorizing boards of supervisors to grant the use of public highways for erecting and maintaining poles and wires for the transmission of electricity, and fixing the liability for damages arising from the construction thereof, beg leave to report they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same do pass.

JOHN B. SULLIVAN,  
*Chairman.*

Adopted.

Also:

MR. SPEAKER—Your Committee on Judiciary to whom was referred House File No. 455, a bill for an act to amend section two thousand eight hundred twenty-three-c (2823-c) of the Supplement to the Code, 1907, relating to the probation officers, beg leave to report they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same do pass.

JOHN B. SULLIVAN,  
*Chairman.*

Adopted.

Also:

MR. SPEAKER—Your Committee on Judiciary to whom was referred House File No. 423, a bill for an act to amend section six hundred thirty-eight (638) of the Code relating to villages, beg leave to report they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same be amended as follows:

First. By striking out section one and inserting the following in lieu thereof: "Section 1. That section six hundred thirty-eight (638) of the Code, be, and the same is hereby amended by inserting after the word

'unincorporated' in the third line thereof the following, 'including platted additions thereto.'"

Second. That section two be amended by adding after the word "Iowa" in the last line thereof the following: "Such publication however, to be without expense to the state," and when so amended that the bill do pass.

JOHN B. SULLIVAN,

*Chairman.*

Adopted.

Moore of Linn, from the Committee on Appropriations, submitted the following report:

MR. SPEAKER—Your committee on Appropriations, to whom was referred Senate File No. 198, a bill for an act to create a state board of education for the State University, the College of Agriculture and Mechanic Arts, and the Normal School, and to prescribe its duties and to provide for the management and control of the State University, the College of Agriculture and Mechanic Arts and the Normal School, to make appropriations therefor, and to repeal Sections 2617, 2618, 2619, 2620, 2635, 2636, 2642, 2646, 2647, 2650, 2651, 2652, 2653, 2668, 2669, 2670, 2681 of the Code and the law as it appears in Sections 2727-a-53, 2727-a-54, 2727-a-55, 2727-a-56 of the Supplement to the Code, 1907, and to repeal all acts and parts of acts inconsistent with this act, beg leave to report they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same be amended as follows:

By adding to Section 1 the following: "Not more than three alumni of the above institutions and but one alumnus from each institution may be members of this board at one time." By striking out in line 14 of Section 6 the words "during the pleasure of the board" and inserting in lieu thereof the words "for a term of three years unless sooner removed by a unanimous vote of the board of education." By striking out in line three of Section 11 the word "forty" and inserting in lieu thereof the word "sixty." By striking out in line 1 of Section 13 the words "the Secretary of State" and inserting in lieu thereof the words "the Secretary of the Executive Council," and when so amended the bill do pass.

ERNEST R. MOORE,

*Chairman.*

Adopted.

Also:

MR. SPEAKER—Your committee on Appropriations, to whom was referred House File No. 194, a bill for an act appropriating money to install suitable elevators in the state house, beg leave to report they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same be amended by substituting the following substitute amendment:

A Bill for an Act Making an Appropriation for the Repair of the Elevators and the Installing of a Fire Pump in the State Capitol.

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

SECTION 1. There is hereby appropriated out of any moneys in the state treasury not otherwise appropriated the sum of three thousand dollars (\$3,000) or so much thereof as may be necessary for the following purposes: Fifteen hundred dollars (\$1,500) to be used for repairing the elevators in the State Capitol; fifteen hundred dollars (\$1,500) to be used for installing fire pump.

SEC. 2. The repairing of the elevators and installing of fire pump as provided under Section one (1) hereof shall be under the supervision and direction of the Executive Council of the State of Iowa.

SEC. 3. This act being deemed of immediate importance, shall take effect from and after its publication in the Register and Leader and the Des Moines Capital, newspapers published in Des Moines, Iowa, and when so amended the bill do pass.

ERNEST R. MOORE,  
*Chairman.*

Adopted.

Also:

MR. SPEAKER—Your committee on Appropriations, to whom was referred House File No. 349, a bill for an act to create the Iowa State Drainage, Water-ways and Conservation Commission, and defining the powers and duties of the same, beg leave to report they have had the same under consideration and recommend the same be amended as follows: By striking out all following the enacting clause and substituting in lieu thereof the following substitute amendment:

A Bill for an Act to Create the Iowa State Drainage, Water-ways and Conservation Commission, and Defining the Powers and Duties of the Same.

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

SECTION 1. There is hereby established a commission which shall be known as the Iowa State Drainage, Water-ways and Conservation Commission, the members of which shall be chosen as hereinafter provided, whose term of service, powers and duties shall be as hereinafter prescribed.

SEC. 2. This commission shall be composed of seven men. They shall be appointed by the Governor. It shall be the duty of this commission to investigate the entire question of the relation of the State to its waters, its forests, its soils, and its minerals. It is the intent and purpose of this bill that these investigations shall include the following:

ARTICLE 1. The present condition of public drainage in Iowa and the benefits which can be derived by securing the best drainage engineering practice, the most economical administration of drainage projects, and a more economical method of financing at lower rates of interest, and show methods by which all of these benefits may be secured.

ART. 2. The present condition of all overflow of flood plain lands of Iowa, showing losses due by floods in the destruction of farm crops, the losses due by the destruction of property, in the cities, towns, and built-

up districts, the losses due by the withdraw from crop cultivation of such flooded lands, and recommending the proper methods of prevention of such flood conditions.

ART. 3. The survey of at least one representative Iowa river to ascertain the available dam sites and the potential water-power and report the best method of procedure to bring about development of the water-powers of the State, at the same time retaining the ultimate control of the water supply as a property of the State.

ART. 4. To co-operate with the United States survey provided by act of Congress and investigate the possibilities of navigation upon the rivers or upon adjoining lands by canal, and to secure the aid of government experts when practicable in the several matters investigated by this commission.

ART. 5. The question of forests and their preservation and their culture in the State, and especially with reference to the influence of forests upon the flood conditions of the rivers and the erosion and waste of the soils.

ART. 6. It is the clear intent and purpose of this bill that the close inter-relation of the several phases of river development shall be shown, and the necessity for a broad comprehensive treatment of our rivers shall be studied and reported upon.

ART. 7. The general question of the relation of the State to the preservation of the fertility of the Iowa soils.

ART. 8. The general question of the wise and conservative development and use of the mineral resources of the State, especially with reference to the mining of coals.

ART. 9. And the general question of the nature and condition of such lakes in Iowa as now belong to the State, the relation of lakes and streams to the preservation of such varieties of fish, birds, and native animals as are desirable, and the preservation of the peat beds which now belong to the State.

SEC. 3. It shall be the duty of this commission to meet and effect organization not later than July 1st, 1909, and to hold thereafter sessions as often as the necessities of the investigations herein contemplated shall require; to employ a secretary to perform the usual duties of such an officer; who shall have charge of all records and their preparation for publication and such other duties as the commission may direct. The commission shall prepare a complete report of all the investigations and recommendations of the commission and present the report to the Governor of Iowa before the convening of the next General Assembly, at which time their term of service shall cease.

SEC. 4. Compensation and Expenses of the Iowa State Drainage, Water-ways and Conservation Commission. The members of this commission shall serve without pay. By order of the commission the secretary of the commission shall receive a salary fixed by the commission not to exceed fifteen hundred dollars (1,500.00) per annum, to be paid in equal monthly installments. He may by consent of the commission employ assistants to be paid for labor and expense as ordered by the secretary, who shall for each such assistant submit to the auditor of the State a duly acknowledged itemized account of expenses incurred and salary allowed, in the same manner as directed for members of the commission.



Such expense shall be paid out of the appropriation made in Section 6 of this act but not more than one thousand dollars (\$1,000.00) may be so expended in any one year.

SEC. 5. For the purposes of carrying into effect the provision of this act, there is hereby appropriated from funds in the state treasury, not otherwise appropriated, the sum of twenty-five hundred dollars (\$2,500.00) per annum.

SEC. 6. 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 the Des Moines Capital, newspapers published in the city of Des Moines, Iowa, and when so amended the bill do pass.

ERNEST R. MOORE,  
*Chairman.*

Adopted.

Also:

MR. SPEAKER—Your committee on Appropriations, to whom was referred House File No. 3, a bill for an act to create a legislative commission to examine the subject of taxation for state and local purposes and the expedience of revising and amending the laws relating thereto and making an appropriation therefor, beg leave to report they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same be amended as follows:

By striking out a certain amendment adopted by the Committee on Ways and Means, namely: In line three (3), Section one (1) of the original bill after the word "representatives" and before the word "and" the words "and members of the two leading political parties" be inserted. And by striking out in line three (3) of Section eight (8) the word "Daily," and when so amended the bill be indefinitely postponed.

ERNEST R. MOORE,  
*Chairman.*

Ordered passed on file.

Also:

The following minority views were filed:

MR. SPEAKER—The following members of the Committee on Appropriations beg leave to dissent from the majority report of the committee on House File No. 3, which report is for indefinite postponement, and move as a substitute that House File No. 3 be recommended for passage.

G. E. WARD,  
B. F. FELT, JR.,  
E. H. FOUNT,  
E. H. CUNNINGHAM,  
W. ANDERSON,  
H. K. DEWEY,  
W. D. DODDS,  
A. W. KENDALL,  
J. T. DALBY,  
W. LARRABEE, JR.  
G. W. TILTON.

Passed on file.

## INTRODUCTION OF BILLS.

By Kull of Howard, House File No. 468, 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, 1907, and enacting a substitute therefor; and amending Title Six, Chapter Three, of the Code.

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

By Cunningham of Buena Vista, House File No. 469, a bill for an act to repeal Section One Thousand Nine Hundred Eighty-nine-a-41 (1989-a-41) of the Supplement to the Code, 1907, relating to the fees and expenses in levee and drainage districts, and to enact a substitute in lieu thereof.

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

By Hunter of Polk, House File No. 470, a bill for an act providing for the payment to John M. Davis, the sum of two hundred and sixteen dollars.

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

By Fourt of Allamakee, House File No. 471, a bill for an act to amend Section Twenty-six Hundred and Seventy-four f (2674-f) Title Thirteen (13), Chapter Four (4), of the Supplement to the Code, 1907, relating to the duties of the highway commission.

Read first and second time and referred to Committee on Roads and Highways.

By Crozier of Marion (by request), House File No. 472, a bill for an act to amend the law as it now appears in Chapter 1, Title IX of the Supplement of the Code, relating to the issuance of capital stock of railway corporations.

Read first and second time and referred to Committee on Railroads and Transportation.

By Moore of Linn, House File No. 473, a bill for an act to confer additional powers on certain cities organized under Chapter Forty-eight (48) of the Acts of the Thirty-second General Assembly of Iowa, and transferring to the city councils of such cities the powers conferred on River Front Improvement Commissions organized in such cities under Chapter Two Hundred Ten (210) of the Acts of the Twenty-ninth General Assembly of Iowa and empowering the council of such cities to appoint River Front Improvement Commissions and define their duties. Also providing for the issuance of tax deeds by the County treasurer of the County in which such cities are located on sales of property for taxes heretofore made by the treasurers of such cities, and providing for special assessments and the levy of special taxes for the improvement of the beds and banks of rivers and other purposes connected therewith. Also providing for the division of such cities into road districts and the levy of a special tax for use and benefit thereof, also for the levy of a special tax for the benefit of the fire department, and authorizing the transfer of certain special taxes heretofore levied to the fire department fund or general fund.

Read first and second time and referred to Committee on Municipal Corporations.

#### 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. 2, a bill for an act relating to the government of certain cities.

S. W. NEAL,  
*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. 220, a bill for an act to regulate the transfer in bulk of stocks of merchandise.

S. W. NEAL,  
*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. 167, a bill for an act making an appropriation for Thos. H. Rattenbury on account of injuries received by him in the State Sanatorium for the treatment of tuberculosis.

S. W. NEAL,  
*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:

Substitute for Senate File No. 212, a bill for an act relative to equipping street cars, operated in the state, with air brakes.

S. W. NEAL,  
*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. 333, a bill for an act relative to the payment of expenses for returning of an escaped patient and recommitment to the Hospital for Inebriates.

S. W. NEAL,  
*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. 334, a bill for an act relative to the time of granting administration.

S. W. NEAL,  
*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:

Substitute for Senate File No. 211, a bill for an act relative to the right of divorced persons to remarry within one year.

S. W. NEAL,  
*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. 271, a bill for an act authorizing the giving of pensions to disabled and retired firemen and the widows and minor children and dependant fathers and mothers of deceased firemen in cities, incorporated towns and special charter cities.

S. W. NEAL,  
*Secretary.*

Also:

MR. SPEAKER—I am directed to inform your honorable body that the Senate has passed the following bill in which the concurrence of the Senate was asked:

House File No. 415, a bill for an act providing for erection and maintenance and operation of water-works, electric light and power plants.

S. W. NEAL,  
*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. 294, a bill for an act relating to the statute of frauds.

S. W. NEAL,  
*Secretary.*

Also:

MR. SPEAKER—I am directed to inform your honorable body that the Senate has passed the following bill in which the concurrence of the Senate was asked:

House File No. 37, a bill for an act relating to the disposition to be made by boards of supervisors of the mulct tax.

S. W. NEAL,  
*Secretary.*

Also:

MR. SPEAKER—I am directed to inform your honorable body that the Senate has indefinitely postponed the following bill in which the concurrence of the Senate was asked:

House File No. 141, a bill for an act relative to the publishing of the list of motor vehicle registrations by the Secretary of State.

S. W. NEAL,  
*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. 143, a bill for an act relative to the appropriation to the State Board of Health.

S. W. NEAL,  
*Secretary.*

Also:

MR. SPEAKER—I am directed to inform your honorable body that the Senate has concurred in House amendments to Senate File No. 98, a bill for an act for the relief of the grantee O. J. Felton, and for the purpose of having a patent issued in the name of Thos. Willmont for a certain tract of land.

S. W. NEAL,  
*Secretary.*

Also:

MR. SPEAKER—I am directed to inform your honorable body that the President of the Senate has appointed as conference committee on part of the Senate on Senate File No. 7, a bill for an act to repeal Sections 499 and 502 of the Code relating to the duties and powers of the sheriff and his deputy, and to enact a substitute therefor: Senators Cosson, Gilliland and Moon.

S. W. NEAL,  
*Secretary.*

Also:

MR. SPEAKER—I am directed to inform your honorable body that the Senate requests the recall of House File No. 1, a bill for an act making an appropriation for the removal of the remains of ex-Governor Ansel Briggs.

S. W. NEAL  
*Secretary.*

Also:

MR. SPEAKER—I am directed to inform your honorable body that the Senate has concurred in House Concurrent Resolution relative to the appointment of a committee to reapportion the State of Iowa into Judicial Districts.

S. W. NEAL,  
*Secretary.*

#### SENATE MESSAGES CONSIDERED.

Senate File No. 271, a bill for an act authorizing the giving of pensions to disabled and retired firemen and the widows and minor children and dependent fathers and mothers of deceased firemen in cities, incorporated towns, and special charter cities having organized fire departments, creating a fund from which to pay such pensions and providing for the distribution thereof, creating a board of trustees to care for such pension fund and prescribing their powers and duties and authorizing the retiring from service of firemen under certain conditions.

Read first and second time and referred to Committee on Municipal Corporations.

Senate File No. 294, a bill for an act to amend Section Forty-six Hundred and Twenty-five (4625) of the Code, relating to the statute of frauds.

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

Senate File No. 143, a bill for an act to amend Section Twenty-five Hundred and Seventy-five (2575) of the Code, relative to the appropriation to the State Board of Health.

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

Senate File No. 333, a bill for an act to amend the law as it appears in Sections Twenty-three Hundred Ten-a-19 (2310-a-19) and Twenty-three Hundred Ten-a-28 (2310-a-28) of the Supplement to the Code, 1907, relative to the expenses and payment thereof, and costs incurred on account of patients committed as inebriates to state hospitals, and repealing Section Twenty-three Hundred Ten-a-30 (2310-a-30) of the Supplement to the Code, 1907, and enacting a substitute therefor, relative to the payment of expenses for the returning of an escaped patient and recommitment to the hospital for inebriates.

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

Senate File No. 334, a bill for an act to amend the law as it appears in Section Thirty-three Hundred and Five (3305), Supplement of the Code, 1907, relative to the time of granting administration.

Read first and second time and passed on file.

Substitute for Senate File No. 211, a bill for an act to repeal Section Thirty-one Hundred Eighty-one (3181) of the Supplement to the Code, 1907, relating to the right of divorced persons to remarry within one year, and to enact a substitute therefor.

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

Senate File No. 220, a bill for an act to regulate the transfer in bulk of stocks of merchandise.

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

Senate File No. 167, a bill for an act making an appropriation for Thomas H. Rattenbury on account of injuries received by him at the State sanatorium for the treatment of tuberculosis.

Read first and second time and passed on file.

Substitute for Senate File No. 212, a bill for an act to require every person, partnership, company or corporation, owning or operating a street railway in this state, to equip certain cars with

brakes and appliances for the control and stopping of the same, and providing a penalty for the violation thereof.

Read first and second time and referred to Committee on Municipal Corporations.

#### SENATE AMENDMENTS CONSIDERED.

On request of Hackler of Webster, unanimous consent having been given, House File No. 2, a bill for an act to repeal Sections Ten Hundred Fifty-six-a-seventeen (1056-a-17), Ten Hundred and Fifty-six-a-eighteen (1056-a-18), and Ten Hundred and Fifty-six-a-twenty-six (1056-a-26) of Chapter Fourteen-c (14-c) of the Supplement to the Code, 1907, and to enact substitutes therefor, and to amend Sections Ten Hundred Fifty-six-a-nineteen (1056-a-19), Ten Hundred Fifty-six-a-twenty (1056-a-20), Ten Hundred Fifty-six-a-twenty-one (1056-a-21), and Ten Hundred Fifty-six-a-twenty-four (1056-a-24), Ten Hundred Fifty-six-a-twenty-five (1056-a-25), Ten Hundred Fifty-six-a-twenty-eight (1056-a-28), Ten Hundred Fifty-six-a-thirty-two (1056-a-32), Ten Hundred Fifty-six-a-thirty-nine (1056-a-39), of Chapter 14-c of the Supplement to the Code, 1907, all relating to the government of certain cities, with the following Senate amendments, was taken up and the amendments read and considered.

In the second line of the title insert after the figures "1056-a-18)," the words and figures "Ten Hundred and Fifty-six-a-twenty-one (1056-a-21)."

Hackler of Webster moved that the House concur in the Senate amendments.

On the question, Shall the House concur?

The ayes were:

Allred, Anderson, Bascom, Bauman, Beans, Beebe, Beery, Blackmore, Boe, Bonwell, Boomgaarden, Bowman, Brandes, Burt, Cooper, Corrie, Cousins, Crozier, Crummer, Cunningham, Dabney, Dalby, Darrah, Derrrough, Dewey, DeWitt, Dye, Elliott, Ellis, Etter, Felt, Fenn, Finlayson, Fourt, Fox, Fulton, Goodykoontz, Grier, Hackler, Hanson, Harding, Harvey, Hickenlooper, Holmes, Hunter, Ide, Inman, Jacobs, Johnson, Jones, Kellogg, Kendall, Klay, Koontz, Kull, Larrabee, Lee, McCleery, McDonald, Marston, Mere-



dith, Miller of Dubuque, Moore of Wapello, Moore of Linn, Newell, O'Connor, Penn, Perkins, Reaney, Reitz, Ripley, Ritter, Sankey, Schee, Schroeder, Schulte, Sheldon, Smith, Stillman, Stoddard, Sullivan, Swan, Swift, Thompson, Welden, Zeller, Mr. Speaker—87.

The nays were:

None.

Absent or not voting:

Arney, Balluff, Boettger, Byerly, Calkins, Cassady, Davidson, Dawson, Dodds, Drury, Fulliam, Huffaker, Jewell, Miller of Bremer, Tegeler, Tilton, Ward, White, Wilson, Wolfe—21.

So the House concurs.

#### CONSIDERATION OF BILLS.

On motion of Smith of Wright, House File No. 231, a bill for an act making appropriation for additional improvements and land at the Iowa State Fair and Exposition grounds, with report of committee recommending passage as amended, was taken up and considered.

Moore of Linn moved that the committee amendment be adopted.

Motion prevailed.

Smith of Wright moved that the rules be suspended, 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 ayes were:

Allred, Anderson, Balluff, Bascom, Beans, Beebe, Beery, Blackmore, Boettger, Bonwell, Boomgaarden, Bowman, Brandes, Burt, Calkins, Cooper, Cousins, Crummer, Cunningham, Dabney, Dalby, Darrah, Davidson, Dawson, Derrough, Dewell, Dewey, DeWitt, Dodds, Dye, Elliott, Ellis, Etter, Felt, Fenn, Finlayson, Fourt, Fox, Goodykoontz, Grier, Hackler, Hanson, Harvey, Hicklenooper, Holmes, Hunter, Ide, Inman, Jacobs, Johnson, Jones, Kellogg, Kendall, Klay, Koontz, Kull, Larrabee, Lee, McCleery, McDonald, Marston, Moore of Linn, Newell, O'Connor, Reitz

Reaney, Ripley, Ritter, Schee, Schroeder, Schulte, Sheldon, Smith, Stillman, Stoddard, Sullivan, Swan, Thompson, Tilton, Welden, White, Zeller, Mr. Speaker—82.

The nays were:

Crozier, Meredith, Miller of Dubuque, Sankey, Tegeler—5.

Absent or not voting:

Arney, Bauman, Boe, Byerly, Cassady, Corrie, Drury, Fulliam, Fulton, Harding, Huffaker, Jewell, Miller of Bremer, Moore of Wapello, Penn, Perkins, Reitz, Swift, Ward, Wilson, Wolfe—21.

So the bill passed.

Beebe of Franklin moved that the title of House File No. 231 be amended by striking out the words "and land."

Amendment adopted, and the title as amended was agreed to.

On motion of Hickenlooper of Monroe, House File No. 175, a bill for an act to repeal Section Thirteen Hundred Three (1303) of the Supplement to the Code, 1907, relating to levy of taxes by Board of Supervisors, and to enact a substitute therefor, with report of committee recommending passage as amended by substitute amendment, was taken up, considered, and the substitute amendment adopted.

Hickenlooper of Monroe moved that the rules be suspended, 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 ayes were:

Allred, Anderson, Balluff, Bascom, Bauman, Beans, Beebe, Beery, Blackmore, Boettger, Bonwell, Boomgaarden, Bowman, Brandes, Burt, Calkins, Cooper, Cousins, Cunningham, Dabney, Dalby, Darrah, Dawson, Derrough, Dewell, Dewey, DeWitt, Doods, Dye, Elliott, Ellis, Etter, Fenn, Fourt, Fox, Fulton, Goodykoontz, Grier, Hackler, Hanson, Harding, Harvey, Hickenlooper, Holmes, Hunter, Ide, Inman, Jacobs, Johnson, Jones, Kendall, Klay, Koontz, Kull, Larrabee, Lee, McCleery, McDonald, Marston, Moore of Wapello, Moore of Linn, Newell, O'Connor, Penn, Perkins, Ripley,

Ritter, Schee, Schulte, Sheldon, Smith, Stoddard, Sullivan, Swan, Swift, Thompson, Tilton, Weldon, White, Zeller, Mr. Speaker—81.

The nays were:

Meredith, Miller of Dubuque, Reitz, Sankey, Tegeler—5.

Absent or not voting:

Arney, Boe, Byerly, Cassady, Corrie, Crummer, Crozier, Davidson, Drury, Felt, Finlayson, Fulliam, Huffaker, Jewell, Kellogg, Miller of Bremer, Reaney, Schroeder, Stillman, Ward, Wilson, Wolfe—22.

So the bill passed and the title was agreed to.

On motion of Dye of Pottawattamie, Senate File No. 150, a bill for an act to amend the law as it appears in Section Five Hundred Eleven (511) of the Supplement to the Code, 1907, relating to the compensation of sheriffs for boarding prisoners, was taken up and considered.

Lee of Emmet proposed the following amendment:

I move to amend Senate File No. 150 by striking out the dollar marks and figures and marks of parentheses around same to-wit: “(\$12 1-2) (24) and (\$12 1-2)” as they appear in lines five, six and seven of Section 1.

Amendment adopted.

Dye of Pottawattamie moved that the rules be suspended, the bill be read a third time now, which motion prevailed, and the bill was read a third time.

On the question, “Shall the bill pass?”

The ayes were:

Allred, Anderson, Balluff, Bascom, Beans, Beebe, Beery, Blackmore, Boettger, Bonwell, Boomgaarden, Bowman, Brandes, Cooper, Corrie, Cousins, Crozier, Crummer, Cunningham, Dabney, Dalby, Darrah, Derrough, Dewell, Dewey, DeWitt, Dodds, Dye, Elliott, Ellis, Felt, Fenn, Fourt, Fox, Fulton, Goodykoontz, Grier, Hanson, Harding, Harvey, Hickenlooper, Hunter, Ide, Inman, Johnson, Jones, Kendall, Koontz, Kull, Lee, Marston, Miller of Bremer, Miller of Dubuque, Moore of Wapello, Moore of Linn,

Newell, O'Connor, Penn, Perkins, Reaney, Reitz, Ripley, Ritter, Sankey, Schulte, Smith, Stillman, Stoddard, Swan, Swift, Tegeler, Tilton, Ward, Welden, White, Zeller—76.

The nays were:

Arney, Bauman, Dawson, Hackler, Klay, Larrabee, McDonald, Meredith, Schroeder, Thompson, Mr. Speaker—11.

Absent or not voting:

Boe, Burt, Byerly, Calkins, Cassady, Davidson, Drury, Etter, Finlayson, Fulliam, Holmes, Huffaker, Jacobs, Jewell, Kellogg, McCleery, Schee, Sheldon, Sullivan, Wilson, Wolfe—21.

So the bill passed and the title was agreed to.

On motion of Lee of Emmet, Senate File No. 4, a bill for an act to amend the law as it appears in Section Twenty Hundred and Seventy-one (2071) of the Supplement to the Code, 1907, relating to the liability of corporations operating a railway for negligence or wrongs of employes, was taken up and considered.

Lee of Emmet proposed the following amendment:

I move to amend Substitute for Senate File No. 4 as printed in the Senate Journal on page 391, by striking out the word "said" in the 14th line and inserting in lieu thereof the word "this"; and by striking out the words and language at the end of the 14th line and the beginning of the 15th line to-wit: "as amended by this act."

Amendment adopted.

Lee of Emmet moved that the rules be suspended, the bill be read a third time now, which motion prevailed, and the bill was read a third time.

On the question, "Shall the bill pass?"

The ayes were:

Allred, Anderson, Arney, Bascom, Bauman, Beans, Beebe, Beery, Blackmore, Boe, Boettger, Bonwell, Bowman, Brandes, Burt, Cooper, Corrie, Cousins, Crozier, Dabney, Darrah, Dawson, Derrough, Dewell, Dewey, DeWitt, Dodds, Dye, Elliott, Ellis, Etter, Felt, Fenn, Fourt, Fox, Goodykoontz, Grier, Hackler, Hanson, Harding, Hickenlooper, Holmes, Hunter, Ide, Inman, Jacobs, Johnson, Jones,

Kendall, Klay, Kull, Larrabee, Lee, McCleery, McDonald, Marston, Miller of Dubuque, Moore of Wapello, Moore of Linn, Newell, Penn, Reaney, Reitz, Ripley, Sankey, Schee, Schroeder, Schulte, Sheldon, Smith, Stillman, Stoddard, Sullivan, Swan, Swift, Thompson, Tilton, Ward, White, Wolfe, Zeller, Mr. Speaker—82.

The nays were :

Boomgaarden, Calkins, Dalby, Finlayson, Fulton, Meredith, Welden—7.

Absent or not voting :

Balluff, Byerly, Cassady, Crummer, Cunningham, Davidson, Drury, Fulliam, Harvey, Huffaker, Jewell, Kellogg, Koontz, Miller of Bremer, O'Connor, Perkins, Ritter, Tegeler, Wilson—19.

So the bill passed and the title was agreed to.

O'Connor of Chickasaw called up his motion to reconsider the vote by which substitute for Senate File No. 91 failed to pass the House.

Roll call was demanded by Marston of Cerro Gordo and Elliott of Page.

On the question, Shall the vote be reconsidered?

The ayes were :

Bauman, Blackmore, Boe, Boettger, Burt, Calkins, Cousins, Crozier, Darrah, Dawson, Derrough, DeWitt, Ellis, Etter, Fenn, Fourt, Hackler, Harding, Holmes, Hunter, Inman, Jacobs, Kendall, Koontz, Kull, Larrabee, Lee, McCleery, McDonald, Miller of Bremer, Miller of Dubuque, Moore of Linn, O'Connor, Penn, Perkins, Reaney, Reitz, Ripley, Ritter, Schee, Schroeder, Schulte, Smith, Stillman, Stoddard, Sullivan, Swan, Swift, Tegeler, Thompson, Ward, Welden, Wolfe, Mr. Speaker—54.

The nays were :

Allred, Anderson, Beans, Beebe, Beery, Bonwell, Boomgaarden, Bowman, Brandes, Cassady, Cooper, Corrie, Crummer, Dabney, Dalby, Dewell, Dewey, Dye, Elliott, Felt, Finlayson, Fox, Fulton, Goodykoontz, Grier Hanson, Hickenlooper, Ide, Johnson, Jones, Kellogg, Klay, Marston, Meredith, Newell, Tilton, White, Zeller, —38.

Absent or not voting :

Arney, Balluff, Bascom, Byerly, Cunningham, Davidson, Doods, Drury, Fulliam, Harvey, Huffaker, Jewell, Moore of Wapello, Sankey, Sheldon, Wilson—16.

So the motion prevailed.

O'Connor of Chickasaw also called up his motion to reconsider the vote by which substitute for Senate File No. 91 passed to its third reading.

So the motion prevailed, and the House proceeded to reconsider.

Marston of Cerro Gordo proposed the following amendment :

I move to amend Section Two (2) of the substitute for Senate File No. 291, as follows :

In the second line in Section Two (2), between the words "of" and "optometrists," strike out the word "three" and insert the word "two" in lieu thereof, and in line five of said section between the words "optometrists" and "of," strike out the words "one physician member" and insert "two physician members" in lieu thereof.

Amendment lost.

O'Connor of Chickasaw proposed the following amendments :

I move to amend Section Three (3) of the substitute to Senate File No. 91, as it appears in Senate Journal, by striking out in the fourth line, between the words "year" and "and" the words "the second Tuesday in May," and inserting in lieu thereof the words "the second Tuesday in July."

Amendment adopted.

I move to add to Section Eight (8) of the substitute to Senate File No. 91, as it appears in Senate Journal, by striking out in the fourth (4) and fifth (5) lines the following :

"Should the applicant fail in his examination, one-half of said fee shall be returned to him," and by inserting the following in lieu thereof: "should the applicant fail in his first examination he shall have the right to appear at the next meeting of the board for another examination free of charge."

Amendment adopted.

I move to amend Section Eleven (11) of the substitute to Senate File No. 91, as it appears in Senate Journal, by adding thereto after the period at the end of said section the following:

“Any person practicing optometry shall be prohibited from using the prefix doctor to his name, unless he is a duly registered and licensed physician and surgeon, and his rights to such being allowed by the State Board of Medical Examiners, nor shall he advertise himself in such a manner as to lead the public to believe him to be different than an optometrist as defined in this section.”

Amendment adopted.

O'Connor of Chickasaw moved that the rules be suspended, the bill be read a third time now, which motion prevailed, and the bill was read a third time.

On the question, “Shall the bill pass?”

The ayes were:

Allred, Arney, Bauman, Beebe, Blackmore, Boe, Boettger, Bowman, Burt, Calkins, Cassady, Cousins, Crozier, Dabney, Darrah, Derrough, Dewey, DeWitt, Ellis, Etter, Fenn, Hackler, Harding, Hickenlooper, Holmes, Hunter, Ide, Inman, Jacobs, Kendall, Koontz, Kull, Larrabee, Lee, McCleery, McDonald, Miller of Bremer, Miller of Dubuque, Moore of Linn, O'Connor, Penn, Reitz, Ripley, Ritter, Sankey, Schee, Schroeder, Schulte, Stillman, Stoddard, Sullivan, Swan, Swift, Tegeler, Thompson, Welden, Wolfe, Zeller, Mr. Speaker—59.

The nays were:

Anderson, Bascom, Beans, Bonwell, Boomgaarden, Brandes, Cooper, Corrie, Crummer, Dalby, Dawson, Dewell, Dye, Elliott, Felt, Finlayson, Fourt, Fox, Fulton, Goodykoontz, Grier, Hanson, Jones, Klay, Marston, Meredith, Moore of Wapello, Newell, Reaney, Smith, Tilton—31.

Absent or not voting:

Balluff, Beery, Byerly, Cunningham, Davidson, Doods, Drury, Fulliam, Harvey, Huffaker, Jewell, Johnson, Kellogg, Perkins, Sheldon, Ward, White, Wilson—18.

So the bill passed and the title was agreed to.

Schee of O'Brien in the Chair.

Ellis of Jackson moved that House File No. 1 be recalled from the Governor and that the request of the Senate for its recall be granted.

Motion prevailed.

On motion of Harding of Woodbury the House adjourned until 1:30 o'clock, P. M.

#### AFTERNOON SESSION.

The House met pursuant to adjournment.

Speaker pro tempore Lee in the Chair.

On request of Sullivan of Polk, leave of absence was granted Crozier of Marion until Tuesday.

On request leave of absence was granted Smith of Wright until Monday.

On request leave of absence was granted Fox of Dallas until Monday.

On request of Dodds of Des Moines leave of absence was granted Harvey of Osceola until Tuesday.

#### REPORTS OF COMMITTEES.

Grier of Poweshiek, from the Committee on Banks and Banking, submitted the following report:

MR. SPEAKER—Your committee on Banks and Banking, to whom was referred House File No. 467, a bill for an act to amend the law as it appears in Section one hundred eleven (111) of the Code relating to banks as depositories, beg leave to report they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same do pass.

GEO. E. GRIER,  
*Chairman.*

Adopted.

Also:

MR. SPEAKER—Your committee on Banks and Banking, to whom was referred House File No. 86, a bill for an act to transfer from the Auditor of State to the Treasurer of State all of the powers, duties and responsibility relating to state and savings banks and loan and trust companies, beg leave to report that they have had the same under consideration and



have instructed me to report the same back to the House with the recommendation that the same be amended as follows: By striking out Section three (3) thereof, and when so amended that the bill do pass.

GEO. E. GRIER,  
*Chairman.*

Adopted.

Inman of Floyd, from the Committee on Public Libraries, submitted the following report:

MR. SPEAKER—Your committee on Public Libraries, to whom was referred House File No. 454, a bill for an act to repeal Section 2881-g of the Supplement to the Code, 1907, relating to the salaries of the assistants to the librarian, and enact a substitute therefor, beg leave to report they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same do pass, and that it be referred to the Appropriations Committee.

L. W. INMAN,  
*Chairman.*

Adopted, and House File No. 454 was so referred.

Harding of Woodbury, from the Committee on Municipal Corporations, submitted the following report:

MR. SPEAKER—Your committee on Municipal Corporations, to whom was referred House File No. 473, a bill for an act to confer additional powers on certain cities organized under Chapter forty-eight (48) of the Acts of the Thirty-second General Assembly of Iowa and transferring to the city councils of such cities the powers conferred on river front improvement commissions organized in such cities under Chapter two hundred ten (210) of the Acts of the Twenty-ninth General Assembly of Iowa, etc., beg leave to report they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same do pass.

W. L. HARDING,  
*Chairman.*

Adopted.

Also:

MR. SPEAKER—Your committee on Municipal Corporations, to whom was referred House File No. 434, a bill for an act giving cities and towns the power to prohibit or regulate the erection and maintaining of livery stables and garages, beg leave to report they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same do pass.

W. L. HARDING,  
*Chairman.*

Adopted.

Also:

MR. SPEAKER—Your committee on Municipal Corporations, to whom was referred House File No. 464, a bill for an act to enable certain cities to

improve their water-fronts and to levy a tax to pay for such work and in certain cases to borrow money therefor and issue negotiable bonds for such debt, beg leave to report they have had the same under consideration and have instructed me to report the same back to the House with recommendation that the same do pass.

W. L. HARDING,  
*Chairman.*

Adopted.

Also:

MR. SPEAKER—Your committee on Municipal Corporations, to whom was referred Senate File No. 271, a bill for an act authorizing the giving of pensions to disabled and retired firemen and the widows and minor children and dependent fathers and mothers of deceased firemen in cities, incorporated towns, and special charter cities having organized fire departments, creating a fund from which to pay such pensions and providing for the distribution thereof, creating a board of trustees to care for such pension fund and prescribing their powers and duties and authorizing the retiring from service of firemen under certain conditions, beg leave to report they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same do pass.

W. L. HARDING,  
*Chairman.*

Adopted.

Also:

MR. SPEAKER—Your committee on Municipal Corporations, to whom was referred Senate File No. 305, a bill for an act to grant and relinquish to the city of Dubuque, Iowa, the title of the State of Iowa in or to a portion of the abandoned river bed of the Mississippi river, being land of the character described in Section one (1) of Chapter two hundred and twelve (212) of the Acts of the Thirty-first General Assembly, lying within the limits of said city and in Sections twenty-five (25) and thirty-six (36), township eighty-nine (89), north, range two (2) east of the fifth principal meridian and authorizing and directing the Governor and the Secretary of State to issue a patent therefor, beg leave to report they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same be referred to the Judiciary Committee.

W. L. HARDING,  
*Chairman.*

Adopted, and Senate File was so referred.

#### REPORT OF COMMITTEE ON ENROLLED BILLS.

Klay of Sioux, 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 make an appropriation for the removal of the remains of ex-Governor Ansel Briggs from Omaha, Nebraska, to Andrew, Jackson County, Iowa, and for the erection of a monument in the cemetery at that place in commemoration of his memory.

GERRIT KLAY,  
*Chairman.*

Adopted.

#### REPORT OF JOINT COMMITTEE ON ENROLLED BILLS.

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 make an appropriation for the removal of the remains of ex-Governor Ansel Briggs from Omaha, Nebraska, to Andrew, Jackson County, Iowa, and for the erection of a monument in the cemetery at that place in commemoration of his memory.

GERRIT KLAY,  
*Chairman House Committee.*

HENRY L. ADAMS,  
*Chairman Senate Committee.*

Adopted.

#### INTRODUCTION OF BILLS.

By Dabney of Davis, House File No. 474, a bill for an act to amend the law as it now appears in sub-division sixteen (16) of Section Six Hundred and Sixty-eight (668) of the Supplement to the Code, 1907, in relation to the time of making appropriations by the city council.

Read first and second time and referred to Committee on Municipal Corporations.

By Hackler of Webster, House File No. 475, a bill for an act giving the court power under any proceeding under Sections Five Thousand Sixty (5060) and Five Thousand Sixty-one (5061) of the Code, 1907, to compel the attendance of witnesses; the production of books and papers of corporations, partnerships, associations and individuals prosecuted under said sections; and providing for the exemption from liability of any agent, officer, employe, director or stockholder thereof for, or on account of any transaction to which said evidence or testimony may relate.

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

By Davidson of Palo Alto, House File No. 476, a bill for an act making an appropriation for the purpose of payment of expenses in connection with the contest brought by L. F. Springer against B. F. Stoddard.

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

#### MESSAGE 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 by substitute and passed the following bill in which the concurrence of the Senate was asked:

House File No. 208, a bill for an act relating to the care of persons affected with contagious diseases, the payment of quarantine expenses and the publishing and distribution of regulations of local boards of health.

S. W. NEAL,  
*Secretary.*

Also:

MR. SPEAKER—I am directed to inform your honorable body that the Senate has amended and passed the following bill in which the concurrence of the Senate was asked:

House File No. 1, a bill for an act making an appropriation for the removal of the remains of ex-Governor Briggs to Andrew, Jackson County, Iowa.

S. W. NEAL,  
*Secretary.*

Also:

MR. SPEAKER—I am directed to inform your honorable body that the President of the Senate has appointed as committee on the part of the Senate, in accordance with the House Concurrent Resolution providing for the appointment of a committee to ascertain the advisability of reappportioning the judicial districts of the state: Senators Mattes and Foley.

S. W. NEAL,  
*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:

Substitute for Senate File No. 51, a bill for an act relating to the compensation of court reporters.

S. W. NEAL,  
*Secretary.*

## SENATE MESSAGE CONSIDERED.

Substitute for Senate File No. 51, a bill for an act to amend the law as it appears in Section Two Hundred and Fifty-four-a2 (254-a2) of the Supplement to the Code, 1907, relating to the compensation of short hand reporters.

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

## SENATE AMENDMENTS CONSIDERED.

On request of Johnson of Mitchell unanimous consent having been given, House File No. 208, a bill for an act to repeal Sections Twenty-five Hundred Seventy-a (2570-a), Twenty-five Hundred and Seventy-a1 (2570-a1), Twenty-five Hundred and Seventy-b (2570-b), and Twenty-five Hundred and Seventy-one (2571), of the Supplement to the Code, 1907, relating to the care of persons affected with contagious diseases, the payment of quarantine expenses and the publishing and distribution of regulations of local boards of health, with the following Senate amendments was taken up and the amendments read and considered.

## SENATE SUBSTITUTE FOR HOUSE FILE NO. 208.

A Bill for an Act to Repeal Section Twenty-five Hundred and Seventy-a (2570-a), Twenty-five Hundred and Seventy-a-1 (2570-a-1), and Twenty-five Hundred and Seventy-b (2570-b), of the Supplement to the Code, 1907, relating to the Care of Affected Persons and Paying of Quarantine Expenses.

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

SECTION 1. That the law as it appears in Sections twenty-five hundred and seventy-a (2570-a), twenty-five hundred and seventy-a-1 (2570-a-1), and twenty-five hundred and seventy-b (2570-b) of the Supplement to the Code, 1907, are hereby repealed and the following enacted in lieu thereof:

SEC. 2. When any person shall be sick or infected with any contagious or infectious disease dangerous to the public health, whether a resident or otherwise, the local board of health, through the mayor or township clerk, shall make such provisions as are best calculated to protect the inhabitants therefrom. But the quarantine shall not be established or maintained or fumigation required except in cases of scarlet fever (including scarlet rash or scarletina, small pox, diphtheria (including membranous croup), cholera, yellow fever, leprosy, cerebro-spinal meningitis, and bubonic plague, and may remove such persons to a separate house, a house of detention or hospital. If in the judgment of the local board it shall be deemed unwise to remove such person, he shall be cared

for at the place where he resides. In case any person or persons liable for the support of such person under quarantine or restrained under and by virtue of this act, shall be financially unable to secure the proper care, provisions or medical attendance, it shall be the duty of the mayor or township clerk to procure, for such diseased person, proper care, provisions, supplies and medical attendance, while so quarantined or restrained. The local boards of health through a joint meeting of the mayors and township clerks of each county, called in the month of May in each odd numbered year, by the mayor in the county seat, shall adopt a uniform maximum scale of fees to be allowed for services rendered, in said county under the provisions of this section, and no bills allowed for such services chargeable to the public fund under the provisions of this section shall exceed the maximum amount agreed upon in said scale. All bills for supplies furnished by order of the mayor or township clerk as herein provided, for persons removed to a separate house or house of detention or for persons financially unable to provide for their own sustenance and care, shall be allowed and paid for, only on a basis of the local market price for such provisions and supplies in the locality in which they may have been furnished. No bill shall be allowed for commodities furnished to persons quarantined under the provisions of this section which exceeds the actual local market price for the quality of said commodities so furnished. All services and supplies furnished to individuals or families under the provision of this section, must be authorized by the local board of health, or by the mayor or township clerk acting under a standing regulation of said local board, and a written order therefor designating the person or persons employed, to furnish such services or supplies and the price to be paid for the same, issued before said services or supplies were actually furnished, shall be attached to the bill when same is presented for audit and payment. It is further provided that nothing contained in this section shall be construed to prevent any person quarantined, as herein provided, from employing at his own expense the physician or nurse of his choice, nor from providing such supplies and commodities as he may require; but the bills thus incurred by parties in quarantine or through their order without written authority from the local board of health or their authorized official, shall not be certified to or allowed by the local board of health or the county supervisors. No bill shall be allowed or paid, for any expenses incurred for any person during quarantine except in cases removed to a separate house unless it shall be found that such person is financially unable to pay said bill.

Provided that the person receiving such services and supplies be not a legal resident of the county, in which said bills were incurred and paid, the amount so paid shall be certified to the board of supervisors of the county in which said party claims residence or owns property, and the board of supervisors of such county shall reimburse the county from which such claim is certified, in the full amount originally paid by it.

If the party for whom said bills were incurred, be a non-resident and does not own real estate in Iowa, the mayor of the town or the clerk of the township shall have a lien upon and may take and retain possession of all baggage, moneys and other personal belongings to or in the possession of the said party, and such property so taken shall not be exempt

from attachment or execution to the amount of the said bills and cost of enforcing the lien thereon. Provided that all moneys so collected shall be paid over to the county treasurer to be used to pay the quarantine expenses of said party. All disinfections and fumigations for the protection of the public health shall be done under the direction of the local board of health. All bills and expenses incurred in carrying out the provisions of this section and in establishing, maintaining and raising quarantine and disinfecting premises and effects and furnishing necessary detention hospitals shall be filed with the clerk of the local board of health. This board at its next regular meeting, or a special meeting called for the purpose shall examine and audit same and if found correct and approved certify the same to the county supervisors for payment. The board of supervisors of the county wherein any bills authorized in this section were incurred shall at the time it levies the general taxes, levy on the property of the city, town, or township from which such bills were certified, a sufficient tax to reimburse the county to the extent of one-half the amount paid by it under the provisions of this section. The forcible removal of infected persons as herein provided shall be effected by an application made to any civil magistrate in the manner provided in Section twenty-five hundred and sixty-nine (2569) of the Code for the removal and abatement of nuisances, who shall issue the warrant as directed in such cases to remove such person or persons to the place designated by the local board of health to take possession of the condemned or infected house, lodging, room, premises or effects. The officers designated by said magistrate shall be entitled to receive for such services such reasonable compensation as shall be determined by the local board of health. The amount so determined to be certified to and paid in the same manner as other expenses incurred under the provisions of this section.

SEC. 3. All acts and parts of acts in conflict with this act are hereby repealed.

SEC. 4. This act being deemed of immediate importance, shall take effect and be in force from and after its publication in the Register and Leader and Des Moines Capital, newspapers published in Des Moines, Polk County, Iowa.

Amend Section 2 by striking out the sentence in line 14 beginning after the word "upon" and substituting therefor the following: "The state board of health shall cause to be printed such number of copies of the rules and regulations by it adopted, as may be necessary to supply the needs of the several counties of the state and upon application forward the required number to the county auditors of the state for distribution to the several boards of health within the county."

Amend Section One (1) of the bill by striking out that part of the section commencing with the word "if" in line 49 and including the word "thereon" in line 56 of the section.

Amend by inserting after the period following the word "county" in line 13 of the bill as it appears on page 772 of the Journal, the following sentence:

"The board of supervisors shall not be bound by the action of the local board of health in approving such bills but may increase or diminish the same as may be just and reasonable."

Amend Section 1 by striking out the period following the word "therefrom" in the first line of page 771 and inserting a comma and the following words, "and may remove such persons to a separate house, a house of detention or hospital," followed by a period.

And by striking out the words "may remove such persons to a separate house, a house of detention or a hospital," as found in the fifth and sixth lines.

Amend by inserting after the word "plague" in the 14th line of the Senate substitute for House File No. 208, as it appears printed in the Journal, the following:

"And such other contagious diseases as shall be necessary for the protection of the public health, under the order of the State Board of Health."

Johnson of Mitchell moved that the House refuse to concur in the Senate amendments.

On the question, Shall the House concur?

The ayes were:

Anderson, Arney, Burt, Cassady, Lee, Wolfe—6.

The nays were:

Allred, Balluff, Bascom, Bauman, Beans, Beebe, Blackmore, Boe, Boettger, Bonwell, Boomgaarden, Brandes, Calkins, Cooper, Corrie, Crummer, Cunningham, Dabney, Dalby, Darrah, Dawson, Derrough, Dewell, Dewey, DeWitt, Dodds, Dye, Elliott, Ellis, Etter, Fenn, Finlayson, Fox, Goodykoontz, Grier, Hackler, Hanson, Harding, Hickenlooper, Holmes, Ide, Inman, Jacobs, Johnson, Jones, Kellogg, Kendall, Klay, Kull, Larrabee, McCleery, McDonald, Meredith, Miller of Bremer, Miller of Dubuque, Moore of Wapello, Moore of Linn, Newell, Penn, Reaney, Reitz, Ritter, Sankey, Schee, Schroeder, Schulte, Sheldon, Smith, Stillman,



Stoddard, Sullivan, Swan, Swift, Tegeler, Thompson, Tilton, Ward, Welden, White, Zeller—80.

Absent or not voting:

Beery, Bowman, Byerly, Cousins, Crozier, Davidson, Drury, Felt, Fourt, Fulliam, Fulton, Harvey, Huffaker, Hunter, Jewell, Koontz, Marston, O'Connor, Perkins, Ripley, Wilson, Mr. Speaker—22.

So the House refused to concur.

Speaker Feely in the Chair.

On request of Ellis of Jackson, unanimous consent having been given, House File No. 1, a bill for an act to make an appropriation for the removal of the remains of ex-Governor Ansel Briggs from Omaha, Nebraska, to Andrew, Jackson County, Iowa, and for the erection of a monument in the cemetery at that place in commemoration to his memory, with the following Senate amendments, was taken up and the amendments read and considered.

Amend the bill by striking out the word following the word "Governor" in the eleventh line of preamble, and insert in lieu thereof the word "Briggs."

Amend Section One by inserting the word "dollars" after the word "thousand" in the third line of said section.

Amend Section three by inserting the word "dollars" after the word "thousand" in the last line of said section.

Amend Section 4, line 4 by inserting the word "dollars" after the word "thousand" in said line.

Ellis of Jackson moved that the House concur in the Senate amendments.

On the question, Shall the House concur?

The ayes were:

Allred, Anderson, Arney, Balluff, Bascom, Bauman, Beans, Beebe, Beery, Blackmore, Boe, Boettger, Bonwell, Boomgaarden, Bowman, Brandes, Burt, Calkins, Cassady, Cooper, Cousins, Crummer, Cunningham, Dabney, Dalby, Darrah, Davidson, Dawson, Derrough, Dewell, Dewey, DeWitt, Dodds, Dye, Elliott, Ellis, Felt, Fenn, Finlayson, Fourt, Fox, Fulton, Goodykoontz, Grier, Hackler, Hanson, Harding, Hickenlooper, Hunter, Ide, In-

man, Jacobs, Johnson, Jones, Kellogg, Kendall, Klay, Koontz, Kull, Larrabee, Lee, McCleery, McDonald, Marston, Meredith, Miller of Dubuque, Moore of Wapello, Newell, O'Connor, Penn, Perkins, Reaney, Reitz, Ripley, Ritter, Sankey, Schee, Schroeder, Schulte, Sheldon, Smith, Stillman, Stoddard, Sullivan, Swan, Swift, Tegeler, Tilton, Ward, Welden, White Zeller, Mr. Speaker—93.

The nays were :

None.

Absent or not voting :

Byerly, Corrie, Crozier, Drury, Etter, Fulliam, Harvey, Holmes, Huffaker, Jewell, Miller of Bremer, Moore of Linn, Thompson, Wilson, Wolfe—15.

So the House concurs.

#### CONSIDERATION OF BILLS.

On motion of Holmes of Kossuth, House File No. 182, a bill for an act authorizing the extension of the traveling library and other activities of the Iowa Library commission and providing additional funds therefor, was taken up and considered.

Holmes of Kossuth moved that the rules be suspended, 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 ayes were :

Allred, Arney, Balluff, Bascom, Beebe, Beery, Blackmore, Boe, Bonwell, Boomgaarden, Bowman, Brandes, Burt, Calkins, Cooper, Crozier, Crummer, Cunningham, Dabney, Dalby, Darrah, Davidson, Dawson, Derrough, Dewey, DeWitt, Dodds, Dye, Elliott, Ellis, Etter, Felt, Fenn, Fox, Fulton, Goodykoontz, Grier, Hackler, Hanson, Hickenlooper, Holmes, Hunter, Inman, Jacobs, Johnson, Kellogg, Kendall, Klay, Koontz, Larrabee, Lee, McDonald, Meredith, Miller of Dubuque, Moore of Wapello, Moore of Linn, O'Connor, Penn, Reaney, Reitz, Ripley, Ritter, Sankey, Schee, Schroeder, Schulte, Sheldon, Smith, Stillman Sullivan, Swift, Thompson, Welden, Wolfe, Zeller—76.

The nays were :

None.

Absent or not voting :

Anderson, Bauman, Beans, Boettger, Byerly, Cassady, Corrie, Cousins, Dewell, Drury, Finlayson, Fourt, Fulliam, Harding, Harvey, Huffaker, Ide, Jewell, Jones, Kull, McCleery, Marston, Miller of Bremer, Newell, Perkins, Stoddard, Swan, Tegeler, Ward, White, Wilson, Mr. Speaker—32.

So the bill passed and the title was agreed to.

On motion of Tilton of Iowa, House File No. 185, a bill for an act to amend Chapter One Hundred Forty-two (142) of the Thirty-second General Assembly, relating to the sale of denatured alcohol and to enact an amendment thereto, with report of committee recommending passage as amended by substitute amendment was taken up, considered, and the substitute amendment adopted.

Kull of Howard proposed the following amendment :

I move to amend substitute for House File No. 185, by adding after the word "alcohol" in the fourth line of Section 1 the following "and poison fly paper."

Amendment adopted.

Tilton of Iowa moved that the rules be suspended, 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 ayes were :

Allred, Arney, Bascom, Bauman, Beans, Beery, Blackmore, Boe, Bonwell, Boomgaarden, Bowman, Brandes, Burt, Cassady, Corrie, Cousins, Crummer, Cunningham, Dabney, Dalby, Davidson, Dawson, Derrough, Dewey, DeWitt, Dodds, Elliott, Ellis, Fenn, Finlayson, Fourt, Fox, Goodykoontz, Grier, Hanson, Harding, Hickenlooper, Holmes, Ide, Inman, Jones, Kellogg, Klay, Koontz, Kull, McCleery, Meredith, Newell, Reaney, Reitz, Sankey, Schroeder, Schulte, Smith, Swift, Tilton, White, Zeller—58.

The nays were:

Anderson, Beebe, Boettger, Cooper, Darrah, Dewell, Dye, Etter, Felt, Fulton, Hackler, Jacobs, Johnson, Kendall, Larrabee, Lee, McDonald, Marston, Miller of Bremer, Miller of Dubuque, Moore of Wapello, Moore of Linn, O'Connor, Penn, Perkins, Ripley, Ritter, Schee, Sheldon, Stillman, Stoddard, Swan, Tegeler, Thompson, Welden, Wolfe, Mr. Speaker—37.

Absent or not voting:

Balluff, Byerly, Calkins, Crozier, Drury, Fulliam, Harvey, Huffaker, Hunter, Jewell, Sullivan, Ward, Wilson—13.

Roll call verified.

So the bill passed.

Kull of Howard moved to amend the title by adding thereto the following: "And poison fly paper."

Motion prevailed, and the title as amended was agreed to.

On motion of Sullivan of Polk, House File No. 211, a bill for an act making appropriation for Thomas H. Rattenbury on account of injuries received by him at the State Sanatorium for the treatment of tuberculosis, with report of committee recommending passage as amended was taken up, considered, and the amendment adopted.

Sullivan of Polk moved that Senate File No. 167, be substituted for House File No. 211.

Motion prevailed.

Sullivan of Polk moved that the rules be suspended, the bill be read a third time now, which motion prevailed, and the bill was read a third time.

On the question, "Shall the bill pass?"

The ayes were:

Allred, Anderson, Arney, Balluff, Bascom, Bauman, Beebe, Beery, Blackmore, Boe, Boettger, Bonwell, Boomgaarden, Bowman, Brandes, Burt, Calkins, Cassady, Cooper, Cousins, Crummer, Dabney, Dalby, Darrah, Davidson, Derrough, Dewell, Dewey, De Witt, Dodds, Dye, Elliott, Ellis, Etter, Felt, Fenn, Finlayson,

Fourt, Fox, Fulton, Goodykoontz, Grier, Hackler, Hanson, Hick-enlooper, Holmes, Hunter, Ide, Inman, Jacobs, Jones, Kellogg, Kendall, Koontz, Kull, Larrabee, Lee, McCleery, McDonald, Marston, Meredith, Miller of Dubuque, Moore of Wapello, Moore of Linn, Newell, O'Connor, Penn, Perkins, Reaney, Ripley, Ritter, Sankey, Schee, Schroeder, Schulte, Sheldon, Smith, Stillman, Stoddard, Sullivan, Swan, Swift, Tegeler, Ward, White, Zeller, Mr. Speaker—87.

The nays were:

None.

Absent or not voting:

Beans, Byerly, Corrie, Cunningham, Dawson, Drury, Fulliam, Harding, Harvey, Huffaker, Jewell, Johnson, Klay, Miller of Bremer, Reitz, Thompson, Tilton, Welden, Wilson, Wolfe—21.

So the bill passed and the title was agreed to.

Moore of Linn called up the resolution of the Appropriations Committee relative to uses of funds by State Educational Boards, which was laid over under Rule 34.

Moore of Linn moved to amend the resolution by striking from the last paragraph the words "the Appropriations Committee of."

Koontz of Johnson moved to lay the resolution on the table.

Motion seconded by Inman of Floyd.

Roll call demanded by Koontz of Johnson and Inman of Floyd.

On the question, Shall the Resolution lay on the table?

The ayes were:

Balluff, Blackmore, Bowman, Burt, Cousins, Davidson, Dawson, Etter, Finlayson, Fulton, Hanson, Holmes, Ide, Inman, Koontz, Kull, Marston, Meredith, O'Connor, Penn, Perkins, Ritter, Stoddard, Wolfe—24.

The nays were:

Arney, Bascom, Bauman, Beebe, Boe, Bonwell, Boomgaarden, Brandes, Calkins, Cassady, Cooper, Crummer, Dabney, Dalby, Darrah, Derrough, Dewell, Dewey, DeWitt, Dodds, Dye, Elliott, Felt,

Fenn, Fourn, Fox, Goodykoontz, Grier, Hunter, Jacobs, Jones, Kellogg, Kendall, Klay, Larrabee, Lee, McDonald, Miller of Dubuque, Moore of Wapello, Moore of Linn, Newell, Reaney, Ripley, Sankey, Schee, Schroeder, Schulte, Sheldon, Smith, Stillman, Sullivan, Swan, Thompson, Tilton, Ward, Zeller—56.

Absent or not voting:

Allred, Anderson, Beans, Beery, Boettger, Byerly, Corrie, Crozier, Cunningham, Drury, Ellis, Fulliam, Hackler, Harding, Harvey, Hickenlooper, Huffaker, Jewell, Johnson, McCleery, Miller of Bremer, Reitz, Swift, Tegeler, Welden, White, Wilson, Mr. Speaker—28.

So the House refused to lay the resolution on the table.

O'Connor of Chickasaw moved that the resolution be referred to a committee of five appointed by the Speaker, who shall investigate the same and make report on same within ten days.

Motion prevailed.

The Speaker appointed as the committee on the part of the presence of the House he had signed House File No. 1.

The Speaker appoints as the committee on the part of the House on Concurrent Resolution relative to the reapportionment of Iowa Judicial Districts: Cunningham of Buena Vista, Fulton of Jefferson and Swift of Shelby.

On motion of Beebe of Franklin the House adjourned.

# JOURNAL OF THE HOUSE

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HALL OF THE HOUSE OF REPRESENTATIVES.  
DES MOINES, IOWA, March 20, A. D. 1909.

House met pursuant to adjournment.

Speaker Feely in the Chair.

Prayer was offered by Rev. J. W. Graves of Des Moines, Iowa.

Journal of Friday, March 19th, corrected and approved.

On request of Perkins of Delaware leave of absence was granted Derrough of Warren until Monday.

On request of Sankey of Decatur leave of absence was granted Byerly of Jones until Monday.

On request of Goodykoontz of Boone leave of absence was granted Newell of Plymouth until Tuesday.

On request of Arney of Marshall leave of absence was granted Welden of Hardin until Thursday.

On request of Hackler of Webster leave of absence was granted Holmes of Kossuth until Monday.

On request of Hackler of Webster leave of absence was granted Klay of Sioux until Tuesday.

On request of Hackler of Webster leave of absence was granted Davidson of Palo Alto until Saturday, P. M.

On request of Stoddard of Buchanan leave of absence was granted Darrah of Lucas until Monday.

On request of Goodykoontz of Boone, leave of absence was granted Hunter of Polk until Monday.

On request of Ritter of Des Moines leave of absence was granted Kendall of Clinton until Tuesday.

On request leave of absence was granted Burt of Taylor until Tuesday.

On request, leave of absence was granted Fox of Dallas until Monday.

PETITIONS, MEMORIALS AND REMONSTRANCES.

Hickenlooper of Monroe presented remonstrance of citizens of Monroe County protesting against the passage of the School Bill.

Referred to Committee on Schools and Text Books.

Dalby of Adair presented remonstrance of citizens of Adair County relative to Senate File No. 103, referring to medicine dealers.

Referred to Committee on Judiciary.

Fulliam of Muscatine presented petition of citizens of Muscatine County relative to the State Inspection of Bees.

Referred to Committee on Agriculture.

Cooper of Jasper presented remonstrance of citizens of Jasper County protesting against the passage of the School Bill.

Referred to Committee on Schools and Text Books.

Fulliam of Muscatine presented remonstrance of citizens of Muscatine County relative to House File No. 232, referring to exemptions.

Referred to Committee on Judiciary.

Ritter of Des Moines presented remonstrance of druggists of Burlington protesting against Senate File No. 16, referring to the sale of liquor.

Referred to Committee on Suppression of Intemperance.

REPORTS OF COMMITTEES.

Allred of Wayne, from the Committee on Military, submitted the following report:

MR. SPEAKER—Your Committee on Military to whom was referred House File No. 452, a bill for an act to amend section four hundred thirty (430) of the Code relative to dependent soldiers' and sailors' tax, beg leave to report they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same be amended as follows:

By striking from line three (3) in section one of the original bill the word "half" and inserting in lieu thereof the following words: "one-



half,' and inserting in lieu thereof the word 'one,' and when so amended the bill do pass.

W. P. ALLRED,  
*Chairman.*

Adopted.

Also:

MR. SPEAKER—Your Committee on Military to whom was referred House File No. 460, a bill for an act in regard to admission to the Soldiers' Home and payment for support by members, beg leave to report they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same do pass.

W. P. ALLRED,  
*Chairman.*

Adopted.

Bonwell of Audubon, from the Committee on Roads and Highways, submitted the following report:

MR. SPEAKER—Your Committee on Roads and Highways to whom was referred House File No. 277, a bill for an act to provide for the protection of bridges and drainage ditches and providing a penalty for the violation thereof, beg leave to report they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same be amended as follows:

By striking out all of Section 2 after the word "dollars" occurring in line four of the original bill. And further recommending that the bill so amended be referred to the Committee on Judiciary.

J. C. BONWELL,  
*Chairman.*

Adopted, and House File No. 277 was so referred.

Moore of Linn, from the Committee on Appropriations, submitted the following report:

MR. SPEAKER—Your Committee on Appropriations to whom was referred Senate File No. 143, a bill for an act to amend Section twenty-five hundred and seventy-five (2575) of the Code relative to the appropriation to the State Board of Health beg leave to report they have had the same under consideration and recommend the same be indefinitely postponed.

ERNEST R. MOORE,  
*Chairman.*

Adopted, and Senate File No. 143 was indefinitely postponed.

Also:

MR. SPEAKER—Your Committee on Appropriations to whom was referred House File No. 421, a bill for an act to make an appropriation for the erection of a monument, and otherwise beautify the lot where rests the remains of Wilson A. Scott, beg leave to report they have had the same

under consideration and have instructed me to report the same back to the House with the recommendation that the same do pass.

ERNEST R. MOORE,  
*Chairman.*

Adopted.

Also :

MR. SPEAKER—Your Committee on Appropriations to whom was referred House File No. 267, a bill for an act to amend section 2881-e of the Supplement to the Code, 1907, relating to the appropriation for the State Library and Historical Department, reducing the appropriation and confining the same to the State Library beg leave to report they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same do pass.

ERNEST R. MOORE,  
*Chairman.*

Adopted.

Also :

MR. SPEAKER—Your Committee on Appropriations to whom was referred House File No. 266, a bill for an act defining the management and activities of the Historical Department of Iowa and making an appropriation for the permanent support thereof, beg leave to report they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same be amended as follows:

By striking out all following the enacting clause and substituting the following:

SECTION 1. The Board of Trustees of the State Library and Historical Department shall have full power to manage the affairs of the Historical Department of Iowa, which is hereby made to embrace a Bureau of Public Archives and a Bureau of Legislative Reference; to appoint a superintendent at an annual salary of \$2,000.00 and a curator at an annual salary of \$1,400 and such other officials and assistants as are now or may be hereafter provided by law or by joint resolution of the General Assembly; to direct the expenditure of all moneys appropriated for the use of the department; to assign all rooms in the Historical, Memorial and Art Building and shall make all necessary rules and regulations concerning the same. They shall require the superintendent and curator each to give a bond in the sum of \$5,000 conditioned upon the faithful performance of their respective duties; to devote their full time to the duties of their offices, and to give a full and accurate accounting of all moneys coming into their hands by virtue of their respective offices, such bond to be approved by the Board of Trustees of the State Library and Historical Department and filed with the Secretary of State. The superintendent and curator shall each serve for the term of six years and until their successors are elected and qualified and vacancies that may occur in either of said offices shall be filled by the Board of Trustees.

SEC. 2. The activities of the historical department shall include the collection and preservation of newspapers, manuscripts, letters, maps, books, pamphlets and other printed matter relating to Iowa and American history; the collection and maintenance of an historical art gallery and museum of American archeology and ethnology and the publication from time to time of bulletins of information relative to the collections and activities of the department.

SEC. 3. Through its Bureau of Public Archives the activities of the historical department shall include the care and preservation of the public archives of the state, and for such proper care and preservation the Historical Department is hereby given the custody of all the original public documents, papers, letters, records and other official manuscripts of the state executive and administrative departments, offices or officers councils, boards, bureaus, and commissions ten years after the date or current use of such public-documents, papers, letter, records or other official manuscripts. Provided, that the Executive Council shall have the power and authority to order the transfer of such records or any part thereof at any time prior to the expiration of the limit of ten years hereinbefore provided or to retain the same in the respective offices beyond such limit according as in the judgment of the Executive Council the public interest or convenience may require. The several state executive and administrative departments, officers or offices, councils, boards, bureaus and commissioners are hereby authorized and directed to transfer and deliver to the Historical Department such of the public archives as are herein designated, except such as in the judgment of the Executive Council should be longer retained in the respective offices. And the Historical Department is hereby authorized and directed to receive such of the public archives and records as are herein designated and properly arrange, classify, label, file and calendar the same. The superintendent shall with the approval of the Board of Trustees, appoint a chief of the Bureau of Archives with an annual salary of \$1,100.

SEC. 4. The Board of Trustees of the State Library and Historical Department is hereby directed to organize and maintain a Legislative Reference Bureau, and the superintendent shall, with the approval of the Board of Trustees, appoint a director who shall devote his full time to the duties of such bureau, at an annual salary of \$1,600.

SEC. 5. There is hereby appropriated out of any moneys in the state treasury not otherwise appropriated for the support and maintenance of the Historical Department, exclusive of the Bureaus of Public Archives and of Legislative Reference, the sum annually of five thousand dollars; for the Bureau of Public Archives the sum of \$1,000; for the Bureau of Legislative Reference the sum of \$1,000, all said sums to be paid under the direction of and as ordered by the Board of Trustees of the State Library and Historical Department and all bills after their approval and allowance by the board shall be filed with the Auditor of State.

SEC. 6. Upon proper requisition of the superintendent or curator of the historical department, the Executive Council is hereby authorized to provide and equip said department and its bureaus with such furniture, furnishings and supplies as may from time to time be necessary in carrying on their respective activities.

SEC. 7. The Superintendent of the Historical Department, under the direction of the Board of Trustees, shall, on or before the fifteenth day of August preceding the meeting of the General Assembly, make to the Executive Council an itemized and classified financial report of the department covering the biennial period immediately preceding; and on or before the first day of November preceding the regular biennial meeting of the General Assembly he shall likewise make report to the Governor of the activities of the department during the preceeding biennial period.

SEC. 8. All provisions of the Code and all acts or parts of acts inconsistent or in conflict with the provisions of this act are hereby repealed.

SEC. 9. This act being deemed of immediate importance, 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 the city of Des Moines, Iowa, and when so amended the bill do pass.

ERNEST R. MOORE,

*Chairman.*

Adopted.

Ward of Woodbury, from the Committee on Animal Industry, submitted the following report:

MR. SPEAKER—Your Committee on Animal Industry to whom was referred Senate File No. 347, a bill for an act to amend section two thousand three hundred forty-one-a (2341-a), Supplement to the Code, 1907, relative to the requirements as to soundness of stallions kept for public service beg leave to report they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same do pass.

G. E. WARD,

*Chairman.*

Adopted.

Also:

MR. SPEAKER—Your Committee on Animal Industry to whom was referred House File No. 369, a bill for an act to repeal section two thousand five hundred and thirty-four (2534) of the Supplement to the Code, 1907, and to enact a substitute therefor, and to amend section five thousand twenty-eight-j (5028-j) of the Supplement to the Code, 1907, all relating to the State Veterinary Surgeon, beg leave to report they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same be indefinitely postponed.

G. E. WARD,

*Chairman.*

Adopted, and House File No. 369 was indefinitely postponed.

Also:

MR. SPEAKER—Your Committee on Animal Industry to whom was referred House File No. 345, a bill for an act to establish a State Live Stock

Sanitary Board of Iowa, and to provide for the control and suppression of dangerous contagious or infectious diseases of domestic animals, and for the inspection of live stock imported into the State of Iowa for breeding, work, or dairy purposes, beg leave to report they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same be indefinitely postponed.

G. E. WARD,  
*Chairman.*

Adopted, and House File No. 345 was indefinitely postponed.

Elliott of Page, from the Committee on Suppression of Intemperance, submitted the following report:

MR. SPEAKER—Your committee on Suppression of Intemperance, to whom was referred House File No. 10, a bill for an act to amend Section two thousand three hundred ten-a-twenty-four (2310-a-24), relating to the sale of intoxicating liquors or narcotics to inebriates, beg leave to report they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same be indefinitely postponed.

J. D. ELLIOTT,  
*Chairman.*

Adopted, and House File No. 10 was indefinitely postponed.

Also:

MR. SPEAKER—Your committee on Suppression of Intemperance, to whom was referred House File No. 325, a bill for an act additional to and amendatory of the law as it appears in Chapter six (6) of Title twelve (XII) of the Code and Supplement to the Code, 1907, relative to intoxicating liquors, providing for the appointment of liquor law enforcement commissioners and their deputies, describing their duties, fixing their compensation and creating a fund therefor, beg leave to report they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same do pass.

J. D. ELLIOTT,  
*Chairman.*

Adopted.

Marston of Cerro Gordo, from the Committee on Labor, submitted the following report:

MR. SPEAKER—Your committee on Labor, to whom was referred House File No. 303, a bill for an act to provide for liens upon horses and other animals for the cost of shoeing the same and upon vehicles, machines and tools for the cost or manufacture or repairing the same, beg leave to report they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same be amended as follows:

1. Move to strike out of Section 4 all of the first sentence, which is as follows: All actions to enforce such liens may be brought before any municipal court or justice of the peace having jurisdiction of amount collected in the county in which such petition is filed. Also to strike out the last sentence of Section 4 which is, "In actions appealed from Municipal or justice court no change of venue shall be allowed for prejudice of the judge or the people."

2. That the bill be further amended by striking out all of Section 6, all of Section 8, all of Section 9, all of Section 10, all of Section 11, all of Section 12 and all of Section 13.

3. By making Section 7 of the original bill, Section 6 of the amended bill, and when so amended the bill do pass.

CHAS. L. MARSTON,  
*Chairman.*

Adopted.

Harding of Woodbury, from the Committee on Municipal Corporations, submitted the following report:

MR. SPEAKER—Your committee on Municipal Corporations, to whom was referred House File No. 378, a bill for an act giving to cities and towns, including cities acting under special charters, power to provide by ordinance for the trimming of trees along the public streets and sidewalks, and to assess the cost thereof to the owners of the abutting property, beg leave to report they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same be amended as follows:

By inserting the words "upon and" after the word "trees" in the third (3) line of said title, and also by striking out the words "sidewalks" in the third (3) line of said title, and inserting in lieu thereof the word "alleys."

We further recommend that the said bill be amended by inserting the words "or shrubs" after the word "trees" in line two (2) of Section one (1), and that the word "sidewalk" in Section one (1) in line three (3) be stricken, and the word "alley" substituted therefor, and further that the words "or shrubs" be inserted after the word "trees" in line three (3) of Section one (1), further that the word "upon" in line three (3) of Section one (1) be stricken, and also that the words "sidewalk or highway," in lines three (3) and four (4) of Section one (1) be stricken, and the words "street or alley" be substituted therefor.

We also recommend that the words "trim all trees not kept trimmed as required by ordinance and to" be stricken from lines one (1) and two (2) of Section two (2) of said act.

We further recommend that Section three (3) be stricken out and that the bill as above amended be recommended for passage, and when so amended the bill do pass.

W. L. HARDING,  
*Chairman.*

Adopted.

Perkins of Delaware in the Chair.

Lee of Emmet called up the report of the Committee appointed to visit the State Educational Institutions, and moved its adoption.

Motion prevailed.

Lee of Emmet moved the adoption of the supplemental report.

Motion prevailed.

Lee of Emmet called up the report of the Davidson-Penn contest committee and moved the adoption of the report and supplementary report; and further moved that the incumbent Hon. A. V. Penn be declared the duly elected representative from the Tenth Representative District.

On the question, Shall the report be adopted?

The ayes were:

Allred, Balluff, Bascom, Bauman, Beans, Beebe, Beery, Blackmore, Boe, Boettger, Bonwell, Boomgaarden, Bowman, Brandes, Burt, Calkins, Cassady, Cooper, Corrie, Crummer, Dabney, Dalby, Dawson, Derrough, Dewell, Dewey, DeWitt, Dodds, Dye, Elliott, Etter, Felt, Fenn, Finlayson, Fourt, Fulliam, Fulton, Hackler, Hanson, Harding, Hickenlooper, Hunter, Ide, Inman, Jacobs, Johnson, Jones, Kellogg, Kull, Larrabee, Lee, McCleery, McDonald, Marston, Meredith, Miller of Dubuque, Moore of Wapello, Moore of Linn, Perkins, Reaney, Reitz, Ripley, Ritter, Sankey, Schroeder, Schulte, Sheldon, Stoddard, Sullivan, Swan, Swift, Thompson, Tilton, Ward, White, Wolfe, Zeller—77.

The Nays were:

None.

Absent or not voting:

Anderson, Arney, Byerly, Cousins, Crozier, Cunningham, Darrah, Davidson, Drury, Ellis, Fox, Goodykoontz, Grier, Harvey, Holmes, Huffaker, Jewell, Kendall, Klay, Koontz, Miller of Bremer, Newell, O'Connor, Penn, Schee, Smith, Stillman, Tegeler, Welton, Wilson, Mr. Speaker—31.

So the report was adopted.

## INTRODUCTION OF BILLS.

By Meredith of Cass, House File No. 477, a bill for an act to amend the law as it appears in Sections Ten Hundred Eighty-seven-a-1 (1087-a-1), Ten Hundred Eighty-seven-a-4 (1087-a-4), Ten Hundred Eighty-seven-a-10 (1087-a-10), Ten Hundred Eighty-seven-a-20 (1087-a-20), Ten Hundred Eighty-seven-a-25 (1087-a-25), Ten Hundred Eighty-seven-a-26 (1087-a-26) and Ten Hundred Eighty-seven-a-27 (1087-27) of the Supplement to the Code, 1907, providing for the nomination of judges of the Supreme and District Courts at the regular primary election.

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

By Inman of Floyd, House File No. 478, a bill for an act to provide for the commission form of school government, of certain school districts and the adoption thereof by special election; also providing for the election of members of the Citizen School Board in such district and defining the powers of said Commission and Board.

Read first and second time and referred to Committee on Schools and Text Books.

By Inman of Floyd, House File No. 479, a bill for an act to amend the law as it appears in Section Twenty-four Fifty (2450) of the Supplement to the Code, 1907, relating to the sufficiency of statement of general consent, the manner of appeal and the length of time said petitions shall be in force.

Read first and second time and referred to Committee on Suppression of Intemperance.

By Sankey of Decatur, House File No. 480, a bill for an act requiring that all evidence of debt be assessed for taxation and bear the indorsement of the assessor or be void in law.

Read first and second time and referred to Committee on Ways and Means.

By Etter of Keokuk, House File No. 481, a bill for an act to amend Section Two Thousand Eight Hundred Thirty-four (2834), Title Thirteen (13), Chapter Sixteen (16) of the Code 1897, relative to school officials, acting as agents or dealers in school supplies.



Read first and second time and referred to Committee on Schools and Text Books.

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 House amendments to Senate File No. 170, a bill for an act to legalize the establishment of the superior court at Perry, Iowa.

S. W. NEAL,  
*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:

Substitute for Senate File No. 218, a bill for an act relating to free passes by common carriers.

S. W. NEAL,  
*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. 314, a bill for an act relating to the protection of game.

S. W. NEAL,  
*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. 169, a bill for an act additional to Chapter two of Title eighteen of the Code relating to limitation of actions.

S. W. NEAL,  
*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. 342, a bill for an act relating to the establishment and maintenance of a system of water-works in the town of Pocahontas, Iowa.

S. W. NEAL,  
*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. 304, a bill for an act requiring the proper equipment of locomotives used exclusively in switching or yard service.

S. W. NEAL,  
*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. 118, a bill for an act relating to bills of lading, defining the same, prescribing their terms and fixing the penalty for violation thereof.

S. W. NEAL,  
*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. 328, a bill for an act enlarging the powers of the railroad commissioners.

S. W. NEAL,  
*Secretary.*

Also :

MR. SPEAKER—I am directed to inform your honorable body that the Senate has passed the following bill in which the concurrence of the Senate was asked:

House File No. 1, a bill for an act making an appropriation for the removal of the remains of ex-Governor Ansel Briggs from Omaha, Nebraska, to Andrew, Jackson County, Iowa.

S. W. NEAL,  
*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. 331, a bill for an act providing for the employment of certain inmates of the reformatory at Anamosa.

S. W. NEAL,  
*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. 315, a bill for an act providing for trimming of trees along the public streets and sidewalks and to assess the cost thereto to owners of abutting property.

S. W. NEAL,  
*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. 15, a bill for an act providing funds for the support of the school for the deaf at Council Bluffs, Iowa.

S. W. NEAL,  
*Secretary.*

Also:

MR. SPEAKER—I am directed to inform your honorable body that the Senate has passed the following bill in which the concurrence of the Senate was asked:

House File No. 191, a bill for an act relating to authority of officers to demand proof of age of children employed and defining what said proof shall be.

S. W. NEAL,  
*Secretary.*

Also:

MR. SPEAKER—I am directed to inform your honorable body that the Senate has passed the following bill in which the concurrence of the Senate was asked:

House File No. 337, a bill for an act relating to examination of mine foremen, pit bosses and hoisting engineers.

S. W. NEAL,  
*Secretary.*

Also:

MR. SPEAKER—I am directed to inform your honorable body that the Senate has passed the following bill in which the concurrence of the Senate was asked:

House File No. 274, a bill for an act relating to punishment for the crime of assault with intent to inflict great bodily injury.

S. W. NEAL,  
*Secretary.*

Also:

MR. SPEAKER—I am directed to inform your honorable body that the Senate has amended by substitute and passed the following bill in which the concurrence of the Senate was asked:

House File No. 73, a bill for an act relating to the commencement of term and qualification of public officers.

S. W. NEAL,  
*Secretary.*

SENATE MESSAGES CONSIDERED.

Senate File No. 15, a bill for an act to repeal Section Two Thousand Seven Hundred Twenty-seven-a (2727-a), Supplement to the Code, 1907, and to enact a substitute therefor, providing funds for the support of the School for the Deaf at Council Bluffs, Iowa.

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

Senate File No. 118, a bill for an act relating to bills of lading, defining the same, prescribing their terms and fixing the penalty for violation thereof.

Read first and second time and referred to Committee on Banks and Banking.

Senate File No. 328, a bill for an act to amend the law as it appears in Section Two Thousand One Hundred and Thirteen (2113) of the Supplement to the Code, 1907, enlarging the powers of the Railroad Commissioners.

Read first and second time and referred to Committee on Railroads and Transportation.

Senate File No. 304, a bill for an act requiring the proper equipment of locomotives used exclusively in switching or yard service; providing for the safety of employes engaged in their operation and providing a penalty for failure to properly equip such switch engines.

Read first and second time and referred to Committee on Railroads and Transportation.

Senate File No. 315, a bill for an act giving to cities and towns, including cities acting under special charters, power to provide by ordinance for the trimming of trees along the public streets and sidewalks, and to assess the cost thereof to the owners of the abutting property.

Read first and second time and referred to Committee on Municipal Corporations.

Senate File No. 331, a bill for an act authorizing the State Board of Control to enter into a contract for the employment of certain inmates of the reformatory at Anamosa.

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

Senate File No. 314, a bill for an act to repeal Sections Twenty-five Hundred and Sixty-three-a (2563-a), Twenty-five Hundred and Sixty-three-b (2563-b), twenty-five Hundred Sixty-three-c (2563-c) Twenty-five Hundred and Sixty-three-d (2563-d), Twenty-five

Hundred and sixty-three-e (2563-e), Twenty-five Hundred and sixty-three-f (2563-f) and Twenty-five Hundred and Sixty-three-g (2563-g), Twenty-five Hundred Sixty-three-h (2563-h) of the Supplement to the Code, 1907, and to enact a substitute therefor relating to protection of game.

Read first and second time and referred to Committee on Fish and Game.

Senate File No. 169, a bill for an act amending Section Thirty-four Hundred Fifty-six (3456) and additional to Chapter Two (2) of Title Eighteen (18) of the Code relating to limitation of actions.

Read first and second time and referred to Committee on Banks and Banking.

Senate File No. 342, a bill for an act legalizing and curing the acts and proceedings of the incorporated town of Pocahontas and the town council of said incorporated town, in the county of Pocahontas and State of Iowa, in relation to the establishment, erection and maintainance and extension of a system of water-works in said town, and the issuance of warrants of said town in payment therefor, and authorizing the town council of said town to issue bonds for the purpose of taking up and paying its floating indebtedness represented by its warrants.

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

Substitute for Senate File No. 218, a bill for an act to amend the law as it appears in Section Twenty-one Hundred Fifty-seven-g (2157-g) of the Supplement to the Code, 1907, relating to free passes by common carriers.

Read first and second time and referred to Committee on Railroads and Transportation.

#### SENATE AMENDMENTS CONSIDERED.

On request of Brandes of Pottawattamie, unanimous consent having been given, House File No. 73, a bill for an act to repeal Section Eleven Hundred Seventy-seven (1177) of the Code, relating to the commencement of term and qualification of public officers and to enact a substitute therefor, with the following Senate amendment, was taken up and the amendment read and considered.

## SENATE SUBSTITUTE FOR HOUSE FILE NO. 73.

A Bill for an Act to Amend to Law as it Appears in Section Eleven Hundred Seventy-seven (1177) of the Code Relating to the Qualifications of Public Officers.

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

SECTION 1. That the law as it appears in Section eleven hundred seventy-seven (1177) of the Code be, and the same is hereby amended by striking out in the fourth and fifth lines thereof the words "first Monday in January following their election" and inserting in lieu thereof the words, "second secular day in January of the first year of the term for which such officers were elected."

Brandes of Pottawattamie moved that the House concur in the Senate amendments.

On the question, Shall the House concur?

The ayes were:

Allred, Arney, Balluff, Bascom, Bauman, Beans, Beebe, Beery, Blackmore, Boe, Boettger, Bonwell, Boomgaarden, Bowman, Brandes, Calkins, Cassady, Cooper, Corrie, Cousins, Cunningham, Dabney, Dalby, Dawson, Derrough, Dewell, Dewey, DeWitt, Dodds, Dye, Elliott, Etter, Felt, Fenn, Finlayson, Fourt, Fulliam, Fulton, Goodykoontz, Grier, Hackler, Hanson, Harding, Hickenlooper, Hunter, Inman, Jacobs, Johnson, Jones, Kellogg, Koontz, Kull, Larrabee, Lee, McCleery, McDonald, Marston, Meredith, Miller of Dubuque, Moore of Wapello, O'Connor, Penn, Perkins, Reaney, Reitz, Ripley, Ritter, Sankey, Schee, Schroeder, Schulte, Stillman, Stoddard, Sullivan, Swift, Tegeler, Thompson, Tilton, Ward, White, Wolfe, Zeller—82.

The nays were:

None.

Absent or not voting:

Anderson, Burt, Byerly, Crummer, Crozier, Darrah, Davidson, Drury, Ellis, Fox, Harvey, Holmes, Huffaker, Ide, Jewell, Kendall, Klay, Miller of Bremer, Moore of Linn, Newell, Sheldon, Smith, Swan, Welden, Wilson, Mr. Speaker—26.

So the House concurs.

## CONSIDERATION OF BILLS.

On motion of Sullivan of Polk, Senate File No. 282, a bill for an act to legalize the action and proceedings of the board of supervisors of Mills County, Iowa, in the matter of issuance of bonds for the refunding of the indebtedness of Pony Creek Drainage District No. 1, and the widening, deepening and improvement of said Pony Creek and in the levy of an assessment therefor, was taken up and considered.

Sullivan of Polk moved that the rules be suspended, the bill be read a third time now, which motion prevailed, and the bill was read a third time.

On the question, "Shall the bill pass?"

The ayes were:

Allred, Arney, Balluff, Bascom, Bauman, Beery, Blackmore, Boe, Boettger, Bonwell, Boomgaarden, Bowman, Brandes, Burt, Calkins, Cassady, Cooper, Corrie, Cousins, Cunningham, Dabney, Dalby, Dawson, Derrough, Dewell, Dewey, Dodds, Dye, Elliott, Etter, Felt, Fenn, Finlayson, Fourt, Fulliam, Fulton, Goodykoontz, Grier, Hackler, Hanson, Harding, Hickenlooper, Hunter, Ide, Inman, Jacobs, Johnson, Jones, Koontz, Kull, Larrabee, McCleery, McDonald, Meredith, Miller of Dubuque, Moore of Wapello, O'Connor, Penn, Perkins, Reaney, Reitz, Ripley, Ritter, Sankey, Schroeder, Schulte, Sheldon, Stillman, Stoddard, Sullivan, Tegeler, Tilton, Wolfe, Zeller—74.

The nays were:

None.

Absent or not voting:

Anderson, Beans, Beebe, Byerly, Crummer, Crozier, Darrah, Davidson, DeWitt, Drury, Ellis, Fox, Harvey, Holmes, Huffaker, Jewell, Kellogg, Kendall, Klay, Lee, Marston, Miller of Bremer, Moore of Linn, Newell, Schee, Smith, Swan, Swift, Thompson, Ward, Welden, White, Wilson, Mr. Speaker—34.

So the bill passed and the title was agreed to.

On motion of Boe of Winnebago, House File No. 198, a bill for an act to amend Sections Two Thousand Five Hundred Thirty

(2530) and Two Thousand Five Hundred Thirty-six (2536) of the Supplement to the Code, relating to State Veterinary Surgeon, was taken up and considered.

Boe of Winnebago moved that the rules be suspended, 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 ayes were:

Allred, Arney, Balluff, Bascom, Bauman, Beebe, Beery, Blackmore, Boe, Boettger, Bonwell, Boomgaarden, Bowman, Brandes, Calkins, Cassady, Cooper, Corrie, Cousins, Dabney, Dalby, Dawson, Dewell, Dewey, DeWitt, Dodds, Dye, Elliott, Etter, Felt, Fenn, Finlayson, Fourt, Fulliam, Fulton, Goodykoontz, Grier, Hackler, Hanson, Hickenlooper, Hunter, Ide, Inman, Jacobs, Johnson, Jones, Kellogg, Koontz, Larrabee, Lee, McCleery, McDonald, Marston, Meredith, Miller of Dubuque, Moore of Wapello, Perkins, Reaney, Reitz, Ripley, Ritter, Sankey, Schee, Schroeder, Schulte, Sheldon, Stillman, Stoddard, Sullivan, Swan, Tegeler, Thompson, Tilton, Ward, Wolfe—75.

The nays were:

None.

Absent or not voting:

Anderson, Beans, Burt, Byerly, Crummer, Crozier, Cunningham, Darrah, Davidson, Derrough, Drury, Ellis, Fox, Harding, Harvey, Holmes, Huffaker, Jewell, Kendall, Klay, Kull, Miller of Bremer, Moore of Linn, Newell, O'Connor, Penn, Smith, Swift, Welden, White, Wilson, Zeller, Mr. Speaker—33.

So the bill passed and the title was agreed to.

On motion of Dabney of Davis, House File No. 21, a bill for an act to amend Section Twenty one Hundred Sixty-five-a (2165-a) and Twenty-one Hundred Sixty-five-b (2165-b) of the Code Supplement, pertaining to the duty of express companies maintaining an office at or near the business center of cities and towns, and the duty of the railroad commissioners as to the same, with report of committee recommending passage as amended was taken up, considered, and amendments adopted.



Finlayson of Grundy proposed the following amendment and moved its adoption :

I move to amend the bill by striking out the words and figures "eighteen hundred (1800)" in Sections 1 and 2 and insert in lieu thereof the words and figures "eight hundred (800)."

Amendment lost.

Dabney of Davis moved that the rules be suspended, 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 ayes were :

Allred, Arney, Balluff, Bascom, Bauman, Beans, Beebe, Beery, Blackmore, Boettger, Bonwell, Boomgaarden, Bowman, Brandes, Calkins, Cassady, Cooper, Corrie, Cousins, Crummer, Dabney, Dalby, Dawson, Dewell, Dewey, DeWitt, Dodds, Dye, Elliott, Etter, Felt, Finlayson, Fourt, Fulliam, Fulton, Goodykoontz, Grier, Hanson, Hickenlooper, Hunter, Ide, Inman, Jacobs, Johnson, Jones, Kull, Larrabee, McCleery, McDonald, Meredith, Miller of Dubuque, O'Connor, Penn, Perkins, Reitz, Ritter, Sankey, Schee, Schulte, Stillman, Stoddard, Sullivan, Swan, Swift, Tegeler, Thompson, Tilton, Ward, White, Zeller—70.

The nays were :

Sheldon—1.

Absent or not voting :

Anderson, Boe, Burt, Byerly, Crozier, Cunningham, Darrah, Davidson, Derrough, Drury, Ellis, Fenn, Fox, Hackler, Harding, Harvey, Holmes, Huffaker, Jewell, Kellogg, Kendall, Klay, Koontz, Lee, Marston, Miller of Bremer, Moore of Wapello, Moore of Linn, Newell, Reaney, Ripley, Schroeder, Smith, Welden, Wilson, Wolfe, Mr. Speaker—37.

So the bill passed and the title was agreed to.

On motion of Bonwell of Audubon, House File No. 394, a bill for an act to repeal Sections Fifteen Hundred Seventy-b (1570-b) and Fifteen Hundred Seventy-c (1570-c) of the Supplement to the Code 1907, and to enact a substitute therefor relating to the

working of highways and providing penalties for injury to such highways or the work done thereon, was taken up and considered. tuted for House File No. 394.

Bonwell of Audubon moved that Senate File No. 317, be substituted. Motion prevailed.

Speaker Feely in the Chair.

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

Ripley of Hancock moved that further action on this bill be deferred until next Monday at 10:00. o'clock A. M., and that it be made a Special Order for that hour.

Motion lost.

On the question, "Shall the bill pass?"

The ayes were:

Allred, Arney, Balluff, Bascom, Bauman, Beans, Beebe, Beery, Blackmore, Boettger, Bonwell, Boomgaarden, Bowman, Brandes, Calkins, Cassady, Corrie, Cousins, Crummer, Cunningham, Dabney, Dalby, Dewell, Dewey, DeWitt, Dodds, Dye, Elliott, Fenn, Fulliam, Grier, Hackler, Hanson, Harding, Hickenlooper, Ide, Inman, Johnson, Koontz, Kull, McCleery, McDonald, Marston, Meredith, Miller of Dubuque, Moore of Wapello, Moore of Linn, O'Connor, Penn, Perkins, Reitz, Ritter, Sankey, Schee, Schulte, Stoddard, Sullivan, Swan, Swift, Tegeler, Thompson, Tilton, Ward, Zeller, Mr. Speaker—65.

The nays were:

Cooper, Dawson, Felt, Finlayson, Fulton, Harvey, Jones, Kellogg, Larrabee, Ripley, Schroeder, Sheldon, Stillman, Wolfe—14.

Absent or not voting:

Anderson, Boe, Burt, Byerly, Crozier, Darrah, Davidson, Derrough, Drury, Ellis, Etter, Fourn, Fox, Goodykoontz, Holmes, Huffaker, Hunter, Jacobs, Jewell, Kendall, Klay, Lee, Miller of Bremer, Newell, Reaney, Smith, Welden, White, Wilson—29.

So the bill passed and the title was agreed to.

On motion of Ward of Woodbury, House File No. 264, a bill for an act to amend Section Twenty-one Hundred Fifty-seven-g (2157-g) of the Supplement to the Code, 1907, relating to free passes by common carriers was taken up and considered.

Senate File No. 218 was substituted for House File No. 264.

Ward of Woodbury moved that the rules be suspended, the bill be read a third time now, which motion prevailed, and the bill was read at third time.

On the question, "Shall the bill pass?"

The ayes were:

Allred, Arney, Bascom, Bauman, Beans, Beebe, Beery, Blackmore, Boe, Boettger, Bonwell, Boomgaarden, Bowman, Brandes, Calkins, Cassady, Corrie, Cousins, Crummer, Cunningham, Dabney, Dalby, Dawson, Dewell, Dewey, DeWitt, Dodds, Dye, Fenn, Finlayson, Fourt, Fulliam, Fulton, Goodykoontz, Grier, Hackler, Hanson, Harding, Hickenlooper, Ide, Inman, Jacobs, Jones, Kellogg, Koontz, Larrabee, Lee, McCleery, McDonald, Marston, Meredith, Miller of Dubuque, Penn, Perkins, Ripley, Ritter, Sankey, Schee, Schroeder, Schulte, Stillman, Stoddard, Sullivan, Swan, Swift, Tegeler, Tilton, Ward, White, Wolfe, Zeller, Mr. Speaker—72.

The nays were:

None.

Absent or not voting:

Anderson, Balluff, Burt, Byerly, Cooper, Crozier, Darrah, Davidson, Derrough, Drury, Elliott, Ellis, Etter, Felt, Fox, Harvey, Holmes, Huffaker, Hunter, Jewell, Johnson, Kendall, Klay, Kull, Miller of Bremer, Moore of Wapello, Moore of Linn, Newell, O'Connor, Reaney, Reitz, Sheldon, Smith, Thompson, Welden, Wilson—36.

So the bill passed and the title was agreed to.

The Speaker appointed O'Connor of Chickasaw, Stillman of Greene, Hackler of Webster, Schee of O'Brien and Kellogg of Harrison as the committee to investigate the charges set forth in the Resolution of the Committee on Appropriations.

White of Story moved that the House adjourn until 1:30 P. M.

## AFTERNOON SESSION.

The House met pursuant to adjournment.

Speaker Feely in the Chair.

On request of Fourt of Allamakee, leave of absence was granted Anderson of Hamilton until Monday.

On request of Fourt of Alamakee leave of absence was granted Reaney of Louisa until Monday.

On request of Grier of Poweshiek leave of absence was granted Cooper of Jasper until Monday.

## REPORT OF COMMITTEE.

Miller of Bremer, from the Committee on Pharmacy submitted the following report:

MR. SPEAKER—Your committee on Pharmacy, to whom was referred House File No. 116, a bill for an act to adopt a state poem, beg leave to report they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same do pass.

C. W. MILLER,  
*Chairman.*

Passed on file.

Moore of Linn, from the Committee on Appropriations, submitted the following report:

## BOARD OF CONTROL APPROPRIATIONS.

As Submitted by the Joint Conference Committee on Appropriations.

## GENERAL.

	Asked.	Allowed.
For salaries and expenses of state agents.....	\$ 8,000	\$ 8,000
For land for an epileptic colony .....	64,000	—

## SOLDIERS' HOME.

For additional room for married people .....	5,000	5,000
For addition to the Old People's building, including fixtures and connections .....	25,000	—
For furniture and furnishings .....	3,000	3,000
For improvement of plumbing, heating and lighting system and general repairs .....	7,300	3,000
For new beds .....	2,700	2,000
For tool house and vegetable cellar .....	2,000	2,000

## SOLDIERS' ORPHANS' HOME.

	Asked.	Allowed.
For beds .....	600	600
For mattresses .....	1,800	1,800
For dormitory floors .....	400	400
For decorating chapel .....	300	300
For wagon shed .....	150	150
For books and periodicals .....	300	300
For connection of city sewer .....	1,400	1,400
For contingent and repair fund .....	3,000	3,000
<b>Total .....</b>	<b>\$ 7,950</b>	<b>\$ 7,950</b>

## COLLEGE FOR THE BLIND.

	Asked.	Allowed.
For gymnasium and equipment—The reappropriation of the \$2,500, appropriated by the Thirty-first G. A. for new coal house and the further appropriation of.	\$ 12,000	\$ 12,000

## SCHOOL FOR THE DEAF.

	Asked.	Allowed.
For telephone system .....	\$ 300	\$ 300
For fencing .....	500	500
For completing and furnishing assembly hall .....	2,000	2,000
For library and binding .....	300	300
For school furniture .....	300	300
For painting interior main building .....	500	500
For walks and grading .....	500	500
For painting school-house and gymnasium .....	1,000	1,000
For land and lots .....	15,000	
For repair and contingent fund .....	3,500	3,500
<b>Total .....</b>	<b>\$ 23,900</b>	<b>\$ 8,900</b>

## INSTITUTION FOR FEEBLE-MINDED CHILDREN.

	Asked.	Allowed.
For wing for new custodial building .....	\$ 40,000	\$ 40,000
For beds and bedding .....	3,000	3,000
For furniture and furnishings .....	5,000	5,000
For paint and painting .....	3,500	3,500
For repair and contingent .....	10,000	10,000
<b>Total .....</b>	<b>\$ 61,500</b>	<b>\$ 61,500</b>

## STATE SANATORIUM FOR TREATMENT OF TUBERCULOSIS.

	Asked.	Allowed.
For cottage for patients .....	\$ 22,500	\$ 22,500
For cottage for superintendent .....	5,000	5,000
For kitchen, dining room and quarters for help .....	20,000	20,000

For fire protection .....	4,000	4,000
For building for poultry .....	500	500
For piggery .....	1,000	1,000
For improvement of grounds .....	1,000	1,000
For amusements .....	200	200
For books and periodicals .....	300	300
For contingent and repair fund .....	3,000	3,000
<b>Total .....</b>	<b>\$ 57,500</b>	<b>\$ 56,500</b>

## INDUSTRIAL SCHOOL FOR BOYS.

	Asked.	Allowed.
For hospital building .....	\$ 10,000	\$ 10,000
For two steam boilers .....	2,000	2,000
For greenhouse and connections .....	3,000	3,000
For ice house .....	1,600	1,600
For lectures, entertainments, etc. ....	300	300
For library books and periodicals .....	500	300
For dental fund .....	600	600
For agricultural implements .....	500	500
For horses, cattle and hogs .....	1,000	1,000
For band and orchestra instruments .....	300	200
For furniture and furnishings .....	1,000	1,000
For drain tile .....	1,000	1,000
For fencing .....	500	500
For horse barn .....	4,000	3,500
For cow barn .....	6,000	4,000
For granary .....	2,000	2,000
For contingent and repair fund .....	5,000	5,000
For tunnels, pipe, pipe covering, etc. ....	15,000	15,000
<b>Total .....</b>	<b>\$ 54,300</b>	<b>\$ 51,500</b>

## INDUSTRIAL SCHOOL FOR GIRLS.

	Asked.	Allowed.
For cement walks .....	\$ 1,000	\$ 1,000
For finishing basement, Larrabee cottages .....	1,500	1,500
For furniture and furnishings .....	1,000	1,000
For hot water tank and connection .....	3,000	3,000
For painting, interiors and exteriors .....	1,000	500
For pianos .....	1,200	1,200
For dental fund .....	400	400
For chaplain's fund .....	150	150
For contingent and repair .....	3,000	3,000
For new greenhouse and equipment .....	2,000	2,000
<b>Total .....</b>	<b>\$ 14,000</b>	<b>\$ 12,550</b>

## MOUNT PLEASANT STATE HOSPITAL.

	Asked.	Allowed.
For furniture and furnishings .....	\$ 5,000	\$ 5,000
For patients' library .....	500	500
For women's infirmary, additional .....	3,000	3,000
For furniture and furnishings, women's infirmary .....	3,000	3,000
For hydrotherapeutic department, women's infirmary..	4,000	4,000
For furnishing farmer's lodge .....	1,500	1,500
For food cars .....	500	500
For ice plant .....	12,000	12,000
For battery of boilers .....	5,000	5,000
For drain tile .....	2,000	2,000
For fencing .....	600	600
For gutters, main building .....	3,000	3,000
For open air pavilion .....	2,000	2,000
For paints and painting .....	3,000	3,000
For kitchen equipment .....	2,000	2,000
For cows .....	3,000	1,000
For horses, wagons and farm implements .....	1,500	1,000
For laundry machinery .....	1,000	1,000
For contingent and repair fund .....	10,000	10,000
For engine and generator .....	9,000	9,000
For enlarging sewage disposal plant .....	2,000	2,000
<b>Total .....</b>	<b>\$ 73,900</b>	<b>\$ 71,400</b>

## INDEPENDENCE STATE HOSPITAL.

	Asked.	Allowed.
For electric wiring .....	\$ 4,000	\$ 4,000
For floors and flooring .....	3,000	3,000
For paints and painting .....	3,000	3,000
For new sewer .....	1,200	1,200
For new smokestack .....	8,000	8,000
For new boilers, additional .....	4,500	4,500
For iron-working lathe .....	1,000	750
For re-shingling cow barn .....	500	500
For tiling .....	3,000	3,000
For additional water supply .....	12,000	12,000
For additional support fund .....	7,000	7,000
For contingent and repair .....	10,000	10,000
<b>Total .....</b>	<b>\$ 57,200</b>	<b>\$ 56,950</b>

## CLARINDA STATE HOSPITAL.

	Asked.	Allowed.
For new boilers and stokers .....	\$ 10,000	\$ 10,000
For rewiring .....	3,000	3,000
For plumbing and fixtures .....	1,000	1,000
For contingent and repair fund .....	10,000	10,000
<b>Total .....</b>	<b>\$ 24,000</b>	<b>\$ 24,000</b>

## CHEROKEE STATE HOSPITAL.

	Asked.	Allowed.
For fire station and root cellar .....	5,000	5,000
For land .....	3,600	—
For painting .....	2,000	2,000
For books, periodicals and newspapers .....	500	300
For pictures and picture molding .....	250	250
For carpets and rugs .....	2,000	1,000
For water softener .....	5,000	—
For contingent and repair fund .....	10,000	10,000
For land .....	20,000	—
Total .....	\$ 48,350	\$ 18,550

## STATE HOSPITAL FOR INEBRIATES.

For new mangle .....	1,000	—
For tiling land .....	1,000	—
Total .....	\$ 2,000	—

## STATE PENITENTIARY.

	Asked.	Allowed.
For land for farm .....	\$ 16,500	—
For transportation of prisoners .....	2,000	2,000
For contingent and repair fund .....	5,000	5,000
For cell house .....	25,000	15,000
Total .....	\$ 48,500	\$ 22,000

## THE REFORMATORY.

	Asked.	Allowed.
For two new boilers and appurtenances .....	\$ 2,000	\$ 2,000
For wiring new cell bank .....	2,000	2,000
For derrick supplies .....	500	500
For tools for shop and quarry .....	600	600
For freight on stone .....	800	800
For transportation of discharged prisoners .....	1,000	1,000
For salaries of foremen .....	10,000	10,000
For contingent and repair fund .....	7,500	5,000
For printing and bindery .....	2,500	2,500
Total .....	\$ 26,900	\$ 24,500
For general land fund .....	—	30,000

## GENERAL SUMMARY.

	Asked.	Allowed.
For salaries and expenses of state agents .....	\$ 8,000	\$ 8,000
Soldiers' Home .....	45,000	15,000
Soldiers' Orphans' Home .....	7,950	7,950



College for the Blind .....	12,000	12,000
School for the Deaf .....	23,900	8,900
Institution for Feeble-minded Children .....	61,500	60,500
State Sanatorium for Treatment of Tuberculosis .....	57,500	56,500
Industrial School for Boys .....	54,300	51,500
Industrial School for Girls .....	14,250	12,550
Mount Pleasant State Hospital .....	73,900	71,400
Independence State Hospital .....	57,200	56,950
Clarinda State Hospital .....	24,000	24,000
Cherokee State Hospital .....	48,350	18,550
State Hospital for Inebriates .....	2,000	—
State Penitentiary .....	48,500	22,000
The Reformatory .....	26,900	24,400
For General Land Fund .....	—	30,000
Total .....	\$565,250	\$480,200

## INTRODUCTION OF BILLS.

By Harding of Woodbury, House File No. 482, a bill for an act legalizing the acts, resolutions, ordinances and proceedings of the council of the incorporated town of Oto, Woodbury County, Iowa.

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

By Committee on Banks and Banking, House File No. 483, a bill for an act to amend Sections Eighteen Hundred Forty-six (1846), Eighteen Hundred Forty-seven (1847), Eighteen Hundred Forty-nine (1849), Eighteen Hundred Fifty-one (1851), Eighteen Hundred Fifty-two (1852), Eighteen Hundred Fifty-three (1853), Eighteen Fifty-four (1854), Eighteen Hundred Fifty-six (1856), Eighteen Hundred Fifty-seven (1857), Eighteen Hundred Sixty (1860), Eighteen Hundred Sixty-seven (1867) of the Code, and Sections Eighteen Hundred Forty-eight (1848), Eighteen Hundred Fifty (1850), Eighteen Hundred Fifty-a (1850-a), Eighteen Hundred Sixty-nine (1869), Eighteen Hundred Seventy-one (1871), of the Supplement to the Code, 1907; and to repeal Sections Eighteen Hundred Forty-five (1845), Eighteen Hundred Sixty-six (1866), and Eighteen Hundred Seventy-two (1872), of the Code, and Sections Eighteen Hundred Fifty-five (1855) and Eighteen Hundred Seventy-three (1873) of the Supplement to the Code, 1907, and enact substitutes therefor, relating to Banks and Banking.

Read first and second time and passed on file.

By Committee on Banks and Banking, House File No. 484, a bill for an act relating to the operation and regulation of state and savings banks authorizing the Auditor of State to require a change of Correspondents; to verify and reconcile the accounts and pass books of depositors, and to provide for annual meetings.

Read first and second time and passed on file.

By Committee on Banks and Banking, House File No. 485, a bill for an act to repeal Section Eighteen Hundred Seventy-five (1875) of the Supplement to the Code, 1907, and enact a substitute therefor, relating to banks and banking.

Read first and second time and passed on file.

By Sullivan of Polk, House File No. 486, a bill for an act authorizing the giving of pensions to disabled and retired policemen and the widows and minor children and dependent fathers and mothers of deceased policemen in cities, incorporated towns, and special charter cities having organized police departments, creating a fund from which to pay such pensions and providing for the distribution thereof, creating a board of trustees to care for such pension fund and prescribing their powers and duties and authorizing the retiring from service of policemen under certain conditions.

Read first and second time and referred to Committee on Municipal Corporations.

By Fulton of Jefferson (by request), House File No. 487, a bill for an act to amend Section Twenty-seven Hundred Fifty-five (2755) of the Supplement to the Code, 1907, relating to the election of members of the school board.

Read first and second time and referred to Committee on Schools and Text Books.

Hackler of Webster moved that Senate File No. 198 be made a Special Order for Wednesday, March 24th, at 10:00 o'clock.

Motion prevailed.

Moore of Linn moved that House File No. 473 be made a special order for Tuesday, March 23rd at 11:00 o'clock.

Motion prevailed.

Dabney of Davis moved that House File No. 384 be withdrawn from the Committee on Police Regulations, and the further consideration of the House.

Motion prevailed.

Goodykoontz of Boone moved that House File No. 293 be withdrawn from the Committee on Railroads and Transportation and the further consideration of the House.

Motion prevailed.

#### CONSIDERATION OF BILLS.

On motion of White of Story, House File No. 195, a bill for an act to amend the law as it appears in Section Seventeen Hundred Fifty-eight-a (1758-a) and Section Seventeen Hundred Nine (1709) of the Supplement to the Code, 1907, giving to insurance companies, in addition to the authority now enjoyed, the right to issue policies upon automobiles and marine risks and further adding to the list of properties and rights that may be insured; repealing the law as it appears in Section 1710 of the Supplement to the Code, 1907, and enacting a substitute therefor was taken up, considered, and Senate File No. 164, was substituted for House File No. 195.

White of Story proposed the following amendment and moved its adoption: Amend by striking out the word "largency" and inserting the word "larceny" in the seventh line from the bottom of Section 3.

Amendment adopted.

White of Story moved that the rules be suspended, the bill be read a third time now, which motion prevailed, and the bill was read a third time.

On the question, "Shall the bill pass?"

The ayes were:

Allred, Arney, Balluff, Bascom, Bauman, Beans, Beebe, Begry, Blackmore, Boe, Boettger, Bonwell, Boomgaarden, Bowman, Brandes, Calkins, Corrie, Cousins, Crummer, Cunningham, Dabney, Dalby, Davidson, Dawson, Dewell, Dewey, Dodds, Dye, Elliott, Felt, Fenn, Fourt, Fulliam, Fulton, Goodykoontz, Grier, Hackler,

Hanson, Harding, Hickenlooper, Ide, Inman, Jacobs, Johnson, Jones, Kellogg, Koontz, Kull, Larrabee, Lee, McCleery, McDonald, Marston, Meredith, Miller of Dubuque, Moore of Linn, O'Connor, Penn, Perkins, Reitz, Ripley, Ritter, Sankey, Schee, Schroeder, Schulte, Sheldon, Stillman, Stoddard, Sullivan, Swift, Tegeler, Thompson, Tilton, Ward, White, Wolfe, Zeller, Mr. Speaker—79.

The nays were :

None.

Absent or not voting :

Anderson, Burt, Byerly, Cassady, Cooper, Crozier, Darrah, Derrough, DeWitt, Drury, Ellis, Etter, Finlayson, Fox, Harvey, Holmes, Huffaker, Hunter, Jewell, Kendall, Klay, Miller of Bremer, Moore of Wapello, Newell, Reaney, Smith, Swan, Welden, Wilson—29,

So the bill passed and the title was agreed to.

On motion of Boettger of Scott, House File No. 29, a bill for an act repealing Section Five Hundred Ninety-one (591) of the Code, relating to the compensation of Township Clerks and enacting a substitute therefor, with report of committee recommending passage as amended by substitute amendment was taken up, considered and the substitute amendment adopted.

Boettger of Scott moved that the rules be suspended, 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 ayes were :

Allred, Balluff, Bascom, Bauman, Beans, Beebe, Beery, Blackmore, Boe, Boettger, Bonwell, Boomgaarden, Bowman, Brandes, Calkins, Cousins, Crummer, Dabney, Dalby, Davidson, Dawson, Dodds, Dye, Fourt, Fulliam, Goodykoontz, Grier, Hackler, Hanson, Harding, Hickenlooper, Jacobs, Johnson, Kellogg, Koontz, Kull, Larrabee, Lee, McCleery, McDonald, Meredith, Miller of Dubuque, O'Connor, Penn, Perkins, Reitz, Ripley, Ritter, Sankey, Schulte, Sheldon, Stillman, Stoddard, Sullivan, Swan, Swift, Tegeler, Thompson, Tilton, White, Wolfe, Mr. Speaker—62.

The nays were :

Corrie, Cunningham, Dewey, DeWitt, Elliott, Felt, Fenn, Fulton, Ide, Inman, Jones, Marston, Moore of Linn, Schroeder—14.

Absent or not voting :

Anderson, Arney, Burt, Byerly, Cassady, Cooper, Crozier, Darrah, Derrough, Dewell, Drury, Ellis, Etter, Finlayson, Fox, Harvey, Holmes, Huffaker, Hunter, Jewell, Kendall, Klay, Miller of Bremer, Moore of Wapello, Newell, Reaney, Schee, Smith, Ward, Welden, Wilson, Zeller—32.

So the bill passed and the title was agreed to.

On motion of Balluff of Scott, House File No. 31, a bill for an act repealing Section Five Hundred and Ninety (590) of the Code, relative to the compensation of Township Trustees and enacting a substitute therefor, with report of committee recommending passage as amended by substitute amendment was taken up, considered, and the substitute amendment adopted.

Balluff of Scott moved that the rules be suspended, 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 ayes were :

Allred, Arney, Balluff, Bascom, Bauman, Beans, Beebe, Beery, Blackmore, Boe, Boettger, Bonwell, Boomgaarden, Bowman, Brandes, Calkins, Cassady, Cousins, Crummer, Dabney, Davidson, Dawson, Dodds, Dye, Fourt, Fulliam, Goodykoontz, Grier, Hackler, Hanson, Harding, Hickenlooper, Ide, Jacobs, Johnson, Kellogg, Koontz, Kull, Larrabee, McCleery, McDonald, Marston, Meredith, Miller of Dubuque, Moore of Linn, O'Connor, Penn, Perkins, Reitz, Ripley, Ritter, Sankey, Schee, Schulte, Sheldon, Stillman, Stoddard, Sullivan, Swift, Tegeler, Thompson, White, Wolfe, Mr. Speaker—64.

The nays were :

Corrie, Cunningham, Dalby, Dewey, DeWitt, Elliott, Inman, Jones, Schroeder, Tilton—10.

Absent or not voting :

Anderson, Burt, Byerly, Cooper, Crozier, Darrah, Derrough, Dewell, Drury, Ellis, Etter, Felt, Fenn, Finlayson, Fox, Fulton, Harvey, Holmes, Huffaker, Hunter, Jewell, Kendall, Klay, Lee,

Miller of Bremer, Moore of Wapello, Newell, Reaney, Smith, Swan, Ward, Welden, Wilson, Zeller—34.

So the bill passed and the title was agreed on.

On motion of Hanson of Humboldt, House File No. 320, a bill for an act to amend the law as it appears in Section Four Thousand Nine Hundred and Ninety-nine-a-twenty-five (4099-a25) of the Supplement to the Code Nineteen Hundred and Seven (1907), relating to penalty for violation of the Pure Food Laws, was taken up and considered.

On motion of DeWitt of Montgomery, unanimous consent having been given, the parentheses surrounding the figures "nineteen hundred and seven (1907)" were stricken from the title and body of the bill.

Hanson of Humboldt moved that the rules be suspended, 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 ayes were:

Allred, Arney, Balluff, Bascom, Bauman, Beans, Beebe, Beery, Blackmore, Boe, Boettger, Bonwell, Boomgaarden, Bowman, Brandes, Calkins, Cassady, Corrie, Cousins, Crummer, Dabney, Dalby, Davidson, Dawson, Dewell, DeWitt, Elliott, Felt, Fenn, Finlayson, Fourt, Fulliam, Fulton, Goodykoontz, Grier, Hackler, Hanson, Harding, Hickenlooper, Inman, Jacobs, Johnson, Jones, Kellogg, Larrabee, Lee, McDonald, Marston, Meredith, Miller of Dubuque, Moore of Linn, O'Connor, Penn, Perkins, Reitz, Ripley, Sankey, Schee, Schroeder, Stillman, Stoddard, Sullivan, Swift, Tegeler, Thompson, Tilton, Ward, White, Wolfe, Zeller, Mr. Speaker—72.

The nays were:

McCleery, Ritter—2.

Absent or not voting:

Anderson, Burt, Byerly, Cooper, Crozier, Cunningham, Darrah, Derrough, Dodds, Drury, Dye, Ellis, Etter, Fox, Harvey, Holmes, Huffaker, Hunter, Ide, Jewell, Kendall, Klay, Koontz, Kull, Miller of Bremer, Moore of Wapello, Newell, Reaney, Schulte, Sheldon, Smith, Swan, Welden, Wilson—34.

So the bill passed and the title was agreed to.

On motion of Bowman of Linn, House File No. 330, a bill for an act to amend Section Nine Hundred Fifteen (915) of the Supplement to the Code, 1907, relating to acknowledgment and recording of plats, and to provide for the certificate of the county attorney, with report of committee recommending passage as amended by substitute amendment was taken up, considered, and the substitute amendment adopted.

Bowman of Linn moved that the rules be suspended, 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 ayes were:

Allred, Arney, Balluff, Bascom, Bauman, Beans, Beebe, Beery, Blackmore, Boe, Boettger, Bonwell, Boomgaarden, Bowman, Brandes, Calkins, Corrie, Cousins, Crummer, Cunningham, Dabney, Dalby, Davidson, Dawson, Dewell, Dewey, DeWitt, Dodds, Dye, Elliott, Fenn, Finlayson, Fourt, Fulliam, Fulton, Goodykoontz, Grier, Hackler, Hanson, Harding, Hickenlooper, Ide, Inman, Jacobs, Johnson, Jones, Kellogg, Koontz, Kull, Larrabee, Lee, McCleery, McDonald, Marston, Meredith, Miller of Dubuque, Moore of Linn, O'Connor, Penn, Reitz, Ripley, Ritter, Sankey, Schee, Schroeder, Schulte, Sheldon, Stillman, Stoddard, Sullivan, Swan, Tegeler, Thompson, Tilton, Ward, White, Zeller, Mr. Speaker—78.

The nays were:

None.

Absent or not voting:

Anderson, Burt, Byerly, Cassady, Cooper, Crozier, Darrah, Derrough, Drury, Ellis, Etter, Felt, Fox, Harvey, Holmes, Huffaker, Hunter, Jewell, Kendall, Klay, Miller of Bremer, Moore of Wapello, Newell, Perkins, Reaney, Smith, Swift, Welden, Wilson, Wolfe—30.

So the bill passed and the title was agreed to.

On motion of Goodykoontz of Boone, House File No. 427, a bill for an act to amend the law as it appears in Section 358 of the Code, relating to qualification of sureties on certain official bonds, was taken up and considered.

Goodykoontz of Boone proposed the following amendment and moved its adoption:

I move to amend House File No. 427 by adding thereto after the word "constable" in line four, the words "or their deputies."

Amendment adopted.

Goodykoontz of Boone moved that the rules be suspended, 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 ayes were:

Allred, Arney, Balluff, Bascom, Bauman, Beans, Beebe, Beery, Blackmore, Boe, Bonwell, Bowman, Brandes, Cassady, Corrie, Cousins, Cunningham, Dabney, Dalby, Davidson, Dewell, Dewey, DeWitt, Dye, Elliott, Fenn, Fourt, Fulton, Goodykoontz, Grier, Hackler, Hanson, Harding, Hickenlooper, Ide, Inman, Jacobs, Johnson, Jones, Koontz, Kull, Larrabee, McCleery, McDonald, Marston, Meredith, Miller of Bremer, Miller of Dubuque, Moore of Linn, O'Connor, Perkins, Reitz, Ripley, Ritter, Schee, Schroeder, Schulte, Stillman, Stoddard, Sullivan, Swan, Swift, Thompson, Tilton, Ward, White, Wolfe, Mr. Speaker—68.

The nays were:

Boomgaarden, Calkins, Crummer, Felt, Fulliam, Penn, Sankey, Tegeler, Zeller—9.

Absent or not voting:

Anderson, Boettger, Burt, Byerly, Cooper, Crozier, Darrah, Dawson, Derrough, Dodds, Drury, Ellis, Etter, Finlayson, Fox, Harvey, Holmes, Huffaker, Hunter, Jewell, Kellogg, Kendall, Klay, Lee, Moore of Wapello, Newell, Reaney, Sheldon, Smith, Welden, Wilson—31.

So the bill passed and the title was agreed to.

On motion of McDonald of Carroll, the House adjourned.



# JOURNAL OF THE HOUSE

HALL OF THE HOUSE OF REPRESENTATIVES,  
DES MOINES, IOWA, MARCH 22, A. D. 1909.

House met pursuant to adjournment.

Speaker Feely in the Chair.

Prayer was offered by Rev. M. M. Cable of Manilla, Iowa.

Journal of Saturday, March 20, corrected and approved.

On request of Bauman of Van Buren leave of absence was granted Etter of Keokuk until Tuesday.

On request of Miller of Dubuque leave of absence was granted Ellis of Jackson indefinitely on account of sickness.

On request of Davidson of Palo Alto leave of absence was granted Klay of Sioux until Tuesday.

On request of O'Connor of Chickasaw leave of absence was granted Boe of Winnebago until Tuesday.

On request of Harding of Woodbury, leave of absence was granted Ward of Woodbury until Saturday.

On request of Ritter of Des Moines leave of absence was granted Drury of Sac until Tuesday.

## PETITIONS, MEMORIALS AND REMONSTRANCES.

Bauman of Van Buren presented remonstrance of citizens of Van Buren County protesting against the passage of the School Bill.

Referred to Committee on Schools and Text Books.

Hanson of Humboldt presented petition of citizens of Thor, Iowa, relative to Senate File No. 38, referring to a Commerce Council.

Referred to Committee on Railroads and Transportation.

Mr. Speaker presented petition of policemen of Waterloo, Iowa, relative to an amendment to Senate File No. 271.

Referred to Committee on Municipal Corporations.

White of Story presented remonstrance of United Mine Workers of America protesting against the passage of House File No. 411, referring to contracts of prison labor.

Referred to Committee on Mines and Mining.

#### REPORTS OF COMMITTEES.

Beebe of Franklin, from the Committee on Claims, submitted the following report:

MR. SPEAKER—Your committee on Claims, to whom was referred House File No. 409, a bill for an act to indemnify Mamie McMahan for personal injury sustained by her while employed as nurse at the Mt. Pleasant State Hospital, Mt. Pleasant, Iowa, beg leave to report they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same be amended as follows:

By striking out the words and figures "Three hundred dollars (\$300)" in Section one, line three, and inserting in lieu thereof the words and figures "One hundred dollars (\$100.00)" and when so amended recommend that the bill do pass, and further recommend that it be referred to the committee on Appropriations.

N. W. BEEBE,  
*Chairman.*

Adopted, and House File No. 409 was so referred.

Also.

MR. SPEAKER—Your committee on Claims, to whom was referred House File No. 97, a bill for an act to indemnify Gustave Winter for personal injury while employed at the Hospital for Insane, at Independence, Iowa, beg leave to report they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same be amended as follows:

By striking out the words and figures "Two thousand dollars (\$2,000)" in line four (4) of Section one (1) and substituting in lieu thereof the following: "Five hundred (\$500.00) dollars" and when so amended recommend that the bill do pass, and further recommend that it be referred to the committee on Appropriations.

N. W. BEEBE,  
*Chairman.*

Adopted, and House File No. 97 was referred to the Committee on Appropriations.

Stillman of Greene, from the Committee on Schools and Text Books submitted the following report:

MR. SPEAKER—Your committee on Schools and Text Books, to whom was referred House File No. 431, a bill for an act providing for the temporary closing of certain schools and providing school privileges for the children residing in said districts, beg leave to report they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same be amended as follows:

That Section 1 be amended by striking out the words "average daily attendance" in the third line and inserting in lieu thereof the word "enrollment." And by striking out the word "six" in the fourth line and inserting in lieu thereof the word "eight." Also, that Section 3 be amended by striking out the word "attendance" in the seventh line and inserting in lieu thereof the word "enrollment," and by striking out the word "six" in the same line and inserting the word "eight," also by striking out the word "fifteen" in line fifteen and inserting in lieu thereof the word "twelve," and by striking out the word "ten" in line eighteen and inserting in lieu thereof the word "eight," and when so amended the bill do pass.

PAUL E. STILLMAN,  
*Chairman.*

Adopted.

#### INTRODUCTION OF BILLS.

By Cunningham of Buena Vista, House File No. 488, a bill for an act to repeal Section Two Thousand Seventy-seven-a (2077-a) of the Supplement to the Code, 1907, relative to the posting of bulletins in passenger stations and to enact a substitute therefore.

Read first and second time and referred to Committee on Railroads and Transportation.

By Hunter of Polk, House File No. 489, a bill for an act to amend the law as it appears in Section Seven Hundred Forty-one-f (741-f), Chapter Four, Title Five, of the Supplement to the Code, 1907, authorizing certain cities to incur an indebtedness for the purpose of constructing a city hall in an amount not exceeding in the aggregate two and one-half per centum of the actual value of the taxable property within such city, and to authorize the issuance of bonds in pursuance of an election which may have been heretofore held authorizing the erection of such city hall.

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

## 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 Senate was asked:

House File No. 109, a bill for an act relating to statistics, and enacting a substitute therefor.

S. W. NEAL,  
*Secretary.*

Grier of Poweshiek moved that House File No. 483, be made a special order for ten o'clock Friday.

Motion prevailed.

Hickenlooper of Monroe moved that House File No. 284 be withdrawn from the Committee on Elections and the further consideration of the House.

Motion prevailed.

Harding of Woodbury offered the following resolution:

## RESOLUTION.

WHEREAS, The time is fast approaching when the session of the Legislature of the Thirty-third General Assembly should be brought to a close and whereas, the calendar is full and there is yet a large amount of business to be done, therefore be it

*Resolved*, That the Speaker be instructed to limit all speeches to five minutes, unless by consent of the House the time be extended.

Laid over under Rule 34.

## CONSIDERATION OF BILLS.

On motion of Schee of O'Brien House File No. 365, a bill for an act to legalize deed of Osceola County, Iowa, to Edgar Baker, for government lots two, three, and four in Section Ten, in Township One Hundred, North of Range Thirty-nine west of the 5th principal meridian, was taken up and considered.

Schee of O'Brien moved that the rules be suspended, 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 ayes were :

Allred, Anderson, Arney, Balluff, Bascom, Bauman, Beans, Beebe, Beery, Blackmore, Boettger, Bonwell, Boomgaarden, Bowman, Brandes, Byerly, Calkins, Cassady, Cooper, Corrie, Cousins, Cunningham, Dabney, Dalby, Darrah, Derrough, Dewell, DeWitt, Dodds, Dye, Elliott, Felt, Fenn, Finlayson, Fourt, Fox, Fulliam, Fulton, Grier, Hanson, Harding, Hickenlooper, Holmes, Huffaker, Hunter, Ide, Jones, Kellogg, Kull, Larrabee, Lee, McCleery, McDonald, Miller of Dubuque, Moore of Linn, O'Connor, Penn, Perkins, Reitz, Ritter, Sankey, Schee, Schroeder, Schulte, Stillman, Stoddard, Sullivan, Swan, Swift, Tegeler, Thompson, Tilton, White, Zeller, Mr. Speaker—75.

The nays were :

None.

Absent or not voting :

Boe, Burt, Crozier, Cunningham, Davidson, Dawson, Dewey, Drury, Ellis, Etter, Goodykoontz, Hackler, Harvey, Inman, Jacobs, Jewell, Johnson, Kendall, Klay, Koontz, Marston, Meredith, Miller of Bremer, Moore of Wapello, Newell, Reaney, Ripley, Sheldon, Smith, Ward, Welden, Wilson, Wolfe—33.

So the bill passed and the title was agreed to.

On motion of Fulliam of Muscatine, House File No. 357, a bill for an act to amend the law as it appears in Section Three Thousand One Hundred Forty-one (3141) of the Code, 1897, relating to granting of marriage license by Clerk of the District Court, was taken up and considered.

Lee of Emmet proposed the following amendment and moved its adoption :

I move to amend House File No. 357 by striking out all after the word "hereby" in the second line of Section 1 and inserting in lieu thereof the following: "Repealed and the following substituted therefore."

Amendment adopted.

Fulliam of Muscatine moved that the rules be suspended, 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 ayes were:

Allred, Anderson, Arney, Balluff, Bascom, Bauman, Beans, Beebe, Beery, Blackmore, Boettger, Bonwell, Boomgaarden, Bowman, Byerly, Calkins, Cassady, Cooper, Corrie, Cousins, Crummer, Dabney, Dalby, Darrah, Dawson, Derrough, Dewell, Dewey, DeWitt, Dodds, Dye, Elliott, Felt, Fenn, Finlayson, Fox, Fulliam, Fulton, Grier, Hanson, Harding, Hickenlooper, Huffaker, Hunter, Ide, Inman, Jones, Kellogg, Kull, Larrabee, Lee, McCleery, McDonald, Marston, Meredith, Miller of Bremer, Miller of Dubuque, Moore of Linn, O'Connor, Penn, Perkins, Reitz, Ritter, Sankey, Schee, Schroeder, Schulte, Stillman, Stoddard, Sullivan, Swan, Tegeler, Thompson, Tilton, White, Wolfe, Zeller, Mr. Speaker—78.

The nays were:

None.

Absent or not voting:

Boe, Brandes, Burt, Crozier, Cunningham, Davidson, Drury, Ellis, Etter, Fourt, Goodykoontz, Hackler, Harvey, Holmes, Jacobs, Jewell, Johnson, Kendall, Klay, Koontz, Moore of Wapello, Newell, Reaney, Ripley, Sheldon, Smith, Swift, Ward, Welden, Wilson—30.

So the bill passed.

Lee of Emmet moved to amend the title by striking out the word "amend" and insert in lieu thereof the word "repeal" and by adding after the comma after the word "Code" the following: "And to enact a substitute therefore."

Amendment adopted, and the title as amended was agreed to.

On motion of Harding of Woodbury, House File No. 445, a bill for an act to legalize certain actions of the city council of the city of Sioux City, Iowa, relating to the transfer of moneys from the Library Bond Fund to the Judgment Fund, was taken up and considered.

Harding of Woodbury moved that the rules be suspended, 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 ayes were:

Allred, Anderson, Arney, Balluff, Bascom, Bauman, Beans, Beebe, Beery, Blackmore, Boettger, Bonwell, Boomgaarden, Bowman, Brandes, Byerly, Calkins, Cassady, Cooper, Corrie, Cousins, Crummer, Dabney, Dalby, Darrah, Dawson, Derrough, Dewell, Dewey, DeWitt, Dodds, Dye, Elliott, Fourt, Fox, Fulliam, Fulton, Grier, Hackler, Hanson, Harding, Hickenlooper, Huffaker, Hunter, Ide, Inman, Jacobs, Kull, Larrabee, Lee, McCleery, McDonald, Marston, Meredith, Miller of Dubuque, Moore of Linn, O'Connor, Penn, Perkins, Reitz, Ripley, Ritter, Sankey, Schee, Schroeder, Schulte, Stillman, Stoddard, Sullivan, Swan, Swift, Tegeler, Thompson, Tilton, White, Wolfe, Zeller, Mr. Speaker—78.

The nays were:

None.

Absent or not voting:

Boe, Burt, Crozier, Cunningham, Davidson, Drury, Ellis, Etter, Felt, Fenn, Finlayson, Goodykoontz, Harvey, Holmes, Jewell, Johnson, Jones, Kellogg, Kendall, Klay, Koontz, Miller of Bremer, Moore of Wapello, Newell, Reaney, Sheldon, Smith, Ward, Welden, Wilson—30.

So the bill passed and the title was agreed to.

On motion of Ripley of Hancock, House File No. 291, a bill for an act to amend Section Four Thousand Nine Hundred and Seventy-nine (4979) of the Code, relating to offenses against the public Health, was taken up and considered.

Ripley of Hancock moved that the rules be suspended, 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 ayes were:

Allred, Anderson, Arney, Balluff, Bascom, Bauman, Beebe, Beery, Blackmore, Boettger, Bonwell, Boomgaarden, Brandes, Byerly, Cassady, Cooper, Corrie, Cousins, Crummer, Dabney, Dalby, Darrah, Derrough, Dewell, Dewey, DeWitt, Dodds, Dye, Elliott, Felt, Fenn, Fourt, Fox, Fulliam, Fulton, Grier, Hackler, Hanson, Hickenlooper, Holmes, Huffaker, Hunter, Ide, Jacobs, Johnson,

Jones, Kull, Larrabee, Lee, McCleery, McDonald, Marston, Meredith, Miller of Dubuque, Moore of Linn, O'Connor, Penn, Perkins, Reitz, Ripley, Ritter, Sankey, Schee, Schroeder, Schulte, Stillman, Stoddard, Swan, Swift, Tegeler, Thompson, Tilton, White, Wolfe, Zeller, Mr. Speaker—76.

The nays were:

None.

Absent or not voting:

Beans, Boe, Bowman, Burt, Calkins, Crozier, Cunningham, Davidson, Dawson, Drury, Ellis, Etter, Finlayson, Goodykoontz, Harding, Harvey, Inman, Jewell, Kellogg, Kendall, Klay, Koontz, Miller of Bremer, Moore of Wapello, Newell, Reaney, Sheldon, Smith, Sullivan, Ward, Welden, Wilson—32.

So the bill passed and the title was agreed to.

On motion of Fulton of Jefferson, House File No. 381, a bill for an act to legalize the incorporation of the town of Packwood, Jefferson County, Iowa, the election of its officers and all acts done and ordinances passed by the town council, was taken up and considered.

Fulton of Jefferson moved that the rules be suspended, 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 ayes were:

Allred, Anderson, Arney, Balluff, Bascom, Bauman, Beans, Beebe, Beery, Blackmore, Bonwell, Boomgaarden, Bowman, Brandes, Byerly, Calkins, Cassady, Cooper, Corrie, Cousins, Crummer, Dabney, Dalby, Darrah, Dawson, Derrough, Dewell, Dewey, DeWitt, Dodds, Dye, Elliott, Felt, Fenn, Fourt, Fox, Fulliam, Fulton, Grier, Hackler, Hanson, Harding, Hickenlooper, Holmes, Hufaker, Hunter, Ide, Inman, Jacobs, Johnson, Jones, Kull, Larrabee, McCleery, McDonald, Marston, Meredith, Miller of Dubuque, Moore of Linn, O'Connor, Penn, Perkins, Reitz, Ripley, Ritter, Sankey, Schee, Schroeder, Schulte, Stillman, Stoddard, Sullivan, Swan, Siwft, Tegeler, Tilton, White, Wolfe, Zeller, Mr. Speaker—80.



The nays were:

None.

Absent or not voting:

Boe, Boettger, Burt, Crozier, Cunningham, Davidson, Drury, Ellis, Etter, Finlayson, Goodykoontz, Harvey, Jewell, Kellogg, Kendall, Klay, Koontz, Lee, Miller of Bremer, Moore of Wapello, Newell, Reaney, Sheldon, Smith, Thompson, Ward, Welden, Wilson—28.

So the bill passed and the title was agreed to.

On motion of Dye of Pottawattamie, Senate File No. 216, a bill for an act prohibiting the detention or confinement of any female in any house, room, building, or premises by force, false pretense, or intimidation, for purposes of prostitution or with intent to cause such female to become a prostitute and providing for a punishment for the violation thereof, was taken up and considered.

Dye of Pottawattamie moved that the rule be suspended, the bill be read a third time now, which motion prevailed, and the bill was read a third time.

On the question, "Shall the bill pass?"

The ayes were:

Allred, Anderson, Arney, Balluff, Bascom, Bauman, Beebe, Blackmore, Boettger, Bonwell, Boomgaarden, Bowman, Brandes, Byerly, Calkins, Cassady, Cooper, Corrie, Cousins, Crummer, Dabney, Dalby, Darrah, Dawson, Derrough, Dewell, Dewey, DeWitt, Dodds, Dye, Elliott, Felt, Fenn, Fourt, Fox, Fulliam, Fulton, Grier, Hackler, Hanson, Holmes, Huffaker, Hunter, Ide, Inman, Jacobs, Johnson, Jones, Kull, Larrabee, Lee, McCleery, McDonald, Marston, Meredith, Miller of Dubuque, Moore of Linn, O'Connor, Penn, Perkins, Reitz, Ritter, Sankey, Schee, Schroeder, Schulte, Stillman, Stoddard, Sullivan, Swan, Swift, Tegeler, Thompson, Tilton, White, Wolfe, Zeller, Mr. Speaker—78.

The nays were:

None.

Absent or not voting:

Beans, Beery, Boe, Burt, Crozier, Cunningham, Davidson, Drury, Ellis, Etter, Finlayson, Goodykoontz, Harding, Harvey, Hicken-

looper, Grier, Kellogg, Kendall, Klay, Koontz, Miller of Bremer, Moore of Wapello, Newell, Reaney, Ripley, Sheldon, Smith, Ward, Welden, Wilson—30.

So the bill passed and the title was agreed to.

On motion of Hanson of Humboldt, House File No. 321, a bill for an act to amend the law as it appears in Section Four Thousand Nine Hundred and Ninety-a-thirty-one (4999-a-31) of the Supplement to the Code, Nineteen Hundred and Seven (1907), relating to food standards, was taken up and considered.

DeWitt of Montgomery moved that the title of House File No. 321 be amended by striking out the words "nineteen hundred seven," also the marks of parentheses surrounding the figures "1907"; also by inserting in the body of the bill following the figures "(4999-a-31)" the words "of the Supplement to the Code, 1907."

Amendment adopted.

Hanson of Humboldt moved that the rules be suspended, 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 ayes were:

Allred, Anderson, Arney, Balluff, Bascom, Bauman, Beans, Beebe, Beery, Blackmore, Boettger, Bonwell, Boomgaarden, Bowman, Brandes, Byerly, Calkins, Cassady, Cooper, Corrie, Cousins, Crummer, Dabney, Dalby, Darrah, Dawson, Derrough, Dewell, Dewey, DeWitt, Dodds, Dye, Elliott, Felt, Fenn, Fourt, Fox, Fulliam, Fulton, Grier, Hackler, Hanson, Hickenlooper, Huffaker, Hunter, Ide, Inman, Jacobs, Jones, Kull, Larrabee, McCleery, McDonald, Marston, Meredith, Miller of Dubuque, Moore of Linn, O'Connor, Penn, Perkins, Reitz, Ripley, Ritter, Sankey, Schee, Schroeder, Stoddard, Sullivan, Swan, Swift, Tegeler, Thompson, Tilton, White, Wolfe, Zeller, Mr. Speaker—77.

The nays were:

None.

Absent or not voting:

Boe, Burt, Crozier, Cunningham, Davidson, Drury, Ellis, Etter, Finlayson, Goodykoontz, Harding, Harvey, Holmes, Jewell, Johnson, Kellogg, Kendall, Klay, Koontz, Lee, Miller of Bremer, Moore of Wapello, Newell, Reaney, Schulte, Sheldon, Smith, Stillman, Ward, Welden, Wilson—31.

So the bill passed and the title was agreed to.

On motion of Larrabee of Fayette, Senate File No. 318, a bill for an act to legalize the ordinances of the town of Maynard, Fayette County, Iowa, and the acts and proceedings of the council of said town had thereunder, was taken up and considered.

Larrabee of Fayette moved that the rules be suspended, the bill be read a third time now, which motion prevailed, and the bill was read a third time.

On the question, "Shall the bill pass?"

The ayes were:

Allred, Anderson, Arney, Balluff, Bascom, Bauman, Beans, Beebe, Beery, Blackmore, Boettger, Boomgaarden, Bowman, Brandes, Byerly, Calkins, Cassady, Cooper, Corrie, Cousins, Crummer, Dabney, Dalby, Darrah, Dawson, Derrough, Dewell, Dewey, DeWitt, Dodds, Dye, Elliott, Fenn, Finlayson, Fourt, Fox, Fulliam, Grier, Hackler, Hanson, Harding, Hickenlooper, Huffaker, Hunter, Ide, Inman, Johnson, Jones, Kull, Larrabee, McCleery, McDonald, Marston, Meredith, Miller of Bremer, Miller of Dubuque, Moore of Linn, O'Connor, Penn, Perkins, Reitz, Ripley, Ritter, Sankey, Schroeder, Schulte, Stoddard, Sullivan, Swan, Swift, Tegeler, Thompson, Tilton, White, Wolfe, Zeller, Mr. Speaker—77.

The nays were:

None.

Absent or not voting:

Boe, Bonwell, Burt, Crozier, Cunningham, Davidson, Drury, Ellis, Etter, Felt, Fulton, Goodykoontz, Harvey, Holmes, Jacobs, Jewell, Kellogg, Kendall, Klay, Koontz, Lee, Moore of Wapello, Newell, Reaney, Schee, Sheldon, Smith, Stillman, Ward, Welden, Wilson—31.

So the bill passed and the title was agreed to.

On motion of Zeller of Madison, House File No. 380, a bill for an act to establish a Department of Horticulture and Forestry, with report of committee recommending passage as amended, was taken up, considered, and the amendment adopted.

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

Cooper of Jasper in the Chair.

On the question, "Shall the bill pass?"

The ayes were:

Allred, Balluff, Bascom, Beans, Beebe, Beery, Blackmore, Boettger, Boomgaarden, Bowman, Brandes, Byerly, Cassady, Cooper, Corrie, Cousins, Crummer, Dabney, Dalby, Darrah, Dawson, Derrough, Dewell, Dewey, DeWitt, Dodds, Dye, Elliott, Fenn, Finlayson, Fourt, Fox, Fulliam, Fulton, Grier, Hanson, Hickenlooper, Holmes, Huffaker, Hunter, Ide, Inman, Jacobs, Johnson, Kull, Larabee, McDonald, Meredith, Miller of Dubuque, O'Connor, Penn, Reitz, Ripley, Ritter, Sankey, Schroeder, Schulte, Stoddard, Sullivan, Swift, Tegeler, Tilton, White, Wolfe, Zeller—65.

The nays were:

Bonwell, Bauman, Swan—3.

Absent or not voting:

Anderson, Arney, Boe, Burt, Calkins, Crozier, Cunningham, Davidson, Drury, Ellis, Etter, Felt, Goodykoontz, Hackler, Harding, Harvey, Jewell, Jones, Kellogg, Kendall, Klay, Koontz, Lee, McCleery, Marston, Miller of Bremer, Moore of Wapello, Moore of Linn, Newell, Perkins, Reaney, Schee, Sheldon, Smith, Stillman, Thompson, Ward, Welden, Wilson, Mr. Speaker—40.

So the bill passed and the title was agreed to.

On motion of Dabney of Davis, House File No. 393, a bill for an act to amend Section Four Hundred Four (404) of the Code, relating to the sale or exchange of bonds issued under the provisions of Section Four Hundred Three (403) of the Nineteen Hundred Seven (1907) Supplement of the Code, was taken up and considered.

Dabney of Davis moved that the rules be suspended, 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 ayes were :

Allred, Anderson, Arney, Balluff, Bascom, Bauman, Beebe, Beery, Boettger, Bonwell, Boomgaarden, Bowman, Brandes, Byerly, Cooper, Corrie, Cousins, Crummer, Dabney, Dalby, Darrah, Dawson, Derrough, Dewell, Dewey, DeWitt, Dodds, Dye, Elliott, Felt, Fenn, Finlayson, Fourt, Fox, Fulliam, Fulton, Goodykoontz, Grier, Hackler, Hanson, Harding, Hickenlooper, Holmes, Huffaker, Hunter, Ide, Jacobs, Johnson, Kull, Larrabee, McDonald, Marston, Meredith, Miller of Bremer, Miller of Dubuque, Moore of Wapello, Moore of Linn, O'Connor, Penn, Perkins, Reaney, Reitz, Ripley, Ritter, Sankey, Schee, Schroeder, Schulte, Stoddard, Sullivan, Swan, Swift, Tegeler, Thompson, White, Zeller—76.

The nays were :

None.

Absent or not voting :

Beans, Blackmore, Boe, Burt, Calkins, Cassady, Crozier, Cunningham, Davidson, Drury, Ellis, Etter, Harvey, Inman, Jewell, Jones, Kellogg, Kendall, Klay, Koontz, Lee, McCleery, Newell, Sheldon, Smith, Stillman, Tilton, Ward, Welden, Wilson, Wolfe, Mr. Speaker—32.

So the bill passed and the title was agreed to.

On motion of Elliott of Page, House File No. 452, a bill for an act to amend Section Four Hundred Thirty (430) of the Code, relative to dependent soldiers' and sailors' tax, with report of committee recommending passage as amended, was taken up, considered, and the amendment adopted.

Elliott of Page moved that the rules be suspended, 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 ayes were :

Allred, Anderson, Arney, Balluff, Bascom, Bauman, Beans, Beebe, Beery, Boettger, Bonwell, Boomgaarden, Bowman, Brandes, Byerly, Cassady, Cooper, Corrie, Cousins, Crummer, Dabney, Dalby, Darrah, Dawson, Derrough, Dewell, Dewey, DeWitt, Dodds, Dye, Elliott, Felt, Fenn, Finlayson, Fox, Fulliam, Goodykoontz, Hackler, Hanson, Harding, Hickenlooper, Holmes, Huffaker, Hunter, Ide, Inman, Jacobs, Kull, Larrabee, Lee, McCleery, McDonald, Marston, Meredith, Moore of Wapello, Moore of Linn, O'Connor, Penn, Reaney, Reitz, Ripley, Ritter, Schulte, Stoddard, Sullivan, Swan, Swift, Tegeler, Thompson, Tilton, White, Wolfe, Zeller—73.

The nays were:

Miller of Dubuque—1.

Absent or not voting:

Blackmore, Boe, Burt, Calkins, Crozier, Cunningham, Davidson, Drury, Ellis, Etter, Fourt, Fulton, Grier, Harvey, Jewell, Johnson, Jones, Kellogg, Kendall, Klay, Koontz, Miller of Bremer, Newell, Perkins, Sankey, Schee, Schroeder, Sheldon, Smith, Stillman, Ward, Welden, Wilson, Mr. Speaker—34.

So the bill passed and the title was agreed to.

On motion of Brandes of Pottawattamie, Senate File No. 153, a bill for an act granting to the Omaha, Council Bluffs and Suburban Railway Company a right of way over and across the lands of the Iowa School for the Deaf, located near Council Bluffs, Iowa, was taken up and considered.

Brandes of Pottawattamie moved that the rules be suspended, the bill be read a third time now, which motion prevailed, and the bill was read a third time.

On the question, "Shall the bill pass?"

The ayes were:

Allred, Anderson, Arney, Balluff, Bascom, Bauman, Beans, Beebe, Beery, Blackmore, Boettger, Bonwell, Boomgaarden, Brandes, Byerly, Cassady, Cooper, Corrie, Cousins, Crummer, Dabney, Dalby, Darrah, Dawson, Derrough, Dewell, Dewey, DeWitt, Dodds, Dye, Elliott, Felt, Fenn, Finlayson, Fourt, Fox, Fulliam, Fulton, Goodykoontz, Hackler, Hanson, Harding, Hickenlooper, Holmes, Huffaker, Hunter, Ide, Inman, Jacobs, Johnson, Kull, Larrabee, McCleery, McDonald, Marston, Miller of Bremer, Miller of Dubu-

que, Moore of Wapello, Moore of Linn, O'Connor, Penn, Reaney, Ripley, Ritter, Sankey, Schroeder, Schulte, Stoddard, Sullivan, Swan, Swift, Tegeler, Thompson, Tilton, White, Wolfe, Zeller—77.

The nays were:

Meredith, Schee—2.

Absent or not voting:

Boe, Bowman, Burt, Calkins, Crozier, Cunningham, Davidson, Drury, Ellis, Etter, Grier, Harvey, Jewell, Jones, Kellogg, Kendall, Klay, Koontz, Lee, Newell, Perkins, Reitz, Sheldon, Smith, Stillman, Ward, Welden, Wilson, Mr. Speaker—29.

So the bill passed and the title was agreed to.

On motion of Fulliam of Muscatine, House File No. 341, a bill for an act to amend Section Ten Hundred and Seventy-six (1076) of the Supplement to the Code, 1907, defining what shall constitute a calendar day, with report of committee recommending passage as amended by substitute amendment, was taken up, considered, and substitute amendment adopted.

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

Speaker Feely in the Chair.

On the question, "Shall the bill pass?"

The ayes were:

Allred, Anderson, Arney, Balluff, Bascom, Bauman, Beans, Beebe, Beery, Blackmore, Boettger, Bonwell, Boomgaarden, Byerly, Cassady, Cooper, Corrie, Cousins, Crummer, Dabney, Dalby, Darrah, Dawson, Derrough, Dewell, Dewey, DeWitt, Dodds, Dye, Elliott, Fenn, Finlayson, Fourt, Fox, Fulliam, Goodykoontz, Hackler, Hanson, Hickenlooper, Huffaker, Hunter, Ide, Jacobs, Kull, Larrabee, Lee, McCleery, McDonald, Marston, Meredith, Miller of O'Connor, Penn, Perkins, Reaney, Reitz, Ripley, Ritter, Sankey, Bremer, Miller of Dubuque, Moore of Wapello, Moore of Linn, Schee, Schroeder, Schulte, Stoddard, Sullivan, Swan, Swift, Tegeler, Tilton, White, Wolfe, Zeller—74.

The nays were:

None.

Absent or not voting:

Boe, Bowman, Brandes, Burt, Calkins, Crozier, Cunningham, Davidson, Drury, Ellis, Etter, Felt, Fulton, Grier, Harding, Harvey, Holmes, Inman, Jewell, Johnson, Jones, Kellogg, Kendall, Klay, Koontz, Newell, Sheldon, Smith, Stillman, Thompson, Ward, Welden, Wilson, Mr. Speaker—34.

So the bill passed and the title was agreed to.

On motion of Hunter of Polk, Senate File No. 3, a bill for an act to repeal the law as it appears in Section Fourteen Hundred Fifty-seven (1457) of the Supplement to the Code, 1907, and to enact a substitute therefor, relating to the subject of loaning or depositing of public funds, with report of committee recommending passage as amended was taken up, considered, and the amendments adopted.

Hunter of Polk moved that the rules be suspended, the bill be read a third time now, which motion prevailed and the bill was read a third time.

On the question, "Shall the bill pass?"

The ayes were:

Allred, Anderson Arney, Bascom, Bauman, Beans, Beebe, Blackmore, Bonwell, Boomgaarden, Bowman, Brandes, Cassady, Cooper, Corrie, Cousins, Crummer, Cunningham, Dabney, Dalby, Darrah, Davidson, Dawson, Derrough, Dewell, Dewey, DeWitt, Fenn, Fourt, Fox, Fulliam, Fulton, Goodykoontz, Grier, Hackler, Hanson, Harding, Hickenlooper, Holmes, Hunter, Ide, Inman, Jacobs, Johnson, Kull, Larrabee, Lee, McCleery, Marston, Meredith, Miller of Dubuque, Moore of Wapello, Moore of Linn, Reaney, Reitz, Ripley, Ritter, Schee, Schroeder, Schulte, Stillman, Stoddard, Sullivan, Swan, Swift, Thompson, Tilton, White, Zeller, Mr. Speaker—70.

The nays were:

Byerly, Calkins, McDonald, O'Connor, Penn, Perkins, Sankey—7.

Absent or not voting:

Balluff, Beebe, Boe, Boettger, Burt, Crozier, Dodds, Drury, Dye, Elliott, Ellis, Etter, Felt, Finlayson, Harvey, Huffaker, Jewell,



Jones, Kellogg, Kendall, Klay, Koontz, Miller of Bremer, Newell, Sheldon, Smith, Tegeler, Ward, Welden, Wilson, Wolfe—31.

So the bill passed and the title was agreed to.

On motion of Sullivan of Polk, the House adjourned until 1:00 o'clock, P. M.

#### AFTERNOON SESSION.

The House met pursuant to adjournment.

Speaker Feely in the Chair.

#### PETITIONS, MEMORIALS AND REMONSTRANCES.

Smith of Wright presented petition of citizens of Wright County, relative to the extension work of the Iowa State College at Ames, Iowa.

Referred to Committee on Appropriations.

#### REPORTS OF COMMITTEES.

White of Story, from the Committee on Ways and Means, submitted the following report:

MR. SPEAKER—Your committee on Ways and Means, to whom was referred House File No. 66, a bill for an act requiring all corporations doing business within the state to make an annual report and pay an annual license fee to the Secretary of State, and repealing a part of Section 1612 of the 1907 Supplement to the Code, beg leave to report they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same be amended as follows: That all after the enacting clause be stricken out and the following substituted therefor:

“SECTION 1. Any corporation, organized under the laws of this state or under the laws of any other state, territory or any foreign country, which has complied with the laws of this state relating to the organization of corporations and secured a certificate of incorporation or permit to transact business in this state, and any corporation that may hereafter organize and become incorporated under the laws of this state, and shall secure a certificate of incorporation or permit to transact business in this state, and any foreign corporation that may hereafter comply with the laws of this state relating to foreign corporations and secure a permit to transact business within this state, shall, between the first day of July and the first day of August of each year, make an annual report to the Secretary of State, said report to be in such form as he may prescribe

upon a blank to be prepared by him for that purpose, and such report shall contain the following information:

1. Name and postoffice address of the corporation.
2. The amount of capital stock authorized.
3. The amount of capital stock actually issued and outstanding.
4. Par value of such stock, designating whether preferred or common stock, and amount of each kind.
5. The names and postoffice addresses of its officers and directors and whether any change of place of business has been made during the year previous to making said report.

SEC. 2. The report required by Section one (1) of this act shall be signed and sworn to by an officer of the corporation and when filed with the Secretary of State shall be accompanied by the fee required in Section three (3) hereof and also by an application for a permit to be issued to said corporation under the provisions of this act; said permit to be in such form as the Secretary of State may prescribe and which shall be in force and effect for one year from and after the first day of July of the year in which it is issued, except that where the term of a corporate existence shall expire in less than a year from the first day of July aforesaid, then said permit shall be issued for such unexpired term only provided, however, that any corporation organized under the laws of this state, and any foreign corporation filing a certified copy of its articles of incorporation after the first day of April of any year, shall be exempt from the provisions of this act for the period ending one year from the first day of July following, after which it shall be subject to all the provisions of this act.

SEC. 3. Every corporation whose corporate period has not expired, which has heretofore obtained, or may hereinafter obtain, a certificate of incorporation or permit under the provisions of Chapter one (1) of Title nine (9) to transact business in this state as a corporation, whether the same be a domestic or foreign corporation, shall pay to the Secretary of State an annual fee based on the amount of its authorized capital stock, in amount as follows:

On authorized capital of \$20,000 or less .....	\$ 2.00
On authorized capital of over \$20,000 and not exceeding \$30,000....	3.00
On authorized capital of over \$30,000 and not exceeding \$40,000....	4.00
On authorized capital of over \$40,000 and not exceeding \$50,000....	5.00
On authorized capital of over \$50,000 and not exceeding \$75,000....	7.50
On authorized capital of over \$75,000 and not exceeding \$100,000...	10.00
On authorized capital of over \$100,000 and not exceeding \$500,000..	15.00
On authorized capital of over \$500,000 and not exceeding \$1,000,000..	20.00
On authorized capital of over \$1,000,000 .....	25.00

SEC. 4. Any corporation organized under the laws of this state, and any foreign corporation authorized to do business in this state, which shall fail to make the report and pay the annual fee provided for in this act, and within the time required in Section one (1) hereof, shall incur a penalty of ten dollars (\$10.00) per month of such delinquency, beginning with the month of August, and dating from the first day thereof, and ending with the month of April. If on the first day of May following, such

corporation shall not have filed the annual report and paid the annual fee, together with all monthly penalties due at the time of filing said report and paying said fee, it shall, because of such failure, forfeit its corporate rights within this state.

SEC. 5. During the month of August of each year the Secretary of State shall prepare a list of all delinquent corporations and file the same in his office, and on or before the first day of September he shall send by registered mail to each delinquent a notice of such delinquency and of the fact that a penalty of ten dollars (\$10.00) per month will be due the state beginning with the month of August and ending with the month of April, and that if the annual report required in this act is not filed, and the annual fee paid, together with penalties due, on or before the last day of April, that on the first day of May following, its corporate rights will be declared forfeited. A copy of each of said notices shall be preserved in the office of the Secretary of State.

SEC. 6. On the first day of May following the date of said notice, the certificate of incorporation or permit of all domestic corporations that have not complied with the provisions of this act shall be forfeited and all foreign corporations that have not complied with the provisions of this act shall forfeit the right to transact business in this state, and a declaration of forfeiture and cancellation shall be entered upon the margin of the record of the articles of incorporation of such company in the office of the Secretary of State or in such other suitable record as the Secretary of State may provide.

SEC. 7. Nothing in this chapter shall be construed as imposing an annual fee or requiring a report from any corporation organized for religious, educational, scientific or charitable purposes or other corporations organized under chapter two (2) of title nine (9) of the Code. Provided, also, that banks shall not be required to pay the annual fee required of other corporations under this act; but shall be required to make annual reports.

SEC. 8. After the first day of November and not later than the first day of January of each year the Secretary of State shall compile an alphabetical list of the domestic and foreign corporations legally doing business within this state, together with postoffice address, and mail a copy thereof to each county recorder in the several counties in this state, who shall file the same in his office.

SEC. 9. It shall be the duty of the Secretary of State between the first day of May and the first day of July of each year to notify all corporations whose corporate period has not expired, or that have not dissolved according to law, that are subject to the provisions of this act, of the requirements herein made, enclosing therewith a blank form of report and application as herein provided; and the mailing of said notice at Des Moines, Iowa, addressed to the corporation at its postoffice address as shown by the records of his office shall be deemed a full, complete and legal notice for the purpose of this act.

SEC. 10. The second sentence of Section sixteen hundred and twelve (1612) of the Supplement to the Code, 1907, which reads as follows, is hereby repealed: "The corporation shall annually, in January, file with the Secretary of State a list of its officers and directors, and any change

in the location of its place of business made by a vote of the stockholders."

SEC. 11. This act, being deemed of immediate importance, 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, and when so amended the bill do pass.

GEO. C. WHITE,  
*Chairman.*

Adopted.

Also:

MR. SPEAKER—Your committee on Ways and Means, to whom was referred Senate File No. 137, a bill for an act to amend Section 1467 of the Code relative to assessment and collection of collateral inheritance tax, beg leave to report they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same do pass.

GEO. C. WHITE,  
*Chairman.*

Adopted.

Also:

MR. SPEAKER—Your committee on Ways and Means, to whom was referred Senate File No. 329, a bill for an act to amend Section 1312 of the Code relating to the listing of property for taxation by persons acting in a fiduciary capacity, beg leave to report they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same do pass.

GEO. C. WHITE,  
*Chairman.*

Adopted.

Also:

MR. SPEAKER—Your committee on Ways and Means, to whom was referred Senate File No. 281, a bill for an act to amend the law as it appears in Section 2806 of the Supplement to the Code, 1907, to increase the amount that may be levied for the contingent fund in a school district, beg leave to report they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same be amended as follows:

That the word "fifteen" is hereby stricken out of the thirteenth line of said Section, and the word "twenty-five" inserted in lieu of the word so stricken out, and when so amended the bill do pass.

GEO. C. WHITE,  
*Chairman.*

Adopted.

Sullivan of Polk, from the Committee on Judiciary, submitted the following report:

MR. SPEAKER—Your committee on Judiciary, to whom was referred House File No. 234, a bill for an act to legalize the incorporation of the town of Merrill, Iowa, and the passage and adoption of its ordinances, resolutions and rules of health, beg leave to report they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same be amended as follows:

First. By striking out the title and substituting the following in lieu thereof: "A bill for an act to legalize the passage, adoption and publication of the ordinances, resolutions and rules of health of the incorporated town of Merrill, Iowa.

Second. By striking out all after the enacting clause and substituting the following:

WHEREAS, Doubts have arisen as to the legality of all the ordinances, resolutions and rules of health of the incorporated town of Merrill, Iowa, in that the same were not regularly read at three separate meetings of the council, nor on three different days, and the rule allowing ordinances to be read three times and passed at the same meeting of the council was not properly observed and suspended, and in that the ordinances and rules of health were not published in the manner prescribed by the statutes of Iowa relating to the publication of ordinances and rules of health. Now, therefore,

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

SECTION 1. That all the acts of the council of the incorporated town of Merrill, Iowa, in the passage, adoption and publication of the ordinances, resolutions and rules of health of said town be and the same are hereby legalized and declared to be as valid as if all the provisions of the law of the state relating to the passage, adoption and publication thereof had been duly and fully observed, and all the ordinances, resolutions and rules of health of said town are hereby legalized and declared as valid and of the same force and effect as if the same had been read at three separate meetings on three different days, and as if the same had been duly published in the manner provided by law for the reading, adoption and publication thereof. But nothing in this act shall affect pending litigation, and when so amended the bill do pass.

JOHN B. SULLIVAN,  
*Chairman.*

Adopted.

Also:

MR. SPEAKER—Your committee on Judiciary, to whom was referred Senate File No. 294, a bill for an act to amend Section forty-six hundred and twenty-five (4625) of the Code relating to the statute of frauds, beg leave to report they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same be indefinitely postponed.

JOHN B. SULLIVAN,  
*Chairman.*

Adopted, and Senate File No. 294 was indefinitely postponed.

Also :

MR. SPEAKER—Your committee on Judiciary, to whom was referred Senate File No. 267, a bill for an act to legalize the elections, acts and transactions, resolutions, by-laws, rules and regulations, contracts and certificates of the Ottumwa Cemetery Association, beg leave to report they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same do pass.

JOHN B. SULLIVAN,  
*Chairman.*

Adopted.

Also :

MR. SPEAKER—Your committee on Judiciary, to whom was referred Senate File No. 269, a bill for an act to legalize the issuing of certain warrants on the school fund by the board of directors of the independent school district of Farmington, in Van Buren County, State of Iowa, beg leave to report they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same do pass.

JOHN B. SULLIVAN,  
*Chairman.*

Adopted.

Also :

MR. SPEAKER—Your committee on Judiciary, to whom was referred House File No. 466, a bill for an act amendatory of and additional to paragraph three (3) of Section three thousand five hundred five (3505) of the Code, providing for change of place of trial in civil actions, beg leave to report they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same be indefinitely postponed.

JOHN B. SULLIVAN,  
*Chairman.*

Adopted, and House File No. 466 was indefinitely postponed.

Also :

MR. SPEAKER—Your committee on Judiciary, to whom was referred Senate File No. 305, a bill for an act to grant and relinquish to the city of Dubuque, Iowa, the title of the State of Iowa in or to a portion of the abandoned river bed of the Mississippi river, being land of the character described in Section one (1) of Chapter two hundred and twelve (212) of the Acts of the Thirty-first General Assembly, lying within the limits of said city and in sections twenty-five (25) and thirty-six (36), township eighty-nine (89) north, range two (2) east of the fifth principal meridian and authorizing and directing the Governor and the Secretary of State to issue a patent thereto, beg leave to report they have had the same

under consideration and have instructed me to report the same back to the House with the recommendation that the same do pass.

JOHN B. SULLIVAN,  
*Chairman.*

Adopted.

Also:

MR. SPEAKER—Your committee on Judiciary, to whom was referred Senate File No. 338, a bill for an act to amend the law as it appears in Section ten hundred sixty (1060) of the Supplement to the Code, 1907, relating to the time of the commencement of the term of officers chosen at a general election, beg leave to report they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same be amended as follows:

By striking out the fifth word in the third line of Section one, it being the word "first," and substituting therefor the word "second," and when so amended the bill do pass.

JOHN B. SULLIVAN,  
*Chairman.*

Adopted.

Also:

MR. SPEAKER—Your committee on Judiciary, to whom was referred House File No. 233, a bill for an act to legalize the incorporation of the town of Hinton, Iowa, and the passage and adoption of its ordinances, resolutions and rules of health, beg leave to report they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same be amended as follows:

First. By striking out the title thereof and substituting the following in lieu thereof: "A bill for an act to legalize the passage, adoption and publication of the ordinances, resolutions and rules of health of the incorporated town of Hinton, Iowa."

Second. By striking out all after the enacting clause and substituting the following:

WHEREAS, Doubts have arisen as to the legality of all the ordinances, resolutions and rules of health of the incorporated town of Hinton, Iowa, in that the same were not regularly read at three separate meetings of the council, nor on three different days, and the rule allowing ordinances to be read three times and passed at the same meeting of the council was not properly observed and suspended, and in that the ordinances and rules of health were not published in the manner prescribed by the statutes of Iowa relating to the publication of ordinances and rules of health. Now, therefor,

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

SECTION 1. That all the acts of the council of the incorporated town of Hinton, Plymouth County, Iowa, in the passage, adoption and publication of the ordinances, resolutions and rules of health of said town be and the same are hereby legalized and declared to be as valid as if all

the provisions of the law of the state relating to the passage, adoption and publication thereof had been duly and fully observed; and all the ordinances, resolutions and rules of health of said town are hereby legalized and declared as valid and of the same force and effect as if the same had been read at three separate meetings and on three different days, and as if the same had been duly published in the manner provided by law for the reading, adoption and publication thereof; provided that nothing in this act shall in any wise affect pending litigation, and when so amended the bill do pass.

JOHN B. SULLIVAN,  
*Chairman.*

Adopted.

Also:

MR. SPEAKER—Your committee on Judiciary, to whom was referred Senate File No. 296, a bill for an act amending the law as it appears in Section sixteen hundred fifty (1650) of the Code, relating to the reincorporations of the cemetery associations, beg leave to report they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same do pass.

JOHN B. SULLIVAN,  
*Chairman.*

Adopted.

Also:

MR. SPEAKER—Your committee on Judiciary, to whom was referred House File No. 438, a bill for an act requiring all persons engaged as abstracters to give bond and providing a penalty for noncompliance, beg leave to report they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same be indefinitely postponed.

JOHN B. SULLIVAN,  
*Chairman.*

Adopted, and House File No. 438 was indefinitely postponed.

Arney of Marshall, from the Committee on Agriculture, submitted the following report:

MR. SPEAKER—Your committee on Agriculture, to whom was referred House File No. 383, a bill for an act to prohibit any person, company, partnership, association or corporation, engaged in the business of lumber dealing or owning or operating lumber yards, from combining or entering into any agreement, contract, trust, etc., beg leave to report they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same do pass.

W. H. ARNEY,  
*Chairman.*

Adopted.



Also :

MR. SPEAKER—Your committee on Agriculture, to whom was referred House File No. 469, a bill for an act to repeal Section 1989-a-41 of the Supplement to the Code, 1907, relating to the fees and expenses in levee and drainage, and to enact a substitute therefor, beg leave to report they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same do pass.

W. H. ARNEY,  
*Chairman.*

Adopted.

Also :

MR. SPEAKER—Your committee on Agriculture, to whom was referred House File No. 408, a bill for an act to prevent disease among bees and to provide for inspection thereof, beg leave to report they have had the same under consideration and have instructed me to report the same back to the house with the recommendation that the same do pass.

W. H. ARNEY,  
*Chairman.*

Adopted.

#### INTRODUCTION OF BILLS.

By Jacobs of Calhoun, House File No. 490, a bill for an act to legalize the incorporation of the town of Knierim, Calhoun County, Iowa, the election of its officers and all acts done and ordinances passed by the town council of said town.

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

#### CONSIDERATION OF BILLS.

On motion of Davidson of Palo Alto, House File No. 433, a bill for an act to amend Section Two Thousand Twenty-eight as it appears in the Supplement to the Code, 1907, relating to lands which have no other means of access, with report of committee recommending passage as amended, was taken up, considered, and the amendment adopted.

Davidson of Palo Alto moved that the rules be suspended, 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 ayes were :

Allred, Anderson, Arney, Balluff, Bascom, Bauman, Beebe, Beery, Blackmore, Boettger, Bonwell, Boomgaarden, Bowman, Brandes, Byerly, Cooper, Cousins, Crummer, Dabney, Dalby, Darrah, Davidson, Dawson, Derrough, Dewell, Dewey, DeWitt, Dodds, Dye, Elliott, Felt, Fenn, Finlayson, Fourt, Fox, Goodykoontz, Grier, Hackler, Hanson, Holmes, Huffaker, Ide, Inman, Jacobs, Johnson, Jones, Kellogg, Koontz, Larrabee, Lee, McCleery, McDonald, Miller of Dubuque, Moore of Wapello, Moore of Linn, O'Connor, Penn, Perkins, Reaney, Reitz, Ripley, Ritter, Sankey, Schroeder, Schulte, Sheldon, Smith, Stoddard, Swift, Tegeler, Thompson, Tilton, White, Wolfe, Zeller, Mr. Speaker—76.

The nays were:

None.

Absent or not voting:

Beans, Boe, Burt, Calkins, Cassady, Corrie, Crozier, Cunningham, Drury, Ellis, Etter, Fulliam, Fulton, Harding, Harvey, Hickenlooper, Hunter, Jewell, Kendall, Klay, Kull, Marston, Meredith, Miller of Bremer, Newell, Schee, Stillman, Sullivan, Swan, Ward, Welden, Wilson—32.

So the bill passed and the title was agreed to.

On motion of Boettger of Scott, House File No. 30, a bill for an act repealing Section Five Hundred Ninety-two (592) of the Code, relating to the compensation of Township Assessors and enacting a substitute therefor, with report of committee recommending passage as amended by substitute amendment was taken up, considered, and the substitute amendment adopted.

Boettger of Scott moved that the rules be suspended, 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 ayes were:

Allred, Anderson, Arney, Balluff, Bascom, Beans, Beebe, Beery, Blackmore, Boettger, Bonwell, Boomgaarden, Bowman, Brandes, Byerly, Calkins, Cassady, Cooper, Cousins, Crummer, Cunningham, Dabney, Dalby, Darrah, Dawson, Derrough, Dewell, Dewey, DeWitt, Dodds, Dye, Fenn, Finlayson, Fourt, Fox, Fulliam, Goodykoontz, Grier, Hackler, Hanson, Harding, Hickenlooper, Holmes,

Huffaker, Hunter, Ide, Inman, Jacobs, Johnson, Jones, Koontz, Kull, Larrabee, McDonald, Marston, Miller of Bremer, Miller of Dubuque, Moore of Wapello, O'Connor, Penn, Reaney, Ripley, Ritter, Schee, Schulte, Sheldon, Smith, Stillman, Stoddard, Sullivan, Swan, Swift, Tegeler, Thompson, Tilton, White, Wolfe, Mr. Speaker—76.

The nays were :

Bauman, Cunningham, Swan—3.

Absent or not voting :

Boe, Burt, Corrie, Crozier, Davidson, Drury, Elliott, Ellis, Etter, Felt, Fulton, Harvey, Jewell, Kellogg, Kendall, Klay, Lee, McCleery, Meredith, Moore of Linn, Newell, Perkins, Reitz, Sankey, Schroeder, Ward, Welden, Wilson, Zeller—29.

So the bill passed and the title was agreed to.

On motion of Dawson of Cherokee, House File No. 75, a bill for an act to provide for an annual vacation with pay for officers and other employes at the charitable institutions at Mt. Pleasant, Independence, Clarinda, Cherokee, Glenwood, Eldora, Mitchellville, Vinton, Council Bluffs, Davenport, Knoxville and Marshalltown, with report of committee recommending passage as amended by substitute, was taken up, considered, and Senate File No. 197 was substituted therefor.

Dawson of Cherokee proposed the following amendment and moved its adoption :

I move to amend by striking out in lines three and four of Section One (1) of the bill the words, "may be, if in the opinion of the Board of Control found advisable, given," and substituting in lieu thereof the words, "shall be entitled to."

Amendment adopted.

Byerly of Jones proposed the following amendment :

I move to amend by inserting after the word "having" in the fourth line of the printed bill the following: "served one year to seven days and after having"; and to substitute for the word "two" in the third line of the printed bill the word "one."

Amendment adopted.

Moore of Linn proposed the following amendments:

I move to amend by striking out the word "shall" in line three of Section 1 and inserting in lieu thereof the word "may."

Amendment lost.

Also amend by striking out the words "on full pay" in line 5 of Section 1.

Roll call demanded by Moore of Linn and Sheldon of Ringgold.

Lee of Emmet moved that the bill as amended and pending be referred to the Committee on Public Charities.

Motion lost.

On the question, Shall the amendment be adopted?

The ayes were:

Allred, Anderson, Bauman, Beans, Blackmore, Bonwell, Brandes, Cooper, Crummer, Dabney, Dewell, DeWitt, Dye, Elliott, Fenn, Finlayson, Fox, Fulliam, Hickenlooper, Ide, Jacobs, Johnson, Kellogg, Kull, Larrabee, Lee, McCleery, McDonald, Moore of Wapello, Moore of Linn, Ripley, Ritter, Schee, Schroeder, Sheldon, Swan, Mr. Speaker—37.

The nays were:

Arney, Bascom, Beebe, Beery, Boettger, Boomgaarden, Bowman, Byerly, Calkins, Corrie, Cousins, Dalby, Darrah, Dawson, Derrough, Felt, Fulton, Goodykoontz, Grier, Hackler, Hanson, Harding, Holmes, Huffaker, Hunter, Inman, Jones, Marston, Meredith, Miller of Bremer, Miller of Dubuque, Perkins, Reaney, Reitz, Sankey, Schulte, Smith, Stoddard, Sullivan, Swift, Tegeler, Thompson, Tilton, Wolfe, Zeller—45.

Absent or not voting:

Balluff, Boe, Burt, Cassady, Crozier, Cunningham, Davidson, Dewey, Dodds, Drury, Ellis, Etter, Fourt, Harvey, Jewell, Kendall, Klay, Koontz, Newell, O'Connor, Penn, Stillman, Ward, Welton, White, Wilson—26.

So the amendment was lost.

Zeller of Madison moved that the rules be suspended, the bill be read a third time now, which motion prevailed, and the bill was read a third time.

Jacobs of Calhoun in the Chair.

On the question, "Shall the bill pass?"

The ayes were:

Allred, Arney, Bascom, Beebe, Beery, Boettger, Boomgaarden, Bowman, Byerly, Calkins, Cooper, Corrie, Cousins, Cunningham, Dalby, Darrah, Dawson, Dewey, DeWitt, Elliott, Felt, Finlayson, Fulton, Goodykoontz, Grier, Hackler, Hanson, Harding, Holmes, Hunter, Inman, Jones, Koontz, Kull, Lee, Marston, Meredith, Miller of Bremer, Miller of Dubuque, O'Connor, Reaney, Reitz, Sankey, Schee, Schulte, Smith, Stillman, Stoddard, Sullivan, Swift, Tegeler, Thompson, Tilton, Wolfe, Zeller—55.

The nays were:

Bauman, Beans, Blackmore, Bonwell, Brandes, Crummer, Dabney, Davidson, Dye, Fenn, Fox, Ide, Kellogg, Larrabee, McCleery, McDonald, Moore of Wapello, Moore of Linn, Ritter, Schroeder, Sheldon, Swan—22.

Absent or not voting:

Anderson, Balluff, Boe, Burt, Cassady, Crozier, Derrough, Dewell, Dodds, Drury, Ellis, Etter, Fourt, Fulliam, Harvey, Hickenlooper, Huffaker, Jacobs, Jewell, Johnson, Kendall, Klay, Newell, Penn, Perkins, Ripley, Ward, Welden, White, Wilson, Mr. Speaker—31.

So the bill passed and the title was agreed to.

On motion of Cooper of Jasper, House File No. 111, a bill for an act to provide for a change of place of trial on certain written contracts and to provide for taxing the costs therein, with report of committee recommending passage as amended by substitute amendment was taken up, considered, and the substitute amendment adopted.

Cooper of Jasper moved that the rules be suspended, 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 ayes were:

Allred, Anderson, Arney, Balluff, Bascom, Bauman, Beans, Beebe, Beery, Blackmore, Boettger, Bonwell, Boomgaarden, Bow-

man, Brandes, Byerly, Cooper, Corrie, Cousins, Crummer, Dabney, Dalby, Darrah, Davidson, Dawson, Derrough, Dewell, Dewey, DeWitt, Dodds, Dye, Elliott, Felt, Fenn, Finlayson, Fourt, Fox, Fulliam, Fulton, Goodykoontz, Grier, Hackler, Hanson, Harding, Hickenlooper, Holmes, Huffaker, Hunter, Ide, Inman, Jacobs, Jones, Koontz, Kull, Larrabee, Lee, McCleery, McDonald, Marston, Miller of Dubuque, Moore of Wapello, O'Connor, Penn, Reaney, Reitz, Ripley, Ritter, Sankey, Schee, Schroeder, Schulte, Sheldon, Smith, Stoddard, Swan, Tegeler, Thompson, Tilton, White, Wolfe, Zeller—81.

The nays were :

Meredith, Perkins, Sullivan—3.

Absent or not voting :

Boe, Burt, Calkins, Cassady, Crozier, Cunningham, Drury, Ellis, Etter, Harvey, Jewell, Johnson, Kellogg, Kendall, Klay, Miller of Bremer, Moore of Linn, Newell, Stillman, Swift, Ward, Welden, Wilson, Mr. Speaker—24.

So the bill passed and the title was agreed to.

#### MOTION TO RECONSIDER.

I move to reconsider the vote by which House File No. 197 passed the House.

I second the motion.

J. B. SULLIVAN.

W. L. HARDING.

Schee of O'Brien moved to lay the motion on the table.

Motion prevailed.

#### MESSAGES FROM THE SENATE.

The following messages were received from the Senate:

MR. SPEAKER—I am directed to inform your honorable body that the Senate has passed the following bill in which the concurrence of the House is asked:

Substitute for Senate File No. 295, a bill for an act relating to gambling, prohibiting certain games and the using of any premises for gambling purposes.

S. W. NEAL,  
*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. 247, a bill for an act relating to the establishment of drainage districts.

S. W. NEAL,  
*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. 209, a bill for an act creating a county drainage fund and providing for its collections.

S. W. NEAL,  
*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. 273, a bill for an act relating to the posting of bulletins.

S. W. NEAL,  
*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:

Substitute for Senate File No. 206, a bill for an act relating to the government of certain cities and conferring certain additional powers.

S. W. NEAL,  
*Secretary.*

Also:

MR. SPEAKER—I am directed to inform your honorable body that the Senate has indefinitely postponed House File No. 108, a bill for an act relating to farmers' institutes.

S. W. NEAL,  
*Secretary.*

Also:

MR. SPEAKER—I am directed to inform your honorable body that the Senate has concurred in House amendments to Senate File No. 8, a bill for an act relating to removal of officers by the governor.

S. W. NEAL,  
*Secretary.*

Also:

MR. SPEAKER—I am directed to inform your honorable body that the Senate has passed the following bill in which the concurrence of the Senate was asked:

House File No. 132, a bill for an act relating to the preference of debts owing for labor and the filing and allowing of claims therefor.

S. W. NEAL,  
*Secretary.*

Also:

MR. SPEAKER—I am directed to inform your honorable body that the Senate concurs in House amendments to Senate File No. 150, a bill for an act relating to the compensation of sheriffs for boarding prisoners.

S. W. NEAL,  
*Secretary.*

Also:

MR. SPEAKER—I am directed to inform your honorable body that the Senate concurs in House amendments to Senate File No. 91, a bill for an act relating to the practice of optometry.

S. W. NEAL,  
*Secretary.*

#### SENATE MESSAGES CONSIDERED.

Substitute for Senate File No. 206, a bill for an act to amend the law as it appears in Title V, Chapter Fourteen-c (14-c) of the Supplement to the Code, 1907, relating to the government of certain cities, and conferring additional powers upon such cities.

Read first and second time and referred to Committee on Municipal Corporations.

Substitute for Senate File No. 295, a bill for an act with respect to gambling, prohibiting certain games, the possession or use of certain instruments or appliances, and the using or leasing of any premises for gambling purposes, or the solicitation of persons to visit a place or places to engage in gambling or where gambling is carried on, and providing punishment therefor; and to repeal and prohibit the enactment and enforcement of city and town ordinances relative thereto, and to repeal all laws in conflict with this act.

Read first and second time and referred to Committee on Police Regulations.

Senate File No. 247, a bill for an act to amend the law as it appears in Sections Nineteen Hundred Eighty-nine-a 3 (1989-a 3), Nineteen Hundred Eighty-nine-a 11 (1989-a11), and Nineteen Hundred Eighty-nine-a31 (1989-a31) of the Supplement to the Code, 1907, relating to the establishment of drainage districts and the location and construction of levees, ditches, drains, and the change of water courses.



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

Senate File No. 209, a bill for an act to amend the law as it appears in Section Fifteen Hundred and Thirty (1530) of the Supplement to the Code, 1907, creating a county drainage fund, providing for its collection and prescribing the manner in which the same shall be paid out.

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

Senate File No. 273, a bill for an act to amend Section Two Thousand Seventy-seven-a (2077-a), of the Supplement to the Code, 1907, relating to the posting of bulletins.

Read first and second time and referred to Committee on Railroads and Transportation.

On motion of Harding of Woodbury, the House adjourned.

# JOURNAL OF THE HOUSE

HALL OF THE HOUSE OF REPRESENTATIVES,  
DES MOINES, IOWA, MARCH 23, A. D. 1909.

House met pursuant to adjournment.

Speaker Feely in the Chair.

Prayer was offered by the Rev. W. O. Thompkins of Cherokee, Iowa.

Journal of Monday, March 22d corrected and approved.

On request of Hickenlooper of Monroe leave of absence was granted McCleery of Washington until Thursday.

On request of Dye of Pottawattamie leave of absence was granted Brandes of Pottawattamie while investigating the Institute for the Insane.

## PETITIONS, MEMORIALS AND REMONSTRANCES.

Hanson of Humboldt presented petition of shippers and producers of Livermore, Iowa, relative to Senate File No. 38, referring to Commerce Council.

Referred to Committee on Railroads and Transportation.

Jewell of Winneshiek, presented remonstrance of citizens of District No. 6, Calmar Township, protesting against the passage of the School Bill.

Referred to Committee on Schools and Text Books.

## REPORTS OF COMMITTEES.

Hunter of Polk, from the Committee on Mines and Mining, submitted the following report:

MR. SPEAKER—Your committee on Mines and Mining, to whom was referred House File No. 458, a bill for an act amending the law as it appears in Section (2478) twenty-four hundred seventy-eight of the Code relating to mining inspectors, beg leave to report they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same do pass.

F. H. HUNTER,  
*Chairman.*

Adopted.

Kellogg of Harrison, from the Committee on Insurance, submitted the following report:

MR. SPEAKER—Your committee on Insurance, to whom was referred House File No. 324, a bill for an act to amend Sections seventeen hundred and nine (1709) of the Supplement to the Code, 1907, as amended by the acts of Thirty-first and Thirty-second General Assemblies relative to insurance other than life, beg leave to report they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same be indefinitely postponed.

GEO. A. KELLOGG,  
*Chairman.*

Adopted, and House File No. 324 was indefinitely postponed.

Also:

MR. SPEAKER—Your committee on Insurance, to whom was referred House File No. 122, a bill for an act to repeal Sections 1754, 1755, 1756 and 1757 of the Code and to enact a substitute therefor empowering, directing, and authorizing insurance companies to collect statistics, reduce fire waste, fix and apportion uniform rates for fire, lightning, and tornado insurance and to prevent and prohibit discrimination in the apportionment of the cost of fire, lightning and tornado insurance and to provide a penalty for the violation thereof, beg leave to report they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same be indefinitely postponed.

GEO. A. KELLOGG,  
*Chairman.*

Adopted, and House File No. 122 was indefinitely postponed.

Also:

MR. SPEAKER—Your committee on Insurance, to whom was referred House File No. 283, a bill for an act creating the office of State Fire Marshal and Deputy Fire Marshal, prescribing their duties and providing for their compensation and for the maintenance of the State Fire Marshal's office, beg leave to report they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same be amended as follows:

That all after the "enacting clause" be stricken out and the following be substituted therefor:

SECTION 1. There is hereby created the office of State Fire Marshal. The incumbent of this office shall be appointed by the Governor in each odd-numbered year, between the 15th day of January and the 1st day of February. Vacancies in the office for any cause whatsoever, shall be filled by the Governor. The first State Fire Marshal shall be appointed by the Governor not later than sixty days after the taking effect of this act.

SEC. 2. The person appointed by the Governor, as herein provided to fill the office of State Fire Marshal, shall be versed in the causes of fire and have a general knowledge of improved methods for the prevention of fire, and shall be a citizen of the State. The office shall be at the State Capitol in the city of Des Moines. The State Fire Marshal may be removed for cause at any time by the Governor. The State Fire Marshal is hereby empowered to appoint Deputy Fire Marshals with the consent and approval of the Executive Council. The duties of these deputies shall be to assist the State Fire Marshal in his work. Such appointees may be removed for cause by the State Fire Marshal at any time.

SEC. 3. In the event of a vacancy of State Fire Marshal, or during his absence or disability, his deputy shall perform the duties of the office of State Fire Marshal.

SEC. 4. The State Fire Marshal is hereby empowered to appoint such additional Deputy Fire Marshals and such office assistants as may be necessary for the proper and efficient conduct of his office, subject to the approval of the Executive Council. The Executive Council shall fix and determine their compensation.

SEC. 5. The State Fire Marshal may, in addition to the provisions of Sections two (2) and four (4) appoint any person or persons as State Inspector who may be known to him to be competent and skilled in the inspection of buildings and their contents. Such person or persons shall have all the powers of a Deputy Fire Marshal to enter and inspect buildings, including their contents and occupancies, as provided in this bill and it shall be the duty of such inspector to report to the Fire Marshal any faulty or dangerous condition found. Such State Inspector shall be duly commissioned by the State Fire Marshal and serve without compensation.

SEC. 6. The State Fire Marshal and the Chief of the Fire Department of every city or village in which a fire department is established, and the Mayor of every incorporated village or town in which no fire department exists and the township clerk of every organized township, outside the limits of any organized village or city, shall investigate the cause, origin and circumstances of every fire occurring in such city, village, town or township by which property has been destroyed or damaged and shall especially make investigation as to whether such fire was the result of carelessness or design. Such investigation shall be begun within two days, not including Sunday, of the occurrence of such fire and the State Fire Marshal shall have the right to supervise and direct such investigation whenever he deems it expedient or necessary. The officer making investigation of fires occurring in cities, villages, towns or townships

shall forthwith notify said Fire Marshal, and shall within one week of the occurrence of the fire, furnish to the said Fire Marshal a written statement of all facts relating to the cause and origin of the fire and such other information as may be called for by the blanks provided by said Fire Marshal.

SEC. 7. The State Fire Marshal shall keep in his office a record of all fires occurring in the State, showing the sound value of the property, the amount of insurance thereon, the total amount of insurance collected, and the total amount of loss to the property owner, together with all facts, statistics, circumstances, including the origin of the fire, which may be determined by the investigation provided by this act. Such records shall at all times be open to public inspection and such portions of it as the insurance department may deem necessary shall be transcribed and forwarded to such department within fifteen days from the first of January of each year. Every insurance company doing business within the State and having issued a policy on which a loss has been sustained shall furnish to the State Fire Marshal such facts as are herein authorized.

SEC. 8. The State Fire Marshal shall, when in his opinion further investigation is necessary, take or cause to be taken the testimony under oath of all persons supposed to have knowledge of any facts, or to have means of knowledge in relation to the matter in which an examination is herein required to be made, and shall cause the same to be reduced to writing. If the State Fire Marshal shall be of the opinion that there is evidence sufficient to charge any person with the crime of arson, or with the attempt to commit the crime of arson, or of conspiracy to defraud, or criminal conduct in connection with such fire, he shall cause such person to be arrested and charged with such offense, or either of them, and shall furnish to the proper prosecuting attorney all such evidence, together with the names of witnesses and all of the information obtained by same, including a copy of all matters and testimony taken in the case, and shall report to the insurance department, as often as shall be required, his proceedings and the progress made at all prosecutions under this act and the result of all cases which are finally disposed of.

SEC. 9. The State Fire Marshal and Deputy Fire Marshal shall each have power in any county in the State to administer oaths and compel the attendance of witnesses before them, or either of them to testify in relation to any matter which is by the provisions of this act a subject of inquiry and investigation, and may require the production of any books, papers or documents necessary for such investigation. False swearing in any matter or proceeding aforesaid, shall be deemed perjury and shall be punished as such. Any witness who refuses to be sworn or refuses to testify or who disobeys any lawful order of said State Fire Marshal, or Deputy State Fire Marshal, or who fails to produce any books, papers or documents touching any matter under examination, or who is guilty of any contemptuous conduct after being summoned by them, or either of them, to appear before them or either of them to give testimony in relation to any matter or subject under investigation as aforesaid, shall be guilty of a misdemeanor and it shall be the duty of the State Fire Marshal or Deputy State Fire Marshal, or either of them, to file com-

plaint against said person or persons so refusing to comply with the summons or orders of said State Fire Marshal or Deputy State Fire Marshals, before any Justice of the Peace, Police Magistrate, or any Court of Record in the county in which said investigation is being had, and upon the filing of such complaint for such cause, shall proceed in the same manner as other criminal cases. Any person convicted of the violation of any of the provisions of this act shall be fined in a sum not exceeding one hundred dollars (\$100.00) or imprisoned not to exceed thirty days, provided, however, any person so convicted shall have the right of appeal.

SEC. 10. Said State Fire Marshal and his deputies, or either of them, shall have the right and authority at all times of day or night in the performance of the duties prescribed by the provisions of this act, to enter upon or examine any building or premises, where any fire has occurred and other buildings, or premises adjoining or near the same. All investigation held by or under the direction of said State Fire Marshal, may at his discrimination be private and persons other than those required to be present by the provisions of this act, may be excluded from the place where such investigation is held and witnesses may be kept separate and apart from each other and not allowed to communicate with each other until they have been examined.

SEC. 11. The State Fire Marshal, his deputies and his assistants, the Chief of the Fire Department of all villages and cities where a fire department is established and the Clerk of each township in the territory without the limits of an organized city or village, at all reasonable hours may enter into all buildings and on all premises within their jurisdiction, for the purpose of examination.

SEC. 12. If any officer named in the preceding section finds a building, or other structure, which, from want of proper repair by reason of age and dilapidated condition, or for any cause is especially liable to fire and which is so situated as to endanger other buildings or property, or if such officer finds in any building or upon any premises combustible or explosive material, or inflammable conditions endangering the safety of such building or premises, he shall order in writing such building to be repaired, material removed or conditions remedied. Thereupon such order shall be complied with by the owner or occupant of such building or premises.

SEC. 13. If said occupant or owner shall deem himself aggrieved by such order he may within five days from the issuing of said order appeal to the State Fire Marshal and the cause of complaint shall be at once investigated under the direction of the latter, and unless by his authority the order is rejected, such order shall remain in force and be forthwith complied with by said owner or occupant. If said order is not rejected, the State Fire Marshal shall at once give written notice of such fact. Any owner or occupant of any building or premises failing to comply with the order of the authorities above specified shall be punished by a fine of not less than ten dollars (\$10.00) nor more than fifty dollars (\$50.00) for each day's neglect. The penalty herein fixed shall begin and apply five days after the notice herein provided is given, such penalty to be sued in the name of the State of Iowa upon complaint of the Fire

Marshal, Deputy Fire Marshal, or the County Attorney or any officer named herein in the county in which such building or buildings are situated, before any Justice of the Peace or any Court of Record, right of appeal shall be granted and such penalty when recovered, shall be paid into the county treasury of the county wherein such recovery is had, for the use and benefit of the school fund, provided, however, that in municipalities having fire limit ordinances, nothing herein shall be construed to effect such local regulations, but the jurisdiction of the State Fire Marshal shall be concurrent with that of the municipal authority.

Sec. 14. Any officer referred to in this act who neglects to comply with any of the requirements thereof, shall be guilty of a misdemeanor, and upon conviction shall be fined not to exceed one hundred dollars (\$100.00) or imprisoned not to exceed thirty days.

Sec. 15. The State Fire Marshal shall receive an annual salary of two thousand dollars (\$2,000.00) and Deputy Fire Marshal shall receive an annual salary of fifteen hundred dollars (\$1,500.00). Said State Fire Marshal, with the consent of the Executive Council, may employ additional deputies, clerks, and assistants and incur such other expense as may be necessary in the performance of the duties of the office, not to exceed, including salaries, such sum as may be appropriated in the manner hereinafter provided. The compensation of all persons so employed shall be fixed by the Executive Council.

Sec. 16. For the purpose of maintaining the department of State Fire Marshal and paying the expenses incident thereto, there shall be annually appropriated from any money in the State treasury, not otherwise appropriated, the sum of fifteen thousand dollars (\$15,000.00).

Sec. 17. The State Fire Marshal shall keep on file in his office a statement of all expenses incurred in his department and shall approve all vouchers issued therefor, before the same are submitted to the State Auditor for payment, when said vouchers shall be allowed and paid in the same manner as are other claims against the State. All claims arising under this act shall be paid as provided by law.

Sec. 18. The State Fire Marshal shall submit annually, as early as consistent with full and accurate preparation, and not later than the fifteenth of January of each year, a detailed report of his official action to the Governor of the State.

Sec. 19. There shall be paid to the Chiefs of Fire Departments, and to Mayors of incorporated villages, who do not receive compensation for their services as such Chiefs and Mayors, and to the township clerk of every organized township, who are by this act required to report fires to the State Fire Marshal, the sum of fifty cents for each fire so reported to the satisfaction of the State Fire Marshal, and in addition thereto mileage at the rate of fifteen cents per mile for each mile traveled to the place of fire. Said allowance shall be paid by the State Fire Marshal out of any fund appropriated for the use of the office of said State Fire Marshal; and when so amended the bill do pass, and further recommends that the bill be re-referred to the committee on Appropriations.

Geo. A. Kellogg,

*Chairman.*

Adopted, and House File No. 283 was so referred.

Sullivan of Polk, from the Committee on Judiciary, submitted the following report:

MR. SPEAKER—Your committee on Judiciary, to whom was referred Senate File No. 306, a bill for an act to amend the law as it appears in Section four thousand one hundred fourteen (4114) of the Supplement to the Code, 1907, relating to the sufficiency of notice of appeal, beg leave to report they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same do pass.

JOHN B. SULLIVAN,  
*Chairman.*

Adopted.

Also:

MR. SPEAKER—Your committee on Judiciary, to whom was referred Senate File No. 307, a bill for an act to amend Section four thousand one hundred thirty-nine (4139) of the Code relating to practice in the supreme court, beg leave to report they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same do pass.

JOHN B. SULLIVAN,  
*Chairman.*

Adopted.

Also:

MR. SPEAKER—Your committee on Judiciary, to whom was referred House File No. 482, a bill for an act legalizing the acts, resolutions, ordinances and proceedings of the council of the incorporated town of Oto, Woodbury County, Iowa, beg leave to report they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same do pass.

JOHN B. SULLIVAN,  
*Chairman.*

Adopted.

Also:

MR. SPEAKER—Your committee on Judiciary, to whom was referred Senate File No. 179, a bill for an act to amend the law as it appears in Sections two hundred fifty-four-a-thirteen (254-a-13), two hundred fifty-four-a-fourteen (254-a-14), two hundred fifty-four-a-fifteen (254-a-15), two hundred fifty-four-a-sixteen (254-a-16), two hundred fifty-four-a-seventeen (254-a-17), two hundred fifty-four-a-eighteen (254-a-18), two hundred fifty-four-a-nineteen (254-a-19), two hundred fifty-four-a-twenty (254-a-20), two hundred fifty-four-a-twenty-one (254-a-21), two hundred fifty-four-a-twenty-two (254-a-22), two hundred fifty-four-a-twenty-three (254-a-23), two hundred fifty-four-a-twenty-four (254-a-24), two hundred fifty-four-a-twenty-five (254-a-25), two hundred fifty-four-a-twenty-six (254-a-26), two hundred fifty-four-a-twenty-seven (254-a-27), two hundred fifty-four-a-twenty-



eight (254-a-28), two hundred fifty-four-a-twenty-nine (254-a-29), two hundred fifty-four-a-thirty (254-a-30), of the Supplement to the Code, 1907, relating to juvenile courts, detention homes and schools, and conferring concurrent jurisdiction upon superior courts with district courts of proceedings brought under said Sections, beg leave to report they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same do pass.

JOHN B. SULLIVAN,  
*Chairman.*

Adopted.

Also:

MR. SPEAKER—Your committee on Judiciary, to whom was referred House File No. 490, a bill for an act to legalize the incorporation of the town of Knierim, Calhoun County, Iowa, the election of its officers and all acts done and ordinances passed by the town council of said town, beg leave to report they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same do pass.

JOHN B. SULLIVAN,  
*Chairman.*

Adopted.

Also:

MR. SPEAKER—Your committee on Judiciary, to whom was referred Substitute for Senate File No. 51, a bill for an act to amend the law as it appears in Section two hundred and fifty-four-a-two (254-a-2) of the Supplement to the Code, 1907, relating to the compensation of shorthand reporters, beg leave to report they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same do pass.

JOHN B. SULLIVAN,  
*Chairman.*

Adopted.

Also:

MR. SPEAKER—Your committee on Judiciary, to whom was referred Substitute for Senate File No. 220, a bill for an act to regulate the transfer in bulk of stocks of merchandise, beg leave to report they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same do pass.

JOHN B. SULLIVAN,  
*Chairman.*

Adopted.

Also:

MR. SPEAKER—Your committee on Judiciary, to whom was referred Senate File No. 342, a bill for an act legalizing and curing the acts and proceedings of the incorporated town of Pocahontas and the town council

of said incorporated town, in the county of Pocahontas, and State of Iowa, in relation to the establishment, erection and maintenance and extension of a system of water-works in said town, and the issuance of warrants of said town in payment therefor, and authorizing the town council of said town to issue bonds for the purpose of taking up and paying its floating indebtedness represented by its warrants, beg leave to report they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same do pass.

JOHN B. SULLIVAN,  
*Chairman.*

Adopted.

Also:

MR. SPEAKER—Your committee on Judiciary, to whom was referred House File No. 46, a bill for an act to provide for the punishment of persons responsible for or contributing to the delinquency of children, beg leave to report they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same be amended as follows:

First. By striking out all after the word "for" in the fourth line of Section one up to the word "to" in the fifth line thereof and inserting the following in lieu thereof: "the conduct of such child, who by any act encourages, causes or contributes."

Second. By striking out all after the word "court" in the third line of Section two and inserting the following in lieu thereof: "final sentence may be deferred," and when so amended the bill do pass.

JOHN B. SULLIVAN,  
*Chairman.*

Adopted.

Also:

MR. SPEAKER—Your committee on Judiciary, to whom was referred House File No. 403, a bill for an act to amend the law as it appears in Section thirty-three hundred twenty-three (3323) of the Code, relating to bonds of executors and administrators on sale of real estate, beg leave to report they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same be indefinitely postponed.

JOHN B. SULLIVAN,  
*Chairman.*

Adopted, and House File No. 403 was indefinitely postponed.

Also:

MR. SPEAKER—Your committee on Judiciary, to whom was referred House File No. 441, a bill for an act to amend Section two hundred and seventy (270) of the Code, relative to juries in superior court, beg leave to report they have had the same under consideration and have in-

structed me to report the same back to the House with the recommendation that the same be indefinitely postponed.

JOHN B. SULLIVAN,  
*Chairman.*

Adopted, and House File No. 441 was indefinitely postponed.

Also:

MR. SPEAKER—Your committee on Judiciary, to whom was referred House File No. 402, a bill for an act making it a misdemeanor for any person summoned or about to be summoned as a witness before any court, tribunal, or officer authorized to receive testimony, to knowingly demand or receive more than legal compensation for services as such witness, beg leave to report they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same be indefinitely postponed.

JOHN B. SULLIVAN,  
*Chairman.*

Adopted, and House File No. 402 was indefinitely postponed.

Stillman of Greene, from the Committee on Schools and Text Books, submitted the following report:

MR. SPEAKER—Your committee on Schools and Text Books, to whom was referred House File No. 436, a bill for an act relating to the renewal of teachers' certificates, beg leave to report they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same be amended as follows: By striking out all after the enactment clause and substituting the following therefor:

SECTION 1. That Section twenty-seven hundred thirty-four-g (2734-g) of the Supplement to the Code of 1907 be and the same is hereby amended by striking out all after the word "weeks" in line two (2) and before the word "and" in line three (3); also by striking out the words "examination or otherwise" in lines six (6) and seven (7) and inserting instead the words, "testimonials from superintendents who had immediate supervision of their professional study."

SEC. 2. That Section twenty-seven hundred thirty-four-h (2734-h) of the Supplement to the Code of 1907 be and the same is hereby amended by striking out the word "one" and the words "not to exceed" in line three (3) and by changing the period in line five (5) to a comma and adding after the word "certificate" in line five (5) the following, "provided the average and minimum standings on such certificate are not lower than the average and minimum standing required for a first grade certificate," and when so amended the bill do pass.

PAUL E. STILLMAN,  
*Chairman.*

Adopted.

Also :

MR. SPEAKER—Your committee on Schools and Text Books, to whom was referred House File No. 406, a bill for an act to amend Section twenty-eight hundred twenty-three-a (2823-a), Supplement to the Code, 1907, relating to the duties of parents or guardians, beg leave to report they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same do pass.

PAUL E. STILLMAN,  
*Chairman.*

Adopted.

Miller of Bremer from the Committee on Pharmacy, submitted the following report :

MR. SPEAKER—Your committee on Pharmacy, to whom was referred House File No. 312, a bill for an act to regulate the dispensing of medicines by physicians and to amend Section two thousand five hundred eighty-eight (2588), Title twelve (12), Chapter eighteen (18), of the Code relative to pharmacy, beg leave to report they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same be indefinitely postponed.

C. W. MILLER,  
*Chairman.*

Adopted, and House File No. 312 was indefinitely postponed.

Also :

MR. SPEAKER—Your committee on Pharmacy, to whom was referred Senate File No. 185, a bill for an act to amend Section two thousand five hundred and eighty-nine-b (2589-b) of the Supplement to the Code, 1907, relative to the requirements of applicants for registration as pharmacists, beg leave to report they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same do pass.

C. W. MILLER,  
*Chairman.*

Adopted.

Also :

MR. SPEAKER—Your committee on Pharmacy, to whom was referred House File No. 446, a bill for an act to repeal Section twenty-five hundred ninety-six-a (2596-a), Supplement to the Code of 1907, and to enact a substitute therefor relating to sale of cocaine and other drugs, beg leave to report they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same do pass.

C. W. MILLER,  
*Chairman.*

Adopted.

Also :

MR. SPEAKER—Your committee on Pharmacy, to whom was referred Senate File No. 59, a bill for an act to amend Section two thousand three hundred ninety-four (2394) of the Code relating to the sale of intoxicating liquors by permit holders, beg leave to report they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same be indefinitely postponed.

C. W. MILLER,  
*Chairman.*

On the adoption of the report, roll call was demanded by Meredith of Cass and Burt of Taylor.

On the question, Shall the report be adopted?

The ayes were :

Balluff, Boettger, Byerly, Drury, Dye, Etter, Huffaker, Koontz, Kull, Miller of Bremer, Miller of Dubuque, Penn, Reitz, Ritter, Sankey, Schroeder, Schulte, Sheldon, Tegeler—19.

The nays were :

Allred, Anderson, Arney, Bascom, Beans, Beebe, Beery, Blackmore, Boe, Bonwell, Boomgaarden, Bowman, Burt, Cassady, Cooper, Corrie, Cousins, Crummer, Cunningham, Dabney, Dalby, Darrah, Davidson, Dawson, Derrough, Dewell, Dewey, DeWitt, Dodds, Elliott, Felt, Fenn, Finlayson, Fourt, Fox, Fulliam, Fulton, Goodykoontz, Grier, Hanson, Harvey, Hickenlooper, Holmes, Hunter, Ide, Inman, Jewell, Johnson, Jones, Kellogg, Kendall, Klay, Larrabee, Lee, Marston, Meredith, Moore of Wapello, Moore of Linn, Newell, Perkins, Reaney, Ripley, Smith, Stoddard, Sullivan, Swan, Swift, Thompson, Tilton, White, Zeller—71.

Absent or not voting :

Bauman, Brandes, Calkins, Crozier, Ellis, Hackler, Harding, Jacobs, McCleery, McDonald, O'Connor, Schee, Stillman, Ward, Welden, Wilson, Wolfe, Mr. Speaker—18.

So the motion was lost.

\* Meredith of Cass moved that Senate File No. 59 be placed on the Calendar.

Motion prevailed, and Senate File No. 59 was ordered placed on the Calendar.

Beery of Henry, from the Committee on Food and Dairy, submitted the following report:

MR. SPEAKER—Your committee on Food and Dairy, to whom was referred House File No. 311, a bill for an act to repeal Section four thousand nine hundred ninety-nine (4999) of the Code, and enacting a substitute therefor, beg leave to report they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same be indefinitely postponed.

ENOCH BEERY,  
*Chairman.*

Adopted, and House File No. 311 was indefinitely postponed.

Also:

MR. SPEAKER—Your committee on Food and Dairy, to whom was referred House File No. 310, a bill for an act to repeal Section five thousand and seventy-seven-a-twenty (5077-a-20) of the Supplement to the Code, 1907, making substitute therefor, relating to agricultural seed, beg leave to report they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same be indefinitely postponed.

ENOCH BEERY,  
*Chairman.*

Adopted, and House File No. 310 was indefinitely postponed.

#### REPORT OF COMMITTEE ON ENROLLED BILLS.

Klay of Sioux 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. 2, a bill for an act to repeal Sections ten hundred fifty-six-a-seventeen (1056-a-17), ten hundred fifty-six-a-eighteen (1056-a-18), ten hundred fifty-six-a-twenty-one (1056-a-21), and ten hundred fifty-six-a-twenty-six (1056-a-26) of Chapter fourteen-c (14-c) of the Supplement to the Code, 1907, and to enact substitutes therefor, and to amend Sections ten hundred fifty-six-a-nineteen (1056-a-19), ten hundred fifty-six-a-twenty (1056-a-20), ten hundred fifty-six-a-twenty-four (1056-a-24), ten hundred fifty-six-a-twenty-five (1056-a-25), ten hundred fifty-six-a-twenty-eight (1056-a-28), ten hundred fifty-six-a-thirty-two (1056-a-32), and ten hundred fifty-six-a-thirty-nine (1056-a-39) of Chapter fourteen-c (14-c) of the Supplement to the Code, 1907, all relating to the government of certain cities.

Also:

House File No. 37, a bill for an act to repeal Section twenty-four hundred and forty-five (2445) of the Code and to enact a substitute therefor,

relating to the disposition to be made by the board of supervisors of the mulct tax.

Also :

House File No. 191, a bill for an act to amend the law as it appears in Section twenty-four hundred seventy-seven-d (2477-d), Supplement to the Code, 1907, relating to authority of officers to demand proof of age of children employed, and defining what said proof shall be.

Also :

House File No. 274, a bill for an act to amend the law as it appears in Section four thousand seven hundred seventy-one (4771) of the Code relating to punishment for the crime of assault with intent to inflict great bodily injury.

Also :

House File No. 337, a bill for an act amending the law as it appears in Section twenty-four hundred eighty-nine-a (2489-a), Supplement to the Code, 1907, relating to examination of mine foremen, pit bosses and hoisting engineers.

GERRIT KLAY,  
*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 make an appropriation for the removal of the remains of ex-Governor Ansel Briggs from Omaha, Nebraska, to Andrew, Jackson County, Iowa, and for the erection of a monument in the cemetery at that place in commemoration of his memory.

GERRIT KLAY,  
*Chairman.*

Adopted.

#### REPORT OF JOINT COMMITTEE ON ENROLLED BILLS.

Klay of Sioux, 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. 2, a bill for an act to repeal Sections ten hundred fifty-six-a-seventeen (1056-a-17), ten hundred fifty-six-a-eighteen (1056-a-18), ten hundred fifty-six-a-twenty-one (1056-a-21), and ten hundred fifty-six-a-twenty-six (1056-a-26) of Chapter fourteen-c (14-c) of the Supplement to the Code, 1907, and to enact substitutes therefor, and to amend Sections ten hundred fifty-six-a-nineteen (1056-a-19), ten hundred fifty-six-a-twenty

(1056-a-20), ten hundred fifty-six-a-twenty-four (1056-a-24), ten hundred fifty-six-a-twenty-five (1056-a-25), ten hundred fifty-six-a-twenty-eight (1056-a-28), ten hundred fifty-six-a-thirty-two (1056-a-32), and ten hundred fifty-six-a-thirty-nine (1056-a-39) of Chapter fourteen-c (14-c) of the Supplement to the Code, 1907, all relating to the government of certain cities.

Also :

House File No. 37, a bill for an act to repeal Section twenty-four hundred and forty-five (2445) of the Code and to enact a substitute therefor, relating to the disposition to be made by the board of supervisors of the mulct tax.

Also :

House File No. 191, a bill for an act to amend the law as it appears in Section twenty-four hundred seventy-seven-d (2477-d), Supplement to the Code, 1907, relating to authority of officers to demand proof of age of children employed, and defining what said proof shall be.

Also :

House File No. 274, a bill for an act to amend the law as it appears in Section four thousand seven hundred seventy-one (4771) of the Code relating to punishment for the crime of assault with intent to inflict great bodily injury.

Also :

House File No. 337, a bill for an act amending the law as it appears in Section twenty-four hundred eighty-nine-a (2489-a), Supplement to the Code, 1907, relating to examination of mine foremen, pit bosses and hoisting engineers.

GERRIT KLAY,

*Chairman House Committee.*

HENRY L. ADAMS,

*Chairman Senate Committee.*

Adopted.

Hackler of Webster, Chairman of the Teter-Crozier Contest Committee, offered the following report :

LORENZO D. TETER,	}	REPORT OF COMMITTEE.
<i>Contestant,</i>		
vs.		
GEORGE W. CROZIER,		
<i>Incumbent.</i>		

MR. SPEAKER—Your special committee appointed to hear and consider the contested election case from the 26th Representative District in which Lorenzo D. Teter was contestant and George W. Crozier incumbent, begs leave to submit the following report:



Your committee met on the 26th day of January, 1909, at which time the contestant appeared in person and by his attorney, Howard Clark, and the incumbent appeared in person and by his attorney, W. L. Read. The committee met again on the 10th day of February, at which time the motion of the incumbent to dismiss the contest on the ground, among others, that proper notice had not been served upon the incumbent, was submitted after argument and the same was overruled.

On the 11th day of February, 1909, your committee again met and proceeded to a recount of the ballots cast at the November, 1908, election for the contestant and incumbent. By agreement of all parties the contestant and incumbent each selected a representative to represent him on the recount of the ballots, such recount to be had in the presence of one or more members of your committee. Pursuant to this agreement John C. DeMar was selected to represent the incumbent and Lorenzo D. Teter acted for himself. It was further agreed that these representatives should recount all ballots cast for the contestant and the incumbent upon which they could agree, and that the ballots upon which they could not agree should be submitted to the decision of the whole committee. In accordance with this arrangement the ballots conceded to have been cast for Lorenzo D. Teter were 2,497 and the ballots conceded to have been cast for George W. Crozier 2,487. There were 145 ballots upon which the representatives of the respective parties could not agree and the same were submitted to your committee. After the recount of the ballots as hereinbefore described your committee met upon the 16th day of February, 1909, and took under consideration the 145 ballots upon which the representatives of the respective parties could not agree, and of said number your committee rejected 21 ballots as not having been so marked that they should be counted for either party.

Of the remaining 124 ballots your committee determined that 42 had been cast and should be counted for the contestant and 82 were cast and should be counted for the incumbent, thus making the total vote cast for the contestant 2,539 and the total vote cast for the incumbent 2,569, thus giving to the incumbent a majority of 30.

Testimony was introduced on behalf of the contestant tending to show that four votes were cast by parties who were not qualified to vote, but since the rejection of said ballots could not affect the result, your committee has found it unnecessary to determine the question as to whether or not the parties casting said votes were qualified voters.

In accordance with the facts as hereinbefore detailed your committee recommends that this honorable body adopt this report and declare George W. Crozier duly elected to the membership of this body from the 26th Representative District.

Respectfully submitted,

C. W. HACKLER,  
CHAS. L. MARSTON,  
G. H. SCHULTE,  
GEO. C. WHITE,  
W. D. DODDS,

*Committee.*

Passed on file.

MR. SPEAKER—Your special committee appointed to hear and report on the contested election from the 26th representative district, wherein Lorenzo D. Teter was contestant and George W. Crozier incumbent, begs leave to submit the following report with relation to the expenses incurred in connection with said contest, to-wit:

J. B. Lyman, witness, one day, 49 miles.....	\$ 6.15
Henry Stephens, witness, one day, 49 miles .....	6.15
John Caulkins, witness, one day, 45 miles .....	5.75
Osa Butcher, witness, one day, 25 miles .....	3.75
Mrs. Geneva Woodward, witness, one day, 20 miles .....	3.25
Harry Woodward, witness, one day, 20 miles .....	3.25
L. B. Gilliom, witness, one day, 61 miles .....	7.35
J. B. Gulliom, witness, one day, 61 miles .....	7.35
Walter Bane, witness, one day, 35 miles .....	4.75
Don Smith, County Auditor, witness, one day, 35 miles .....	4.75
Don Smith, County Auditor, expense bringing ballots .....	32.95
C. W. Hackler, telegram .....	.25
W. J. Wilson, sheriff, service of subpoenas .....	9.70
W. J. Wilson, sheriff, service of notices (paid by Teter) .....	1.70
Lorenzo D. Teter, expenses, including stenographer and attorney's fees .....	117.10
Geo. W. Crozier, attorneys' fees for W. L. Read and John C. DeMar .....	150.00
<b>Total .....</b>	<b>\$364.20</b>

Your committee recommends that the above items of expense be paid in full.

Respectfully submitted,

C. W. HACKLER,  
W. D. DODDS,  
G. H. SCHULTE,  
GEO. C. WHITE,  
CHAS. L. MARSTON,  
*Committee.*

Passed on file.

#### INTRODUCTION OF BILLS.

By Hunter of Polk, House File No. 491, a bill for an act to amend the law as it appears in Section Twenty-five Hundred-ten-e (2510-e) of the Supplement to the Code, 1907, relating to the manufacture and sale of linseed and other oils, and the adulteration thereof.

Read first and second time and referred to Committee on Food and Dairy.

By Darrah of Lucas, House File No. 492, a bill for an act to reimburse Sidney D. Robb and Albert W. Kendall for expenses incurred in the election contest from the Forty-fifth Representa-

tive District of Iowa and to pay sundry persons for services, per diem, mileage and expenses rendered and incurred in connection with said election contest.

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

By White of Story, House File No. 493, a bill for an act to amend Section Two Thousand Seven Hundred Twenty-seven-a58 (2727-a58), Two Thousand Seven Hundred Twenty-seven-a59 (2727-a59) of the Supplement to the Code, 1907, providing for the inspection of county and city jails.

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

By Stillman of Greene, House File No. 494, a bill for an act to amend Section Two Thousand Eight Hundred Twenty-three-p (2823-p) of the Supplement to the Code, 1907, relating to furnishing a list of books suitable for use in School District Libraries.

Read first and second time and referred to Committee on Schools and Text Books.

#### SPECIAL ORDER.

Time having arrived for Special Order No. 10, on motion of Moore of Linn, House File No. 473, a bill for an act to confer additional powers on certain cities organized under Chapter Forty-eight (48), of the Acts of the Thirty-second General Assembly of Iowa, and transferring to the city councils of such cities the powers conferred on River Front Improvement Commissions organized in such cities under Chapter Two Hundred Ten (210) of the Acts of the Twenty-ninth General Assembly of Iowa, and empowering the council of such cities to appoint river front improvement commissions and define their duties. Also providing for the issuance of tax deeds by the county treasurer of the county in which such cities are located on sales of property for taxes heretofore made by the treasurers of such cities, and providing for special assessments and the levy of special taxes for the improvement of the beds and banks of rivers and other purposes connected therewith. Also providing for the division of such cities into road districts and the levy of a special tax for use and benefit thereof, also for the levy of a special tax for the benefit of the fire department, and authorizing the transfer of certain special taxes heretofore levied to the

fire department fund or general fund, was taken up and considered.

Moore of Linn proposed the following amendments:

I move to amend Section 1 by inserting after the word "Iowa" in the third line of the printed bill the following words: "as the same appears in Chapter 14-c, Title V of the Supplement to the Code, 1907."

I move to amend Section 1 by inserting after the word "Iowa" at the end of the fifth line the following words: "as the same appears in Chapter A, Title V of the Supplement to the Code, 1907."

I move to amend Section 1 by striking out the word "hereinafter" in the sixth line and inserting in lieu thereof the word "hereafter."

Amendments adopted.

Moore of Linn moved that the rules be suspended, 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 ayes were:

Allred, Anderson, Balluff, Bascom, Bauman, Beebe, Beery, Blackmore, Bottger, Bonwell, Boomgaarden, Bowman, Byerly, Calkins, Cassady, Copper, Corrie, Cousins, Crummer, Cunningham, Dabney, Dalby, Darrah, Davidson, Dawson, Derrough, Dewell, DeWitt, Dodds, Drury, Dye, Elliott, Etter, Felt, Finlayson, Fourt, Fox, Fulton, Grier, Hanson, Harding, Harvey, Hickenlooper, Holmes, Huffaker, Hunter, Ide, Inman, Jacobs, Jewell, Johnson, Jones, Kendall, Klay, Koontz, Kull, Larrabee, Lee, Meredith, Miller of Bremer, Miller of Dubuque, Moore of Wapello, Moore of Linn, Newell, Penn, Perkins, Reaney, Ripley, Ritter, Sankey, Schulte, Sheldon, Smith, Stoddard, Swan, Swift, Tegeler, Thompson, Tilton, White, Wolfe, Zeller, Mr. Speaker—83.

The nays were:

None.

Absent or not voting:

Arney, Beans, Boe, Brandes, Burt, Crozier, Dewey, Ellis, Fenn, Fulliam, Goodykoontz, Hackler, Kellogg, McCleery, McDon-

ald, Marston, O'Connor, Reitz, Schee, Schroeder, Stillman, Sullivan, Ward, Welden, Wilson—25.

So the bill passed.

Moore of Linn moved to amend the title by inserting after the word "Iowa" in the third line the words "as the same appears in Chapter 14-c, Title V of the Supplement to the Code, 1907;" also by inserting after the word "Iowa" in line seven the words "as the same appears in Chapter 9-a, Title V of the Supplement to the Code, 1907."

Amendments adopted, and the title as amended was agreed to.

#### CONSIDERATION OF BILLS.

On motion of Hunter of Polk, House File No. 181, a bill for an act to amend Section Fifteen Hundred and Thirty (1530), Sub-division One (1), of Section Fifteen Hundred and Twenty-eight (1528) and Sub-division Two (2) of Section Fifteen Hundred and Twenty-eight (1528) of the Code of 1897, as amended and published in Supplement of Code, 1907, relating to the levy of the county road funds and the expenditure thereof in the improvement of roads, with report of committee recommending passage as amended was taken up and considered.

Harding of Woodbury moved that House File No. 265 be substituted for House File No. 181.

Motion prevailed.

Harding of Woodbury moved that the substitute amendment recommended by the committee for House File No. 265 be adopted.

Motion prevailed.

Harding of Woodbury moved that the rules be suspended, 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 ayes were:

Allred, Arney, Balluff, Bascom, Beans, Beebe, Beery, Blackmore, Boettger, Bonwell, Boomgaarden, Bowman, Burt, Byerly, Calkins, Cassady, Cooper, Corrie, Cousins, Crozier, Crummer, Dab-

ney, Dalby, Darrah, Davidson, Dawson, Derrough, Dewell, Dewey, DeWitt, Dodds, Drury, Dye, Elliott, Etter, Felt, Fenn, Finlayson, Fourt, Fox, Fulton, Goodykoontz, Hanson, Harding, Harvey, Hickenlooper, Holmes, Huffaker, Ide, Inman, Jacobs, Jewell, Johnson, Jones, Kendall, Klay, Koontz, Kull, Larrabee, Lee, Marston, Meredith, Miller of Bremer, Miller of Dubuque, Moore of Wapello, Newell, Penn, Perkins, Reaney, Reitz, Ripley, Ritter, Sankey, Schroeder, Schulte, Smith, Stoddard, Sullivan, Tegeler, Thompson, Tilton, White, Wolfe, Zeller, Mr. Speaker—85.

The nays were :

Grier, Swan—2.

Absent or not voting :

Anderson, Bauman, Boe, Brandes, Cunningham, Ellis, Fulliam, Hackler, Hunter, Kellogg, McCleery, McDonald, Moore of Linn, O'Connor, Schee, Sheldon, Stillman, Swift, Ward, Welden, Wilson—21.

So the bill passed.

Harding of Woodbury moved to amend the title by striking out the word "amend" in line one and insert the word "repeal;" also amend line two by inserting after the figures 1907, "and enact a substitute therefor."

Amendment adopted, and the title as amended was agreed to.

On motion of Hickenlooper of Monroe, House File No. 336, a bill for an act to amend the law as it appears in Section Three Thousand Three Hundred Five (3305) of the Code, relating to time within which administration may be originally granted on estates of decedents, was taken up, considered, and Senate File No. 334 was substituted therefor.

Hickenlooper of Monroe moved that the rules be suspended, the bill be read a third time now, which motion prevailed, and the bill was read a third time.

On the question, "Shall the bill pass?"

The ayes were :

Allred, Anderson, Arney, Balluff, Bascom, Bauman, Beans, Beery, Blackmore, Boe, Boettger, Bonwell, Boomgaarden, Bowman, Burt, Byerly, Calkins, Cassady, Cooper, Corrie, Cousins, Crozier,

Crummer, Dabney, Dalby, Darrah, Davidson, Dawson, Derrough, Dewell, Dewey, DeWitt, Dodds, Drury, Dye, Elliott, Etter, Fenn, Finlayson, Fourt, Fox, Fulton, Grier, Hackler, Hanson, Harding, Harvey, Hickenlooper, Holmes, Huffaker, Ide, Inman, Jacobs, Johnson, Jones, Kendall, Klay, Koontz, Kull, Larrabee, Lee, Meredith, Miller of Dubuque, Moore of Wapello, Newell, O'Connor, Perkins, Reaney, Reitz, Ripley, Ritter, Sankey, Schee, Schroeder, Schulte, Sheldon, Smith, Stillman, Stoddard, Swan, Swift, Tegeler, Tilton, White, Wolfe, Zeller, Mr. Speaker—87.

The nays were:

None.

Absent or not voting:

Beebe, Brandes, Cunningham, Ellis, Felt, Fulliam, Goodykoontz, Hunter, Jewell, Kellogg, McCleery, McDonald, Marston, Miller of Bremer, Moore of Linn, Penn, Sullivan, Thompson, Ward, Welden, Wilson—21.

So the bill passed and the title was agreed to.

O'Connor of Chickasaw in the Chair.

On motion of Cooper of Jasper, Senate File No. 219, a bill for an act to amend the law as it appears in Section Twenty-six Hundred Ninety-two-a, and Section Twenty-six Hundred Ninety-two-c, of the Supplement to the Code, 1907, relating to state agents and making appropriation therefor, was taken up and considered.

Cooper of Jasper moved that the rules be suspended, the bill be read a third time now, which motion prevailed, and the bill was read a third time.

On the question, "Shall the bill pass?"

The ayes were:

Allred, Anderson, Arney, Balluff, Bascom, Bauman, Beans, Beery, Blackmore, Boe, Boettger, Bonwell, Boomgaarden, Bowman, Burt, Byerly, Calkins, Cassady, Cooper, Corrie, Cousins, Crozier, Crummer, Cunningham, Dabney, Dalby, Darrah, Davidson, Dawson, Derrough, Dewell, Dewey, DeWitt, Dodds, Drury, Dye, Elliott, Etter, Felt, Fenn, Finlayson, Fourt, Fox, Fulton, Grier, Hackler, Hanson, Harding, Harvey, Hickenlooper, Holmes, Huffaker, Hunter, Ide, Inman, Jacobs, Jewell, Johnson, Jones, Kellogg, Ken-

dall, Klay, Koontz, Kull, Larrabee, Meredith, Miller of Bremer, Miller of Dubuque, Moore of Wapello, Moore of Linn, Newell, O'Connor, Penn, Perkins, Reaney, Reitz, Ripley, Ritter, Sankey, Schee, Schroeder, Schulte, Sheldon, Smith, Stillman, Sullivan, Swan, Swift, Tegeler, Thompson, Tilton, Wolfe, Zeller—93.

The nays were :

None.

Absent or not voting :

Beebe, Brandes, Ellis, Fulliam, Goodykoontz, Lee, McCleery, McDonald, Marston, Stoddard, Ward, Welden, White, Wilson, Mr. Speaker—15.

So the bill passed and the title was agreed to.

On motion of Koontz of Johnson, House File No. 252, a bill for an act to amend the law as it appears in Section 1137-a-7 of the Supplement to the Code 1907, relating to elections and voting machines, with report of committee recommending passage as amended was taken up, considered, and the amendments adopted.

Koontz of Johnson moved that the rules be suspended, 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 ayes were :

Allred, Anderson, Arney, Balluff, Bascom, Bauman, Beans, Beery, Blackmore, Boe, Boettger, Bonwell, Boomgaarden, Bowman, Byerly, Calkins, Cassady, Cooper, Corrie, Cousins, Crozier, Crummer, Cunningham, Dabney, Dalby, Darrah, Davidson, Dawson, Derrough, Dewell, Dewey, DeWitt, Dodds, Dye, Elliott, Etter, Felt, Fenn, Finlayson, Fourt, Fox, Fulton, Goodykoontz, Grier, Hackler, Hanson, Harvey, Hickenlooper, Holmes, Huffaker, Ide, Inman, Jacobs, Jewell, Johnson, Jones, Kellogg, Kendall, Klay, Koontz, Kull, Larrabee, Marston, Meredith, Miller of Bremer, Miller of Dubuque, Moore of Wapello, Moore of Linn, Newell, O'Connor, Penn, Perkins, Reaney, Reitz, Ripley, Ritter, Sankey, Schee, Schroeder, Schulte, Sheldon, Smith, Stoddard, Sullivan, Swan, Swift, Tegeler, Thompson, Tilton, Wolfe, Zeller—91.

The nays were :



None.

**Absent or not voting:**

Beebe, Brandes, Burt, Drury, Ellis, Fulliam, Harding, Hunter, Lee, McCleery, McDonald, Stillman, Ward, Welden, Wilson, White, Mr. Speaker—17.

So the bill passed and the title was agreed to.

On motion of Fulton of Jefferson, House File No. 201, a bill for an act to repeal Section Ten Hundred Ninety-one (1091) of the Code, relative to polling places for country precincts and to enact a substitute therefor, was taken up and considered.

Fulton of Jefferson moved that the rules be suspended, 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 ayes were:

Allred, Anderson, Balluff, Bascom, Bauman, Beans, Beebe, Blackmore, Boe, Boettger, Bonwell, Boomgaarden, Calkins, Cas-sady, Cooper, Corrie, Cousins, Crozier, Crummer, Cunningham, Dabney, Dalby, Darrah, Davidson, Dawson, Derrough, Dewell, Dewey, DeWitt, Dye, Elliott, Etter, Felt, Fenn, Finlayson, Fourt, Fox, Fulton, Goodykoontz, Grier, Hackler, Hanson, Harvey, Hick-enlooper, Holmes, Huffaker, Ide, Jacobs, Jewell, Johnson, Jones, Kendall, Klay, Koontz, Kull, Larrabee, Marston, Meredith, Miller of Bremer, Miller of Dubuque, Moore of Wapello, Moore of Linn, Newell, O'Connor, Penn, Perkins, Reaney, Reitz, Ripley, Ritter, Schee, Schroeder, Schulte, Sheldon, Smith, Stillman, Stoddard, Sullivan, Swan, Swift, Tegeler, Thompson, Tilton, White, Wolfe, Zeller—86.

The nays were:

Sankey—1.

**Absent or not voting:**

Arney, Beery, Bowman, Brandes, Burt, Byerly, Dodds, Drury, Ellis, Fulliam, Harding, Hunter, Inman, Kellogg, Lee, McCleery, McDonald, Ward, Welden, Wilson, Mr. Speaker—21.

So the bill passed and the title was agreed to.

On motion of Arney of Marshall, Senate File No. 196, a bill for an act to amend Section Forty-eight Hundred Ninety-eight of the Code, relating to breaking jail and escape of prisoners from custody, with report of committee recommending passage as amended, was taken up, considered, and the amendment adopted.

Arney of Marshall moved that the rules be suspended, the bill be read a third time now, which motion prevailed, and the bill was read a third time.

On the question, "Shall the bill pass?"

The ayes were:

Allred, Anderson, Arney, Balluff, Bascom, Bauman, Beans, Beebe, Beery, Blackmore, Boe, Boettger, Bonwell, Boomgaarden, Bowman, Calkins, Cassady, Cooper, Corrie, Cousins, Crozier, Crummer, Cunningham, Dabney, Dalby, Darrah, Dawson, Derrough, Dewell, Dewey, DeWitt, Dodds, Drury, Dye, Elliott, Etter, Felt, Fenn, Finlayson, Fourt, Fox, Fulton, Goodykoontz, Grier, Hackler, Hanson, Harding, Harvey, Hickenlooper, Holmes, Huffaker, Ide, Jacobs, Jewell, Johnson, Jones, Kellogg, Kendall, Klay, Koontz, Kull, Larrabee, McDonald, Marston, Meredith, Miller of Dubuque, Moore of Wapello, Moore of Linn, Newell, O'Connor, Penn, Perkins, Reaney, Reitz, Ripley, Ritter, Sankey, Schee, Schroeder, Schulte, Sheldon, Smith, Stillman, Stoddard, Swan, Tegeler, Thompson, Tilton, Wolfe, Zeller—90.

The nays were:

None.

Absent or not voting:

Brandes, Burt, Byerly, Davidson, Ellis, Fulliam, Hunter, Inman, Lee, McCleery, Miller of Bremer, Sullivan, Swift, Ward, Welden, White, Wilson, Mr. Speaker—18.

So the bill passed and the title was agreed to.

#### MESSAGES FROM THE SENATE.

The following messages were received from the Senate:

MR. SPEAKER—I am directed to inform your honorable body that the Senate has passed the following bill in which the concurrence of the House is asked:

Substitute for Senate File No. 266, a bill for an act relating to the tax levy for park purposes.

S. W. NEAL,  
*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. 348, a bill for an act relating to the report of criminal statistics to the Secretary of State, also relating to the report of county auditors.

S. W. NEAL,  
*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. 265, a bill for an act relating to the building of county bridges.

S. W. NEAL,  
*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. 344, a bill for an act defining contributory dependency and fixing proceedings in regard thereto.

S. W. NEAL,  
*Secretary.*

Also:

MR. SPEAKER—I am directed to inform your honorable body that the Senate has amended and passed the following bill, in which the concurrence of the Senate was asked:

House File No. 317, a bill for an act legalizing the levy of a park tax in Cedar Rapids, Iowa.

S. W. NEAL,  
*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. 359, a bill for an act relating to the sale of lands within the beds of meandered lakes.

S. W. NEAL,  
*Secretary.*

Also:

MR. SPEAKER—I am directed to inform your honorable body that the Senate has amended and passed the following bill, in which the concurrence of the Senate was asked:

House File No. 190, a bill for an act relating to hotels, inns and public lodging houses, and prescribing rules for their operation and maintenance.

S. W. NEAL,  
*Secretary.*

Also:

MR. SPEAKER—I am directed to inform your honorable body that the Senate has indefinitely postponed the following bill in which the concurrence of the Senate was asked:

House File No. 173, a bill for an act relating to the assignment of life insurance policies.

S. W. NEAL,  
*Secretary.*

Also:

MR. SPEAKER—I am directed to inform your honorable body that the Senate has passed the following bill in which the concurrence of the Senate was asked:

House File No. 174, a bill for an act to provide for the payment of a bounty for the killing of ground hogs.

S. W. NEAL,  
*Secretary.*

Also:

MR. SPEAKER—I am directed to inform your honorable body that the Senate has passed the following bill in which the concurrence of the Senate was asked:

House File No. 102, a bill for an act relating to traction engines on public roads.

S. W. NEAL,  
*Secretary.*

#### SENATE MESSAGES CONSIDERED.

Substitute for Senate File No. 266, a bill for an act to amend the law as it appears in Section Eight Hundred Fifty-c (850-c) of the Supplement to the Code, 1907, relating to the tax levy for park purposes and repealing Section Eight Hundred Fifty-two (852) of the Code as amended by Chapter Forty-three (43) of the Acts of the Thirty-second General Assembly.

Read first and second time and referred to Committee on Municipal Corporations.

Senate File No. 348, a bill for an act to repeal Section Sixty-nine (69) of the Code, and to enact a substitute therefor, providing for a report by the Board of Parole, also to amend Section Two Hundred Ninety-three (293) of the Code, relating to the report of criminal statistics to the Secretary of State; also amending Section Four Hundred and Seventy-five (475) of the Code, relating

to the report of county auditors, also amending Section Five Thousand Six Hundred and Forty-one (5641) of the Code, relating to the duties of the sheriff.

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

Senate File No. 344, a bill for an act defining contributory dependency, fixing proceedings in regard thereto, providing for probation of parties guilty thereof subject to such orders as are calculated to remove such contributory dependency and providing for the enforcement of such orders, also providing for a finding of abandonment and for adoption upon such finding, determining the rights of children thus adopted and providing for punishment for enticing away and interfering with children legally placed into institutions and homes; to be additional to Chapter 5-b of Title III. of the Supplement to the Code, 1907.

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

Senate File No. 265, a bill for an act relating to the building of county bridges, the preparation and publication of plans and specifications therefor, the appointment of inspectors, the giving of notice of the time and manner of bidding, the letting of contracts, and providing punishment for a violation of any of the provisions of this act.

Read first and second time and referred to Committee on Roads and Highways.

Senate File No. 359, a bill for an act repealing Section Two Thousand Nine Hundred-a-twenty-five (2900-a-25) of the Supplement to the Code, 1907, and enacting a substitute for the same, relating to the sale of the lands within the beds of meandered lakes.

Read first and second time and referred to Committee on Public Lands.

#### SENATE AMENDMENTS CONSIDERED.

On request of Bowman of Linn unanimous consent having been given, House File No. 317, a bill for an act to legalize certain acts of the city council of the city of Cedar Rapids, Linn County, Iowa, and of the auditor, treasurer and board of supervisors of said Linn County, Iowa, relating to levy of park tax, with the following Senate amendments, was taken up and the amendments read and considered.

Amend by striking out all of Section Two and substituting the following:

Section 2. This act being deemed of immediate importance shall take effect and be in force from and after its publication in the Register and Leader, a newspaper published in Des Moines, Iowa, and the Cedar Rapids Daily Republican, a newspaper published in Cedar Rapids, Iowa, said publication to be without expense to the state.

Bowman of Linn moved that the House concur in the Senate amendments.

On the question, Shall the House concur?

The ayes were:

Allred, Arney, Balluff, Bascom, Bauman, Beans, Beebe, Boe, Boomgaarden, Bowman, Burt, Byerly, Calkins, Cassady, Cooper, Corrie, Cousins, Crozier, Crummer, Cunningham, Dabney, Dalby, Dawson, Derrough, Dewell, Dewey, DeWitt, Dodds, Drury, Dye, Elliott, Etter, Felt, Fenn, Finlayson, Fourt, Fox, Goodykoontz, Grier, Hackler, Hanson, Harding, Hickenlooper, Holmes, Huffaker, Hunter, Ide, Inman, Jewell, Johnson, Jones, Kellogg, Kendall, Klay, Koontz, Kull, Larrabee, Marston, Miller of Dubuque, Moore of Wapello, Newell, O'Connor, Penn, Perkins, Reaney, Reitz, Ripley, Ritter, Sankey, Schee, Schroeder, Schulte, Smith, Stillman, Stoddard, Swan, Swift, Tegeler, Thompson, Tilton, White, Zeller, Mr. Speaker—83.

The nays were:

None.

Absent or not voting:

Anderson, Beery, Blackmore, Boettger, Bonwell, Brandes, Darrah, Davidson, Ellis, Fulliam, Fulton, Harvey, Jacobs, Lee, McCleery, McDonald, Meredith, Miller of Bremer, Moore of Linn, Sheldon, Sullivan, Ward, Welden, Wilson, Wolfe—25.

So the House concurs.

On request of O'Connor of Chickasaw, unanimous consent having been given, House File No. 190, a bill for an act entitled an act relating to hotels, inns and public lodging houses, defining the same and prescribing rules for their operations and maintenance,

so as to insure the safety and health of employes and patrons of the same; providing for inspection thereof, fees for same and fixing fines and penalties for violation of such rules and regulations, with the following Senate amendments, was taken up, and the amendments read and considered.

Amend Section 2 by striking out the figures "1907" as the same appear in line 4, also amend by inserting the figures "1907" and a comma, after the comma following the word "Code" in the 5th line of Section 2.

Amend by striking out the word "two" in the first line of Section 2 and inserting in lieu thereof the word "three."

Amend Section 2 by striking out the word "strictly" before the word "fireproof" and inserting in lieu thereof the word "approved."

Amend Section Two (2) of the bill by adding to said section the following: "The provisions herein as to providing ropes shall apply to all hotels of more than one story."

Amend Section 3 by striking out the word "strictly" before the word "fireproof" and inserting in lieu thereof the word "approved" in line seven.

Amend Section 5 by striking out the word "strictly" as the same appears before the word "fireproof" and inserting in lieu thereof the word "approved."

Amend Section 5 by inserting after the comma following the words "shaft-way" in line three, the words "the door to be made as far as practicable of wire glass."

Amend Section Five (5) of the printed bill by striking out the words "the shaft or shafts of such" in lines one (1) and two (2) thereof and inserting in lieu thereof the following:

"Such portion of the shaft or shafts thereof as extend below the level of the first floor.

Amend by striking out the letter "s" at the end of the word "traps" in line four of Section Five.

Also by inserting the word "an" between the words "with" and "automatic" in line three (3) of said section.

Also by striking out the word "each" between the words "at" and "floor" in line four (4) thereof and by inserting in lieu thereof the following: "the first."

Amend Section Seven by striking out the word "strictly" and inserting in lieu thereof the word "approved" in line two.

Amend by striking out the figure "1907" as they appear in the last line of Section 8 and inserting a comma and the figures "1907" after the word "Code" in the last line of Section 8.

Amend Section Twelve (12) of the printed bill by inserting after the period (.) following the word "collected" in line eleven (11) thereof, the following:

"In case the complaint is found to be without reasonable grounds the ordinary fee for such inspection shall be chargeable against and collected from the person or persons making the complaint."

Amend Section 12 by adding after the word "complaint" in line 6 of the printed bill the following: "signed by 3 or more patrons."

Amend Section 15 by striking out the word "or" in the third line after the word "manager" in line three and to add after the word proprietor the words "or owner" and to place a comma after the word "manager" in the same line.

By striking from Section 17 in lines 2 and 3 of the printed bill, the following, "and cause the arrest of the person so violating the law."

Amend by striking out the words "and cause" in the fourth line of Section 17 and inserting the words "upon which" and by striking out the word "to" in said line and inserting in lieu thereof the word "may" and by inserting the words "with or " after the word "issue" in said line, and by inserting the words "as may be ordered by the court or judge" after the word "bond" in said line.

Amend Section 17 by adding the word "jurisdiction" in line 4 of the printed bill the following, "or before any judge of such court in vacation."

Amend by inserting after the word "with" in the 5th line of Section 17 the following:



“But no injunction shall issue until after the defendant has had at least five days notice of the application therefor, fixing a time for hearing thereon.”

O'Connor of Chickasaw moved that the House concur in the Senate amendments.

On the question, Shall the House concur?

The ayes were:

Allred, Anderson, Balluff, Bascom, Bauman, Beans, Beebe, Beery, Blackmore, Boettger, Bonwell, Boomgaarden, Calkins, Casady, Cooper, Cousins, Crummer, Dabney, Darrah, Davidson, Derrough, Dewell, Dewey, DeWitt, Dodds, Drury, Dye, Elliott, Etter, Felt, Fenn, Finlayson, Fourt, Fox, Fulton, Goodykoontz, Hackler, Hanson, Harding, Harvey, Hickenlooper, Holmes, Huffaker, Hunter, Ide, Inman, Jacobs, Jewell, Johnson, Jones, Kellogg, Kendall, Klay, Koontz, Kull, Larrabee, Marston, Miller of Bremer, Miller of Dubuque, Moore of Wapello, Moore of Linn, Newell, O'Connor, Penn, Perkins, Reaney, Reitz, Ripley, Ritter, Sankey, Schee, Schroeder, Schulte, Sheldon, Smith, Stillman, Stoddard, Swan, Swift, Tegeler, Thompson, Tilton, White, Wolfe, Zeller, Mr. Speaker—86.

The nays were:

None.

Absent or not voting:

Arney, Boe, Bowman, Brandes, Burt, Byerly, Corrie, Crozier, Cunningham, Dalby, Dawson, Ellis, Fulliam, Grier, Lee, McCleery, McDonald, Meredith, Sullivan, Ward, Welden, Wilson—22.

So the House concurs.

Drury of Sac moved that Senate File No. 51 be re-referred to the Committee on Compensation of Public Officers.

Drury of Sac moved that the previous question be now put.

Motion prevailed, and the previous question was ordered.

The motion to refer prevailed, and Senate File No. 51 was re-referred to the Committee on Compensation of Public Officers.

Miller of Dubuque moved that the House adjourn until 1:00 o'clock.

Kull of Howard moved to amend to make the time 1:30 o'clock.

Amendment adopted.

Motion as amended adopted.

AFTERNOON SESSION.

House met pursuant to adjournment.

Speaker Feely in the Chair.

REPORT OF COMMITTEE ON ENROLLED BILLS.

Klay of Sioux from the Committee on Enrolled Bills, submitted the following report:

MR. SPEAKER—Your Committee on Enrolled Bills respectfully report that they have examined, and find correctly enrolled, House File No. 73, a bill for an act to amend the law as it appears in Section eleven hundred seventy-seven (1177) of the Code relating to the qualifications of public officers.

Also:

House File No. 109, a bill for an act to repeal Section thirteen hundred and sixty-three (1363) of the Code, relating to statistics, and enacting a substitute therefor.

Also:

House File No. 132, a bill for an act to amend the law as it appears in Sections four thousand nineteen (4019), four thousand twenty (4020) and four thousand twenty-one (4021) of the Code relating to the preference of debts owing for labor and the filing, allowing and contesting of claims therefor.

GERRIT KLAY,  
*Chairman.*

Adopted.

REPORT OF JOINT COMMITTEE ON ENROLLED BILLS.

Klay of Sioux from the Joint Committee on Enrolled Bills, submitted the following report:

MR. SPEAKER—Your Joint Committee on Enrolled Bills respectfully report that they have examined, and find correctly enrolled, Senate File No. 167, a bill for an act making an appropriation for Thomas H. Rattenbury on account of injuries received by him at the State Sanatorium for the treatment of tuberculosis.

Also :

Senate File No. 218, a bill for an act to amend the law as it appears in Section twenty-one hundred fifty-seven-g (2157-g) of the Supplement to the Code, 1907, relating to free passes by common carriers.

Also :

Senate File No. 282, a bill for an act to legalize the action and proceedings of the board of supervisors of Mills County, Iowa, in the matter of issuance of bonds for the refunding of the indebtedness of Pony Creek drainage district No. 1 and the widening, deepening and improvement of said Pony Creek and in the levy of an assessment therefor.

Also :

Senate File No. 98, a bill for an act authorizing the governor of the State of Iowa to issue patent attested by the Secretary of State to certain land to and in favor of O. J. Felton, being the property situated in Linn County, Iowa, described as follows, to-wit: The southwest quarter (S. W.  $\frac{1}{4}$ ) of the northwest quarter (N. W.  $\frac{1}{4}$ ) and the southeast quarter (S. E.  $\frac{1}{4}$ ) of the southwest quarter (S. W.  $\frac{1}{4}$ ) of Section sixteen (16), township eighty-five (85) north, range five (5) west of the 5th principal meridian.

Also :

Senate File No. 170, a bill for an act to legalize the establishment of the superior court of the city of Perry, Dallas county, State of Iowa, and all the proceedings in the matter of establishing said court and the acts of all the officers of said city of Perry in relation to the establishment of said court, the issuance of the proclamation of the mayor and the election held on said establishment and the vote of the electors in establishing said court and the canvassing said vote and the declaring the result and the appointment of the judge thereof and the election of his successor and the official acts, orders, judgments, and decrees of said judges and the court and all the proceedings in said court and the official acts of the clerk thereof or any other officer of said court, legalizing all the aforesaid matters, acts and proceedings and record as fully and exactly as if the law in every particular had been complied with.

Also :

House File No. 73, a bill for an act to amend the law as it appears in Section eleven hundred seventy-seven (1177) of the Code relating to the qualifications of public officers.

Also :

House File No. 109, a bill for an act to repeal Section thirteen hundred and sixty-three (1363) of the Code, relating to statistics, and enacting a substitute therefor.

Also :

House File No. 132, a bill for an act to amend the law as it appears in Sections four thousand nineteen (4019), four thousand twenty (4020) and four thousand twenty-one (4021) of the Code relating to the preference of debts owing for labor and the filing, allowing and contesting of claims therefor.

GERRIT KLAY,  
*Chairman House Committee.*

HENRY L. ADAMS,  
*Chairman Senate Committee.*

Hackler of Webster in the Chair.

#### INTRODUCTION OF BILLS.

By Special Committee on Drainage, House File No. 495, a bill for an act to amend Sections Nineteen Hundred Eighty-nine-a2 (1989-a2), Nineteen Hundred Eighty-nine-a4 (1989-a4), Nineteen Hundred Eighty-nine-a5 (1989-a5), Nineteen Hundred Eighty-nine-a6 (1989-a6), Nineteen Hundred Eighty-nine-a7 (1989-a7), Nineteen Hundred Eighty-nine-a8 (1989-a8), Nineteen Hundred Eighty-nine-a10 (1989-a10), Nineteen Hundred Eighty-nine-a12 (1989-a12), Nineteen Hundred Eighty-nine-a13 (1989-a13), Nineteen Hundred Eighty-nine-a14 (1989-a14), Nineteen Hundred Eighty-nine-a16 (1989-a16), Nineteen Hundred Eighty-nine-a18 (1989-a18), Nineteen Hundred Eighty-nine-a19 (1989-a19), Nineteen Hundred Eighty-nine-a21 (1989-a21), Nineteen Hundred Eighty-nine-a22 (1989-a22), Nineteen Hundred Eighty-nine-a27 (1989-a27), Nineteen Hundred Eighty-nine-a29 (1989-a29), Nineteen Hundred Eighty-nine-a32 (1989-a32), Nineteen Hundred Eighty-nine-a35 (1989-a35), Nineteen Hundred Eighty-nine-a44 (1989-a44) of the Supplement to the Code, 1907, and to repeal Sections Nineteen Hundred Eighty-nine-a3 (1989-a3), Nineteen Hundred Eighty-nine-a-11 (1989-a-11), and Nineteen Hundred Eighty-nine-a-19 (1989-a-19) of the Supplement to the Code, 1907, and enact substitutes therefor; all relating to the subject of waters, water-courses, levees and drains.

Read first and second time and passed on file.

#### CONSIDERATION OF BILLS.

On motion of Grier of Poweshiek, Senate File No. 124, a bill for an act to amend Section Twenty-five Hundred and Seventy-eight-a.

(2578-a) of the Supplement to the Code of Iowa, relating to the revocation of certificates by the Board of Medical Examiners, was taken up and considered.

Grier of Poweshiek proposed the following amendment:

I move to amend by striking out the words "of Iowa" in lines two and three of Section 1 and the title and inserting in lieu thereof the figures "1907."

Amendment adopted.

Grier of Poweshiek moved that the rules be suspended, the bill be read a third time now, which motion prevailed, and the bill was read a third time.

On the question, "Shall the bill pass?"

The ayes were:

Allred, Anderson, Arney, Bascom, Bauman, Beans, Beebe, Beery, Blackmore, Bonwell, Boomgaarden, Bowman, Burt, Cooper, Corrie, Cousins, Dabney, Dalby, Darrah, Dawson, Derrough, Dewell, Dewey, DeWitt, Dodds, Dye, Elliott, Etter, Felt, Fenn, Fourt, Fox, Fulton, Goodykoontz, Grier, Hackler, Hanson, Harding, Harvey, Hickenlooper, Holmes, Huffaker, Ide, Jacobs, Jewell, Johnson, Jones, Kendall, Klay, Larrabee, Reaney, Ripley, Ritter, Schulte, Smith, Stoddard, Swan, Thompson, Tilton, White, Wolfe, Zeller, Mr. Speaker—63.

The nays were:

Boe, Calkins, Crozier, Crummer, McDonald, Miller of Bremer, Miller of Dubuque, Moore of Linn, O'Connor, Penn, Sankey, Schee, Sullivan, Swift, Tegeler—15.

Absent or not voting:

Balluff, Boettger, Brandes, Byerly, Cassady, Cunningham, Davidson, Drury, Ellis, Finlayson, Fulliam, Hunter, Inman, Kellogg, Koontz, Kull, Lee, McCleery, Marston, Meredith, Moore of Wapello, Newell, Perkins, Reitz, Schroeder, Sheldon, Stillman, Ward, Welden, Wilson—30.

So the bill passed and the title was agreed to.

On motion of Jacobs of Calhoun, House File No. 90, a bill for an act to repeal Section One Thousand Three Hundred and Twenty-

two (1322) of the Supplement to the Code, 1907, relating to the taxation of national, state, and savings banks and loan and trust companies and to enact a substitute therefor, with report of committee recommending passage as amended, was taken up and considered.

Jacobs of Calhoun moved that the committee amendment be adopted.

Roll call demanded by Lee of Emmet and Schee of O'Brien.

On the question, Shall the amendment be adopted?

The ayes were:

Allred, Anderson, Arney, Balluff, Beans, Beebe, Boe, Boettger, Boomgaarden, Bowman, Burt, Cooper, Corrie, Cousins, Crummer, Cunningham, Dalby, Davidson, Derrough, Dewell, Dodds, Dye, Elliott, Etter, Felt, Finlayson, Fourt, Fox, Fulton, Goodykoontz, Grier, Hackler, Harding, Harvey, Hickenlooper, Huffaker, Ide, Jacobs, Johnson, Jones, Kellogg, Kendall, Koontz, McDonald, Meredith, Miller of Bremer, Miller of Dubuque, Moore of Linn, Newell, O'Connor, Reaney, Reitz, Schulte, Stoddard, Sullivan, Swan, Swift, Tegeler, Thompson, Tilton, White, Wolfe, Mr. Speaker—63.

The nays were:

Bascom, Bauman, Blackmore, Bonwell, Calkins, Crozier, Darrah, Dawson, Dewey, DeWitt, Fenn, Hanson, Inman, Klay, Kull, Larrabee, Lee, Moore of Wapello, Penn, Ripley, Ritter, Sankey, Schee, Schroeder, Sheldon, Stillman—26.

Absent or not voting:

Beery, Brandes, Byerly, Cassady, Dabney, Drury, Ellis, Fulham, Holmes, Hunter, Jewell, McCleery, Marston, Perkins, Smith, Ward, Welden, Wilson, Zeller—19.

So the amendment was adopted.

Lee of Emmet proposed the following amendment:

I move to amend House File No. 90 by changing the period at the end thereof to a semi-colon and adding the following: "provided, however that owners of shares of stock in state and savings banks and in loan and trust companies shall not be permitted to deduct from the value thereof any debts owing by them.

Schee of O'Brien proposed the following substitute amendment:

I move to amend House File No. 90, by adding at the end of Section 2 the following words: "Provided, however, that no deductions shall be allowed the owners of the shares of stock of such corporations from the assessed value thereof, on account of any debts or liabilities of the owners of such shares of said stocks.

Sullivan of Polk in the Chair.

Speaker Feely in the Chair.

Roll call demanded by Schee of O'Brien and Hunter of Polk.

On the question, Shall the substitute amendment be adopted?

The ayes were:

Bauman, Calkins, Crozier, Crummer, Dawson, Dodds, Drury, Etter, Goodykoontz, Harvey, Huffaker, Hunter, Kendall, O'Connor, Penn, Reitz, Sankey, Schee, Schroeder, Schulte, Sheldon, Stoddard, Sullivan, Swift, Zeller—25.

The nays were:

Anderson, Arney, Balluff, Bascom, Beans, Beebe, Blackmore, Boe, Boettger, Bonwell, Boomgaarden, Bowman, Burt, Cassady, Cooper, Corrie, Cousins, Cunningham, Dalby, Darrah, Davidson, Derrough, Dewey, DeWitt, Dye, Elliott, Felt, Fenn, Finlayson, Fourt, Fox, Fulton, Grier, Hackler, Hanson, Harding, Hickenlooper, Holmes, Ide, Inman, Jacobs, Jewell, Johnson, Jones, Klay, Kull, Larrabee, Lee, McDonald, Meredith, Miller of Dubuque, Moore of Wapello, Moore of Linn, Newell, Reaney, Ripley, Ritter, Smith, Swan, Tegeler, Thompson, Tilton, White, Wolfe, Mr. Speaker—65.

Absent or not voting:

Allred, Beery, Brandes, Byerly, Dabney, Dewell, Ellis, Fulliam, Kellogg, Koontz, McCleery, Marston, Miller of Bremer, Perkins, Stillman, Ward, Welden, Wilson—18.

So the substitute amendment was lost.

On the adoption of the original amendment, roll call was demanded by Lee of Emmet and Bascom of Dickinson.

On the question, Shall the amendment be adopted?

The ayes were :

Bascom, Boe, Bonwell, Bowman, Cooper, Corrie, Crummer, Dabney, Dodds, Drury, Hickenlooper, Huffaker, Hunter, Ide, Jacobs, Jewell, Klay, Larrabee, Lee, Sankey, Schee, Smith, Stillman, Sullivan, Swan, Mr. Speaker—27.

The nays were :

Anderson, Arney, Balluff, Bauman, Beans, Beebe, Blackmore, Boettger, Boomgaarden, Calkins, Cassady, Dalby, Darrah, Davidson, Dawson, Derrough, Dewell, Dewey, DeWitt, Dye, Etter, Felt, Fenn, Finlayson, Fourt, Fox, Fulton, Goodykoontz, Grier, Hackler, Hanson, Harvey, Inman, Johnson, Jones, Kull, Marston, Meredith, Miller of Bremer, Miller of Dubuque, Moore of Wapello, Moore of Linn, Newell, O'Connor, Penn, Reaney, Reitz, Ripley, Ritter, Schroeder, Schulte, Sheldon, Stoddard, Swift, Tegeler, Thompson, Tilton, White, Wolfe, Zeller—59.

Absent or not voting :

Allred, Beery, Brandes, Burt, Byerly, Cousins, Crozier, Cunningham, Elliott, Ellis, Fulliam, Harding, Holmes, Kellogg, Kendall, Koontz, McCleery, McDonald, Perkins, Ward, Welden, Wilson—27.

So the amendment was lost.

Schee of O'Brien proposed the following amendment :

I move to amend House File No. 90 by striking out of Section two (2) all in line fourteen (14) after the word "them," all of line fifteen (15), and all of line sixteen (16) down to and including the word "located" and insert in lieu thereof the words "in this state."

Amendment lost.

Jacobs of Calhoun moved that the rules be suspended, 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 ayes were :

Allred, Anderson, Arney, Balluff, Bascom, Bauman, Beans, Beebe, Beery, Blackmore, Boettger, Bonwell, Bowman, Burt, Cal-



kins, Cassady, Cooper, Corrie, Crozier, Crummer, Cunningham, Dabney, Dalby, Davidson, Derrough, Dewell, Dewey, DeWitt, Dodds, Drury, Dye, Elliott, Etter, Fenn, Finlayson, Fourt, Fox, Fulton, Goodykoontz, Grier, Hackler, Harding, Harvey, Hickenlooper, Holmes, Huffaker, Hunter, Ide, Inman, Jacobs, Jewell, Johnson, Jones, Kendall, Koontz, Kull, Lee, McDonald, Marston, Meredith, Miller of Bremer, Miller of Dubuque, Moore of Wapello, Moore of Linn, Newell, O'Connor, Perkins, Reaney, Reitz, Ripley, Sheldon, Stillman, Stoddard, Sullivan, Swan, Swift, Tegeler, Thompson, Tilton, White, Wolfe, Zeller, Mr. Speaker—83.

The nays were :

Boe, Boomgaarden, Darrah, Felt, Klay, Larrabee, Penn, Sankey, Schee, Schroeder, Schulte, Smith—12.

Absent or not voting :

Brandes, Byerly, Cousins, Dawson, Ellis, Fulliam, Hanson, Kellogg, McCleery, Ritter, Ward, Welden, Wilson—13.

So the bill passed.

Davidson of Palo Alto proposed the following amendment :

I move to amend the title to House File No. 90 by striking out from the second and third lines thereof the words "Relating to the Taxation of National, State and Savings Banks and Loan and Trust Companies" and to strike out the period at the end of the title following the word "therefor" and inserting in lieu of such period a comma and after it the words "Relating to the Taxation of National, State and Savings Banks and Loan and Trust Companies."

Amendment adopted, and the title as amended, was agreed to.

#### MESSAGES FROM THE SENATE.

The following messages were received from the Senate :

MR. SPEAKER—I am directed to inform your honorable body that the Senate has passed the following bill in which the concurrence of the House is asked :

Senate File No. 191, a bill for an act appropriating the sum of \$209.12 for the relief of N. W. Williams on account of work done for the state.

S. W. NEAL,  
*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. 327, a bill for an act to indemnify Mamie McMahan for personal injuries sustained by her while employed as a nurse at the Mt. Pleasant State Hospital.

S. W. NEAL,  
*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. 337, a bill for an act relative to villages.

S. W. NEAL,  
*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:

Substitute for Senate File No. 158, a bill for an act relating to the taxation of domestic corporations.

S. W. NEAL,  
*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. 13, a bill for an act relative to the protection of birds and game.

S. W. NEAL,  
*Secretary.*

Also:

MR. SPEAKER—I am directed to inform your honorable body that the Senate insists on its substitute amendments to House File No. 208, a bill for an act relative to the jurisdiction of the state board of health and local boards of health, and asks for a conference committee and the President of the Senate appoints as committee on the part of the Senate: Senators Stuckslager, DeArmand and Clarkson.

S. W. NEAL,  
*Secretary.*

Also:

MR. SPEAKER—I am directed to inform your honorable body that the Senate herewith requests the recall for further consideration of House File No. 2, a bill for an act relative to the government of certain cities.

S. W. NEAL,  
*Secretary.*

## SENATE MESSAGES CONSIDERED.

Senate File No. 13, a bill for an act to amend Section Twenty-five Hundred and Fifty-one (2551) of the Supplement to the Code, 1907, relating to the protection of birds and game.

Read first and second time and referred to Committee on Fish and Game.

Substitute for Senate File No. 158, a bill for an act amending Section Thirteen Hundred and Ten (1310) of the Code, relating to taxation of shares of stock in corporations taxed in another state or territory, and amending Section Thirteen Hundred and Twenty-three (1323) of the Code, relating to taxation of domestic corporations.

Read first and second time and referred to Committee on Ways and Means.

Senate File No. 191, a bill for an act appropriating the sum of two hundred nine dollars and twelve cents (\$209.12) for the relief of N. W. Williams, on account of work done for the state for which he has not been paid.

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

Senate File No. 327, a bill for an act to indemnify Mamie McMahan for personal injury sustained by her while employed as nurse at the Mt. Pleasant State hospital.

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

Senate File No. 337, a bill for an act to amend Section Six Hundred Thirty-eight (638) of the Code, relative to villages, and providing for the extension of the limits thereof.

Read first and second time and referred to Committee on Municipal Corporations.

## EXPLANATIONS OF VOTES.

MR. SPEAKER—I consider House File No. 90 a fair and just measure, but on account of Rule 16 I refrain from voting. This bill, if enacted into law, will mean a saving to me of several hundred dollars annually.

T. O. HANSON.

MR. SPEAKER—I desire to explain my vote on House File No. 90. The bill, if it becomes a law, will prevent banks from deducting from their capital such amount thereof as may be invested in United States bonds, which was given as the object of the bill. But the bill in the form it passed the House permits the deduction of debts from shares of stocks in all such corporations by the holders thereof. This changes the law as it has stood in this state for many years and to prevent this change I offered my amendment. But I am in favor of preventing the deduction of government bonds and therefore vote "aye."

N. J. LEE.

The Speaker announced as the Conference Committee on the part of the House on House File No. 208, Johnson of Mitchell, Schee of O'Brien, Marston of Cerro Gordo and Fulton of Jefferson.

The Speaker announced that as Speaker of the House, in the presence of the House, he had signed Senate File Nos. 98, 170, 167, 218, 282, and House File Nos. 109, 132 and 73.

Meredith of Cass moved that the request of the Senate for the recall of House File No. 2 be granted.

Motion prevailed.

Jewel of Winneshiek moved that the House adjourn.

# JOURNAL OF THE HOUSE

HALL OF THE HOUSE OF REPRESENTATIVES,  
DES MOINES, IOWA, March 24, A. D. 1909.

House met pursuant to adjournment.

Speaker Feely in the Chair.

Prayer was offered by Rev. Walter H. Rollins of Waterloo, Iowa.

Journal of Tuesday, March 23rd, corrected and approved.

## PETITIONS, MEMORIALS AND REMONSTRANCES.

McDonald of Carroll presented petition of citizens of Carroll County, asking support for Senate File No. 105, relative to discrimination by creameries.

Referred to Committee on Agriculture.

O'Connor of Chickasaw presented petition of Fredericksburg, Chickasaw County, Produce Association, asking support for Senate File No. 105, relative to discrimination by creameries.

Referred to Committee on Agriculture.

Tegeler of Dubuque presented petition of citizens of Dubuque County relative to equal rights of negro students in incorporated schools and colleges.

Referred to Committee on Schools and Text Books.

## REPORTS OF COMMITTEES.

Holmes of Kossuth, from the Committee on Pardons, submitted the following report:

MR. SPEAKER—Your Committee on Pardons to whom was referred the application for pardon of Thos. C. Robinson, a convict now confined at

Fort Madison, Iowa, under life sentence from the district court of Howard county, Iowa, for murder in the first degree, beg leave to report they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the said application be denied.

O. H. HOLMES,  
*Chairman,*

Adopted.

Also:

MR. SPEAKER—Your Committee on Pardons to whom was referred the application for pardon of John Penney, a convict now confined at Fort Madison, Iowa, under life sentence from the district court of Emmet County, Iowa, for murder in the first degree, beg leave to report they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the said application for pardon be denied.

O. H. HOLMES,  
*Chairman,*

Adopted.

Also:

MR. SPEAKER—Your Committee on Pardons to whom was referred the application for pardon of Albert Parnitzka, a convict now confined at Fort Madison, Iowa, under life sentence from the district court of Van Buren County, Iowa, for murder in the first degree, beg leave to report they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the said application for pardon be denied.

O. H. HOLMES,  
*Chairman,*

Adopted.

Also:

MR. SPEAKER—Your Committee on Pardons to whom was referred the application for pardon of W. M. H. Jones, a convict now confined at Fort Madison, Iowa, under life sentence from the district court of Henry County, Iowa, for murder in the first degree, beg leave to report they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the said application for pardon be denied.

O. H. HOLMES,  
*Chairman,*

Adopted.

Also:

MR. SPEAKER—Your Committee on Pardons to whom was referred the application for pardon of Leonard W. Haley, a convict now confined at Fort Madison, Iowa, under life sentence from the district court of Du-

buque County, Iowa, for murder in the first degree, beg leave to report they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the said application for pardon be denied.

O. H. HOLMES,  
*Chairman,*

Adopted.

Also:

MR. SPEAKER—Your Committee on Pardons to whom was referred the application for pardon of W. E. Alexander, a convict now confined at Fort Madison, Iowa, under life sentence from the district court of Polk County, Iowa, for murder in the first degree, beg leave to report they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the said application for pardon be denied.

O. H. HOLMES,  
*Chairman,*

Adopted.

Also:

MR. SPEAKER—Your Committee on Pardons to whom was referred the application for pardon of Hugh Robbard, a convict now confined at Fort Madison, Iowa, under life sentence from the district court of Dubuque County, Iowa, for murder in the first degree, beg leave to report they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the said application for pardon be denied.

O. H. HOLMES,  
*Chairman,*

Adopted.

Also:

MR. SPEAKER—Your Committee on Pardons to whom was referred the application for pardon of L. R. Van Tassell, a convict now confined at Anamosa, Iowa, under life sentence from the district court of Chickasaw County, Iowa, for murder in the first degree, beg leave to report they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the said application for pardon be denied.

O. H. HOLMES,  
*Chairman,*

Adopted.

Also:

MR. SPEAKER—Your Committee on Pardons to whom was referred the application for pardon of William Adams, a convict now confined at Fort Madison, Iowa, under life sentence from the district court of Marshall County, Iowa, for murder in the first degree, beg leave to report they

have had the same under consideration and have instructed me to report the same back to the House with recommendation that the said application be denied.

O. H. HOLMES,  
*Chairman,*

Adopted.

Also:

MR. SPEAKER—Your Committee on Pardons to whom was referred the application for pardon of Thomas Watson, a convict now confined at Fort Madison, Iowa, under life sentence from the district court of Mills County, Iowa, for murder in the first degree, beg leave to report they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the said application for pardon be denied.

O. H. HOLMES,  
*Chairman,*

Adopted.

Meredith of Cass, from the Committee on Railroads and Transportation, submitted the following report:

MR. SPEAKER—Your Committee on Railroads and Transportation to whom was referred House File No. 224, a bill for an act to regulate the charges of sleeping cars on all railroads in this state and to provide a penalty for the violation thereof, beg leave to report they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same do pass.

C. A. MEREDITH,  
*Chairman, Pro tem.*

Adopted.

Also:

MR. SPEAKER—Your Committee on Railroads and Transportation to whom was referred House File No. 4, a bill for an act establishing the office of Commerce Counsel and defining the powers and duties of the same, beg leave to report they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same be amended by substituting the following substitute amendment therefor:

A Bill for an Act providing for the Appointment of a Commerce Counsel, as an Assistant to the Attorney General and Defining the Powers and duties of the same.

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

SECTION 1. It shall be the duty of the Attorney General to diligently investigate the ~~res~~ 'ations, practises, equipment, services, and the reasonableness of the rates charged or to be charged for services rendered or to be rendered by the railroads and transportation corporations, companies or associations, operating in whole or in part within the State of



Iowa, and whenever, in the judgment of said Attorney General, any of the said regulations, practices, equipment, services, or charges affecting any of the citizens or industries of the state are undue, unjust, unreasonable, unlawful, or unduly prejudicial, or unjustly discriminate against any of the citizens or industries of the State of Iowa, it shall be the duty of the said Attorney General to institute proceedings as provided by law relative to the said matters and to prosecute the same, presenting or assisting in the presentation of said facts in a lawful manner before the Inter-State Commerce Commission or the Board of Railroad Commissioners of the State of Iowa, having jurisdiction over the same and power to act in the premises.

SEC. 2. It shall be the duty of the said Attorney General or his Commerce Counsel assistant, as hereinafter provided, to draft the necessary papers, to represent and appear for the people of the State of Iowa in all actions and proceedings involving any question under this act and to intervene, if in his judgment advisable, in any action or proceeding in which any question is involved; to commence and prosecute all actions and proceedings directed or authorized by the Board of Railroad Commissioners of the State of Iowa.

SEC. 3. The Attorney General shall have power to examine, for the purpose of carrying out the provisions of this act all books, tariffs, records, documents, and papers of any railroad transportation corporation, company or association subject to the regulation or control of any tribunal in this state, and by subpoena *duces tecum*, to compel a production thereof. Copies of all rulings, orders, regulations or decisions of the Board of Railroad Commissioners of this state, relating to the regulation or fixing of rates, regulations, rules or character of service of any railroad or transportation corporation, company or association, shall be filed with the Attorney General.

SEC. 4. Duplicates of all notices, books, publications, reports, contracts, records, accounts, tariff sheets and papers of any railroad or transportation corporations, companies or associations, filed or required by law to be filed with the Executive Council or the Board of Railroad Commissioners, shall be filed with the said Attorney General. Failure to comply with the provisions of this section shall subject such railroad or transportation corporation, company or association to the same penalties as those fixed for failure to file said copies with the aforesaid tribunals of the State of Iowa.

SEC. 5. For the purpose of carrying into effect the provisions hereof, the Attorney General is hereby authorized and directed to appoint subject to the approval of two-thirds of the members of the Senate, in executive session, an assistant who shall be known as the Commerce Counsel whose term of office shall be six years commencing on the first day of July, 1909, and every six years thereafter whose salary shall be \$3,500.00 per year; and the said Commerce Counsel shall have reimbursed to him all his actual and necessary traveling expenses incurred in the discharge of his official duties. The said Attorney General is further authorized and empowered to appoint and at pleasure remove such additional clerical assistants as may be necessary, subject to the approval and authorization

of the Executive Council. Said Commerce Counsel when not engaged in his special duties shall assist in any duties of the Attorney General. The Attorney General may, by and with the consent of two-thirds of the members of the Senate during a session of a General Assembly, remove said Commerce Counsel for malfeasance or nonfeasance in office, or for any cause that renders him ineligible to appointment or incapable or unfit to discharge the duties of his office. A vacancy in said office shall be filled for the unexpired term by the appointment of said Attorney General, with the approval of two-thirds of the members of the Senate in executive session. If the General Assembly is not in session, then said vacancy shall be filled by appointment of the Attorney General, which appointment shall expire thirty days from the time the next General Assembly convenes.

SEC. 6. No person in the employ of or owning any of the stock or property in or who has in any way or manner pecuniary interests in any railroad or transportation corporation, company or association, shall be eligible to the office of Commerce Counsel, and the entry into the employment of or the acquiring of any stock or interest in any railroad or such other corporation by said Commerce Counsel after his appointment, shall disqualify him to hold said office or perform the duties thereof. Said Commerce Counsel shall not engage in any other business, vocation or employment. The Commerce Counsel who solicits or otherwise exercises his influence, directly or indirectly, to induce other officers or employes of the state to adopt his political views, or to favor any particular person or candidate for office or who shall in any manner contribute money or a thing of value, to any person for election purposes shall be removed from his office or position by the Attorney General.

SEC. 7. There is hereby appropriated any funds in the State Treasury not otherwise appropriated, sufficient thereof to pay the salary and expenditures hereby authorized. The said salary and expenditures shall be audited and allowed by the Auditor of State and shall be paid monthly by the Treasurer of State upon the warrant of the Auditor of State.

SEC. 8. This act being deemed of immediate importance shall take effect and be in force immediately upon its publication in the Register and Leader and the Des Moines Capital, newspapers published at Des Moines, Iowa, and when so amended the bill do pass.

C. A. MEREDITH,  
*Chairman, Pro tem.*

Adopted.

Also:

MR. SPEAKER—Your Committee on Railroads and Transportation to whom was referred Senate File No. 304, a bill for an act requiring the proper equipment of locomotives used exclusively in switching or yard service; providing for the safety of employes engaged in their operation, and providing a penalty for failing to properly equip such switch engines, beg leave to report they have had the same under consideration and

have instructed me to report the same back to the House with the recommendation that the same do pass.

C. A. MEREDITH,  
*Chairman, Pro tem.*

Adopted.

#### REPORT OF JOINT COMMITTEE ON ENROLLED BILLS.

Klay of Sioux, from the Joint Committee on Enrolled Bills, submitted the following report:

MR. SPEAKER—Your Joint Committee on Enrolled Bills respectively report that they have examined and find correctly enrolled Senate File No. 8, a bill for an act authorizing the District Court or Judge to remove officers for misfeasance, malfeasance or nonfeasance in office, and providing the method of procedure therefor.

Also:

Senate File No. 91, a bill for an act to define and regulate the practice of optometry and for creation of a Board of Examiners in Optometry.

Also:

Senate File No. 150, a bill for an act to amend the law as it appears in Section five hundred eleven (511) of the Supplement to the Code, 1907, relating to the compensation of sheriffs for boarding prisoners.

Also:

Senate File No. 153, a bill for an act granting to the Omaha, Council Bluffs & Suburban Railway Company a right of way over and across the lands of the Iowa School for the Deaf, located near Council Bluffs, Iowa.

Also:

Senate File No. 216, a bill for an act prohibiting the detention or confinement of any female in any house, room, building or premises by force, false pretence, or intimidation, for purposes of prostitution or with intent to cause such female to become a prostitute and providing a punishment for the violation thereof.

Also:

Senate File No. 318, a bill for an act to legalize the ordinances of the town of Maynard, Fayette County, Iowa, and the acts and proceedings of the council of said town had thereunder.

GERRIT KLAY,  
*Chairman House Committee.*

HENRY L. ADAMS,  
*Chairman Senate Committee.*

Adopted.

Hackler of Webster called up the report of the Committee on Contested Elections in the matter of Teter vs. Crozier, and moved the adoption of the report.

Motion prevailed, and George W. Crozier was declared to be the duly elected Representative to the Thirty-third General Assembly from the Twenty-sixth Representative District.

Hackler of Webster moved that the supplemental report of the Teter-Crozier contest be adopted.

Motion prevailed.

Harding of Woodbury offered the following Concurrent Resolution:

CONCURRENT RESOLUTION.

WHEREAS, There has recently been formed in this country a gigantic monopoly for the control of the manufacture and sale of moving pictures, moving picture machines, films and all the appliances appertaining thereto; and

WHEREAS, Such combination is a palpable violation of the laws against restraint of trade, be it therefore

*Resolved By the House, the Senate Concurring,* That our Senators and Representatives in the Congress of the United States be requested to use their influence and support of the pending resolution calling upon the Secretary of Commerce and Labor to institute an immediate and thorough investigation of the so-called "combine" to the end that unlawful monopoly be prevented.

*Resolved Further,* That one copy be sent to the Speaker of the House of Representatives of the United States, one copy be sent to each member of Congress from the State of Iowa.

Laid over under Rule 34.

Harding of Woodbury called up the resolution relative to limiting speeches by members of the House, which was laid over under Rule 34, and moved its adoption.

Roll call demanded by Marston of Cerro Gordo and Elliott of Page.

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

The ayes were:

Arney, Bascom, Beans, Beebe, Beery, Blackmore, Boomgaarden, Bowman, Burt, Calkins, Cassady, Cousins, Crozier, Crummer, Cunningham, Dabney, Derrough, Dewey, DeWitt, Dodds, Dye, Ellis, Etter, Fourt, Fox, Goodykoontz, Hackler, Hanson, Harding, Harvey, Hickenlooper, Holmes, Huffaker, Ide, Jacobs, Johnson, Jones,

Kendall, Koontz, Kull, Larrabee, McDonald, Marston, Miller of Bremer, Miller of Dubuque, Moore of Wapello, O'Connor, Penn, Reaney, Reitz, Ripley, Ritter, Schulte, Sheldon, Smith, Stoddard, Swan, Swift, Tegeler, Thompson, White, Wolfe, Zeller, Mr. Speaker—65.

The nays were:

Allred, Bauman, Cooper, Corrie, Dalby, Dawson, Inman, Meredith, Perkins, Sankey, Sullivan, Wilson—12.

Absent or not voting:

Anderson, Balluff, Boe, Boettger, Bonwell, Brandes, Byerly, Darrah, Davidson, Dewell, Elliott, Felt, Fenn, Finlayson, Fulliam, Fulton, Grier, Hunter, Jewell, Kellogg, Klay, Lee, McCleery, Moore of Linn, Newell, Schee, Schroeder, Stillman, Tilton, Ward, Welden—31.

So the resolution was adopted.

Bascom of Dickinson moved that House File No. 316 be withdrawn from the Committee on Claims and the further consideration of the House.

Motion prevailed.

Corrie of Ida moved that House File No. 327 be withdrawn from the Committee on Roads and Highways and the further consideration of the House.

Motion prevailed.

Beebe of Franklin, Chairman of the Committee on Claims, moved that House File No. 97 be recalled from the Committee on Appropriations and re-referred to the Committee on Claims.

Motion prevailed.

#### CONSIDERATION OF BILLS.

On motion of Crozier of Marion, House File No. 199, a bill for an act relating to the trial of Attachment cases where an equitable interest in real estate is attached, additional to Section Thirty-eight Hundred and Ninety-nine (3899) of the Code, was taken up and considered.

Crozier of Marion moved that Section 2 be stricken from the bill.

Motion prevailed.

Crozier of Marion moved that the rules be suspended, 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 ayes were:

Allred, Anderson, Arney, Bascom, Bauman, Beans, Beebe, Beery, Blackmore, Bonwell, Boomgaarden, Bowman, Burt, Calkins, Casady, Cooper, Cousins, Crozier, Crummer, Cunningham, Dabney, Dalby, Darrah, Davidson, Dawson, Derrough, Dewell, Dewey, DeWitt, Dodds, Drury, Dye, Elliott, Etter, Felt, Fenn, Finlayson, Fourt, Fox, Fulton, Grier, Hackler, Hanson, Harding, Harvey, Hickenlooper, Holmes, Huffaker, Ide, Inman, Jacobs, Jewell, Kellogg, Kendall, Klay, Koontz, Kull, Larrabee, McDonald, Meredith, Miller of Dubuque, Moore of Wapello, Newell, O'Connor, Penn, Perkins, Reaney, Reitz, Ripley, Ritter, Sankey, Schroeder, Schulte, Smith, Stoddard, Sullivan, Swan, Swift, Tegeler, Thompson, Tilton, White, Wilson, Wolfe, Zeller Mr. Speaker—86.

The nays were:

Lee, Marston—2.

Absent or not voting:

Balluff, Boe, Boettger, Brandes, Byerly, Corrie, Ellis, Fulliam, Goodykoontz, Hunter, Johnson, Jones, McCleery, Miller of Bremer, Moore of Linn, Schee, Sheldon, Stillman, Ward, Welden—20.

So the bill passed and the title was agreed to.

#### SPECIAL ORDER.

Time having arrived for Special Order No. 9, Senate File No. 198, a bill for an act to create a State Board of Education for the State University, the College of Agriculture and Mechanic Arts, and the Normal School, and to prescribe its duties and to provide for the management and control of the State University, the College of Agriculture and Mechanic Arts and the Normal School, to make appropriation therefor, and to repeal Section Two Thousand Six Hundred Seventeen (2617), Two Thousand Six Hundred Eighteen (2618), Two Thousand Six Hundred Nineteen (2619),

Two Thousand Six Hundred Twenty (2620), Two Thousand Six Hundred Thirty-five (2635), Two Thousand Six Hundred Thirty-six (2636), Two Thousand Six Hundred Forty-two (2642), Two Thousand Six Hundred Forty-seven (2647), Two Thousand Six Hundred Fifty-one (2651), Two Thousand Six Hundred Fifty-two (2652), Two Thousand Six Hundred Fifty-three (2653), Two Thousand Six Hundred Sixty-eight (2668), Two Thousand Six Hundred Sixty-nine (2669), Two Thousand Six Hundred Seventy (2670), Two Thousand Six Hundred Eighty-one (2681), of the Code and the law as it appears in Sections Two Thousand Six Hundred Forty-six (2646), Two Thousand Six Hundred Fifty (2650), Two Thousand Six Hundred Twenty-seven-a-fifty-three (2727-a-53), Two Thousand Seven Hundred Twenty-seven-a-fifty-four (2727-a54), Two Thousand Seven Hundred Twenty-seven-a-fifty-five (2727-a-55), Two Thousand Seven Hundred Twenty-seven-a-fifty-six (2727-a-56), of the Supplement to the Code, 1907, and to repeal all acts and parts of acts inconsistent with this act, with report of Committee recommending passage as amended, was taken up and considered.

Elliott of Page in the Chair.

Hackler of Webster moved the adoption of the amendments proposed by the committee.

Moore of Linn, Chairman of the Committee on Appropriations, moved to amend the amendment by striking out the following words, "unanimous vote of the Board of Education" and inserting in lieu thereof, "vote of two-thirds of the members of the State Board of Education."

Amendment adopted.

Committee amendment as amended adopted.

Speaker Feely in the Chair.

Unanimous consent was asked for the extension of the time allotted to Hackler of Webster in speaking on Senate File No. 198.

Meredith of Cass objected.

Holmes of Kossuth moved that the time be extended.

Motion prevailed.

Perkins of Delaware proposed the following amendment:

I move to amend Section 2 by adding after the word "position" in line 4: "No members of either House of the Thirty-third General Assembly shall ever be appointed to a position on said board or its finance committee."

Amendment lost.

Schee of O'Brien proposed the following amendment:

I move to amend Section 6 by inserting after the word "show" in line seven the words, "who are present and."

Amendment adopted.

Anderson of Hamilton proposed the following amendment:

I move that Section 8 be stricken from the bill.

Amendment lost.

White of Story proposed the following amendment:

I move to amend by inserting at the end of Section 4 the following: "The offices of President of the State University, of the State College of Agriculture and of the State Normal School are hereby abolished."

Amendment lost.

Unanimous consent was given to the extension of the time allotted to Inman of Floyd in addressing the House on Senate File No. 198.

Unanimous consent was asked for the extension of the time allotted to Perkins of Delaware in addressing the House on Senate File No. 198.

Objection was made by Swan of Appanoose.

White of Story moved that the time be extended.

Motion prevailed.

Inman of Floyd proposed the following amendment:

I move to amend Section 2 by adding to line three after the words "persons" the following "three of which shall be farmers."

Amendment lost.

Lee moved that the previous question be now ordered.



Marston of Cerro Gordo moved that the House adjourn until 1:30 o'clock P. M.

Motion lost.

Motion for the previous question prevailed, and the previous question was ordered.

Hackler of Webster moved that the rules be suspended, the bill be read a third time now, which motion prevailed, and the bill was read a third time.

On the question, "Shall the bill pass?"

The ayes were:

Bascom, Bauman, Beans, Beebe, Beery, Boomgaarden, Bowman, Burt, Calkins, Cooper, Corrie, Crummer, Cunningham, Dabney, Dalby, Darrah, Davidson, Dawson, Derrough, Dewey, DeWitt, Dodds, Drury, Dye, Elliott, Felt, Fenn, Finlayson, Fox, Fulton, Goodykoontz, Grier, Hackler, Hanson, Harding, Harvey, Hickenlooper, Holmes, Hunter, Jacobs, Jewell, Johnson, Kellogg, Kendall, Klay, Kull, Larrabee, Lee, McDonald, Meredith, Moore of Wapello, Moore of Linn Newell, O'Connor, Reaney, Reitz, Ripley, Sankey, Schee, Schroeder, Schulte, Smith, Stillman, Stoddard, Sullivan, Swan, Swift, Thompson, Tilton, Wilson, Zeller—71.

The nays were:

Allred, Anderson, Blackmore, Boettger, Bonwell, Cassady, Cousins, Dewell, Fourt, Huffaker, Ide, Inman, Jones, Koontz, Marston, Miller of Bremer, Penn, Perkins, Ritter, Sheldon, Tegeler, Wolfe, Mr. Speaker—23.

Absent or not voting:

Arney, Balluff, Boe, Brandes, Byerly, Crozier, Ellis, Etter, Fulham, McCleery, Miller of Dubuque, Ward, Welden, White—14.

So the bill passed and the title was agreed to.

#### EXPLANATION OF VOTE.

MR. SPEAKER—I desire to explain my vote on Senate File No. 198. The provisions of the bill will not in my judgment reduce the running expenses of the educational institutions of the state as claimed by the supporters of the measure; also I asked the privilege of being heard on the floor of the House on the merits of the bill as they appeared to me, but was deprived of this privilege by a motion that the previous question be now put, and for these reasons I vote nay.

W. P. ALLEED.

Beebe of Franklin moved that the House adjourn until 1:30 o'clock P. M.

AFTERNOON SESSION.

House met pursuant to adjournment.

Speaker Feely in the Chair.

On request of Boettger of Scott leave of absence was granted Balluff of Scott until Friday.

REPORTS OF COMMITTEES.

White of Story, from the Committee on Ways and Means submitted the following report:

MR. PRESIDENT—Your committee on Ways and Means, to whom was referred House File No. 412, a bill for an act providing for legislative investigation committee, beg leave to report they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same be amended as follows:

By adding to said bill Section 3, as follows: "For the purpose of carrying out the provisions of this act there is hereby appropriated from any moneys in the state treasury not otherwise appropriated the sum of fifteen hundred dollars (\$1,500) or so much thereof as may be necessary, and when so amended the bill do pass.

GEO. C. WHITE,  
*Chairman.*

Adopted.

Also:

MR. PRESIDENT—Your committee on Ways and Means, to whom was referred Substitute for Senate File No. 158, a bill for an act amending Section 1310 of the Code, relating to taxation of shares of stock in corporations doing business in another state or territory, beg leave to report they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same do pass.

GEO. C. WHITE,  
*Chairman.*

Adopted.

Also:

MR. PRESIDENT—Your committee on Ways and Means, to whom was referred House File No. 448, a bill for an act to amend Section one thousand three hundred four (1304) of the Supplement to the Code, 1907, in relation to the classes of property exempt from the assessment of taxes,

beg leave to report they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same be amended as follows:

By striking out the last line of said bill and inserting in lieu thereof the following words: "municipal, school and drainage bonds or certificates," and when so amended the bill do pass.

GEO. C. WHITE,  
*Chairman.*

Adopted.

Bonwell of Audubon, from the Committee on Roads and Highways, submitted the following report:

MR. SPEAKER—Your committee on Roads and Highways, to whom was referred Senate File No. 265, a bill for an act relating to the building of county bridges, beg leave to report they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same do pass.

J. C. BONWELL,  
*Chairman.*

Adopted.

Also:

MR. SPEAKER—Your committee on Roads and Highways, to whom was referred House File No. 471, a bill for an act to amend Section 2674-f, Title 13, Chapter 4 of the Supplement to the Code, 1907, relating to the duties of the highway commission, beg leave to report they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same be amended as follows:

By striking out the word "and" in the fourth line of the printed bill and inserting in lieu thereof the word "or." Further by inserting after the word "respective" in the sixth line of the printed bill the words "counties or," and when so amended the bill do pass.

J. C. BONWELL,  
*Chairman.*

Adopted.

Also:

MR. SPEAKER—Your committee on Roads and Highways, to whom was referred Senate File No. 217, a bill for an act to promote the building of permanent roads in the state and providing for the establishment of districts, and providing for the construction of roads and prescribing the method for so doing and providing for assessment and collection of a portion of the cost of the same, and issuing improvement certificates therefor and providing a tax in aid thereof, beg leave to report they have had the same under consideration and have instructed me to report the same

back to the House with the recommendation that the same do pass, and further recommend that the same be substituted for House File No. 255.

J. C. BONWELL,  
*Chairman.*

Adopted.

Also:

MR. SPEAKER—Your committee on Roads and Highways, to whom was referred House File No. 277, a bill for an act to provide for the protection of bridges and drainage ditches and providing a penalty for the violation thereof, beg leave to report they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same be indefinitely postponed.

J. C. BONWELL,  
*Chairman.*

Adopted, and House File No. 277 was indefinitely postponed.

Meredith of Cass, from the Committee on Railroads and Transportation, submitted the following report:

MR. SPEAKER—Your committee on Railroads and Transportation, to whom was referred Senate File No. 130, a bill for an act providing for the punishment of intoxication, use of profane, indecent or boisterous language, or disturbing the peace and quiet of any railway station or car, beg leave to report they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same be referred to the Judiciary committee.

C. A. MEREDITH,  
*Chairman Pro. Tem.*

Adopted, and Senate File No. 130 was so referred.

#### INTRODUCTION OF BILLS.

By White of Story (by request), House File No. 496, a bill for an act to amend the law as it appears in Section Four Thousand Nine Hundred Forty-six-b (4946-b) of the Supplement to the Code, 1907, relating to the distribution of dissecting material.

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

By Etter of Keokuk, House File No. 497, a bill for an act to amend the law as it appears in Section Seven Hundred (700) of the Supplement to the Code of Iowa, relating to the powers of the Mayor and Common Council of cities and towns in the State of Iowa to regulate and license itinerant physicians and surgeons and other persons named in said section.

Read first and second time and referred to Committee on Police Regulations.

By Dawson of Cherokee (by request), House File No. 498, a bill for an act to legalize the action of the Independent School District of Marcus, Cherokee County, Iowa, in voting bonds at an election held on the first day of March, 1907, and legalizing the bonds issued by said district under said election.

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

Cunningham of Buena Vista offered the following resolution :

RESOLUTION.

Be it Resolved, by the House of Representatives, that beginning Monday, March 29, 1909, that in addition to the regular morning and afternoon sessions of the House, an evening session of the House shall be held to commence at 7:30 o'clock and adjourn at 9:30 o'clock each evening.

Laid over under Rule 34.

Stillman of Greene moved that House File No. 495 be made a Special Order for Thursday, March 25th at ten o'clock.

Motion prevailed.

Wolfe of Clinton moved that House File No. 165 be withdrawn from the Committee on Elections and the further consideration of the House.

Motion prevailed.

The Speaker announced that as Speaker of the House, in the presence of the House, he had signed Senate File Nos. 91, 8, 153, 318, 216 and 150.

Reaney of Louisa moved that when the House adjourns Friday forenoon it be until 9:00 o'clock A. M., Saturday.

Motion prevailed.

## CONSIDERATION OF BILLS.

On motion of Crozier of Marion, House File No. 200, a bill for an act making the provisions of Section Three Thousand Eight Hundred Forty-seven (3847) Code Supplement of 1907, Section Three Thousand Four Hundred Forty-eight (3448), Section Three Thousand Eight Hundred Forty-nine (3849), Code Supplement, Section Three Thousand Eight Hundred Fifty, Fifty-one and Fifty-two (3850-51-52), applicable to actions in justice's courts and providing for the deposit of money in lieu of bond, with report of committee recommending passage as amended by substitute amendment was taken up, considered, and the substitute amendment adopted.

Crozier of Marion moved that the rules be suspended, 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 ayes were:

Allred, Anderson, Arney, Bascom, Bauman, Beebe, Beery, Blackmore, Boettger, Bonwell, Boomgaarden, Bowman, Burt, Calkins, Cooper, Corrie, Cousins, Crozier, Crummer, Dabney, Dalby, Darrah, Dawson, Derrough, Dewell, Dewey, Dodds, Drury, Dye, Elliott, Ellis, Etter, Fenn, Finlayson, Fourt, Fox, Fulton, Goodykoontz, Hackler, Hanson, Harding, Harvey, Hickenlooper, Holmes, Huffaker, Hunter, Inman, Jacobs, Jewell, Kellogg, Kendall, Klay, Koontz, Kull, Larrabee, McDonald, Meredith, Miller of Bremer, Miller of Dubuque, Moore of Wapello, Penn, Perkins, Reaney, Reitz, Ripley, Ritter, Sankey, Schroeder, Schulte, Smith, Stillman, Stoddard, Sullivan, Swan, Tegeler, Thompson, Tilton, White, Wolfe, Zeller, Mr. Speaker—81.

The nays were:

None.

Absent or not voting:

Balluff, Beans, Boe, Brandes, Byerly, Cassady, Cunningham, Davidson, DeWitt, Felt, Fulliam, Grier, Ide, Johnson, Jones, Lee, McCleery, Marston, Moore of Linn, Newell, O'Connor, Schee, Sheldon, Swift, Ward, Welden, Wilson—27.

So the bill passed and the title was agreed to.

On motion of Harding of Woodbury, House File No. 263, a bill for an act to repeal Section Number Sixteen Hundred Ninety-nine (1699) of the Code, relating to the investment of their funds by insurance companies other than life, organized under Chapter Four (4) of Title IX of the Code, and to enact a substitute therefor, with report of committee recommending passage as amended, was taken up, considered, and the amendments adopted.

Schee of O'Brien moved to amend House File No. 263 by striking out Section 6 as amended.

Motion prevailed.

Davidson of Palo Alto in the Chair.

Harding of Woodbury moved that the rules be suspended, 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 ayes were:

Allred, Anderson, Arney, Bascom, Bauman, Beans, Beery, Blackmore, Boettger, Bonwell, Boomgaarden, Bowman, Burt, Calkins, Cassady, Cooper, Corrie, Cousins, Crozier, Crummer, Dabney, Dalby, Darrah, Davidson, Dawson, Derrough, Dewell, Dewey, Dodds, Drury, Dye, Elliott, Ellis, Etter, Felt, Fenn, Finlayson, Fourt, Fox, Fulton, Goodykoontz, Grier, Hackler, Hanson, Harding, Harvey, Hickenlooper, Huffaker, Hunter, Ide, Inman, Jacobs, Jewell, Johnson, Jones, Kendall, Klay, Koontz, Kull, Larrabee, Lee, McDonald, Meredith, Miller of Dubuque, Moore of Wapello, Moore of Linn, O'Connor, Penn, Perkins, Reaney, Reitz, Ripley, Ritter, Sankey, Schee, Schroeder, Schulte, Sheldon, Smith, Stillman, Stoddard, Sullivan, Swan, Swift, Tegeler, Thompson, Tilton, White, Wilson, Wolfe, Zeller, Mr. Speaker—92.

The nays were:

None.

Absent or not voting:

Balluff, Beebe, Boe, Brandes, Byerly, Cunningham, DeWitt, Fulliam, Holmes, Kellogg, McCleery, Marston, Miller of Bremer, Newell, Ward, Welden—16.

So the bill passed and the title was agreed to.

On motion of Dodds of Des Moines, House File No. 255, a bill for an act to promote the building of permanent roads in the State and providing for the establishing of districts, and providing for the construction of roads, and prescribing the method for so doing, and providing for assessment and collection of a portion of the cost of the same and issuing improvement certificates therefor, and providing for a tax in aid thereof, was taken up and considered.

Dodds of Des Moines moved that Senate File No. 217 be substituted for House File No. 255.

Motion prevailed.

Dodds of Des Moines moved that the rules be suspended, the bill be read a third time now, which motion prevailed, and the bill was read a third time.

On the question, "Shall the bill pass?"

The ayes were:

Arney, Bauman, Beery, Blackmore, Boettger, Boomgaarden, Bowman, Burt, Calkins, Cassady, Cooper, Cousins, Dabney, Davidson, DeWitt, Dodds, Drury, Elliott, Ellis, Etter, Fenn, Hackler, Hanson, Harvey, Hickenlooper, Holmes, Jacobs, Jewell, Jones, Kellogg, Kendall, Klay, Kull, Larrabee, McDonald, Miller of Dubuque, Moore of Linn, Newell, O'Connor, Perkins, Ritter, Schee, Schulte, Smith, Stoddard, Sullivan, Swan, Swift, Tegeler, Thompson, Wilson, Wolfe—52.

The nays were:

Allred, Anderson, Bascom, Beans, Bonwell, Corrie, Crozier, Crummer, Dalby, Darrah, Dawson, Derrough, Dewey, Fourt, Fox, Fulton, Goodykoontz, Harding, Huffaker, Ide, Inman, Johnson, Lee, Meredith, Miller of Bremer, Moore of Wapello, Reaney, Ripley, Sankey, Schroeder, Sheldon, Tilton, Zeller—33.

Absent or not voting:

Balluff, Beebe, Boe, Brandes, Byerly, Cunningham, Dewell, Dye, Felt, Finlayson, Fulliam, Grier, Hunter, Koontz, McCleery, Marston, Penn, Reitz, Stillman, Ward, Welden, White, Mr. Speaker—23.

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



Speaker Feely in the Chair.

On motion of Finlayson of Grundy, Senate File No. 99, a bill for an act to amend Section Twenty-six Hundred Seventy-five (2675) of the Code, relating to the Normal School at Cedar Falls, with report of committee recommending passage as amended was taken up, considered, and the amendment adopted.

Klay of Sioux moved that the bill be re-referred to the Committee on Judiciary.

Motion lost.

Finlayson of Grundy moved that the rules be suspended, the bill be read a third time now, which motion prevailed, and the bill was read a third time.

On the question, "Shall the bill pass?"

The ayes were:

Allred, Anderson, Arney, Bascom, Bauman, Beans, Beebe, Beery, Blackmore, Boettger, Bonwell, Boomgaarden, Bowman, Burt, Calkins, Cassady, Cooper, Corrie, Cousins, Crozier, Crummer, Dabney, Dalby, Darrah, Davidson, Dawson, Derrough, Dewell, Dewey, DeWitt, Dodds, Drury, Dye, Elliott, Ellis, Etter, Felt, Fenn, Finlayson, Fourt, Fox, Fulton, Goodykoontz, Grier, Hanson, Harding, Harvey, Hickenlooper, Holmes, Huffaker, Hunter, Ide, Inman, Jacobs, Jewell, Johnson, Jones, Kendall, Klay, Koontz, Kull, Larabee, Lee, McDonald, Meredith, Miller of Dubuque, Moore of Wapello, Moore of Linn, Newell, Penn, Perkins, Reaney, Ripley, Ritter, Sankey, Schroeder, Schulte, Sheldon, Smith, Stoddard, Sullivan, Swan, Swift, Tegeler, Thompson, Tilton, White, Wilson, Wolfe, Zeller, Mr. Speaker—91.

The nays were:

None.

Absent or not voting:

Balluff, Boe, Brandes, Byerly, Cunningham, Fulliam, Hackler, Kellogg, McCleery, Marston, Miller of Bremer, O'Connor, Reitz, Schee, Stillman, Ward, Welden—17.

So the bill passed and the title was agreed to.

On motion of Harding of Woodbury, House File No. 467, a bill for an act to amend the law as it appears in Section One Hundred

Eleven (111) of the Code, relating to banks as depositors, was taken up and considered.

Harding of Woodbury moved that the rules be suspended, 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 ayes were:

Allred, Anderson, Arney, Bascom, Bauman, Beans, Beebe, Beery, Blackmore, Boettger, Bonwell, Boomgaarden, Bowman, Burt, Calkins, Cassady, Cooper, Corrie, Cousins, Crozier, Crummer, Dabney, Dalby, Darrah, Dawson, Derrough, Dewell, Dewey, DeWitt, Dodds, Drury, Dye, Elliott, Ellis, Etter, Felt, Fenn, Finlayson, Fourt, Fox, Fulton, Goodykoontz, Grier, Hanson, Harding, Harvey, Hickenlooper, Holmes, Huffaker, Ide, Jacobs, Jewell, Johnson, Jones, Kendall, Klay, Koontz, Kull, Larrabee, Lee, McDonald, Meredith, Miller of Bremer, Miller of Dubuque, Moore of Wapello, Moore of Linn, Newell, Penn, Perkins, Reaney, Reitz, Ripley, Ritter, Sankey, Schroeder, Schulte, Sheldon, Smith, Stoddard, Swan, Swift, Tegeler, Tilton, Ward, Wolfe, Zeller, Mr. Speaker—87.

The nays were:

Hunter, Inman, Sullivan—3.

Absent or not voting:

Balluff, Boe, Brandes, Byerly, Cunningham, Davidson, Fulliam, Hackler, Kellogg, McCleery, Marston, O'Connor, Schee, Stillman, Thompson, Welden, White, Wilson—18.

So the bill passed and the title was agreed to.

The Speaker granted excuses to the following members of the Special Investigation Committee: O'Connor of Chickasaw, Hackler of Webster, Schee of O'Brien, Kellogg of Harrison and Stillman of Greene.

#### MOTION TO RECONSIDER.

I move to reconsider the vote by which Senate File No. 217 was lost.

GEO. W. CROZIER.

I second the motion.

W. I. BEANS.

Moore of Linn moved that the House adjourn until 9:00 o'clock A. M., Thursday.

# JOURNAL OF THE HOUSE

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HALL OF THE HOUSE OF REPRESENTATIVES,  
DES MOINES, IOWA, March 25, A. D. 1909.

House met pursuant to adjournment.

Speaker Feely in the Chair.

Prayer was offered by the Rev. W. A. Schwimley of Sibley, Iowa.

Journal of Wednesday, March 24th, corrected and approved.

On request of Wilson of Tama leave of absence was granted Byerly of Jones indefinitely on account of illness.

## PETITIONS, MEMORIALS AND REMONSTRANCES.

Klay of Sioux presented petition of shippers and producers of Sioux County relative to Senate File No. 38, referring to the office of Commerce Counsel.

Referred to Committee on Railroads and Transportation.

Tegeler of Dubuque presented remonstrance of druggists of Dubuque, Iowa, protesting against the passage of Senate File No. 16.

Referred to Committee on Suppression of Intemperance.

Burt of Taylor presented petition of school board and teachers of Bedford, Iowa, indorsing House File Nos. 406, 415, 418, 431 and 436.

Referred to Committee on Schools and Text Books.

Harding of Woodbury presented petition of citizens of Woodbury County relative to the state inspection of bees.

Referred to Committee on Agriculture.

Schulte of Clayton presented petition of citizens of Clayton County relative to the state inspection of bees.

Referred to Committee on Agriculture.

Corrie of Ida presented petition of shippers and producers of Ida County relative to the office of Commerce Counsel.

Referred to Committee on Railroads and Transportation.

#### REPORTS OF COMMITTEES.

Beebe of Franklin, from the Committee on Claims, submitted the following report:

MR. SPEAKER—Your Committee on Claims to whom was referred House File No. 97, a bill for an act to indemnify Gustave Winter for personal injury sustained while employed at the Hospital for Insane, at Independence, Iowa, beg leave to report they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same be amended as follows:

By striking out the words and figures "two thousand dollars (\$2,000)" in line four (4) of section one (1) and substituting in lieu thereof the following: "One thousand dollars (\$1,000)" and when so amended recommend that the bill do pass, and further recommend that it be referred to the Committee on Appropriations.

N. W. BEEBE,  
*Chairman.*

Adopted, and House File No. 97 was so referred.

Sullivan of Polk, from the Committee on Judiciary, submitted the following report:

MR. SPEAKER—Your Committee on Judiciary to whom was referred House File No. 489, a bill for an act to amend the law as it appears in section seven hundred forty-one-f (741-f), chapter four, title five, of the Supplement to the Code, 1907, authorizing certain cities to incur an indebtedness for the purpose of constructing a city hall in an amount not exceeding in the aggregate two and one-half per centum of the actual value of the taxable property within such city, and to authorize the issuance of bonds in pursuance of an election which may have been heretofore held authorizing the erection of such city hall, beg leave to report they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same do pass.

JOHN B. SULLIVAN,  
*Chairman.*

Adopted.

Also:

MR. SPEAKER—Your Committee on Judiciary to whom was referred House File No. 450, a bill for an act providing for the enumeration of

deaf and blind persons additional to chapter one (1), title seven (7), of the Code, beg leave to report they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same do pass.

JOHN B. SULLIVAN,  
*Chairman.*

Adopted.

Also :

MR. SPEAKER—Your Committee on Judiciary to whom was referred House File No. 496, a bill for an act to amend the law as it appears in section four thousand nine hundred forty-six-b (4946-b) of the Supplement to the Code, 1907, relating to the distribution of dissecting material, beg leave to report they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same do pass.

JOHN B. SULLIVAN,  
*Chairman.*

Adopted.

Also :

MR. SPEAKER—Your Committee on Judiciary to whom was referred Senate File No. 333, a bill for an act to amend the law as it appears in sections twenty-three hundred ten-a-19 (2310-a19) and twenty-three hundred ten-a-28 (2310-a28) of the Supplement to the Code, 1907, relative to the expenses and payment thereof, and costs incurred on account of patients committed as inebriates to state hospitals, and repealing section twenty-three hundred ten-a-30 (2310-a30) of the Supplement to the Code, 1907, and enacting a substitute therefor relative to the payment of expenses for the returning of an escaped patient and recommitment to the hospital for inebriates, beg leave to report they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same do pass.

JOHN B. SULLIVAN,  
*Chairman.*

Adopted.

Also :

MR. SPEAKER—Your Committee on Judiciary to whom was referred Senate File No. 211, a bill for an act to repeal Section thirty-one hundred eighty-one (3181) of the Supplement to the Code, 1907, relating to the right of divorced persons to remarry within one year, and to enact a substitute therefor, beg leave to report they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same be indefinitely postponed.

JOHN B. SULLIVAN,  
*Chairman.*

Adopted, and Senate File No. 211 was indefinitely postponed.

Also :

MR. SPEAKER—Your Committee on Judiciary to whom was referred House File No. 247, a bill for an act to amend sections two thousand eighty-four (2084), two thousand eighty-five (2085), two thousand eighty-six (2086), two thousand eighty-seven (2087) and two thousand ninety (2090), of the Supplement to the Code, 1907, relative to taxes in aid of railroads, beg leave to report they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same be indefinitely postponed.

JOHN B. SULLIVAN,  
*Chairman.*

Adopted, and House File No. 247 was indefinitely postponed.

Also :

MR. SPEAKER—Your Committee on Judiciary to whom was referred Senate File No. 348, a bill for an act to repeal section sixty-nine (69) of the Code, and to enact a substitute therefor providing for a report by the Board of Parole, also to amend section two hundred and ninety-three (293) of the Code, relating to the report of criminal statistics to the Secretary of State; also amending section four hundred and seventy-five (475) of the Code, relating to the report of county auditors, also amending section five thousand six hundred forty-one (5641) of the Code relating to the duties of the sheriff, beg leave to report they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same be indefinitely postponed.

JOHN B. SULLIVAN,  
*Chairman.*

Adopted, and Senate File No. 348 was indefinitely postponed.

Also :

MR. SPEAKER—Your Committee on Judiciary to whom was referred Senate File No. 176, a bill for an act to amend the law as it appears in section five hundred eighty-six (586) and section eight hundred ninety-four (894) of the Supplement to the Code, 1907, relating to the levy of cemetery tax, beg leave to report they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same be amended as follows:

First. That section two be numbered section one.

Second. That section one be numbered section three.

Third. That the following be inserted as section two: "That paragraph eleven (11) of section eight hundred and ninety-four (894) of the Supplement to the Code, 1907, be amended by substituting a comma for the period following the word "city" in the fourth line thereof and adding thereto the following: "or any private or incorporated cemetery

association utilized by the citizens of said city or town," and when so amended the the bill do pass.

JOHN B. SULLIVAN,  
*Chairman.*

Adopted.

Also:

MR. SPEAKER—Your Committee on Judiciary to whom was referred House File No. 440, a bill for an act providing that superior courts shall have jurisdiction of dipsomaniacs, inebriates and those addicted to the excessive use of narcotics, under chapter 2-a of the Supplement to the Code, 1907, beg leave to report they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same be amended as follows:

First. By striking out the title and inserting the following in lieu thereof: "A bill for an act to amend section two hundred sixty (260) of the Code relative to superior courts."

Second. By striking out all after the enacting clause and substitute the following therefor:

SECTION 1. That section two hundred sixty (260) of the Code be and the same is hereby amended by adding thereto the following: Superior courts shall have original concurrent jurisdiction with the district courts of the State of Iowa in all matters pertaining to the detention and treatment of dipsomaniacs, inebriates and those addicted to excessive use of narcotics, as provided in title XII, chapter 2-a of the Supplement to the Code, 1907, and the same proceedings shall be held so far as applicable. Wherever the words "district judge," "district court" or "judge of the district court" appear in Title XII, chapter 2-a, the same shall be construed to apply to the superior courts or the judge thereof to the same extent that the same applies to the district court or the judge thereof.

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

JOHN B. SULLIVAN,  
*Chairman.*

Adopted.

Johnson of Mitchell, from the Committee on Penitentiaries, submitted the following report:

MR. SPEAKER—Your Committee on Penitentiaries to whom was referred Senate File No. 331, a bill for an act authorizing the State Board of Control to enter into a contract for the employment of certain inmates of the reformatory at Anamosa, beg leave to report they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same do pass.

KARL J. JOHNSON,  
*Chairman.*

Adopted.

Cooper of Jasper, from the Committee on Federal Relations, submitted the following report:

MR. SPEAKER—Your Committee on Federal Relations to whom was referred House Joint Resolution No. 5, a joint resolution and memorial requesting congress under the provision of article five of the Constitution of the United States to call a convention to propose an amendment to the Constituion of the United States whereby polygamous cohabitation shall be prohibited and congress given the power to enforce such prohibition by appropriate legislation, beg leave to report they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same do pass.

W. R. COOPER,  
*Chairman.*

Adopted.

Moore of Linn, from the Committee on Appropriations, submitted the following report:

MR. SPEAKER—Your Committee on Appropriations, to whom was referred Senate File No. 327, a bill for an act to indemnify Mamie McMahan for personal injury sustained by her while employed as nurse at the Mt. Pleasant State Hospital, Mt. Pleasant, Iowa, beg leave to report they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same do pass.

ERNEST R. MOORE,  
*Chairman.*

Adopted.

Jewell of Winneshiek, from the Committee on Public Health, submitted the following report:

MR. SPEAKER—Your Committee on Public Health to whom was referred House File No. 398, a bill for an act creating a State Board of Chiropractic Examiners, and to regulate the practice of chiropractic in the State of Iowa to license chiropractors, and to punish persons violating the provisions of this act, beg leave to report they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same do pass.

P. M. JEWELL,  
*Chairman.*

Adopted.

#### REPORT OF COMMITTEE ON ENROLLED BILLS.

Klay of Sioux, from the Committee on Enrolled Bills submitted the following report:

MR. SPEAKER—Your committee on enrolled bills respectfully report that they have this day sent to the Governor for his approval, House



File No. 73, a bill for an act to amend the law as it appears in Section eleven hundred seventy-seven (1177) of the Code relating to the qualifications of public officers.

Also :

House File No. 109, a bill for an act to repeal Section thirteen hundred and sixty-three (1363) of the Code, relating to statistics, and enacting a substitute therefor.

Also :

House File No. 132, a bill for an act to amend the law as it appears in Sections four thousand nineteen (4019), four thousand twenty (4020) and four thousand twenty-one (4021) of the Code relating to the preference of debts owing for labor and the filing, allowing and contesting of claims therefor.

GERRIT KLAY,  
*Chairman.*

Adopted.

Also :

MR. SPEAKER—Your Committee on Enrolled Bills respectfully report that they have examined, and find correctly enrolled, House File No. 102, a bill for an act to repeal Section fifteen hundred and seventy-one (1571) of the Supplement to the Code, 1907, and to enact a substitute in lieu thereof, relating to traction engines on the public roads.

Also :

House File No. 174, a bill for an act to provide for the payment of bounties for killing groundhogs.

Also :

House File No. 190, a bill for an act entitled an act relating to hotels, inns and public lodging houses, defining the same and prescribing rules for their operations and maintenance, so as to insure the safety and health of employes and patrons of the same; providing for inspection thereof, fees for same and fixing fines and penalties for violation of such rules and regulations.

Also :

House File No. 317, a bill for an act to legalize certain acts of the city council of the city of Cedar Rapids, Linn County, Iowa, and of the auditor, treasurer and board of supervisors of said Linn County, Iowa, relating to levy of park tax.

GERRIT KLAY,  
*Chairman.*

Adopted.

## REPORT OF JOINT COMMITTEE ON ENROLLED BILLS.

Klay of Sioux, from the Joint Committee on Enrolled Bills submitted the following report:

MR. SPEAKER—Your Joint Committee on Enrolled Bills respectfully report that they have examined, and find correctly enrolled, Senate File No. 4, a bill for an act to amend the law as it appears in Section twenty hundred and seventy-one (2071) of the Supplement to the Code, 1907, relating to the liability of corporations operating a railway for negligence or wrongs of employees.

Also:

Senate File No. 219, a bill for an act to amend the law as it appears in Section twenty-six hundred ninety-two-a and Section twenty-six hundred ninety-two-c of the Supplement to the Code, 1907, relating to state agents and making appropriation therefor.

Also:

Senate File No. 317, a bill for an act to repeal Sections fifteen hundred seventy-b (1570-b) and fifteen hundred seventy-c (1570-c) of the Supplement to the Code, 1907, and to enact a substitute therefor relating to the working of highways and providing penalties for injury to such highways or the work done thereon.

Also:

Senate File No. 334, a bill for an act to amend the law as it appears in Section thirty-three hundred and five (3305), Supplement to the Code, 1907, relative to the time of granting administration.

Also:

House File No. 102, a bill for an act to repeal Section fifteen hundred and seventy-one (1571) of the Supplement to the Code, 1907, and to enact a substitute in lieu thereof, relating to traction engines on the public roads.

Also:

House File No. 174, a bill for an act to provide for the payment of bounties for killing groundhogs.

Also:

House File No. 190, a bill for an act entitled an act relating to hotels, inns and public lodging houses, defining the same and prescribing rules for their operations and maintenance, so as to insure the safety and health of employes and patrons of the same; providing for inspection thereof, fees for same and fixing fines and penalties for violation of such rules and regulations.

Also :

House File No. 317, a bill for an act to legalize certain acts of the city council of the city of Cedar Rapids, Linn County, Iowa, and of the auditor, treasurer and board of supervisors of said Linn County, Iowa, relating to levy of park tax.

GERRIT KLAY,  
*Chairman House Committee.*

HENRY L. ADAMS,  
*Chairman Senate Committee.*

Adopted.

#### INTRODUCTION OF BILLS.

By O'Connor of Chickasaw, House File No. 499, a bill for an act to amend Section Twenty-one Hundred and Sixty-five-a (2165-a) of the Supplement to the Code, 1907, relative to the regulation of express companies.

Read first and second time and referred to Committee on Railroads and Transportation.

By Harvey of Osceola, House File No. 500, a bill for an act to amend the law as it appears in Section Four Hundred Eighty-b (480-b) of the Supplement to the Code, 1907, relating to the duties of county auditors.

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

By Cooper of Jasper (by request), House File No. 501, a bill for an act permitting lower land owners to join tile to the tile of upper land owner.

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

By Anderson of Hamilton, House File No. 502, a bill for an act legalizing releases and satisfactions of recorded mortgages.

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

By Anderson of Hamilton, House File No. 503, a bill for an act providing for the releasing or satisfying of recorded mortgages by corporations.

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

By Anderson of Hamilton, House File No. 504, a bill for an act for recovery of interest in real estate when spouse failed to join in conveyance or other interest in which right of dower or homestead attached.

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

By Hackler of Webster, House File No. 505, a bill for an act to reimburse Lorenzo D. Teter and George W. Crozier for expenses incurred in the election contest from the Twenty-sixth Representative District of Iowa, and to pay sundry persons for services per diem, mileage and expenses rendered and incurred in connection with said election contest.

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

By Fulliam of Muscatine, House File No. 506, a bill for an act to repeal Section Four Thousand Seven Hundred Sixty-five (4765) of the Code, relating to kidnaping and fixing a penalty therefor.

Read first and second time and referred to Committee on Ways and Means.

By Sullivan of Polk, House File No. 507, a bill for an act to amend the law as it appears in Section Twenty-eight Hundred Twelve-e (2812-e) of the Supplement to the Code, 1907, relating to the duration of school bonds.

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

Sullivan of Polk moved that House File Nos. 77, 254 and 413 be withdrawn from the Committee on Judiciary and the further consideration of the House.

Motion prevailed.

Dawson of Cherokee moved that House File No. 127 be withdrawn from the Committee on Ways and Means and the further consideration of the House.

Motion prevailed.

Schulte of Clayton moved that House File No. 84 be withdrawn from the Committee on Insurance and the further consideration of the House.

Motion prevailed.

Schulte of Clayton moved that House File No. 135 be withdrawn from the Committee on Municipal Corporations and the further consideration of the House.

Motion prevailed.

Lee of Emmet asked unanimous consent to withdraw House File No. 77 from the Committee on Judiciary and the further consideration of the House.

Motion prevailed.

Moore of Linn moved that Senate File No. 61 be referred to the Committee on Appropriations.

Motion prevailed.

White of Story moved that House File No. 412 be referred to the Committee on Appropriations.

Motion prevailed.

Speaker of the House announced that as Speaker of the House, in the presence of the House, he had signed Senate File Nos. 317, 334, 4 and 219, and House File Nos. 317, 174, 190, 102, 337, 274, 37 and 191.

#### MESSAGES FROM THE SENATE.

The following messages were received from the Senate:

MR. SPEAKER—I am directed to inform your honorable body that the Senate has passed the following bill in which the concurrence of the House is asked:

Senate File No. 387, a bill for an act relating to secret fraternities and societies being formed in the public schools of the state.

S. W. NEAL,  
*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. 184, a bill for an act relating to corporations for pecuniary profit.

S. W. NEAL,  
*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. 367, a bill for an act defining the elements of damage that may be proven and awarded where the death of the wife has been caused by the fault of any person, firm or corporation, and providing a remedy in behalf of the husband.

S. W. NEAL,  
*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. 349, a bill for an act to appropriate money for the purpose of quarantining injurious insects.

S. W. NEAL,  
*Secretary.*

Also:

MR. SPEAKER—I am directed to inform your honorable body that the Senate has amended and passed the following bill in which the concurrence of the Senate was asked:

House File No. 278, a bill for an act relating to the sale of cigarettes and cigarette papers.

S. W. NEAL,  
*Secretary.*

Also:

MR. SPEAKER—I am directed to inform your honorable body that the Senate has passed the following bill in which the concurrence of the Senate was asked:

House File No. 221, a bill for an act relating to the partition and leasing of real estate.

S. W. NEAL,  
*Secretary.*

Also:

MR. SPEAKER—I am directed to inform your honorable body that the Senate concurs in House amendments to Senate File No. 4, a bill for an act relating to the liability of corporations operating a railway for negligence or wrongs of employes.

S. W. NEAL,  
*Secretary.*

Also:

MR. SPEAKER—I am directed to inform your honorable body that the Senate has amended and passed the following bill in which the concurrence of the Senate was asked:

House File No. 355, a bill for an act relating to the powers of certain cities and towns to levy taxes for purposes of constructing outlets and purifying plants for sewers and to issue bonds therefor.

S. W. NEAL,  
*Secretary.*

Also:

MR. SPEAKER—I am directed to inform your honorable body that the Senate has passed the following bill in which the concurrence of the Senate was asked:

House File No. 313, a bill for an act to legalize certain ordinances of the town of Callander, Webster County, Iowa.

S. W. NEAL,  
*Secretary.*

Also:

MR. SPEAKER—I am directed to inform your honorable body that the Senate has passed the following bill in which the concurrence of the Senate was asked:

House File No. 252, a bill for an act relative to elections and voting machines.

S. W. NEAL,  
*Secretary.*

Also:

MR. SPEAKER—I am directed to inform your honorable body that the Senate has indefinitely postponed House File No. 149, a bill for an act relating to the issuance of free tickets and free passes to certain persons.

S. W. NEAL,  
*Secretary.*

Also:

MR. SPEAKER—I am directed to inform your honorable body that the Senate has amended and passed the following bill in which the concurrence of the Senate was asked:

House File No. 223, a bill for an act to amend Section 1, Chapter 122 of the laws of the Twenty-ninth General Assembly relating to the support of the Iowa School for the Deaf at Council Bluffs.

S. W. NEAL,  
*Secretary.*

Also:

MR. SPEAKER—I am directed to inform your honorable body that the Senate has amended and passed the following bill in which the concurrence of the Senate was asked:

House File No. 71, a bill for an act defining a lawful fence.

S. W. NEAL,  
*Secretary.*

Also:

MR. SPEAKER—I am directed to inform your honorable body that the Senate has indefinitely postponed House File No. 330, a bill for an act relating to acknowledgment and recording of plats.

S. W. NEAL,  
*Secretary.*

Also:

MR. SPEAKER—I am directed to inform your honorable body that the Senate concurs in House amendments to Senate File No. 164, a bill for an act giving insurance companies certain additional powers.

S. W. NEAL,  
*Secretary.*

Also :

MR. SPEAKER—I am directed to inform your honorable body that the Senate concurs in House amendments to Senate File No. 196, a bill for an act relating to breaking jail and escape of prisoners from custody.

S. W. NEAL,  
*Secretary.*

Also :

MR. SPEAKER—I am directed to inform your honorable body that the Senate has passed the following bill in which the concurrence of the Senate was asked:

House File No. 138, a bill for an act to provide for feeble-minded men at Glenwood.

S. W. NEAL,  
*Secretary.*

#### SENATE MESSAGES CONSIDERED.

Senate File No. 387, a bill for an act to prohibit secret fraternities and societies being formed in the public schools of this state, empowering and making it the duty of school directors to adopt rules and regulations relating thereto and to enforce the same, and making it an offense to solicit pupils to join them and prescribing the penalty therefor.

Read first and second time and referred to Committee on Schools and Text Books.

Senate File No. 367, a bill for an act defining the elements of damage that may be proven and awarded where the death of the wife has been caused by the fault of any person, firm or corporation, and providing a remedy in behalf of the husband.

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

Senate File No. 184, a bill for an act repealing sections sixteen hundred and ten (1610), sixteen hundred and twelve (1612), sixteen hundred and eighteen (1618) and sixteen hundred and forty-one-d (1641-d) of the Supplement to the Code, 1907; also Section Sixteen Hundred and Fifteen (1615) of the Code, and enacting substitutes therefor; also repealing Section Sixteen Hundred and Eighteen-b (1618-b) of the Supplement to the Code, 1907; all in relation to corporations for pecuniary profit.



Read first and second time and referred to Committee on Ways and Means.

Senate File No. 349, a bill for an act to appropriate money for the purpose of quarantining injurious insects under the provisions of the law as it appears in Sections Twenty-five Hundred and Seventy-five-a forty-eight (2575-a48) and Section Twenty-five Hundred and Seventy-five-a forty-nine (2575-a49) of the Supplement to the Code, 1907.

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

SENATE AMENDMENTS CONSIDERED.

On request of Hunter of Polk, unanimous consent having been given, House File No. 278, a bill for an act to authorize the issuance of a search warrant, and the seizure of cigarettes and cigarette papers, with the following Senate amendments, was taken up and the amendments read and considered.

Amend Section 1 by striking out the word "persons" in the twelfth line thereof and insert in lieu thereof the words "person or persons," and add immediately thereafter the words "to be apprehended." Also amend the same Section by striking out the word "carried" in the eighteenth line thereof and insert in lieu thereof the word "brought." Also amend the same Section by striking out the word "Faca" in the twenty-second line thereof, and insert in lieu thereof the word "Facia."

Amend Section 2 by adding after the word "try" in the first line thereof the words "said cause." Also amend the same Section by striking out in line two the words "condemn and destroy" and insert in lieu thereof the words "then issue an order condemning and destroying." Also amend the same Section by striking out the word "such" in the third line thereof and insert in lieu thereof the word "the," and in same line after the word "record" insert the words "of such proceedings."

Substitute a comma for the period at the end of the title and then add the following: "the apprehension of the occupant of the place or building in or upon which the same are sold or kept and providing for the levy of a tax against said place or building."

Hunter of Polk moved that the House concur in the Senate amendments.

On the question, Shall the House concur?

The ayes were:

Allred, Arney, Bascom, Blackmore, Bonwell, Boomgaarden, Bowman, Brandes, Burt, Calkins, Cousins, Crummer, Cunningham, Dabney, Dalby, Dawson, Derrough, Dewell, Dewey, DeWitt, Dodds, Dye, Elliott, Fenn, Fourt, Fox, Fulliam, Goodykoontz, Grier, Hackler, Hanson, Harding, Harvey, Hickenlooper, Holmes, Huffaker, Hunter, Ide, Jewell, Johnson, Jones, Klay, Larrabee, Lee, McCleery, Marston, Miller of Dubuque, Moore of Wapello, Penn, Perkins, Reaney, Reitz, Ripley, Ritter, Sankey, Schroeder, Schulte, Sheldon, Smith, Stoddard, Swan, Thompson, Tilton, Wilson, Wolfe, Zeller, Mr. Speaker—67.

The nays were:

None.

Absent or not voting:

Anderson, Balluff, Bauman, Beans, Beebe, Beery, Boe, Boettger, Byerly, Cassady, Cooper, Corrie, Crozier, Darrah, Davidson, Drury, Ellis, Etter, Felt, Finlayson, Fulton, Inman, Jacobs, Kellogg, Kendall, Koontz, Kull, McDonald, Meredith, Miller of Bremer, Moore of Linn, Newell, O'Connor, Schee, Stillman, Sullivan, Swift, Tegeler, Ward, Welden, White—41.

So the House concurs.

On request of Davidson of Palo Alto, unanimous consent having been given, House File No. 355, a bill for an act to repeal the law as it appears in Chapter Forty-one (41) of the laws of the Thirty-second General Assembly and to enact a substitute therefor relating to the powers of certain cities and towns to levy taxes for the purpose of constructing outlets and purifying plants for sewers and to issue bonds therefor, with the following Senate amendments, was taken up and the amendments read and considered.

Strike out the words "Section 2" in the fifth line. Amend by inserting after the word "of" and before the word "paragraph" in the tenth line the words, "the law as it appears in." Amend by striking out the semi-colon after 1907, in the twelfth line and insert a period in lieu thereof. Amend by striking out the small "t" after 1907 in the twelfth line and insert a capital "T" in lieu thereof to the word "the."

I move to amend the title by striking out the last three words thereof and substituting therefor the following: "authorize anticipating collection of such tax by issuing certificates or bonds."

Davidson of Palo Alto moved that the House concur in the Senate amendments.

On the question, Shall the House concur?

The ayes were:

Allred, Bascom, Bauman, Beans, Beebe, Blackmore, Boe, Bonwell, Boomgaarden, Bowman, Brandes, Burt, Calkins, Cassady, Cooper, Corrie, Cousins, Crozier, Crummer, Cunningham, Dabney, Dalby, Darrah, Davidson, Dawson, Derrough, Dewell, DeWitt, Dodds, Dye, Elliott, Ellis, Etter, Felt, Fenn, Finlayson, Fourt, Fox, Fulliam, Fulton, Goodykoontz, Grier, Hackler, Hanson, Harvey, Hickenlooper, Huffaker, Hunter, Ide, Inman, Jacobs, Jewell, Jones, Kendall, Klay, Kull, Larrabee, Marston, Meredith, Miller of Dubuque, Moore of Wapello, Newell, O'Connor, Perkins, Reaney, Reitz, Ripley, Sankey, Schee, Schroeder, Schulte, Smith, Stoddard, Swan, Tegeler, Tilton, White, Wilson, Wolfe, Zeller, Mr. Speaker—81.

The nays were:

None.

Absent or not voting:

Anderson, Arney, Balluff, Beery, Boettger, Byerly, Dewey, Drury, Harding, Holmes, Johnson, Kellogg, Koontz, Lee, McCleery, McDonald, Miller of Bremer, Moore of Linn, Penn, Ritter, Sheldon, Stillman, Sullivan, Swift, Thompson, Ward, Welden—27.

So the House concurs.

On request of Brandes of Pottawattamie, unanimous consent having been given, House File No. 223, a bill for an act to amend Section 1, Chapter 122, of the laws of the Twenty-ninth General Assembly, relating to the support of the Iowa School for the Deaf at Council Bluffs, with the following Senate amendments, was taken up and the amendments read and considered.

That the title be amended by striking out the words and figures, "Section One (1), Chapter One Hundred and Twenty-two (122), of the laws of the Twenty-ninth General Assembly," and by inserting in lieu thereof, words and figures following: "The law as

it appears in Section Twenty-seven Hundred and Twenty-seven-a (2727-a) of the Supplement to the Code, 1907."

And that Section One (1) of the bill be amended by striking out of lines One and Two (1 and 2) thereof, words and figures following: "that Section One (1), Chapter One Hundred and Twenty-two (122) of the laws of the Twenty-ninth General Assembly" and inserting in lieu thereof: "That the law as it appears in Section Twenty-seven Hundred and Twenty-seven-a (2727-a) of the Supplement to the Code, 1907."

Brandes of Pottawattamie moved that the House concur in the Senate amendments.

On the question, Shall the House concur?

The ayes were:

Allred, Arney, Bascom, Beans, Beebe, Beery, Blackmore, Boe, Boettger, Bonwell, Boomgaarden, Bowman, Brandes, Burt, Calkins, Cassady, Cooper, Corrie, Cousins, Crozier, Cunningham, Dabney, Dalby, Darrah, Davidson, Dawson, Derrough, Dewell, Dewey, De Witt, Dodds, Dye, Elliott, Ellis, Etter, Felt, Fenn, Finlayson, Fourt, Fox, Fulliam, Fulton, Goodykoontz, Grier, Hackler, Hanson, Harvey, Hickenlooper, Holmes, Huffaker, Hunter, Ide, Jacobs, Jewell, Jones, Kellogg, Kendall, Klay, Koontz, Kull, Larrabee, Lee, McCleery, Marston, Meredith, Moore of Wapello, Newell, O'Connor, Penn, Perkins, Reaney, Reitz, Ripley, Ritter, Sankey, Schee, Schroeder, Schulte, Smith, Stillman, Stoddard, Sullivan, Swan, Swift, Tegeler, Tilton, Wolfe, Zeller, Mr. Speaker—89.

The nays were:

None.

Absent or not voting:

Anderson, Balluff, Bauman, Byerly, Crummer, Drury, Harding, Inman, Johnson, McDonald, Miller of Bremer, Miller of Dubuque, Moore of Linn, Sheldon, Thompson, Ward, Welden, White, Wilson—19.

So the House concurs.

On request of Beery of Henry, unanimous consent having been given, House File No. 71, a bill for an act to repeal Section Twenty-three Hundred and Sixty-seven (2367) of the Code, defining a

lawful fence, with the following Senate amendments, was taken up and the amendments read and considered.

Amend by striking out the words and figures, "twenty-six (26)" in the thirtieth line of Section 2 of the original substitute bill and inserting in lieu thereof the words and figures "not less than twenty-four (24)."

Amend by striking out the words and figures "fifty-two (52)" in the thirty-fourth line of said Section and inserting in lieu thereof the words and figures "forty-eight (48)."

Amend by striking out the words and figures "a twenty inch (20)" in the thirty-fifth line of said section and inserting in lieu thereof the words and figures "not less than eighteen (18) inch."

Amend by striking out the words and figures "fifty-two (52)" in the thirty-eighth line of said Section and inserting in lieu thereof the words and figures "forty-eight (48)."

Amend by striking out the words and figures "fifty-two (52)" in the thirty-ninth line of said Section and inserting in lieu thereof the words and figures "forty-eight (48)."

Amend the title by striking out the period after the word "fense" and adding the following words: "and to enact a substitute therefor."

Amend by striking out the word and figure "Section 2."

Beery of Henry moved that the House concur in the Senate amendments.

On the question, Shall the House concur?

The ayes were:

Allred, Anderson, Arney, Bascom, Bauman, Beans, Beebe, Beery, Blackmore, Bonwell, Boomgaarden, Bowman, Brandes, Burt, Calkins, Cassady, Cooper, Corrie, Cousins, Crummer, Cunningham, Dabney, Dalby, Darrah, Davidson, Dawson, Derrough, Dewell, DeWitt, Dye, Elliott, Ellis, Etter, Fenn, Finlayson, Fourt, Fox, Fulliam, Fulton, Goodykoontz, Grier, Hackler, Hanson, Harding, Harvey, Hickenlooper, Holmes, Huffaker, Hunter, Ide, Inman, Jacobs, Jewell, Johnson, Jones, Kellogg, Kendall, Klay, Koontz, Kull, Larrabee, McCleery, Marston, Meredith, Miller of Dubuque, Moore of Wapello, Newell, O'Connor, Perkins, Reaney,

Reitz, Ripley, Ritter, Sankey, Schee, Schroeder, Schulte, Sheldon, Smith, Stillman, Stoddard, Sullivan, Swan, Swift, Tegeler, Thompson, Tilton, Wolfe, Zeller, Mr. Speaker—90.

The nays were:

None.

Absent or not voting:

Balluff, Boe, Boettger, Byerly, Crozier, Dewey, Dodds, Drury, Felt, Lee, McDonald, Miller of Bremer, Moore of Linn, Penn, Ward, Welden, White, Wilson—18.

So the House concurs.

#### SPECIAL ORDER.

Time having arrived for Special Order No. 12, on motion of Stillman of Greene, House File No. 495, a bill for an act to amend Sections Nineteen Hundred Eighty-nine-a-2 (1989-a-2), Nineteen Hundred Eighty-nine-a-4 (1989-a-4), Nineteen Hundred Eighty-nine-a-5 (1989-a-5), Nineteen Hundred Eighty-nine-a-6 (1989-a-6), Nineteen Hundred Eighty-nine-a-7 (1989-a-7), Nineteen Hundred Eighty-nine-a-8 (1989-a-8), Nineteen Hundred Eighty-nine-a-10 (1989-a-10), Nineteen Hundred Eighty-nine-a-12 (1989-a-12), Nineteen Hundred Eighty-nine-a-13 (1989-a-13), Nineteen Hundred Eighty-nine-a-14 (1989-a-14), Nineteen Hundred Eighty-nine-a-16 (1989-a-16), Nineteen Hundred Eighty-nine-a-18 (1989-a-18), Nineteen Hundred Eighty-nine-a-19 (1989-a-19), Nineteen Hundred Eighty-nine-a-21 (1989-a-21), Nineteen Hundred Eighty-nine-a-22 (1989-a-22), Nineteen Hundred Eighty-nine-a-27 (1989-a-27), Nineteen Hundred Eighty-nine-a-29 (1989-a-29), Nineteen Hundred Eighty-nine-a-32 (1989-a-32), Nineteen Hundred Eighty-nine-a-35 (1989-a-35), Nineteen Hundred Eighty-nine-a-44 (1989-a-44), of the Supplement to the Code, 1907, and to repeal Sections Nineteen Hundred Eighty-nine-a-3 (1989-a-3), Nineteen Hundred Eighty-nine-a-11 (1989-a-11), and Nineteen Hundred Eighty-nine-a-19 (1989-a-19), of the Supplement to the Code, 1907, and enact substitutes therefor; all relating to the subject of waters, water-courses, levees and drains, was taken up and considered.

Davidson of Palo Alto proposed the following amendment:

I move to amend Section 3 of House File No. 495 by inserting after the word "concerns" in line 17 of said section, the words "including actual occupants of the lands in the proposed district."

Amendment adopted.

Beery of Henry in the Chair.

Ripley of Hancock proposed the following amendment:

I move to amend Section 14 by substituting the words "this chapter" for the words "the original act" in line 14.

Amendment adopted.

Davidson of Palo Alto proposed the following amendment:

I move to amend Section 17 by inserting after the quotation after the word "where" in line nine the words "in said line."

Amendment adopted.

Lee of Emmet proposed the following amendment:

I move to amend Section 18 by striking out the last sentence.

Amendment adopted.

Ripley of Hancock proposed the following amendment:

I move to amend Section 20 by striking from line 5 the word "thereon" and inserting said word after the word "interest."

Amendment adopted.

Lee of Emmet proposed the following amendment:

I move to amend Section 20 by inserting after the word "tax" in line 4, a comma, and after said comma the following: "When bonds have been issued;" and by inserting after the word "no" in line 6 of same section the word "such."

Amendment adopted.

Schee of O'Brien proposed the following amendment:

I move to amend by adding the following section: "Sec. 25. This act, being deemed of immediate importance, shall take effect and be in full force from and after its publication in the Register and Leader and Des Moines Capital, newspapers published in the city of Des Moines, Iowa."

Amendment adopted.

Ripley of Hancock proposed the following amendment:

I move to amend Section 3 by inserting the word "also" after the word "and" in line 17.

Amendment adopted.

Speaker Feely in the Chair.

Stillman of Greene moved that the rules be suspended, 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 ayes were:

Allred, Anderson, Arney, Bascom, Bauman, Beebe, Beery, Blackmore, Boe, Boettger, Bonwell, Boomgaarden, Bowman, Brandes, Burt, Calkins, Cassady, Cooper, Corrie, Cousins, Crozier, Crummer, Cunningham, Dabney, Dalby, Darrah, Davidson, Derrough, Dewell, Dewey, DeWitt, Dodds, Drury, Dye, Elliott, Ellis, Etter, Felt, Fenn, Finlayson, Fourt, Fox, Fulliam, Fulton, Goodykoontz, Grier, Hackler, Hanson, Harding, Harvey, Hickenlooper, Holmes, Huffaker, Hunter, Ide, Inman, Jacobs, Jewell, Johnson, Jones, Kellogg, Kendall, Klay, Koontz, Kull, Larrabee, Lee, Marston, Meredith, Miller of Dubuque, Moore of Wapello, Moore of Linn, Newell, O'Connor, Penn, Perkins, Reaney, Reitz, Ripley, Ritter, Sankey, Schee, Schroeder, Schulte, Sheldon, Smith, Stillman, Stoddard, Sullivan, Swan, Swift, Tegeler, Thompson, Tilton, Welton, White, Wolfe, Zeller, Mr. Speaker—99.

The nays were:

None.

Absent or not voting:

Balluff, Beans, Byerly, Dawson, McCleery, McDonald, Miller of Bremer, Ward, Wilson—9.

So the bill passed.

Lee of Emmet moved to amend the title to House File No. 495 by striking out the word "and" after the word "levees" in the last line and inserting a comma in lieu thereof and by changing the period at the end of the title to a comma and adding the following "and drainage districts."



Amendment adopted, and the title as amended was agreed to.

Elliott of Page moved that Mrs. Lillian Stevens of Portland, Maine, President of the W. C. T. U. be invited to address the House.

Motion prevailed, and the Speaker appointed Elliott of Page and Ellis of Jackson as the committee to escort Mrs. Stevens to the chair.

Speaker Feely introduced Mrs. Stevens and she then addressed the House.

Perkins of Delaware moved that the House adjourn until 1:30 o'clock.

Motion prevailed.

#### AFTERNOON SESSION.

House met pursuant to adjournment.

Speaker pro tempore Lee in the Chair.

#### PETITIONS, MEMORIALS AND REMONSTRANCES.

Meredith of Cass presented remonstrance of citizens of Cass County protesting against the passage of any measure intended to increase the amount of license of itinerant vendors of drugs, etc.

Referred to Committee on Judiciary.

Hackler of Webster presented petition of citizens of Webster County asking the enactment of the bill granting a pension to policemen.

Referred to Committee on Municipal Corporations.

Anderson of Hamilton presented petition of citizens of Hamilton County asking for the passage of House File No. 422.

Referred to Committee on Agriculture.

#### REPORT OF COMMITTEE.

Boe, of Winnebago, from the Committee on State Educational Institutions, submitted the following report:

MR. SPEAKER—Your committee on State Educational Institutions, to whom was referred House File No. 367, a bill for an act to provide for

recognition by the State Board of Medical Examiners of standard attainments in colleges other than medical colleges, beg leave to report they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same do pass.

L. W. BOE,  
*Chairman.*

Adopted.

Koontz of Johnson presented the following report of the State Fish and Game Warden:

*To the Speaker of the House of the Thirty-third General Assembly:*

Pursuant to the instructions in concurrent resolution number nine of the Thirty-second General Assembly, I herein make report as directed.

I have examined and am familiar with the conditions of the public lakes of the State used for boating and fishing and find that in all of them the conditions are such, owing to the filling in of sand in the channels and the growth of weeds in these lakes, that to preserve them for the use of the public, it will be necessary to dredge out the sand and in some manner prevent the growth of weeds, or at least to destroy them before they mature. I find that the dredging and deepening of the channels can be done with a sand pump, engine and the necessary boats and barges for its operation, and such outfit can be so constructed that it can be transported by rail to the several lakes where needed and will cost in round numbers about thirty-five hundred dollars (\$3,500.00). As to the weeds, I can get no authority for their destruction that I can make any estimate of cost, but in my opinion they can be removed by being dragged out at cost of the labor and the hire of the launches to do the work.

While I am not directed in the resolution so to do, I desire at this time and in connection with this subject to call the attention of the members of the Thirty-third General Assembly to the great necessity of legislating in such a manner that all the public lakes of Iowa will be preserved for the future. Many have been drained and but few are left. They are the breathing spots and health resorts of a great many of our people. They are our fishing lakes and breeding places for our wild ducks. They beautify the State, especially the section where they are located. They should be meandered, shore lines definitely stated, dams and dykes built wherever necessary to maintain the water to its proper depth and the sale and drainage of any of the lakes should be prohibited.

Let us protect, preserve and improve and care for them to the best of our ability.

GEO. A. LINCOLN,  
*Fish and Game Warden.*

#### CONSIDERATION OF BILLS.

On motion of Wolfe of Clinton, House File No. 230, a bill for an act to amend Section Two Thousand Two Hundred and Forty-

seven (2247) of the Code in relation to the levy of a poor tax, was taken up and considered.

Wolfe of Clinton moved that the rules be suspended, 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 ayes were:

Allred, Anderson, Arney, Bascom, Bauman, Beans, Beery, Blackmore, Boe, Boettger, Bonwell, Boomgaarden, Brandes, Burt, Cooper, Corrie, Cousins, Crozier, Cunningham, Dabney, Dalby, Darrah, Dawson, Derrough, Dewell, Dewey, DeWitt, Dodds, Drury, Dye, Elliott, Ellis, Etter, Felt, Penn, Finlayson, Fourt, Fox, Fulham, Goodykoontz, Grier, Hackler, Hanson, Harding, Harvey, Hickenlooeer, Holmes, Huffaker, Hunter, Ide, Inman, Jacobs, Johnson, Jones, Kellogg, Kendall, Klay, Kull, Larrabee, Lee, McCleery, McDonald, Marston, Meredith, Miller of Bremer, Moore of Wapello, Newell, O'Connor, Perkins, Reaney, Reitz, Ripley, Ritter, Sankey, Schee, Schroeder, Schulte, Sheldon, Smith, Stillman, Stoddard, Swan, Swift, Tegeler, Tilton, Welden, Wilson, Wolfe, Zeller—89.

The nays were:

None.

Absent or not voting:

Balluff, Beebe, Bowman, Byerly, Calkins, Cassady, Crummer, Davidson, Fulton, Jewell, Koontz, Miller of Bremer, Moore of Linn, Penn, Sullivan, Thompson, Ward, White, Mr. Speaker—19.

So the bill passed and the title was agreed to.

On motion of Elliott of Page, House File No. 279, a bill for an act to declare certain diseases contagious and infectious and to provide rules and regulations for the control of the same, and to fix the punishment for violation thereof, was taken up and considered.

Elliott of Page proposed the following amendment:

I move to amend House File No. 279 by striking out the word "other" in line three of Section 1.

Amendment adopted.

Elliott of Page proposed the following amendment:

I move to amend House File No. 279 by striking from the sixth line of Section 11 the words and figures "Ten Dollars (\$10.00)" and insert in lieu thereof the words and figures "Five Dollars (\$5.00)."

Amendment adopted.

Elliott of Page proposed the following amendment:

I move to amend House File No. 279 by striking out lines three and four down to and including the words "the board" in line five of Section 4 and insert in lieu thereof "and shall also meet annually on the first Monday in July of each and every year."

Amendment adopted.

Dabney of Davis moved that the enacting clause be stricken from the bill.

Roll call demanded by Boettger of Scott and Schee of O'Brien.

On the question, Shall the enacting clause be stricken out?

The ayes were:

Anderson, Bascom, Boettger, Boomgaarden, Brandes, Calkins, Crozier, Cunningham, Dabney, Davidson, Dawson, Derrough, Dewey, Drury, Dye, Ellis, Etter, Felt, Fourt, Fulliam, Goodykoontz, Hackler, Harvey, Huffaker, Kellogg, Kendall, Koontz, Kull, Larrabee, Lee, Marston, Miller of Bremer, Miller of Dubuque, Moore of Wapello, Newell, Penn, Reitz, Ripley, Ritter, Sankey, Schee, Schroeder, Schulte, Sheldon, Swift, Tegeler, Tilton, Wolfe, Zeller—49.

The nays were:

Allred, Arney, Bauman, Beans, Blackmore, Boe, Bonwell, Burt, Cassady, Cooper, Corrie, Cousins, Crummer, Dalby, Darrah, DeWitt, Elliott, Fenn, Fox, Grier, Hanson, Harding, Hickenlooper, Holmes, Hunter, Ide, Inman, Jones, Klay, Meredith, Perkins, Reaney, Smith, Stillman, Stoddard, Swan, Thompson, Welden, Wilson—37.

Absent or not voting:

Balluff, Beebe, Beery, Bowman, Byerly, Dewell, Dodds, Finlayson, Fulton, Jacobs, Jewell, Johnson, McCleery, McDonald, Moore of Linn, O'Connor, Sullivan, Ward, White, Mr. Speaker—20.

So the amendment was adopted, and the bill was declared lost.

On motion of Darrah of Lucas, House File No. 184, a bill for an act to amend the Negotiable Instruments Law, relative to the payment of instruments payable at a bank, was taken up and considered.

Darrah of Lucas proposed the following amendment:

I move to amend by inserting the word and figure "Section 1," at the beginning of the Section; also by striking from line one the words "87 of the Negotiable Instrument Law" and inserting in lieu thereof "Three Thousand Sixty-a-87 (3060-a-87) of the Supplement to the Code, 1907,"; also to strike from the title the words "The Negotiable Instruments Law" and inserting in lieu thereof the words "Three Thousand Sixty-a-87 (3060-a-87) of the Supplement to the Code, 1907"; also by inserting after the word "of" the word "negotiable."

Speaker Feely in the Chair.

Jacobs of Calhoun moved that the bill as amended be referred to the Committee on Judiciary.

Motion prevailed, and the bill was so referred.

Crozier of Marion called up the motion to reconsider the vote by which Senate File No. 217 failed to pass the House:

Motion prevailed.

Crozier of Marion called up the motion to reconsider the vote by which Senate File No. 217 passed to its third reading.

Motion prevailed.

Harding of Woodbury proposed the following amendment:

I move to amend Section 1 of Senate File No. 217, by striking out of the third line after the word "provided" the word "highways"; by striking out of line four the word "parking" and by inserting before the word "curbing" in line four the words "guttering and;" by striking out after the word "curbing" the "com-

ma" and inserting in lieu thereof the word "and"; by striking out the "comma" after the word "paving" and inserting in lieu thereof the word "or;" by striking out the words "and guttering the same or any part thereof" as they appear in line four and inserting in lieu thereof the words "permanent highways" and by striking out of line six of Section 1 the words "to exceed" and by inserting in lieu thereof the words "less than."

Amendment adopted.

Harding of Woodbury proposed the following amendment:

I move to amend Section 6 of Senate File No. 217 by striking out of line three thereof the words "the same as provided by law."

Amendment adopted.

Harding of Woodbury proposed the following amendment:

I move to amend Senate File No. 217 by adding thereto the following as Section Thirteen:

"The provisions of this act shall not be applicable, nor shall any levy be made hereunder by the Board of Supervisors if the levy provided for in Section Fifteen Hundred Thirty (1530) of the Supplement to the Code, 1907, is made by the Board of Supervisors as therein provided."

Amendment adopted.

Dodds of Des Moines moved that the rules be suspended, the bill be read a third time now, which motion prevailed, and the bill was read a third time.

On the question, "Shall the bill pass?"

The ayes were:

Anderson, Arney, Balluff, Bauman, Beans, Beebe, Beery, Blackmore, Boe, Bowman, Brandes, Burt, Cassady, Cooper, Cousins, Dabney, Dalby, Davidson, Dewell, Dodds, Drury, Dye, Ellis, Etter, Fulliam, Goodykoontz, Grier, Hackler, Hanson, Harding, Harvey, Hickenlooper, Holmes, Huffaker, Hunter, Ide, Inman, Jacobs, Jewell, Johnson, Jones, Kellogg, Kendall, Klay, Koontz, Larrabee, McCleery, McDonald, Marston, Meredith, Miller of Bremer, Miller of Dubuque, Moore of Wapello, Moore of Linn, Newell,

O'Connor, Penn, Perkins, Reitz, Ripley, Ritter, Sankey, Schee, Schulte, Sheldon, Smith, Stillman, Stoddard, Sullivan, Swift, Tegeler, Thompson, Welden, White, Wilson, Wolfe, Mr. Speaker—77.

The nays were:

Bascom, Boomgaarden, Corrie, Crummer, Darrah, Dawson, Derrough, Dewey, DeWitt, Elliott, Finlayson, Fourt, Fox, Fulton, Kull, Reaney, Tilton—17.

Absent or not voting:

Allred, Boettger, Bonwell, Byerly, Calkins, Crozier, Cunningham, Felt, Fenn, Lee, Schroeder, Swan, Ward, Zeller—14.

So the bill passed and the title was agreed to.

#### MESSAGES FROM THE SENATE.

The following messages were received from the Senate:

MR. SPEAKER—I am directed to inform your honorable body that the Senate has amended and passed the following bill in which the concurrence of the Senate was asked:

House File No. 2, a bill for an act relating to the government of certain cities.

S. W. NEAL,  
*Secretary.*

Also:

MR. SPEAKER—I am directed to inform your honorable body that the Senate concurs in House amendments to Senate File No. 198, a bill for an act relating to a single board of control for the three state educational institutions.

S. W. NEAL,  
*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. 379, a bill for an act relating to the power of the board of parole to establish rules and regulations governing paroles.

S. W. NEAL,  
*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. 233, a bill for an act relating to parks and park commissioners.

S. W. NEAL,  
*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. 371, a bill for an act to enable cities to improve river fronts.

S. W. NEAL,  
*Secretary.*

Also :

MR. SPEAKER—I am directed to inform your honorable body that the Senate has amended and passed the following bill in which the concurrence of the Senate was asked:

House File No. 239, a bill for an act relating to compensation and expenses of the Department of the Bureau of Labor Statistics.

S. W. NEAL,  
*Secretary.*

#### SENATE MESSAGES CONSIDERED.

Senate File No. 379, a bill for an act to amend the law as it appears in Section Five Thousand Seven Hundred Eighteen-a-eighteen (5718-a-18) of the Supplement to the Code, 1907, relating to the power of the Board of Parole to establish rules and regulations governing paroles.

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

Senate File No. 233, a bill for an act to amend the law as it appears in Section Eight Hundred Fifty-c (850-c), Eight Hundred Fifty-e (850-e), and Eight Hundred Fifty-f (850-f), of the Supplement to the Code, 1907, relating to parks and park commissioners

Read first and second time and referred to Committee on Municipal Corporations.

Senate File No. 371, a bill for an act to enable certain cities to improve their water fronts and to levy a tax to pay for such work and in certain cases to borrow money therefor and issue negotiable bonds for such debt.

Read first and second time and referred to Committee on Municipal Corporations.



## SENATE AMENDMENTS CONSIDERED.

On request of Hackler of Webster unanimous consent having been given, House File No. 2, a bill for an act to repeal Sections Ten Hundred Fifty-six-a-seventeen (1056-a-17), Ten Hundred and Fifty-six-eighteen (1056-a-18). and Ten Hundred and Fifty-six-a-twenty-six (1056-a-26), of Chapter Fourteen-c (14-c) of the Supplement to the Code, 1907, and to enact substitutes therefor, and to amend Sections Ten Hundred Fifty-six-a-nineteen (1056-a-19), Ten Hundred Fifty-six-a-twenty (1056-a-20), Ten Hundred Fifty-six-a-twenty-one (1056-a-21). and Ten Hundred Fifty-six-a-twenty-four (1056-a-24), Ten Hundred Fifty-six-a-twenty-five (1056-a-25), Ten Hundred Fifty-six-a-twenty-eight (1056-a-28), Ten Hundred Fifty-six-thirty-two (1056-a-32), Ten Hundred Fifty-six-a-thirty-nine (1056-a-39), of Chapter 14-c of the Supplement to the Code, 1907, all relating to the government of certain cities, with the following Senate amendment was taken up and the amendment read and considered.

Amend by placing a square  before the words (name of candidate) immediately underneath the words "for mayor." Also a square  before the words (name of candidate) immediately underneath the words "for councilman" on the official primary ballot as found in Section Five of said bill.

Hackler of Webster moved that the House concur in the Senate amendments.

On the question, Shall the House concur?

The ayes were:

Allred, Arney, Bascom, Bauman, Beans, Beebe, Beery, Blackmore, Boe, Boettger, Bonwell, Boomgaarden, Burt, Cooper, Corrie, Cousins, Cunningham, Dabney, Dalby, Darrah, Davidson, Dawson, Dewell, Dewey, DeWitt, Dodds, Drury, Dye, Elliott, Ellis, Felt, Fenn, Finlayson, Fourt, Fox, Goodykoontz, Grier, Hackler, Hanson, Harding, Harvey, Hickenlooper, Huffaker, Jacobs, Johnson, Jones, Kellogg, Kendall, Klay, Kull, Larrabee, Lee, McCleery, McDonald, Marston, Miller of Dubuque, Moore of Wapello, Newell, O'Connor, Penn, Reaney, Reitz, Ripley, Ritter, Sankey, Schee, Schroeder, Schulte, Smith, Stoddard, Swan, Swift, Tegeler, Thompson, Tilton, Welden, Wilson, Wolfe, Zeller—79.

The nays were:

Crummer—1.

Absent or not voting:

Anderson, Balluff, Bowman, Brandes, Byerly, Calkins, Cassady, Crozier, Derrough, Etter, Fulliam, Fulton, Holmes, Hunter, Ide, Inman, Jewell, Koontz, Meredith, Miller of Bremer, Moore of Linn, Perkins, Sheldon, Stillman, Sullivan, Ward, Welden, Mr. Speaker—28.

So the House concurs.

On request of Cooper of Jasper, unanimous consent having been given, House File No. 239, a bill for an act to amend Section (2477) of the Supplement to the Code, 1907, relating to compensation and expenses of the Department of Bureau of Labor Statistics, with the following Senate amendments, was taken up and the amendments read and considered.

Amend the bill by striking out the word "fifth" in line four of the bill and insert in lieu thereof the word "eighth" and also move to amend the bill by striking out the word "eighteen" in the eighth line of the bill and inserting in lieu thereof the word "twenty-one." Also insert after the word "Code" in Section One the figures "1907."

Cooper of Jasper moved that the House concur in the Senate amendments.

On the question, Shall the House concur?

The ayes were:

Allred, Anderson, Arney, Bascom, Bauman, Beans, Beebe, Beery, Blackmore, Boe, Boettger, Bonwell, Boomgaarden, Burt, Cooper, Corrie, Cousins, Crozier, Cunningham, Dabney, Dalby, Darrah, Dawson, Derrough, Dewey, DeWitt, Drury, Dye, Elliott, Ellis, Etter, Felt, Fenn, Finlayson, Fourt, Fox, Fulliam, Goodykoontz, Grier, Hackler, Hanson, Harding, Harvey, Hickenlooper, Holmes, Huffaker, Ide, Inman, Johnson, Jones, Kellogg, Kendall, Klay, Kull, Larrabee, McCleery, McDonald, Marston, Meredith, Miller of Bremer, Moore of Wapello, Newell, O'Connor, Penn, Perkins, Reaney, Reitz, Ripley, Ritter, Sankey, Sehee, Schulte, Sheldon, Smith, Stillman, Swan, Swift, Tegeler, Thompson, Tilton, Welden, Wilson, Wolfe, Zeller—85.

The nays were:

None.

Absent or not voting:

Balluff, Bowman, Brandes, Byerly, Calkins, Cassady, Crummer, Davidson, Dewell, Dodds, Fulton, Hunter, Jacobs, Jewell, Koontz, Miller of Dubuque, Moore of Linn, Schroeder, Stoddard, Sullivan, Ward, White, Mr. Speaker—23.

So the House concurs.

Bauman of Van Buren moved that the House adjourn until 9:00 o'clock, A. M., Friday.

Motion prevailed.

# JOURNAL OF THE HOUSE

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HALL OF THE HOUSE OF REPRESENTATIVES,  
DES MOINES, IOWA, MARCH 26, A. D. 1909.

House met pursuant to adjournment.

Speaker Feely in the Chair.

Prayer was offered by the Rev. James O'Moy of Creston, Iowa.

Journal of Thursday, March 25th, corrected and approved.

On request of Meredith of Cass, leave of absence was granted Marston of Cerro Gordo indefinitely on account of illness.

On request of Sankey of Decatur, leave of absence was granted Fox of Dallas until Monday.

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

## PETITIONS, MEMORIALS AND REMONSTRANCES.

O'Connor of Chickasaw presented petition of citizens of New Hampton, Iowa, relative to House File No. 422.

Referred to Committee on Appropriations.

## REPORTS OF COMMITTEES.

Arney of Marshall, from the Committee on Agriculture, submitted the following report:

MR. SPEAKER—Your committee on Agriculture, to whom was referred House File No. 391, a bill for an act providing for the planting of forest trees upon lands owned by county or state, beg leave to report they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same be amended by substituting the following substitute amendment therefor:

A Bill for an act providing for the planting of forest trees upon lands owned by County or State.

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

SECTION 1. That it shall be the duty of the Executive Council, the Board of Control, the regents or trustees of the State educational institutions, and the Board of Supervisors of each county, to plant at least one-half ( $\frac{1}{2}$ ) acre of forest trees to every forty (40) acres of land owned by the State or County and under their control. The trees to be planted as provided for in this section shall be selected from the following list: Ash, black-cherry, black-walnut, butternut, catalpa, coffee tree, elms, hackberry, the hickories, honey-locust, mulberry, the oaks, sugar-maple, soft maple, cottonwood, European larch, pine, spruce, osage orange, and the willows.

SEC. 2. The expense incurred by the provisions of this act shall be paid out of funds available under the control of the officers or boards mentioned herein.

SEC. 3. There shall be at least two hundred (200) trees planted on each acre of land, planted under this act.

SEC. 4. This act shall not apply where the State institutions now have the amount of trees required by this act growing on the lands of the State institutions or where the county has growing the amount of timber required by this act, on the lands composing the county home.

SEC. 5. 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 the Des Moines Capital, newspapers published in the city of Des Moines, Iowa; and when so amended the bill do pass.

W. H. ARNEY,  
*Chairman.*

Adopted.

Stillman of Greene, from the Committee on Drainage, submitted the following report:

MR. SPEAKER—Your committee on Drainage, to whom was referred Senate File No. 157, a bill for an act to amend the law as it appears in Chapter two (2)-A, Title ten (10), of the Supplement to the Code, 1907, relating to levees, ditches, drains and water courses, and providing for work beyond the boundary lines of the district and for the acquirement by condemnation of lands therefor, by adding thereto the following, beg leave to report they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same be amended as follows:

By striking out the title thereof and substituting the following therefor: "A bill for an act additional to Chapter two-a (2-a), Title ten (10) of the Supplement to the Code, 1907, relating to levees, ditches, drains and water courses, and providing for the acquirement of land by condemnation proceedings outside of a drainage district or county for purpose of securing proper outlet."

And that the said substitute be further amended by striking out the word "said" where it appears in lines 11, 15, 17 and 18 and inserting in

lieu thereof the word "such" in each case and by striking out the word "it" in line 20 and inserting in lieu thereof the words, "the Board of Supervisors" and when so amended the bill do pass.

PAUL E. STILLMAN,

*Chairman.*

Adopted.

Welden of Hardin, from the Committee on Railroads and Transportation, submitted the following report:

MR. SPEAKER—Your committee on Railroads and Transportation, to whom was referred Senate File No. 328, a bill for an act to amend the law as it appears in Section two thousand one hundred and thirteen (2113) of the Supplement to the Code, 1907, enlarging the powers of the Railroad Commissioners, beg leave to report they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same be indefinitely postponed.

WM. WELDEN,

*Chairman.*

Adopted, and Senate File No. 328 was indefinitely postponed.

Bowman of Linn, from the Committee on County and Township Organizations, submitted the following report:

MR. SPEAKER—Your committee on County and Township Organizations, to whom was referred House File No. 148, a bill for an act to repeal Section four hundred forty-one (441) of the Supplement to the Code of 1907 pertaining to county printing and enacting in lieu thereof the following, beg leave to report they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same be amended by striking out all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. That Section four hundred and forty-one (441) of the Supplement to the Code, 1907, be and the same is hereby repealed and the following enacted in lieu thereof: That the board of supervisors in each county in this state shall have full control of the county printing in their respective counties; they may contract with one or more newspapers of general circulation in their respective counties, one of such newspapers shall be of the political party having the largest minority vote at the last general election, to publish in such paper or papers, such county printing at a price to be agreed upon, not to exceed thirty-three and one-third cents for each ten (10) lines of brevier type, or its equivalent, before publishing the same.

SEC. 2. Should the board of supervisors of any county in this state be unable to contract with the publisher of any such newspaper or newspapers in such county to publish the county printing under this act, for the compensation provided for in this act, they shall omit publishing in such newspaper or newspapers, said county printing entirely, and in lieu thereof shall publish a report in pamphlet form of all the county busi-

ness, now published by the newspapers selected by the board of supervisors under the present law, immediately after each regular meeting of the board and before the first of the succeeding month. Said reports, if printed in pamphlet form, shall be in sufficient numbers to supply one copy to the head of each family in said county. And immediately after the printing of such pamphlet it shall be the duty of the county auditor to mail one copy of said pamphlet to the head of each family in said county, if the postoffice address is known to said county auditor. It shall also be the duty of the county auditor to furnish copy to be used in printing said pamphlet.

SEC. 3. All acts and parts of acts inconsistent with this act are hereby repealed, and when so amended the bill do pass.

J. W. BOWMAN,  
*Chairman.*

Adopted.

Davidson of Palo Alto, from the Committee on Police Regulations, submitted the following report:

MR. SPEAKER—Your committee on Police Regulations, to whom was referred House File No. 497, a bill for an act to amend the law as it appears in Section seven hundred (700) of the Supplement to the Code of Iowa, relating to the powers of the mayor and common council of cities and towns in the State of Iowa to regulate and license itinerant physicians and surgeons and other persons named in said Section, 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.

F. C. DAVIDSON,  
*Chairman.*

Adopted, and House File No. 497 was indefinitely postponed.

Marston of Cerro Gordo, from the Committee on Labor, submitted the following report:

MR. SPEAKER—Your committee on Labor, to whom was referred Senate File No. 254, a bill for an act to provide for the employment of prisoners in the county jails and for paying their earnings to their families, beg leave to report they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same be amended as follows:

1. By striking out Section two (2) and inserting in lieu thereof the following: "Said prisoners may be required to perform such labor as the board of supervisors may direct, provided that such labor shall not be leased, and that no prisoner shall be required to work on any legal holiday or more than eight (8) hours in one day, provided also that prisoners committed by city or town magistrates for violation of city or town ordinances, may be required to labor as herein provided, under the direction of such city or town magistrate."

2. By striking out Section three (3) and inserting in lieu thereof the following: "The board of supervisors may allow said prisoners for labor performed under the provisions hereof, a sum not exceeding one (1) dollar for each day's labor so performed, and proceeds of all amounts so allowed shall be paid to the legal guardian or custodian of the dependent members of the family of said prisoner," and when so amended the bill do pass.

CHAS. L. MARSTON,  
*Chairman.*

Adopted.

Harding of Woodbury, from the Committee on Municipal Corporations, submitted the following report:

MR. SPEAKER—Your committee on Municipal Corporations, to whom was referred Senate File No. 206, a bill for an act to amend the law as it appears in Title V, Chapter fourteen-c (14-c) of the Supplement to the Code, 1907, relating to the government of certain cities, and conferring additional powers upon such cities, beg leave to report they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same do pass.

W. L. HARDING,  
*Chairman.*

Adopted.

Also:

MR. SPEAKER—Your committee on Municipal Corporations, to whom was referred Senate File No. 371, a bill for an act to enable certain cities to improve their water fronts and to levy a tax to pay for such work and in certain cases to borrow money therefor and issue negotiable bonds for such debt, beg leave to report they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same be amended as follows:

That line one (1) of Section one (1) be amended by striking out the words "of the first class or city" and that Section four (4) be amended by changing the period at the end of the last word of the Section to a comma and adding the words "without expense to the state," and when so amended the bill do pass.

W. L. HARDING,  
*Chairman.*

Adopted.

Also:

MR. SPEAKER—Your committee on Municipal Corporations, to whom was referred Senate File No. 233, a bill for an act to amend the law as it appears in Sections eight hundred fifty-c (850-c), eight hundred fifty-e (850-e) and eight hundred fifty-f (850-f) of the Supplement to the Code, 1907, relating to parks and park commissioners, beg leave to report they have had the same under consideration and have instructed me to report



the same back to the House with the recommendation that the same do pass.

W. L. HARDING,  
*Chairman.*

Adopted.

Also:

MR. SPEAKER—Your committee on Municipal Corporations, to whom was referred Senate File No. 127, a bill for an act amending the law as it appears in Section six hundred seventy-four (674) of the Supplement to the Code, 1907, relating to the compensation of assessors in cities of first class, beg leave to report they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same do pass.

W. L. HARDING,  
*Chairman.*

Adopted.

Also:

MR. SPEAKER—Your committee on Municipal Corporations, to whom was referred Senate File No. 177, a bill for an act requiring persons, partnerships or corporations owning or operating street car systems to provide transparent shields for the platforms of certain street cars and providing a penalty for the violation of the requirements hereof, beg leave to report they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same do pass.

W. L. HARDING,  
*Chairman.*

Adopted.

Also:

MR. SPEAKER—Your committee on Municipal Corporations, to whom was referred Senate File No. 315, a bill for an act giving to cities and towns, including cities acting under special charters, power to provide by ordinance for the trimming of trees along the public streets and sidewalks, and to assess the cost thereof to the owners of the abutting property, beg leave to report they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same be indefinitely postponed.

W. L. HARDING,  
*Chairman.*

Adopted, and Senate File No. 315 was indefinitely postponed.

Also:

MR. SPEAKER—Your committee on Municipal Corporations, to whom was referred House File No. 486, a bill for an act authorizing the giving of

pensions to disabled and retired policemen and the widows and minor children and dependent fathers and mothers of deceased policemen in cities, incorporated towns, and special charter cities having organized police departments, creating a fund from which to pay such pensions and providing for the distribution thereof, creating a board of trustees to care for such pension fund and prescribing their powers and duties and authorizing the retiring from service of policemen under certain conditions, beg leave to report they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same do pass.

W. L. HARDING,  
*Chairman.*

Adopted.

Also:

MR. SPEAKER—Your committee on Municipal Corporations, to whom was referred Senate File No. 266, a bill for an act to amend the law as it appears in Section eight hundred fifty-c (850-c) of the Supplement to the Code, 1907, relating to the tax levy for park purposes and repealing Section eight hundred fifty-two (852) of the Code as amended by Chapter forty-three (43) of the Acts of the Thirty-second General Assembly, beg leave to report they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same do pass.

W. L. HARDING,  
*Chairman.*

Adopted.

White of Story, from the Committee on Ways and Means, submitted the following report:

MR. SPEAKER—Your committee on Ways and Means, to whom was referred House File No. 117, a bill for an act to amend Sections Thirteen hundred twelve (1312) and fourteen hundred four (1404) of the Code relating to the listing of and lien on personal property for taxes, beg leave to report they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same be amended by enacting the following substitute therefor:

A Bill for an Act to Amend Sections Thirteen Hundred Twelve (1312) and Fourteen Hundred Four (1404) of the Code Relating to the Listing of and Lien on Personal Property for Taxes.

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

SECTION 1. That Section thirteen hundred twelve (1312) of the Code be, and the same is hereby amended by inserting after "directed" in the fourth line of said Section the following:

"Such inhabitant shall, in case of the intended sale or removal from the county of his residence of all or part of his property, except as is sold in the ordinary course of business, after the first day of January of any year and before such property has been assessed by the assessor, file with the county auditor an inventory and full description of all the goods and chattels so intended to be sold or removed."

SEC. 2. That Section fourteen hundred four (1404) of the Code be, and the same is hereby amended by inserting after the word "provided" in the eighth line of said Section the following: "and all other personal property which a resident owner intends to sell or remove after the first day of January and before its assessment in any year."

By inserting after the word "to" in the tenth line of said Section the following: "sell or." By inserting after "to be," in the thirteenth line of said Section the following: "sold or," and when so amended the bill do pass.

GEO. C. WHITE,  
*Chairman.*

Adopted.

Also:

MR. SPEAKER—Your committee on Ways and Means, to whom was referred House File No. 129, a bill for an act providing for the assessment and collection of a tax upon inheritances, beg leave to report they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same be indefinitely postponed.

GEO. C. WHITE,  
*Chairman.*

Adopted, and House File No. 129 was indefinitely postponed.

Also:

MR. SPEAKER—Your committee on Ways and Means, to whom was referred House File No. 68, a bill for an act to regulate the taxation of mortgages and mortgaged real estate, beg leave to report they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same do pass.

GEO. C. WHITE,  
*Chairman.*

Adopted.

Also:

MR. SPEAKER—Your committee on Ways and Means, to whom was referred Senate File No. 33, a bill for an act to amend Chapter four, Title seven (VII) of the Code, relating to the collection of a tax upon inheritances, beg leave to report they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same be indefinitely postponed.

GEO. C. WHITE,  
*Chairman.*

Adopted, and Senate File No. 33 was indefinitely postponed.

Also:

MR. SPEAKER—Your committee on Ways and Means, to whom was referred House File No. 360, a bill for an act to amend paragraph two (2),

Section thirteen hundred and four of the Supplement to the Code, 1907, relating to exemption from taxation of charitable and benevolent institutions, beg leave to report they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same be amended as follows:

Strike out all of said bill beginning with the word "Any" in the sixth line of Section 1 and insert in lieu thereof the following: "No hospital which shall permit or encourage discrimination against physicians or surgeons of any school of practice recognized by the laws of this state and the state board of medical examiners shall be exempted from taxation under the provisions of this Section; provided, always, that physicians and surgeons comply with the rules and regulations of said hospital with reference to contagious and infectious diseases and the use of disinfectants and antiseptics; lawful authority for all practitioners to comply with such hospital rules and regulations is hereby granted," and when so amended the Bill do pass.

GEO. C. WHITE,  
*Chairman.*

Adopted.

Also:

MR. SPEAKER—Your committee on Ways and Means, to whom was referred House File No. 437, a bill for an act providing a method by which the indebtedness of cities and towns in excess of the statutory limit of one and one-fourth per cent. and within the five per cent. constitutional limit may be legalized, beg leave to report they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same be indefinitely postponed.

GEO. C. WHITE,  
*Chairman.*

Adopted, and House File No. 437 was indefinitely postponed.

#### REPORT OF COMMITTEE ON ENROLLED BILLS.

Klay of Sioux, from the Committee on Enrolled Bills, submitted the following report:

MR. SPEAKER—Your committee on Enrolled Bills respectfully report that they have this day sent to the Governor for his approval House File No. 37, a bill for an act to repeal Section twenty-four hundred and forty-five (2445) of the Code and to enact a substitute therefor, relating to the disposition to be made by the board of supervisors of the mulct tax.

Also:

House File No. 274, a bill for an act to amend the law as it appears in Section four thousand seven hundred seventy-one (4771) of the Code relating to punishment for the crime of assault with intent to inflict great bodily injury.

Also :

House File No. 191, a bill for an act to amend the law as it appears in Section twenty-four hundred seventy-seven-d (2477-d), Supplement to the Code, 1907, relating to authority of officers to demand proof of age of children employed, and defining what said proof shall be.

Also :

House File No. 337, a bill for an act amending the law as it appears in Section twenty-four hundred eighty-nine-a (2489-a), Supplement to the Code, 1907, relating to examination of mine foremen, pit bosses and hoisting engineers.

Also :

House File No. 102, a bill for an act to repeal Section fifteen hundred and seventy-one (1571) of the Supplement to the Code, 1907, and to enact a substitute in lieu thereof, relating to traction engines on the public roads.

Also :

House File No. 174, a bill for an act to provide for the payment of bounties for killing groundhogs.

Also :

House File No. 190, a bill for an act entitled an act relating to hotels, inns and public lodging houses, defining the same and prescribing rules for their operations and maintenance, so as to insure the safety and health of employes and patrons of the same; providing for inspection thereof, fees for same and fixing fines and penalties for violation of such rules and regulations.

Also :

House File No. 317, a bill for an act to legalize certain acts of the city council of the city of Cedar Rapids, Linn County, Iowa, and of the auditor, treasurer and board of supervisors of said Linn County, Iowa, relating to levy of park tax.

GERRIT KLAY,  
*Chairman.*

Adopted.

Also :

MR. SPEAKER—Your Committee on Enrolled Bills respectfully report that they have examined, and find correctly enrolled, House File No. 71, a bill for an act to repeal Section twenty-three hundred and sixty-seven (2367) of the Code defining a lawful fence and to enact a substitute therefor.

Also:

House File No. 221, a bill for an act to amend Section four thousand two hundred fifty-three (4253) of the Code, relating to the partition of real estate and providing for the leasing of the same.

Also:

House File No. 223, a bill for an act to amend the law as it appears in Section twenty-seven hundred and twenty-seven-a (2727-a) of the Supplement to the Code, 1907, relating to the support of the Iowa School for the Deaf at Council Bluffs.

Also:

House File No. 252, a bill for an act to amend the law as it appears in Section 1137-a-7 of the Supplement to the Code, 1907, relating to elections and voting machines.

Also:

House File No. 278, a bill for an act to authorize the issuance of a search warrant, and the seizure of cigarettes and cigarette papers, the apprehension of the occupant of the place or building in or upon which the same are sold or kept and providing for the levy of a tax against said place or building.

Also:

House File No. 313, a bill for an act to legalize certain ordinances of the town of Callender, Webster County, Iowa.

Also:

House File No. 355, a bill for an act to repeal the law as it appears in Chapter forty-one (41) of the Laws of the Thirty-second General Assembly and to enact a substitute therefor relating to the powers of certain cities and towns to levy taxes for the purpose of constructing outlets and purifying plants for sewers and to authorize anticipating collection of such tax by issuing certificates or bonds.

GERRIT KLAY,  
*Chairman.*

Adopted.

#### REPORT OF JOINT COMMITTEE ON ENROLLED BILLS.

Klay of Sioux, 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. 71, a bill for an act to repeal Section twenty-three hundred and sixty-seven (2367) of the Code defining a lawful fence and to enact a substitute therefor.

Also:

House File No. 221, a bill for an act to amend Section four thousand two hundred fifty-three (4253) of the Code, relating to the partition of real estate and providing for the leasing of the same.

Also:

House File No. 223, a bill for an act to amend the law as it appears in Section twenty-seven hundred and twenty-seven-a (2727-a) of the Supplement to the Code, 1907, relating to the support of the Iowa School for the Deaf at Council Bluffs.

Also:

House File No. 252, a bill for an act to amend the law as it appears in Section 1137-a-7 of the Supplement to the Code, 1907, relating to elections and voting machines.

Also:

House File No. 278, a bill for an act to authorize the issuance of a search warrant, and the seizure of cigarettes and cigarette papers, the apprehension of the occupant of the place or building in or upon which the same are sold or kept and providing for the levy of a tax against said place or building.

Also:

House File No. 313, a bill for an act to legalize certain ordinances of the town of Callender, Webster County, Iowa.

Also:

House File No. 355, a bill for an act to repeal the law as it appears in Chapter forty-one (41) of the Laws of the Thirty-second General Assembly and to enact a substitute therefor relating to the powers of certain cities and towns to levy taxes for the purpose of constructing outlets and purifying plants for sewers and to authorize anticipating collection of such tax by issuing certificates or bonds.

GERRIT KLAY,  
*Chairman House Committee.*

HENRY L. ADAMS,  
*Chairman Senate Committee.*

Adopted.

#### CONSIDERATION OF BILLS.

On motion of Darrah of Lucas, House File No. 163, a bill for an act authorizing the creation of a State Banking Department, and providing for the appointment of a Board of State Bank Commissioners and for the creation of a Depositors' Guaranty Fund, with report of committee recommending indefinite postponement and

minority views recommending its passage, was taken up and considered.

Grier of Poweshiek moved the adoption of the Committee report.

O'Connor of Chickasaw moved that the minority views be substituted for the Committee report.

Roll call was demanded by Darrah of Lucas and Klay of Sioux.

On the question, "Shall the minority views be substituted for the Committee report?"

The ayes were:

Allred, Bauman, Boettger, Bonwell, Calkins, Crozier, Dabney, Darrah, Dawson, DeWitt, Drury, Elliott, Ellis, Etter, Fulliam, Fulton, Hickenlooper, Holmes, Huffaker, Ide, Kendall, Klay, Kull, Larrabee, Lee, McDonald, Miller of Bremer, Miller of Dubuque, O'Connor, Penn, Reaney, Reitz, Ritter, Sankey, Schroeder, Schulte, Stillman, Stoddard, Swift, Tegeler, Welden, White, Wolfe—43.

The nays were:

Anderson, Bascom, Beans, Beebe, Beery, Blackmore, Boomgaard-en, Bowman, Burt, Cassady, Cooper, Corrie, Cousins, Crummer, Dalby, Davidson, Derrough, Dewell, Dewey, Dye, Felt, Finlayson, Fourt, Goodykoontz, Grier, Hackler, Hanson, Harding, Harvey, Inman, Jacobs, Jewell, Johnson, Jones, Kellogg, McCleery, Meredith, Moore of Wapello, Newell, Perkins, Ripley, Schee, Sheldon, Smith, Sullivan, Swan, Thompson, Tilton, Wilson, Zeller, Mr. Speaker—51.

Absent or not voting:

Arney, Balluff, Boe, Brandes, Byerly, Cunningham, Dodds, Fenn, Fox, Hunter, Koontz, Marston, Moore of Linn, Ward—14.

So the motion to substitute was lost.

The report of the committee was adopted, and House File No. 163 was indefinitely postponed.

#### SPECIAL ORDER.

Time having arrived for Special Order No. 11, House File No. 483, a bill for an act to amend Sections Eighteen Hundred Forty-six (1846), Eighteen Hundred Forty-seven (1847), Eighteen Hun-



dred Forty-nine (1849), Eighteen Hundred Fifty-one (1851), Eighteen Hundred Fifty-two (1852), Eighteen Hundred Fifty-three (1853), Eighteen Hundred Fifty-four (1854), Eighteen Hundred Fifty-six (1856), Eighteen Hundred Fifty-seven (1857), Eighteen Hundred Sixty (1860), Eighteen Hundred Sixty-seven (1867), of the Code, and Sections Eighteen Hundred Forty-eight (1848), Eighteen Hundred Fifty (1850), Eighteen Hundred Fifty-a (1850-a), Eighteen Hundred Sixty-nine (1869), Eighteen Hundred Seventy-one (1871), of the Supplement to the Code 1907; and to repeal Sections Eighteen Hundred Forty-five (1845), Eighteen Hundred Sixty-six (1866), and Eighteen Hundred Seventy-two (1872), of the Code, and Sections Eighteen Hundred Fifty-five (1855), and Eighteen Hundred Seventy-three (1873) of the Supplement to the Code, 1907, and enact substitutes therefor, relating to banks and banking, was taken up and considered.

Hanson of Humboldt proposed the following amendment:

I move to amend Section 1 by striking out the period after the word "shares" in line 9 and insert a comma in lieu thereof and add the following: "But it shall be lawful for those persons, who are now directors and owning the numbers of shares heretofore required to qualify as such, to serve out their present terms and become their own successors indefinitely, but in such case the oath of office shall contain a statement of the exception made hereby."

Amendment adopted.

Lee of Emmet proposed the following amendments:

I move to amend House File No. 483 by changing the comma after the word "bank" in line three of section two to a period and striking out the remainder of said section.

And by changing the comma after the word "banks" in line three of section three to a period and striking out the remainder of the section.

And by changing the comma after the word "state" in line three of section four to a period and striking out the remainder of the section.

And by changing the comma after the word "banks" in line two of section five to a period and striking out the remainder of the section.

And by striking out the word "article" where it appears in lines three and four of Section 6 and inserting in lieu thereof the word "subdivision"; and by striking out the word "this" in line three same section and inserting in lieu thereof the word "said"; and by changing the comma after the word "persons" in line six of same section to a period and striking out the remainder of the section.

And by changing the comma after the word "state" in line three, section seven, to a period and striking out the remainder of the section.

And by changing the comma after the word "state" in line two, section 8, to a period and striking out the remainder of the section.

And by changing the comma after the word "state" in line two, section 10, to a period and striking out the remainder of the section.

And by changing the comma after the word "bank" in line two, section 11, to a period and striking out the remainder of the section.

And by changing the comma after the word "state" in line two, section 13, to a period and striking out the remainder of the section.

And by changing the comma after the word "state" in line two, section 14, to a period, and striking out the remainder of the section.

And by changing the comma after the word "depository" in line six, section 15, to a period and striking out the remainder of the section.

And by changing the comma after the word "depository" in line six, section 16, to a period, and striking out the remainder of the section.

And by changing the comma after the word "board" in line five, section 18, to a period and striking out the remainder of the section.

And by changing the comma after the word "jurisdiction" in line seven, section 19, to a period, and striking out the remainder of the section.

Ripley of Hancock proposed the following substitute amendment:

I move to amend by striking out the first four lines of Section 4 and substitute therefor the following: "Section 4. That Section Eighteen Hundred Forty-eight (1848) of the Supplement to the Code, 1907, be repealed and the following enacted in lieu thereof:"

Substitute amendment adopted.

Amendment as substituted adopted.

Schee of O'Brien proposed the following amendment:

I move to amend Section 4 by striking out of line six, the word "twenty" and insert in lieu thereof the word "ten."

Derrough of Warren moved to strike out the word "ten" and insert the word "fifteen."

Amendment to the amendment lost.

Roll call demanded by Schee of O'Brien and Balluff of Scott.

On the question, Shall the amendment be adopted?

The ayes were:

Allrend, Anderson, Brandes, Calkins, Cooper, Corrie, Cousins, Dabney, Dalby, Darrah, Davidson, Drury, Elliott, Ellis, Etter, Fulliam, Goodykoontz, Harvey, Huffaker, Hunter, Ide, Johnson, Kendall, Klay, Penn, Perkins, Reitz, Sankey, Schee, Schroeder, Stillman, Welden, Mr. Speaker—33.

The nays were:

Arney, Balluff, Bascom, Bauman, Beans, Beery, Boe, Boettger, Boomgaarden, Bowman, Cassady, Derrough, Dewell, Dewey, DeWitt, Dye, Felt, Fenn, Fulton, Grier, Hackler, Hanson, Harding, Hickenlooper, Jewell, Jones, Koontz, Kull, Larrabee, McDonald, Meredith, Miller of Dubuque, Moore of Wapello, O'Connor, Ripley, Ritter, Schulte, Smith, Stoddard, Sullivan, Swift, Tegeler, Thompson, Wilson—44.

Absent or not voting:

Beebe, Blackmore, Bonwell, Burt, Byerly, Crummer, Crozier, Cunningham, Dawson, Dodds, Finlayson, Fourt, Fox, Holmes, Inman, Jacobs, Kellogg, Lee, McCleery, Marston, Miller of Bremer,

Moore of Linn, Newell, Reaney, Sheldon, Swan, Tilton, Ward, White, Wolfe, Zeller—31.

So the amendment was lost.

#### 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. 381, a bill for an act legalizing the incorporation of the town of Packwood, Iowa.

S. W. NEAL,  
*Secretary.*

Also:

MR. SPEAKER—I am directed to inform your honorable body that the Senate has passed the following bill in which the concurrence of the Senate was asked:

House File No. 333, a bill for an act making an appropriation to defray the expenses of the Lincoln day program.

S. W. NEAL,  
*Secretary.*

Also:

MR. SPEAKER—I am directed to inform your honorable body that the Senate has indefinitely postponed House File No. 199, a bill for an act relating to the trial of attachment.

S. W. NEAL,  
*Secretary.*

Also:

MR. SPEAKER—I am directed to inform your honorable body that the Senate has amended and passed the following bill in which the concurrence of the Senate was asked:

House File No. 265, a bill for an act to repeal the law as it appears in Section fifteen hundred and thirty (1530) of the Supplement to the Code, 1907, and to enact a substitute therefor.

S. W. NEAL,  
*Secretary.*

#### SENATE AMENDMENTS CONSIDERED.

On request of Fulton of Jefferson, unanimous consent having been given, House File No. 381, a bill for an act to legalize the incorporation of the town of Packwood, Jefferson County, Iowa, the

election of its officers and all acts done and ordinances passed by the town council of said town, with the following Senate amendment, was taken up and the amendment read and considered.

I move to amend Section 1 by striking out the word "legislation" at the end of said section and insert in lieu thereof the word "litigation."

Fulton of Jefferson moved that the House concur in the Senate amendment.

On the question, Shall the House concur?

The ayes were:

Allred, Anderson, Arney, Balluff, Bascom, Beebe, Beery, Blackmore, Bonwell, Boomgaarden, Brandes, Burt, Calkins, Cassady, Cooper, Corrie, Cousins, Crummer, Cunningham, Dabney, Dalby, Darrah, Dawson, Derrough, Dewell, Dewey, DeWitt, Ellis, Etter, Felt, Fenn, Finlayson, Fourt, Fulton, Goodykoontz, Grier, Hackler, Hanson, Harding, Harvey, Hickenlooper, Holmes, Huffaker, Hunter, Ide, Jacobs, Jones, Kendall, Klay, Koontz, Kull, Larabee, Lee, McCleery, McDonald, Meredith, Miller of Dubuque, Moore of Wapello, Newell, O'Connor, Penn, Perkins, Reaney, Reitz, Ripley, Ritter, Sankey, Schee, Schulte, Sheldon, Stoddard, Swan, Swift, Tegeler, Thompson, Tilton, Welden, White, Wilson, Zeller—80.

The nays were:

None.

Absent or not voting:

Bauman, Beans, Boe, Boettger, Bowman, Byerly, Crozier, Davidson, Dodds, Drury, Dye, Elliott, Fox, Fulliam, Inman, Jewell, Johnson, Kellogg, Marston, Miller of Bremer, Moore of Linn, Schroeder, Smith, Stillman, Sullivan, Ward, Wolfe, Mr. Speaker—28.

So the House concurs.

On request of Harding of Woodbury, unanimous consent having been given, House File No. 265, a bill for an act to amend Section Fifteen Hundred and Thirty (1530) of the Supplement to the Code, 1907, by providing for the delivery to the city treasurer of so much of the County Road Fund Tax as is collected from prop-

erty within the incorporated limits of any city, with the following Senate amendments, was taken up and the amendments read and considered.

I move to amend Section 1 of the substitute by inserting a comma after the word "fund" in next to the last line of said section as printed in the Journal and the words, "county drainage fund."

I move to amend Section 1 by inserting after the word "and" in line 9, the words "except as hereinafter provided."

I move to amend Section 1 of the bill by striking out the word "one" in the fourth line thereof and inserting in lieu thereof the word "two"; also by striking out the word "five" in the last line of said section, and inserting in lieu thereof the word "six."

I move to amend the bill by inserting after the word "that" in the first line thereof the words "the law as it appears in."

Harding of Woodbury moved that the House do not concur in the Senate amendments.

On the question, Shall the House concur?

The ayes were:

Sankey, Schee—2.

The nays were:

Allred, Anderson, Arney, Balluff, Bauman, Beans, Beebe, Beery, Blackmore, Boe, Boettger, Boomgaarden, Bowman, Cassady, Cooper, Corrie, Cousins, Crozier, Crummer, Dalby, Dawson, Dewell, DeWitt, Drury, Elliott, Ellis, Etter, Felt, Fenn, Finlayson, Fourt, Fulliam, Fulton, Goodykoontz, Grier, Hackler, Hanson, Harding, Harvey, Holmes, Huffaker, Hunter, Ide, Inman, Jacobs, Jewell, Johnson, Jones, Kellogg, Kendall, Kull, Larrabee, Lee, McCleery, McDonald, Meredith, Miller of Bremer, Miller of Dubuque, Moore of Wapello, O'Connor, Penn, Perkins, Reaney, Ripley, Ritter, Schroeder, Schulte, Sheldon, Smith, Stillman, Stoddard, Sullivan, Swan, Swift, Tegeler, Thompson, Tilton, Welden, White, Wilson, Wolfe, Zeller, Mr. Speaker—83.

Absent or not voting:

Bascom, Bonwell, Brandes, Burt, Byerly, Calkins, Cunningham, Dabney, Darrah, Davidson, Derrough, Dewey, Dodds, Dye, Fox,

Hickenlooper, Klay, Koontz, Marston, Moore of Linn, Newell, Reitz, Ward—23.

So the House refused to concur.

Klay of Sioux, offered the following Concurrent Resolution :

CONCURRENT RESOLUTION.

WHEREAS, The remaining work of this General Assembly can and ought to be completed in two weeks from this date, therefore be it

*Resolved by the House, the Senate Concurring,* That this General Assembly do adjourn sine die at noon, 12:00 o'clock M. on Friday, April 9, 1909.

Laid over under Rule 34.

Reaney of Louisa moved that the House adjourn.

Motion prevailed.

# JOURNAL OF THE HOUSE

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HALL OF THE HOUSE OF REPRESENTATIVES,  
DES MOINES, IOWA, MARCH 27, A. D. 1909.

House met pursuant to adjournment.

Speaker Feely in the Chair.

Prayer was offered by Rev. W. Howard Tomlinson of Muscatine, Iowa.

Journal of Friday, March 26th, corrected and approved.

On request of Cooper of Jasper leave of absence was granted Thompson of Benton until Monday.

On request of Tilton of Iowa leave of absence was granted Derrough of Warren until Monday.

On request of Blackmore of Worth leave of absence was granted McCleery of Washington until Monday.

On request of Hickenlooper of Monroe leave of absence was granted Bonwell of Audubon until Monday.

On request of Allred of Wayne leave of absence was granted Welden of Hardin until Monday.

On request of Bauman of Van Buren leave of absence was granted Fulliam of Muscatine until Monday.

On request of Hackler of Webster leave of absence was granted Holmes of Kossuth until Monday.

## PETITIONS, MEMORIALS AND REMONSTRANCES.

Bauman of Van Buren presented remonstrance of citizens of Hickory School District protesting against any change in the School Laws.



Referred to Committee on Schools and Text Books.

Beans of Mahaska presented remonstrance of citizens of Oska-  
loosa protesting against the protection of quail for five years.

Referred to Committee on Fish and Game.

Dawson of Cherokee presented petition of citizens of Cherokee  
relative to the appointment of a Commerce Counsel.

Referred to Committee on Railroads and Transportation.

Calkins of Adams presented petition of citizens of Creston, Iowa  
relative to Senate File No. 220, referring to transfer in bulk of  
stocks of mechandise.

Referred to Committee on Judiciary.

#### REPORTS OF COMMITTEES.

White of Story, from the Committee on Ways and Means, sub-  
mitted the following report:

MR. SPEAKER—Your committee on Ways and Means, to whom was re-  
ferred Senate File No. 111, a bill for an act to amend Section 1385-b of  
the Supplement of the Code of 1907 and provide for the assessment of  
different portions of a tract of real estate when the same has been sold  
subsequent to the biennial assessment of the same, beg leave to report  
they have had the same under consideration and have instructed me to  
report the same back to the House with the recommendation that the  
same do pass.

GEO. C. WHITE,  
*Chairman.*

Adopted.

Also:

MR. SPEAKER—Your committee on Ways and Means, to whom was re-  
ferred House File No. 506, a bill for an act to repeal Section four thou-  
sand seven hundred sixty-five (4765) of the Code, relating to kidnapping  
and fixing a penalty therefor, beg leave to report they have had the same  
under consideration and have instructed me to report the same back to  
the House with the recommendation that the same be referred to the  
Judiciary Committee.

GEO. C. WHITE,  
*Chairman.*

Adopted, and House File No. 506 was so referred.

Stillman of Greene, from the Committee on Schools and Text  
Books, submitted the following report:

MR. SPEAKER—Your committee on Schools and Text Books, to whom was referred House File No. 487, a bill for an act to amend Section 2755 of the Supplement to the Code, 1907, relating to the election of members of the school board, beg leave to report they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the following be substituted therefor:

A Bill for an Act Amending the Law as it Appears in Section Twenty-seven Hundred Fifty-four (2754) of the Supplement to the Code, 1907, Relating to the Elections in Independent School Districts.

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

SECTION 1. That the law as it appears in Section twenty-seven hundred fifty-four (2754) of the Supplement to the Code, 1907, be amended by adding thereto after the period in the last line, the following: "The names of persons desiring to become candidates for the office of member of the board of education in all independent city, town or village districts shall be filed at least five (5) days prior to the day on which the school election is to be held, by depositing with the secretary of the school board in such independent city, town or village district, a written notice of such candidacy. It shall be the duty of the secretary of the board of education upon the expiration of the time for filing notice of candidacy as herein provided to cause to be printed, ballots, upon which shall appear in alphabetical order the names of all candidates so filed as herein provided, and there shall be at the left of each name, a square and there shall also be a direction to the voter to the effect as to the number of candidates to be voted for at the said school election. Ballots shall be printed upon plain, substantial white paper of uniform quality and shall have no party designation or mark whatever. The secretary of the board of education shall cause to be delivered at the several polling places, a number of said ballots equal to the number of votes cast at such polling precinct at the last preceding general election. In all other respects the said school election in the said independent city, town and village district shall be conducted under the general laws of the State of Iowa so far as the same may be applicable. The provisions of this Section shall be applicable to school elections held in all independent school districts in cities, towns and villages, and when so amended the bill do pass.

PAUL E. STILLMAN,  
*Chairman.*

Adopted.

Also:

MR. SPEAKER—Your committee on Schools and Text Books, to whom was referred Senate File No. 387, a bill for an act to prohibit secret fraternities and societies being formed in the public schools of this state, empowering and making it the duty of school directors to adopt rules and regulations relating thereto and to enforce the same, and making it an offense to solicit pupils to join them and prescribing the penalty therefor, beg leave to report they have had the same under consideration

and have instructed me to report the same back to the House with the recommendation that the same do pass.

PAUL E. STILLMAN,  
*Chairman.*

Adopted.

Also:

MR. SPEAKER—Your committee on Schools and Text Books, to whom was referred House File No. 457, a bill for an act to amend Section twenty-seven hundred and fifty-seven, Supplement to the Code, 1907, relating to meetings of school directors and election of school officers, and to enact a substitute therefor, beg leave to report they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same be indefinitely postponed.

PAUL E. STILLMAN,  
*Chairman.*

Adopted, and House File No. 457 was indefinitely postponed.

Also:

MR. SPEAKER—Your committee on Schools and Text Books, to whom was referred House File No. 494, a bill for an act to amend Section two thousand eight hundred twenty-three-p (2823-p) of the Supplement to the Code, 1907, relating to furnishing a list of books suitable for use in school district libraries, beg leave to report they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same do pass.

PAUL E. STILLMAN,  
*Chairman.*

Adopted.

Also:

MR. SPEAKER—Your committee on Schools and Text Books, to whom was referred House File No. 478, a bill for an act to provide for the commission form of school government of certain school districts and the adoption thereof by special election; also providing for the election of members of the citizens' school board in such districts and defining the powers of said commission and board, beg leave to report they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same be referred to the Thirty-fourth General Assembly.

PAUL E. STILLMAN,  
*Chairman.*

Adopted, and House File No. 478 was so referred.

Also:

MR. SPEAKER—Your committee on Schools and Text Books, to whom was referred House File No. 280, a bill for an act to repeal Chapter thir-

teen (13) of the Supplement to the Code, 1907, with the exception of Sections two thousand seven hundred thirty-eight (2738), two thousand seven hundred thirty-nine (2739) and two thousand seven hundred forty-two (2742) relative to the qualification of county superintendents of schools and examinations and certificates of teachers and to enact a substitute therefor, beg leave to report they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same be indefinitely postponed.

PAUL E. STILLMAN,

*Chairman.*

Adopted, and House File No. 280 was indefinitely postponed.

Felt of Clay, from the Committee on Public Lands, submitted the following report:

MR. PRESIDENT—Your committee on Public Lands, to whom was referred Senate File No. 359, a bill for an act to repeal Section two thousand nine hundred twenty-five of the Supplement to the Code, 1907, and to enact a substitute for the same, relating to the sale of the lands within the beds of meandered lakes, beg leave to report they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same do pass.

B. F. FELT, JR.,

*Chairman.*

Adopted.

#### INTRODUCTION OF BILLS.

By Sullivan of Polk, House File No. 508, a bill for an act to amend the law as it appears in Section Ten Hundred Fifty-six-a-thirty-six, Chapter Fourteen-c, Title Five of the Supplement to the Code, 1907, relating to the government of certain cities and the recalling of elective officers therein.

Read first and second time and referred to Committee on Municipal Corporations.

By McDonald of Carroll, House File No. 509, a bill for an act making an appropriation for Francis M. Segler, and as compensation for the service rendered the state: Whereas, during the period of the Civil War the military company known as the Des Moines Guards, which was organized July 29, 1861 at Vincennes, Lee County, Iowa, with eighty-one (81) members, of which Francis M. Segler was a member and rendered service thereto until disbanded by the legislature of the State of Iowa, and for which he received no compensation.

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

By Beebe of Franklin, House File No. 510, a bill for an act to amend the law as it appears in Section One Hundred Fifty-four (154) of the Code, relative to compensation of Custodian.

Read first and second time and referred to Committee on Compensation of Public Officers.

By White of Story, House File No. 511, a bill for an act to legalize the acts of the city council and mayor of the City of Ames, Iowa, in contracting an indebtedness during the three years immediately preceeding the passage of this act in excess of the statutory limit of one and one-fourth per cent for the erecting, maintaining and operating an electric light and power plant and water works system and other purposes and not exceeding the five per cent constitutional limit of the actual value of the taxable property in said city.

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

Bauman of Van Buren moved that House File No. 456 be withdrawn from the Committee on Railroads and Transportation and the further consideration of the House.

Motion prevailed.

Hickenlooper of Monroe moved that Senate File No. 334 be recalled from the Senate.

Motion prevailed.

Klay of Sioux called up concurrent resolution relative to adjournment, and moved its adoption.

Motion prevailed, and the concurrent resolution was adopted.

Ritter of Des Moines moved that House File No. 459 be withdrawn from the Committee on Schools and Text Books, and the further consideration of the House.

Motion prevailed.

#### MESSAGES FROM THE SENATE.

The following messages were received from the Senate:

MR. SPEAKER—I am directed to inform your honorable body that the Senate has passed the following Joint Resolution in which the concurrence of the House is asked:

Senate Joint Resolution No. 3, relative to the appointment of a commission to investigate the natural resources and waterways.

S. W. NEAL,  
*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. 383, a bill for an act relating to drainage bonds.

S. W. NEAL,  
*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. 370, a bill for an act to enjoin and abate houses of lewdness, etc.

S. W. NEAL,  
*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. 285, a bill for an act relative to issuance of bonds by cities and towns.

S. W. NEAL,  
*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. 346, a bill for an act relating to the appointment of deputy assessors.

S. W. NEAL,  
*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. 372, a bill for an act relating to the certification of teachers.

S. W. NEAL,  
*Secretary.*

Also:

MR. SPEAKER—I am directed to inform your honorable body that the Senate has passed the following bill in which the concurrence of the Senate was asked:

House File No. 231, a bill for an act making appropriations for additional improvements at the Iowa State Fair and Exposition Grounds.

S. W. NEAL,  
*Secretary*

Also:

MR. SPEAKER—I am directed to inform your honorable body that the Senate herewith requests the recall for further consideration of House File No. 265, a bill for an act providing for the delivering to the city treasurer of so much of the county road fund tax as is collected from property within incorporated limits of such city.

S. W. NEAL,  
*Secretary.*

Also:

MR. SPEAKER—I am directed to inform your honorable body that the Senate has indefinitely postponed the following bill in which the concurrence of the Senate was asked:

House File No. 13, a bill for an act requiring that all bonds required to be given in any judicial proceeding shall contain a contract for the payment of attorney's fees and providing for their collection.

S. W. NEAL,  
*Secretary.*

Also:

MR. SPEAKER—I am directed to inform your honorable body that the Senate has passed the following bill in which the concurrence of the Senate was asked:

House File No. 365, a bill for an act to legalize the deed of Osceola County, Iowa, to Edgar Baker for certain lands in said county.

S. W. NEAL,  
*Secretary.*

#### SENATE MESSAGES CONSIDERED.

Senate File No. 346, a bill for an act amending Section Five Hundred Sixty-five (565) of the Code, relating to the appointment of deputy assessors in any township including a city under special charter.

Read first and second time and referred to Committee on Municipal Corporations.

Substitute for Senate File No. 285, a bill for an act to amend the law as it appears in Section Thirteen Hundred and six-e (1306-e) of the Supplement to the Code, 1907, relating to the issuance of bonds by cities and towns and providing a means for the payment of such bonds.

Read first and second time and referred to Committee on Municipal Corporations.

Senate File No. 372, a bill for an act to amend the law as it appears in Section Twenty-seven Hundred and Thirty-four-h (2734-h) of the Supplement to the Code, 1907, relating to the certification of teachers.

Read first and second time and referred to Committee on Schools and Text Books.

Senate File No. 383, a bill for an act to amend the law as it appears in Section Nineteen Hundred and Eighty-nine-a-twenty-seven (1989-a-27) of the Supplement to the Code, 1907, relating to drainage bonds, providing for additional levy of tax and sale of bonds in certain contingencies.

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

Senate File No. 370, a bill for an act to enjoin and abate houses of lewdness, assignation and prostitution, to declare the same to be nuisances, to enjoin the person or persons who conduct or maintain the same and the owner or agent of any building used for such purpose, and to assess a tax against the person maintaining said nuisance and against the building and owner thereof.

Read first and second time and referred to Committee on Police Regulations.

#### SENATE JOINT RESOLUTION NO. 3.

Joint Resolution Relative to the Appointment of a Commission to Investigate the Natural Resources and Waterways of the State, and Defining the Duties of Such Commission, and Making an Appropriation Therefor.

WHEREAS, In the interests of the transportation and of the conservation of the natural resources of the State it is advisable that an investigation be made of the waterways of the State, their sources of supply and the practicability of utilizing the same for the purpose of navigation, transportation and the production of power by or through the agency of the State, therefore

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

SECTION 1. That a commission is hereby created to be known as the Waterways Commission, to be composed of members of the Thirty-third General Assembly of Iowa, as follows: Three members of the House to be appointed by the Speaker thereof; two members of the Senate to be appointed by the presiding officer thereof. And any vacancy occurring on the membership of said commission by resignation or otherwise, shall be filled by the presiding officials of the Senate or House respectively as the



vacancy occurs in the Senate or House representation on said commission.

SEC. 2. It shall be the duty of this commission to investigate questions pertaining to water transportation, the improvement of the waterways within the State, the question of the conservation of our natural resources, the development of water power, the protection and development of forests and other questions appertaining thereto and to recommend to the legislature such action as it may deem best upon these subjects. Said commission is authorized to employ experts to aid in the work of inquiry and examination, also to employ clerks, stenographers and such other assistants as may be necessary, all such employes to be paid such compensation as the said commission may deem just and reasonable upon a certificate issued by the chairman of the commission. For the purpose of its investigation said commission is authorized to pay the necessary traveling expenses of persons summoned before it for the giving of information upon matters pertaining to the subjects under consideration. The members of said commission shall be allowed actual necessary expenses.

SEC. 3. The time of the commission shall expire on the first day of March 1911. The commission shall report to the legislature or the Governor of the State to be transmitted to the legislature not later than the first day of March, A. D. 1911. Which reports shall embrace such material and information obtained in the course of the investigation as shall be of value; also the conclusions reached by said commission on the subjects investigated and such recommendation to the legislature thereon as may be deemed proper by the commission.

SEC. 4. The sum of five thousand dollars or so much thereof as may be necessary, is hereby appropriated out of any money in the treasury not otherwise appropriated, to defray the necessary expenses of said commission. Provided, however, that no expense shall be incurred, or indebtedness created by said commission in excess of the sum hereinbefore appropriated.

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

#### CONSIDERATION OF BILLS.

Further consideration of House File No. 483 was resumed.

Ripley of Hancock proposed the following amendments:

I move to amend Section 2 of the bill by striking out the first three lines thereof and inserting in lieu thereof the following:

“Section 2. That Section Eighteen Hundred Forty-six (1846) of the Code be repealed and the following enacted in lieu thereof:”

I further move to strike out the first three lines of Section 3 of the bill and insert in lieu thereof the following:

“Sec. 3. That Section Eighteen Hundred Forty-seven (1847) of the Code be repealed and the following enacted in lieu thereof:”

I further move that the first three lines of Section 5 of the printed bill be stricken out and the following inserted in lieu thereof:

“Sec. 5. That Section Eighteen Hundred Forty-nine (1849) of the Code be repealed and the following enacted in lieu thereof:”

I further move that the first seven lines of Section 6 of the printed bill be stricken out and the following inserted in lieu thereof:

“Sec. 6. That Section Eighteen Hundred Fifty (1850) of the Supplement to the Code, 1907, be repealed and the following enacted in lieu thereof:”

I further move that the first three lines of Section 7 of the printed bill be stricken out and the following be inserted in lieu thereof:

“Sec. 7. That Section Eighteen Hundred Fifty-a (1850-a) of the Supplement to the Code, 1907, be repealed and the following enacted in lieu thereof:”

I further move that the first three lines of Section 8 of the printed bill be stricken out and the following inserted in lieu thereof:

“Sec. 8. That Section Eighteen Hundred Fifty-one (1851) of the Code be repealed and the following be enacted in lieu thereof:”

I further move that the first three lines of Section 9 of the printed bill be stricken out and the following inserted in lieu thereof:

“Sec. 9. That Section Eighteen Hundred Fifty-two (1852) of the Code be repealed and the following enacted in lieu thereof:”

I further move that the first three lines of Section 10 of the printed bill be stricken out and the following inserted in lieu thereof:

“Sec. 10. That Section Eighteen Hundred Fifty-three (1853) of the Code be repealed and the following enacted in lieu thereof:”

I further move that the first three lines of Section 11 of the printed bill be stricken out and the following inserted in lieu thereof:

“Sec. 11. That Section Eighteen Hundred Fifty-four (1854) of the Code be repealed and the following enacted in lieu thereof:”

I further move that the first three lines of Section 13 of the bill be stricken out and the following inserted in lieu thereof:

“Sec. 13. That Section Eighteen Hundred Fifty-six (1856) of the Code be repealed and the following enacted in lieu thereof:”

I further move that the first three lines of Section 14 of the printed bill be stricken out and the following inserted in lieu thereof:

“Sec. 14. That Section Eighteen Hundred Fifty-seven (1857) of the Code be repealed and the following enacted in lieu thereof:”

I further move to strike out the first seven lines of Section 15 of the printed bill and insert in lieu thereof the following:

“Sec. 15. That Section Eighteen Hundred Sixty (1860) of the Code be repealed and the following enacted in lieu thereof:”

I further move that the first seven lines of Section 16 of the printed bill be stricken out and the following be inserted in lieu thereof:

“Sec. 16. That Section Eighteen Hundred Sixty-seven (1867) of the Code be repealed and the following enacted in lieu thereof:”

I further move that the first five lines of Section 18 of the printed bill be stricken out and the following inserted in lieu thereof:

“Sec. 18. That Section Eighteen Hundred Sixty-nine (1869) of the Supplement to the Code, 1907, be repealed and the following enacted in lieu thereof:”

I further move that the first eight lines of Section 19 of the printed bill be stricken out and the following inserted in lieu thereof:

“Sec. 19. That Section Eighteen Hundred Seventy-one (1871) of the Supplement to the Code, 1907, be repealed and the following enacted in lieu thereof:”

Amendments adopted.

Schee of O'Brien proposed the following amendment:

I move to amend Section 6 by adding at the end of line 18 the following: "Provided further that not over forty (40) per cent of the total loans of any bank shall be made to persons or upon security outside of the State of Iowa.

Amendment lost.

Schee of O'Brien proposed the following amendment:

I move to amend Section 6 by adding at the end of line 21 the following: "nor purchase, hold or make loans upon the shares of the capital stock of any other bank within the city in which it is located."

Amendment adopted.

Schee of O'Brien proposed the following amendment:

I move to amend Section 6 by striking out all of lines 22 and 23 and 24 down to and including the word "borrower."

Amendment adopted.

Schee of O'Brien proposed the following amendment:

I move to amend Section 5 by inserting after the word "apply" in line 8 the following: "to amounts due widows or minors or."

Amendment adopted.

Hanson of Humboldt proposed the following amendment:

I move to amend Section 12 by striking out lines 3, 4, 5, 6, 7, and 8 and inserting in lieu thereof the following: "Section 1855-a. No savings or state banks shall borrow money for any purpose whatever except pursuant to the order of its Board of Directors previously adopted."

Balluff of Scott proposed the following substitute amendment:

I move to amend Section 12 by adding the following thereto: "Provided, however, that this section shall not be construed to prevent the collection of any debt contracted by a bank under a resolution of the Board of Directors."

Ripley of Hancock moved that the bill as amended and pending amendments be re-referred to the Committee on Banks and Banking.

Motion lost.

Motion prevailed, and the substitute amendment was substituted for the original amendment.

Amendment as substituted adopted.

Drury of Sac proposed the following amendment:

I move to amend Section 4 by striking out the word "twenty" in line six and inserting in lieu thereof the word "twelve."

Amendment adopted.

Schee of O'Brien proposed the following amendment:

I move to amend the amendment to Section 1 as found in the House Journal on page 1179 by striking out all after the word "terms" in line five.

Amendment to the amendment adopted.

Stillman of Greene moved that the bill be re-referred to the Committee on Banks and Banking.

Motion lost.

Hanson of Humboldt proposed the following amendment:

I move to amend Section 17 by striking out the period at the end of line 8, and insert a comma in lieu thereof and add the following: "But it shall be lawful for those persons, who are now directors and owning the numbers of shares heretofore required to qualify as such, to serve out their present terms."

Amendment adopted.

Ripley of Hancock proposed the following amendment:

I move to amend Section 18 by striking the word "regular" from line nine.

Amendment adopted.

Speaker pro tempore Lee in the Chair.

Balluff of Scott moved that the rules be suspended, 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 ayes were:

Anderson, Arney, Balluff, Bascom, Beans, Beebe, Blackmore, Boe, Boettger, Boomgaarden, Calkins, Cassady, Cooper, Corrie, Cousins, Crozier, Crummer, Cunningham, Dalby, Davidson, Dawson, Dewell, Dewey, Drury, Dye, Ellis, Etter, Felt, Fenn, Finlayson, Fourt, Fox, Hackler, Hanson, Harding, Harvey, Huffaker, Hunter, Inman, Jacobs, Jewell, Johnson, Jones, Kendall, Kull, McDonald, Meredith, Miller of Bremer, Miller of Dubuque, O'Connor, Penn, Reitz, Ripley, Ritter, Sankey, Schee, Schulte, Smith, Stoddard, Sullivan, Swift, Tilton, Wilson, Zeller, Mr. Speaker—65.

The nays were:

Bauman, Burt, Dabney, Darrah, DeWitt, Hickenlooper, Ide, Klay, Koontz, Larrabee, Lee, Newell, Perkins, Stillman, Swan—15.

Absent or not voting:

Allred, Beery, Bonwell, Bowman, Brandes, Byerly, Derrough, Dodds, Elliott, Fulliam, Fulton, Goodykoontz, Grier, Holmes, Kellogg, McCleery, Marston, Moore of Wapello, Moore of Linn, Reaney, Schroeder, Sheldon, Tegeler, Thompson, Ward, Welden, White, Wolfe—28.

So the bill passed.

Balluff of Scott moved to amend the title to House File No. 483 by substituting the following therefor:

A bill for an act to repeal Sections one thousand eight hundred forty-six (1846), one thousand eight hundred forty-seven (1847), one thousand eight hundred forty-nine (1849), one thousand eight hundred fifty-one (1851), one thousand eight hundred fifty-two (1852), one thousand eight hundred fifty-three (1853), one thousand eight hundred fifty-four (1854), one thousand eight hundred fifty-six (1856), one thousand eight hundred fifty-seven (1857), one thousand eight hundred sixty (1860), one thousand eight hundred sixty-seven (1867), one thousand eight hundred forty-five (1845), one thousand eight hundred sixty-six (1866), and one thousand eight hundred seventy-two (1872) of the Code, and Sections one thousand eight hundred forty-eight (1848), one thousand eight hundred fifty (1850), one thousand eight hundred fifty-a (1850-a), one thousand

eight hundred sixty-nine (1869), one thousand eight hundred seventy-one (1871), one thousand eight hundred fifty-five (1855) and one thousand eight hundred seventy-three (1873) of the Supplement to the Code, nineteen hundred seven (1907), and to enact substitutes therefor, all relating to banks and banking.

Amendment adopted, and the title as amended agreed to.

The Speaker announced that as Speaker of the House in the presence of the House, he had signed House File Nos. 252, 355, 313, 223, 221, 71 and 278.

Allred of Wayne moved that House adjourn until 1:30 o'clock.

Motion prevailed.

#### AFTERNOON SESSION.

The House met pursuant to adjournment.

Speaker pro tempore Lee in the Chair.

On request of Tilton of Iowa, leave of absence was granted Grier of Poweshiek until Monday.

On request of Newell of Plymouth, leave of absence was granted Goodykoontz of Boone until Monday.

On request of Fourt of Allamakee, leave of absence was granted Fulton of Jefferson until Tuesday.

On request of Dalby of Adair, leave of absence was granted Crozier of Marion until Monday.

#### REPORTS OF COMMITTEES.

Davidson of Palo Alto, from the Committee on Police Regulations, submitted the following report:

MR. SPEAKER—Your committee on Police Regulations, to whom was referred Senate File No. 370, a bill for an act to enjoin and abate houses of lewdness, assignation and prostitution, to declare the same to be nuisances, to enjoin the person or persons who conduct or maintain the same and the owner or agent of any building used for such purpose, and to assess a tax against the person maintaining said nuisance and against the building and owner thereof, beg leave to report they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same do pass.

F. C. DAVIDSON,  
*Chairman.*

Adopted.

## REPORT OF COMMITTEE ON ENROLLED BILLS.

Klay of Sioux, 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. 2, a bill for an act to repeal Sections ten hundred fifty-six-a-seventeen (1056-a-17), ten hundred fifty-six-a-eighteen (1056-a-18), ten hundred fifty-six-a-twenty-one (1056-a-21) and ten hundred fifty-six-a-twenty-six (1056-a-26) of Chapter fourteen-c (14-c) of the Supplement to the Code, 1907, and to enact substitutes therefor, and to amend Sections ten hundred fifty-six-a-nineteen (1056-a-19), ten hundred fifty-six-a-twenty (1056-a-20), ten hundred fifty-six-a-twenty-four (1056-a-24), ten hundred fifty-six-a-twenty-five (1056-a-25), ten hundred fifty-six-a-twenty-eight (1056-a-28), ten hundred fifty-six-a-thirty-two (1056-a-32), and ten hundred fifty-six-a-thirty-nine (1056-a-39) of Chapter fourteen-c (14-c) of the Supplement to the Code, 1907, all relating to the government of certain cities.

Also:

House File No. 138, a bill for an act to provide for feeble-minded men at Glenwood and the maintenance thereof. (Amendatory of Chapter seven (7), Title thirteen (XIII) of the Code relating to the institution for feeble-minded children.)

Also:

House File No. 239, a bill for an act to amend Section twenty-four hundred seventy-seven (2477) of the Supplement to the Code, 1907, relating to compensation and expenses of the department of the bureau of labor statistics.

Also:

House File No. 331, a bill for an act to legalize the incorporation of the town of Packwood, Jefferson County, Iowa, the election of its officers and all acts done and ordinances passed by the town council of said town.

Also:

House File No. 231, a bill for an act making appropriation for additional improvements at the Iowa State Fair and Exposition grounds.

Also:

House File No. 333, a bill for an act making an appropriation to defray the expenses of the Lincoln program.

GERRIT KLAY,  
*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. 71, a bill for an act to repeal Section twenty-three hundred and sixty-seven (2367) of the Code defining a lawful fence and to enact a substitute therefor.

Also:

House File No. 221, a bill for an act to amend Section four thousand two hundred fifty-three (4253) of the Code, relating to the partition of real estate and providing for the leasing of the same.

Also:

House File No. 223, a bill for an act to amend the law as it appears in Section twenty-seven hundred and twenty-seven-a (2727-a) of the Supplement to the Code, 1907, relating to the support of the Iowa School for the Deaf at Council Bluffs.

Also:

House File No. 252, a bill for an act to amend the law as it appears in Section 1137-a-7 of the Supplement to the Code, 1907, relating to elections and voting machines.

Also:

House File No. 278, a bill for an act to authorize the issuance of a search warrant, and the seizure of cigarettes and cigarette papers, the apprehension of the occupant of the place or building in or upon which the same are sold or kept and providing for the levy of a tax against said place or building.

Also:

House File No. 313, a bill for an act to legalize certain ordinances of the town of Callender, Webster County, Iowa.

Also:

House File No. 355, a bill for an act to repeal the law as it appears in Chapter forty-one (41) of the laws of the Thirty-second General Assembly and to enact a substitute therefor relating to the powers of certain cities and towns to levy taxes for the purpose of constructing outlets and purifying plants for sewers and to authorize anticipating collection of such tax by issuing certificates or bonds.

GERRIT KLAY,  
*Chairman.*

Adopted.

#### REPORT OF JOINT COMMITTEE ON ENROLLED BILLS.

Klay of Sioux, from the Joint Committee on Enrolled Bills, submitted the following report:

MR. SPEAKER—Your Joint Committee on Enrolled Bills respectfully report that they have examined, and find correctly enrolled, Senate File No.

3, a bill for an act to repeal the law as it appears in Section fourteen hundred fifty-seven (1457) of the Supplement to the Code, 1907, and to enact a substitute therefor relating to the subject of loaning or depositing of public funds.

Also:

Senate File No. 164, a bill for an act to amend the law as it appears in Section seventeen hundred and fifty-eight-a (1758-a) and Section seventeen hundred and nine (1709) of the Supplement to the Code, 1907, giving insurance companies, in addition to the authority now enjoyed, the right to issue policies upon automobiles and marine risks and further adding to the list of properties and rights that may be insured; repealing the law as it appears in Section seventeen hundred and ten (1710) of the Supplement to the Code, 1907, and enacting a substitute therefor.

Also:

Senate File No. 196, a bill for an act to amend Section forty-eight hundred ninety-eight of the Code, relating to breaking jail and escape of prisoners from custody.

Also:

Senate File No. 198, a bill for an act to create a state board of education for the State University, the College of Agriculture and Mechanic Arts, and the Normal School, and to prescribe its duties and to provide for the management and control of the State University, the College of Agriculture and Mechanic Arts, and the Normal School, to make appropriations therefor, and to repeal Sections 2617, 2618, 2619, 2620, 2635, 2636, 2642, 2646, 2647, 2650, 2651, 2652, 2653, 2668, 2669, 2670, 2681 of the Code and the law as it appears in Sections 2727-a-53, 2727-a-54, 2727-a-55, 2727-a-56 of the Supplement to the Code, 1907, and to repeal all acts and parts of acts inconsistent with this act.

GERRIT KLAY,  
*Chairman House Committee.*

HENRY L. ADAMS,  
*Chairman Senate Committee.*

Adopted.

Cunningham of Buena Vista, chairman of the committee appointed to investigate the advisability of redistricting the State of Iowa into judicial districts, submitted the following report:

*To the President of the Senate and the Speaker of the House of Representatives of the Thirty-third General Assembly:*

Your committee appointed by resolution of March 17 to investigate and report as to the advisability of redistricting the State of Iowa into judicial districts beg leave to report that they have had the same under consideration and find that the judicial districts as now constituted vary in a remarkable degree as to the number of days of court now being held in each

of said districts. It appears from the report at hand that the maximum number of days' court held in any one district during the year 1908 was three hundred seven (307), and the minimum to be one hundred ten (110) days; that the average for the state for the year 1908 was one hundred seventy-four (174) days for each judge of the district court.

We further find that the average number of days' court held in each district was as follows:

District No. 1,	276 days,	1 judge	
District No. 2,	194 days,	4 judges	
District No. 3,	156 days,	2 judges	
District No. 4,	173 days,	4 judges	
District No. 5,	110 days,	3 judges	
District No. 6,	150 days,	3 judges	
District No. 7,	169 days,	4 judges	
District No. 8,	288 days,	1 judge	
District No. 9,	307 days,	4 judges	(Polk)
District No. 10,	157 days,	2 judges	
District No. 11,	155 days,	3 judges	
District No. 12,	145 days,	3 judges	
District No. 13,	137 days,	2 judges	
District No. 14,	150 days,	2 judges	
District No. 15,	180 days,	4 judges	
District No. 16,	170 days,	2 judges	
District No. 17,	137 days,	2 judges	
District No. 18,	183 days,	3 judges	
District No. 19,	200 days,	2 judges	
District No. 20,	185 days,	2 judges	

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Average .....178

Your committee is of further opinion that the judicial districts as now constituted are excessive in number; that the number of the days of court work could, in many cases, be increased in the different districts without materially affecting the efficiency of said courts, or the working of any undue hardship upon any particular judge.

Your committee would recommend the redistricting of the State of Iowa into judicial districts with the view of reducing the number of districts which, we believe, could be reduced to fifteen in number and the number of judges reduced from fifty-three to forty-three in the state, thereby placing the judicial districts of Iowa on a fair and equitable working basis and as a matter of economy to the taxpayers, all of which is respectfully submitted for your further consideration.

EDWARD H. CUNNINGHAM,  
E. J. FULTON,  
CURRAN F. SWIFT,  
JOSEPH MATTES,  
JOHN FOLEY,

*Committee.*

Laid over under Rule 34.

## INTRODUCTION OF BILLS.

By Dawson of Cherokee, Beebe of Franklin and Davidson of Palo Alto, House File No. 512, a bill for an act to provide for the appropriation of moneys to the Farmers' Institutes of Cherokee and Palo Alto Counties and to the Franklin County Agriculture Society.

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

Harding of Woodbury offered the following Concurrent Resolution:

## CONCURRENT RESOLUTION.

WHEREAS, The great service rendered to agriculture and other national industries through investigations conducted by the national government through its various departments and bureaus has been of vast service in its industrial development, and,

WHEREAS, The frequently occurring accidents in mining operations and the unnecessary waste of our mineral resources showing great need that a similar service shall be rendered to the mining industry, now therefore be it

*Resolved by the House, the Senate Concurring,* That the Congress of the United States be urgently requested to specially enact the pending legislation creating a bureau of mines under the Department of the Interior, and be it further

*Resolved,* That a copy of this resolution be forwarded to the President of the Senate of the United States and to each Senator and Representative from Iowa in the Congress of the United States.

Laid over under Rule 34.

## CONSIDERATION OF BILLS.

On motion of Arney of Marshall, House File No. 273, a bill for an act to authorize the commandant of the Soldiers' Home to sell effects of deceased soldiers, with report of committee recommending passage as amended by substitute amendment, was taken up, considered, and the substitute amendment adopted.

Arney of Marshall moved that the rules be suspended, 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 ayes were:

Allred, Anderson, Arney, Balluff, Bascom, Bauman, Beans, Beebe, Beery, Blackmore, Boe, Boomgaarden, Bowman, Burt, Calkins, Cooper, Corrie, Cousins, Crummer, Cunningham, Dabney, Dalby, Darrah, Davidson, Dawson, Dewell, Dewey, DeWitt, Drury, Dye, Elliott, Ellis, Etter, Felt, Fenn, Finlayson, Fourt, Fox, Hackler, Hanson, Harding, Harvey, Hickenlooper, Huffaker, Hunter, Inman, Jacobs, Jewell, Johnson, Jones, Kellogg, Kendall, Klay, Koontz, Kull, Larrabee, Lee, McDonald, Miller of Bremer, Miller of Dubuque, Newell, O'Connor, Penn, Perkins, Reitz, Ripley, Ritter, Sankey, Schee, Schroeder, Schulte, Sheldon, Smith, Stillman, Sullivan, Swan, Swift, Tegeler, Tilton, Wilson, Zeller—80.

The nays were:

None.

Absent or not voting:

Boettger, Bonwell, Brandes, Burt, Byerly, Cassady, Crozier, Derrough, Dodds, Fulliam, Fulton, Goodykoontz, Grier, Holmes, Ide, McCleery, Marston, Meredith, Moore of Wapello, Moore of Linn, Reaney, Stoddard, Thompson, Ward, Welden, White, Wolfe, Mr. Speaker—28.

So the bill passed and the title was agreed to.

On motion of Perkins of Delaware, House File No. 285, a bill for an act making an appropriation of two hundred dollars (\$200) to reimburse Company A, Fifty-sixth (56th) Infantry Iowa National Guards, for money paid by it to Robert Maññ as damages resulting from the accidental killing by said company of a horse belonging to said Robert Mann, was taken up and considered.

Ripley of Hancock proposed the following amendment:

I move to strike out the preamble and to add to Section 1 the following: "and the Auditor of State is authorized to issue a warrant for the payment of the same."

Amendment adopted.

Perkins of Delaware moved that the rules be suspended, 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 ayes were:

Allred, Anderson, Arney, Balluff, Bascom, Bauman, Beans, Beebe, Beery, Blackmore, Boe, Boettger, Boomgaarden, Bowman, Burt, Calkins, Cooper, Corrie, Cousins, Crozier, Crummer, Dabney, Dalby, Darrah, Davidson, Dawson, Dewell, Dewey, DeWitt, Drury, Dye, Ellis, Etter, Felt, Fenn, Finlayson, Fourt, Fox, Hackler, Hanson, Harding, Harvey, Hickenlooper, Huffaker, Hunter, Ide, Inman, Jacobs, Jewell, Johnson, Kendall, Klay, Koontz, Kull, Larrabee, Lee, McDonald, Miller of Bremer, Miller of Dubuque, Newell, O'Connor, Penn, Perkins, Reaney, Reitz, Ripley, Ritter, Sankey, Schee, Schroeder, Schulte, Smith, Stillman, Stoddard, Sullivan, Swan, Swift, Tegeler, White, Wilson, Wolfe, Zeller—82.

The nays were:

None.

Absent or not voting:

Bonwell, Brandes, Byerly, Cassady, Cunningham, Derrough, Dodds, Elliott, Fulliam, Fulton, Goodykoontz, Grier, Holmes, Jones, Kellogg, McCleery, Marston, Meredith, Moore of Wapello, Moore of Linn, Sheldon, Thompson, Tilton, Ward, Welden, Mr. Speaker—26.

So the bill passed and the title was agreed to.

On motion of Schulte of Clayton, House File No. 314, a bill for an act to amend Sections Eight Hundred Forty-nine-a (849-a), Eight Hundred Forty-nine-b (849-b), Eight Hundred Forty-nine-c (849-c), Eight Hundred Forty-nine-e (849-e), Eight Hundred Forty-nine-f (849-f), Eight Hundred Forty-nine-g (849-g), and Eight Hundred Forty-nine-h (849-h) of the Supplement to the Code, 1907, relating to the protection of city and town property, from floods, was taken up and considered.

Schulte of Clayton moved that the rules be suspended, 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 ayes were:

Anderson, Arney, Balluff, Bascom, Bauman, Beans, Beebe, Beery, Blackmore, Boe, Boettger, Boomgaarden, Burt, Calkins, Cooper, Corrie, Cousins, Crozier, Crummer, Cunningham, Dabney, Dalby, Darrah, Davidson, Dawson, Dewell, Dewey, DeWitt, Drury,

Dye, Elliott, Ellis, Etter, Felt, Fenn, Finlayson, Fourt, Fox, Hackler, Hanson, Harding, Harvey, Hickenlooper, Huffaker, Hunter, Ide, Jacobs, Jewell, Johnson, Jones, Kendall, Klay, Koontz, Kull, Larrabee, Lee, McDonald, Miller of Bremer, Miller of Dubuque, Newell, O'Connor, Penn, Perkins, Reaney, Reitz, Ripley, Ritter, Schee, Schroeder, Schulte, Smith, Stillman, Stoddard, Sullivan, Swan, Swift, Tegeler, Tilton, White, Wilson, Wolfe, Zeller—82.

The nays were:

None.

Absent or not voting:

Allred, Bonwell, Bowman, Brandes, Byerly, Cassady, Derrough, Dodds, Fulliam, Fulton, Goodykoontz, Grier, Holmes, Inman, Kellogg, McCleery, Marston, Meredith, Moore of Wapello, Moore of Linn, Sankey, Sheldon, Thompson, Ward, Welden, Mr. Speaker—26.

So the bill passed and the title was agreed to.

On motion of Keentz of Johnson, House File No. 228, a bill for an act making an appropriation to the State Historical Society of Iowa, was taken up and considered.

Koontz of Johnson moved that the rules be suspended, 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 ayes were:

Allred, Anderson, Arney, Balluff, Bascom, Bauman, Beans, Beebe, Beery, Blackmore, Boe, Boettger, Boomgaarden, Bowman, Burt, Cooper, Corrie, Cousins, Crummer, Dabney, Dalby, Darrah, Davidson, Dewell, Dewey, DeWitt, Drury, Dye, Elliott, Ellis, Felt, Finlayson, Fourt, Fox, Hackler, Hanson, Harding, Harvey, Hickenlooper, Huffaker, Hunter, Ide, Inman, Jacobs, Jewell, Johnson, Jones, Kendall, Klay, Koontz, Kull, Larrabee, Lee, McDonald, Miller of Bremer, Miller of Dubuque, Newell, O'Connor, Penn, Perkins, Reaney, Reitz, Ripley, Ritter, Sankey, Schroeder, Schulte, Smith, Stillman, Stoddard, Sullivan, Swan, Swift, Tegeler, Tilton, White, Wilson, Wolfe, Zeller—79.

The nays were:

None.

Absent or not voting :

Bonwell, Brandes, Byerly, Calkins, Cassady, Crozier, Cunningham, Dawson, Derrough, Dodds, Etter, Fenn, Fulliam, Fulton, Goodykoontz, Grier, Holmes, Kellogg, McCleery, Marston, Meredith, Moore of Wapello, Moore of Linn, Schee, Sheldon, Thompson, Ward, Welden, Mr. Speaker—29.

So the bill passed and the title was agreed to.

On motion of Crummer of Pocahontas, substitute for Senate File No. 23, a bill for an act to amend the law as it appears in Section Twenty-one Hundred and Sixteen (2116) of the Supplement to the Code, 1907, relating to the duty of railways to furnish transportation, was taken up and considered.

Crummer of Pocahontas moved that the rules be suspended, the bill be read a third time now, which motion prevailed, and the bill was read a third time.

On the question, "Shall the bill pass?"

Allred, Anderson, Arney, Balluff, Bascom, Bauman, Beans, Beebe, Beery, Blackmore, Boettger, Boomgaarden, Bowman, Burt, Calkins, Cooper, Corrie, Cousins, Crozier, Crummer, Cunningham, Dabney, Dalby, Darrah, Davidson, Dawson, Dewell, Dewey, DeWitt, Drury, Dye, Elliott, Ellis, Etter, Felt, Fenn, Finlayson, Fourt, Fox, Hackler, Hanson, Harding, Harvey, Hickenlooper, Huffaker, Hunter, Ide, Inman, Jacobs, Johnson, Jones, Kendall, Klay, Koontz, Kull, Larrabee, Lee, McDonald, Miller of Bremer, Miller of Dubuque, Newell, O'Connor, Penn, Perkins, Reitz, Ripley, Ritter, Sankey, Schee, Schroeder, Schulte, Smith, Stillman, Stoddard, Sullivan, Swan, Swift, Tegeler, Tilton, White, Wilson, Wolfe, Zeller—83.

The nays were :

None.

Absent or not voting :

Boe, Bonwell, Brandes, Byerly, Cassady, Derrough, Dodds, Fulliam, Fulton, Goodykoontz, Grier, Holmes, Jewell, Kellogg, McCleery, Marston, Meredith, Moore of Wapello, Moore of Linn, Reaney, Sheldon, Thompson, Ward, Welden, Mr. Speaker—25.

So the bill passed and the title was agreed to.



On motion of Arney of Marshall, substitute for Senate File No. 87, a bill for an act to repeal the law as it appears in Section Sixteen Hundred Seventy-five (1675) of the Supplement to the Code, 1907, relative to Farmers' Institutes and to enact a substitute therefor, was taken up and considered.

Arney of Marshall moved that the rules be suspended, the bill be read a third time now, which motion prevailed, and the bill was read a third time.

On the question, "Shall the bill pass?"

The ayes were:

Allred, Arney, Balluff, Bascom, Bauman, Beans, Beebe, Beery, Blackmore, Boe, Boettger, Boomgaarden, Bowman, Burt, Calkins, Cooper, Corrie, Cousins, Crozier, Crummer, Dabney, Dalby, Darrah, Davidson, Dawson, Dewell, Dewey, DeWitt, Drury, Dye, Elliott, Ellis, Etter, Fel<sup>d</sup>, Fenn, Fox, Hackler, Hanson, Harding, Harvey, Hickenlooper, Huffaker, Hunter, Ide, Inman, -Jacobs, Jewell, Jones, Kendall, Klay, Koontz, Kull, Larrabee, Lee, McDonald, Miller of Bremer, Miller of Dubuque, Newell, O'Connor, Penn, Perkins, Reaney, Reitz, Ripley, Ritter, Sankey, Schroeder, Schulte, Smith, Stoddard, Sullivan, Swan, Swift, Tegeler, Tilton, White, Wilson, Wolfe, Zeller—79.

The nays were:

None.

Absent or not voting:

Anderson, Bonwell, Brandes, Byerly, Cassady, Cunningham, Derrough, Dodds, Finlayson, Fourt, Fulliam, Fulton, Goodykoontz, Grier, Holmes, Johnson, Kellogg, McCleery, Marston, Meredith, Moore of Linn, Moore of Wapello, Schee, Sheldon, Stillman, Thompson, Ward, Welden, Mr. Speaker—29.

So the bill passed and the title was agreed to.

On motion of Arney of Marshall, House File No. 296, a bill for an act to repeal Sections Twenty-five Hundred and Sixty-three-a (2563-a), Twenty-five Hundred and Sixty-three-b (2563-b), Twenty-five Hundred Sixty-three-c (2563-c), Twenty-five Hundred Sixty-three-d (2563-d), Twenty-five Hundred Sixty-three-e (2563-e), Twenty-five Hundred Sixty-three-f (2563-f), Twenty-five Hundred Sixty-three-g (2563-g), Twenty-five Hundred Sixty-three-h

(2563-h), of the Supplement to the Code, 1907, and to enact in lieu thereof the following, relating to protection of game, with report of committee recommending passage as amended by substitute amendment, was taken up, considered, and the substitute amendment adopted.

Arney of Marshall proposed the following amendment:

I move to amend the substitute for House File No. 296 as same appears in the House Journal of March 13th as follows:

Amend Section Five by striking out the period (.) after the word "auditor" at the close of line two thereof, and substituting a comma (,) therefor and by adding following such comma the words "or any nctary or justice of the peace."

Amend line six of Section Seven by inserting between the words "state" and "for" the words "for the care and preservation of the lakes of the state."

Amend Section Eleven by striking out all after the word "this" in the fifth line of said section, and substituting therefor the word "act."

Amendment adopted.

DeWitt of Montgomery proposed the following amendment:

I move to amend by inserting between the words "persons" and "shall" in the second line of Section 1, the following words: "not a resident of this state."

Amendment lost.

Perkins of Delaware proposed the following amendment:

I move to amend Section 2 by inserting after the word "state" the following: "with a gun."

Amendment adopted.

Stillman of Greene proposed the following amendment:

I move to amend Section 9 by striking out the words "it is" in line 9 and by spelling the word following with a capital letter.

Amendment adopted.

Bauman of Van Buren proposed the following amendment:

I move to amend Section 4 by inserting after the word "tenant" in line 7 the following words: "or upon public highways."

Amendment adopted.

Arney of Marshall moved that the rules be suspended, 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 ayes were:

Allred, Anderson, Arney, Balluff, Bauman, Beans, Beebe, Beery, Boe, Boettger, Boomgaarden, Bowman, Burt, Calkins, Cooper, Cousins, Cunningham, Dabney, Dalby, Davidson, Dewell, Dewey, Drury, Dye, Elliott, Ellis, Etter, Finlayson, Fox, Hackler, Hanson, Harding, Harvey, Hickenloper, Huffaker, Hunter, Ide, Jacobs, Jewell, Johnson, Jones, Kendall, Klay, Koontz, McDonald, Meredith, Miller of Bremer, Miller of Dubuque, O'Connor, Perkins, Reaney, Reitz, Ripley, Ritter, Schroeder, Stillman, Stoddard,, Sullivan, Swan, Swift, Tegeler, White, Wolfe, Zeller—64.

The nays were:

Bascom, Blackmore, Crummer, Darrah, DeWitt, Felt, Fenn, Inman, Kull, Larrabee, Penn, Sankey, Schulte, Smith, Tilton—15.

Absent or not voting:

Bonwell, Brandes, Byerly, Cassady, Corrie, Crozier, Dawson, Derrough, Dodds, Fourt, Fulliam, Fulton, Goodykoontz, Grier, Holmes, Kellogg, Lee, McCleery, Marston, Moore of Wapello, Moore of Linn, Newell, Schee, Sheldon, Thompson, Ward, Welden, Wilson, Mr. Speaker—29.

So the bill passed and the title was agreed to.

#### EXPLANATION OF VOTE.

MR. SPEAKER—I vote for this bill feeling the condition over the state demands such a law, although personally I am opposed to the gun license clause.

WILL DRURY.

On motion of Fourt of Allamakee, House File No. 290, a bill for an act amendatory of and additional to Chapter Fifteen (15), Title Twelve (XII), of the Code, and Supplement to the Code,

relative to the care and propagation of fish, with report of committee recommending passage as amended was taken up, considered and the amendments adopted.

Fourt of Allamakee proposed the following amendment:

I move to amend Section 2 by inserting the words "for each" before the word "pond" in line 9.

Amendment adopted.

I move to amend House File No. 290 by inserting after the period in line seven (7) of Section 2 of the original bill the following:

"Before any such license shall be issued to a non-resident of the State of Iowa, the applicant shall execute and deliver to the Fish and Game warden a bond running to the State of Iowa in the penal sum of \$200.00 with two sureties who shall each justify in the sum of \$200.00 in property in this state over and above all debts and liabilities, and property exempt by law from sale on execution. In lieu of such bond such licensee may make a cash deposit of \$200.00 or provide bond of any surety company authorized to do business in this state. Such bond shall be conditioned that if the applicant shall well and faithfully observe and comply with all the requirements of this act and the rules and regulations which are or may be hereafter prescribed by law, such application to be null and void, otherwise to remain in full force and effect."

Amendment adopted.

Fourt of Allamakee, moved that the rules be suspended, 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 ayes were:

Allred, Anderson, Arney, Balluff, Bascom, Bauman, Beans, Beebe, Beery, Blackmore, Boe, Boettger, Boomgaarden, Bowman, Burt, Calkins, Coper, Cousins, Crozier, Cunningham, Dabney, Dalby, Darrah, Davidson, Dewell, Dewey, DeWitt, Drury, Dye, Elliott, Ellis, Etter, Felt, Fenn, Finlayson, Fourt, Fox, Hackler, Hanson, Harding, Harvey, Hickenlooper, Huffaker, Hunter, Ide, Inman, Jacobs, Jewell, Jonhson, Jones, Kendall, Klay, Koontz,

Kull, Larrabee, Lee, McDonald, Meredith, Miller of Dubuque, O'Connor, Perkins, Reaney, Ripley, Ritter, Schee, Schulte, Smith, Stillman, Stoddard, Sullivan, Tegeler, Tilton, White, Wolfe, Zeller—75.

The nays were:

Reitz—1.

Absent or not voting:

Bonwell, Brandes, Byerly, Cassady, Corrie, Crummer, Dawson, Derrough, Dodds, Fulliam, Fulton, Goodykoontz, Grier, Holmes, Kellogg, McCleery, Marston, Miller of Bremer, Moore of Wapello, Moore of Linn, Newell, Penn, Sankey, Schroeder, Shel—32.

So the bill passed and the title was agreed to.

#### MESSAGES FROM THE SENATE.

The following messages were received from the Senate:

MR. SPEAKER—I am directed to inform your honorable body that the Senate has passed the following bill in which the concurrence of the House is asked:

Substitute for Senate File No. 71, a bill for an act providing for the destruction of weeds and noxious weeds on the public highways and lands adjacent thereto.

S. W. NEAL,  
*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. 340, a bill for an act amending the law as it appears in Section 2596-a of the Supplement to the Code, 1907, relating to the sale of cocaine and certain other drugs.

S. W. NEAL,  
*Secretary.*

#### SENATE MESSAGES CONSIDERED.

Substitute for Senate File No. 71, a bill for an act providing for the destruction of weeds and noxious weeds on the public highways and lands adjacent thereto; and the destruction of noxious weeds on railway right-of-ways and grounds and making

it the duty of the township trustees and county supervisors to enforce the provisions of this act; amending the law as it appears in Sections One Thousand Five Hundred and Twenty-eight (1528), One Thousand Five Hundred and Thirty (1530) of the Supplement to the Code, 1907, and repealing the law as it appears in Sections One Thousand Five Hundred and Sixty-two (1562) and One Thousand Five Hundred and Sixty-two-A (1562-A) of the Supplement to the Code, 1907, and Sections One Thousand Five Hundred and Sixty-four (1564), One Thousand Five Hundred and Sixty-five (1565) and Five Thousand and Twenty-four (5024) of the Code.

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

Senate File No. 340, a bill for an act amending the law as it appears in Section Twenty-five Hundred Ninety-six-a (2596-a) of the Supplement to the Code, 1907, relating to the sale of cocaine and certain other drugs.

Read first and second time and referred to Committee on Public Health.

The following explanation of vote was filed:

Sullivan of Polk, moved that consideration of House File No. 224 be deferred until it is reached in regular order upon the calendar.

Motion lost.

Drury of Sac moved that House File No. 224 be indefinitely postponed.

Motion prevailed, and House File No. 224 was indefinitely postponed.

Klay of Sioux, moved that the House adjourn.

Motion prevailed.

# JOURNAL OF THE HOUSE

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HALL OF THE HOUSE OF REPRESENTATIVES,  
DES MOINES, IOWA, MARCH 29, A. D. 1909.

House met pursuant to adjournment.

Speaker Feely in the Chair.

Prayer was offered by Representative T. O. Hanson of Humboldt.

Journal of Saturday, March 27th, corrected and approved.

On request of Hunter of Polk leave of absence was granted Goodykoontz of Boone until Tuesday.

On request of Smith of Wright leave of absence was granted Cousins of Butler until Tuesday.

On request of Burt of Taylor leave of absence was granted Ide of Union until Tuesday.

On request of Fourt of Allamakee leave of absence was granted Reaney of Louisa until Wednesday.

On request of Tilton of Iowa leave of absence was granted Jewell of Winneshiek indefinitely on account of illness.

On request of Tilton of Iowa leave of absence was granted Grier of Poweshiek until Tuesday.

On request of Dewey of Guthrie leave of absence was granted Derrrough of Warren until Tuesday.

On request of Etter of Keokuk leave of absence was granted Boe of Winnebago until Tuesday.

On request of Cooper of Jasper leave of absence was granted Thompson of Benton until Tuesday.

## PETITIONS, MEMORIALS AND REMONSTRANCES.

Beebe of Franklin presented petition of citizens of Hansell, Iowa, relative to Senate File No. 38, referring to the appointment of a Commerce Counsel.

Referred to Committee on Railroads and Transportation.

## REPORTS OF COMMITTEES.

Arney of Marshall, from the Committee on Agriculture, submitted the following report:

MR. SPEAKER—Your committee on Agriculture, to whom was referred Substitute for Senate File No. 71, a bill for an act providing for the destruction of weeds and noxious weeds on the public highways and lands adjacent thereto; and the destruction of noxious weeds on railway rights-of-way and grounds and making it the duty of the township trustees and county supervisors to enforce the provisions of this act; amending the law as it appears in Sections one thousand five hundred and twenty-eight (1528), one thousand five hundred and thirty (1530) of the Supplement to the Code, 1907, and repealing the law as it appears in Sections one thousand five hundred and sixty-two (1562) and one thousand five hundred and sixty-two-a (1562-a) of the Supplement to the Code, 1907, and Sections one thousand five hundred and sixty-four (1564), one thousand five hundred and sixty-five (1565) and five thousand and twenty-four (5024) of the Code, beg leave to report they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same do pass.

W. H. ARNEY,  
*Chairman.*

Adopted.

Also:

MR. SPEAKER—Your committee on Agriculture, to whom was referred House File No. 500, a bill for an act to amend the law as it appears in Section four hundred eighty-b (480-b) of the Supplement to the Code, 1907, relating to the duties of county auditor, beg leave to report they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same do pass.

W. H. ARNEY,  
*Chairman.*

Adopted.

Jewell of Winneshiek, from the Committee on Public Health, submitted the following report:

MR. SPEAKER—Your committee on Public Health, to whom was referred House File No. 359, a bill for an act to amend Section twentyfive hundred



eighty-two (2582) of the Supplement to the Code, relative to the practice of medicine and providing for the issuance of temporary permits, beg leave to report they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same do pass.

P. M. JEWELL,  
*Chairman.*

Adopted.

Also:

MR. SPEAKER—Your committee on Public Health, to whom was referred Senate File No. 82, a bill for an act to amend Section twenty-five hundred seventy-one (2571) of the 1907 Supplement to the Code, relating to the publication of rules and regulations of local boards of health, beg leave to report they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same do pass.

P. M. JEWELL,  
*Chairman.*

Adopted.

Also:

MR. SPEAKER—Your committee on Public Health, to whom was referred Senate File No. 245, a bill for an act to amend Section two thousand five hundred eighty-eight (2588) of the Code, relating to the sale of drugs, medicines, poisons, and chemicals and providing for the sale of concentrated lye, potash, and insecticides by persons other than registered pharmacists, beg leave to report they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same be indefinitely postponed.

P. M. JEWELL,  
*Chairman.*

Adopted, and Senate File No. 245 was indefinitely postponed.

Sullivan of Polk, from the Committee on Judiciary, submitted the following report:

MR. SPEAKER—Your committee on Judiciary, to whom was referred Substitute for Senate File No. 81, a bill for an act to repeal Section forty-nine hundred and ninety-nine-a-three (4999-a-3) of the Supplement to the Code, 1907, relating to the assumption of risks and providing a substitute therefor, beg leave to report they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same be amended as follows:

First. By striking out after the word "defect" in the eleventh line of Section one the following: "or by the exercise of reasonable care and caution could have known thereof for such reasonable time to have repaired the same."

Second. By striking out after the word "defects" in the fourteenth line of Section one the following: "and no contract which restricts liability hereunder shall be legal or binding." And by inserting the same after the word "employment" in the last line thereof, and when so amended the bill do pass.

JOHN B. SULLIVAN,  
*Chairman.*

Adopted.

#### REPORT OF COMMITTEE ON ENROLLED BILLS.

Klay of Sioux, from the Committee on Enrolled Bills, submitted the following report:

MR. SPEAKER—Your Committee on Enrolled bills respectfully report that they have this day sent to the Governor for his approval House File No. 2, a bill for an act to repeal Sections ten hundred fifty-six-a-seventeen (1056-a-17), ten hundred fifty-six-a-eighteen (1056-a-18), ten hundred and fifty-six-a-twenty-one (1056-a-21) and ten hundred fifty-six-a-twenty-six (1056-a-26) of Chapter fourteen-c (14-c) of the Supplement to the Code, 1907, and to enact substitutes therefor, and to amend Sections ten hundred fifty-six-a-nineteen (1056-a-19), ten hundred fifty-six-a-twenty (1056-a-20), ten hundred fifty-six-a-twenty-four (1056-a-24), ten hundred fifty-six-a-twenty-five (1056-a-25), ten hundred fifty-six-a-twenty-eight (1056-a-28), ten hundred fifty-six-a-thirty-two (1056-a-32), and ten hundred fifty-six-a-thirty-nine (1056-a-39) of Chapter fourteen-c (14-c) of the Supplement to the Code, 1907, all relating to the government of certain cities.

Also:

House File No. 138, a bill for an act to provide for feeble-minded men at Glenwood and the maintenance thereof. (Amendatory of Chapter seven (7), Title thirteen (XIII) of the Code relating to the institution for feeble-minded children.)

Also:

House File No. 239, a bill for an act to amend Section twenty-four hundred seventy-seven (2477) of the Supplement to the Code, 1907, relating to compensation and expenses of the department of the bureau of labor statistics.

Also:

House File No. 333, a bill for an act making an appropriation to defray the expenses of the Lincoln program.

Also:

House File No. 381, a bill for an act to legalize the incorporation of the town of Packwood, Jefferson County, Iowa, the election of its officers and all acts done and ordinances passed by the town council of said town.

Also:

House File No. 231, a bill for an act making an appropriation for additional improvements at the Iowa State Fair and Exposition grounds.

GERRIT KLAY,  
*Chairman.*

Adopted.

#### REPORT OF JOINT COMMITTEE ON ENROLLED BILLS.

Klay of Sioux, 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. 2, a bill for an act to repeal Sections ten hundred fifty-six-a-seventeen (1056-a-17), ten hundred fifty-six-a-eighteen (1056-a-18), ten hundred and fifty-six-a-twenty-one (1056-a-21) and ten hundred fifty-six-a-twenty-six (1056-a-26) of Chapter fourteen-c (14-c) of the Supplement to the Code, 1907, and to enact substitutes therefor, and to amend Sections ten hundred fifty-six-a-nineteen (1056-a-19), ten hundred fifty-six-a-twenty (1056-a-20), ten hundred fifty-six-a-twenty-four (1056-a-24), ten hundred fifty-six-a-twenty-five (1056-a-25), ten hundred fifty-six-a-twenty-eight (1056-a-28), ten hundred fifty-six-a-thirty-two (1056-a-32), and ten hundred fifty-six-a-thirty-nine (1056-a-39) of Chapter fourteen-c (14-c) of the Supplement to the Code, 1907, all relating to the government of certain cities.

Also:

House File No. 138, a bill for an act to provide for feeble-minded men at Glenwood and the maintenance thereof. (Amendatory of Chapter seven (7), Title thirteen (XIII) of the Code relating to the institution for feeble-minded children.)

Also:

House File No. 239, a bill for an act to amend Section twenty-four hundred seventy-seven (2477) of the Supplement to the Code, 1907, relating to compensation and expenses of the department of the bureau of labor statistics.

Also:

House File No. 333, a bill for an act making an appropriation to defray the expenses of the Lincoln program.

Also:

House File No. 381, a bill for an act to legalize the incorporation of the town of Packwood, Jefferson County, Iowa, the election of its officers and all acts done and ordinances passed by the town council of said town.

Also:

House File No. 231, a bill for an act making an appropriation for additional improvements at the Iowa State Fair and Exposition grounds.

GERRIT KLAY,  
*Chairman House Committee.*

HENRY L. ADAMS,  
*Chairman Senate Committee.*

Adopted.

#### INTRODUCTION OF BILLS.

By Anderson of Hamilton, House File No. 513, a bill for an act to amend Section Thirteen Hundred Twenty-six (1326), Title Seven (7), Chapter One (1), of the Code of Iowa, relating to stock of building and loan associations.

Read first and second time and referred to Committee on Ways and Means.

By Dabney of Adair, House File No. 514, a bill for an act to repeal Section Twenty-five Hundred Eighty-five (2585) of the Supplement to the Code, 1907, Section Twenty-five Hundred Eighty-seven (2587), and Twenty-five Hundred Ninety-four (2594) of the Code and to enact substitutes therefor, relating to commission of pharmacy.

Read first and second time and referred to Committee on Compensation of Public Officers.

#### CONSIDERATION OF BILLS.

On motion of Stillman of Greene, Senate File No. 110, a bill for an act providing for the education of deaf and blind children at the school for the deaf and the college for the blind, was taken up and considered.

Schee of O'Brien proposed the following amendment:

I move to amend Section 1 by striking from line one the word "seven" and inserting in lieu thereof the word "fourteen."

Amendment lost.

Schee of O'Brien moved that Senate File No. 110 be indefinitely postponed.

Roll call was demanded by Schee of O'Brien and Ellis of Jackson.

Motion withdrawn.

Moore of Linn proposed the following amendment:

I move to amend Section 1 by striking from line 1 the word "seven" and inserting in lieu thereof the word "twelve"; and by striking from line two the word "seventeen" and inserting in lieu thereof the word "nineteen."

Amendment adopted.

Stillman of Greene moved that the rules be suspended, the bill be read a third time now, which motion prevailed, and the bill was read a third time.

On the question, "Shall the bill pass?"

The ayes were:

Allred, Anderson, Arney, Balluff, Bascom, Beans, Beebe, Beery, Blackmore, Boettger, Boomgaarden, Bowman, Brandes, Burt, Calkins, Cassady, Cooper, Crummer, Cunningham, Dalby, Darrah, Davidson, Dewell, Dewey, DeWitt, Drury, Dye, Elliott, Ellis, Felt, Fenn, Finlayson, Fourt, Fox, Hackler, Hanson, Hickenlooper, Inman, Jacobs, Johnson, Jones, Kendall, Klay, Larrabee, Lee, McCleery, McDonald, Moore of Linn, O'Connor, Perkins, Ripley, Schroeder, Sheldon, Smith, Stillman, Stoddard, Sullivan, Swan, Swift, Ward, White, Zeller, Mr. Speaker—64.

The nays were:

Bauman, Etter, Fulliam, Harding, Harvey, Huffaker, Kull, Meredith, Miller of Bremer, Miller of Dubuque, Newell, Penn, Reitz, Ritter, Sankey, Schee, Schulte, Tegeler, Tilton, Wilson—20.

Absent or not voting:

Boe, Bonwell, Byerly, Corrie, Cousins, Crozier, Dabney, Dawson, Derrough, Dodds, Fulton, Goodykoontz, Grier, Holmes, Ide, Jewell, Kellogg, Koontz, Marston, Moore of Wapello, Reaney, Thompson, Welden, Wolfe—24.

So the bill passed and the title was agreed to.

On motion of Lee of Emmet, substitute for Senate File No. 105, a bill for an act to amend the law as it appears in Section

Five Thousand Twenty-eight-b (5028-b) of the Supplement to the Code, 1907, relating to unfair discrimination between different sections, communities or localities, defining the same and providing penalties for persons found guilty thereof, with report of committee recommending passage as amended, was taken up and considered.

Roll call was demanded by DeWitt of Montgomery and Dawson of Cherokee on the adoption of the committee amendments.

On the question, "Shall the committee amendments be adopted?"

The ayes were:

Allred, Anderson, Arney, Blackmore, Boomgaarden, Burt, Cooper, Crummer, Cunningham, Darrah, Dawson, DeWitt, Elliott, Ellis, Fenn, Finlayson, Fourt, Fox, Hanson, Harvey, Hickenlooper, Hunter, Inman, Jacobs, Johnson, Jones, Kendall, Klay, Kull, Miller of Bremer, Miller of Dubuque, O'Connor, Penn, Perkins, Ripley, Ritter, Sankey, Schee, Schroeder, Sheldon, Smith, Stillman, Stoddard, Sullivan, Swan, Swift, Tilton, White, Zeller, Mr. Speaker—50.

The nays were:

Balluff, Bascom, Bauman, Beans, Beebe, Boettger, Bowman, Byerly, Calkins, Cassady, Dabney, Dewell, Drury, Etter, Felt, Hackler, Harding, Huffaker, Larrabee, Lee, McDonald, Meredith, Reitz, Schulte, Tegeler, Ward, Wilson, Wolfe—29.

Absent or not voting:

Beery, Boe, Bonwell, Brandes, Corrie, Cousins, Crozier, Davidson, Derrough, Dewey, Dodds, Dye, Fulliam, Fulton, Goodykoontz, Grier, Holmes, Ide, Jewell, Kellogg, Koontz, McCleery, Marston, Moore of Wapello, Moore of Linn, Newell, Reaney, Thompson, Welden—29.

So the amendment was adopted.

Lee of Emmet moved that the rules be suspended, the bill be read a third time now, which motion prevailed, and the bill was read a third time.

On the question, "Shall the bill pass?"

The ayes were:

Allred, Anderson, Arney, Bauman, Beans, Beebe, Blackmore, Boomgaarden, Bowman, Burt, Byerly, Calkins, Cooper, Crummer, Cunningham, Dabney, Darrah, Davidson, Dawson, Dewell, Dewey, DeWitt, Drury, Elliott, Ellis, Etter, Felt, Fenn, Finlayson, Fourt, Fox, Hackler, Hanson, Harvey, Hickenlooper, Huffaker, Hunter, Inman, Jacobs, Johnson, Jones, Kendall, Klay, Kull, Larrabee, Lee, Meredith, Miller of Bremer, Miller of Dubuque, O'Connor, Penn, Reitz, Ripley, Sankey, Schee, Schroeder, Stillman, Stoddard, Swan, Swift, Tegeler, Tilton, White, Zeller, Mr. Speaker—65.

The nays were :

Bascom, Dye, Newell, Ritter, Smith—5.

Absent or not voting :

Balluff, Beery, Boe, Boettger, Bonwell, Brandes, Cassady, Corrie, Cousins, Crozier, Dalby, Derrough, Dodds, Fulliam, Fulton, Goodykoontz, Grier, Harding, Holmes, Ide, Jewell, Kellogg, Koontz, McCleery, McDonald, Marston, Moore of Wapello, Moore of Linn, Perkins, Reaney, Schulte, Sheldon, Sullivan, Thompson, Ward, Welden, Wilson, Wolfe—38.

So the bill passed and the title was agreed to.

Klay of Sioux in the Chair.

On motion of Arney of Marshall, Senate File No. 145, a bill for an act to authorize the State of Iowa to co-operate with the City of Marshalltown, in constructing a permanent dam across the Iowa river, providing for the maintenance thereof and making an appropriation therefor, was taken up and considered.

Arney of Marshall moved that the rules be suspended, the bill be read a third time now, which motion prevailed, and the bill was read a third time.

On the question, "Shall the bill pass?"

The ayes were :

Allred, Anderson, Arney, Balluff, Bascom, Bauman, Beans, Beebe, Beery, Blackmore, Boettger, Boomgaarden, Bowman, Burt, Byerly, Calkins, Cassady, Cooper, Crummer, Cunningham, Dabney, Dalby, Davidson, Dawson, Dewell, Dewey, DeWitt, Drury, Dye, Elliott, Ellis, Etter, Felt, Fenn, Finlayson, Fourt, Fox, Hanson, Harding, Hickenlooper, Hunter, Inman, Jacobs, Jones, Kendall,

Klay, Kull, Larrabee, McDonald, Miller of Bremer, Miller of Dubuque, Moore of Wapello, Moore of Linn, Newell, Penn, Perkins, Reitz, Ripley, Ritter, Sankey, Schulte, Sheldon, Smith, Stoddard, Sullivan, Swan, Swift, Ward, Wilson, Wolfe, Zeller, Mr. Speaker—72.

The nays were:

Harvey, Meredith, Tegeler, Tilton—4.

Absent or not voting:

Boe, Bonwell, Brandes, Corrie, Cousins, Crozier, Darrah, Derrough, Dodds, Fulliam, Fulton, Goodykoontz, Grier, Hackler, Holmes, Huffaker, Ide, Jewell, Johnson, Kellogg, Koontz, Lee, McCleery, Marston, O'Connor, Reaney, Schee, Schroeder, Stillman, Thompson, Welden, White—32.

So the bill passed and the title was agreed to.

On motion of Boettger of Scott, House File No. 15, a bill for an act to repeal Section Four Hundred Eighty-one (481) of the Code, relating to compensation of deputy auditors and enacting a substitute therefor, with report of committee recommending passage as amended by substitute amendment, was taken up, considered and the substitute amendment adopted.

Boettger of Scott moved that the rules be suspended, 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 ayes were:

Allred, Arney, Balluff, Bascom, Beans, Beebe, Beery, Blackmore, Boettger, Boomgaarden, Bowman, Cassady, Cooper, Crummer, Dabney, Dalby, Darrah, Davidson, Dawson, Dewell, Dewey, DeWitt, Drury, Dye, Elliott, Ellis, Etter, Fenn, Fox, Hackler, Hanson, Harding, Hickenlooper, Huffaker, Hunter, Inman, Jacobs, Jones, Kendall, Klay, Koontz, McDonald, Meredith, Miller of Bremer, Miller of Dubuque, Moore of Wapello, Moore of Linn, O'Connor, Reitz, Ripley, Ritter, Schee, Schulte, Sheldon, Smith, Stillman, Stoddard, Sullivan, Tegeler, Ward, Welden, White, Wolfe, Mr. Speaker—64.

The nays were:



Bauman, Harvey, Kull, Larrabee, Newell, Penn, Perkins, Sanky, Schroeder, Swan, Tilton—11.

Absent or not voting :

Anderson, Boe, Bonwell, Brandes, Burt, Byerly, Calkins, Corrie, Cousins, Crozier, Cunningham, Derrough, Dodds, Felt, Finlayson, Fourt, Fulliam, Fulton, Goodykoontz, Grier, Holmes, Ide, Jewell, Johnson, Kellogg, Lee, McCleery, Marston, Reaney, Swift, Thompson, Wilson, Zeller—33.

So the bill passed and the title was agreed to.

The Speaker appointed as the Conference Committee on the part of the House on House File No. 265: Harding of Woodbury, Hunter of Polk, Balluff of Scott and Brandes of Pottawattamie.

Sullivan of Polk moved that House File No. 25 be withdrawn from the Committee on Judiciary and the further consideration of the House.

Motion prevailed.

Moore of Linn moved that House File No. 260 be withdrawn from the further consideration of the House.

Motion prevailed.

The Speaker announced that as Speaker of the House, in the presence of the House, he had signed Senate File Nos. 198, 196, 164, and 3; and House File Nos. 2, 138, 381, 333, and 231.

Arney of Marshall moved that Senate File No. 220 be made a Special Order for Wednesday, March 31st, at 10:00 o'clock.

Motion prevailed.

Swift of Shelby called up the report of committee appointed to investigate the advisability of re-apportioning the judicial districts of Iowa, moved its adoption and that it be referred to the Committee on Judicial Districts.

Motion prevailed, and report was so referred.

## 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. 3, a bill for an act relative to the subject of loaning and depositing public funds.

S. W. NEAL,  
*Secretary.*

Also:

MR. SPEAKER—I am directed to inform your honorable body that the Senate has concurred in House amendments to Senate File No. 217, a bill for an act to promote the building of permanent roads in the state and providing for the establishment of road districts.

S. W. NEAL,  
*Secretary.*

Also:

MR. SPEAKER—I am directed to inform your honorable body that the Senate insists on its amendments to House File No. 265, a bill for an act providing for the delivery to the city treasurer of so much of the county road fund tax as is collected from property within the incorporated limits of said city, and asks for a conference committee and the President of the Senate appoints as committee on the part of the Senate: Senators Allen of Pocahontas, Hammill, Hunter and Whiting.

S. W. NEAL,  
*Secretary.*

Also:

MR. SPEAKER—I am directed to inform your honorable body that the Senate has indefinitely postponed the following bill in which the concurrence of the Senate was asked:

House File No. 341, a bill for an act defining what shall constitute a calendar day.

S. W. NEAL,  
*Secretary.*

Also:

MR. SPEAKER—I am directed to inform your honorable body that the Senate herewith returns, as requested by the House, House File No. 334, a bill for an act relative to the time of granting administration.

S. W. NEAL,  
*Secretary.*

Also:

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:

Senate Concurrent Resolution relative to the holding of a joint convention of the two houses of the Thirty-third General Assembly to be held March 29 at 11.30 A. M.

S. W. NEAL,  
*Secretary.*

## SENATE CONCURRENT RESOLUTION.

*Resolved by the Senate, the House Concurring,* That a joint convention of the two Houses be held in the Hall of the House of Representatives, Monday, March 29, at 11:30 A. M., for the purpose of hearing an address by the Honorable Gifford Pinchot.

Lee of Emmet moved that the House concur in the Senate Concurrent Resolution, relative to holding a joint convention of the two Houses.

Motion prevailed, and the resolution was concurred in.

Excuse was granted the members of the committee investigating complaints against the State Hospital for the Insane.

Anderson of Hamilton moved that a committee of two be appointed to notify the Senate the House was ready to receive it.

Motion prevailed.

The Speaker appointed as such committee: Anderson of Hamilton and Reitz of Lee.

Balluff of Scott moved that when the House adjourn it be until 1:30 o'clock.

Motion prevailed.

The Sergeant-at-Arms announced the arrival of the Honorable Body of the Senate.

## JOINT CONVENTION.

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

Joint Convention called to order, Lieutenant-Governor Clarke presiding.

President Clarke introduced Hon. Gifford Pinchot, who then addressed the Joint Convention.

Senator Allen of Pocahontas moved that the Joint Convention dissolve.

Motion prevailed.

On motion of Arney of Marshall the House adjourned.

## AFTERNOON SESSION.

The House met pursuant to adjournment.

Speaker Feely in the Chair.

O'Connor of Chickasaw, chairman of the committee appointed to investigate the charges set forth in the resolution of the Committee on Appropriations, submitted the following report:

MR. SPEAKER—Your committee appointed to investigate charges of alleged extravagance and irregularity in connection with the building of residences for the presidents of the State University and the State Normal School, beg leave to report as follows:

That we commend the appropriation committee of the House for calling attention to these matters and fully endorse their disposition to safeguard the expenditure of public moneys and to protect the same from any sort of unwarranted use.

That we find, respecting the Cedar Falls residence, that the sum of \$16,000 was appropriated for this purpose by resolution of the board of trustees, from the old millage fund, which was not under the control of the General Assembly; that there was some irregularity in the mixing of the old and new millage funds; but that we offer no specific criticism regarding this matter for the reason that the board acted within its legal rights.

That we find, respecting the Iowa City residence, that the same was built at a cost of \$25,000, that the board of regents, in their October, 1906, report, submitted a proposition for a \$15,000 residence to the Thirty-second General Assembly and expressed their willingness to be bound by the wishes of the Legislature in the matter; that later they withdrew this proposition and no legislative consent was given; that they did not have available in the old millage funds sufficient money to erect said residence, and were obliged to draw largely for this purpose from the new millage funds, which they had no legal right to expend without legislative authority, and that their action in so doing was unwarranted.

That in view of all these facts we further justify the appropriations committee in their action and in the submission of the resolution under consideration; but we are of the opinion that the adoption of this report is a sufficient disclaimer of all responsibility regarding these matters on the part of the House of Representatives and we therefore recommend that this report be made a matter of record and be substituted for the resolution and for all other action on the part of the House.

T. A. O'CONNOR,  
GEO. SCHEE,  
PAUL E. STILLMAN,  
GEO. KELLOGG,  
C. W. HACKLER.

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 adopted the report of the conference committee on Senate File No. 7, a bill for an act relating to the duties and powers of the sheriff and his deputy.

S. W. NEAL,  
*Secretary.*

Also:

MR. SPEAKER—I am directed to inform your honorable body that the Senate has passed the following bill in which the concurrence of the Senate was asked:

House File No. 445, a bill for an act to legalize certain actions of the city council of Sioux City, Iowa.

S. W. NEAL,  
*Secretary.*

Also:

MR. SPEAKER—I am directed to inform your honorable body that the Senate has passed the following bill in which the concurrence of the Senate was asked:

House File No. 473, a bill for an act to confer additional powers on certain cities organized under Chapter 48 of Acts of the Thirty-second General Assembly.

S. W. NEAL,  
*Secretary.*

Also:

MR. SPEAKER—I am directed to inform your honorable body that the Senate concurs in House amendments to Senate File No. 124, a bill for an act relating to the revocation of certificates by the board of medical examiners.

S. W. NEAL,  
*Secretary.*

Lee of Emmet called up the following Conference Committee report on Senate File No. 7, and moved the adoption of the report.

MR. SPEAKER—The conference committee on Senate File No. 7, to pass upon the disagreements between the two houses, respectfully report that we have had the disagreements under consideration and recommend the following:

1. That the Senate concur in House amendment No. 1 to strike out all after the comma after the word "code" in the second line of the title and inserting the following in lieu thereof, "and to enact a substitute therefor relating to the powers and duties of the sheriff and his deputy."
2. That the House recede from its amendment No. 2, strike out the word "who" in the sixth line and inserting the word "whom."
3. That the Senate concur in House amendment No. 3 to strike out Section six.

4. That Section five be amended by adding thereto the following: "When such investigation is made the sheriff shall file with the county auditor a detailed, sworn statement of his expenses accompanied by the written order of the county attorney and the board shall audit and allow only so much thereof as it shall find necessary and reasonable."

That the Senate concur in House amendment No. 4, to strike out Section eight, being the publication clause.

6. That the Senate concur in House amendment No. 5, changing Section 7 to Section 6.

N. J. LEE,  
F. C. DAVIDSON,  
H. C. SCHROEDER,

*Conferees on Part of House.*

GEORGE COSSON,  
SHIRLEY GILLILLAND,  
E. G. MOON,

*Conferees on Part of Senate.*

Adopted.

Lee of Emmett moved that the House recede from the amendment to Section 2 and adopt the Conference Committee amendment to Section 5.

On the question, "Shall the House recede from the amendment to Section 2 and adopt the Conference Committee amendment to Section 5?"

The ayes were:

Allred, Anderson, Arney, Bascom, Beans, Beery, Blackmore, Bonwell, Boomgaarden, Bowman, Burt, Calkins, Cooper, Corrie, Dabney, Dalby, Darrah, Davidson, Dawson, Derrough, Dewell, DeWitt, Drury, Dye, Elliott, Ellis, Etter, Fenn, Fourt, Grier, Hackler, Hanson, Harding, Harvey, Hickenlooper, Huffaker, Hunter, Inman, Jacobs, Johnson, Jones, Kendall, Koontz, Kull, Larabee, Lee, Meredith, Miller of Dubuque, Moore of Wapello, Moore of Linn, Newell, O'Connor, Ripley, Schee, Schroeder, Smith, Stillman, Stoddard, Sullivan, Swan, Swift, Tilton, Ward, Welden, Zeller, Mr. Speaker—66.

The nays were:

Crummer, Fox—2.

Absent or not voting:

Balluff, Bauman, Beebe, Boe, Boettger, Brandes, Byerly, Casady, Cousins, Crozier, Cunningham, Dewey, Dodds, Felt, Finlayson, Fulliam, Fulton, Goodykoontz, Holmes, Ide, Jewell, Kel-

logg, Klay, McCleery, McDonald, Marston, Miller of Bremer, Penn, Perkins, Reaney, Reitz, Ritter, Sankey, Schulte, Sheldon, Tegeler, Thompson, White, Wilson, Wolfe—40.

So the House receded from the amendment to Section 2 and adopted the Conference Committee amendment to Section 5.

On motion of Anderson of Hamilton, House File No. 417, a bill for an act to repeal Section One Thousand Nine Hundred Eighty-nine-a-forty-two (1989-a-42) to the Supplement of the Code, 1907, relative to the duties of the County Auditor and to the employment of additional help for County Auditors in levee or drainage districts, and to the drainage record and the enactment of a substitute therefor, was taken up and considered.

Schee of O'Brien proposed the following amendment:

I move to amend by adding to Section 1 the following: "Provided no relative of a County Auditor shall be employed in his office."

Amendment lost.

Anderson of Hamilton moved that the rules be suspended, 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 ayes were:

Allred, Anderson, Arney, Balluff, Bauman, Beans, Beebe, Boettger, Boomgaarden, Cassady, Cooper, Corrie, Crummer, Cunningham, Dabney, Dalby, Darrah, Davidson, Derrrough, Dewell, Dewey, DeWitt, Dye, Elliott, Ellis, Etter, Felt, Finlayson, Fourt, Fox, Grier, Hackler, Hanson, Harding, Harvey, Hickenlooper, Huffaker, Inman, Johnson, Jones, Kendall, Koontz, Meredith, Miller of Dubuque, Moore of Linn, Newell, Perkins, Schulte, Sheldon, Smith, Swan, Tilton, Ward, Welden, White, Wolfe, Mr. Speaker—57.

The nays were:

Bascom, Blackmore, Bonwell, Burt, Calkins, Fenn, Jacobs, Kull, Larrabee, Lee, Moore of Wapello, O'Connor, Penn, Ripley, Ritter, Sankey, Schee, Schroeder, Stillman, Stoddard, Swift, Tegeler, Zeller—23.

Absent or not voting:

Beery, Boe, Bowman, Brandes, Byerly, Cousins, Crozier, Dawson, Dodds, Drury, Fulliam, Fulton, Goodykoontz, Holmes, Hunter, Ide, Jewell, Kellogg, Klay, McCleery, McDonald, Marston, Miller of Bremer, Reaney, Reitz, Sullivan, Thompson, Wilson—28.

So the bill passed and the title was agreed to.

On motion of Corrie of Ida, House File No. 126, a bill for an act providing that owners or keepers of stallions or jacks shall have a lien upon the get of any such animal for the service fee thereof, with report of committee recommending passage as amended by substitute amendment was taken up, considered, and the substitute amendment adopted.

DeWitt of Montgomery moved that the rules be suspended, 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 ayes were:

Allred, Anderson, Arney, Balluff, Bascom, Beans, Beebe, Beery, Blackmore, Boettger, Bonwell, Boomgaarden, Calkins, Cassady, Cooper, Corrie, Crummer, Cunningham, Dabney, Dalby, Darrah, Dawson, Derrough, Dewell, Dewey, DeWitt, Elliott, Ellis, Etter, Felt, Fenn, Fox, Grier, Hackler, Hanson, Harding, Harvey, Hick-enlooper, Huffaker, Hunter, Inman, Jacobs, Jones, Kellogg, Kendall, Koontz, Kull, Meredith, Miller of Dubuque, Newell, O'Connor, Reitz, Ritter, Smith, Stoddard, Sullivan, Swan, Swift, Tegeler, Welden, Wolfe, Zeller—62.

The nays were:

Dye, Johnson, Larrabee, McDonald, Miller of Bremer, Moore of Wapello, Penn, Ripley, Sankey, Schulte, Tilton, Wilson—12.

Absent or not voting:

Bauman, Boe, Bowman, Brandes, Burt, Byerly, Cousins, Crozier, Davidson, Dodds, Drury, Finlayson, Fourt; Fulliam, Fulton, Goodykoontz, Holmes, Ide, Jewell, Klay, Lee, McCleery, Marston, Moore of Linn, Perkins, Reaney, Schee, Schroeder, Sheldon, Stillman, Thompson, Ward, White, Mr. Speaker—34.

So the bill passed.



DeWitt of Montgomery moved to amend the title by striking out the words "or jacks"; also by striking out the word "get" and insert in lieu thereof the word "progeny."

Amendment adopted, and the title as amended was agreed to.

On motion of Ripley of Hancock, House File No. 407, a bill for an act to amend Section Twenty-five Hundred Forty of the Supplement to the Code, 1907, relating to the catching and to the transportation of fish, with report of committee recommending passage as amended, was taken up, considered, and the amendments adopted.

Ripley of Hancock moved that the rules be suspended, 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 ayes were:

Allred, Anderson, Balluff, Bauman, Beans, Beebe, Beery, Blackmore, Bonwell, Boomgaarden, Bowman, Calkins, Cassady, Cooper, Crummer, Dabney, Dalby, Darrah, Davidson, Derrough, Dewell, Drury, Dye, Elliott, Ellis, Etter, Felt, Finlayson, Fourt, Fox, Grier, Hackler, Hanson, Harding, Harvey, Hickenlooper, Huffaker, Hunter, Inman, Jacobs, Johnson, Jones, Kendall, Koontz, Kull, Larrabee, Lee, McDonald, Meredith, Miller of Dubuque, Moore of Wapello, Moore of Linn, Newell, O'Connor, Penn, Reitz, Ripley, Ritter, Schroeder, Schulte, Smith, Stillman, Stoddard, Sullivan, Swan, Swift, Tegeler, Tilton, Ward, Welden, White, Wilson, Wolfe, Zeller—74.

The nays were:

Fenn—1.

Absent or not voting:

Arney, Bascom, Boe, Boettger, Brandes, Burt, Byerly, Corrie, Cousins, Crozier, Cunningham, Dawson, Dewey, DeWitt, Dodds, Fulliam, Fulton, Goodykoontz, Holmes, Ide, Jewell, Kellogg, Klay, McCleery, Marston, Miller of Bremer, Perkins, Reaney, Sankey, Schee, Sheldon, Thompson, Mr. Speaker—33.

So the bill passed and the title was agreed to.

On motion of Hunter of Polk, House File No. 419, a bill for an act to amend Section Twenty-five Hundred and Sixty-four of the Supplement to the Code, 1907, relative to the qualification for Secretary of State Board of Health, was taken up and considered.

Hunter of Polk moved that the rules be suspended, 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 ayes were:

Allred, Anderson, Arney, Beans, Beebe, Bowman, Cassady, Cooper, Dabney, Darrah, Davidson, Dewell, Dewey, Drury, Dye, Elliott, Ellis, Etter, Fulliam, Grier, Hackler, Hanson, Harvey, Hunter, Jacobs, Johnson, Jones, Kendall, Klay, McDonald, Miller of Bremer, Moore of Linn, Newell, O'Connor, Penn, Reitz, Schee, Schroeder, Schulte, Sullivan, Swan, Swift, Ward, Welden, White, Wilson, Zeller, Mr. Speaker—48.

The nays were:

Bascom, Bauman, Blackmore, Boomgaarden, Corrie, Crummer, Dalby, Derrough, Fenn, Finlayson, Fox, Harding, Hickenlooper, Huffaker, Inman, Koontz, Larrabee, Lee, Meredith, Miller of Dubuque, Ripley, Ritter, Sankey, Smith, Stillman, Stoddard, Tegeler, Tilton, Wolfe—29.

Absent or not voting:

Balluff, Beery, Boe, Boettger, Bonwell, Brandes, Burt, Byerly, Calkins, Cousins, Crozier, Cunningham, Dawson, DeWitt, Dodds, Felt, Fourt, Fulton, Goodykoontz, Holmes, Ide, Jewell, Kellogg, Kull, McCleery, Marston, Moore of Wapelleo, Perkins, Reaney, Sheldon, Thompson—31.

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

On motion of Bascom of Dickinson, House File No. 428, a bill for an act to amend the law as it appears in Section Four Hundred Twelve (412) Supplement of the Code, 1907, relating to the meeting of Board of Supervisors, was taken up and considered.

Bascom of Dickinson moved that the rules be suspended, 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 ayes were:

Allred, Anderson, Arney, Balluff, Bascom, Bauman, Beans, Beebe, Blackmore, Bonwell, Boomgaarden, Bowman, Calkins, Casady, Cooper, Corrie, Crozier, Crummer, Cunningham, Dabney, Dalby, Darrah, Davidson, Derrough, Dewell, Dewey, DeWitt, Dye, Elliott, Ellis, Etter, Felt, Fenn, Finlayson, Fourt, Fox, Fulliam, Grier, Hackler, Hanson, Harding, Hickenlooper, Huffaker, Hunter, Inman, Johnson, Jones, Koontz, Kull, Larrabee, Lee, McDonald, Meredith, Miller of Bremer, Miller of Dubuque, Moore of Wapello, Moore of Linn, Newell, O'Connor, Penn, Reitz, Ripley, Ritter, Sankey, Schee, Schroeder, Schulte, Smith, Stoddard, Sullivan, Swan, Swift, Tegeler, Tilton, Ward, Welden, Wilson, Wolfe, Zeller, Mr. Speaker—80.

The nays were:

None.

Absent or not voting:

Beery, Boe, Boettger, Brandes, Burt, Byerly, Cousins, Dawson, Dodds, Drury, Fulton, Goodykoontz, Harvey, Holmes, Ide, Jacobs, Jewell, Kellogg, Kendall, Klay, McCleery, Marston, Perkins, Reaney, Sheldon, Stillman, Thompson, White—28.

So the bill passed and the title was agreed to.

Harding of Woodbury in the Chair.

Ripley of Hancock asked unanimous consent that Senate File No. 115 be reinstated and re-referred to the Committee on Judiciary.

Consent was granted, and Senate File No. 115 was so referred.

Moore of Linn moved that the House adjourn until 9:00 o'clock A. M., Tuesday.

Motion prevailed.

# JOURNAL OF THE HOUSE

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HALL OF THE HOUSE OF REPRESENTATIVES,  
DES MOINES, IOWA, MARCH 30, A. D. 1909.

House met pursuant to adjournment.

Speaker Feely in the Chair.

Prayer was offered by Rev. N. J. Suckow, of Grinnell, Iowa.

Journal of Friday, March 29th, corrected and approved.

Excuse was granted the members of the committee appointed to investigate complaints against the State Hospital for Insane.

## PETITIONS, MEMORIALS AND REMONSTRANCES.

Cooper of Jasper presented remonstrance of citizens of Colfax, Iowa, against the passage of Senate File No. 366.

Referred to Committee on Railroads and Transportation.

Corrie of Ida presented petition of citizens of Ida Grove, Iowa, relative to the appointment of a Commerce Counsel.

Referred to Committee on Railroads and Transportation.

McDonald of Carroll presented remonstrance of citizens of Eden Township protesting against the passage of Senate File No. 58 and House File No. 62.

Referred to Committee on Schools and Text Books.

## REPORTS OF COMMITTEES.

Moore of Linn, from the Committee on Appropriations, submitted the following report:

MR. SPEAKER—Your committee on Appropriations, to whom was referred Senate File No. 191, a bill for an act appropriating the sum of \$209.12 for the relief of N. W. Williams on account of work done for the state, for

which he has not been paid, beg leave to report they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same do pass.

ERNEST R. MOORE,  
*Chairman.*

Adopted.

Also:

MR. SPEAKER—Your committee on Appropriations, to whom was referred Senate File No. 15, a bill for an act to repeal Section 2727-a of the Supplement to the Code and to enact a substitute therefor, providing funds for the support of the School for the Deaf at Council Bluffs, Iowa, beg leave to report they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same do pass.

ERNEST R. MOORE,  
*Chairman.*

Adopted.

Also:

MR. SPEAKER—Your committee on Appropriations, to whom was referred House File No. 97, a bill for an act to indemnify Gustave Winter for personal injury while employed at the Hospital for Insane at Independence, Iowa, beg leave to report they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same do pass.

ERNEST R. MOORE,  
*Chairman.*

Adopted.

Also:

MR. SPEAKER—Your committee on Appropriations, to whom was referred House File No. 454, a bill for an act to repeal Section twenty-eight hundred eighty-one-g (2881-g) of the Supplement to the Code, 1907, relating to the salaries of assistants to the librarian, and enact a substitute therefor, beg leave to report they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same be indefinitely postponed.

ERNEST R. MOORE,  
*Chairman.*

Adopted, and House File No. 454 was indefinitely postponed.

Also:

MR. SPEAKER—Your committee on Appropriations, to whom was referred House File No. 412, a bill for an act providing for legislative investigation committee, beg leave to report they have had the same under considera-

tion and have instructed me to report the same back to the House with the recommendation that the same be indefinitely postponed.

ERNEST R. MOORE,  
*Chairman*

Adopted, and House File No. 412 was indefinitely postponed.

Also:

MR. SPEAKER—Your committee on Appropriations, to whom was referred House File No. 283, a bill for an act creating the office of state fire marshal and deputy fire marshal, prescribing their duties and providing for their compensation and for the maintenance of the state fire marshal's office, beg leave to report they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same be indefinitely postponed.

ERNEST R. MOORE,  
*Chairman.*

Adopted, and House File No. 283 was indefinitely postponed.

Also:

MR. SPEAKER—Your committee on Appropriations, to whom was referred House File No. 322, a bill for an act appropriating the sum of one hundred thirty-nine dollars and sixty-five cents (\$139.65) to be paid to S. J. McCord in settlement of a claim against the State of Iowa arising by reason of the efforts of the said S. J. McCord to extradite one James F. Milligan, beg leave to report they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same do pass.

ERNEST R. MOORE,  
*Chairman.*

Adopted.

Kellogg of Harrison, from the Committee on Insurance, submitted the following report:

MR. SPEAKER—Your committee on Insurance, to whom was referred House File No. 374, a bill for an act to repeal Section 1774, Chapter 6, Title 9 of the Code and enact a substitute therefor, relating to the valuation of life insurance policies, the deposit of securities by life insurance companies, and preliminary term insurance, beg leave to report they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same be indefinitely postponed.

GEO. A. KELLOGG,  
*Chairman.*

Adopted, and House File No. 374 was indefinitely postponed.

Also:

MR. SPEAKER—Your committee on Insurance, to whom was referred House File No. 375, a bill for an act to repeal Section 1813, Chapter 8, Title 9 of the Code and enact a substitute therefor, relating to life insurance policies, beg leave to report they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same be indefinitely postponed.

GEO. A. KELLOGG,  
*Chairman.*

Adopted, and House File No. 375 was indefinitely postponed.

Also:

MR. SPEAKER—Your committee on Insurance, to whom was referred House File No. 400, a bill for an act to amend Section 1788 of the Supplement to the Code, 1907, relating to the matter of the assessment of life insurance associations, and providing for the deposit by members, of cash or notes for future assessments, beg leave to report they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same do pass.

GEO. A. KELLOGG,  
*Chairman.*

Adopted.

Beery of Henry, from the Committee on Food and Dairy, submitted the following report:

MR. SPEAKER—Your committee on Food and Dairy, to whom was referred House File No. 491, a bill for an act to amend the law as it appears in Section twenty-five hundred ten-e (2510-e) of the Supplement to the Code, 1907, relating to the manufacture and sale of linseed and other oils, and the adulteration thereof, beg leave to report they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same do pass.

ENOCH BEERY,  
*Chairman.*

Adopted.

#### REPORT OF JOINT COMMITTEE ON ENROLLED BILLS.

Klay of Sioux, from the Joint Committee on Enrolled Bills, submitted the following report:

MR. SPEAKER—Your Joint Committee on Enrolled Bills respectfully report that they have examined, and find correctly enrolled, Senate File No. 23, a bill for an act to amend the law as it appears in Section twenty-one hundred and sixteen (2116) of the Supplement to the Code, 1907, relating to the duty of railways to furnish transportation.

Also:

Senate File No. 87, a bill for an act to repeal the law as it appears in Section sixteen hundred seventy-five (1675) of the Supplement to the Code, 1907, relative to farmers' institutes and to enact a substitute therefor.

Also:

Senate File No. 124, a bill for an act to amend Section twenty-five hundred and seventy-eight-a (2578-a) of the Supplement to the Code, 1907, relating to the revocation of certificates by the board of medical examiners.

Also:

Senate File No. 217, a bill for an act to promote the building of permanent roads in the state and providing for the establishing of districts, and providing for the construction of roads, and prescribing the method for so doing, and providing for assessment and collection of a portion of the cost of the same, and issuing improvement certificates therefor and providing for a tax in aid thereof.

GERRIT KLAY,

*Chairman House Committee.*

HENRY L. ADAMS,

*Chairman Senate Committee.*

Adopted.

Johnson of Mitchell, chairman of the House Conference Committee on House File No. 208, submitted the following report:

Mr. Speaker—Your Conference Committee to whom was referred House File No. 208, a bill for an act to repeal sections twenty-five hundred sixty-five (2565), twenty-five hundred sixty-eight (2568) of the code and section twenty-five hundred seventy-a (2570-a), twenty-five hundred seventy-a-1 (2570-a-1), twenty-five hundred seventy-b (2570-b), twenty-five hundred seventy-one (2571) and twenty-five hundred seventy-two (2572) of the Supplement to the Code, 1907, relating to the jurisdiction, powers, rules, regulations and expenses of the State Board of Health and of local boards of health, and to enact substitutes therefor, having met and after full and free conference have agreed to recommend and do recommend the following amendments to the amended substitute, adopted by the Senate and to which the House refused to concur:

By striking out the following written words in section 1 interlined between lines twelve (12) and thirteen (13): "and such other contagious diseases as shall be necessary for the protection of the public health under the order of the State Board of Health."

By striking out all of the words beginning with the word "provided" in line twenty-nine (29) and ending with the word "board" in line thirty-four (34) on page two of the Senate substitute, and by inserting in lieu thereof the following:



"All fumigations and disinfections for the protection of the public health shall be done in accordance with the regulations of the State Board of Health and under the direction of the local board, which shall direct the attending physician to superintend or perform the work. In case there be no attending physician or in case the attending physician refuses to perform this duty, then it shall be the duty of the local board of health to provide some other suitable person to perform such work." So that when amended the bill will read as follows:

A Bill for an act to repeal Section Twenty-five Hundred and Seventy-a (2570-a), Twenty-five Hundred Seventy-a-1 (2570-a-1), Twenty-five Hundred and Seventy-b (2570-b), and Twenty-five Hundred and Seventy-one (2571) of the Supplement to the Code, 1907, relating to the care of persons affected with contagious diseases, the payment of quarantine expenses and the publishing and distribution of regulations of local boards of health.

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

Section 1. That the law as it appears in section twenty-five hundred and seventy-a (2570-a), twenty-five hundred and seventy-a-1 (2570-a-1), and twenty-five hundred and seventy-b (2570-b) and twenty-five hundred and seventy-one (2571) of the Supplement to the Code, 1907, are hereby repealed and the following enacted in lieu thereof:

"When any person shall be sick or infected with any contagious or infectious disease, dangerous to the public health, whether a resident or otherwise, the local board of health through the mayor or township clerk, shall make such provisions as are best calculated to protect the inhabitants therefrom, and may remove such person to a separate house, a house of detention or hospital, but quarantine shall not be established or maintained or fumigation required except in cases of scarlet fever (including scarlet rash and scarlatina), small-pox, diphtheria (including membranous croup), cholera, leprosy, cerebro-spinal meningitis and bubonic plague. In case any person or persons liable for the support of such person under quarantine or restrained under and by virtue of this act, shall be financially unable to secure the proper care, provisions or medical attendance, it shall be the duty of the mayor or township clerk to procure for such person, proper care, provisions, supplies and medical attendance, while so quarantined or restrained. All bills for supplies furnished and services rendered by order of the mayor or township clerk as herein provided, for persons removed to a separate house, or house of detention, or hospital, or for persons financially unable to provide for their sustenance and care, shall be allowed and paid for, only on a basis of the local market price for such provisions, services and supplies in the locality in which such services and supplies may have been furnished. All services and supplies furnished to individuals or families under the provisions of this section must be authorized by the local board of health or by the mayor or township clerk acting under standing regulations of such local board, and a written order therefor designating the person or persons, employed to furnish such services or supplies, issued before said services or supplies were actually furnished, shall be attached

to the bill when the same is presented for audit and payment. No bill for any expenses incurred for any person during quarantine or for disinfecting premises, or effects shall be allowed or paid except in cases removed to a separate house, or house of detention unless it shall be found that such person is financially unable to pay said bill.

Provided that nothing contained in this section shall be construed to prevent any person removed to a separate house or house of detention or hospital as herein provided, from employing, at his own expense the physician or nurse of his choice, nor from providing such supplies and commodities as he may require. It is further provided that if the person receiving services or supplies be not a legal resident of the county in which such bills were incurred and paid, the amount so paid shall be certified to the board of supervisors of the county in which said party claims residency or owns property and the board of supervisors of such county shall reimburse the county from which such claim is certified, in the full amount originally paid by it.

All fumigations and disinfections, for the protection of the public health, shall be done in accordance with the regulations of the State Board of Health and under the directions of the local board which shall direct the attending physician to superintend or perform the work. In case there be no attending physician or in case the attending physician refuses to perform this duty, then it shall be the duty of the local board of health to provide some other suitable person to perform such work.

All bills and expenses incurred in carrying out the provisions of this section and establishing, maintaining and raising quarantine and furnishing the necessary detention hospital shall be filed with the clerk of the local board of health. This board at its next regular meeting or special meeting called for the purpose shall examine and audit the same and if found correct, approve and certify the same to the county board of supervisors for payment. If the board of supervisors determine such bills payable, under the provisions of this act, it shall order the county auditor to draw warrant therefor upon the poor fund of said county. The board of supervisors shall not be bound by the action of the local board of health in approving such bill but may increase or diminish the same as may be just and reasonable. The forcible removal of infected persons as herein provided shall be effected by an application made to any civil magistrate in the manner provided in section twenty-five hundred and sixty-nine (2569) of the Code, for the removal and abatement of nuisances, who shall issue the warrant as directed in such cases, to remove such person or persons to the place designated by the local board of health and to take possession of a condemned or infected house, lodging room, premises or effects. The officers designated by such magistrate shall be entitled to receive for such services such reasonable compensation as shall be determined by the local board of health. The amount so determined to be certified to and paid in the same manner as other expenses incurred under the provisions of this section."

Sec. 2. Local boards of health shall meet for the transaction of business on the first Monday of April and November in each year and at such other times as it may be deemed necessary. Local boards of health shall furnish to the State Board of Health reports of their proceedings at such times and in such form as may be reasonably required by the State Board of Health. They shall give notice of all regulations adopted by publication thereof in some newspaper of general circulation in the town, city or township, or by posting a copy thereof in five public places therein. The secretary of the State Board of Health immediately after the adoption of any rules and regulations of said board, in accordance with section one of this act, shall forward a certified copy of such rules to the county auditor of each county. Whenever such rules may be amended or changed, similar notice shall be forwarded to each county auditor.

The State Board of Health shall cause to be printed such number of copies of the rules and regulations by it adopted as may be necessary to supply the needs of the several counties of the state and upon application forward the required number to the county auditor of the state for distribution to the several boards of health within the county.

The clerk of such local board of health shall upon request furnish a copy of said rules to any resident, physician or citizen. It shall be the duty of the official when establishing quarantine, to furnish to the person or persons quarantined a copy of the rules and regulations covering such quarantine.

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

Your committee respectfully recommends that when so amended the House concur in the Senate amendment as amended by your conference committee and that the Senate adopt the amendments proposed by this committee.

T. W. BENNETT,  
JOHN T. CLARKSON,  
J. A. DE ARMAND,  
W. C. STUCKSLAGER,

*Conference Committee on the Part of the Senate.*

K. J. JOHNSON,  
E. B. FULLIAM,  
GEO. W. SCHEE,

*Conference Committee on the Part of the House.*

Mr. Speaker—Your Conference Committee to whom was referred House File No. 208, a bill for an act to repeal sections twenty-five hundred sixty-five (2565), twenty-five hundred sixty-eight (2568) of the Code, and sections twenty-five hundred seventy-a (2570-a), twenty-five hundred seventy-a-1 (2570-a-1), twenty-five hundred seventy-b (2570-b), twenty-five hundred seventy-one (2571) and twenty-five hundred seventy-two (2572) of the Supplement to the Code, 1907, relating to the jurisdiction, powers, rules, regulations and expenses of the State Board

of Health and of local boards of health, and to enact substitutes therefor, after full and free conference on all matters upon which no agreement was reached by the House or Senate, have agreed that the Senate substitute when amended in accordance with the above report should be adopted by this House.

The original House File No. 208 contained provisions for a radical change in the manner of adopting rules and regulations covering quarantine cases, and after careful deliberation and full consideration of the matter, your committee has arrived at the conclusion that it should recede from its position in the bill in taking away from the State Board of Health the authority to make and promulgate rules and regulations, for the reason that rules adopted in each county might cause confusion, and that uniformity of rules which is, in fact, law throughout the state, is desirable.

Your committee has insisted on striking out a portion of Senate substitute as amended, which would place undefined and unqualified power in the hands of the State Board of Health, and have insisted that the diseases for which quarantine should be established or fumigation for House File No. 208, as amended by this committee.

Your committee also has insisted that all fumigations and disinfections should be performed under the direction of the attending physician, properly safe-guarded by the rules of the State Board and under the authority and jurisdiction of the local boards of health.

Section two (2) of the amended substitute adopted by the Senate covers the matter of publication and has been drawn to harmonize with the procedure which is provided for in Section One (1).

Your committee concluded, in view of the fact that all of the essential matters contained in House File No. 208 have been satisfactorily covered and in view of the foregoing statements, we recommend that the House adopt the report of the Conference Committee, the amendments offered by this committee and then concur in the amended substitute for House File No. 208, as amend by this committee.

K. J. JOHNSON,  
E. B. FULLIAM,  
GEO. W. SCHEE,

*Conference Committee on the Part of the House.*

Cunningham of Buena Vista called up his resolution laid over under Rule 34, relative to evening sessions and proposed the following amendment: I move to amend by substituting the following therefor: "Resolved, that the time of adjournment of all afternoon sessions of the House shall be 5:30 o'clock, P. M."

Amendment lost.

Resolution lost.

Tegeler of Dubuque offered the following resolution and moved that the rule be suspended and the resolution be adopted.

WHEREAS, The Hon. I. A. Lemback, for many years a prominent citizen of Dubuque county and an honored member in the Twenty-second General Assembly from Dubuque county, departed this life at Dyersville, Iowa, September 19, 1907, therefor be it

*Resolved*, That a committee of three be appointed to draft and present suitable resolutions commemorating his life and character and his services to the state and nation.

Motion prevailed and the resolution was adopted.

Motion prevailed.

The Speaker appointed as such committee: Tegeler of Dubuque, O'Connor of Chickasaw, Perkins of Delaware.

#### INTRODUCTION OF BILLS.

By Hunter of Polk, House File No. 515, a bill for an act to prescribe the number of committee clerks for the General Assembly and placing them under the supervision of the Secretary of the Senate and the Chief Clerk of the House.

Read first and second time and referred to Committee on Compensation of Public Officers.

By Sheldon of Ringgold, House File No. 516, a bill for an act to amend Section Thirty-one Hundred Forty-seven (3147) of the Code of 1897, relating to return of marriage certificates.

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

By Hickenlooper of Monroe (by request), House File No. 517, a bill for an act to amend Section 5008 of the Code, relating to the infringement of civil rights.

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

By White of Story, House File No. 518, a bill for an act to amend Section Two Thousand Four Hundred Thirty-two (2432) and Section Two Thousand Four Hundred Forty-five (2445) of the Code and to provide an increase of the mulct tax and for the payment of such increase into the State treasury.

Read first and second time and referred to Committee on Ways and Means.

By Crozier of Marion (by request), House File No. 519, a bill for an act to amend Section Four Thousand One Hundred Thirty-nine (4139) of the Code in relation to procedure in the Supreme Court.

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

By Davidson of Palo Alto, House File No. 520, a bill for an act to amend Section Forty-seven Hundred and Sixty-Seven (4767) of the Code, relating to the punishment of persons convicted of making malicious threats with intent to extort money or compel a person to do some act against his will.

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

By Ripley of Hancock, House File No. 521, a bill for an act to amend Section Two Thousand Seven Hundred Thirty-four-b (2734-b) of the Supplement to the Code, 1907, relating to the qualifications and duties of the County Superintendent and his deputy.

Read first and second time and referred to Committee on Schools and Text Books.

By Bonwell of Audubon, House File No. 522, a bill for an act to amend the law as it appears in Section Twelve (12) of the Code, relative to the compensation of members of the General Assembly.

Read first and second time and passed on file.

#### MESSAGES FROM THE SENATE.

The following messages were received from the Senate:

MR. SPEAKER—I am directed to inform your honorable body that the Senate has passed the following bill in which the concurrence of the House is asked:

Senate File No. 400, a bill for an act relating to the payment of certain debts by prostitutes.

S. W. NEAL,  
*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. 373, a bill for an act relating to the publication of the state auditor's report of municipal accounts.

S. W. NEAL,  
*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. 374, a bill for an act relating to the printing and binding of reports or financial statements of cities and towns.

S. W. NEAL,  
*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. 252, a bill for an act providing for the appointment of visiting committees to visit the state institutions.

S. W. NEAL,  
*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. 394, a bill for an act to legalize the action of the independent school district of Marcus, Cherokee County, Iowa.

S. W. NEAL,  
*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:

Substitute for Senate File No. 207, a bill for an act relating to the investment of funds of insurance companies other than life, etc.

S. W. NEAL,  
*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. 311, a bill for an act relating to the inspection of petroleum products.

S. W. NEAL,  
*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. 362, a bill for an act relating to the apportionment of taxes by county treasurers.

S. W. NEAL,  
*Secretary.*

Also:

MR. SPEAKER—I am directed to inform your honorable body that the Senate has amended by substitute and passed the following bill in which the concurrence of the Senate was asked:

House File No. 357, a bill for an act relating to granting of marriage license by clerk of the district court.

S. W. NEAL,  
*Secretary.*

Also:

MR. SPEAKER—I am directed to inform your honorable body that the Senate has passed the following bill in which the concurrence of the Senate was asked:

House File No. 300, a bill for an act relative to the power and duties of the trustees, board of regents or board of control, in regard to roads and highways within and around lands owned by the state.

S. W. NEAL,  
*Secretary.*

Also:

MR. SPEAKER—I am directed to inform your honorable body that the Senate has amended and passed the following bill in which the concurrence of the Senate was asked:

House File No. 159, a bill for an act relating to limitation of actions.

S. W. NEAL,  
*Secretary.*

#### SENATE MESSAGES CONSIDERED.

Senate File No. 400, a bill for an act in relation to the payment of certain debts by prostitutes; prohibiting the payment of certain debts by labor of prostitutes, and providing for the punishment for the violation of its provisions.

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

Senate File No. 252, a bill for an act providing for the appointment of visiting committees from the members of the General Assembly to visit the State institutions prior to the convening of each regular session, and make appropriation therefor.

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

Substitute for Senate File No. 207, a bill for an act to repeal Section Sixteen Hundred Ninety-nine (1699) of the Code, relat-



ing to the investment of funds of insurance companies other than life, organized under Chapter Four (4) of the Code and to enact a substitute therefor.

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

Senate File No. 362, a bill for an act to repeal Section Fourteen Hundred Fifteen (1415) of the Code, relating to the apportionment of taxes by county treasurers and to enact a substitute therefor and to provide for recovery on treasurer's bond of interest or penalty unapplied.

Read first and second time and referred to Committee on Ways and Means.

Senate File No. 311, a bill for an act to amend the law as it appears in Section Twenty-five Hundred five (2505) of the Supplement to the Code, 1907, relating to the inspection of petroleum products.

Read first and second time and referred to Committee on Public Health.

Senate File No. 373, a bill for an act to amend Section Ten Hundred Fifty-six-a-9 (1056-a-9) of the Supplement to the Code, 1907, relating to the publication of the State Auditor's report of municipal accounts.

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

Senate File No. 374, a bill for an act to amend Section One Hundred and Twenty-five (125) of the Supplement to the Code, 1907, relating to the printing and binding of reports of financial statements of cities and towns.

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

Senate File No. 394, a bill for an act to legalize the action of the Independent School District of Marcus, Cherokee County, Iowa, in voting bonds at an election held on the first day of March, 1907, and legalizing the bonds issued by said district under said election.

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

## SENATE AMENDMENTS CONSIDERED.

On request of Beery of Henry, unanimous consent having been given, House File No. 300, a bill for an act to amend Section Fifteen Hundred and Nine (1509) of the Code and Section Fifteen Hundred and Thirty-two-a (1532-a), Supplement to the Code, 1907, relative to the power and duties of the trustees, Board of Regents and Board of Control, in regard to roads and highways in and around lands owned by the state, with Senate amendments, was taken up and the amendments read and considered.

Amend Section Two by striking out the word "six" in the fourth line and inserting the word "five" in lieu thereof.

Beery of Henry moved that the House concur in the Senate amendments.

On the question, Shall the House concur?

The ayes were:

Allred, Arney, Balluff, Bascom, Bauman, Beans, Beebe, Beery, Blackmore, Boe, Bonwell, Boomgaarden, Bowman, Burt, Byerly, Calkins, Cassady, Cooper, Corrie, Crummer, Cunningham, Dabney, Dalby, Darrah, Dawson, Derrough, DeWitt, Dodds, Drury, Dye, Elliott, Ellis, Etter, Fenn, Finlayson, Fourt, Fox, Fulton, Goodykoontz, Grier, Hackler, Hanson, Harding, Harvey, Hickenlooper, Huffaker, Hunter, Ide, Inman, Jacobs, Jewell, Johnson, Jones, Kellogg, Kendall, Klay, Koontz, Kull, Larrabee, Meredith, Miller of Dubuque, Moore of Wapello, Moore of Linn, Newell, O'Connor, Penn, Reitz, Ripley, Ritter, Sankey, Schee, Schroeder, Schulte, Smith, Stillman, Stoddard, Sullivan, Swift, Tegeler, Thompson, Tilton, Ward, Welden, Wilson, Wolfe, Zeller, Mr. Speaker—87.

The nays were:

None.

Absent or not voting:

Anderson, Boettger, Brandes, Cousins, Crozier, Davidson, Dewell, Dewey, Felt, Fulliam, Holmes, Lee, McCleery, McDonald, Marston, Miller of Bremer, Perkins, Reaney, Sheldon, Swan, White—21.

So the House concurs.

On request of Fulliam of Muscatine, unanimous consent having been given, House File No. 357, a bill for an act to amend the law as it appears in Section Three Thousand One Hundred Forty-one (3141) of the Code, 1897, relating to granting of marriage license by clerk of the district court, with Senate amendments, was taken up and the amendment read and considered.

Section 1. That Section Thirty-one Hundred Forty-one (3141) of the Code be and the same is hereby amended by striking out the period at the end of said section and inserting in lieu thereof a comma, and adding the following: "nor where the parties are first cousins."

Fulliam of Muscatine moved that the House concur in the Senate amendments.

On the question, Shall the House concur?

The ayes were:

Allred, Balluff, Bascom, Bauman, Beans, Beebe, Beery, Blackmore, Boe, Bonwell, Boomgaarden, Bowman, Calkins, Cassady, Corrie, Crummer, Dabney, Dalby, Darrah, Dawson, Derrough, Dewell, Dewey, DeWitt, Dodds, Dye, Ellis, Etter, Finlayson, Fourt, Fox, Fulliam, Goodykoontz, Hackler, Hanson, Harding, Hickenlooper, Holmes, Ide, Inman, Jacobs, Jones, Kellogg, Kendall, Klay, Koontz, Kull, Larrabee, McDonald, Meredith, Miller of Bremer, Miller of Dubuque, Moore of Wapello, Moore of Linn, Newell, O'Connor, Penn, Reitz, Ritter, Sankey, Schroeder, Schulte, Smith, Stillman, Stoddard, Sullivan, Swan, Swift, Tegeler, Thompson, Tilton, Ward, Welden, White, Wilson, Zeller, Mr. Speaker—77.

The nays were:

None.

Absent or not voting:

Anderson, Arney, Boettger, Brandes, Burt, Byerly, Cooper, Cousins, Crozier, Cunningham, Davidson, Drury, Elliott, Felt, Fenn, Fulton, Grier, Harvey, Huffaker, Hunter, Jewell, Johnson, Lee, McCleery, Marston, Perkins, Reaney, Ripley, Schee, Sheldon, Wolfe—31.

So the House concurs.

On request of Sullivan of Polk, unanimous consent having been given, House File No. 159, a bill for an act to repeal Section Eighth

teen Hundred Twenty (1820) of the Code, relating to limitation of actions, and enacting a substitute therefor, with Senate amendments, was taken up and the amendments read and considered.

Section 1. That Section Eighteen Hundred Twenty (1820) of the Code, be and the same is hereby repealed and the following enacted in lieu thereof: "No stipulation or condition in any policy or contract of insurance or beneficiary certificate issued by any company or association mentioned or referred to in this chapter, limiting the time to a period of less than one year after knowledge by the beneficiary within which notice or proofs of death or the occurrence of other contingency insured against must be given, shall be valid."

Section 2. In case of accident or health insurance it shall be valid for any company or association to limit by contract the time when notice or proofs of death, cause of disability or other contingency insured against shall be given; but in no case shall the same be limited to a period of less than 30 days after knowledge by the beneficiary within which such notice or proofs must be given.

Amend Section 2 by striking out the words "the same" appearing in line 4, and insert in lieu thereof the words "said notice." Also amend the same section by striking out the figures "30" appearing in line five thereof, and inserting in lieu thereof the figures "60."

Sullivan of Polk, moved that the House concur in the Senate amendments.

On the question, Shall the House concur?

Allred, Arney, Balluff, Bascom, Bauman, Beans, Beebe, Beery, Blackmore, Boe, Bonwell, Boomgaarden, Bowman, Burt, Byerly, Calkins, Cassady, Cooper, Corrie, Crummer, Cunningham, Dalby, Darrah, Dawson, Derrough, Dewell, DeWitt, Dodds, Dye, Elliott, Ellis, Etter, Felt, Fenn, Finlayson, Fox, Fulton, Goodykoontz, Grier, Hackler, Hanson, Harding, Harvey, Hickenlooper, Holmes, Huffaker, Hunter, Ide, Inman, Jacobs, Jewell, Jones, Kellogg, Kendall, Klay, Koontz, Kull, Larrabee, McDonald, Meredith, Miller of Bremer, Miller of Dubuque, Moore of Wapello, Moore of Linn, Newell, Penn, Reitz, Ripley, Ritter, Sankey, Schee, Schroeder, Schulte, Smith, Stillman, Stoddard, Sullivan, Swan, Swift, Tegeler, Tilton, Ward, Welden, Wolfe, Zeller, Mr. Speaker—86.

The nays were :

None.

Absent or not voting :

Anderson, Boettger, Brandes, Cousins, Crozier, Dabney, Davidson, Dewey, Drury, Fourt, Fulliam, Johnson, Lee, McCleery, Marston, O'Connor, Perkins, Reaney, Sheldon, Thompson, White, Wilson—22.

So the House concurs.

#### CONSIDERATION OF BILLS.

On motion of Schulte of Clayton, House File No. 57, a bill for an act to repeal paragraph four (4) of Section Eighteen Hundred Fifty (1850) of the Supplement to the Code and to enact a substitute therefor, relating to the investment of funds of savings banks, with report of committee recommending passage as amended by substitute amendment, was taken up, considered, and the substitute amendment adopted.

Schulte of Clayton moved that the rules be suspended, 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 ayes were :

Allred, Anderson, Arney, Balluff, Bascom, Bauman, Beans, Beebe, Beery, Blackmore, Boe, Boettger, Bonwell, Boomgaarden, Burt, Byerly, Calkins, Cassady, Cooper, Corrie, Cousins, Crummer, Cunningham, Dabney, Dalby, Dawson, Derrough, Dewell, Dewey, DeWitt, Dodds, Dye, Elliott, Ellis, Etter, Felt, Fenn, Fourt, Fox, Goodykoontz, Grier, Hackler, Hanson, Harding, Harvey, Hickenlooper, Holmes, Huffaker, Hunter, Ide, Inman, Jewell, Johnson, Jones, Kellogg, Kendall, Klay, Koontz, Kull, Larrabee, Lee, McDonald, Meredith, Miller of Dubuque, Moore of Wapello, Newell, O'Connor, Penn, Perkins, Reitz, Ripley, Ritter, Sankey, Schulte, Sheldon, Smith, Stillman, Stoddard, Sullivan, Swan, Swift, Tegeler, Tilton, Ward, Welden, White, Wolfe, Zeller, Mr. Speaker—89.

The nays were :

None.

Absent or not voting:

Bowman, Brandes, Crozier, Darrah, Davidson, Drury, Finlayson, Fulliam, Fulton, Jacobs, McCleery, Marston, Miller of Bremer, Moore of Linn, Reaney, Schee, Schroeder, Thompson, Wilson—19.

So the bill passed and the title was agreed to.

Hickenlooper of Monroe called up Senate File No. 334, which had passed the House, and made the following motion to reconsider:

MR. SPEAKER—I move to reconsider the vote by which Senate File No. 334 passed the House.

THOS. HICKENLOOPER.

I second the motion.

W. P. ALLRED.

Motion prevailed.

Also:

I move to reconsider the vote by which Senate File No. 334 was passed to its third reading.

THOS. HICKENLOOPER.

I second the motion.

W. P. ALLRED.

Motion prevailed and the House proceeded to reconsider.

Hickenlooper of Monroe offered the following amendment:

I move to amend Senate File No. 334 by striking from the title the word "supplement" and figures "1907." Also by striking from body of bill the words "supplement to" and figures "1907" and inserting after the figures "3305" the word "of."

Amendment adopted.

Hickenlooper of Monroe moved that the rules be suspended, the bill be read a third time now, which motion prevailed, and the bill was read a third time.

On the question, "Shall the bill pass?"

The ayes were:

Allred, Anderson, Arney, Bascom, Bauman, Beebe, Beery, Blackmore, Boe, Bonwell, Boomgaarden, Bowman, Burt, Byerly, Calkins, Cassady, Cooper, Corrie, Crummer, Dabney, Dalby, Darrah, Derrough, Dewell, DeWitt, Dodds, Dye, Elliott, Ellis, Etter,

Felt, Fenn, Finlayson, Fourt, Fox, Fulton, Goodykoontz, Grier, Hackler, Hanson, Harvey, Hickenlooper, Holmes, Huffaker, Hunter, Ide, Inman, Jacobs, Jewell, Johnson, Jones, Kellogg, Kendall, Klay, Koontz, Kull, Larrabee, Lee, McDonald, Meredith, Moore of Wapello, Newell, O'Connor, Penn, Reitz, Ripley, Ritter, Sankey, Schee, Schroeder, Schulte, Sheldon, Smith, Stoddard, Sullivan, Swan, Swift, Tegeler, Thompson, Tilton, Ward, Welden, Wolfe, Zeller, Mr. Speaker—85.

The nays were :

None.

Absent or not voting :

Balluff, Beans, Boettger, Brandes, Cousins, Crozier, Cunningham, Davidson, Dawson, Dewey, Drury, Fulliam, Harding, McCleery, Marston, Miller of Bremer, Miller of Dubuque, Moore of Linn, Perkins, Reaney, Stillman, White, Wilson—23.

So the bill passed and the title was agreed to.

On motion of Holmes of Kossuth, House File No. 214, a bill for an act to repeal Sections Twenty-one Hundred Eleven (2111), Twenty-one Hundred Fifty-one (2151) of the Code, relating to the election, limitations, powers and duties of the Board of Railroad Commissioners, and to enact substitutes therefor; and for the repeal of Section Ten Hundred Sixty-eight (1068) of the Supplement to the Code, 1907, with report of committee recommending passage as amended, was taken up, considered, and the amendments adopted.

White of Story offered the following amendment :

I move to strike out of line fourteen and fifteen the words, "free transportation or" and to insert after the word "favors" in line fifteen the words, "than free transportation."

Amendment lost.

Holmes of Kossuth moved that the rules be suspended, 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 ayes were :

Bascom, Bauman, Beebe, Boe, Boomgaarden, Burt, Cooper, Corrie, Cousins, Cunningham, Dabney, Dalby, Darrah, Davidson, Dawson, Derrough, DeWitt, Dodds, Drury, Ellis, Etter, Finlayson, Fox, Fulton, Goodykoontz, Grier, Hackler, Hanson, Harvey, Hicklenlooper, Holmes, Huffaker, Hunter, Ide, Inman, Jacobs, Jewell, Jones, Kendall, Klay, Kull, Larrabee, Lee, McDonald, Meredith, Miller of Bremer, Miller of Dubuque, Newell, O'Connor, Penn, Ritter, Sankey, Schee, Schroeder, Schulte, Stillman, Stoddard, Sullivan, Swan, Swift, Tegeler, Tilton, Ward, Weiden, White, Wilson, Mr. Speaker—67.

The nays were:

Beans, Beery, Blackmore, Bonwell, Cassady, Crummer, Dewell, Dewey, Dye, Fenn, Harding, Kellogg, Koontz, Moore of Wapello, Perkins, Ripley, Sheldon, Smith, Thompson, Wolfe, Zeller—21.

Absent or not voting:

Allred, Anderson, Arney, Balluff, Boettger, Bowman, Brandes, Byerly, Calkins, Crozier, Elliott, Felt, Fourth, Fulliam, Johnson, McCleery, Marston, Moore of Linn, Reaney, Reitz—20.

So the bill passed.

Holmes of Kossuth, moved to amend the title by substituting the following therefor:

“A bill for an act to repeal Section Twenty-one Hundred Fifty-one (2151) of the Code, relating to the election, limitations, powers and duties of the Board of Railroad Commissioners and amend Section Twenty-one Hundred Twenty-one (2121) of the Supplement to the Code, 1907.”

Motion prevailed and the title as amended was agreed to.

On motion of Bonwell of Audubon, House File No. 47, a bill for an act to create a Highway Commission for the State of Iowa, defining the powers and duties of the same and to provide for a system of state co-operation with Townships and Counties in the improvement of the public wagon roads and to make an appropriation therefor, with report of committee recommending indefinite postponement and minority views recommending passage, was taken up and considered.

Bonwell of Audubon moved that minority views be substituted for the report of the committee.



Motion lost.

Report of committee was adopted, and House File No. 47 was indefinitely postponed.

On motion of Fox of Dallas, House File No. 352, a bill for an act to repeal Sections Twenty-three Hundred Eighty-seven (2387), Twenty-three Hundred Eighty-nine (2389), Twenty-three Hundred Ninety-one (2391), Twenty-three Hundred Ninety-four (2394), Twenty-three Hundred Ninety-five (2395), Twenty-three Hundred Ninety-six (2396), Twenty-three Hundred Ninety-seven (2397), Twenty-three Hundred Ninety-eight (2398), and Twenty-three Hundred Ninety-nine (2399), of the Code of 1897, and Sections Twenty-three Hundred Eighty-eight (2388), Twenty-three Hundred Ninety (2390), Twenty-three Hundred Ninety-two (2392), Twenty-three Hundred Ninety-three (2393), Twenty-four Hundred (2400), and Twenty-four Hundred One (2401), of the Supplement to the Code of 1907, referring to the granting of permits to licensed pharmacists, with report of committee recommending passage as amended, was taken up, considered, and the amendment adopted.

Fox of Dallas proposed the following amendment and moved its adoption:

I move that the bill be amended as follows:

Amend the title by inserting after the word "Sections" in the first line of the title the words and figures "twenty-three hundred and eighty-five (2385)."

Amend the title further by striking out of the 7th line thereof the words and figures "eighteen hundred and ninety-seven (1897)."

Amend the title further by inserting after the word "Sections" in the 7th line thereof the words and figures as follows: "twenty-three hundred eighty-six (2386)."

Further amend the title by striking from the 11th line thereof following the word "Code" the word "of" and inserting in lieu thereof a comma.

Amend Section 1 by inserting after the word "Sections" in the first line thereof, the words and figures "twenty-three hundred and eighty-five (2385)."

Further amend said section by striking from the 5th line thereof the words and figures as follows: "of 1897."

Amend the section further by inserting in the 6th line thereof after the word "sections" the following: "twenty-three hundred and eighty-six (2386)."

Amend section further by inserting after the figures "2401" in the 8th line of said section the following: "of the Supplement to the Code, 1907."

Amendments adopted.

Lee of Emmet offered the following amendments and moved their adoption:

MR. SPEAKER—I move to amend House File No. 352 by striking out all after the enacting clause and substituting the following therefor:

SECTION 1. That Section two thousand three hundred eighty-nine (2389) be, and the same is hereby amended by changing the period after the word "fidelity" in line twenty to a semicolon and adding after the said semicolon and before the word "the" in the same line, the following:

"Provided, however, that permits shall be granted only in villages, towns and cities and then not to exceed one permit in any such village, town or city having a population of two thousand or less and not to exceed one additional permit for every additional three thousand people, as shown by the last state or federal census; but in no case shall permits be granted in any village, town or city where saloons are operated under the provisions of the law relating to the payment of the mulct tax."

Harding of Woodbury moved that the amendments be laid on the table.

Roll call demanded by Klay of Sioux and Meredith of Cass.

On the question, Shall the amendments be laid on the table?

The ayes were:

Anderson, Bascom, Beans, Blackmore, Cunningham, Dabney, Dewell, Dodds, Drury, Dye, Etter, Goodykoontz, Hackler, Harding, Harvey, Jacobs, Jewell, Johnson, Kull, Miller of Dubuque, Moore of Linn, Newell, O'Connor, Penn, Perkins, Ripley, Ritter, Sankey, Schroeder, Schulte, Sheldon, Stoddard, Sullivan, Tegeler, Tilton, Ward—36.

The nays were:

Allred, Arney, Beebe, Boe, Boomgaarden, Bowman, Burt, Calkins, Cassady, Cooper, Corrie, Cousins, Crummer, Dalby, Darrah, Dawson, Derrough, Dewey, DeWitt, Elliott, Ellis, Finlayson, Fourt,

Fox, Fulton, Grier, Hanson, Hickenlooper, Holmes, Huffaker, Hunter, Ide, Inman, Jones, Kellogg, Kendall, Klay, Larrabee, Lee, McDonald, Meredith, Reitz, Schee, Smith, Stillman, Swan, Swift, Welden, Wilson, Wolfe, Zeller, Mr. Speaker—52.

Absent or not voting:

Balluff, Bauman, Beery, Boettger, Bonwell, Brandes, Byerly, Crozier, Davidson, Felt, Fenn, Fulliam, Koontz, McCleery, Marston, Miller of Bremer, Moore of Wapello, Reaney, Thompson, White—20.

Absent or not voting:

Balluff, Bauman, Beebe, Boettger, Bonwell, Brandes, Byerly, Beery, Crozier, Davidson, Felt, Fenn, Fulliam, Koontz, Marston, McCleery, Miller of Bremer, Moore of Wapello, Reaney, Reitz, Thompson, White—22.

So the motion to lay on the table was lost.

Harding of Woodbury moved that the previous question be now put.

Motion prevailed, and the previous question was ordered.

On the question of the adoption of the amendments, roll call was demanded by Klay of Sioux and Burt of Taylor.

The ayes were:

Anderson, Balluff, Beans, Beebe, Boettger, Drury, Dye, Hackler, Harding, Hickenlooper, Huffaker, Jacobs, Johnson, Larrabee, Lee, Miller of Dubuque, Moore of Wapello, Moore of Linn, Perkins, Reitz, Ripley, Sheldon, Stillman, Sullivan, Tilton, Welden—26.

The nays were:

Allred, Arney, Bascom, Beery, Blackmore, Boe, Boomgaarden, Bowman, Brandes, Burt, Calkins, Cassady, Cooper, Corrie, Cousins, Crummer, Cunningham, Dabney, Dalby, Darrah, Davidson, Dawson, Derrough, Dewey, DeWitt, Dodds, Elliott, Ellis, Etter, Fenn, Finlayson, Fourt, Fox, Fulton, Goodykoontz, Grier, Hanson, Holmes, Hunter, Ide, Inman, Jewell, Jones, Kellogg, Kendall, Kull, McDonald, Meredith, O'Connor, Penn, Ritter, Sankey, Schee, Schroeder, Schulte, Smith, Swan, Swift, Tegeler, Wilson, Wolfe, Zeller, Mr. Speaker—63.

Absent or not voting:

Bauman, Bonwell, Byerly, Crozier, Dewell, Felt, Fulliam, Harvey, Klay, Koontz, McCleery, Marston, Miller of Bremer, Newell, Reaney, Stoddard, Thompson, Ward, White—19.

So the amendment was lost.

Fox of Dallas moved that the rules be suspended, 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 ayes were:

Allred, Anderson, Arney, Balluff, Boe, Boettger, Boomgaarden, Bowman, Burt, Cassady, Cooper, Cousins, Crummer, Dalby, Darrah, Dawson, Derrough, Dewey, Dodds, Elliott, Ellis, Fox, Grier, Hanson, Harding, Holmes, Ide, Inman, Kellogg, Kendall, Klay, McDonald, Meredith, Miller of Dubuque, Moore of Linn, Newell, Schee, Smith, Stillman, Swan, Thompson, Welden, Wolfe, Zeller—44.

The nays were:

Bascom, Beans, Beebe, Blackmore, Bonwell, Calkins, Corrie, Cunningham, Dabney, Davidson, Dewell, DeWitt, Drury, Dye, Etter, Felt, Fenn, Fourt, Fulton, Goodykoontz, Hackler, Harvey, Hicklooper, Jacobs, Jewell, Johnson, Jones, Kull, Larrabee, Lee, O'Connor, Penn, Perkins, Reitz, Ripley, Ritter, Sankey, Schroeder, Schulte, Sheldon, Stoddard, Sullivan, Swift, Tegeler, Tilton, White, Wilson, Mr. Speaker—48.

Absent or not voting:

Bauman, Beery, Brandes, Byerly, Crozier, Finlayson, Fulliam, Huffaker, Hunter, Koontz, McCleery, Marston, Miller of Bremer, Moore of Wapello, Reaney, Ward—16.

So the bill was lost.

#### EXPLANATION OF VOTE.

I am heartily in favor of the object sought in this measure but as the bill provided no means of legal dispensation of liquors for proper and legitimate purposes and believing that its enactment into law without such safeguards would encourage indiscriminate traffic in liquor by irresponsible persons, I therefore vote no on House File No. 352.

E. H. CUNNINGHAM.

Hanson of Humboldt moved that the House adjourn until 1:30 o'clock.

Harding of Woodbury moved to amend by making the time 1:00 o'clock.

Amendment lost.

Motion prevailed.

#### AFTERNOON SESSION.

The House met pursuant to adjournment.

Speaker Feely in the Chair.

On request of Schee of O'Brien, leave of absence was granted Sullivan of Polk, until Wednesday.

#### REPORTS OF COMMITTEES.

Sullivan of Polk, from the Committee on Judiciary, submitted the following report:

MR. SPEAKER—Your Committee on Judiciary to whom was referred Senate File No. 131, a bill for an act to repeal Section two hundred eight (208), two hundred nine (209) and two hundred ten (210) of the Code, relating to the office and duties of the attorney general, and to enact substitutes therefor, beg leave to report they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same be amended as follows:

First. That Section four be amended by adding after the word "Justice" in the last line of said Section the following: "provided, however, that in any case the attorney general is an interested party, the Executive Council may employ special counsel and audit and pay a reasonable compensation for legal services rendered by him," and when so amended the bill do pass.

JOHN B. SULLIVAN,  
*Chairman.*

Adopted.

Also:

MR. SPEAKER—Your Committee on Judiciary to whom was referred House File No. 507, a bill for an act to amend the law as it appears in Section twenty-eight hundred twelve-e (2812-e) of the Supplement to the Code, 1907, relating to the duration of school bonds, beg leave to report they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same do pass.

JOHN B. SULLIVAN,  
*Chairman.*

Adopted.

Also:

MR. SPEAKER—Your Committee on Judiciary to whom was referred House File No. 184, a bill for an act to amend Section three thousand sixty-a-eighty-seven (3060-a-87) of the Supplement to the Code, 1907, relative to the payment of negotiable instruments payable at a bank, beg leave to report they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same do pass.

JOHN B. SULLIVAN,  
*Chairman.*

Adopted.

Also:

MR. SPEAKER—Your committee on Judiciary, to whom was referred House File No. 113, a bill for an act additional to Chapter nine, title twenty-five of the Code, defining the rights of persons sought to be extradited as fugitives from justice, and providing for the course of procedure therein, and to amend Section five thousand one hundred and seventy-three (5173) and five thousand one hundred and seventy-four (5174) of the Code, beg leave to report they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same be indefinitely postponed.

JOHN B. SULLIVAN,  
*Chairman.*

Adopted and House File No. 113 was indefinitely postponed.

Moore of Linn, from the Committee on Appropriations, submitted the following report:

Mr. Speaker—Your Committee on Appropriations to whom was referred House File No. 453, an act to appropriate money for the purpose of defraying the expense incurred in the election contest from the tenth representative district of Iowa, and to pay sundry persons for services, per diem, mileage, expenses rendered and incurred in conducting the said election contest.

House File 476, making an appropriation for the purpose of payment of expenses in connection with the contest brought by L. F. Springer against B. F. Stoddard.

House File No. 492, an act to reimburse Sidney D. Robb, and Albert W. Kendall for expenses incurred in the election contest from the forty-fifth representative district of Iowa and to pay sundry persons for services, per diem, mileage and expenses rendered and incurred in connection with said election contest.

House File No. 505, an act to reimburse Lorenzo D. Teter and Geo. W. Crozier for expenses incurred in the election contest from the twenty-sixth representative district of Iowa, and to pay sundry persons for services, per diem, mileage and expenses rendered and incurred in

connection with said election contest, beg leave to report they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same be amended by substituting the following bill therefor:

HOUSE FILE NO. 524—BY THE COMMITTEE ON APPROPRIATIONS.

A Bill for an Act to appropriate money for the purpose of defraying the expenses incurred in the election contests from the Tenth (10) Representative District of Iowa, the Twenty-sixth (26) Representative District of Iowa, the Forty-fifth (45) Representative District of Iowa, the Fifty-ninth (59) Representative District of Iowa, and the Sixty-seventh (67) Representative District of Iowa, and to pay sundry persons for services, mileage, and other expenses incurred in connection with said election contests.

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

Section 1. That there is hereby appropriated out of any money in the State Treasury not otherwise appropriated, the sum of one thousand three hundred forty-nine and sixty-one one-hundredths dollars (\$1,349.61) in full of all attorney fees, costs, witness fees, mileage and other expenses incurred in the Davidson vs. Penn election contest from the Tenth (10) Representative District of Iowa; the Robb vs. Kendall election contest from Forty-fifth (45) Representative District of Iowa; the Corrie vs. Baxter election contest from the Fifty-ninth (59) Representative District of Iowa and the Springer vs. Stoddard election contest from the Sixty-seventh (67) Representative District of Iowa, and that the said sum of money be paid to the persons named and in the respective sums as set out in Sections two, three, four, five and six of this act.

Sec. 2. That out of the sum of money appropriated under section one (1) of this act there shall be paid the sum of two hundred twenty-eight and seventy-five one-hundredths dollars (\$228.75) in full of all attorneys' fees, costs, witness fees, mileage and other expenses incurred in the election contest from the tenth (10) Representative District of Iowa, wherein W. F. Davidson was contestant and Hon. A. V. Penn the incumbent, and that the said sum of two hundred twenty-eight and seventy-five one-hundredths (\$228.75) dollars be paid to the following named persons and in the respective sums, to-wit:

To A. V. Penn, for attorney fees.....	\$100.00
To T. C. Harris, serving subpoenas.....	2.85
To J. D. McKean, three days witness fees, 200 miles..	23.75
To W. H. Norcutt, three days witness fees, 200 miles..	23.75
To L. T. Webster, three days witness fees, 200 miles..	23.75
To W. L. VanEaton, Jr., three days witness fees, 200 miles .....	23.75
To G. C. Coleman, express, drayage, telephone, mileage, witness fees .....	30.90

Sec. 3. That out of the sum of money appropriated under Section one (1) of this act there shall be paid the sum of one hundred Ninety-

five and forty one-hundredths (\$195.40) dollars in full of all attorney fees, costs, witness fees, mileage and other expenses incurred in the election contest from the Twenty-sixth (26) Representative District of Iowa, wherein Lorenzo D. Teter was contestant, and Hon. Geo. W. Crozier incumbent, and that the said sum of one hundred ninety-five and forty one-hundredths (\$195.40) dollars be paid to the following named persons and in the respective sums, to-wit:

To George W. Crozier, for attorney fees.....	\$100.00
To J. B. Lyman, one day witness fees, 49 miles.....	6.15
To Henry Stephens, one day witness fees, 49 miles..	6.15
To John Caulkins, one day witness fees, 45 miles....	5.75
To Osa Butcher, one day witness fees, 25 miles.....	3.75
To Mrs. Geneva Woodward, one day witness fees, 20 miles .....	3.25
To Harry Woodward, one day witness fees, 20 miles..	3.25
To L. B. Gullion, one day witness fees, 61 miles.....	7.35
To J. B. Gullion, one day witness fees, 61 miles.....	7.35
To Walter Bane, one day witness fees, 35 miles.....	4.75
To Don Smith, one day witness fees, \$4.75; to expense bringing ballots, \$32.95.....	37.70
To C. W. Hackler, telegram.....	.25
To W. J. Wilson, serving subpoenas.....	9.70

Sec. 4. That out of the sum of money appropriated under section one (1) of this act there shall be paid the sum of two hundred ninety-four and eight one-hundredths (\$294.08) dollars in full for all attorney fees, costs, witness fees, mileage and other expenses incurred in the election contest from the Forty-fifth (45) Representative District of Iowa, wherein Sidney D. Robb was contestant, and Hon. Albert W. Kendall incumbent, and that the said sum of two hundred ninety-four and eight one-hundredths (294.08) dollars be paid to the following named persons in the respective sums, to-wit:

To Albert W. Kendall, attorney fees.....	\$100.00
To J. E. Ryan, two days witness fees, 225 miles....	25.00
To W. J. Oaks, two days witness fees, 225 miles....	25.00
To F. G. Hanson, two days witness fees, 225 miles....	25.00
To R. C. Langan, two days witness fees, 225 miles..	25.00
To Chas. Mordhoret, two days witness fees, 185 miles	21.00
To Frank W. Leedham, expense of transfer of ballots and two tickets for assistants, \$18.00; two days board for assistants, \$6.00; two assistants, two days, per day \$2, \$8.00; drayage and miscellaneous \$1.80; expenses in Des Moines, \$10.50; One railroad ticket, Clinton to Des Moines and return, \$22.50; return freight on ballots, 6.28..	73.08

Sec. 5. That out of the sum of money appropriated under section one (1) of this act there shall be paid the sum of three hundred forty-one and forty one-hundredths (\$341.40) dollars in full of all attorney fees, costs, witness fees, mileage, and other expenses incurred in the election



contest from the fifty-ninth (59) Representative District of Iowa, wherein Hon. Samuel M. Corrie was contestant, and Robinson Baxter incumbent, that the said sum of three hundred forty-one and forty one-hundredths (\$341.40) dollars be paid to the following named persons and in the respective sums, to-wit:

To Samuel M. Corrie for attorney fees, \$100.00; for serving notices, \$2.00.....	\$102.00
To Robinson Baxter for attorney fees.....	100.00
To Richard Varner, for mileage, service and express on ballots .....	55.90
To C. W. Hoyer, four days witness fees, 159 miles..	20.90
To H. W. Cheney, four days witness fees, 159 miles..	20.90
To Floyd Percival, four days witness fees, 159 miles..	20.90
To Paul E. Stillman, telephone message.....	.80
To Geo. C. Hubbard, three days witness fees, 159 miles	19.65
To P. C. Van Wagner, Constable fees.....	.35

Sec. 6. That out of the sum of money appropriated under section one (1) of this act there shall be paid the sum of two Hundred eighty-nine and ninety-eight one-hundredths (289.98) dollars in full of all attorney fees, costs, witness fees, mileage, and other expenses incurred in the election contest from the sixty-seventh (67) Representative District of Iowa, wherein L. F. Springer was contestant and Hon. L. B. Stoddard incumbent, and that the said sum of two hundred eighty-nine and ninety-eight one-hundredths (289.98) dollars be paid to the following named persons and in the respective sums, to-wit:

To L. B. Stoddard, for attorney fees, \$100.00, for serving subpoenas, \$5.10.....	\$105.10
To W. C. Ballou, two days witness fees, 129 miles..	15.40
To A. M. Donnan, two days witness fees, 129 miles..	15.40
To W. C. Kinney, two days witness fees, 129 miles..	15.40
To M. B. Griffity, two days witness fees, 129 miles....	15.40
To Lillie E. Seener, two days witness fees, 129 miles	15.40
To Patrick McCortin, three days witness fees, 129 miles .....	16.65
To L. W. Goen, two days witness fees, 129 miles....	15.40
To Chas. E. Foster, three days witness fees 129 miles	16.65
To Mrs. Alice Hayes, three days witness fees, 129 miles .....	16.65
To C. E. Hayes, six days witness fees, 129 miles, \$23.30; expense of transferring ballots, \$18.48..	41.78
To F. C. Davidson, telephone to Senator Ball.....	.75

Sec. 7. That the State Auditor is hereby authorized and directed to draw his warrants upon the State Treasury in favor of the persons named in Sections two, three, four, five, and six, of this act in the respective sums herein appropriated to each.

Sec. 8. This act being deemed of immediate importance shall take effect and be in force from and after its publication in the Register and

Leader and in the Des Moines Capital, newspapers published in the city of Des Moines, Iowa.

ERNEST R. MOORE,  
*Chairman.*

Adopted.

Read first and second time and passed on file.

Drury of Sac, from the Committee on Compensation of Public Officers, submitted the following report:

MR. SPEAKER—Your committee on Compensation of Public Officers, to whom was referred Senate File No. 148, a bill for an act to amend the law as it appears in Section five hundred ten-a (510-a) of the Supplement to the Code, 1907, relating to the compensation of sheriffs and providing for the disposition of mileage heretofore earned by sheriffs, beg leave to report they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same do pass.

WILL DRURY,  
*Chairman.*

Adopted.

Also:

MR. SPEAKER—Your committee on Compensation of Public Officers, to whom was referred House File No. 514, a bill for an act to repeal Section twenty-five hundred eighty-five (2585) of the Supplement to the Code, 1907, Sections twenty-five hundred eighty-seven (2587) and twenty-five hundred ninety-four (2594) of the Code and to enact substitutes therefor relating to commission of pharmacy, beg leave to report they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same do pass.

WILL DRURY,  
*Chairman.*

Adopted.

Also:

MR. SPEAKER—Your committee on Compensation of Public Officers, to whom was referred Senate File No. 97, a bill for an act to amend the law as it appears in Section two hundred ninety-seven (297) of the Code relating to the compensation of clerks of the district court, beg leave to report they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same be indefinitely postponed.

WILL DRURY,  
*Chairman.*

Adopted, and Senate File No. 97. was indefinitely postponed.

Also:

MR. SPEAKER—Your committee on Compensation of Public Officers, to whom was referred House File No. 305, a bill for an act to amend the law as it appears in Section two hundred ninety-eight (298) of the Supplement to the Code, 1907, relating to compensation of clerks of the district court and their deputies, beg leave to report they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same do pass.

WILL DRURY,  
*Chairman.*

Adopted.

Also:

MR. SPEAKER—Your committee on Compensation of Public Officers, to whom was referred House File No. 510, a bill for an act to amend the law as it appears in Section one hundred fifty-four (154) of the Code, relative to compensation of custodian, beg leave to report they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same do pass.

WILL DRURY,  
*Chairman.*

Adopted.

White of Story, from the Committee on Ways and Means, submitted the following report:

MR. SPEAKER—Your committee on Ways and Means, to whom was referred House File No. 513, a bill for an act to amend Section thirteen hundred twenty-six, Title seven, Chapter one of the Code of Iowa, relating to stock of building and loan associations, beg leave to report they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same do pass.

GEO. C. WHITE,  
*Chairman.*

Adopted.

Also:

MR. SPEAKER—Your committee on Ways and Means, to whom was referred Senate File No. 362, a bill for an act to repeal Section fourteen hundred fifteen (1415) of the Code relating to the apportionment of taxes by county treasurers and to enact a substitute therefor, and to provide for recovery on treasurer's bond of interest or penalty misapplied, beg leave to report they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same do pass.

GEO. C. WHITE,  
*Chairman.*

Adopted.

Also:

MR. SPEAKER—Your committee on Ways and Means, to whom was referred House File No. 298, a bill for an act to amend the law as it appears in Section one thousand three hundred eleven (1311) of the Code relating to the deducting of debts from monies and credits, beg leave to report they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same be indefinitely postponed.

GEO. C. WHITE,  
*Chairman.*

Adopted, and House File No. 298 was indefinitely postponed.

Also:

MR. SPEAKER—Your committee on Ways and Means, to whom was referred House File No. 128, a bill for an act to deduct debts secured by mortgage on real estate from the assessed cash value of said real estate for the purpose of taxation, beg leave to report they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same be indefinitely postponed.

GEO. C. WHITE,  
*Chairman.*

Adopted, and House File No. 128 was indefinitely postponed.

Jewell of Winneshiek, from the Committee on Public Health, submitted the following report:

MR. SPEAKER—Your committee on Public Health, to whom was referred Senate File No. 340, by Moon, a bill for an act amending the law as it appears in Section twenty-five hundred ninety-six-a (2596-a) of the Supplement to the Code, 1907, relating to the sale of cocaine and certain other drugs, beg leave to report they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same do pass.

P. M. JEWELL,  
*Chairman.*

Adopted.

Also:

MR. SPEAKER—Your committee on Public Health, to whom was referred House File No. 405, by Ritter, a bill for an act to amend Section twenty-five hundred seventy-five-a-thirty (2575-a-30) and twenty-five hundred seventy-five-a-thirty-one (2575-a-31) of the Supplement to the Code, and to repeal Section twenty-five hundred seventy-five-a-twenty-nine (2575-a-29) of the Supplement to the Code relative to the qualifications of nurses and enacting a substitute therefor, beg leave to report they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same be amended as follows:

That Section one (1) of the bill be stricken out and that Sections two (2) and three (3) be renumbered Sections one (1) and two (2) respectively, and when so amended the bill do pass.

P. M. JEWELL,  
*Chairman*

Adopted.

#### INTRODUCTION OF BILLS.

HOUSE FILE NO. 523—BY COMMITTEE ON JUDICIARY.

A bill for an Act to Amend Chapter Nine (9) Title Twenty-five (25) of the Code of Iowa, to regulate the issuance of warrants upon requisitions from the Governors of other states and territories, to regulate the practice in habeas corpus cases relating to the extradition of fugitives from justice and to repeal Sections Five Thousand One Hundred Seventy-one (5171), Five Thousand One Hundred Seventy-three (5173), Five Thousand One Hundred Seventy-four (5174), Five Thousand One Hundred Seventy-five (5175), Five Thousand One Hundred Seventy-six (5176), Five Thousand One Hundred Seventy-seven (5177), and Five Thousand One Hundred Seventy-eight (5178) of the Code.

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

Section 1. No executive warrant for the arrest and surrender of any person demanded by the executive authority of another state or territory, as a fugitive from justice of such state or territory, and no requisition upon the executive authority of another state or territory for the surrender of any person as a fugitive from justice of this state, shall be issued, unless the requisition from the governor of such other state or territory, or the application for the requisition upon the executive authority of such other state or territory is accompanied by sworn evidence in the form of affidavits or otherwise, that the party charged is a fugitive from justice and by a duly attested copy of an indictment or preliminary information under oath or complaint under oath made before a magistrate having authority to receive the same.

Sec. 2. If any person is found in this state who is charged with a crime committed in another state or territory and who is liable by the constitution and laws of the United States to be delivered over upon the demand of such other state or territory any magistrate of this state upon the filing of a complaint under oath before him setting forth the matters which are necessary to bring the case within the provisions of this chapter shall issue a warrant for the arrest of such person so charged.

Sec. 3. If upon a hearing it appears that such person is charged with the commission of a crime in such other state or territory and that the authorities of such other state or territory are proceeding with reasonable diligence to procure extradition of the person so charged then the magistrate shall commit such person so charged for such a time as it appears will under the circumstances give the authorities of such other state or territory a reasonable time within which to procure and serve a warrant from the governor of this state if they shall succeed in securing the same. If at any time before the expiration of

the first period of commitment the authorities of the said other state shall show that they are and have been at all times proceeding with reasonable diligence in the prosecution of their application for an extradition warrant the time of commitment shall be extended for a reasonable time. The person thus committed shall be entitled to be released at any time when it is made to appear that the authorities of such other state have abandoned or are not proceeding with reasonable diligence but such discharge shall not be made without reasonable notice to the authorities of such other state. In all such hearing before the magistrate affidavits shall be admissible.

Sec. 4. Any person authorized by the governor's warrant may at any time take such person and such taking shall constitute a discharge of and a dismissal of the proceedings before the magistrate.

Sec. 5. The governor's warrant shall in all courts be presumptive evidence that all proceedings have been regular both in the demanding and the asylum state.

Sec. 6. If in any habeas corpus proceeding to test the validity of the governor's warrant issued upon a requisition the judgment shall be adverse to the plaintiff asking said writ the supreme court shall have power to stay proceedings under said judgment pending an appeal therefrom but said order shall be conditioned upon the perfecting of the appeal with all possible diligence and the court shall have power to order the submission of the appeal at any period when the court is in session that shall be deemed reasonable for the protection of the right of appeal and the speedy determination of the right of surrender to the demanding state.

Sec. 7. The governor of this state when presented with a requisition from the executive authority of another state or territory may and shall upon the request of the alleged fugitive from justice grant a hearing and if such hearing shall be had his decision shall be final on all questions involving the right of extradition.

By Grier of Poweshiek (by request), House File No. 525, a bill for an act to amend Section One Thousand Six Hundred Eighteen-a (1618-a) of the Supplement to the Code, 1907, relative to the renewal of the corporate charter of state and savings banks.

Read first and second time and referred to Committee on Banks and Banking.

By Meredith of Cass, House File No. 526, a bill for an act relating to breach of the Sabbath.

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

By Johnson of Mitchell, House File No. 527, a bill for an act to repeal Section Five Hundred Ninety-nine (599) and Section

Six Hundred (600) of the Code, relating to the incorporation of towns, and enacting substitutes therefor relating to the filing of petitions for said incorporated towns, the publication of notice thereof, the procedure before the courts and defining the powers and duties of the courts in relation thereto.

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

#### 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 House amendments to Senate File No. 197, a bill for an act granting certain officers and employes of the state institutions annual vacations.

S. W. NEAL,  
*Secretary.*

Also:

MR. SPEAKER—I am directed to inform your honorable body that the Senate has passed the following bill in which the concurrence of the Senate was asked:

House File No. 452, a bill for an act relative to dependent soldier and sailor tax.

S. W. NEAL,  
*Secretary.*

#### CONSIDERATION OF BILLS.

On motion of Felt of Clay, Senate File No. 166, a bill for an act to enable counties to establish and maintain hospitals, levy a tax and issue bonds therefor, elect hospital trustees, maintain training schools for nurses, provide suitable means for the care of tuberculous persons, and to make possible the ultimate establishment of an adequate supply of hospitals with equal rights to all and special privileges to none with report of committee recommending passage as amended was taken up and considered.

Felt of Clay, proposed the following amendment to the amendment: I move to amend the committee's amendment by striking out the words "or healing" in the sixth paragraph.

Amendment to amendment adopted.

Miller of Bremer moved that Senate File No. 166 be re-referred to the Committee on Public Health.

Motion lost.

Felt of Clay moved the adoption of the amendments postponed by the committee.

Motion prevailed.

Schee of O'Brien proposed the following amendments:

I move to amend Senate File No. 166 as follows:

"By striking out of Section One in line nine the word "twenty" and insert in lieu thereof the word "ninety."

Amendment adopted.

Also by adding to the end of Section Six the following:

"Provided the total amount of bonds to be issued shall not exceed one hundred thousand dollars (\$100,000.00)."

Amendment adopted.

Also by adding after the word "none" in line twenty-six of Section Four the following words: "but any resident of such county who is sick shall have the right to enter such hospital by paying the usual expenses charged, without being required to have the services of a doctor or paying therefor."

Amendment lost.

Schee of O'Brien proposed the following amendment:

I move to amend Section Six by adding after the word "redemption" in line sixteen the following words and figures: "section four hundred and three (403)."

Amendment adopted.

Miller of Bremer proposed the following amendment:

I move to amend Section Three by adding after the word "whatever" in the fourteenth line the following: "any tax payer who is a believer in a non-drug method of healing, upon making affidavit as to such belief, may claim and be granted, by the Board of Supervisors immunity from the special levy for hospital purposes."

Amendment lost.



Felt of Clay, moved that the rules be suspended, the bill be read a third time now, which motion prevailed, and the bill was read a third time.

On the question, "Shall the bill pass?"

The ayes were:

Allred, Anderson, Arney, Bascom, Bauman, Beebe, Beery, Blackmore, Boe, Bonwell, Boomgaarden, Bowman, Brandes, Byerly, Calkins, Cassady, Cooper, Corrie, Cousins, Crummer, Davidson, Derrough, Dewey, Dodds, Drury, Dye, Elliott, Felt, Fenn, Finlayson, Fulton, Grier, Hackler, Hanson, Harding, Hickenlooper, Holmes, Hunter, Ide, Inman, Jacobs, Jewell, Johnson, Jones, Kellogg, Koontz, Larrabee, Lee, McCleery, McDonald, Meredith, Moore of Wapello, Moore of Linn, Newell, O'Connor, Perkins, Ripley, Schulte, Sheldon, Smith, Stillman, Stoddard, Sullivan, Thompson, Tilton, Ward, Welden, White, Wilson, Wolfe, Zeller, Mr. Speaker—72.

The nays were:

Cunningham, Dabney, Dalby, Darrah, Dawson, DeWitt, Ellis, Etter, Fourt, Fulliam, Harvey, Huffaker, Kendall, Klay, Kull, Miller, of Bremer, Miller of Dubuque, Reitz, Ritter, Sankey, Schee, Tegeler—22.

Absent or not voting:

Balluff, Beans, Boettger, Burt, Crozier, Dewell, Fox, Goodykoontz, Marston, Penn, Reaney, Schroeder, Swan, Swift—14.

So the bill passed and the title was agreed to

On motion of Jones of Lee, House File No. 358, a bill for an act to amend Section Two Hundred and Twenty-seven (227) of the Supplement to the Code, 1907, changing the boundaries of the first, second and sixth judicial districts, and providing for the election of judges in these districts, and defining their jurisdiction, with report of committee recommending passage as amended by substitute amendment, was taken up, considered, and the amendment adopted.

Reitz of Lee moved that House File No. 358 be indefinitely postponed.

Roll call was demanded by Reitz of Lee and Swift of Shelby.

On the question, "Shall the bill be indefinitely postponed?"

The ayes were:

Balluff, Bascom, Bauman, Boettger, Byerly, Crozier, Dabney, Davidson, Derrough, Dodds, Drury, Ellis, Etter, Fulliam, Huf-faker, Kellogg, Kendall, Klay, Kull, Miller of Bremer, Miller of Dubuque, Moore of Wapello, Moore of Linn, O'Connor, Penn, Reitz, Ripley, Ritter, Sankey, Schroeder, Schulte, Swift, Tege-ler, Tilton, Wolfe, Zeller—36.

The nays were:

Anderson, Arney, Beans, Blackmore, Boe, Bonwell, Boomgaard-en, Bowman, Burt, Cooper, Crummer, Dalby, Darrah, Dewey, De-Witt, Dye, Elliott, Felt, Fenn, Finlayson, Fourt, Fox, Fulton, Goodykoontz, Grier, Hackler, Hanson, Harding, Harvey, Holmes, Hunter, Ide, Inman, Jewell, Johnson, Jones, Koontz, Larrabee, Lee, McCleery, Meredith, Perkins, Schee, Sheldon, Smith, Stillman, Stoddard, Swan, Thompson, Ward, Welden, White, Wilson, Mr. Speaker—54.

Absent or not voting:

Allred, Beebe, Beery, Brandes, Calkins, Cassady, Corrie, Cous-ins, Cunningham, Dawson, Dewell, Hickenlooper, Jacobs, McDon-ald, Marston, Newell, Reaney, Sullivan—18.

So the motion was lost.

Davidson of Palo Alto moved that the previous question be now put.

Motion prevailed.

Jones of Lee moved that the rules be suspended, the bill be con-sidered engrossed, and read a third time now, which motion pre-vailed, and the bill was read a third time.

On the question, "Shall the bill pass?"

The ayes were:

Anderson, Arney, Beebe, Blackmore, Boe, Bonwell, Boomgaard-en, Bowman, Burt, Cooper, Cousins, Dewell, DeWitt, Dye, Elliott, Felt, Finlayson, Fourt, Fulton, Goodykoontz, Grier, Hackler, Han-son, Harding, Holmes, Ide, Inman, Jacobs, Jewell, Johnson, Jones, Larrabee, Lee, McCleery, Meredith, Perkins, Schee, Smith, Still-man, Stoddard, Ward, Welden, White, Mr. Speaker—45.

The nays were:

Allred, Balluff, Bascom, Bauman, Beans, Beery, Boettger, Byerly, Calkins, Cassady, Corrie, Crozier, Crummer, Cunningham, Dabney, Dalby, Darrah, Derrough, Dewey, Dodds, Drury, Ellis, Etter, Fenn, Fox, Fulliam, Harvey, Huffaker, Kellogg, Kendall, Klay, Koontz, Kull, McDonald, Miller of Bremer, Miller of Dubuque, Moore of Wapello, O'Connor, Penn, Reitz, Ripley, Ritter, Sankey, Schroeder, Schulte, Sullivan, Swift, Tegeler, Tilton, Wilson, Wolfe—51.

Absent or not voting:

Brandes, Davidson, Dawson, Hickenlooper, Hunter, Marston, Moore of Linn, Newell, Reaney, Sheldon, Thompson, Zeller—12.

So the bill was lost.

On motion of Holmes of Kossuth, House File No. 414, a bill for an act relating to the investigation of complaints as to the management and treatment of inmates of county and private institutions in which insane persons are kept, and of children cared for by associations and societies contemplated by the law as it appears in Section Three Thousand Two Hundred Sixty-j (3260-j) of the Supplement to the Code, 1907, was taken up and considered.

Klay of Sioux moved that the rules be suspended, 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 ayes were:

Allred, Anderson, Arney, Balluff, Bascom, Bauman, Beans, Beebe, Beery, Blackmore, Boettger, Bonwell, Boomgaarden, Bowman, Brandes, Burt, Byerly, Calkins, Cassady, Cooper, Corrie, Cousins, Crozier, Crummer, Cunningham, Dabney, Dalby, Darrah, Davidson, Derrough, DeWitt, Dodds, Drury, Dye, Elliott, Ellis, Etter, Fenn, Finlayson, Fourt, Fox, Fulton, Goodykoontz, Grier, Hackler, Hanson, Harvey, Hickenlooper, Holmes, Huffaker, Hunter, Ide, Inman, Jewell, Johnson, Jones, Kendall, Klay, Kull, Larrabee, McCleery, McDonald, Meredith, Miller of Dubuque, Moore of Wapello, Newell, O'Connor, Reitz, Ripley, Ritter, Sankey, Schee, Schroeder, Schulte, Sheldon, Smith, Stillman, Stoddard, Sullivan, Swan, Swift, Tegeler, Tilton, Ward, Welden, White, Wilson, Zeller. Mr. Speaker—89.

The nays were:

Dewey, Fulliam, Moore of Linn, Penn—4.

Absent or not voting:

Boe, Dawson, Dewell, Felt, Harding, Jacobs, Kellogg, Koontz, Lee, Marston, Miller of Bremer, Perkins, Reaney, Thompson, Wolfe—15.

So the bill passed and the title was agreed to.

On motion of Schulte of Clayton, House File No. 373, a bill for an act to amend Section Three Hundred Thirty-seven (337) of the Supplement to the Code, 1907, relating to the selection of jury lists, was taken up and considered.

Schulte of Clayton moved that the rules be suspended, 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 ayes were:

Allred, Anderson, Arney, Balluff, Bascom, Bauman, Beans, Beebe, Beery, Blackmore, Boe, Bonwell, Boomgaarden, Bowman, Burt, Byerly, Calkins, Cassady, Cooper, Corrie, Cousins, Crozier, Crummer, Cunningham, Dabney, Dalby, Darrah, Davidson, Derrough, Dewell, Dewey, DeWitt, Dodds, Drury, Dye, Elliott, Ellis, Etter, Felt, Fenn, Finlayson, Fourt, Fox, Fulliam, Fulton, Goodykoontz, Grier, Hackler, Hanson, Harding, Harvey, Holmes, Huffaker, Ide, Inman, Jewell, Johnson, Jones, Kendall, Klay, Koontz, Kull, Larrabee, Lee, McCleery, McDonald, Meredith, Miller of Dubuque, Moore of Wapello, O'Connor, Penn, Perkins, Reitz, Ripley, Ritter, Sankey, Schee, Schroeder, Schulte, Sheldon, Smith, Stillman, Stoddard, Swan, Swift, Tegeler, Tilton, Ward, Welden, White, Wilson, Zeller, Mr. Speaker—94.

The nays were:

None.

Absent or not voting:

Boettger, Brandes, Dawson, Hickenlooper, Hunter, Jacobs, Kellogg, Marston, Miller of Bremer, Newell, Reaney, Sullivan, Thompson, Wolfe—14.

So the bill passed and the title was agreed to.

On motion of Harding of Woodbury, House File No. 370, a bill for an act requiring the proper equipment of locomotives used exclusively in switching or yard service; providing for the safety of employes engaged in their operation, and providing a penalty for failure to properly equip such switch engines, with report of committee recommending passage as amended, was taken up and considered, and Senate File No. 304 was substituted therefor.

Harding of Woodbury moved that the rules be suspended, the bill be read a third time now, which motion prevailed, and the bill was read a third time.

On the question, "Shall the bill pass?"

The ayes were:

Allred, Anderson, Arney, Balluff, Bascom, Bauman, Beans, Beery, Blackmore, Boe, Boettger, Bonwell, Boomgaarden, Bowman, Burt, Byerly, Calkins, Cassady, Cooper, Corrie, Cousins, Crozier, Crummer, Dabney, Dalby, Darrah, Davidson, Derrough, Dewell, Dewey, DeWitt, Dodds, Dye, Elliott, Ellis, Etter, Felt, Fenn, Finlayson, Fourt, Fox, Fulliam, Fulton, Goodykoontz, Hackler, Hanson, Harding, Harvey, Hickenlooper, Holmes, Huffaker, Hunter, Ide, Inman, Jewell, Johnson, Jones, Kendall, Klay, Koontz, Larrabee, Lee, McCleery, McDonald, Meredith, Miller of Dubuque, Moore of Wapello, Moore of Linn, Newell, O'Connor, Penn, Perkins, Reitz, Ripley, Ritter, Sankey, Schee, Schulte, Sheldon, Smith, Stillman, Stoddard, Sullivan, Swan, Swift, Tegeler, Thompson, Tilton, Ward, Welden, White, Wilson, Zeller, Mr. Speaker—94.

The nays were:

None.

Absent or not voting:

Beebe, Brandes, Cunningham, Dawson, Drury, Grier, Jacobs, Kellogg, Kull, Marston, Miller of Bremer, Reaney, Schroeder, Wolfe—14.

So the bill passed and the title was agreed to.

On motion of Grier of Poweshiek, House File No. 388, a bill for an act to amend Section Two Thousand Eight Hundred and Six

(2806) of the Supplement to the Code, 1907, relative to school taxes and transportation fund, was taken up and considered, and Senate File No. 281 was substituted therefor.

Grier of Poweshiek moved the adoption of the amendments proposed by the Committee:

Motion prevailed.

Grier of Poweshiek moved that the rules be suspended, the bill be read a third time now, which motion prevailed, and the bill was read a third time.

On the question, "Shall the bill pass?"

The ayes were:

Allred, Anderson, Arney, Balluff, Bascom, Bauman, Beans, Beery, Blackmore, Boe, Boettger, Bonwell, Boomgaarden, Bowman, Burt, Byerly, Cassady, Cooper, Corrie, Cousins, Crummer, Dabney, Dalby, Darrah, Davidson, Dawson, Derrough, Dewell, Dewey, DeWitt, Dodds, Dye, Elliott, Ellis, Etter, Felt, Fenn, Finlayson, Fourt, Fox, Fulliam, Goodykoontz, Grier, Hackler, Hanson, Harvey, Hickenlooper, Huffaker, Hunter, Ide, Inman, Jewell, Johnson, Kendall, Klay, Koontz, Kull, Larrabee, Lee, McCleery, McDonald, Meredith, Miller of Bremer, Miller of Dubuque, Moore of Linn, Newell, O'Connor, Penn, Perkins, Ripley, Schulte, Sheldon, Smith, Stillman, Stoddard, Sullivan, Swift, Tilton, Ward, Welden, White, Wilson, Zeller, Mr. Speaker—84.

The nays were:

Drury, Schee, Swan, Tegeler—4.

Absent or not voting:

Beebe, Brandes, Calkins, Crozier, Cunningham, Fulton, Harding, Holmes, Jacobs, Jones, Kellogg, Marston, Moore of Wapello, Reaney, Reitz, Ritter, Sankey, Schroeder, Thompson, Wolfe—20.

So the bill passed and the title was agreed to.

On motion of Cooper of Jasper, House File No. 276, a bill for an act to amend the law as it appears in Section Three Thousand One Hundred Six (3106) of the Code, relating to limited partnerships was taken up and considered.

Moore of Linn, proposed the following amendment:

I move to amend by adding to the end of the bill the following :

“Any such limited partnership already formed for the purpose of doing a banking or trust company business shall be subject to supervision and examination as provided in the law governing state and savings banks.”

Amendment adopted.

Cooper of Jasper, moved that the rules be suspended, 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 ayes were :

Allred, Arney, Balluff, Bascom, Beans, Beery, Blackmore, Boe, Boettger, Bonwell, Boomgaarden, Bowman, Brandes, Cassady, Cooper, Corrie, Cousins, Crummer, Dewey, Dabney, Dalby, Darrah, Davidson, Dawson, Derrough, Dewell, DeWitt, Dodds, Drury, Dye, Elliott, Ellis, Fenn, Finlayson, Fourt, Fulliam, Goodykoontz, Grier, Hackler, Hanson, Harding, Harvey, Hickenlooper, Holmes, Huffaker, Hunter, Ide, Inman, Jewell, Johnson, Jones, Kendall, Klay, Koontz, Kull, Larrabee, Lee, McCleery, McDonald, Meredith, Miller of Dubuque, Moore of Wapello, Moore of Linn, O'Connor, Penn, Perkins, Reitz, Schee, Sheldon, Smith, Stillman, Sullivan, Thompson, Tilton, Ward, Welden, Wilson, Zeller, Mr. Speaker—79.

The nays were :

Bauman, Byerly, Etter, Fox, Ripley, Ritter, Sankey, Swift, Tegeler—9.

Absent or not voting :

Anderson, Beebe, Burt, Calkins, Crozier, Cunningham, Felt, Fulton, Jacobs, Kellogg, Marston, Miller of Bremer, Newell, Reaney, Schroeder, Schulte, Stoddard, Swan, White, Wolfe—20.

So the bill passed and the title was agreed to.

Klay of Sioux in the chair.

On motion of Hanson of Humboldt, House File No. 213, a bill for an act regulating certain classes of advertisements, prohibiting other classes, and providing a penalty for violation thereof, with

report of committee recommending passage as amended, was taken up, considered, and the amendments adopted.

Kull of Howard moved that the House go into secret session.

Motion lost.

O'Connor of Chickasaw, proposed the following amendment:

I move to amend House File No. 213 as follows: By striking out all after the enacting clause and inserting in lieu thereof the following:

Section 1. Any person who shall advertise, in his own name or the name of any other person, firm or pretended firm, association, corporation or pretended corporation, in any newspaper, pamphlet, circular or other written or printed paper, the treatment or curing of "lost manhood" or "lost vitality," or shall advertise in any manner that he is a specialist in the diseases of the sexual organs, caused by sexual weakness, self-abuse, or excessive sexual indulgence, or shall advertise in any manner any medicine, drug compound, appliance or any means whatever whereby it is claimed that sexual diseases of men and women, caused by excessive sexual indulgence, self-abuse or illicit intercourse may be cured, or relieved, or miscarriage or abortion produced, shall be guilty of a misdemeanor.

Sec. 2. The owner, publisher or manager of any newspaper or other publication who shall permit to be inserted or published in any newspaper or other publication owned, managed or controlled by him, published within the state, any of the advertising matters in this act prohibited, and any person, firm or corporation distributing or causing to be distributed or circulated any of the advertising matter in this act prohibited, shall be guilty of a misdemeanor.

Sec. 3. The production of any advertisement or advertising matter published or distributed contrary to the provisions of this act shall be of itself prima facie evidence of the guilt of the person or persons advertising to cure any such disease hereinbefore mentioned, or of the publisher who publish any matter such as herein prohibited.

Amendment lost.

Hanson of Humboldt moved that the rules be suspended, 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 ayes were:

Allred, Anderson, Bascom, Bauman, Beebe, Beery, Blackmore, Boe, Bonwell, Boomgaarden, Brandes, Burt, Cassady, Cooper, Corrie, Cousins, Crummer, Dabney, Dalby, Darrah, Davidson, Dawson, Derrough, Dewell, Dewey, DeWitt, Dye, Elliott, Felt, Fenn, Finlayson, Fourt, Fox, Fulton, Goodykoontz, Grier, Hackler, Hanson, Harding, Harvey, Hickenlooper, Holmes, Hunter, Ide, Inman, Jewell, Johnson, Klay, Larrabee, Lee, McCleery, Moore of Linn, Perkins, Ripley, Schee, Stillman, Swan, Thompson, Tilton, Welden, Wilson, Zeller—62.

The nays were:

Balluff, Boettger, Crozier, Dodds, Etter, Fulliam, Huffaker, Kendall, Koontz, Meredith, Miller of Bremer, Miller of Dubuque, Moore of Wapello, Newell, Penn, Reitz, Ritter, Schroeder, Schulte, Sheldon, Smith, Stoddard, Swift, Tegeler, Ward, Wolfe—26.

Absent or not voting:

Arney, Beans, Bowman, Byerly, Calkins, Cunningham, Drury, Ellis, Jacobs, Jones, Kellogg, Kull, McDonald, Marston, O'Connor, Reaney, Sankey, Sullivan, White, Mr. Speaker—20.

So the bill passed.

Hanson of Humboldt moved to amend the title by striking out the word "regulating" and inserting in lieu thereof, "prohibiting." Also by striking out the following "prohibiting other classes."

Amendment adopted, and the title as amended was agreed to.

Speaker Feely in the Chair.

The Speaker announced that as Speaker of the House, in the presence of the House, he had signed Senate File Nos. 23, 124, 217, and 87.

Swan of Appanoose, moved that the House adjourn until 9 o'clock A. M. Wednesday.

Motion prevailed.

# JOURNAL OF THE HOUSE

HALL OF THE HOUSE OF REPRESENTATIVES,  
DES MOINES, IOWA, March 31, A. D. 1909.

House met pursuant to adjournment.

Speaker Feely in the Chair.

Prayer was offered by Rev. Frank Irving Hanscom of Creston,

On request of Kendall of Clinton, leave of absence was granted Corrie of Ida until Thursday.

Iowa.

## REPORT OF COMMITTEE.

Drury of Sac, from the Committee on Compensation of Public Officers, submitted the following report:

MR. SPEAKER—Your Committee on Compensation of Public Officers to whom was referred Senate File No. 51, a bill for an act to amend section two hundred fifty-four-a-2 (254-a-2) of the Supplement to the Code, relating to compensation of shorthand reporters, beg leave to report they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same be amended by striking out all after the enacting clause and substituting the following in lieu thereof:

SECTION 1. Shorthand reporters of the district court shall be paid eight (\$8.00) dollars per day for each days attendance upon said court, under the direction of the judge, out of the county treasury where such court is held, upon the certificate of the judge holding the court; and in case the total per diem of each reporter shall not amount to the sum of one thousand four hundred dollars (\$1,400.00) per year the judge appointing him shall at the end of the year apportion the deficiency so remaining unpaid among the several counties of the district, if there be more than one county in such district, in proportion to the number of days of court actually held by said judge in such counties which apportionment shall be by him certified to the several county auditors who shall issue warrants therefor to said reporter, which warrants shall be paid by the county treasurer out of any funds in the treasury not otherwise appropriated, provided shorthand reporters in addition to the one thousand four hundred dollars (\$1,400.00) shall receive eight dollars (\$8.00) per day for each additional day's attendance in court, under the direction of the judge, in excess of one hundred and forty (140) days in each year.

Shorthand reporters shall also receive eight cents (8c) per hundred (100) words for transcribing their official notes, to be paid for in all cases by the party ordering the same. If a defendant in a criminal case has perfected an appeal from a judgment against him and shall satisfy a judge of the district court from which the appeal is taken that he is unable to pay for a transcript of the evidence, such judge may order the same made at the expense of the county where said defendant was tried.

SEC. 2. That section two hundred fifty-four-a-3 (254-a-3) of the Supplement to the Code, 1907, be and the same is hereby repealed and the following enacted in lieu thereof: "A charge of eight dollars (\$8.00) per day for reporting in all cases except where the defendant in a criminal case is acquitted, shall be taxed as part of the cost in the case by the clerk of the court and paid into the county treasury when collected, and when so amended that the bill do pass.

WILL DRUBY,  
*Chairman.*

Adopted.

#### REPORT OF COMMITTEE ON ENROLLED BILLS.

Klay of Sioux, 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. 159, a bill for an act to repeal section eighteen hundred twenty (1820) of the Code relating to limitation of actions and enacting a substitute therefor.

Also:

House File No. 300, a bill for an act to amend section fifteen hundred nine (1509) of the Code relating to the power and duties of the Trustees, Board of Regents and Board of Control in regard to roads and highways and to amend section fifteen hundred thirty-two-a (1532-a) of the Supplement to the Code, 1907, relating to road districts.

Also:

House File No. 357, a bill for an act to amend section thirty-one hundred forty-one (3141) of the Code relating to the granting of marriage license by the clerk of the district court.

Also:

House File No. 445, a bill for an act to legalize certain actions of the city council of the city of Sioux City, Iowa, relating to the transfer of moneys from the library bond fund to the judgment fund.

Also:

House File No. 473, a bill for an act to confer additional powers on certain cities organized under chapter forty-eight (48) of the Acts of

the Thirty-second General Assembly of Iowa as the same appear in chapter 14-c of title V of the Supplement to the Code, 1907, and transferring to the city councils of such cities the powers conferred on river front improvement commissions organized in such cities under chapter two hundred ten (210) of the Acts of the Twenty-ninth General Assembly of Iowa as the same appears in chapter 9-a of title V of the Supplement to the Code, 1907, and empowering the council of such cities to appoint river front improvement commissions and define their duties. Also providing for the issuance of tax deeds by the county treasurer of the county in which such cities are located on sales of property for taxes heretofore made by the treasurers of such cities, and providing for special assessments and the levy of special taxes for the improvement of the beds and banks of rivers and other purposes connected therewith. Also providing for the division of such cities into road districts and the levy of a special tax for the use and benefit thereof, also for the levy of a special tax for the benefit of the fire department, and authorizing the transfer of certain special taxes heretofore levied to the fire department fund or general fund.

Also:

House File No. 365, a bill for an act to legalize deed of Osceola County, Iowa, to Edgar Baker for government lots two, three, and four, in section ten, in township one hundred, north of range thirty-nine west of the 5th P. M.

GERRIT KLAY,  
*Chairman.*

Adopted.

#### REPORT OF JOINT COMMITTEE ON ENROLLED BILLS.

Klay of Sioux, 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. 159, a bill for an act to repeal section eighteen hundred twenty (1820) of the Code relating to limitation of actions and enacting a substitute therefor.

Also:

House File No. 300, a bill for an act to amend section fifteen hundred nine (1509) of the Code relating to the powers and duties of the Trustees, Board of Regents and Board of Control in regard to roads and highways and to amend section fifteen hundred thirty-two-a (1532-a) of the Supplement to the Code, 1907, relating to road districts.

Also:

House File No. 357, a bill for an act to amend section thirty-one hundred forty-one (3141) of the Code relating to the granting of marriage license by the clerk of the district court.

Also:

House File No. 445, a bill for an act to legalize certain actions of the city council of the city of Sioux City, Iowa, relating to the transfer of moneys from the library bond fund to the judgment fund.

Also:

House File No. 473, a bill for an act to confer additional powers on certain cities organized under chapter forty-eight (48) of the Acts of the Thirty-second General Assembly of Iowa as the same appear in chapter 14-c of title V of the Supplement to the Code, 1907, and transferring to the city councils of such cities the powers conferred on river front improvement commissions organized in such cities under chapter two hundred ten (210) of the Acts of the Twenty-ninth General Assembly of Iowa as the same appears in chapter 9-a of title V of the Supplement to the Code, 1907, and empowering the council of such cities to appoint river front improvement commissions and define their duties. Also providing for the issuance of tax deeds by the county treasurer of the county in which such cities are located on sales of property for taxes heretofore made by the treasurers of such cities, and providing for special assessments and the levy of special taxes for the improvement of the beds and banks of rivers and other purposes connected therewith. Also providing for the division of such cities into road districts and the levy of a special tax for the use and benefit thereof, also for the levy of a special tax for the benefit of the fire department, and authorizing the transfer of certain special taxes heretofore levied to the fire department fund or general fund.

Also:

House File No. 365, a bill for an act to legalize deed of Osceola County, Iowa, to Edgar Baker for government lots two, three, and four, in section ten, in township one hundred, north of range thirty-nine west of the 5th P. M.

GERRIT KLAY,  
*Chairman House Committee.*

HENRY L. ADAMS,  
*Chairman Senate Committee.*

Adopted.

#### MESSAGE FROM THE SENATE.

The following message was received from the Senate:

MR. SPEAKER—I am directed to inform your honorable body that the Senate has passed the following bill in which the concurrence of the House is asked:

Senate File No. 397, a bill for an act legalizing certain instruments of writing heretofore executed by corporations conveying, encumbering or affecting real estate.

S. W. NEAL,  
*Secretary.*

## CONSIDERATION OF BILLS.

On motion of Beery of Henry, Senate File No. 208, a bill for an act to amend Section Eighteen Hundred Fifty-seven (1857) of the Code, relating to the dissolution of state banks, was taken up and considered.

Beery of Henry moved that the rules be suspended, the bill be read a third time now, which motion prevailed, and the bill was read a third time.

On the question, "Shall the bill pass?"

The ayes were:

Allred, Anderson, Arney, Balluff, Bascom, Bauman, Beans, Beebe, Beery, Blackmore, Bonwell, Boomgaarden, Bowman, Brandes, Burt, Calkins, Cassady, Cooper, Cousins, Crummer, Dabney, Dalby, Darrah, Davidson, Derrough, Dewell, Dewey, DeWitt, Dodds, Dye, Elliott, Ellis, Etter, Felt, Fenn, Finlayson, Fourt, Goodykoontz, Grier, Hackler, Hanson, Harding, Harvey, Hickenlooper, Huffaker, Hunter, Ide, Jewell, Johnson, Jones, Kellogg, Kendall, Klay, Kull, Larrabee, McCleery, Meredith, Miller of Dubuque, Moore of Linn, Newell, Penn, Perkins, Reaney, Reitz, Ripley, Ritter, Sankey, Schee, Schroeder, Schulte, Sheldon, Smith, Stillman, Stoddard, Sullivan, Swan, Swift, Tilton, Welden, Wilson, Wolfe, Zeller, Mr. Speaker—83.

The nays were:

Fulliam—1.

Absent or not voting:

Boe, Boettger, Byerly, Corrie, Crozier, Cunningham, Dawson, Drury, Fox, Fulton, Holmes, Inman, Jacobs, Koontz, Lee, McDonald, Marston, Miller of Bremer, Moore of Wapello, O'Connor, Tegeler, Thompson, Ward, White—24.

So the bill passed and the title was agreed to.

On motion of Harvey of Osceola, House File No. 418, a bill for an act to amend Section Twenty-six Hundred Twenty-six (2626) of the Code, and Section Twenty-seven Hundred Thirty-four-q (2734-q) of the Supplement to the Code, 1907, relating to the support of County Teachers' Institutes, was taken up and considered.

Harvey of Osceola moved that the rules be suspended, 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 ayes were:

Allred, Anderson, Arney, Balluff, Bascom, Beans, Beebe, Beery, Blackmore, Boe, Boettger, Bonwell, Boomgaarden, Bowman, Brandes, Burt, Calkins, Cassady, Cooper, Cousins, Crozier, Crummer, Dabney, Dalby, Darrah, Davidson, Dawson, Derrough, Dewell, Dewey, DeWitt, Dodds, Dye, Elliott, Ellis, Felt, Fenn, Finlayson, Fourt, Fox, Goodykoontz, Grier, Hackler, Hanson, Harding, Harvey, Hickenlooper, Ide, Jacobs, Jewell, Johnson, Jones, Kellogg, Kendall, Klay, Kull, Larrabee, Lee, McCleery, Meredith, Miller of Dubuque, Moore of Linn, Newell, Perkins, Reaney, Reitz, Ripley, Ritter, Sankey, Schee, Schulte, Sheldon, Smith, Stillman, Stoddard, Swan, Swift, Thompson, Tilton, Welden, Wilson, Mr. Speaker—82.

The nays were:

Bauman, Etter, Fulliam, Huffaker, Penn—5.

Absent or not voting:

Beebe, Byerly, Corrie, Cunningham, Drury, Fulton, Holmes, Hunter, Inman, Koontz, McDonald, Marston, Miller of Bremer, Moore of Wapello, O'Connor, Schroeder, Sullivan, Tegeler, Ward, White, Wolfe, Zeller—21.

So the bill passed and the title was agreed to.

Byerly, Corrie, Cunningham, Drury, Fulton, Holmes, Hunter, Inman, Koontz, McDonald, Marston, Miller of Bremer, Moore of Wapello, O'Connor, Schroeder, Sullivan, Tegeler, Ward, White, Wolfe, Zeller—21.

Stilman of Greene proposed the following amendment:

I move to amend by adding after the period at the end of Section 5 thereof the following: "Boards of Supervisors may in their discretion furnish such additional help to the county treasurer as they deem necessary to enable them to carry out the provisions of this act."

Amendment lost.

Stillman of Greene proposed the following amendment :

I move to amend House File No. 416 by adding the following as Section 8 of said bill :

“Section 8. All acts or parts of acts in conflict herewith are hereby repealed.”

Amendment lost.

Harding of Woodbury proposed the following amendment :

I move to amend by adding after the word “County” in line two of Section One the words, “except in an independent district having a population of ten thousand or over.”

Amendment lost.

Time having arrived for Special Order No. 13, Harding of Woodbury moved that unanimous consent be given and that the time be extended until House File No. 416 had been disposed of.

Motion prevailed.

Ripley of Hancock moved the previous question.

Motion prevailed.

Stillman of Greene moved that the rules be suspended, 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 ayes were :

Anderson, Arney, Beebe, Boe, Bonwell, Boomgaarden, Brandes, Burt, Davidson, Dawson, Dye, Felt, Grier, Hanson, Hunter, Inman, Jacobs, Jewell, Jones, Lee, Moore of Wapello, Moore of Linn, Reaney, Ripley, Schee, Schroeder, Sheldon, Smith, Stillman, Swan, Thompson, Welden, White, Zeller—34.

The nays were :

Allred, Balluff, Bascom, Bauman, Beans, Beery, Blackmore, Boettger, Bowman, Byerly, Calkins, Cassady, Cooper, Cousins, Crozier, Crummer, Dabney, Dalby, Darrah, Derrough, Dewell, Dewey, DeWitt, Dodds, Drury, Ellis, Etter, Fenn, Finlayson, Fourt, Fox, Fulliam, Goodykoontz, Hackler, Harding, Harvey, Hickenlooper, Huffaker, Ide, Johnson, Kendall, Klay, Koontz, Kull, Larrabee,



McCleery, Meredith, Miller of Bremer, Miller of Dubuque, Newell, O'Connor, Penn, Perkins, Reitz, Ritter, Sankey, Schulte, Stoddard, Sullivan, Swift, Tegeler, Tilton, Ward, Wilson, Wolfe, Mr. Speaker—66.

Absent or not voting:

Corrie, Cunningham, Elliott, Fulton, Holmes, Kellogg, McDonald, Marston—8.

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

#### SPECIAL ORDER.

Time having arrived for Special Order No. 13, on motion of Harding of Woodbury, substitute for Senate File No. 220, a bill for an act to regulate the transfer in bulk of stocks of merchandise, was taken up and considered.

Perkins of Delaware offered the following amendment:

I move to amend Section One by inserting after the word "merchandise" in line two the following: "or any other property"; also that bill and amendment be referred to Committee on Commerce and Trade.

Roll call demanded by Harding of Woodbury and Hackler of Webster.

On the question, Shall the bill be referred?

The ayes were:

Allred, Anderson, Bascom, Beery, Boe, Burt, Crummer, Dabney, Dalby, Darrah, Dawson, Drury, Felt, Fox, Goodykoontz, Harvey, Jewell, Johnson, Kellogg, Larrabee, Lee, McCleery, McDonald, Newell, Penn, Perkins, Ripley, Sankey, Schroeder, Schulte, Sheldon, Smith, Stillman, Stoddard, Swan, Swift, Tilton, Welden, Wilson, Zeller—40.

The nays were:

Arney, Balluff, Beans, Blackmore, Boettger, Bonwell, Boomgaarden, Brandes, Calkins, Cassady, Cooper, Cousins, Crozier, Davidson, Derrough, Dewey, DeWitt, Dye, Elliott, Finlayson, Fulliam, Fulton, Grier, Hackler, Hanson, Harding, Hickenlooper,

Huffaker, Hunter, Ide, Jacobs, Jones, Klay, Meredith, Miller of Dubuque, Moore of Wapello, Moore of Linn, O'Connor, Reaney, Reitz, Ritter, Sullivan, Tegeler, Thompson, Ward, White, Wolfe, Mr. Speaker—48.

Absent or not voting:

Bauman, Beebe, Bowman, Byerly, Corrie, Cunningham, Dewell, Dodds, Ellis, Etter, Fenn, Fourt, Holmes, Inman, Kendall, Koontz, Kull, Marston, Miller of Bremer, Schee—20.

So the motion was lost.

Perkins of Delaware moved the previous question.

Motion prevailed, and the previous question was ordered.

Roll call demanded on the adoption of the amendment by Harding of Woodbury and Hackler of Webster.

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

The ayes were:

Allred, Bascom, Beery, Blackmore, Boe, Bonwell, Boomgaarden, Bowman, Burt, Calkins, Cooper, Crummer, Dabney, Dalby, Darrah, Dawson, DeWitt, Elliott, Ellis, Felt, Fenn, Harding, Inman, Jewell, Johnson, Kellogg, Kendall, Kull, Larrabee, Lee, McDonald, Newell, Penn, Perkins, Reitz, Ripley, Sankey, Schroeder, Sheldon, Smith, Stillman, Stoddard, Swan, Thompson, Tilton, Welden—46.

The nays were:

Arney, Balluff, Boettger, Brandes, Cassady, Crozier, Derrough, Dewell, Dewey, Dodds, Drury, Dye, Etter, Finlayson, Fourt, Fox, Fulliam, Fulton, Goodykoontz, Hackler, Hanson, Harvey, Hick-enlooper, Hunter, Ide, Jacobs, Jones, Klay, McCleery, Meredith, Miller of Dubuque, Moore of Wapello, Moore of Linn, O'Connor, Reaney, Ritter, Schee, Schulte, Sullivan, Swift, Tegeler, Ward, White, Wilson, Wolfe, Zeller, Mr. Speaker—47.

Absent or not voting:

Anderson, Bauman, Beans, Beebe, Byerly, Corrie, Cousins, Cunningham, Dawson, Grier, Holmes, Huffaker, Koontz, Marston, Miller of Bremer—15.

So the amendment was lost.

Harding of Woodbury moved that the rules be suspended, the bill be read a third time now, which motion prevailed, and the bill was read a third time.

Harding of Woodbury moved that the House adjourn.

Motion lost.

White of Story moved the previous question.

Motion prevailed.

On the question, "Shall the bill pass?"

The ayes were:

Anderson, Arney, Balluff, Beans, Boettger, Bowman, Brandes, Byerly, Cooper, Crozier, Dewey, DeWitt, Dodds, Dye, Elliott, Ellis, Fourt, Fox, Fulton, Hackler, Hanson, Harding, Hunter, Ide, Jones, Kendall, Miller of Dubuque, Moore of Wapello, Moore of Linn, O'Connor, Reaney, Reitz, Ritter, Stoddard, Sullivan, Tegeler, Ward, White, Wolfe, Mr. Speaker—40.

The nays were:

Allred, Bascom, Bauman, Beebe, Beery, Blackmore, Boe, Bonwell, Boomgaarden, Burt, Cassady, Cousins, Crummer, Dabney, Dalby, Darrah, Davidson, Dawson, Derrough, Etter, Felt, Fenn, Finlayson, Goodykoontz, Grier, Harvey, Hickenlooper, Holmes, Huffaker, Inman, Jacobs, Jewell, Johnson, Kellogg, Klay, Kull, Larrabee, Lee, McCleery, McDonald, Meredith, Newell, Penn, Perkins, Ripley, Sankey, Schroeder, Schulte, Sheldon, Smith, Stillman, Swift, Thompson, Tilton, Welden, Wilson, Zeller—57.

Absent or not voting:

Calkins, Corrie, Cunningham, Dewell, Drury, Fulliam, Koontz, Marston, Miller of Bremer, Schee, Swan—11.

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

The Speaker announced that as Speaker of the House, in the presence of the House, he had signed House File Nos. 473, 158, 300, 357, 365 and 445.

The following communication was received from the Governor:

*To the Senate and House of Representatives of the Thirty-third General Assembly:*

GENTLEMEN—In view of the fact that the Attorney General has recently rendered me an opinion with regard to the power of removal of certain officers, members of boards and commissions, in which he has held there is no provision of law or the constitution for removal of a considerable number of such officers and members, I deem it my official duty to call your attention to the fact in order that you may be fully advised as to what the situation really is when based upon the opinion referred to.

I beg to quote from the opinion as follows: "Summarized, the Governor has the power to remove oil inspectors, the custodians of public buildings and property, notaries public, commissioners in other states, the commissioner of labor statistics, mine inspectors, inspectors of passenger boats, dairy commissioner, state veterinary surgeon, members of the board of health, members of the board of control, and the superintendent of weights and measures.

As to the following officers no provision has been made by the legislature for removal: members of the board of curators of the state historical society, members of the board of educational examiners, the directors of the weather and crop service, the board of dental examiners, members of the board of parole, and the members of the library commission."

I beg also to quote from the conclusions reached by the Attorney General as follows: "Keeping in mind the provision of our constitution and statutes covering the powers and duties of the Governor and other state officers and boards the decision establishes the following rules: First, the term "other state officer" as used in Section 20, Article 3, of the constitution, who may be removed by impeachment proceedings refers only to state officers named or provided for in the constitution and does not cover incumbents of state offices which have been created by statute.

Second. That neither the Governor nor any other state officer or board may remove an official filling an office, the term of which is fixed by law, unless the authority to do so is expressly given either in the constitution or the statute.

Third. The power of the Governor, state officer or board to appoint, no definite term of service being fixed, carries with it the power to remove in all cases where service to be performed pertains to or has to do with the business or government of the state."

It will therefore be seen that there appears to be ample provision, either by impeachment or conferred by statute, for the removal of all elective and appointive state officers other than as above recited. I believe you will agree with me that there is no reason why any exception should be made of the officers and commissions for which no provision is made for removal. It must be granted, I think, that the absence of a statutory provision with reference thereto is due to an oversight by the Legislature rather than any intention.

It can hardly be imagined that the legislature had in mind making any exception with regard to said officials. It would seem that under the opinion of the Attorney General it would be impossible to remove any of

the said officials from office for any offense, however serious it might be, or for gross neglect of the duties of the office unless such offense or neglect were such as to furnish the grounds for action by a grand jury.

I believe that the interests of good government and of proper service to the state and of due regard for the welfare of the state demand that some legislation be enacted by you at this session making some provision whereby, when just cause exists for the same, power to remove should be lodged with some official or officials.

I wish also to reiterate in substance the statements made in my inaugural address with regard to the abuse of the per diem system and to express to you my sincere hope that even though it be late in the session of this legislature that something may be done to correct the abuses that are known to exist in connection with the per diem system.

B. F. CAREOLI,  
*Governor.*

Done this 31st day of March, 1909.

On motion of Harding of Woodbury the House adjourned until 1:30 P. M.

#### AFTERNOON SESSION.

The House met pursuant to adjournment.

Speaker Feely in the Chair.

Journal of Tuesday, March 30th, corrected and approved.

#### REPORTS OF COMMITTEES.

Davidson of Palo Alto, from the Committee on Police Regulation, submitted the following report:

MR. SPEAKER—Your committee on Police Regulation, to whom was referred Senate File No. 295, a bill for an act with respect to gambling, prohibiting certain games, the possession or use of certain instruments or appliances, and the using or leasing of any premises for gambling purposes, or the soliciting of persons to visit a place or places to engage in gambling or when gambling is carried on, and providing punishment therefor; and to repeal and prohibit the enactment and enforcement of city and town ordinances relative thereto, and to repeal all laws in conflict with this act, beg leave to report they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same be amended as follows:

1st. That Section 1 of the substitute to said bill be amended by inserting after the word "imprisoned" in line 18 thereof, the words "in the county jail."

2nd. That Section 2 thereof be amended by inserting after the word "imprisoned" in line 9 thereof, the words "in the county jail."

3d. That Section 4 thereof be amended by inserting after the word "penitentiary" in line 6 of said Section, the words "or reformatory."

4th. That Section 5 thereof be amended by inserting after the word "imprisonment" in line 7 thereof, the words "in the county jail."

Also by striking out the last four words, to-wit: "in the county jail" in Section 5 thereof.

5th. That the title be amended by striking therefrom, beginning with the word "and" in line 4 and ending with the word "thereto" in line 5, and when so amended the bill do pass.

F. C. DAVIDSON,  
*Chairman.*

Adopted.

Also:

MR. SPEAKER—Your committee on Police Regulation, to whom was referred House File No. 447, a bill for an act prohibiting minors remaining in any billiard hall, beer saloon or nine or ten-pin alley, beg leave to report they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same be amended as follows: By striking out of Section 1, the words and figures: "Five dollars (\$5.00) nor more than twenty-five dollars (\$25.00)," and that there be inserted in lieu thereof the following: "One dollar nor more than five dollars," and when so amended the bill do pass.

F. C. DAVIDSON,  
*Chairman.*

Adopted.

Elliott of Page, from the Committee on Suppression of Intemperance, submitted the following report:

MR. SPEAKER—Your committee on Suppression of Intemperance, to whom was referred Senate File No. 16, a bill for an act to amend Section 2310-a-24 of the Supplement to the Code of 1907, relating to furnishing intoxicating liquor or narcotic drugs to paroled inebriates, beg leave to report they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same do pass.

J. D. ELLIOTT,  
*Chairman.*

Adopted.

Also:

MR. SPEAKER—Your committee on Suppression of Intemperance, to whom was referred Senate File No. 35, a bill for an act to amend the law as it appears in subdivision two (2) and subdivision six (6) of Section twenty-four hundred forty-eight (2448) of the Supplement to the Code, 1907, relative to the location or place wherein intoxicating liquors are sold, and the furnishing of lunch therein, beg leave to report they have

had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same be amended by numbering Section 2, Section 3 and inserting the following as Section 2 of said act: Sec. 2. In all cases where intoxicating liquors are now lawfully sold as a beverage at retail in this state within three hundred feet (300) of any public library building, the person or persons engaged in the retail sale of intoxicating liquors shall not be required to abandon the sale of intoxicating liquors in said premises by reason of the provisions of Section 1 of this act until on and after the thirtieth (30) day of June, 1912, and when so amended the bill do pass.

J. D. ELLIOTT,  
*Chairman.*

Adopted.

Also:

MR. SPEAKER—Your committee on Suppression of Intemperance, to whom was referred House File No. 479, a bill for an act to amend the law as it appears in Section 2450 of the Supplement to the Code, 1907, relating to the sufficiency of statement of general consent, the manner of appeal and the length of time said petition shall be in force, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same do pass.

J. D. ELLIOTT,  
*Chairman.*

Adopted.

Also:

MR. SPEAKER—Your committee on Suppression of Intemperance, to whom was referred Senate File No. 298, a bill for an act amending the law as it appears in paragraph two (2) of Section twenty-four hundred forty-eight (2448) of the Supplement to the Code, 1907, limiting the number of persons to whom city councils may by resolution grant consent to sell intoxicating liquors, beg leave to report they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same be amended as follows:

Amend Section one (1) by adding after the word "beverage" in the third line thereof the words "at retail."

Amend Section two (2) by striking out all after the figure two (2) in Section two (2) of said bill, and inserting in lieu thereof the following:

In all cities and towns where a greater number of persons than are provided in Section one (1) hereof, now hold resolutions of consent to sell intoxicating liquors at retail, it shall not be mandatory under the provisions of this act for city or town councils to cancel or withdraw a sufficient number of such resolutions of consent to comply with the provisions of Section one (1) hereof, and such resolutions of consent may be renewed by city and town councils to the person or persons holding the same or their assignees or grantees, unless said resolutions of consent shall become inoperative by reason of the person holding the same vio-

lating any of the laws of the State, either civil or criminal, relating to the sale or disposition of intoxicating liquors, or by reason of a permanent injunction issuing against such person for a violation of law, or by reason of a civil or criminal action being commenced or instituted against said person for the violation of any of the laws of the State relating to the sale or disposition of intoxicating liquors, and said persons surrendering such resolution of consent before said action is prosecuted to final judgment or a conviction had in the court in which the same was instituted, or by reason of the city or town council withdrawing such resolution of consent for cause, in which event, no new or additional resolution shall be granted to any person to sell intoxicating liquors as a beverage at retail except in accordance with the provisions of this act.

We further recommend that all of Section four (4) after the word "thereof" in line five (5) be stricken out.

We also move to amend Section one (1) by adding after the word "census" in line five (5) the following: "provided, however, that in cities or towns having a population of twenty-five thousand or over, such consent may be given to one person to every eight hundred of the population and," and when so amended the bill be recommended for passage.

J. D. ELLIOTT,

*Chairman.*

Adopted.

White of Story, from the Committee on Ways and Means, submitted the following report:

MR. SPEAKER—Your committee on Ways and Means, to whom was referred Senate File No. 184, a bill for an act repealing Sections sixteen hundred and ten (1610), 1612, 1618 and 1641-d of the Supplement to the Code, 1907; also Section 1615 of the Code, and enacting substitutes therefor; also repealing Section 1618-b of the Supplement to the Code, 1907; all in relation to corporations for pecuniary profit, beg leave to report they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same be amended as follows:

By striking out the title and substituting the following therefor: "A bill for an act to repeal Section sixteen hundred fifteen (1615) of the Code, Sections sixteen hundred ten (1610), sixteen hundred eighteen (1618) and sixteen hundred forty-one-d (1641-d) of the Supplement to the Code, 1907, and enact substitutes therefor; to amend Section sixteen hundred thirty-seven (1637) of the Code and sixteen hundred twelve (1612) of the Supplement to the Code, 1907, to repeal Section sixteen hundred eighteen-b (1618-b) of the Supplement to the Code, 1907, relating to corporations for pecuniary profit, and when so amended the bill do pass.

GEO. C. WHITE,

*Chairman.*

Adopted.

Also:

MR. SPEAKER—Your committee on Ways and Means, to whom was referred House File No. 518, a bill for an act to amend Section 2432 and



Section 2445 of the Code and to provide an increase of the mulct tax and for the payment of such increase into the state treasury, beg leave to report they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same do pass.

GEO. C. WHITE,  
*Chairman.*

Adopted.

Also:

MR. SPEAKER—Your committee on Ways and Means, to whom was referred House File No. 465, a bill for an act to amend Section thirteen hundred and ten (1310) of the Code relating to the assessment of moneys, credits, annuities, bank-notes and stock, and to enact a substitute therefor, beg leave to report they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same be indefinitely postponed.

GEO. C. WHITE,  
*Chairman.*

Adopted, and House File No. 465 was indefinitely postponed.

Also:

MR. SPEAKER—Your committee on Ways and Means, to whom was referred House File No. 480, a bill for an act requiring that all evidence of debt be assessed for taxation and bear the indorsement of the assessor or be void in law, beg leave to report they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same be indefinitely postponed.

GEO. C. WHITE,  
*Chairman.*

Adopted, and House File No. 480 was indefinitely postponed.

Also:

MR. SPEAKER—Your committee on Ways and Means, to whom was referred House File No. 511, a bill for an act to legalize the acts of the city council and mayor of the city of Ames, Iowa, in contracting an indebtedness during the three years immediately preceding the passage of this act in excess of the statutory limit of one and one-fourth per cent. for the erecting, maintaining and operating an electric light and power plant and water-works system and other purposes and not exceeding the five per cent. constitutional limit of the actual value of the taxable property of said city, beg leave to report they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same do pass.

GEO. C. WHITE,  
*Chairman.*

Adopted.

Grier of Poweshiek, from the Committee on Banks and Banking, submitted the following report:

MR. SPEAKER—Your committee on Banks and Banking, to whom was referred House File No. 525, a bill for an act to amend Section one thousand six hundred eighteen-a of the Supplement to the Code, 1907, relative to the renewal of the corporate charter of state and savings banks, beg leave to report they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same be indefinitely postponed.

GEO. E. GRIER,  
*Chairman.*

Adopted, and House File No. 525 was indefinitely postponed.

Also:

MR. SPEAKER—Your committee on Banks and Banking, to whom was referred Senate File No. 118, a bill for an act relating to bills of lading, beg leave to report they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same do pass.

GEO. E. GRIER,  
*Chairman.*

Adopted.

Also:

MR. SPEAKER—Your committee on Banks and Banking, to whom was referred Senate File No. 169, a bill for an act to amend Section thirty-four hundred fifty-six (3456) and additional to Chapter two (2) of Title eighteen (18) of the Code relating to limitation of actions, beg leave to report they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same do pass.

GEO. E. GRIER,  
*Chairman.*

Adopted.

Bascom of Dickinson, from the Committee on Private Corporations, submitted the following report:

MR. SPEAKER—Your committee on Private Corporations, to whom was referred Senate File No. 187, a bill for an act to amend Section three thousand and sixty-eight (3068) of the Code relative to the use of corporate seals, beg leave to report they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same be amended as follows:

By striking out all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. That Section three thousand and sixty-eight (3068) of the Code be and the same is hereby amended by adding thereto the following:

"Provided, that if a corporation has no seal such fact shall be stated in every instrument of such corporation conveying, incumbering or affecting real estate and in every writing entered on the margin of any record, by such corporation and in such case, the absence of such seal shall not affect the validity of such instrument or writing."

SEC. 2. This act, being deemed of immediate importance, 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, and when so amended the bill do pass.

J. L. BASCOM,  
*Chairman.*

Adopted.

Also:

MR. SPEAKER—Your committee on Private Corporations, to whom was referred Senate File No. 31, a bill for an act requiring annual reports from corporations and requiring annual license fee to be paid, beg leave to report they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same do pass.

J. L. BASCOM,  
*Chairman.*

Adopted.

#### REPORT OF COMMITTEE ON ENROLLED BILLS.

Klay of Sioux, from the Committee on Enrolled Bills, submitted the following report:

MR. SPEAKER—Your Committee on Enrolled bills respectfully report that they have this day sent to the governor for his approval, House File No. 159, a bill for an act to repeal section eighteen hundred twenty (1820) of the Code relating to limitation of actions and enacting a substitute therefor.

Also:

House File No. 300, a bill for an act to amend Section fifteen hundred nine (1509) of the Code relating to the powers and duties of the Trustees, Board of Regents and Board of Control in regard to roads and highways and to amend section fifteen hundred thirty-two-a (1532-a) of the Supplement to the Code, 1907, relating to road districts.

Also:

House File No. 357, a bill for an act to amend section thirty-one hundred forty-one (3141) of the Code relating to the granting of marriage license by the clerk of the district court.

Also:

House File No. 365, a bill for an act to legalize deed of Osceola County, Iowa, to Edgar Baker for government lots two, three and four, in section ten, in township one hundred, north of range thirty-nine west of the 5th P. M.

Also:

House File No. 445, a bill for an act to legalize certain actions of the city council of the City of Sioux City, Iowa, relating to the transfer of moneys from the library bond fund to the judgment fund.

Also:

House File No. 473, a bill for an act to confer additional powers on certain cities organized under chapter forty-eight (48) of the acts of the Thirty-second General Assembly of Iowa as the same appears in chapter 14-c of title V of the Supplement to the Code, 1907, and transferring to the city councils of such cities the powers conferred on river front improvement commissions organized in such cities under chapter two hundred ten (210) of the acts of the Twenty-ninth General Assembly of Iowa as the same appears in chapter 9-a of title V of the Supplement to the Code, 1907, and empowering the council of such cities to appoint river front improvement commissions and define their duties. Also providing for the issuance of tax deeds by the county treasurer of the county in which such cities are located on sales of property for taxes heretofore made by the treasurer of such cities, and providing for special assessments and the levy of special taxes for the improvement of the beds and banks of rivers and other purposes connected therewith. Also providing for the division of such cities into road districts and the levy of a special tax for the use and benefit thereof, also for the levy of a special tax for the benefit of the fire department, and authorizing the transfer of certain special taxes heretofore levied to the fire department fund or general fund.

GERRIT KLAY,  
*Chairman.*

Adopted.

#### REPORT OF JOINT COMMITTEE ON ENROLLED BILLS.

Klay of Sioux, from the Joint Committee on Enrolled Bills, submitted the following report:

MR. PRESIDENT—Your Joint Committee on Enrolled Bills respectfully report that they have examined and find correctly enrolled, Senate File No. 7, a bill for an act to repeal sections four hundred ninety-nine (499) and five hundred two (502) of the Code, and to enact a substitute therefor relating to the powers and duties of the sheriff and his deputy.

Also:

Senate File No. 145, a bill for an act authorizing the State of Iowa to co-operate with the city of Marshalltown, in constructing a permanent dam across the Iowa river, providing for the maintenance thereof and making an appropriation therefor.

Also:

Senate File No. 197, a bill for an act to grant to certain officers and other employes of the state institutions under the control of the Board of Control of State Institutions annual vacations with pay and to repeal section fifty-seven hundred eighteen-a-29 (5718-a-29) and section fifty-seven hundred eighteen-a-30 (5718-a-30) of the Supplement to the Code, 1907.

Also:

Senate File No. 304, a bill for an act requiring the proper equipment of locomotives used exclusively in switching or yard service; providing for the safety of employes engaged in their operation, and providing a penalty for failure to properly equip such switch engines.

GERRIT KLAY,

*Chairman House Committee.*

HENRY L. ADAMS,

*Chairman Senate Committee.*

Adopted.

#### INTRODUCTION OF BILLS.

By Committee on Retrenchment and Reform, House File No. 528.

A bill for an act extending the powers and increasing the duties of the State Board of Education amendatory to titles Twelve (XII) and Thirteen (XIII) of the Code and Supplement to the Code, 1907, and additional to an act of the Thirty-third General Assembly creating a State Board of Education, and known as Senate File Number One Hundred Ninety-eight (198).

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

Section 1. That the State Board of Education created under the provisions of an act of the Thirty-third General Assembly, known as Senate File Number one hundred ninety-eight (198), shall have full power, and it is hereby made its duty to take charge of, manage, control and govern the Geological Survey, the State Library, Traveling Libraries, the Iowa Historical Department, the State Historical Society and the Hall of Public Archives, and it shall be the duty of said board to include in its first report to the governor and legislature its observations and conclusions respecting each of the departments covered by this act with such recommendation as to the future needs of such departments as to the board may seem advisable and proper.

Sec. 2. The Geological Board, the Board of Trustees of the Iowa State Library, the Library Commission, the Board of Trustees of the Iowa Historical Department and the Board of Curators of the State Historical Society shall cease to exist on the first day of July, 1909, and on the same date full power to manage and control all of said institutions and departments, as herein provided, shall vest in the said State Board of Education and it is hereby made the duty of the several boards and commissions hereinbefore referred to to turn over to said State Board of Education all of the books, papers, documents and property of every kind pertaining to such institutions and departments.

Sec. 3. In the management and control of the institutions and departments covered by this act the provisions of the act, hereinbefore referred to as Senate File No. 198, in so far as the same may be applicable hereto shall be observed, and all existing laws relating to such institutions and departments which are not inconsistent with the provisions of this act shall remain in force, and all acts or parts of acts inconsistent or in conflict with the same are hereby repealed.

Sec. 4. This act, being deemed of immediate importance, shall take effect and be in force from and after its publication in the Register and Leader and Des Moines Capital, newspapers published in Des Moines, Iowa.

Read first and second time and passed on file.

House File No. 529, by Committee on Retrenchment and Reform:

A bill for an act Amending Sections One Hundred Fifty (150) and One Hundred Fifty-one (151) of the Code, Relating to the Duties of the Custodian of Public Buildings and Property.

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

SECTION 1. That Section one hundred fifty (150) of the Code be amended to read as follows:

He shall keep in his office a complete record containing an itemized list of all property of the state under his care and control, with accurate plans and surveys of the public grounds at the seat of government. He shall make a report to the Governor on or before the last day of September preceding each regular session of the General Assembly, which report shall cover all transactions for the preceding biennial period. He shall perform all duties imposed by law, on order of the Executive Council.

SEC. 2. Section one hundred fifty-one (151) of the Code is amended to read as follows:

Said report shall show in detail all expenditures made on account of the department of public buildings and property; an itemized statement of all moneys received for property sold or collections made; the condition of all real and personal property of the state under his care or control, together with a report of any loss or destruction, or injury to, any such property, with the causes thereof, and measures necessary for the care and preservation of the same, and recommendations as to methods which would tend to render the service more efficient and economical. Said report shall also embrace any other matter ordered by the Executive

Council and shall contain an inventory of all state property under his control. All reports of the custodian shall be subscribed and sworn to by him.

Read first and second time and passed on file.

By Committee on Appropriations, House File No. 530.

A Bill for an act making an appropriation to defray the mileage expense, general expenses and witness fees of the investigating committee for the Hospitals for Insane.

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

Section 1. Appropriation—amounts. There is hereby appropriated out of any funds in the State Treasury not otherwise appropriated, the sum of three hundred twenty-seven and sixty-nine one-hundredths dollars (\$327.69), to defray the mileage expense, general expenses and witness fees of the investigating committee for the hospitals for insane. The said sum to be paid to the various persons, and in the amounts as follows, to-wit:

S. M. McCleery—

Stamps .....	\$10.00
Stamps .....	1.75
Fare from Mt. Pleasant to Clarinda.....	4.25
Fare from Des Moines to Mt. Pleasant.....	2.78
Fare from Clarinda to Des Moines.....	2.84
Hack to and from Mt. Pleasant Hospital.....	3.00
Paid to Dan Cherrier, stenographer, railroad fare, \$2.78; railroad fare, \$4.25; railroad fare, \$2.84; bus fare, \$.25 .....	10.12
Fare from Des Moines to Independence.....	2.83
Fare from Independence to Des Moines.....	2.83
Total .....	\$40.40

H. C. Brandes—

Fare from Des Moines to Mt. Pleasant.....	\$ 2.78
Fare from Mt. Pleasant to Clarinda .....	4.25
Fare from Clarinda to Des Moines.....	2.84
Hack fare at Clarinda (failed to take receipt).....	1.00
Hotel bill at Mt. Pleasant for four.....	8.00
Supper for four .....	2.00
Fare from Des Moines to Independence.....	2.83
Fare from Independence to Des Moines.....	2.83
Total .....	\$26.53

Dr. E. B. Fulliam—

Fare from Des Moines to Mt. Pleasant.....	\$ 2.78
Fare from Mt. Pleasant to Clarinda .....	4.25
Fare from Clarinda to Des Moines.....	2.84
Four breakfasts .....	2.00
Bus hire and return .....	1.50

Fare from Des Moines to Independence.....	2.83
Two fares from Independence to Des Moines.....	5.66
Hotel bill at Independence for three.....	3.00
Livery to hospital and return.....	3.75
<u>Total .....</u>	<u>\$28.61</u>
J. C. Smith, Louisa County—	
Service, \$.20; copy, \$.20; mileage, \$.10; total.....	\$.50
F. C. Warrick, Story County—	
Service, \$.20; mileage, \$.90; copy, \$.20; total.....	1.30
M. P. Hennessey, Delaware County—	
Service, \$.50; mileage, \$2.00; copy, \$.20; total.....	2.70
R. F. Benham, Muscatine County—	
Fees, \$.50; total .....	.50
Thos. Walsh, Hardin County—	
Service, \$.50; copy, \$.20; mileage, \$2.30 total.....	3.00
J. C. Smith, Louisa County—	
Service, \$.20; copy, \$.20; mileage, \$.10; total.....	.50
Thos. Walsh, Hardin County—	
Service, \$.50; copy, \$.20; mileage, \$2.60; total.....	3.30
S. J. McCord, Page County—	
Service, \$.50; mileage, \$.10; copy, \$.10; total.....	.70
O. E. Jackson, Montgomery County—	
Service, \$.50; mileage, \$.10; copies, \$.20; total.....	.80
Chas. P. Poor, Henry County—	
Fees, \$1.00; total .....	1.00
R. F. Benham, Muscatine County—	
Fees, \$.50; total .....	.50
T. F. McCaffery, Pottawattamie County—	
Fees, \$.60; total .....	.60
R. F. Benham, Muscatine County—	
Fees, \$.50; total .....	.50
Dr. Shoemaker, Des Moines, Iowa—	
2 miles at 5 cents per mile, \$.10; 1 day's attendance, \$.125; total .....	1.35
H. A. Ringgenbert, Ames, Iowa—	
60 miles at 5 cents per mile, \$3.00; 1 day's attendance, \$.125; total .....	4.25
T. J. Clark, Gray, Iowa—	
234 miles at 5 cents per mile, \$11.70; 2 days' attend- ance, \$2.50; total .....	\$14.20
W. J. Hogancamp, West Liberty, Iowa—	
288 miles at 5 cents per mile, \$14.40; 2 days' attend- ance, \$2.50; total .....	16.90
Robert McIntyre, Red Oak, Iowa—	
280 miles at 5 cents per mile, \$14.00; 3 days' attend- ance, \$3.75; total .....	17.75
Fred Rogers, Afton, Iowa—	
120 miles at 5 cents per mile, \$6.00; 3 days' attend- ance, \$3.75; total .....	9.75



Albert Kurth, Hopkinton, Iowa—	
374 miles at 5 cents per mile, \$18.70; 4 days' attendance, \$5.00; total .....	23.70
Nora Lancaster, Union, Iowa—	
160 miles at 5 cents per mile, \$8.00; 4 days' attendance, \$5.00; total .....	13.00
Mrs. Matilda Varnum, Hubbard, Iowa—	
120 miles at 5 cents per mile, \$6.00; 2 days' attendance, \$2.50; total .....	8.50
Mrs. Susie McClure, Council Bluffs, Iowa—	
284 miles at 5 cents per mile, \$14.20; 2 days' attendance, \$2.50; total .....	16.70
Alice M. Bradford, Walker, Iowa—	
350 miles at 5 cents per mile, \$17.50; 4 days' attendance, \$5.00; total .....	22.50
Bert Schreurs, Muscatine, Iowa—	
404 miles at 5 cents per mile, \$20.20; 2 days' attendance, \$2.50; total .....	22.70
G. W. Schreurs, Muscatine, Iowa—	
404 miles at 5 cents per mile, \$20.20; 2 days' attendance, \$2.50; total .....	22.70
Mrs. C. E. Johnson, Clarinda, Iowa—	
2 miles at 5 cents per mile, \$.10; 1 days' attendance, \$1.25; total .....	1.35
Dr. W. S. Grimes, Wapello, Iowa—	
368 miles at 5 cents per mile, \$18.40; 2 days' attendance, \$2.50; total .....	20.90

Sec. 2. That the State Auditor is hereby authorized and directed to draw his warrants on the state treasury in favor of the persons named in section one (1) of this act in the respective sums appropriated to each.

Sec. 3. This act, being deemed of immediate importance 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 passed on file.

Hackler of Webster, of the Code Supplement Supervising Committee submitted the following report:

*To the Thirty-third General Assembly:*

MR. PRESIDENT AND MR. SPEAKER—The undersigned, as a Code Supplement Supervising Committee, appointed under and in accordance with an act passed by the Thirty-second General Assembly to provide for the compilation of the laws of the Thirtieth (30th), Thirty-first (31st) and Thirty-second (32nd) General Assemblies, and the laws as they appear in the Code Supplement, to annotate the same and the Code and rules of the supreme court to and including the May term 1907; and to

index and publish the said compilation and annotations as a "Supplement to the Code, 1907," submit the following report to the Thirty-third General Assembly, recognizing that there is nothing in the law requiring such report, but believing it proper so to do in order that the records of the General Assembly which authorized the committee should contain the record of its action. Under the direction of said committee the compilation, annotation, indexing and publication of the "Supplement to the Code, 1907" has been completed in compliance with the requirements of the act of the Thirty-second General Assembly authorizing and directing the same.

The "Supplement to the Code, 1907" contains all laws of a general and permanent nature passed by the Thirtieth (30th), Thirty-first (31st) and Thirty-second (32nd) General Assemblies and the laws as they appear in the Supplement to the Code as authorized by the Code and the Twenty-ninth (29th) General Assembly.

An edition of twelve thousand (12,000) volumes has been published in manner and style and delivered as required by law. New annotations for the volume were procured by the committee from Justice Emlin McClain of the supreme court; an index has been prepared covering both the Supplement to the Code, 1907, and the Code of 1897. The rules of the supreme court and the statutes relating thereto have been added, and a separate index which the committee believed would be of great service was made; also a table given showing where all general legalizing acts relating to conveyances may be found, the time of taking effect and the General Assembly that enacted the same.

The table of the acts of the several General Assemblies consecutively numbered has been brought down to date and a table of corresponding sections made with data given as to similar tables, through which corresponding sections in our law may be traced from Code, 1851 through the different Codes the revision and the session laws since 1860.

The general form and arrangement of the Code Supplement of 1902 has been retained as nearly as possible, and the committee has endeavored to keep safely within the letter and the spirit of the act directing the work to be done, and to make the publication as nearly perfect as was possible and had no hesitancy in presenting the result of their labors as worthy the approval of the state.

We wish to commend the faithful and efficient work of the Code Editor, Hon. C. N. Jepson, and acknowledge the many helpful suggestions and painstaking services of Mrs. C. A. Neidig, as proofreader. The "Supplement to the Code 1907" covering as it did the work of six sessions of the General Assembly and the decisions of the Supreme court since the publication of the Code in 1897 was far greater than the legislature which directed its publication could have realized when the act under which the committee was appointed was passed, and it was absolutely impossible to strictly comply with the terms of the act as to the time when the first copies of the volume should be published, but the committee at all times crowded the work as fast as was consistent

with obtaining good results and we believe all interested in the work done will commend it.

Contracts were made with Hon. Emory H. English, State Printer, and Hon. E. D. Chassell, State Binder, for the printing and binding of the Supplement and these contracts and that for the electrotype plates for the volume, together with the bonds securing the same, are now filed with and preserved by the Executive Council. The report of the state printer and state binder showing the completion of their work and the delivery of the volumes and the electrotype plates, as required by law have been filed with the committee.

The following is a summary of the account relating to the expense and cost of the "Supplement to the Code, 1907." The full itemized account is now in the books of the Executive Council and has been heretofore published.

Mileage and expense of members of committee . . . . \$	404.16
Paid for annotations; editor's salary; services of employees; editor's supplies . . . . .	7,298.00
Paid for paper for Supplement . . . . .	3,857.89
Paid for printing Supplement . . . . .	7,240.00
Paid for binding Supplement . . . . .	13,138.80
Paid for electrotype plates . . . . .	1,475.30
Extra allowed for corrections and extra stock and supplies used by the state printer . . . . .	51.73
Total . . . . .	<u>\$33,466.96</u>

The above report is respectfully submitted

GEO. W. DUNHAM,  
S. W. DEWOLF,  
J. L. WARREN,  
E. W. WEEKS,  
C. W. HACKLER,  
C. G. SPARKS,

*Code Supplement Supervising Committee.*

The following report on appropriations was submitted by the Conference Committee on Appropriations:

Section 1. There is hereby appropriated out of any money in the State Treasury not otherwise appropriated, to the State University the sum of twenty-two thousand (\$22,000) dollars, annually hereafter, and the further sum of twenty-five thousand (\$25,000) dollars, annually for two years, for additional support fund; the sum of seventy-five hundred (\$7,500) dollars, annually hereafter, for additional repair and contingent fund; and the sum of fifteen thousand (\$15,000) dollars, annually for two years, for library support.

Said sums to be paid in quarterly installments on order of the Board of Regents, the first installment to be paid July 1, 1909.

There is further appropriated out of any money in the state treasury,

not otherwise appropriated, to the State University the sum of ninety thousand (\$90,000) dollars for the following purposes:

For additional boiler equipment, automatic stokers for central heating plant, boiler feed pump, and additional dynamo at hydraulic power station....	\$15,000
For purchase of additional land.....	35,000
For departmental equipment and supplies.....	15,000
For paving, sidewalks, and improvement of grounds..	6,000
For building equipment for buildings now partially equipped, and for equipment for new law building and other buildings to be erected.....	19,000

The sums mentioned in the last paragraph shall be paid on order of the Board of Regents, but not more than one-half of the entire amount shall be paid before July 1, 1910.

Sec. 2. There is hereby appropriated out of any money in the state treasury, not otherwise appropriated, to the Iowa State College of Agriculture and Mechanic Arts, the sum of fifteen thousand (\$15,000) dollars, annually hereafter, and the further sum of twenty-five thousand (\$25,000.00) dollars, annually for two years for additional support fund; the sum of thirteen thousand (\$13,000) dollars, annually hereafter, for repairs, minor improvements and contingencies; the sum of twenty-five hundred (\$2,500) dollars, annually hereafter, for the library book fund; the sum of fifteen hundred (\$1,500) dollars, annually hereafter, for the support of the engineering experiment station; the sum of fifteen thousand (\$15,000) dollars, annually for two years, for the support of agricultural experiment station; and the sum of eight thousand (\$8,000) dollars, annually for two years, for agricultural extension work.

Said sums to be paid in quarterly installments on order of the Board of Trustees, the first installment to be paid July 1, 1909.

There is further appropriated out of any money in the state treasury not otherwise appropriated, to the Iowa State College of Agriculture and Mechanic Arts the sum of one hundred seven thousand five hundred (\$107,500) dollars for the following purposes:

For the equipment of departments.....	\$15,000
For the purchase of pure bred stock.....	5,000
For furnishing and fixtures for the Hall of Agriculture	25,000
For furnishing and fixtures for the general engineering laboratory .....	5,000
For sidewalks and grading .....	7,500
For completing the heating and power plant.....	50,000

The sums mentioned in the last paragraph shall be paid on order of the Board of Trustees of the Iowa State College of Agriculture and Mechanic Arts, but not more than one-half of the entire amount shall be paid before July 1, 1910.

Sec. 3. There is hereby appropriated out of any money in the state treasury, not otherwise appropriated, to the State Normal School the sum of Ten Thousand (\$10,000) dollars, annually hereafter, for the

teachers' fund; and the sum of six thousand (\$6,000) dollars annually hereafter, for the contingent and repair fund.

There is further appropriated out of any money in the state treasury, not otherwise appropriated, to the State Normal School the sum of twenty-seven thousand (\$27,000) dollars for the following purposes:

For the support of library.....	\$10,000
For librarian's salary .....	10,000
For paving, permanent walks, and improvement of grounds .....	5,000
For nurse and hospital support.....	2,000

Said sums to be paid in quarterly installments on order of the Board of Trustees, the first installment to be paid July 1, 1909.

ERNEST R. MOORE,  
*Chairman.*

#### CONSIDERATION OF BILLS.

On motion of Perkins of Delaware, House File No. 46, a bill for an act to provide for the punishment of persons responsible for or contributing to the delinquency of children, with report of committee recommending passage as amended, was taken up, considered, and the amendment adopted.

Perkins of Delaware moved that the rules be suspended, 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 ayes were:

Allred, Anderson, Arney, Balluff, Bascom, Bauman, Beans, Beebe, Beery, Blackmore, Boettger, Bonwell, Boomgaarden, Bowman, Brandes, Burt, Byerly, Calkins, Cassady, Cooper, Cousins, Crozier, Crummer, Cunningham, Dabney, Dalby, Darrah, Davidson, Dawson, Derrough, Dewell, Dewey, DeWitt, Dodds, Drury, Dye, Elliott, Ellis, Etter, Fenn, Finlayson, Fourt, Fox, Fulliam, Fulton, Goodykoontz, Hackler, Hanson, Harding, Hickenlooper, Huffaker, Hunter, Inman, Jacobs, Jewell, Johnson, Jones, Kendall, Klay, Koontz, Kull, Larrabee, McCleery, McDonald, Meredith, Miller of Dubuque, Moore of Wapello, Moore of Linn, Newell, O'Connor, Penn, Perkins, Reaney, Reitz, Ripley, Ritter, Sankey, Schee, Schroeder, Schulte, Sheldon, Smith, Stillman, Stoddard, Sullivan, Swan, Tegeler, Thompson, Ward, Welden, White, Wolfe, Zeller, Mr. Speaker—94.

The nays were:

Tilton—1.

Absent or not voting:

Boe, Corrie, Fenn, Grier, Harvey, Holmes, Ide, Kellogg, Lee, Marston, Miller of Bremer, Swift, Wilson—13.

So the bill passed and the title was agreed to.

On motion of Hunter of Polk, Senate File No. 290, a bill for an act to repeal Sections Twenty-eight Hundred Twenty-a (2820-a), Twenty-eight Hundred Twenty-b (2820-b), Twenty-eight Hundred Twenty-c (2820-c), and Twenty-eight Hundred Twenty-d (2820-d), of the Supplement to the Code, 1907, and to enact a substitute therefor, relative to the limit of indebtedness of independent school districts, with report of committee recommending passage as amended, was taken up, considered, and the amendments adopted.

Schee of O'Brien proposed the following amendment:

I move to amend by striking out of lines 1 and 2 of Section 1, the words, "any incorporated town or."

Amendment adopted.

Moore of Linn proposed the following amendment:

I move to amend Section 1 by striking from line 2 the words, "of the first and second class" and insert in lieu thereof the words "having a population of sixty-five thousand or more."

Amendment adopted.

Larrabee of Fayette in the Chair.

Hunter of Polk moved that the rules be suspended, the bill be read a third time now, which motion prevailed, and the bill was read a third time.

On the question, "Shall the bill pass?"

The ayes were:

Allred, Anderson, Balluff, Bascom, Bauman, Beans, Beebe, Beery, Blackmore, Boe, Boettger, Bonwell, Boomgaarden, Brandes, Burt, Byerly, Calkins, Cassady, Cooper, Cousins, Crozier, Crummer, Dalby, Darrah, Davidson, Dawson, Derrough, Dewell, Dewey, DeWitt, Dodds, Drury, Dye, Elliott, Ellis, Etter, Fenn, Fourt, Fox, Fulliam, Goodykoontz, Hackler, Harding, Harvey, Hickenlooper, Huffaker, Hunter, Ide, Inman, Jacobs, Jewell, Jones, Kendall, Klay, Koontz, Kull, Larrabee, Lee, McCleery, McDonald,

Meredith, Miller of Bremer, Miller of Dubuque, Moore of Wapello, Moore of Linn, Newell, Perkins, Reaney, Ripley, Ritter, Sankey, Schulte, Sheldon, Smith, Stillman, Stoddard, Sullivan, Swan, Swift, Tegeler, Thompson, Tilton, Ward, Welden, White, Wilson, Wolfe, Mr. Speaker—88.

The nays were:

Schee, Schroeder, Zeller—3.

Absent or not voting:

Arney, Bowman, Corrie, Cunningham, Dabney, Felt, Finlayson, Fulton, Grier, Hanson, Holmes, Johnson, Kellogg, Marston, O'Connor, Penn, Reitz—17.

So the bill passed and the title was agreed to.

On motion of Harvey of Osceola, Senate File No. 310, a bill for act to legalize the acts of the Board of Directors of the School Township of Wilson in the County of Osceola and State of Iowa in authorizing a school house to be built in sub-division number four (4), in said school township and in levying a tax therefor, was taken up and considered.

Harvey of Osceola moved that the rules be suspended, the bill be read a third time now, which motion prevailed, and the bill was read a third time.

On the question, "Shall the bill pass?"

The ayes were:

Allred, Anderson, Balluff, Bascom, Bauman, Beans, Beebe, Beery, Blackmore, Boe, Boettger, Bonwell, Boomgaarden, Brandes, Burt, Byerly, Calkins, Cassady, Cooper, Cousins, Crozier, Crummer, Dabney, Dalby, Darrah, Davidson, Dawson, Derrough, Dewell, Dewey, DeWitt, Dodds, Drury, Dye, Elliott, Etter, Felt, Fenn, Finlayson, Fourt, Fox, Fulliam, Fulton, Goodykoontz, Hackler, Harding, Harvey, Hickenlooper, Huffaker, Inman, Jacobs, Jewell, Johnson, Kellogg, Kendall, Klay, Koontz, Kull, Larrabee, McCleery, McDonald, Meredith, Miller of Dubuque, Moore of Wapello, Moore of Linn, Newell, O'Connor, Penn, Ripley, Ritter, Sankey, Schroeder, Schulte, Sheldon, Smith, Stillman, Stoddard, Sullivan, Swan, Swift, Tegeler, Thompson, Tilton, Ward, Welden, Wilson, Wolfe, Zeller—88.

The nays were:

None.

Absent or not voting:

Arney, Bowman, Corrie, Cunningham, Ellis, Grier, Hanson, Holmes, Hunter, Ide, Jones, Lee, Marston, Miller of Bremer, Perkins, Reaney, Reitz, Schee, White, Mr. Speaker—20.

So the bill passed and the title was agreed to.

Speaker Feely in the Chair.

On motion of Inman of Floyd, House File No. 292, a bill for an act to repeal Section Two Thousand Nine Hundred Forty-two-j (2942-j) of the Supplement to the Code, 1907, relating to certain conveyances of real estate legalized by executors, administrators and guardians in this and foreign states and to enact a substitute therefor with report of committee recommending passage as amended by substitute amendments, was taken up and considered.

Perkins of Delaware moved that the Committee amendments be not adopted.

Motion prevailed, and the amendments proposed by the Committee were lost.

Perkins of Delaware moved that the rules be suspended, 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 ayes were:

Allred, Anderson, Arney, Balluff, Bascom, Bauman, Beans, Beebe, Beery, Blackmore, Boe, Boettger, Bonwell, Bomgaarden, Bowman, Brandes, Burt, Byerly, Calkins, Cassady, Cooper, Cousins, Crozier, Crummer, Dabney, Darrah, Davidson, Derrough, Dewell, Dewey, DeWitt, Dodds, Drury, Dye, Elliott, Ellis, Etter, Felt, Fenn, Fourt, Fox, Fulliam, Grier, Hackler, Hanson, Harding, Harvey, Hickenlooper, Hunter, Ide, Inman, Jacobs, Jewell, Johnson, Jones, Kellogg, Kendall, Klay, Koontz, Kull, Lee, McCleery, McDonald, Meredith, Miller of Bremer, Miller of Dubuque, Moore of Wapello, Moore of Linn, Newell, O'Connor, Penn, Perkins, Reaney, Reitz, Ripley, Ritter, Sankey, Schroeder, Schulte,



Sheldon, Smith, Stillman, Stoddard, Sullivan, Swan, Swift, Tege-  
ler, Tilton, Ward, Welden, Wilson, Wolfe, Zeller, Mr. Speaker—  
94.

The nays were:

Larrabee, Schee—2.

Absent or not voting:

Corrie, Cunningham, Dalby, Dawson, Finlayson, Fulton, Goody-  
Koontz, Holmes, Huffaker, Marston, Thompson, White—12.

So the bill passed.

Inman of Floyd moved to amend the title by striking out the  
word "legalized."

Amendment adopted and the title as amended was agreed to.

Moore of Linn moved that when the House adjourn it be until  
7:30 o'clock this evening.

Motion lost.

On motion of Dye of Pottawattamie, Senate File No. 229, a bill  
for an act to prohibit the living, boarding, stopping, or rooming  
of unmarried females under the age of eighteen years in any house,  
building, or premises, where prostitution, fornication or concubin-  
age is allowed or practiced and providing punishment for the vio-  
lation thereof, was taken up and considered.

Dye of Pottawattamie proposed the following amendment:

I move to amend Senate File No. 229 by inserting the enacting  
clause.

Amendment adopted.

Dye of Pottawattamie moved that the rules be suspended, the  
bill be read a third time now, which motion prevailed, and the  
bill was read a third time.

On the question, "Shall the bill pass?"

The ayes were:

Allred, Anderson, Arney, Balluff, Bascom, Bauman, Beans, Bee-  
be, Blackmore, Boe, Boettger, Bonwell, Boomgaarden, Brandes,  
Burt, Byerly, Calkins, Cooper, Cousins, Crozier, Crummer, Cun-  
ningham, Dabney, Dalby, Darrah, Davidson, Derrough, Dewell,

Dewey, DeWitt, Dodds, Drury, Dye, Elliott, Etter, Felt, Fenn, Finlayson, Fourt, Fox, Fulliam, Fulton, Goodykoontz, Grier, Hackler, Hanson, Hickenlooper, Hunter, Ide, Inman, Jacobs, Jewell, Johnson, Jones, Kellogg, Kendall, Klay, Koontz, Kull, Larrabee, Lee, McCleery, McDonald, Meredith, Miller of Dubuque, Moore of Wapello, Moore of Linn, Newell, O'Connor, Penn, Perkins, Reaney, Reitz, Ripley, Ritter, Sankey, Schee, Schulte, Smith, Stoddard, Sullivan, Swan, Swift, Thompson, Tilton, Ward, Welden, Wilson, Wolfe, Zeller, Mr. Speaker—91.

The nays were:

None.

Absent or not voting:

Beery, Bowman, Cassady, Corrie, Dawson, Ellis, Harding, Harvey, Holmes, Huffaker, Marston, Miller of Bremer, Schroeder, Sheldon, Stillman, Tegeler, White—17.

So the bill passed and the title was agreed to.

On motion of Koontz, of Johnson, Senate File No. 235, a bill for an act to amend Section Two Thousand Five Hundred and Thirty-nine (2539), of the Supplement to the Code, 1907, relating to the compensation and duties of the Fish and Game Warden, was taken up and considered.

Koontz of Johnson moved that the rules be suspended, the bill be read a third time now, which motion prevailed, and the bill was read a third time.

On the question, "Shall the bill pass?"

The ayes were:

Allred, Anderson, Arney, Balluff, Bascom, Bauman, Beans, Beebe, Blackmore, Boe, Boettger, Bonwell, Boomgaarden, Bowman, Burt, Byerly, Calkins, Cooper, Cousins, Crozier, Crummer, Cunningham, Dabney, Dalby, Darrah, Davidson, Derrough, Dewey, DeWitt, Dodds, Drury, Dye, Elliott, Ellis, Etter, Felt, Fenn, Finlayson, Fourt, Fox, Fulliam, Fulton, Goodykoontz, Grier, Hackler, Hanson, Harvey, Hickenlooper, Huffaker, Ide, Inman, Jacobs, Jewell, Johnson, Jones, Kellogg, Kendall, Klay, Koontz, Kull, Larrabee, Lee, McCleery, McDonald, Meredith, Miller of Bremer, Miller of Dubuque, Moore of Wapello, Newell, O'Connor, Penn, Perkins, Reaney, Reitz, Ripley, Ritter, Sankey, Schroeder, Schulte,

Sheldon, Smith, Stillman, Stoddard, Swan, Swift, Tegeler, Welden, Wilson, Wolfe, Mr. Speaker—90.

The nays were:

Schee, Sullivan, Tilton—3.

Absent or not voting:

Beery, Brandes, Cassady, Corrie, Dawson, Dewell, Harding, Holmes, Hunter, Marston, Moore of Linn, Thompson, Ward, White, Zeller—15.

So the bill passed and the title was agreed to.

On motion of Derrough of Warren, Senate File No. 213, a bill for an act fixing the liability of a bank to its depositors for payment of forged or raised checks, was taken up and considered.

Lee of Emmet proposed the following amendment:

I move to amend by striking out the word "six" in line 2 and insert in lieu thereof the word "12."

Amendment lost.

Derrough of Warren moved that the rules be suspended, the bill be read a third time now, which motion prevailed, and the bill was read a third time.

On the question, "Shall the bill pass?"

The ayes were:

Allred, Arney, Balluff, Bascom, Beans, Beebe, Blackmore, Boe, Boettger, Bonwell, Boomgaarden, Bowman, Brandes, Calkins, Cassady, Cousins, Crozier, Crummer, Cunningham, Dabney, Dalby, Darrah, Davidson, Dawson, Derrough, Dewell, Dewey, DeWitt, Dye, Ellis, Felt, Fenn, Finlayson, Fourt, Fox, Goodykoontz, Grier, Hackler, Hanson, Hickenlooper, Huffaker, Hunter, Inman, Jacobs, Johnson, Jones, Kellogg, Kendall, Klay, McCleery, McDonald, Miller of Dubuque, Moore of Wapello, Moore of Linn, Newell, O'Connor, Perkins, Reaney, Ripley, Ritter, Schee, Sheldon, Stillman, Sullivan, Swan, Swift, Tegeler, Thompson, Tilton, Welden, Zeller, Mr. Speaker—72.

The nays were:

Bauman, Burt, Etter, Fulliam, Fulton, Harding, Jewell, Kull, Larrabee, Lee, Meredith, Miller of Bremer, Penn, Reitz, Sankey, Schroeder, Schulte, Smith, Stoddard—19.

Absent or not voting:

Anderson, Beery, Byerly, Cooper, Corrie, Dodds, Drury, Elliott, Harvey, Holmes, Ide, Koontz, Marston, Ward, White, Wilson, Wolfe—17.

So the bill passed and the title was agreed to.

On motion of Byerly of Jones, House File No. 411, a bill for an act authorizing the State Board of Control to enter into a contract for the employment of certain inmates of the reformatory at Anamosa, was taken up, considered, and Senate File No. 331 was substituted therefor.

Miller of Dubuque proposed the following amendment:

I move to amend Section 1 by inserting after the word "tubs" in the third line "and such tubs to be labled convict made."

Amendment lost.

Byerly of Jones moved that the rules be suspended, 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 ayes were:

Allred, Anderson, Arney, Bascom, Bauman, Beans, Beebe, Blackmore, Boe, Bonwell, Boomgaarden, Bowman, Brandes, Byerly, Calkins, Cassady, Cousins, Crummer, Cunningham, Dabney, Dalby, Davidson, Dawson, Derrough, Dewell, Dewey, DeWitt, Drury, Dye, Elliott, Ellis, Etter, Felt, Fenn, Finlayson, Fourt, Fox, Fulton, Goodykoontz, Grier, Hackler, Hanson, Harvey, Huffaker, Inman, Jacobs, Jewell, Johnson, Jones, Kellogg, Kendall, Koontz, Kull, Larrabee, McCleery, Meredith, Newell, O'Connor, Perkins, Reaney, Ripley, Ritter, Sankey, Schroeder, Schulte, Smith, Stillman, Stoddard, Swift, Thompson, Tilton, Welden, Zeller—73.

The nays were:

Boettger, Burt, Darrah, Dodds, Hickenlooper, Hunter, Klay, Lee, Miller of Dubuque, Moore of Wapello, Penn, Schee, Sheldon, Swan, Tegeler, Ward, Wilson, Mr. Speaker—18.

Absent or not voting:

Balluff, Beery, Cooper, Corrie, Crozier, Fulliam, Harding, Holmes, Ide, McDonald, Marston, Miller of Bremer, Moore of Linn, Reitz, Sullivan, White, Wolfe—17.

So the bill passed and the title was agreed to.

On motion of Boe of Winnebago, House File No. 424, a bill for an act to amend Section Twenty-eight Hundred Twenty-three-a (2823-a) of the Supplement to the Code, 1907, relating to education with the report of committee recommending passage as amended by substitute amendments, was taken up, considered, and the substitute amendment adopted.

Boe of Winnebago moved that the rules be suspended, 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 ayes were:

Allred, Anderson, Arney, Balluff, Bascom, Bauman, Beans, Beebe, Blackmore, Boe, Boettger, Bonwell, Bowman, Brandes, Burt, Byerly, Calkins, Cassady, Cousins, Crozier, Crummer, Cunningham, Dabney, Dalby, Darrah, Davidson, Derrough, Dewell, Dewey, DeWitt, Dodds, Drury, Elliott, Etter, Fourt, Fox, Fulliam, Fulton, Goodykoontz, Grier, Hackler, Hanson, Harding, Harvey, Hickenlooper, Huffaker, Inman, Jacobs, Jewell, Johnson, Jones, Kendall, Klay, Koontz, Kull, Larrabee, Lee, McCleery, McDonald, Miller of Bremer, Miller of Dubuque, Moore of Wapello, Newell, O'Connor, Perkins, Reaney, Reitz, Ripley, Ritter, Sankey, Schroeder, Schulte, Smith, Stillman, Stoddard, Swan, Swift, Tegeler, Thompson, Tilton, Ward, Welden, Wilson, Wolfe, Zeller, Mr. Speaker—86.

The nays were:

Boomgaarden, Dawson, Hunter, Meredith—4.

Absent or not voting:

Beery, Cooper, Corrie, Dye, Ellis, Felt, Fenn, Finlayson, Holmes, Ide, Kellogg, Marston, Moore of Linn, Penn, Schee, Sheldon, Sullivan, White—18.

So the bill passed and the title was agreed to.

On motion of Bonwell of Audubon, House File No. 395, a bill for an act to appropriate money for the use of the Iowa Highway Commission, with report of committee recommending passage as amended, was taken up, considered, and the amendments adopted.

Bonwell of Audubon moved that the rules be suspended, 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 ayes were:

Anderson, Arney, Bascom, Beebe, Blackmore, Boe, Bonwell, Bowman, Brandes, Cassady, Crummer, Cunningham, Dabney, Darrah, Davidson, Derrough, Dewey, DeWitt, Dodds, Drury, Elliott, Felt, Fenn, Fourt, Fox, Grier, Hackler, Hanson, Harding, Harvey, Hickenlooper, Hunter, Inman, Jacobs, Jewell, Johnson, Jones, Kendall, Klay, Kull, Larrabee, Lee, McCleery, Moore of Wapello, Newell, O'Connor, Perkins, Reaney, Ripley, Schulte, Smith, Stillman, Stoddard, Swan, Swift, Tegeler, Tilton, Ward, Wilson, Mr. Speaker—60.

The nays were:

Bauman, Beans, Boomgaarden, Burt, Calkins, Cousins, Dalby, Dewell Dye, Ellis, Etter, Fulliam, Fulton, Huffaker, Meredith, Miller of Bremer, Miller of Dubuque, Penn, Reitz, Ritter, Sankey, Schee, Schroeder, Zeller—24.

Absent or not voting:

Allred, Balluff, Beery, Boettger, Byerly, Cooper, Corrie, Crozier, Dawson, Finlayson, Goodykoontz, Holmes, Ide, Kellogg, Koontz, McDonald, Marston, Moore of Linn, Sheldon, Sullivan, Thompson, Welden, White, Wolfe—24.

So the bill passed and the title was agreed to.

#### MESSAGES FROM THE SENATE.

The following messages were received from the Senate:

MR. SPEAKER—I am directed to inform your honorable body that the Senate has passed the following bill in which the concurrence of the House is asked:

Senate File No. 384, a bill for an act authorizing certain cities to incur an indebtedness for the purpose of constructing a city hall.

S. W. NEAL,  
*Secretary.*

Also:

MR. SPEAKER—I am directed to inform your honorable body that the Senate has passed the following bill in which the concurrence of the Senate was asked:

House File No. 189, a bill for an act allowing appropriations for a short course in agriculture and domestic science."

S. W. NEAL,  
*Secretary.*

Also:

MR. SPEAKER—I am directed to inform your honorable body that the Senate has amended by substitute and passed the following bill in which the concurrence of the Senate was asked:

House File No. 30, a bill for an act relating to the compensation of township assessors.

S. W. NEAL,  
*Secretary.*

Also:

MR. SPEAKER—I am directed to inform your honorable body that the Senate has amended and passed the following bill in which the concurrence of the Senate was asked:

House File No. 250, a bill for an act relating to the militia and enacting a substitute therefor, to be known as the military code of Iowa.

S. W. NEAL,  
*Secretary.*

Also:

MR. SPEAKER—I am directed to inform your honorable body that the Senate has concurred in House amendments to Senate File No. 166, a bill for an act enabling counties to establish hospitals, etc.

S. W. NEAL,  
*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. 31, a bill for an act requiring all corporations doing business within the state to make an annual report.

S. W. NEAL,  
*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. 361, a bill for an act relating to the selection of persons to serve as petit and grand jurors and talesmen.

S. W. NEAL,  
*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. 401, a bill for an act legalizing the acts of the city council and mayor of the city of Ames, Iowa.

S. W. NEAL,  
*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. 380, a bill for an act providing for acquiring by condemnation proceedings by cities and towns of heating plants, etc.

S. W. NEAL,  
*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. 377, a bill for an act relating to the publication of annual financial statements of independent, city or town districts.

S. W. NEAL,  
*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. 395, a bill for an act to legalize certain notices of incorporation.

S. W. NEAL,  
*Secretary.*

#### SENATE MESSAGES CONSIDERED.

Senate File No. 361, a bill for an act to amend Section Three Hundred Thirty-five (335) of the Code relating to the selection of persons to serve as petit and grand jurors and talesmen.

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

Senate File No. 395, a bill for an act to legalize certain notices of incorporation.



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

Senate File No. 31, a bill for an act requiring all corporations doing business within the State to make an annual report and pay an annual license fee to the Secretary of State.

Read first and second time and referred to Committee on Private Corporations.

Senate File No. 377, a bill for an act to amend Section Twenty-seven Hundred and Eight-one (2781) of the Code, relating to the publication of annual financial statements of independent, city or town districts.

Read first and second time and referred to Committee on Schools and Text-Books.

Senate File No. 380, a bill for an act providing for acquiring by condemnation proceedings by cities and towns of heating plants, water works, gas works, electric light or electric power plants, and a mode of procedure therefor, and amending Section Seven Hundred Twenty-two (722) of the Supplement to the Code, 1907.

Read first and second time and referred to Committee on Municipal Corporations.

Senate File No. 401, a bill for an act to legalize the acts of the city council of the city of Ames, Iowa, in contracting an indebtedness during the five years immediately preceeding the passage of this act in excess of the statutory limit of one and one-fourth per cent for the erecting, maintaining and operating an electric light and power plant and water works system and other purposes and not exceeding five per cent constitutional limit of the actual value of the taxable property in said city.

Read first and second time and referred to Committee on Ways and Means.

Senate File No. 384, a bill for an act to amend the law as it appears in Section Seven Hundred Forty-one-f (741-f), Chapter Four, Title Five, of the Supplement to the Code, 1907, authorizing certain cities to incur an indebtedness for the purpose of constructing a city hall in an amount not exceeding in the aggregate two percentum of the actual value of the taxable property within such city, and to authorize the issuance of bonds in

pursuance of an election which may have been heretofore held authorizing the erection of such city hall.

Read first and second time and passed on file.

SENATE AMENDMENTS CONSIDERED.

On request of Boettger of Scott, unanimous consent having been given, House File No. 30, a bill for an act repealing Section Five Hundred and Ninety-two (592) of the Code, relating to the compensation of township assessors and enacting a substitute therefor, with the following Senate amendment, was taken up and the amendment read and considered.

SUBSTITUTE FOR HOUSE FILE NO. 30.

A bill for an act to amend Section Five Hundred and Ninety-two (592) of the Code relating to the Compensation of Township Assessors.

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

Section 1. That section five hundred and ninety-two of the Code is hereby amended so as to read as follows:

"Each township assessor shall receive in full for all services required of him by law, a sum to be paid out of the county treasury, and fixed annually by the board of supervisors at their January session; said compensation shall be for the succeeding year, and shall not exceed the sum of two and one-half dollars (\$2.50) for each day of eight hours which said board determines may necessarily be required in the discharge of all official duties of such assessors, except in townships having a population of thirty thousand (30,000) or over, and situated entirely within the limits of a city acting under special charter, such compensation shall be four dollars (\$4.00) per day."

Boettger of Scott moved that the House concur in the Senate amendments.

On the question, Shall the House concur?

The ayes were:

Balluff, Bascom, Bauman, Beans, Beebe, Beery, Blackmore, Boe, Boettger, Bonwell, Boomgaarden, Bowman, Brandes, Burt, Byerly, Calkins, Cassady, Cousins, Crozier, Crummer, Dalby, Darrah, Dawson, Derrough, Dewell, Dewey, DeWitt, Drury, Dye, Ellis, Etter, Fenn, Finlayson, Fourt, Fox, Fulliam, Goodykoontz, Grier, Hackler, Hanson, Harvey, Hickenlooper, Huffaker, Hunter, Ide, Inman, Jacobs, Jewell, Johnson, Jones, Kendall, Klay, Koontz, Kull, Larabee, McCleery, McDonald, Meredith, Miller of Bremer, Miller of Dubuque, Moore of Linn, O'Connor, Penn, Perkins, Reaney, Reitz, Ritter, Schee, Schroeder, Schulte, Smith, Stillman, Stoddard, Sullivan, Swan, Tegeler, Thompson, Tilton, Ward, Welden, White, Wilson, Wolfe, Zeller, Mr. Speaker—85.

The nays were:

None.

Absent or not voting:

Allred, Anderson, Arney, Cooper, Corrie, Cunningham, Dabney, Davidson, Dodds, Elliott, Felt, Fulton, Harding, Holmes, Kellogg, Lee, Marston, Moore of Wapello, Newell, Ripley, Sankey, Sheldon, Swift—23.

So the House concurs in the Senate amendments.

On motion of Moore of Linn, unanimous consent having been given, House File No. 250, a bill for an act to repeal Title Eleven of the Code and the law as it appears in Title Eleven of the Supplement to the Code, 1907, relating to the militia and enacting a substitute therefor, to be known as "the Military Code of Iowa," with the following Senate amendments, was taken up, and the amendments read and considered.

Amend Section 15 of the bill by placing after the word "general" in the third line thereof a comma (,) and inserting the words "both of whom shall have served honorably in the regular or volunteer service of the United States, or for not less than one year in the guard."

Amend Section 15 by striking out after the comma after the word "aids" in line three the following: "all of whom shall have served honorably in the regular, or volunteer service of the United States, or for not less than one year in the guard."

Amend Section 17 by striking out the word "four" in line two and insert in lieu thereof the word "two."

Amend Section 34 by striking out in line two the words "personal road and" and insert in lieu thereof the following: "and labor on the road on account of."

Amend Section 43 by striking out the words and figures "one hundred fifty-two thousand nine hundred (\$152,900) dollars" and insert in lieu thereof the words and figures "one hundred forty thousand (\$140,000) dollars."

Moore of Linn moved that the House concur in the Senate amendments.

On the question, Shall the House concur?

The ayes were:

Anderson, Balluff, Bascom, Bauman, Beans, Beery, Blackmore, Boe, Boettger, Bonwell, Boomgaarden, Bowman, Brandes, Byerly, Calkins, Cassady, Cooper, Cousins, Crozier, Cramer, Cunningham, Dalby, Darrah, Dawson, Derrough, Dewell, Dewey, DeWitt, Dodds, Drury, Dye, Elliott, Ellis, Etter, Felt, Fenn, Finlayson, Fourt, Fox, Fulliam, Fulton, Goodykoontz, Grier, Hackler, Hanson, Harvey, Hickenlooper, Huffaker, Hunter, Ide, Inman, Jacobs, Jewell, Johnson, Jones, Kendall, Klay, Koontz, Kull, Larrabee, Lee, McCleery, McDonald, Meredith, Miller of Bremer, Miller of Dubuque, Moore of Linn, Newell, O'Connor, Penn, Reaney, Reitz, Ripley, Ritter, Schee, Schulte, Sheldon, Smith, Stillman, Stoddard, Sullivan, Swan, Tegeler, Thompson, Tilton, Ward, Welden, White, Wolfe, Zeller, Mr. Speaker—90.

The nays were:

Calkins, Meredith—2.

Absent or not voting:

Allred, Arney, Beebe, Burt, Corrie, Dabney, Davidson, Harding, Holmes, Kellogg, Marston, Perkins, Sankey, Schroeder, Swift, Wilson—16.

So the House concurs in the Senate amendments.

Dabney of Davis moved that House File No. 462 be withdrawn from the Committee on Ways and Means and the further consideration of the House.

Motion prevailed.

Johnson of Mitchell called up the report of the Conference Committee on House File No. 208, and moved its adoption.

Motion prevailed and the report was adopted.

Johnson of Mitchell moved that the House adopt the amendments proposed by the Conference Committee and concur in the Senate amendment to House File No. 208 as amended by the Conference Committee.

On the question, "Shall the House adopt the amendments and concur in the Senate amendments?"

The ayes were:

Allred, Aderson, Arney, Bascom, Bauman, Beans, Beebe, Blackmore, Boe, Boettger, Bonwell, Boomgaarden,, Bowman, Brandes, Burt, Byerly, Calkins, Cassady, Cousins, Crozier, Crummer, Dabney, Dalby, Darrah, Dawson, Derrough, Dewell, Dewey, DeWitt, Dodds, Drury, Dye, Elliott, Ellis, Etter, Felt, Fenn, Finlayson, Fourt, Fox, Fulliam, Fulton, Goodykoontz, Grier, Hackler, Hanson, Harvey, Hickenlooper, Hunter, Ide, Inman, Jacobs, Jewell, Johnson, Jones, Kellogg, Kendall, Klay, Koontz, Kull, Larrabee, Lee, McDonald, Meredith, Miller of Bremer, Miller of Dubuque, Moore of Wapello, O'Connor, Perkins, Reaney, Reitz, Ripley, Ritter, Sankey, Schee, Schroeder, Schulte, Smith, Stoddard, Sullivan, Swan, Swift, Tegeler, Thompson, Tilton, White, Wilson, Wolfe, Zeller, Mr. Speaker—90.

The nays were :

None.

Absent or not voting :

Balluff, Beery, Cooper, Corrie, Cunningham, Davidson, Harding, Holmes, Huffaker, McCleery, Marston, Moore of Linn, Newell, Penn, Sheldon, Stillman, Ward, Welden—18.

So the House adopted the Committee amendments and concurred in the Senate amendments.

Cunningham of Buena Vista offered the following resolution :

RESOLUTION.

*Resolved*, That the House convene daily at 7:00 o'clock.

Laid over under Rule 34.

Schee of O'Brien moved that when the House adjourn tomorrow afternoon it be until 7:30 P. M.

Motion lost.

Hackler of Webster moved that House File No. 110 be withdrawn from the Committee on Judiciary and the further consideration of the House.

Motion prevailed.

White of Story moved that Senate File No 164 be recalled from the Senate.

Motion prevailed.

Reaney of Louisa moved that House File No. 120 be withdrawn from the Committee on Judiciary and the further consideration of the House.

Motion prevailed.

Hunter of Polk moved that House File No. 6 be withdrawn from the Committee on Ways and Means and the further consideration of the House.

Motion prevailed.

Stillman of Greene moved that when the House adjourn it be until 8 o'clock, P. M.

Ritter of Des Moines moved to amend by making the time 8 o'clock, A. M., Thursday.

Amendment lost.

Motion lost.

Beebe of Franklin moved that the House adjourn until 9:00 o'clock, A. M.

O'Connor of Chickasaw moved to amend to make the time 7:45 P. M., tonight.

Amendment lost.

Davidson of Palo Alto moved to amend by changing the time to 8:30 o'clock, A. M., Thursday.

Amendment adopted.

Motion as amended prevailed.

# JOURNAL OF THE HOUSE

HALL OF THE HOUSE OF REPRESENTATIVES,  
DES MOINES, IOWA, APRIL 1, A. D. 1909.

House met pursuant to adjournment.

Speaker Feely in the Chair.

Prayer was offered by Rev. J. B. Edmonson of Knoxville, Iowa.

## PETITIONS, MEMORIALS AND REMONSTRANCES.

Davidson of Palo Alto presented petition of citizens of Palo Alto County, relative to Senate File No. 38, referring to the appointment of a Commerce Counsel.

Referred to Committee on Railroads and Transportation.

Holmes of Kossuth, from the Committee on Pardons, submitted the following report:

MR. SPEAKER—Your committee on Pardons, to whom was referred the application for pardon of C. H. Woodward, a life convict confined at Fort Madison, Iowa, sentenced from the district court of Decatur County, Iowa, for murder in the first degree, 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 said application for pardon be granted.

Signed:

O. H. HOLMES,

*Chairman.*

WILLOUGHBY DYE,  
H. C. BRANDES,  
W. R. COOPER,  
GEO. A. KELLOGG,  
ERNEST R. MOORE,  
LOREN W. INMAN,  
THOS. HICKENLOOPER,  
W. M. BYERLY,  
J. W. ELLIS,  
CURRAN F. SWIFT,

C. A. MEREDITH,  
GEO. W. CROZIER,  
EDW'D McDONALD,  
F. E. SHELDON,  
I. T. DABNEY,  
J. W. BOWMAN,  
S. H. BAUMAN,  
H. S. BOOMGAARDEN,  
JOHN A. COUSINS,  
PAUL E. STILLMAN,

J. H. DARRAH,

*Members of Committee.*

Adopted.

## INTRODUCTION OF BILLS.

By Committee on Appropriations, House File No. 531.

A Bill for an Act Making an Appropriation to Defray the Mileage and Expenses of the Members of the Various Committees sent by the Thirty-third General Assembly to visit the Several State Educational Institutions.

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

Section 1. Appropriation—amount. There is hereby appropriated out of any funds in the State treasury not otherwise appropriated, the sum of one hundred fifty-seven and fifty-one-hundredths dollars (\$157.50) to defray the mileage and expenses of the members of the various committees sent by the Thirty-third General Assembly, under concurrent resolution, to visit the various State educational institutions. The said sum to be paid to the various persons, and in the amounts as follows, to-wit:

F. L. Maytag .....	\$34.10
W. C. Stuckslager .....	31.50
C. F. Swift.....	30.95
Ward Wilson .....	29.45
N. J. Lee .....	31.50

Sec. 2. The State Auditor is hereby authorized and directed to draw his warrants on the State treasury in favor of the persons named in section one (1) of this act in the respective sums appropriated to each.

Sec. 3. This act, being deemed of immediate importance, 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 passed on file.

By Holmes of Kossuth, House Joint Resolution No. 6.

## HOUSE JOINT RESOLUTION NO. 6.

Authorizing and Recommending the Pardon or Parole of C. H. Woodward, now Confined at Fort Madison, Iowa.

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

Section 1. That the Governor be authorized to and we recommend he grant a pardon or parole to C. H. Woodward, who is now confined in the State Penitentiary at Fort Madison, upon such terms and conditions as the Governor may prescribe.

Read first and second time and passed on file.

Etter of Keokuk, chairman of the committee appointed to draft resolutions respecting the life and public service of Hon. Louis



P. Hollingsworth, presented the resolutions prepared by that committee and moved their adoption.

Motion prevailed, the resolutions were adopted and ordered printed in the Journal.

Crozier of Marion offered the following resolution :

RESOLUTION.

Resolved, That the committee on Retrenchment and Reform be instructed to inquire into the matter of the printing, binding and distribution of public documents and report to the House the number of volumes, documents, reports and pamphlets of every kind which, in the judgment of the committee, should be printed, bound and distributed, including the laws passed at this session of the legislature, and all reports and documents whether bound or in pamphlet form that may be printed at the expense of the State, either for preservation, sale or distribution.

Laid over under Rule 34.

CONSIDERATION OF BILLS.

On motion of Klay of Sioux, Senate File No. 319, a bill for an act authorizing Boards of Supervisors to grant the use of public highways for erecting and maintaining poles and wires for the transmission of electricity and fixing the liability for damages arising from the construction thereof, was taken up and considered.

Schee of O'Brien proposed the following amendment :

I move that the bill be re-referred to the Committee on Telephones and to amend the same so as to provide for safeguards therein.

Roll call demanded by Klay of Sioux and Dodds of Des Moines.

On the question, Shall the House refer?

The ayes were :

McCleery, Meredith, Schee, Schroeder—4.

The nays were :

Allred, Anderson, Arney, Balluff, Bascom, Bauman, Beans, Beebe, Beery, Blackmore, Boe, Boettger, Bonwell, Boomgaarden, Bowman, Burt, Calkins, Cassady, Corrie, Cousins, Crummer, Cuning-

ham, Dabney, Dalby, Darrah, Dawson, Derrough, Dewell, Dewey, DeWitt, Dodds, Drury, Elliott, Ellis, Etter, Fenn, Fourt, Fox, Fulliam, Fulton, Goodykoontz, Grier, Hackler, Hanson, Harding, Harvey, Hickenlooper, Holmes, Huffaker, Hunter, Ide, Inman, Jacobs, Johnson, Jones, Kendall, Klay, Koontz, Kull, Larrabee, Lee, McDonald, Miller of Dubuque, Moore of Wapello, O'Connor, Penn, Perkins, Reaney, Reitz, Ripley, Ritter, Schulte, Smith, Stillman, Stoddard, Swan, Swift, Thompson, Tilton, Ward, Welden, Wilson, Wolfe, Zeller—84.

Absent or not voting:

Brandes, Byerly, Cooper, Crozier, Davidson, Dye, Felt, Finlayson, Jewell, Kellogg, Marston, Miller of Bremer, Moore of Linn, Newell, Sankey, Sheldon, Sullivan, Tegeler, White, Mr. Speaker—20.

So the motion to refer was lost.

Klay of Sioux moved that the rules be suspended, the bill be read a third time now, which motion prevailed, and the bill was read a third time.

On the question, "Shall the bill pass?"

The ayes were:

Allred, Arney, Balluff, Bauman, Blackmore, Boe, Boettger, Bowman, Brandes, Burt, Cassady, Cooper, Corrie, Cunningham, Dabney, Dalby, Darrah, Derrough, Dewey, Dodds, Dye, Elliott, Ellis, Etter, Finlayson, Fourt, Fulliam, Grier, Hanson, Harding, Holmes, Hunter, Jewell, Johnson, Kendall, Klay, Koontz, Miller of Bremer, Moore of Wapello, O'Connor, Penn, Perkins, Reaney, Reitz, Ritter, Schulte, Stillman, Thompson, Tilton, Welden, Wolfe—51.

The nays were:

Anderson, Bascom, Beans, Beebe, Beery, Bonwell, Boomgaarden, Byerly, Cousins, Crummer, Dawson, Dewell, DeWitt, Drury, Felt, Fenn, Fox, Fulton, Goodykoontz, Harvey, Hickenlooper, Huffaker, Ide, Inman, Jacobs, Jones, Kellogg, Kull, Larrabee, Lee, McCleery, McDonald, Meredith, Miller of Dubuque, Moore of Linn, Newell, Ripley, Sankey, Schee, Schroeder, Sheldon, Smith, Stoddard, Swan, Swift, White, Wilson, Zeller, Mr. Speaker—49.

Absent or not voting:

Calkins, Crozier, Davidson, Hackler, Marston, Sullivan, Tegeler, Ward—8.

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

Lee of Emmet moved that the vote by which Senate File No. 319 failed to pass the House be reconsidered.

Motion seconded by Swift of Shelby.

Schee of O'Brien moved to lay the motion on the table.

Motion to lay on the table lost.

Roll call on the motion to reconsider demanded by Klay of Sioux and Wolfe of Clinton.

Jacobs of Calhoun moved that further consideration of the motion to reconsider the vote on Senate File No. 319 be deferred until 10:00 o'clock, A. M., Friday, April 2.

Motion prevailed.

#### MOTION TO RECONSIDER.

MR. SPEAKER—I move to reconsider the vote by which Senate File No. 319 passed to its third reading.

GERRIT KLAY.

I second the motion.

W. W. GOODYKOONTZ.

On motion of Klay of Sioux, House File No. 125, a bill for an act to amend Section One Thousand One Hundred Six (1106), to repeal Section One Thousand One Hundred Nine (1109), and to enact a substitute therefor, to repeal Section One Thousand One Hundred Nineteen (1119), and to enact a substitute therefor, to repeal Section One Thousand One Hundred Twenty (1120), and enact a substitute therefor, to repeal Section One Thousand One Hundred Twenty-one (1121), and to enact a substitute therefor, of the Code Supplement of 1907, relating to the form, marking, counting and validity of ballots to be used at elections, with report of committee recommending passage as amended, was taken up, considered, and the amendments adopted.

Harding of Woodbury moved the previous question.

Motion prevailed.

Klay of Sioux moved that the rules be suspended, 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 ayes were:

Allred, Anderson, Bascom, Beans, Beebe, Beery, Bonwell, Boomgaarden, Bowman, Brandes, Cassady, Cooper, Corrie, Cousins, Crummer, Dalby, Davidson, Derrough, Dewell, Dewey, Dye, Elliott, Finlayson, Fourt, Fulton, Hackler, Harding, Harvey, Hick-enlooper, Ide, Inman, Jacobs, Jewell, Kellogg, Klay, McCleery, Meredith, Moore of Wapello, Moore of Linn, Newell, Perkins, Reaney, Schee, Sheldon, Smith, Stoddard, Swan, Thompson, Tilton, Ward, Welden, Wilson, Zeller—53.

The nays were:

Arney, Balluff, Bauman, Blackmore, Boe, Boettger, Burt, Byerly, Calkins, Crozier, Dabney, Darrah, Dawson, DeWitt, Dodds, Drury, Ellis, Etter, Felt, Fenn, Fox, Fulliam, Goodykoontz, Grier, Hanson, Holmes, Huffaker, Hunter, Johnson, Jones, Kendall, Koontz, Kull, Larrabee, Lee, McDonald, Miller of Bremer, Miller of Dubuque, O'Connor, Penn, Reitz, Ripley, Ritter, Sankey, Schroeder, Schulte, Stillman, Sullivan, Swift, Tegeler, White, Wolfe, Mr. Speaker—53.

Absent or not voting:

Cunningham, Marston—2.

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

On motion of Perkins of Delaware, House File No. 207, a bill for an act to encourage the dairy industry of the State of Iowa, to aid in providing instruction in practical and scientific dairying and making an appropriation therefor, with report of committee recommending indefinite postponement and minority views recommending passage, was taken up and considered.

Klay of Sioux moved that the minority views be substituted for the committee report.

Roll call demanded by Klay of Sioux and Burt of Taylor.

Johnson of Mitchell moved that the minority views be laid on the table.

Roll call demanded by Klay of Sioux and Burt of Taylor.

On the question, Shall the recommendation of the minority views lay on the table?

The ayes were:

Bascom, Blackmore, Cassady, Dabney, Dewell, Felt, Fourt, Fox, Harvey, Johnson, Jones, Kellogg, Lee, Miller of Dubuque, Reaney, Ripley, Sankey—17.

The nays were:

Allred, Anderson, Balluff, Bauman, Beans, Beebe, Boe, Boettger, Bonwell, Boomgaarden, Bowman, Brandes, Burt, Cooper, Cousins, Crummer, Dalby, Darrah, Davidson, Dawson, Derrough, Dewey, DeWitt, Drury, Dye, Elliott, Etter, Fenn, Finlayson, Fulliam, Fulton, Goodykoontz, Grier, Hackler, Hanson, Harding, Hickenlooper, Holmes, Huffaker, Hunter, Ide, Inman, Jacobs, Kendall, Klay, Koontz, Kull, Larrabee, McCleery, McDonald, Meredith, Miller of Bremer, Moore of Wapello, O'Connor, Penn, Perkins, Ritter, Schulte, Sheldon, Smith, Stoddard, Sullivan, Swift, Tegeler, Thompson, Tilton, Ward, Welden, White, Wolfe, Mr. Speaker—71.

Absent or not voting:

Arney, Beery, Byerly, Calkins, Crozier, Cunningham, Dodds, Ellis, Fulton, Jewell, Marston, Moore of Linn, Newell, Reitz, Schee, Schroeder, Stillman, Swan, Wilson, Zeller—20.

So the motion to lay on the table was lost.

On the question, Shall the minority recommendation be substituted for the report of the committee?

The ayes were:

Allred, Bauman, Beebe, Boe, Boettger, Bowman, Brandes, Burt, Byerly, Calkins, Cooper, Cousins, Crozier, Crummer, Dabney, Darrah, Davidson, Dawson, Derrough, Dewey, DeWitt, Drury, Dye, Elliott, Ellis, Etter, Finlayson, Fulliam, Goodykoontz, Grier, Hackler, Harding, Harvey, Hickenlooper, Holmes, Huffaker, Hunter, Ide, Inman, Jacobs, Kendall, Klay, Koontz, Kull, Larrabee, McCleery, McDonald, Meredith, Newell, O'Connor, Penn, Perkins,

Reitz, Ritter, Schulte, Sheldon, Smith, Stoddard, Sullivan, Swift, Tegeler, Thompson, Tilton, Ward, Welden, White, Wilson, Zeller, Mr. Speaker—69.

The nays were :

Bascom, Beans, Blackmore, Boomgaarden, Cassady, Corrie, Dalby, Dewell, Felt, Fenn, Fourt, Fox, Fulton, Jewell, Johnson, Jones, Kellogg, Lee, Miller of Dubuque, Moore of Wapello, Reaney, Sankey, Schee, Stillman—24.

Absent or not voting :

Anderson, Arney, Balluff, Beery, Bonwell, Cunningham, Dodds, Hanson, Marston, Miller of Bremer, Moore of Linn, Ripley, Schroeder, Swan, Wolfe—15.

So the minority views were substituted for the report of the committee.

Moore of Linn moved the adoption of the report as substituted.

Motion prevailed.

Moore of Linn proposed the following amendment :

I move to amend Section 7 by striking from line 2 the word "annually."

Amendment adopted.

Finlayson of Grundy proposed the following amendment :

I move to amend by striking out all of Section 4 and inserting in lieu thereof the following :

"Section 4. They may employ one competent person who shall devote his entire time to such inspection and instruction under the direction of the said executive committee, and who shall hold office at the pleasure of the committee and who shall receive a salary of not to exceed fifteen hundred dollars (\$1,500.00) per annum, and actual expenses while engaged in such work."

Amendment lost.

Swift of Shelby moved the previous question.

Motion prevailed.

The ayes were :

Allred, Anderson, Balluff, Bauman, Beans, Beebe, Beery, Blackmore, Boe, Boettger, Bonwell, Boomgaarden, Bowman, Brandes, Burt, Byerly, Calkins, Cassady, Cooper, Corrie, Cousins, Crozier, Cunningham, Dabney, Dalby, Darrah, Davidson, Dawson, Derrough, Dewey, DeWitt, Dodds, Drury, Dye, Elliott, Ellis, Etter, Fenn, Finlayson, Fourt, Fulliam, Goodykoontz, Grier, Hackler, Hanson, Harding, Harvey, Holmes, Huffaker, Hunter, Ide, Inman, Jacobs, Jewell, Jones, Kendall, Klay, Koontz, Kull, Larrabee, Lee, McDonald, Meredith, Miller of Bremer, Moore of Linn, Newell, O'Connor, Penn, Perkins, Reitz, Ripley, Ritter, Sankey, Schee, Schroeder, Schulte, Sheldon, Smith, Stillman, Stoddard, Sullivan, Swan, Swift, Tegeler, Thompson, Tilton, Ward, Welden, White, Wilson, Wolfe, Zeller, Mr. Speaker—93.

The nays were :

Bascom, Dewell, Felt, Johnson, Kellogg, Moore of Wapello, Reaney—7.

Absent or not voting :

Arney, Crummer, Fox, Fulton, Hickenlooper, McCleery, Marston, Miller of Dubuque—8.

So the bill passed and the title was agreed to.

The Speaker announced that as Speaker of the House, in the presence of the House, he had signed Senate File Nos. 304, 7, 197, and 145.

O'Connor of Chickasaw moved to adjourn until 1:30 o'clock, P. M.

Moore of Linn moved to amend by making the time 1:00 o'clock.

Amendment lost.

Motion to adjourn prevailed.

#### AFTERNOON SESSION.

The House met pursuant to adjournment.

Speaker Feely in the Chair.

Journal of Wednesday, March 31st, corrected and approved.

#### INTRODUCTION OF BILLS.

By Hunter of Polk, House File No. 532, a bill for an act relating to the age of employes of the General Assembly.

Read first and second time and referred to Committee on Compensation of Public Officers.

## REPORTS OF COMMITTEES.

Sheldon of Ringgold, from the committee on Telephones, submitted the following report:

MR. SPEAKER—Your committee on Telephones, to whom was referred House File No. 430, a bill for an act to authorize the removal of wires for the purpose of moving buildings or for the transportation of any other object on the highway or upon any waterway, beg leave to report they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same be indefinitely postponed.

F. E. SHELDON,  
*Chairman.*

Adopted, and House File No. 430 was indefinitely postponed.

Also:

MR. SPEAKER—Your committee on Telephones, to whom was referred House File No. 289, a bill for an act to require telephone companies to construct and maintain suitable physical connection for the transfer of messages and conversation from one line to another and giving cities or towns authority to require such connections to be made and to prescribe the rules under which such transfer of messages shall be made, beg leave to report they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same be indefinitely postponed.

F. E. SHELDON,  
*Chairman.*

Adopted, and House File No. 289 was indefinitely postponed.

Also:

MR. SPEAKER—Your committee on Telephones, to whom was referred House File No. 202, with substitute, a bill for an act to repeal Section one thousand three hundred thirty (1330), Supplement to the Code of 1907, and to enact a substitute therefor relating to assessment of telephones and telegraphs; defining mutual telephone companies and exempting same from taxation, beg leave to report they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same be indefinitely postponed.

F. E. SHELDON,  
*Chairman.*

Adopted, and House File No. 202 was indefinitely postponed.

Stillman of Greene, from the Committee on Drainage, submitted the following report:

MR. SPEAKER—Your committee on Drainage, to whom was referred House File No. 281, a bill for an act to provide for special drainage dis-



tricts when the land to be drained is owned by fewer than six persons, beg leave to report they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same be indefinitely postponed.

PAUL E. STILLMAN,  
*Chairman.*

Adopted, and House File No. 281 was indefinitely postponed.

Also:

MR. SPEAKER—Your committee on Drainage, to whom was referred House File No. 343, a bill for an act to amend the law as it appears in Section nineteen hundred forty (1940) of the Supplement to the Code, 1907, relating to levees, drains, ditches and water-courses, beg leave to report they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same be indefinitely postponed.

PAUL E. STILLMAN,  
*Chairman.*

Adopted, and House File No. 343 was indefinitely postponed.

Also:

MR. SPEAKER—Your committee on Drainage, to whom was referred House File No. 501, a bill for an act permitting lower land owners to join tile to the tile of upper land owner, beg leave to report they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same be amended as follows: By inserting between the words "is" and "conveyed" in line one (1) the word "lawfully." Also strike out the comma after the word "emptied" in line two (2). Also amend by striking out the period at the end of Section, and inserting a comma, and adding the words "using tile of equal or larger size than that connected with," and when so amended the bill do pass.

PAUL E. STILLMAN,  
*Chairman.*

Adopted.

Also:

MR. SPEAKER—Your committee on Drainage, to whom was referred Senate File No. 209, a bill for an act to amend the law as it appears in Section fifteen hundred and thirty (1530) of the Supplement to the Code, 1907, creating a county drainage fund, providing for its collection and prescribing the manner in which the same shall be paid out, beg leave to report they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same be amended as follows: By striking out the word and figure

"one" in line nine (9) and inserting in lieu thereof the word and figure "two," and when so amended the bill do pass.

PAUL E. STILLMAN,  
*Chairman.*

Adopted.

Sullivan of Polk, from the Committee on Judiciary, submitted the following report:

MR. SPEAKER—Your committee on Judiciary, to whom was referred House File No. 519, a bill for an act to amend Section four thousand one hundred thirty-nine (4139) of the Code in relation to procedure in the Supreme Court, beg leave to report they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same do pass.

JOHN B. SULLIVAN,  
*Chairman.*

Adopted.

Also:

MR. SPEAKER—Your committee on Judiciary, to whom was referred Senate File No. 397, a bill for an act legalizing certain instruments of writing heretofore executed by corporations conveying, encumbering or affecting real estate that have been executed without the attaching or affixing of the corporate seal thereto, beg leave to report they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same do pass.

JOHN B. SULLIVAN,  
*Chairman.*

Adopted.

Drury of Sac, from the Committee on Compensation of Public Officers, submitted the following report:

MR. SPEAKER—Your committee on Compensation of Public Officers, to whom was referred House File No. 532, a bill for an act relating to the age of employes for the General Assembly, beg leave to report they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same be amended by substituting the following therefor:

SUBSTITUTE FOR HOUSE FILE NO. 532.

A Bill for an Act to Prescribe the Number of Doorkeepers and Pages for the General Assembly of Iowa and to Provide for the Employment of Such Employes as are Over Sixteen (16) Years of Age.

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

SECTION 1. That hereafter the General Assembly of Iowa shall be allowed eight (8) doorkeepers and eight (8) pages for the Senate, and eight (8) doorkeepers and eight (8) pages for the House of Representatives.

Sec. 2. That hereafter no employe of the General Assembly of the State of Iowa shall be under the age of sixteen (16) years, and when so amended the bill do pass.

WILL DRURY,  
*Chairman.*

Adopted.

Also:

MR. SPEAKER—Your committee on Compensation of Public Officers, to whom was referred House File No. 515, a bill for an act to prescribe the number of committee clerks for the General Assembly and placing them under the supervision of the Secretary of the Senate and the Chief Clerk of the House, beg leave to report they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same do pass.

WILL DRURY,  
*Chairman.*

Adopted.

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

MR. SPEAKER—Your committee on Elections, to whom was referred House File No. 160, a bill for an act for expediting unofficial returns of general and primary elections 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, and House File No. 160 was indefinitely postponed.

Also:

MR. SPEAKER—Your committee on Elections, to whom was referred House File No. 387, a bill for an act to repeal Sections ten hundred ninety-three (1093) and eleven hundred thirty (1130) of the Supplement to the Code and Section eleven hundred and thirty-eight (1138) of the Code and to enact substitutes therefor, relating to boards of election and the manner of canvassing the ballots beg leave to report they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same be indefinitely postponed.

J. H. DARRAH,  
*Chairman.*

Adopted, and House File No. 387 was indefinitely postponed.

Also:

MR. SPEAKER—Your committee on Elections, to whom was referred House File No. 468, 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, 1907, and enacting a substitute therefor; and amending Title Six, Chapter three of the Code beg leave to report they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same be indefinitely postponed.

J. H. DARRAH,  
*Chairman.*

Adopted, and House File No. 468 was indefinitely postponed.

Also:

MR. SPEAKER—Your committee on Elections, to whom was referred House File No. 401, a bill for an act to amend the law as it appears in Section ten hundred eighty-seven-a-4 (1087-a-4) of the Supplement to the Code, 1907, relating to primary elections beg leave to report they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same be indefinitely postponed.

J. H. DARRAH,  
*Chairman.*

Adopted, and House File No. 401 was indefinitely postponed.

Also:

MR. SPEAKER—Your committee on Elections, to whom was referred House File No. 284, a bill for an act to amend the law as it appears in Section one thousand one hundred thirty-seven-a-one (1137-a-1) of the Supplement to the Code, 1907, relative to expenditure of money by candidates for any office to be voted for at any primary, municipal or general election beg leave to report they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same be indefinitely postponed.

J. H. DARRAH,  
*Chairman.*

Adopted, and House File No. 284 was indefinitely postponed.

Also:

MR. SPEAKER—Your committee on Elections, to whom was referred House File No. 253, a bill for an act repealing Section 1087-a-1 Supplement to the Code, 1907, and enacting a substitute therefor; repealing Section 1087-a-5 Supplement to the Code, 1907, and enacting a substitute therefor; repealing Section 1087-a-6 Supplement to the Code, 1907, and enacting a substitute therefor; repealing Section 1087-a-7

Supplement to the Code, 1907; repealing Section 1087-a-8 Supplement to the Code, 1907, repealing Section 1087-a-9 Supplement to the Code, 1907, and enacting a substitute therefor; repealing sub-divisions one, two and three of Section 1087-a-10 Supplement to the Code, 1907, and enacting a substitute therefor; and amending Section 1087-a-20 Supplement to the Code, 1907, relating to primary elections beg leave to report they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same be indefinitely postponed.

J. H. DARRAH,  
*Chairman.*

Adopted, and House File No. 253 was indefinitely postponed.

Also:

MR. SPEAKER—Your committee on Elections, to whom was referred House File No. 477, a bill for an act to amend the law as it appears in Section ten hundred eighty-seven-a-1 (1087-a-1), ten hundred eighty-seven-a-4 (1087-a-4), ten hundred eighty-seven-a-ten (1087-a-10), ten hundred eighty-seven-a-20 (1087-a-20), ten hundred eighty-seven-a-25 (1087-a-25), ten hundred eighty-seven-a-26 (1087-a-26) and ten hundred eighty-seven-a-27 (1087-a-27) of the Supplement to the Code, 1907, providing for the nomination of judges of the Supreme and District Courts at the regular primary election beg leave to report they have had the same under consideration and have instructed me to report the same back to the House with recommendation that the same be indefinitely postponed.

J. H. DARRAH,  
*Chairman.*

Adopted, and House File No. 477 was indefinitely postponed.

Harding of Woodbury, from the Committee on Municipal Corporations, submitted the following report:

MR. SPEAKER—Your committee on Municipal Corporations, to whom was referred Senate File No. 346, a bill for an act amending Section five hundred sixty-five (565) of the Code, relating to the appointment of deputy assessors in any township including a city under special charter, beg leave to report they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same do pass.

W. L. HARDING,  
*Chairman.*

Adopted.

Also:

MR. SPEAKER—Your committee on Municipal Corporations, to whom was referred House File No. 508, a bill for an act to amend the law as it appears in Section ten hundred fifty-six-a-thirty-six, Chapter fourteen-c Title five of the Supplement to the Code, 1907, relating to the govern-

ment of certain cities and the recalling of elective officers therein beg leave to report they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same be amended as follows: by striking out of the title, the words "Chapter fourteen-c, Title Five" and inserting in brackets, the figures "(1056-a-36)." Amend Section 1 by striking out of line two thereof, the words "Chapter Fourteen-C, Title five," and inserting in lieu thereof in brackets the figures "(1056-a-36)." Amend line four of the printed bill by striking out the words and figures "thirty-fifth (35)" and inserting in lieu thereof the words and figures "thirty-fourth (34)." Strike out the words "Chapter fourteen-c, Title Five" as they appear in lines fourteen (14) and fifteen (15) of said bill and inserting in lieu thereof the figures, "(1056-a-21)" in brackets and when so amended the bill do pass.

W. L. HARDING,  
*Chairman.*

Adopted.

Also:

MR. SPEAKER—Your committee on Municipal Corporations, to whom was referred House File No. 379, a bill for an act requiring incorporated cities and towns to publish the acts or proceedings of the board of aldermen and city and town councils, beg leave to report they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same be amended as follows:

By changing the title to read as follows: "For an act providing for the publication of the proceedings of city and town councils," and that all be stricken out after the enacting clause and the following substituted in lieu thereof:

SECTION 1. Immediately following a regular or special meeting of the city or town council, the clerk shall, when so ordered by said council, prepare a condensed statement of the proceedings of said council, including the list of claims allowed, and from what funds appropriated and cause the same to be published in one or more newspapers of general circulation, published in said city or town, or by posting in one or more public places, as directed by said council.

SEC. 2. That the compensation allowed each newspaper for such publication, shall not exceed one-third of the legal fee provided by statute for the publication of legal notices," and when so amended the bill do pass.

W. L. HARDING,  
*Chairman.*

Adopted.

Welden of Hardin, from the Committee on Railroads and Transportation, submitted the following report:

MR. SPEAKER—Your committee on Railroads and Transportation, to whom was referred Senate File No. 238, a bill for an act amending Sec-

tion two thousand one hundred and twenty-six (2126) of the Code, relative to railroad rates, beg leave to report they have had the same under consideration, and have instructed me to report the same back to the House with the recommendation that the same be indefinitely postponed.

WM. WELDEN,  
*Chairman.*

Adopted, and Senate File No. 238 was indefinitely postponed.

Also:

MR. SPEAKER—Your committee on Railroads and Transportation, to whom was referred Senate File No. 273, a bill for an act to amend Section two thousand seventy-seven-a (2077-a) of the Supplement to the Code, 1907, relating to the posting of bulletins, beg leave to report they have had the same under consideration and recommend the same be indefinitely postponed.

WM. WELDEN,  
*Chairman.*

Adopted, and Senate File No. 273 was indefinitely postponed.

#### INTRODUCTION OF BILLS.

By Committee on Banks and Banking, House File No. 533.

A Bill for an Act to Authorize State and Savings Banks and Loan and Trust Companies to Act in a Fiduciary Capacity.

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

Section 1. Any state or savings bank or loan and trust company organized under the laws of this state having a paid up capital of not less than twenty-five thousand dollars (\$25,000) may act as guardian, administrator, executor, trustee, assignee, receiver, custodian, agent or conservator of any money or property; provided any such appointment as guardian shall apply to the estate only and not to the person.

Sec. 2. Any loan and trust company, or state or savings bank acting in a fiduciary capacity as authorized in section 1 of this act shall have authority to make an investment of trust funds in the following named securities:

1. National, State or municipal securities in which it may invest its funds as prescribed by the laws of this State;
2. Loans secured by real estate in this State in which it may invest its funds as prescribed by the laws of this State;
3. In such securities as may be prescribed by court.

Sec. 3. All property held by any loan and trust company, state or savings bank as guardian, administrator, executor, trustee, assignee, receiver, custodian, agent or conservator shall constitute a trust fund.

and unless otherwise ordered by a court, there shall be paid on any money, not invested in accordance with section 2 of this act, interest at a rate of not less than two per centum per annum.

Sec. 4. Whenever any loan and trust company, state or savings bank is appointed or named guardian, administrator, executor, trustee, assignee, receiver, custodian, agent or conservator under the provisions of this act, the president, vice-president, cashier or treasurer of such corporation shall take and subscribe for the corporation any and all oaths or affirmations required to be taken or subscribed by such guardian, administrator, executor, trustee, assignee, receiver, custodian, agent or conservator.

Sec. 5. Every state savings bank, or trust company acting as guardian, administrator, executor, trustee, assignee, receiver, custodian, or conservator, shall have the same rights, powers and privileges as individuals so acting, and receive the same compensation as is or may be allowed individuals for exercising similar offices or trusts, so far as the same are fixed by the statute, and shall execute a bond for the faithful performance of the trust confided to it in like sum and with like penalties as is required of individuals.

Sec. 6. All acts and parts of acts in conflict with the provisions of this act are hereby repealed.

Sec. 7. This act being deemed of immediate importance, shall take effect and be in force from and after its publication in the Register and Leader and Des Moines Capital, newspapers published at Des Moines, Iowa.

Read first and second time and passed on file.

Koontz of Johnson, chairman of the committee appointed to draft resolutions respecting the life and public services of the Hon. Samuel Husband Fairall, presented the resolutions prepared by that committee and moved their adoption.

Motion prevailed, the report was adopted, and ordered printed in the Journal.

Moore of Linn offered the following resolution, and asked that it be considered at this time and moved its adoption:

#### RESOLUTION.

Resolved, That this House consider House Files only until the Calendar is cleared.

Resolution adopted.

Felt of Clay moved to withdraw House File No. 131 from the Committee on Ways and Means, and the further consideration of the House; and House File No. 193 from the Committee on Public Health, and the further consideration of the House.



Motion prevailed.

Moore of Linn moved to withdraw House File No. 45 from the Committee on Judiciary and the further consideration of the House.

Motion prevailed.

#### CONSIDERATION OF BILLS.

On motion of Bowman of Linn, House File No. 329, a bill for an act to amend Section Four Hundred and Sixty-nine (469) of the Supplement to the Code, 1907, relative to the compensation of county supervisors, with report of committee recommending passage as amended by substitute amendment, was taken up, considered, and the substitute amendment adopted.

Bowman of Linn moved that the rules be suspended, 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 ayes were:

Allred, Anderson, Arney, Balluff, Bascom, Bauman, Beans, Beebe, Beery, Blackmore, Boe, Boettger, Bonwell, Boomgaarden, Bowman, Byerly, Calkins, Cassady, Cooper, Corrie, Cousins, Crozier, Crummer, Dabney, Dalby, Darrah, Dawson, Derrough, Dewell, Dewey, Dodds, Ellis, Etter, Fenn, Fourt, Fulliam, Goodykoontz, Grier, Hanson, Holmes, Huffaker, Hunter, Ide, Inman, Jacobs, Jewell, Johnson, Kellogg, Kendall, Klay, Koontz, Kull, Larrabee, Lee, McCleery, Meredith, Miller of Dubuque, Moore of Wapello, Moore of Linn, Newell, O'Connor, Reaney, Ripley, Ritter, Sankey, Schee, Schroeder, Schulte, Smith, Stillman, Stoddard, Swan, Swift, Tegeler, Tilton, Ward, White, Wilson, Wolfe, Mr. Speaker—80.

The nays were:

Brandes, Cunningham, Dye, Hackler, Harvey, Jones, Zeller—7.

Absent or not voting:

Burt, Davidson, DeWitt, Drury, Elliott, Felt, Finlayson, Fox, Fulton, Harding, Hickenlooper, McDonald, Marston, Miller of Bremer, Penn, Perkins, Reitz, Sheldon, Sullivan, Thompson, Welden—21.

So the bill passed and the title was agreed to.

On motion of Reaney of Louisa, House File No. 450, a bill for an act providing for the enumeration of deaf and blind persons additional to Chapter One (1), Title Seven (7), of the Code, was taken up and considered.

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

Ripley of Hancock in the Chair.

On the question, "Shall the bill pass?"

The ayes were:

Allred, Anderson, Arney, Balluff, Bascom, Bauman, Beans, Beebe, Beery, Blackmore, Boe, Bonwell, Boomgaarden, Bowman, Brandes, Byerly, Calkins, Cassady, Cooper, Corrie, Cousins, Crummer, Dabney, Dalby, Darrah, Davidson, Dawson, Derrough, Dewell, Dewey, DeWitt, Dodds, Dye, Elliott, Ellis, Etter, Felt, Fenn, Finlayson, Fourt, Fulliam, Fulton, Goodykoontz, Grier, Hackler, Hanson, Harding, Hickenlooper, Holmes, Huffaker, Hunter, Ide, Jacobs, Jewell, Johnson, Jones, Kellogg, Kendall, Klay, Koontz, Kull, Larrabee, McDonald, Meredith, Moore of Wapello, Newell, O'Connor, Penn, Reaney, Reitz, Ripley, Ritter, Sankey, Schulte, Sheldon, Smith, Stoddard, Sullivan, Swan, Thompson, Tilton, Ward, Welden, Wilson, Wolfe, Zeller, Mr. Speaker—87.

The nays were:

Crozier, Harvey, Miller of Dubuque, Schee, Tegeler—5.

Absent or not voting:

Boettger, Burt, Cunningham, Drury, Fox, Inman, Lee, McCleery, Marston, Miller of Bremer, Moore of Linn, Perkins, Schroeder, Stillman, Swift, White—16.

So the bill passed and the title was agreed to.

On motion of Cooper of Jasper, House File No. 172, a bill for an act to amend Section Ten Hundred Seventy-four (1074) and Section Ten Hundred Seventy-five (1075) of the Supplement to the Code, 1907, relating to the election of township trustees and township clerks, with report of committee recommending passage as amended, was taken up, considered, and the amendments adopted.

Cooper of Jasper moved that the rules be suspended, 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 ayes were:

Allred, Anderson, Arney, Balluff, Bascom, Bauman, Beans, Beebe, Beery, Blackmore, Boe, Bonwell, Boomgaarden, Brandes, Burt, Byerly, Calkins, Cooper, Crozier, Cunningham, Dabney, Darrah, Davidson, Dawson, Derrrough, Dewell, Dewey, Dodds, Dye, Elliott, Ellis, Etter, Felt, Fenn, Finlayson, Goodykoontz, Grier, Hackler, Hanson, Harding, Harvey, Hickenlooper, Hunter, Ide, Inman, Jacobs, Jewell, Johnson, Jones, Kellogg, Klay, Koontz, Larrabee, Lee, McCleery, McDonald, Meredith, Miller of Dubuque, Moore of Wapello, Moore of Linn, Newell, O'Connor, Ripley, Ritter, Sankey, Schee, Schulte, Smith, Stillman, Stoddard, Sullivan, Swan, Swift, Tilton, Ward, Welden, White, Wilson, Wolfe, Zeller—80.

The nays were:

Corrie, Crummer, DeWitt, Fulliam, Huffaker, Kellogg, Kull, Penn, Tegeler—9.

Absent or not voting:

Boettger, Bowman, Cassady, Cousins, Dalby, Drury, Fourt, Fox, Fulton, Holmes, Marston, Miller of Bremer, Perkins, Reaney, Reitz, Schroeder, Sheldon, Thompson, Mr. Speaker—19.

So the bill passed and the title was agreed to.

On motion of Hunter of Polk, House File No. 328, a bill for an act to provide for the supplying of electric light and power to military reservations of the United States in this state, with report of committee recommending passage as amended by substitute amendment, was taken up, considered, and the report of the committee with substitute amendment as amended, adopted.

Schee of O'Brien proposed the following amendment:

I move to amend House File No. 328 by adding to the end of Section 2, the following:

"Provided the said supervisors of any county shall not be allowed to authorize, grant or give permission for the use of the highways herein specified for a period of over ten years and pro-

vided further that the legalizing of any act of Boards of Supervisors heretofore granting such rights for the use of such highway shall not be for a period of over ten years from the taking effect of this act."

Amendment adopted.

Hunter of Polk moved that the rules be suspended, 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 ayes were:

Allred, Anderson, Arney, Balluff, Bascom, Bauman, Beans, Beebe, Blackmore, Boe, Bonwell, Boomgaarden, Brandes, Burt, Byerly, Cassady, Cooper, Corrie, Cousins, Crozier, Crummer, Cunningham, Dabney, Dalby, Darrah, Davidson, Dawson, Derrough, Dewell, Dewey, DeWitt, Dodds, Dye, Elliott, Ellis, Etter, Fenn, Finlayson, Fourt, Fulliam, Fulton, Goodykoontz, Grier, Hackler, Hanson, Harding, Harvey, Hickenlooper, Holmes, Huffaker, Hunter, Ide, Inman, Jacobs, Johnson, Jones, Kellogg, Kendall, Koontz, Kull, Larrabee, Lee, McCleery, McDonald, Meredith, Miller of Dubuque, Moore of Wapello, Newell, O'Connor, Penn, Perkins, Reaney, Reitz, Ripley, Ritter, Sankey, Schee, Schulte, Smith, Stillman, Stoddard, Sullivan, Swan, Swift, Tilton, Ward, Welden, White, Wilson, Wolfe, Zeller, Mr. Speaker—92.

The nays were:

Jewell, Moore of Linn, Tegeler—3.

Absent or not voting:

Beery, Boettger, Bowman, Calkins, Drury, Felt, Fox, Klay, Marston, Miller of Bremer, Schroeder, Sheldon, Thompson—13.

So the bill passed and the title was agreed to.

On motion of Anderson of Hamilton, House File No. 349, a bill for an act to create the Iowa State Drainage Waterways and Conservation Commission, and defining the powers and duties of the same, with report of committee recommending passage as amended by substitute amendment, was taken up, considered, and the substitute amendment as amended, adopted.

Anderson of Hamilton moved that the rules be suspended, 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 ayes were:

Allred, Anderson, Arney, Balluff, Bascom, Bauman, Beans, Beebe, Beery, Blackmore, Boe, Bonwell, Boomgaarden, Brandes, Burt, Byerly, Calkins, Cassady, Cooper, Corrie, Cousins, Crummer, Cunningham, Dabney, Dalby, Darrah, Davidson, Dawson, Derrough, Dewell, Dewey, DeWitt, Dodds, Dye, Elliott, Ellis, Etter, Felt, Fenn, Finlayson, Fourt, Fulton, Goodykoontz, Grier, Hackler, Hanson, Harding, Harvey, Hickenlooper, Holmes, Huffaker, Hunter, Ide, Inman, Jacobs, Jewell, Johnson, Kellogg, Kendall, Klay, Koontz, Larrabee, Lee, McCleery, McDonald, Meredith, Miller of Dubuque, Moore of Wapello, Moore of Linn, O'Connor, Perkins, Reaney, Reitz, Ritter, Sankey, Schee, Schroeder, Schulte, Sheldon, Smith, Stillman, Stoddard, Sullivan, Swan, Swift, Thompson, Tilton, Ward, Welden, White, Wilson, Wolfe, Zeller—93.

The nays were:

Fulliam, Kull—2.

Absent or not voting:

Boettger, Bowman, Crozier, Drury, Fox, Jones, Marston, Miller of Bremer, Newell, Penn, Ripley, Tegeler, Mr. Speaker—13.

So the bill passed and the title was agreed to.

On motion of Holmes of Kossuth, House File No. 455, a bill for an act to amend Section Two Thousand Eight Hundred Twenty-three-e (2823-e) of the Supplement to the Code, 1907, relating to probation officers, was taken up and considered.

Holmes of Kossuth moved that the rules be suspended, 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 ayes were:

Allred, Anderson, Arney, Balluff, Bascom, Bauman, Beans, Beebe, Beery, Blackmore, Boe, Bonwell, Boomgaarden, Bowman,

Brandes, Byerly, Calkins, Cassady, Cooper, Corrie, Cousins, Crummer, Dabney, Dalby, Darrah, Davidson, Dawson, Derrough, Dewey, DeWitt, Dodds, Dye, Elliott, Ellis, Etter, Felt, Fenn, Finlayson, Fourt, Fox, Fulliam, Fulton, Goodykoontz, Grier, Hackler, Hanson, Harding, Harvey, Hickenlooper, Holmes, Huffaker, Hunter, Ide, Inman, Jacobs, Jewell, Johnson, Jones, Kellogg, Kendall, Klay, Koontz, Kull, Larrabee, Lee, McDonald, Meredith, Miller of Dubuque, Moore of Wapello, Moore of Linn, Newell, O'Connor, Penn, Perkins, Reaney, Reitz, Ripley, Ritter, Sankey, Schee, Schroeder, Schulte, Sheldon, Smith, Stillman, Stoddard, Swan, Swift, Tegeler, Thompson, Tilton, Ward, Welden, White, Wilson, Wolfe, Zeller.  
Mr. Speaker—98.

The nays were:

None.

Absent or not voting:

Boettger, Burt, Crozier, Cunningham, Dewell, Drury, McCleery, Marston, Miller of Bremer, Sullivan—10.

So the bill passed and the title was agreed to.

On motion of Hunter of Polk, House File No. 306, a bill for an act to amend the law as it appears in Section Eight Hundred and Fifty-c (850-c) of the Supplement to the Code, 1907, authorizing the levy of an additional tax of one (1) mill on the dollar on all taxable property for park purposes, relating to park commissioners, their powers and duties, was taken up, considered, and Senate File No. 266 was substituted therefor.

Hunter of Polk moved that the rules be suspended, the bill be read a third time now, which motion prevailed, and the bill was read a third time.

On the question, "Shall the bill pass?"

The ayes were:

Allred, Anderson, Arney, Balluff, Bascom, Bauman, Beans, Beebe, Beery, Blackmore, Boe, Boettger, Bonwell, Boomgaarden, Bowman, Brandes, Burt, Byerly, Calkins, Cassady, Cooper, Corrie, Cousins, Crozier, Crummer, Cunningham, Dabney, Dalby, Darrah, Dawson, Derrough, Dewell, Dewey, DeWitt, Dodds, Dye, Elliott, Ellis, Etter, Fenn, Fourt, Fox, Fulliam, Goodykoontz, Grier, Hackler, Hanson, Harding, Harvey, Hickenlooper, Huffaker, Hunter,

Ide, Inman, Jacobs, Jewell, Johnson, Kellogg, Kendall, Klay, Koontz, Larrabee, Lee, McDonald, Meredith, Miller of Dubuque, Moore of Wapello, Moore of Linn, Newell, O'Connor, Perkins, Reaney, Reitz, Ripley, Ritter, Sankey, Schee, Schroeder, Schulte, Sheldon, Smith, Stillman, Stoddard, Swan, Swift, Tegeler, Thompson, Tilton, Ward, Welden, White, Wilson, Wolfe, Zeller, Mr. Speaker—95.

The nays were:

Fulton—1.

Absent or not voting:

Davidson, Drury, Felt, Finlayson, Holmes, Jones, Kull, McCleery, Marston, Miller of Bremer, Penn, Sullivan—12.

So the bill passed and the title was agreed to.

On motion of Sheldon of Ringgold, House File No. 194, a bill for an act to appropriate Ten Thousand Dollars (\$10,000) or so much thereof as may be necessary for the purpose of installing suitable elevators in the State Capitol, with report of committee recommending passage as amended by substitute amendment, was taken up, considered, and the substitute amendment adopted.

Sheldon of Ringgold moved that the rules be suspended, 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 ayes were:

Allred, Arney, Balluff, Bascom, Bauman, Beans, Beebe, Beery, Blackmore, Boettger Bonwell, Boomgaarden, Bowman, Brandes, Burt, Cassady, Cooper, Corrie, Cousins, Crozier, Crummer, Cunningham, Dabney, Darrah, Davidson, Dawson, Derrough, Dewell, DeWitt, Dye, Elliott, Felt, Fenn, Finlayson, Fourt, Fox, Fulliam, Fulton, Goodykoontz, Grier, Hackler, Hanson, Harding, Harvey, Hickenlooper, Hunter, Ide, Inman, Jacobs, Jewell, Johnson, Jones, Kellogg, Kendall, Klay, Koontz, Kull, Larrabee, Lee, McDonald, Meredith, Miller of Dubuque, Moore of Wapello, Moore of Linn, Newell, O'Connor, Perkins, Reaney, Ripley, Ritter, Sankey, Schroeder, Schulte, Sheldon, Smith, Stillman, Stoddard, Sullivan, Swift, Thompson, Tilton, Ward, Welden, White, Wilson, Wolfe, Zeller, Mr. Speaker—89.

The nays were :

Boe, Dalby, Huffaker, Penn, Tegeler—5.

Absent or not voting :

Anderson, Byerly, Calkins, Dewey, Drury, Ellis, Etter, Holmes, McCleery, Marston, Miller of Bremer, Reitz, Schee, Swan—14.

So the bill passed and the title was agreed to.

On motion of Harding of Woodbury, House File No. 3, a bill for an act to create a legislative commission to examine the subject of taxation for state and local purposes and the expediency of revising and amending the laws relating thereto and making an appropriation therefor, with report of committee recommending amendment and indefinite postponement and minority views recommending passage, was taken up and considered.

Harding of Woodbury moved that the minority views be substituted for the report of the committee.

Motion prevailed.

Moore of Linn moved the adoption of the report as substituted.

Motion prevailed.

Moore of Linn moved the adoption of the amendments recommended by the Committee on Appropriations.

Motion prevailed.

White of Story moved the adoption of the amendments prepared by the Committee on Ways and Means.

Motion prevailed.

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

Speaker Feely in the Chair.

On the question, "Shall the bill pass?"

The ayes were :

Allred, Arney, Balluff, Bauman, Beans, Beebe, Beery, Boe, Boettger, Bonwell, Boomgaarden, Bowman, Brandes, Byerly, Cassady, Cooper, Corrie, Cousins, Crozier, Crummer, Cunningham, Dabney,



Dalby, Darrah, Davidson, Dawson, Derrough, Dewell, Dewey, DeWitt, Dodds, Dye, Elliott, Ellis, Etter, Felt, Finlayson, Fourt, Fox, Goodykoontz, Grier, Hackler, Hanson, Harding, Harvey, Hickenlooper, Huffaker, Ide, Inman, Jacobs, Jewell, Johnson, Kellogg, Kendall, Klay, Koontz, Kull, Larrabee, Lee, McCleery, McDonald, Meredith, Miller of Dubuque, Moore of Wapello, Moore of Linn, Newell, O'Connor, Perkins, Reaney, Ripley, Ritter, Schoeder, Schulte, Sheldon, Stillman, Stoddard, Sullivan, Swan, Swift, Tegeler, Thompson, Tilton, Ward, Welden, White, Wolfe, Mr. Speaker—87.

The nays were:

Bascom, Blackmore, Burt, Fenn, Fulliam, Penn, Reitz, Sankey, Schee, Smith, Zeller—11.

Absent or not voting:

Anderson, Calkins, Drury, Fulton, Holmes, Hunter, Jones, Marton, Miller of Bremer, Wilson—10.

So the bill passed and the title was agreed to.

On motion of Balluff of Scott, House File No. 464, a bill for an act to enable certain cities to improve their water fronts and to levy a tax to pay for such work and in certain cases to borrow money therefor and issue negotiable bonds for such debt, was taken up, considered, and Senate File No. 371 was substituted therefor.

Balluff of Scott moved the adoption of the amendments proposed by the committee.

Motion prevailed.

Balluff of Scott moved to amend by striking out the publication clause.

Amendment adopted.

Schee of O'Brien proposed the following amendment:

I move to amend Section Two by adding thereto the following: "provided that the total bond issue under this act by any one city shall not exceed one per centum of the assessed value of said city."

Amendment adopted.

Balluff of Scott moved that the rules be suspended, the bill be read a third time now, which motion prevailed, and the bill was read a third time.

On the question, "Shall the bill pass?"

The ayes were:

Allred, Arney, Balluff, Bascom, Bauman, Beans, Beebe, Beery, Blackmore, Boe, Boettger, Bonwell, Boomgaarden, Bowman, Brandes, Burt, Byerly, Cassady, Cooper, Corrie, Cousins, Crummer, Cunningham, Dabney, Dalby, Darrah, Derrough, Dewell, Dewey, Dodds, Dye, Elliott, Ellis, Etter, Fenn, Finlayson, Fourt, Fox, Fulliam, Fulton, Goodykoontz, Hackler, Hanson, Harvey, Hickenlooper, Huffaker, Hunter, Inman, Jacobs, Jewell, Johnson, Jones, Kellogg, Kendall, Klay, Koontz, Kull, Larrabee, Lee, McDonald, Meredith, Miller of Dubuque, Moore of Wapello, Newell, O'Connor, Penn, Perkins, Reaney, Reitz, Ripley, Ritter, Sankey, Schroeder, Schulte, Sheldon, Smith, Stillman, Stoddard, Sullivan, Swift, Tegeler, Thompson, Tilton, Ward, Welden, Wilson, Wolfe, Zeller, Mr. Speaker—90.

The nays were:

None.

Absent or not voting:

Anderson, Crozier, Davidson, Dawson, DeWitt, Drury, Felt, Grier, Harding, Holmes, Ide, McCleery, Marston, Miller of Bremer, Moore of Linn, Schee, Swan, White—18.

So the bill passed and the title was agreed to.

On motion of Grier of Poweshiek, House File No. 86, a bill for an act to transfer from the Auditor of State to the Treasurer of State all of the powers, duties and responsibilities relating to State and Savings Banks and loan and trust companies, with report of committee recommending passage as amended, was taken up, considered, and the amendments adopted.

Grier of Poweshiek moved that the rules be suspended, 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 ayes were:

Arney, Bascom, Beans, Beery, Blackmore, Boomgaarden, Brandes, Burt, Cousins, Crummer, Dalby, Darrah, Dewey, DeWitt, Dye, Felt, Fenn, Finlayson, Fourt, Fox, Goodykoontz, Grier, Hanson, Hunter, Ide, Jacobs, Jewell, Johnson, Kellogg, Kendal, Klay, Lee, McDonald, Newell, Reaney, Schee, Sheldon, Smith, Stillman, Stoddard, Swan, Tilton, Ward, Wilson, Wolfe, Mr. Speaker—46.

The nays were :

Allred, Bauman, Boe, Bonwell, Bowman, Byerly, Calkins, Casady, Cooper, Crozier, Dabney, Derrough, Dewell, Dodds, Elliott, Ellis, Etter, Fulton, Hackler, Harvey, Hickenlooper, Huffaker, Inman, Jones, Kull, Larrabee, McCleery, Meredith, Miller of Dubuque, Moore of Wapello, Moore of Linn, Penn, Perkins, Reitz, Ripley, Ritter, Sankey, Schroeder, Swift, Tegeler, Thompson, Welden, Zeller—43.

Absent or not voting :

Anderson, Balluff, Beebe, Boettger, Corrie, Cunningham, Davidson, Dawson, Drury, Fulliam, Harding, Holmes, Koontz, Marston, Miller of Bremer, O'Connor, Schulte, Sullivan, White—19.

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

On motion of Goodykoontz of Boone, House File No. 434, a bill for an act giving cities and towns the power to prohibit or regulate the erection and maintaining of livery stables and garages, was taken up and considered.

Goodykoontz of Boone moved that the rules be suspended, 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 ayes were :

Allred, Arney, Balluff, Bascom, Beans, Beebe, Beery, Blackmore, Boe, Bonwell, Boomgaarden, Bowman, Brandes, Byerly, Cooper, Cousins, Crozier, Crummer, Darrah, Dawson, Derrough, Dewell, Dewey, DeWitt, Dodds, Dye, Ellis, Etter, Felt, Fenn, Finlayson, Fourt, Fox, Fulliam, Fulton, Goodykoontz, Hackler, Hanson, Hickenlooper, Huffaker, Hunter, Ide, Inman, Jacobs, Jewell, Johnson,

Jones, Kellogg, Kendall, Klay, Kull, Larrabee, McDonald, Moore of Wapello, Moore of Linn, Newell, O'Connor, Penn, Perkins, Reitz, Ripley, Ritter, Schee, Schulte, Sheldon, Smith, Stillman, Stoddard, Sullivan, Swift, Tilton, Ward, Wolfe, Mr. Speaker—74.

The nays were:

Elliott, Lee, Miller of Dubuque—3.

Absent or not voting:

Anderson, Bauman, Boettger, Burt, Calkins, Cassady, Corrie, Cunningham, Dabney, Dalby, Davidson, Drury, Grier, Harding, Harvey, Holmes, Koontz, McCleery, Marston, Meredith, Miller of Bremer, Reaney, Sankey, Schroeder, Swan, Tegeler, Thompson, Welden, White, Wilson, Zeller—31.

So the bill passed and the title was agreed to.

On motion of Miller of Dubuque, House File No. 378, a bill for an act giving to cities and towns, including cities acting under special charter, power to provide by ordinance for the trimming of trees along public streets and sidewalks, and to assess the cost thereof to the owners of the abutting property with report of committee recommending passage as amended was taken up, considered, and the amendments adopted.

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

Lee of Emmet moved that the vote by which the bill passed to its third reading be reconsidered.

Motion seconded by Jacobs of Calhoun.

Motion lost.

On the question, "Shall the bill pass?"

The ayes were:

Balluff, Bascom, Bauman, Beans, Boe, Boomgaarden, Burt, Byerly, Cassady, Cousins, Crozier, Crummer, Dabney, Darrah, Dewell, Dodds, Dye, Ellis, Etter, Fox, Fulliam, Goodykoontz, Grier, Hackler, Hanson, Harding, Hunter, Kendall, Koontz, Kull, McDonald, Miller of Dubuque, Moore of Wapello, Newell, O'Connor, Penn,

Perkins, Reitz, Ritter, Sankey, Schroeder, Schulte, Smith, Swan, Swift, Tegeler, Tilton, Wolfe, Mr. Speaker—49.

The nays were :

Allred, Arney, Cooper, Cunningham, Dewey, DeWitt, Elliott, Fulton, Ide, Inman, Jacobs, Jewell, Johnson, Jones, Klay, Larabee, Lee, McCleery, Meredith, Moore of Linn, Reaney, Ripley, Schee, Stoddard, Welden, Wilson—26.

Absent or not voting :

Anderson, Beebe, Beery, Blackmore, Boettger, Bonwell, Bowman, Brandes, Calkins, Corrie, Davidson, Dawson, Derrough, Drury, Felt, Fenn, Finlayson, Fourt, Harvey, Hickenlooper, Holmes, Huffaker, Kellogg, Marston, Miller of Bremer, Sheldon, Stillman, Sullivan, Thompson, Ward, White, Zeller—32.

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

On motion of Kull of Howard, House File No. 347, a bill for an act to amend Section Two Thousand Three Hundred Forty-one-a (2341-a), Supplement to the Code, 1907, relative to the requirements as to soundness of stallions kept for public service, was taken up and considered

Kull of Howard proposed the following amendment :

I move to amend House File No. 347 by numbering Section 2 as Section 3 and by inserting the following Section 2 :

Sec. 2. That Section two thousand three hundred forty one-c (2341-c) of the Supplement to the Code, 1907, be amended by changing the period at the end thereof to a semi-colon, and by adding thereto the following: "provided that no such stallion shall be kept for public service or advertised as a grade stallion unless such stallion is free from the following diseases: Specific ophthalmia (including moon blindness, cataract blindness, etc.) amaurosis, laryngeal, hemiplegia (roaring or whistling), chorea (St. Vitus dance, crampness, shivering, springhault), bone spavin, ringbone, sidebone, glanders-farcy, maladie-du-coit, urethral gleet, mange, bog spavin and curb when accompanied by faulty conformation."

Amendment adopted.

Kull of Howard moved that the rules be suspended, 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 ayes were:

Allred, Arney, Balluff, Bascom, Bauman, Beans, Beery, Boe, Boettger, Bonwell, Byerly, Calkins, Cassady, Cooper, Cousins, Crozier, Crummer, Dabney, Darrah, Dawson, Derrough, DeWitt, Dodds, Dye, Elliott, Ellis, Etter, Fenn, Fox, Fulliam, Goodykoontz, Grier, Hackler, Hanson, Harding, Harvey, Hickenlooper, Huffaker, Hunter, Ide, Inman, Jacobs, Jewell, Johnson, Jones, Kendall, Klay, Koontz, Kull, Larrabee, Lee, McCleery, McDonald, Meredith, Miller of Dubuque, Moore of Wapello, Moore of Linn, Newell, O'Connor, Penn, Reitz, Ritter, Sankey, Schee, Schroeder, Schulte, Smith, Stoddard, Swan, Swift, Tegeler, Tilton, Ward, Welden, Mr. Speaker—75.

The nays were:

Boomgaarden, Dewey, Finlayson, Thompson—4.

Absent or not voting:

Anderson, Beebe, Blackmore, Bowman, Brandes, Burt, Corrie, Cunningham, Dalby, Davidson, Dewell, Drury, Felt, Fourt, Fulton, Holmes, Kellogg, Marston, Miller of Bremer, Perkins, Reaney, Ripley, Sheldon, Stillman, Sullivan, White, Wilson, Wolfe, Zeller—29.

So the bill passed.

Kull of Howard moved to amend the title to House File No. 347 by adding after the figures "2341-a" the following: "Two Thousand Three Hundred Forty-one-c (2341-c)."

Amendment adopted, and the title as amended was agreed to.

Darrah of Lucas offered the following resolution:

RESOLUTION.

Resolved that we recognize the following interview given by the Secretary of the Iowa Manufacturers' Association to the Register and Leader and published April 1, 1909, as an evidence of the attitude of the said Manufacturers' Association towards the majority of the membership of this House who expressed their honest convictions in opposing the bulk sales bill. That we further recognize said interview as an indication of the high appreciation of the said Manufacturers' Association of the courtesy extended in allowing them the freedom of the floor of this House, in maintaining a persistent and paid lobby through-

out the past two sessions, and that we commend said interview to the attention of future members of this body.

#### CHARGES ULTERIOR MOTIVES.

Wrightman Makes Accusation as Result of Defeat of Bulk Sales Bill.

"The defeat of the bulk sales bill by the House of Representatives yesterday was a shame and a scandal to the State of Iowa," said G. A. Wrightman, secretary of the Iowa State Manufacturers' association. "Every member of that house knows that the men who organized and conducted that defeat did it to enable themselves personally to carry on in open daylight and under the protection of the law the very same outrageous frauds that the bill was aimed to stop. What a spectacle for a great, free, progressive, enlightened state. A little handful of smooth grafters—less than a half dozen—sent here by some miscarriage of elective government to represent good Iowa counties, can tie up our law making machinery and side track, with a simple turn of the wrist, the efforts of the state to arrest their highway robbery. They can bind good, honest members in their seats, tie their tongues and make them vote like automatons to perpetuate a fraud.

"This particular practice constitutes the rottenest thing in the state of Iowa today. They are smooth men. They have each a personal following. Their general ability has gotten them upon important committees. They knew long before the assembly met that this bill was coming up. As soon as the sessions began they began upon susceptible members who have pet measures. They traded their votes, committee votes, votes on the floor, votes of their personal following, for votes against the bulk sales bill. It was easy for them, they were on the job from twelve to sixteen hours a day, with an eye single to kill the law that would put them out of business.

"They did not try to buy votes with money; that would have been crude—they bought them by bartering away the interests of Iowa. They beat us this time when the state was not looking. But I want to say now that two years hence, when this bill comes up again, the whole state shall know exactly who they are, what their records are and what they are doing. If it is defeated then it will be with the consent of the state of Iowa."

Laid over under Rule 34.

Harding of Woodbury offered the following Concurrent Resolution:

#### CONCURRENT RESOLUTION.

Resolved by the House, the Senate concurring, that the First Assistant Clerk of the House, Reading Clerk of the House, First Assistant Secretary of the Senate and Second Assistant Secretary of the Senate be furnished with a copy of the Code, Supplement to the Code, and Session Laws of the Thirty-third General Assembly of the State of Iowa.

Laid over under Rule 34.

MOTION TO RECONSIDER.

MR. SPEAKER—I move to reconsider the vote by which House File No. 370 failed to pass the House, and the vote by which it passed to its third reading.

N. J. LEE.

I second the motion.

K. J. JOHNSON.

Schulte of Clayton moved that the House adjourn until 8:30 o'clock, A. M., Friday.

Motion prevailed.



# JOURNAL OF THE HOUSE

HALL OF THE HOUSE OF REPRESENTATIVES,  
DES MOINES, IOWA, APRIL 2, A. D. 1909.

House met pursuant to adjournment.

Speaker Feely in the Chair.

Prayer was offered by Rev. Peter Jacobs, of Silver City, Iowa.

Journal of Thursday, April 1st, corrected and approved.

On request of Dalby of Adair leave of Absence was granted Corrie of Ida until Monday.

## INTRODUCTION OF BILLS.

By Committee on Fish and Game, House File No. 534.

A Bill for an Act to Amend the Law as it Appears in Sections Twenty-five Hundred and Forty (2540), Twenty-five Hundred Forty-a (2540-a), Twenty-five Hundred and Fifty-one (2551), Twenty-five Hundred and Fifty-two (2552), and Twenty-five Hundred Fifty-six (2556) of the Supplement to the Code, 1907; and Section Twenty-five Hundred and Forty-four (2544), Twenty-five Hundred Fifty-four (2554), Twenty-five Hundred Fifty-five (2555) and Twenty-five Hundred Fifty-nine (2559) and Twenty-five Hundred Sixty-two (2562) of the Code, Relating to the Protection of Fish and Game; Regulating the Shipment of Fish and Sale; Prohibiting the Sale of Game, and Providing for the Appointment of Deputy Fish and Game Wardens and Fixing Their Compensation.

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

SECTION 1. That the law as it appears in Section twenty-five hundred and forty (2540) of the Supplement to the Code, 1907, be and the same is hereby amended as follows:

1. By striking out the word "November" in the second line of said section and substituting therefor the word "October."

2. By striking out the word "March" in the second line and substituting therefor the words "April fifteenth."

3. By inserting after the word "fish" at the close of line six thereof the words, "of which total number not more than twenty (20) shall be bass, pike or pickerel."

It shall be unlawful for any person, firm or corporation to offer for transportation or to transport to any place within or without this State for purposes of sale, any game fish taken from the waters of the State, except as hereinafter provided.

Any person, firm or corporation desiring the shipment or transportation of any game fish, shall deliver to the common carrier, express or transportation company a statement under oath in duplicate setting forth the name of the shipper, the person to whom the package is shipped, the residence of both, the kind and number of fish contained in such package, together with a statement that the fish contained in such package are not being shipped for the purpose of sale or market, and one copy thereof shall be retained by the common carrier, express or transportation company receiving such shipment for the period of twelve months thereafter and the other copy thereof shall be attached in a secure manner to such package.

Any agent of any common carrier, express or transportation company receiving such shipment is hereby authorized to administer to such shipper the oath contemplated in the last preceding paragraph.

Any shipment made in violation of the provisions of this act may be seized, confiscated and sold by any game warden in the state at private or public sale; the proceeds thereof to be turned into the fish and game protection fund, or such shipment may be by such warden destroyed.

4. By inserting after the word "spear" in line twenty-two thereof the words "trap net."

5. By striking out the word "of" in line twenty-four thereof and inserting in lieu thereof the word "or attempting to take or kill."

6. By inserting between the words "means" and "within" in line twenty-four the words "other than by rod, line, hook and bait."

7. By inserting after the word "pike" in line twenty-seven thereof, the word "croppie."

8. By inserting after the word "nest" in line twenty-one the following: "except that the fish and game warden may issue to any citizen a license therefor upon such terms as he may impose, authorizing the licensee to fish, from the opening of the closed season until March 1st, following, and it shall be legal to take fish strictly in accordance with the terms of such permit only.

9. By inserting after the words "game fish" in line five, the words, "except as hereinafter provided."

SEC. 2. That the law as it appears in Section twenty-five hundred forty-a (2540-a) of the Supplement to the Code, 1907, be amended by adding after the word "shall" in the sixth line thereof the words "be guilty of a misdemeanor and."

SEC. 3. That Section twenty-five hundred forty-four (2544) of the Code be repealed and the following enacted in lieu thereof:

"Any person, firm or corporation who shall violate any of the provisions of Section twenty-five hundred forty (2540) of the Supplement to the

Code, 1907, as herein amended, or twenty-five hundred forty-one (2541), twenty-five hundred forty-two (2542) or twenty-five hundred forty-three (2543) of the Code, shall be guilty of a misdemeanor, and, upon conviction, shall pay a fine of not less than five nor more than fifty dollars and cost of prosecution for each offense, or be imprisoned in the county jail for not less than one day nor more than thirty days, and the taking of each fish in violation of law shall be construed to be a separate offense."

SEC. 4. That Section twenty-five hundred fifty-one (2551) of the Supplement to the Code, 1907, be amended by adding after the word "kill" in the twelfth line the words "or attempt to kill," and after the word "box" in the fourteenth line thereof, the words, "or from any sail boat, gasoline or electric launch or steamboat, or other water conveyance, except as propelled by oar or paddle" and that said Section be further amended by adding to the close thereof the following: "Any person violating any of the provisions of this Section shall be held guilty of a misdemeanor as provided for in Section twenty-five hundred fifty-six (2556) of the Supplement to the Code, 1907, and in addition thereto for use any ambush, sink, box, sneak boat or other water conveyance, prohibited by law, on the waters of this state, a fine of not less than twenty-five dollars, nor more than one hundred dollars, and shall stand committed to the county jail for thirty days unless such fine and costs are paid."

SEC. 5. That Section twenty-five hundred and fifty-two (2552) of the Supplement to the Code, 1907, be repealed and the following enacted in lieu thereof:

"No person shall at any time or at any place within this state, trap, shoot or kill for traffic any of the birds, animals or game named in this chapter, nor shall any person shoot, or kill more than twenty-five in any one day, of any kind of said named animals, birds or game, nor shall any one person, firm or corporation have more than twenty-five of either kind of said named birds or game named in this chapter in his or their possession at any time unless lawfully received for transportation, provided, however, the limit of ducks in possession is hereby made fifty. Nor shall any person capture or take, or attempt to catch or take, with any trap, snare or net any of the birds or animals named in the preceding Sections; or in any manner willfully destroy the eggs or nest of any of the birds named in this chapter. Any person, firm or corporation violating any of the provisions of this Section shall be held to be guilty of a misdemeanor and punished as provided for in Section twenty-five hundred fifty-six (2556) of the Supplement to the Code, 1907."

SEC. 6. That Section twenty-five fifty-four (2554) of the Code be repealed and the following enacted in lieu thereof:

"It shall be unlawful for any person, firm or corporation to buy or sell, dead or alive, any of the birds, game or animals named in this Chapter, and it shall be unlawful to have the same in possession during the period when the killing of such birds, game or animals is prohibited, except during the first five days of such prohibited period; and the possession of any person, firm or corporation of any of such birds, game or animals during such prohibited period, except during the first five days thereof shall be presumptive evidence of the violation of this chapter relating to

game and he or they shall be held to be guilty of a misdemeanor and shall be punished as provided for in Section twenty-five hundred fifty-six (2556) of the Supplement to the Code, 1907."

SEC. 7. That Section twenty-five hundred fifty-five (2555) of the Code be amended as follows:

1. By striking out the semicolon (;) after the word "chapter" in line three thereof and substituting therefor a period (.).

2. By striking out the word "but" in line three and substituting therefor the following: "No person, firm or corporation shall at any time ship to any person, firm or corporation within this state any of the birds or animals named in this chapter, except in strict compliance with the following provisions."

3. By inserting after the word "but" in line six the words "before such shipment is made."

4. By striking out all after the word "game" in the eighteenth line and inserting in lieu thereof the following words: "Any person who shall ship more than one dozen of the birds named in this chapter in any one day, or any person shipping any of the birds named in this chapter without first complying with the provisions of this Section, or any person, firm or corporation violating any of the provisions of this Section at any time, shall be held to be guilty of a misdemeanor and shall be punished as provided for in Section twenty-five hundred fifty-six (2556) of the Supplement to the Code, 1907. Provided, however, that it shall be lawful to have in possession game lawfully taken outside this state and lawfully brought into this state, but the burden shall rest upon the person in possession to establish the fact that such game so shipped into the state was lawfully killed and lawfully shipped into this state."

SEC. 8. That the law as it appears in Section twenty-five hundred fifty-six (2556) of the Supplement to the Code, 1907, be amended by inserting after the word "state" in the third line thereof the words "or ship within this state," and by adding after the word "be" in the fifth line the words "guilty of a misdemeanor and be" and by adding after the word "state" in the tenth line thereof the words "or shipped within this state contrary to law."

SEC. 9. That Section twenty-five hundred sixty-two (2562) of the Code be repealed and the following enacted in lieu thereof:

"The fish and game warden may appoint such number of deputies as he may deem necessary, who shall receive a compensation of two dollars and fifty cents (\$2.50) per diem and actual expenses, for the time and money actually employed and expended by them in the enforcement of the provisions of this act.

"Such deputy warden shall act under the advice and direction of the fish and game warden, and perform such duties in relation to their offices as may be required of them and submit under oath, itemized statements of their per diem and expenses aforesaid; and shall have full power and authority to serve and execute all warrants and process of law issued by any court in enforcing the provisions of this act, or any other law of this state relating to the propagation, preservation and protection of fish, game and birds, in the same manner as any constable or sheriff may serve and execute the same and receive the same fee therefor, and for the purpose of

enforcing the provisions of this act they may call to their aid any sheriff, deputy sheriff, constable or police officer or any other person, and it shall be the duty of all sheriffs, deputy sheriffs, constables and police officers and other persons, when called upon, to enforce and aid in enforcing the provisions of this act. All deputy wardens shall have power to arrest without warrant any person or persons found in the act of violating any law enacted for the purpose of propagation and protection of fish, game and birds. All deputy wardens shall give bonds conditioned for the faithful performance of their duties, in such amount as may be fixed by the State Executive Council."

SEC. 10. That Section twenty-five fifty-nine (2559) of the Code be amended by striking out all after the word "count" in line three (3) down to and including the word "treasury" in line eight (8).

SEC. 11. All acts and parts of acts inconsistent with this act are hereby repealed.

SEC. 12. 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 at Des Moines, Iowa.

Read first and second time and passed on file.

By Tilton of Iowa, House File No. 535, a bill for an act to provide for an appropriation to the Williamsburg District Fair.

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

By Sullivan of Polk, House File No. 536, a bill for an act conferring upon cities organized under Chapter Fourteen-c, Title V, of the Supplement to the Code, 1907, additional powers in connection with the granting of franchises for street railways, water works, electric light and gas plants.

Read first and second time and referred to Committee on Municipal Corporations.

Crozier of Marion called up his resolution relative to printing public documents and moved its adoption.

Adopted.

Sullivan of Polk moved that the Chief Clerk be authorized to prepare an engrossed copy of House File No. 43 which was lost.

Motion prevailed.

Harding of Woodbury called up the resolution relative to furnishing a Code and Code Supplement to certain employes of the Thirty-third General Assembly, and moved its adoption.

Adopted.

## CONSIDERATION OF BILLS.

On motion of Sullivan of Polk, Senate File No. 271, a bill for an act authorizing the giving of pensions to disabled and retired firemen and the widows and minor children and dependent fathers and mothers of deceased firemen in cities, in incorporated towns, and special charter cities having organized fire departments, creating a fund from which to pay such pensions and providing for the distribution thereof, creating a board of trustees to care for such pension fund and prescribing their powers and duties and authorizing the retiring from service of firemen under certain conditions, was taken up and considered.

Sullivan of Polk moved that the rules be suspended, the bill be read a third time now, which motion prevailed, and the bill was read a third time.

On the question, "Shall the bill pass?"

The ayes were:

Allred, Arney, Bascom, Bauman, Beans, Beebe, Beery, Blackmore, Boettger, Bonwell, Boomgaarden, Bowman, Brandes, Burt, Calkins, Cassady, Cooper, Cousins, Crozier, Crummer, Cunningham, Dabney, Dalby, Darrah, Dawson, Derrough, Dewell, Dewey, DeWitt, Dodds, Dye, Elliott, Ellis, Etter, Fenn, Finlayson, Fourt, Fulliam, Fulton, Goodykoontz, Grier, Hanson, Harding, Harvey, Hickenlooper, Holmes, Huffaker, Hunter, Ide, Inman, Jacobs, Jewell, Johnson, Jones, Kendall, Klay, Koontz, Kull, Larrabee, Lee, McCleery, McDonald, Meredith, Miller of Bremer, Miller of Dubuque, Moore of Wapello, Moore of Linn, Newell, O'Connor, Penn, Perkins, Reaney, Reitz, Ripley, Ritter, Sankey, Schee, Schulte, Sheldon, Smith, Stillman, Stoddard, Sullivan, Swan, Swift, Tegeler, Thompson, Tilton, Ward, Welden, Wilson, Wolfe, Zeller, Mr. Speaker—94.

The nays were:

None.

Absent or not voting:

Anderson, Balluff, Boe, Byerly, Corrie, Davidson, Drury, Felt, Fox, Hackler, Kellogg, Marston, Schroeder, White—14.

So the bill passed and the title was agreed to.

On motion of Dabney of Davis, House File No. 421, a bill for an act to make an appropriation for the erection of a monument and otherwise beautify the lot where rests the remains of Wilson A. Scott, was taken up and considered.

Moore of Linn proposed the following amendment:

I move to amend by adding to Section 4 the following: "provided that the amount hereby appropriated shall be available only after the proper authorities have executed a deed to the State of Iowa for the tract of land where the said Wilson A. Scott is buried and the state is hereby authorized to accept such conveyance.

Amendment adopted.

Dabney of Davis moved that the rules be suspended, 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 ayes were:

Balluff, Boettger, Byerly, Calkins, Crozier, Dabney, Darrah, Derrough, DeWitt, Dodds, Ellis, Etter, Fulliam, Hackler, Hanson, Harvey, Hickenlooper, Holmes, Huffaker, Hunter, Jewell, Kendall, Klay, Koontz, Kull, McDonald, Miller of Bremer, Miller of Dubuque, O'Connor, Penn, Perkins, Reitz, Ritter, Schulte, Stoddard, Sullivan, Swan, Swift, Tegeler, Tilton, Zeller, Mr. Speaker—42.

The nays were:

Allred, Anderson, Arney, Bascom, Bauman, Beans, Blackmore, Boe, Boomgaarden, Bowman, Brandes, Cassady, Cooper, Cousins, Crummer, Cunningham, Dalby, Dawson, Dewey, Drury, Dye, Elliott, Fenn, Finlayson, Fourt, Fox, Fulton, Goodykoontz, Grier, Harding, Ide, Inman, Johnson, Kellogg, Larrabee, Lee, Meredith, Moore of Wapello, Moore of Linn, Newell, Reaney, Ripley, Sankey, Schroeder, Sheldon, Smith, Stillman, Thompson, Ward, Welden, White, Wilson—52.

Absent or not voting:

Beebe, Beery, Bonwell, Burt, Corrie, Davidson, Dewell, Felt, Jacobs, Jones, McCleery, Marston, Schee, Wolfe—14.

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

SPECIAL ORDER.

Time having arrived for Special Order No. 14, the motion to reconsider the vote by which Senate File No. 319, failed to pass the House, was taken up and considered.

O'Connor of Chickasaw moved the previous question.

Motion prevailed.

On the question, Shall the House reconsider the vote by which Senate File No. 319 failed to pass?

The ayes were:

Allred, Arney, Balluff, Bascom, Bauman, Beans, Beery, Boe, Boettger, Bonwell, Bowman, Burt, Byerly, Cassady, Cooper, Cunningham, Dabney, Darrah, Davidson, Dewell, Dewey, DeWitt, Dodds, Drury, Dye, Elliott, Ellis, Felt, Fenn, Finlayson, Fourt, Fulliam, Fulton, Goodykoontz, Grier, Hanson, Harding, Hickenlooper, Huffaker, Hunter, Jewell, Johnson, Jones, Kellogg, Kendall, Klay, Koontz, Kull, Larrabee, Lee, McDonald, Miller of Dubuque, Moore of Wapello, Moore of Linn, Penn, Perkins, Reaney, Reitz, Ritter, Schulte, Sheldon, Stillman, Sullivan, Swan, Swift, Tegeler, Thompson, Tilton, Ward, Wolfe, Mr. Speaker—71.

The nays were:

Anderson, Beebe, Blackmore, Boomgaarden, Calkins, Cousins, Crummer, Dalby, Dawson, Derrough, Etter, Fox, Ide, Meredith, Newell, O'Connor, Ripley, Sankey, Schee, Schroeder, Smith, Stoddard, Welden, Wilson, Zeller—25.

Absent or not voting:

Brandes, Corrie, Crozier, Hackler, Harvey, Holmes, Inman, Jacobs, McCleery, Marston, Miller of Bremer, White—12.

So the motion prevailed, and the House proceeded to reconsider.

Motion to reconsider the vote by which Senate File No. 319 passed to its third reading prevailed.

Klay of Sioux proposed the following amendment:

Amend Senate File No. 319 by striking out all after the enacting clause and inserting the following:



"SECTION 1. The board of supervisors of any county may grant to any person or corporation engaged in the manufacture of electric light and power the right to erect and maintain poles and wires, for the purpose of conducting electricity for lighting and power purposes, in any public highway in their county for a period not to exceed twenty-five years, subject to the following conditions: The grantee shall in no case have the exclusive right to use such highway for the conducting of the electricity.

"The poles and fixtures shall be so constructed as to not incommode the public in the use of any road or the navigation of any stream.

"When any road along which such lines have been constructed shall be changed, the person or corporation shall, upon ninety days' notice in writing remove said lines to said road as established.

"The grantee shall use only strong and proper wires, properly insulated, attached to strong and sufficient supports and insulated at all points of attachment.

"They shall replace all wires with new wires whenever by ordinary wear or other causes they are no longer safe, and remove all wires, the use of which is abandoned.

"They shall properly insulate every wire carrying electric light, heat or power currents where it enters a building and within such building so as to avoid danger from fires.

"The grantees shall be responsible for all damages that may arise from such construction and operation under this grant or from a failure to comply with said provisions.

"Sec. 2. Any person or corporation having received a grant as above stated who fails to comply with the provisions of the preceding Section shall, upon conviction thereof, be punished by a fine of not less than fifty nor more than five hundred dollars.

Sec. 3. This act being deemed of immediate importance, shall take effect and be in force from and after its passage and approval and publication in the Register and Leader and the Des Moines Capital, newspapers published in Des Moines, Iowa, said publication to be without expense to the state."

Moore of Linn proposed the following amendment to the amendment:

I move to amend Section 1 by adding an additional sub-division thereto as follows: "Where such wires are carried across wires used for other service there shall be suspended under such power or light service lines properly constructed and insulated guard nets."

Lee of Emmet moved that the bill with pending amendments be referred to the Committee on Judiciary.

Motion prevailed.

On motion of Harding of Woodbury, House File No. 267, a bill for an act to amend Section Two Thousand Eight Hundred Eighty-

one-e (2881-e) of the Supplement to the Code, 1907, relating to the appropriation for the State Library and Historical Department, reducing the appropriation and confining the same to the State Library, was taken up and considered.

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

Bonwell of Audubon in the Chair.

On the question, "Shall the bill pass?"

The ayes were:

Allred, Anderson, Arney, Balluff, Bascom, Bauman, Beans, Beebe, Beery, Boe, Boettger, Boomgaarden, Bowman, Brandes, Burt, Byerly, Calkins, Cassady, Cousins, Crummer, Cunningham, Dabney, Dalby, Darrah, Davidson, Derrrough, Dewell, Dewey, DeWitt, Dodds, Drury, Dye, Elliott, Ellis, Etter, Felt, Fenn, Finlayson, Fourt, Fox, Fulliam, Fulton, Goodykoontz, Grier, Hackler, Hanson, Harding, Harvey, Hickenlooper, Holmes, Hunter, Ide, Inman, Jewell, Johnson, Jones, Kellogg, Kendall, Klay, Koontz, Kull, Larabee, Lee, Meredith, Miller of Bremer, Miller of Dubuque, Moore of Wapello, Moore of Linn, Newell, O'Connor, Penn, Perkins, Reaney, Reitz, Ripley, Sankey, Schee, Schroeder, Schulte, Sheldon, Smith, Stillman, Stoddard, Sullivan, Swan, Swift, Ward, Welden, White, Wolfe, Zeller—91.

The nays were:

Tilton—1.

Absent or not voting:

Blackmore, Bonwell, Cooper, Corrie, Crozier, Dawson, Huffaker, Jacobs, McCleery, McDonald, Marston, Ritter, Tegeler, Thompson, Wilson, Mr. Speaker—16.

So the bill passed and the title was agreed to.

On motion of Hanson of Humboldt, House File No. 303, a bill for an act to provide for liens upon horses and other animals for the cost of shoeing the same and upon vehicles, machines and tools for the cost of manufacturing or repairing the same, with report of committee recommending passage as amended, was taken up, considered and the amendments adopted.

Perkins of Delaware moved to refer House File No. 303 to the Committee on Judiciary.

Motion prevailed, and the bill was so referred.

Speaker Feely in the Chair.

On motion of Harding of Woodbury, House File No. 266, a bill for an act defining the management and activities of the Historical Department of Iowa, and making an appropriation for the permanent support thereof, with report of committee recommending passage as amended by substitute amendment, was taken up and considered.

Harding of Woodbury proposed the following amendments:

I move to amend substitute for House File No. 266 as follows:

Amend Section 1 by striking out the words "to appoint a superintendent at an annual salary of \$2,000 and" as they appear in lines four and five and to add the words "the State Librarian to act as superintendent of said department; the Board to appoint"; further to amend said section by striking out the figures "\$1,400" and insert in lieu thereof the figures "\$1,600" as they appear in line six; further to amend Section 1 by striking out of line eleven the words "and curator each"; further to amend by inserting after the figures "\$5,000" and before the word "conditioned" in line twelve the words "and the curator in the sum of \$1,000" and further to strike out the words "respective" in line fifteen.

Move to strike out of lines 22 and 23 of the substitute amendment in Section 3, the words "superintendent shall with the approval of the" and insert after the word "trustees" in line 23 the word "shall."

Move to amend Section Four by striking out of line three the words "superintendent shall with the approval of the" and insert in line four after the word "trustees" the word "shall."

Strike out of line one of Section 6 the words "superintendent or curator" and insert in lieu thereof the word "trustees."

Amendments adopted.

Hackler of Webster proposed the following amendment:

I move to amend House File No. 266 by changing the period at the end of the 9th line in Section 3, as found on page 1005 of the House Journal, to a comma and adding the following:

“And the curator or superintendent shall make and certify to copies of all such public documents, papers, letters, records, and other official manuscripts upon request and payment of legal fees therefor, and such certified copies shall have the same legal force and effect as if made under the provisions of Section 4635 of the Code.”

Amendment adopted.

Dawson of Cherokee proposed the following amendment:

I move to amend Section 5 by adding: “and audited by the Executive Council.”

Amendment lost.

Schee of O'Brien moved to amend by striking out Section 4.

Amendment lost.

#### 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:

Concurrent Resolution relative to the publication and distribution of the highway commission report.

S. W. NEAL,  
*Secretary.*

Also:

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 in the House Chamber April 2, 1909, at 11:30 o'clock A. M.

S. W. NEAL,  
*Secretary.*

#### SENATE MESSAGE CONSIDERED.

##### SENATE CONCURRENT RESOLUTION.

*Be it Resolved by the Senate, the House Concurring,* That a joint convention be held in the House Chamber on Friday, April 2, 1909, at 11:30 o'clock A. M., for the purpose of electing regents for the state university, trustees for the college of agriculture and mechanic arts and for the state normal college, and for the transaction of such other business as may properly come before such joint convention.

Goodykoontz of Boone moved that the House concur in the Senate Concurrent Resolution.

Motion prevailed.

Sullivan of Polk moved that the remarks of Dabney of Davis on House File No. 421 be printed in the Journal.

Motion prevailed.

The following remarks were made by Dabney of Davis, on House File No. 421:

Mr. Speaker and Gentlemen of the House:

It is not my purpose to indulge in matters sentimental. Neither do I assume the role of the orator or make any pretense at eloquence, for I am master of neither of the arts. But, sir, I do ask your indulgence while I refer briefly to a few of the many virtues of the dead to whom this bill relates.

Wilson A. Scott, to whose memory and to whose service I trust this General Assembly will pay the debt of gratitude, long since due, came to Des Moines in 1843. Always animated by the highest type of public spirit and like the artist he had in mind and in heart his masterpiece, and that masterpiece was for Iowa to be what she is, the gem in the roll of states, Des Moines her seat of government, her metropolis.

These, in part, he lived to see well met out, and God forbid that his name be lost mid the wrecks and ruins of forgetfulness. It was he who built the flatboat ferry, next the pontoon bridge and later the trestle bridge across the Des Moines river at this place. And let it be said to his everlasting credit that no man westward bound paid toll when Scott was present.

It was he who gave Iowa her first Capitol building in Des Moines and afforded, largely, board and lodging to the members of the first session of the legislature held at the new seat of government. It was he, sir, who gave Iowa the tract of ground where stands that beautiful monument just to the south of this capitol and when this roll-call is completed may it be in harmony with the impressive inscription on that splendid structure. "Right is right, since God is God, and right the day has won." There is another inscription on that monument expressing the heart and soul of our people. "Iowa, her affection, like the rivers of her borders, flow on to an inseparable union."

It was he who gave this State the larger portion of the land where stands this magnificent capitol building. It was he, sir, as set out by the preliminary part of this bill, who wrecked his private fortune that Iowa might have a capitol building and later these beautiful grounds.

He was not only the friend of this commonwealth in its protoplasmic days, but he was a friend to the mighty dead, called to those high seats of government, who made our laws so just and equitable and administered them so firmly and impartially. It is he who rests two blocks south of these capitol grounds in an unmarked grave on a promontory overlooking the now dotted valley, this beautiful city.

Mr. Speaker, I am not master of words that more fittingly express this man's life, his character, his devotion, his ambition, his patriotism, than those of Robert Emmet who declared as he stood before that English court, who had condemned him to die, "I have lived but for my country and my country's good, and I would have fought upon its threshold and its enemy could have entered only by passing over my lifeless corpse." Then closing with that climax that animates the heart and soul of every son of the Emerald Isle, "When my country takes her place among the nations of the earth, then, and not 'till then, let my epitaph be written." While under this injunction, the epitaph of Robert Emmet may never be written; it seems to me that the epitaph of Wilson Alexander Scott should be chiseled in marble and among other things, it should say that "He lived not more for self than others."

Mr. Speaker, I am an optimist. I believe in the wisdom and patriotism of our people, and sir, I believe in Him under whose providence the sparrow falls and whose mercy stills the clamorous raven's nest. I believe that He will inspire His children here with the wisdom to know and the courage to do whatever is for the best and when that time comes, as come it shall, the name of Wilson Alexander Scott will someway, somehow be written so indelibly that the thief of time cannot deface.

#### MOTION TO RECONSIDER.

MR. SPEAKER—I move to reconsider the vote by which House File No. 86 was lost and the vote by which the bill passed to its third reading.

W. D. DODDS.

I second the motion.

SIMON MILLER.

Moore of Wapello moved that a committee of two be appointed to notify the Senate that the House was ready to receive it.

Motion prevailed.

The Speaker appointed as such committee: Moore of Wapello and Calkins of Adams.

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

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

#### JOINT CONVENTION.

In accordance with law and Concurrent Resolution duly adopted, the joint session was called to order, Lieutenant Governor Geo. W. Clarke, President of the Senate, presiding.

The roll was then called to ascertain the presence of a quorum.

Those present were :

Adams, Allen of Pocahontas, Allen of Van Buren, Allred, Anderson, Arney, Balkema, Balluff, Bascom, Bauman, Beans, Beebe, Beery, Blackmore, Boe, Boettger, Boomgaarden, Bowman, Brandes, Brown, Bruce, Burgess, Burt, Byerly, Calkins, Cassady, Clark, Cooper, Cousins, Cunningham, Dabney, Dalby, Darrah, Davidson, Dawson, De Armand, Derrough, Dewell, Dewey, DeWitt, Dodds, Dowell, Drury, Dye, Elliott, Ellis, Etter, Fitchpatrick, Felt, Fenn, Finlayson, Foley, Fourt, Fox, Francis, Fulliam, Fulton, Gates, Gilliland, Goodykoontz, Grier, Hackler, Hammill, Hanson, Harding, Harvey, Hickenlooper, Holmes, Hoyt, Huffaker, Hunter of Polk, Hunter of Woodbury, Ide, Inman, Jewell, Jonhson, Kellogg, Kendall, Koontz, Kull, Larrabee of Webster, Larrabee of Fayette, Lee, McDonald, Mattes, Maytag, Meredith, Miller of Bremer, Miller of Dubuque, Moore of Wapello, Moore of Linn, Newell, Nichols, O'Connor, Parshall, Penn, Perkins, Peterson, Proudfoot, Ream, Reaney, Reitz, Ripley, Ritter, Sammis, Sankey, Saunders, Savage, Schee, Schroeder, Schulte, Seeley, Sheldon, Smith of Des Moines, Smith of Mitchell, Smith of Wright, Stillman, Stoddard, Stuckslager, Sullivan, Swan, Swift, Taylor, Tegeler, Thompson, Tilton, Van Law, Ward, Welden, Whipple, White of Iowa, White of Story Whiting, Wilson of Clinton, Wilson of Tama, Wolfe, Zeller, Mr. Speaker—138.

Those absent were :

Bennett, Bonwell, Chapman, Clarkson, Cosson, Corrie, Crummer, Crozier, De Wolf, Frudden, Jacobs, Jones, Klay, McCleery, McCulloch, McManus, Marston, Moon, Quigley—19.

President Clarke declared that a quorum being present the Joint Convention was duly organized.

President Clarke appointed Senator Sammis as teller on part of the Senate and Speaker Feely appointed Larrabee of Fayette as teller on part of the House.

Stillman of Greene made the following nominations :

Mr. President—To fill vacancies on the Board of Regents of the State University, occasioned by the resignation of Hon. Charles E. Pickett of Black Hawk County, and the death of Hon. Thos.

D. Healy of Webster County, I place in nomination Hon. Fred O. Newcomb of Butler County and Hon. Carl F. Kuehnle of Crawford County for the term expiring July 1, 1909.

To fill vacancies on the Board of Trustees of the State Normal School, occasioned by the death of Hon. W. A. McIntire of Wapello County and the resignation of Hon. Geo. W. Clarke of Dallas County, I place in nomination Hon. W. H. Harwood of Polk County and Hon. William C. Howell of Lee County for the term expiring July 1, 1909.

There being no other nominations, Stillman of Greene offered the following resolution:

RESOLUTION.

*Resolved*, That Fred O. Newcomb of Butler County and Carl F. Kuehnle of Crawford County, be elected regents of the State University for the term expiring July 1, 1909; also that W. H. Harwood of Polk County and William C. Howell of Lee County, be elected trustees of the State Normal School for the term expiring July 1, 1909.

Roll call ordered.

On the question, "Shall the above mentioned persons be elected to the offices designated?"

The ayes were:

Adams, Allen of Pocahontas, Allen of Van Buren, Allred, Anderson, Balkema, Balluff, Bascom, Bauman, Beans, Beebe, Beery, Bennett, Blackmore, Boe, Boettger, Bonwell, Boomgaarden, Bowman, Brandes, Brown, Bruce, Byerly, Calkins, Cassady, Clark, Cooper, Cousins, Crummer, Crozier, Cunningham, Dabney, Dalby, Darrah, Davidson, Dawson, De Armand, Derrough, Dewell, Dewey, DeWitt, Dodds, Dowell, Drury, Dye, Elliott, Ellis, Etter, Fitchpatrick, Felt, Fenn, Finlayson, Fourt, Fox, Francis, Fulliam, Fulton, Gates, Gilliland, Goodykoontz, Grier, Hackler, Hammill, Hanson, Harvey, Hickenlooper, Holmes, Hoyt, Huffaker, Hunter of Polk, Hunter of Woodbury, Ide, Johnson, Jones, Kellogg, Kendall, Klay, Koontz, Kull, Larrabee of Webster, Larrabee of Fayette, Lee, McCleery, McCulloch, Mattes, Maytag, Meredith, Miller of Dubuque, Moore of Wapello, Newell, Nichols, O'Connor, Parshall, Penn, Perkins, Peterson, *Pro* Ream, Reaney, Reitz,



Ripley, Ritter, Sammis, Sankey, Saunders, Savage, Schee, Schroeder, Schulte, Seeley, Sheldon, Smith of Mitchell, Smith of Wright, Stillman, Stoddard, Stuckslager, Sullivan, Swan, Swift, Taylor, Tegeler, Van Law, Welden, Whipple, White of Iowa, Whiting, Wilson of Clinton, Wilson of Tama, Wolfe, Zeller, Mr. Speaker—131.

The nays were :

None.

Absent or not voting :

Arney, Burgess, Burt, Chapman, Clarkson, Cosson, Corrie, De Wolf, Foley, Frudden, Harding, Inman, Jacobs, Jewell, McDonald, McManus, Marston, Miller of Bremer, Moon, Moore of Linn, Quigley, Smith of Des Moines, Thompson, Tilton, Ward, White of Story—26.

President Clarke declared that F. O. Newcomb and Carl F. Kuehnle having received a majority of all the votes cast and a majority of all the votes of the Joint Convention were duly elected as members of the State University Board of Regents for the term ending July 1, 1909.

President Clarke declared that William C. Howell and W. H. Harwood having received a majority of all the votes cast and a majority of all the votes of the Joine Convention were duly elected as members of the Board of Trustees of the State Normal School for the term ending July 1, 1909.

The following certificates of election were signed and read in the presence of the Joint Assembly :

STATE OF IOWA,

HALL OF THE HOUSE OF REPRESENTATIVES.

DES MOINES, APRIL 2, A. D. 1909.

This is to certify that at an election by the two Houses of the Thirty-third General Assembly of the State of Iowa, in joint convention, on the second day of April, A. D. 1909, for the purpose of electing the officers of the various State institutions, Wm. C. Howell, of Keokuk, Lee County, Iowa, having received a majority of all the votes cast for said office, was declared duly elected as member of the Board of Trustees of the Iowa State Normal School for the term ending July 1, 1909.

Signed in the presence of the joint convention, this second day of April, A. D. 1909.

GEO. W. CLARKE,  
*President of the Senate.*

GUY A. FEELY,  
*Speaker of the House of Representatives.*

J. U. SAMMIS,  
*Teller on the Part of the Senate.*

WM. LARRABEE, JR.,  
*Teller on the Part of the House.*

C. R. BENEDICT,  
*Clerk of the Joint Convention.*

STATE OF IOWA,

HALL OF THE HOUSE OF REPRESENTATIVES.

DES MOINES, APRIL 2, A. D. 1909.

This is to certify that at an election by the two Houses of the Thirty-third General Assembly of the State of Iowa, in joint convention, on the 20th day of January, A. D. 1909, for the purpose of electing the officers of the various State institutions, Carl F. Kuehne of Denison, Crawford County, Iowa, having received a majority of all the votes cast for said office, was declared duly elected as Regent of the State University for the term ending July 1, 1909.

Signed in the presence of the joint convention, this second day of April, A. D. 1909.

GEO. W. CLARKE,  
*President of the Senate.*

GUY A. FEELY,  
*Speaker of the House of Representatives.*

J. U. SAMMIS,  
*Teller on the Part of the Senate.*

WM. LARRABEE, JR.,  
*Teller on the Part of the House.*

C. R. BENEDICT,  
*Clerk of the Joint Convention.*

STATE OF IOWA,

HALL OF THE HOUSE OF REPRESENTATIVES.

DES MOINES, APRIL 2, A. D. 1909.

This is to certify that at an election by the two Houses of the Thirty-third General Assembly of the State of Iowa, in joint convention, on the second day of April, A. D. 1909, for the purpose of electing the officers of the various State institutions, F. O. Newcomb, having received a majority of all the votes cast for said office, was declared duly elected as member of the State University Board of Regents for the term ending July 1, 1909.

Signed in the presence of the joint convention, this second day of April, A. D. 1909.

GEO. W. CLARKE,  
*President of the Senate.*

GUY A. FEELY,  
*Speaker of the House of Representatives.*

J. U. SAMMIS,  
*Teller on the Part of the Senate.*

WM. LARRABEE, JR.,  
*Teller on the Part of the House.*

C. R. BENEDICT,  
*Clerk of the Joint Convention.*

STATE OF IOWA,

HALL OF THE HOUSE OF REPRESENTATIVES.

DES MOINES, APRIL 2, A. D. 1909.

This is to certify that at an election by the two Houses of the Thirty-third General Assembly of the State of Iowa, in joint convention, on the second day of April, A. D. 1909, for the purpose of electing the officers of the various State institutions, W. G. Harwood of Des Moines, Polk County, Iowa, having received a majority of all the votes cast for said office, was declared duly elected as member of the Board of Trustees of the Iowa State Normal School for the term ending July 1, 1909.

Signed in the presence of the joint convention, this second day of April, A. D. 1909.

GEO. W. CLARKE,  
*President of the Senate.*

GUY A. FEELY,  
*Speaker of the House of Representatives.*

J. U. SAMMIS,  
*Teller on the Part of the Senate.*

WM. LARRABEE, JR.,  
*Teller on the Part of the House.*

C. R. BENEDICT,  
*Clerk of the Joint Convention.*

The minutes of the Joint Convention were read and approved.

Senator Smith moved that the Joint Convention be dissolved.

Motion prevailed.

Speaker Feely called the House to order.

Cunningham of Buena Vista moved that the House adjourn until 1:30 o'clock, P. M.

Kellogg of Harrison moved to amend by making the time 1:00 o'clock, P. M.

Amendment adopted.

Motion as amended prevailed.

AFTERNOON SESSION.

The House met pursuant to adjournment.

Speaker Pro Tempore Lee in the Chair.

REPORT OF COMMITTEE.

Stillman of Greene, from the Committee on Drainage, submitted the following report.

MR. SPEAKER—Your committee on Drainage, to whom was referred Senate File No. 383, a bill for an act to amend the law as it appears in Section 1989-a-27 of the Supplement to the Code, 1907, relating to drainage bonds, beg leave to report they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same be amended as follows: By adding the publication clause as Section 2 of the bill, and when so amended the bill do pass.

PAUL E. STILLMAN,  
*Chairman.*

Adopted.

INTRODUCTION OF BILLS.

By Kellogg of Harrison, House Joint Resolution No. 7.

HOUSE JOINT RESOLUTION NO. 7.

For the appointment of a joint committee to purchase a chair and gavel for the Speaker of the House and the President of the Senate.

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

SECTION 1. That a joint committee of three from the House and three from the Senate be appointed and are hereby authorized and directed to purchase a suitable chair and gavel each for the Speaker of the House and the President of the Senate.

Read first and second time, and unanimous consent being granted Kellogg of Harrison moved that the rules be suspended, the Joint Resolution be considered engrossed and read a third time now, which motion prevailed and House Joint Resolution No. 7 was read a third time.

On the question, "Shall House Joint Resolution No. 7 pass?"

The ayes were:

Allred, Anderson, Arney, Balluff, Bascom, Beebe, Beery, Blackmore, Boettger, Bonwell, Boomgaarden, Brandes, Burt, Byerly,

Calkins, Cooper, Cousins, Crozier, Cunningham, Dabney, Dalby, Dawson, Derrough, Dewell, DeWitt, Elliott, Etter, Felt, Fenn, Fourt, Fulliam, Fulton, Goodykoontz, Grier, Hackler, Hanson, Harding, Harvey, Hickenlooper, Holmes, Huffaker, Hunter, Ide, Inman, Johnson, Jones, Kellogg, Kendall, Koontz, Kull, Larrabee, Lee, McCleery, McDonald, Miller of Bremer, Miller of Dubuque, Moore of Wapello, Moore of Linn, Newell, O'Connor, Penn, Perkins, Reaney, Reitz, Ripley, Ritter, Sankey, Schee, Schroeder, Schulte, Sheldon, Smith, Stillman, Stoddard, Sullivan, Swan, Tegeler, Thompson, Tilton, Welden, White, Wilson, Wolfe—83.

The nays were:

None.

Absent or not voting:

Bauman, Beans, Boe, Bowman, Cassady, Corrie, Crummer, Darrah, Davidson, Dewey, Dodds, Drury, Dye, Ellis, Finlayson, Fox, Jacobs, Jewell, Klay, Marston, Meredith, Swift, Ward, Zeller, Mr. Speaker—25.

So House Joint Resolution No. 7 passed and the title was agreed to.

Perkins of Delaware moved that House File No. 432 be withdrawn from the Committee on Claims and the further consideration of the House.

Motion prevailed.

#### CONSIDERATION OF BILLS.

Further consideration of House File No. 266 was resumed, and Kellogg of Harrison proposed the following amendment:

I move to amend Section 5 by striking out of line 5 the following: "For the bureau of public Archives the sum of \$1,000.00."

Amendment adopted.

Arney of Marshall proposed the following amendment:

I move to amend Section 3 by striking out of the last line the figures "\$1,100" and inserting in lieu thereof the figures "\$1,200."

Amendment lost.

Drury of Sac proposed the following amendment:

I move to amend Section 4 by striking out the word "full time" and insert in lieu thereof "twelve months of his time from

nine months before and during the sessions of the legislature and receive therefor pay at the rate of \$1,600 a year.”

Amendment lost.

Harding of Woodbury moved the adoption of the substitute amendment as amended.

Substitute amendment as amended adopted.

Harding of Woodbury moved that the rules be suspended, 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 ayes were:

Allred, Anderson, Arney, Balluff, Bascom, Beans, Beebe, Beery, Blackmore, Boe, Boettger, Bonwell, Boomgaarden, Brandes, Burt, Byerly, Cooper, Cousins, Crummer, Cunningham, Dabney, Dalby, Davidson, Dawson, Derrough, Dewell, Dewey, DeWitt, Dodds, Drury, Dye, Elliott, Felt, Fenn, Fourt, Fulton, Goodykoontz, Hackler, Hanson, Harding, Harvey, Hickenlooper, Hunter, Inman, Johnson, Jones, Kellogg, Kendall, Koontz, Kull, Larrabee, Lee, McCleery, McDonald, Miller of Dubuque, Moore of Wapello, Moore of Linn, O'Connor, Perkins, Ripley, Ritter, Schroeder, Schulte, Sheldon, Smith, Stillman, Stoddard, Sullivan, Swift, Thompson, Tilton, Welden, White, Wilson, Wolfe, Zeller—76.

The nays were:

Calkins, Ellis, Etter, Penn, Reitz, Sankey, Tegeler—7.

Absent or not voting:

Bauman, Bowman, Clakins, Corrie, Crozier, Darrah, Finlayson, Fox, Fulliam, Grier, Holmes, Huffaker, Ide, Jacobs, Jewell, Klay, Marston, Meredith, Miller of Bremer, Newell, Reaney, Schee, Swan, Ward, Mr. Speaker—25.

So the bill passed and the title was agreed to.

On motion of Inman of Floyd, House File No. 325, a bill for an act additional to and amendatory of the law as it appears in Chapter Six (6), of Title Twelve (XII) of the Code and Supplement to the Code, 1907, relative to intoxicating liquors providing for the appointment of liquor law enforcement commissioners and their

deputies, fixing their compensation and creating a fund therefor, was taken up and considered.

Inman of Floyd proposed the following amendments:

I move to amend House File No. 325 by striking from Section Eight (8), after the word "sheriffs" in the second line the word "and," and inserting in lieu thereof the word "or."

Also by striking the words "semi-annual" from Section twelve (12) in line three (3) and inserting the word "quarterly" in lieu thereof.

Also by striking the words "July and January" from the tenth line of Section Twelve (12) after the word "day" and inserting the words "January, April, July and October" in lieu thereof.

Amendments adopted.

. Harding of Woodbury moved to amend by striking out the enacting clause.

Roll call demanded by Inman of Floyd and Burt of Taylor.

The ayes were:

Balluff, Bascom, Boettger, Bonwell, Byerly, Calkins, Dabney, Dodds, Dye, Ellis, Etter, Fulliam, Harding, Harvey, Kendall, Miller of Bremer, Miller of Dubuque, Moore of Linn, Penn, Perkins, Reitz, Ritter, Sankey, Schroeder, Schulte, Sheldon, Sullivan, Tegeler, Tilton, Wolfe—30.

The nays were:

Allred, Anderson, Arney, Beans, Beebe, Blackmore, Boe, Boomgaarden, Burt, Cooper, Cousins, Crummer, Cunningham, Dalby, Dawson, Derrough, Dewey, DeWitt, Elliott, Fulton, Goodykoontz, Grier, Hackler, Hanson, Hickenlooper, Holmes, Hunter, Ide, Inman, Jones, Klay, Larrabee, McCleery, Meredith, Reaney, Schee, Smith, Stillman, Stoddard, Swan, Welden, White, Wilson, Zeller—44.

Absent or not voting:

Bauman, Beery, Bowman, Brandes, Cassady, Corrie, Crozier, Darrah, Davidson, Dewell, Drury, Felt, Fenn, Finlayson, Fourt, Fox, Huffaker, Jacobs, Jewell, Johnson, Kellogg, Koontz, Kull, Lee, McDonald, Marston, Moore of Wapello, Newell, O'Connor, Ripley, Swift, Thompson, Ward, Mr. Speaker—34.

So the amendment was lost.

DeWitt of Montgomery proposed the following amendment:

I move to amend Section 6 by striking out the words and figures "of 1897" in line 20 and place a comma (,) after the word "Code."

Amendment adopted.

Perkins of Delaware proposed the following amendment:

I move that Section 1 be stricken from the bill.

Roll call demanded by Inman of Floyd and Burt of Taylor.

The ayes were:

Byerly, Cassady, Dabney, Ellis, Etter, Fulliam, Harding, Kendall, Miller of Bremer, Miller of Dubuque, Perkins, Schroeder, Schulte, Sheldon, Sullivan, Tegeler, Tilton, Wolfe—19.

The nays were:

Allred, Anderson, Arney, Bascom, Beans, Beebe, Boe, Boomgaarden, Burt, Calkins, Cooper, Cousins, Crummer, Cunningham, Dalby, Dawson, Derrough, Dewey, DeWitt, Elliott, Fox, Fulton, Goodykoontz, Grier, Hackler, Hanson, Hickenlooper, Holmes, Hunter, Ide, Inman, Jacobs, Larrabee, Meredith, Moore of Linn, Reaney, Schee, Smith, Stillman, Stoddard, Swan, Welden, White, Wilson, Zeller—45.

Absent or not voting:

Balluff, Bauman, Beery, Blackmore, Boettger, Bonwell, Bowman, Brandes, Corrie, Crozier, Darrah, Davidson, Dewell, Dodds, Drury, Dye, Felt, Fenn, Finlayson, Fourt, Harvey, Huffaker, Jewell, Johnson, Jones, Kellogg, Klay, Koontz, Kull, Lee, McCleery, McDonald, Marston, Moore of Wapello, Newell, O'Connor, Penn, Ripley, Ritter, Sankey, Swift, Thompson, Ward, Mr. Speaker—44.

So the amendment was lost.

Perkins of Delaware proposed the following amendments:

I move that Section 2 be stricken from House File No. 325 and the following substituted therefor:

Section 1. Upon the taking effect of this act there shall be appointed by the Governor and confirmed by the Executive Council a liquor law



enforcement commissioner, who shall be a citizen of the State of Iowa, and who shall qualify by taking an oath of office in harmony with this act and shall give a bond with sureties to be approved by the Governor conditioned for the faithful discharge of his duties which bond shall be filed with the Secretary of State. Whenever in the judgment of the Governor said commissioner is negligent in the performance of his duty or incompetent it shall be his duty and he is hereby authorized to remove said commissioner from office and his decisions shall be final.

I move to strike out Section 3 and insert the following:

Sec. 2. The commissioner shall have power to appoint in writing with the approval of the Executive Council such deputy commissioners as shall be necessary to aid him in the performance of the duties herein imposed, not to exceed ten in number.

The number of deputy commissioners may be increased by special appointments of not to exceed five (5) additional deputies by order of the Executive Council, if in the judgment of said council, be deemed necessary, such additional deputies to be appointed by the commissioner with the approval of the Executive Council, The Executive Council may also reduce the number of deputy commissioners at any time, and decide which ones shall be discharged.

Said deputy commissioners shall hold their offices subject to removal by their principals or the Executive Council, and shall enter into a bond to the State of Iowa in the sum of one thousand dollars (\$1,000), conditioned for the faithful performance of their duties, which shall be filed with the Secretary of State and approved by the Governor. Said deputy commissioners shall take an oath of office as provided by law and shall have and exercise the same powers and perform under the direction and supervision of their principal the duties herein provided.

I move to strike out Section 4 and substitute the following:

Sec. 3. The term of office of said commissioner shall be two years or until his successor is appointed and qualified. The term of office of the deputy commissioners shall in no case extend beyond the term of office of the commissioner by whom he is appointed. The commissioner may designate one of his deputies to act temporarily in his stead.

I move to strike out Section 5 and substitute the following:

Sec. 4. The office of the commissioner shall be in the State Capitol. Said office shall be provided with suitable furniture, stationery and other necessary facilities for transacting the business of his office. The commissioner may employ a clerk. These expenses shall be paid and charged to the account provided by this act.

I move to strike out Section 6 and substitute the following:

Sec. 5. It shall be the duty of the commissioner to superintend the enforcement of and cause to be enforced all the laws of this state affecting the manufacture, sale, keeping for sale and transportation of

intoxicating liquors, to inform himself of all violations of such laws and the commissioner in person or by his deputy shall make report thereof to the county attorney of the proper county who shall prosecute the same, and in case of failure, neglect or refusal of the county attorney to prosecute such cause, the commissioner shall present the cause to the Attorney General who shall take charge thereof and in person or by deputy prosecute the same. When the Attorney General in person or by deputy is employed in the prosecution of any action arising under the provision of this act all necessary expenses, incidental to such prosecution shall be paid by the Treasurer of the State of Iowa and charged to the account herein provided.

The commissioner or deputy may make written information for search warrants and sign papers for the prosecution of any violation of the liquor laws in any county in this state under the provisions of Section two thousand four hundred and thirteen (2413) of the Code, with the same force and effect as if filed by a resident of such county.

I move to strike out Section 7 and substitute the following:

Sec. 6. For the purpose of enforcing the liquor laws of this State the commissioner shall be charged with the duties enumerated in this act. Said commissioner and his deputies shall have and exercise the same powers now vested or that may hereafter be vested in peace officers throughout the State in all matters pertaining to the enforcement of the liquor laws.

I move to strike out Section 8 and substitute the following:

Sec. 7. It shall be the duty of the commissioner in person or by deputy, when called upon by any county attorney, sheriff or mayor, to aid and assist such officer in the enforcement of the liquor laws of this State.

I move to strike out Section 9 and substitute the following:

Sec. 8. When requested by the commissioner, the governor may direct the Attorney-General to prosecute in person or by deputy any cause arising under the provision of this act. The Governor may also upon the request of the county attorney direct the Attorney-General in person or by deputy to assist in the prosecution of any cause specified by this act and all necessary expenses incurred by them shall be paid by the State Treasurer of Iowa and charged to the account provided by this act.

I move to strike out Section 10 and substitute the following:

Sec. 9. Nothing herein provided relative to the powers and duties of said commissioner or his deputies shall be construed to relieve the peace officers or county attorneys from the discharge of their duties now or hereafter imposed in relation to the enforcement of laws.

I move to strike out Section 11 and substitute the following:

Sec. 10. The commissioner shall receive a salary of twenty-five hundred dollars (\$2,500.00) per annum, payable monthly, and all his necessary expenses. Each deputy commissioner shall receive a salary of one hundred dollars (\$100.00) per month, payable monthly, and all necessary expenses.

An itemized and verified statement of all fees received and traveling expenses, salaries, clerk hire and all incidental expenses shall be filed monthly with the secretary of the Executive Council by the commissioner and when said expenses are approved by the Executive Council the Auditor of State shall issue warrants therefor and the Treasurer of State shall charge the amount thereof to the account provided by this act.

I move to strike out Section 12 and substitute the following :

Sec. 11. The Treasurer of State shall keep an account to be known as the "liquor law enforcement account" and shall charge therein salaries, expenses of the office at the capitol and such expenses as may have been incurred in cases where the prosecution has failed and credit the same with such amounts as the Executive Council shall determine to be properly charged to any county because of the prosecution and convictions had under this act and shall annually in the month of January apportion the balance among the counties of the State in proportion to their population as shown by the last preceding national or state census and notify the auditor of each county of the amount thereof and the board of supervisors of each county at their next meeting shall at once arrange to remit the amount thereof.

It shall be the duty of the commissioner on the final conclusion of each prosecution which has resulted in a conviction to notify the Executive Council of such fact and to present a statement of the expense incurred or still to be incurred by the State in its prosecution, including the salary of the enforcement officer participating or assisting therein which if found correct shall be credited to the account herein referred to by the Treasurer of State who shall notify the Auditor of such county of the amount thereof and the board of supervisors of such county shall at their next meeting remit such amount to the Treasurer of State.

I move to strike out Section 13 and substitute the following :

Sec. 12. The same fees taxable in liquor prosecutions or in actions brought for the enforcement of liquor laws both civil and criminal for the services of sheriffs shall be taxed in such causes for the services of the commissioner and his deputies, and when collected shall be paid into the State treasury and shall be added to the fund hereinbefore provided. The commissioner shall collect said fees and pay the same into the State treasury monthly.

I move to strike out Section 14 and substitute the following :

Sec. 13. Should any assessor fail to perform his duty in relation to the assessment of the mulct tax as provided by law, the commissioner

or deputy may by verified statement on information and belief addressed to the county auditor procure the listing of names and the places as provided by law and with the same force and effect as if done by the assessor.

I move to strike out Section 15 and substitute the following :

Sec. 14. All deputy commissioners shall make such report to the commissioner as shall be required by said commissioner, and such commissioner shall on or before the first day of January in each year file with the Governor a written report of the work done during the previous year and all of said report shall be printed and distributed in the same manner as the reports of other state officers.

I move to strike out Section 16 and substitute the following :

Sec. 15. If any commissioner or deputy shall receive from a defendant or other person any money or other valuable thing as consideration or inducement for omitting or delaying to arrest any defendant or to carry him before a magistrate or to prison or for postponing, delaying or neglecting to perform any duty pertaining to his office he shall be fined not less than two hundred dollars (\$200.00) nor more than five hundred dollars (\$500.00) or imprisoned in the county jail not exceeding one year or both fined and imprisoned at the discretion of the court and his office shall be forfeited upon conviction thereof.

I move to strike out Section 17.

Roll call was demanded by Inman of Floyd and DeWitt of Montgomery.

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

The ayes were :

Balluff, Byerly, Calkins, Cassady, Crozier, Dabney, Ellis, Fulliam, Kendall, McDonald, Miller of Bremer, Newell, Reitz, Ritter, Schroeder, Sullivan, Tegeler, Tilton—18.

The nays were :

Allred, Anderson, Arney, Bascom, Bauman, Beans, Beebe, Blackmore, Boe, Boettger, Boomgaarden, Bowman, Burt, Cooper, Cousins, Crummer, Cunningham, Dalby, Dawson, Derrough, Dewey, DeWitt, Etter, Fenn, Finlayson, Fox, Fulton, Goodykoontz, Grier, Hackler, Hanson, Hickenlooper, Holmes, Hunter, Ide, Inman, Jacobs, Jones, Klay, Larrabee, McCleery, Meredith, Reaney, Schee, Smith, Stillman, Stoddard, Swan, Welden, White, Zeller

—51.

Absent or not voting :

Beery, Bonwell, Brandes, Corrie, Darrah, Davidson, Dewell, Dodds, Drury, Dye, Elliott, Felt, Fourt, Harding, Harvey, Huffaker, Dewell, Johnson, Kellogg, Koontz, Kull, Lee, Marston, Miller of Dubuque, Moore of Wapello, Moore of Linn, O'Connor, Penn, Perkins, Ripley, Sankey, Schulte, Sheldon, Swift, Thompson, Ward, Wilson, Wolfe, Mr. Speaker—39.

So the amendments were lost.

Inman of Floyd moved that the rules 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 ayes were:

Allred, Boe, Burt, Cooper, Cousins, Crummer, Cunningham, Dawson, Dewey, DeWitt, Elliott, Finlayson, Fox, Grier, Hanson, Holmes, Hunter, Ide, Inman, Klay, Larrabee, McCleery, Meredith, Ripley, Smith, Stillman, Stoddard, White, Zeller—30.

The nays were:

Anderson, Arney, Balluff, Bascom, Beans, Beebe, Beery, Blackmore, Boettger, Bonwell Boomgaarden, Brandes, Byerly, Calkins, Cassady, Dabney, Dalby, Derrough, Dewell, Dodds, Drury, Dye, Ellis, Etter, Fenn, Fourt, Fulliam, Fulton, Goodykoontz, Hackler, Harding, Harvey, Hickenlooper, Jacobs, Jewell, Johnson, Jones, Kendall, Koontz, Kull, Lee, McDonald, Miller of Bremer, Miller of Dubuque, Moore of Wapello, Moore of Linn, Newell, O'Connor, Penn, Perkins, Reaney, Reitz, Ritter, Sankey, Schee, Schroeder, Schulte, Sullivan, Swan, Swift, Tegeler, Thompson, Tilton, Welden, Wilson, Wolfe—66.

Absent or not voting:

Bauman, Corrie, Crozier, Darrah, Davidson, Felt, Huffaker, Kellogg, Marston, Sheldon, Ward, Mr. Speaker—12.

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

On motion of Miller of Bremer, House File No. 116, a bill for an act to adopt a state poem, was taken up and considered.

Hanson of Humboldt moved that the bill be referred to the Committee on Educational Institutions.

Boe of Winnebago moved to amend by making it the Committee on Penitentiaries.

Amendment adopted.

Motion to refer adopted.

On motion of Goodykoontz of Boone, House File No. 66, a bill for an act requiring all corporations doing business within the State to pay an annual license fee to the Secretary of State, and repealing a part of Section Sixteen Hundred and Twelve (1612) of the 1907 Supplement to the Code, was taken up, considered, and Senate File No. 31 was substituted therefor.

Speaker Feely in the Chair.

Goodykoontz of Boone moved that the rules be suspended, that the bill be read a third time now, which motion prevailed, and the bill was read a third time.

On the question, "Shall the bill pass?"

The ayes were:

Allred, Anderson, Arney, Balluff, Bascom, Beans, Beebe, Beery, Blackmore, Boe, Boettger, Bonwell, Boomgaarden, Bowman, Brandes, Burt, Calkins, Cassady, Cooper, Crummer, Cunningham, Dabney, Dalby, Dawson, Derrough, Dewell, Dewey, DeWitt, Dodds, Drury, Dye, Ellis, Etter, Fenn, Finlayson, Fourt, Fox, Fulliam, Goodykoontz, Grier, Hackler, Hanson, Harding, Harvey, Hickenlooper, Huffaker, Hunter, Ide, Jacobs, Jewell, Johnson, Jones, Kendall, Koontz, Kull, Larrabee, Lee, McDonald, Meredith, Miller of Dubuque, Moore of Wapello, Moore of Linn, Newell, O'Connor, Penn, Perkins, Reaney, Reitz, Ripley, Sankey, Schee, Smith, Stillman, Stoddard, Swan, Swift, Tilton, Welden, White, Wilson, Wolfe, Zeller, Mr. Speaker—83.

The nays were:

None.

Absent or not voting:

Bauman, Byerly, Corrie, Cousins, Crozier, Darrah, Davidson, Elliott, Felt, Fulton, Holmes, Inman, Kellogg, Klay, McCleery, Marston, Miller of Bremer, Ritter, Schroeder, Schulte, Sheldon, Sullivan, Tegeler, Thompson, Ward—25.

So the bill passed and the title was agreed to.

On motion of Grier of Poweshiek, House File No. 484, a bill for an act relating to the operation and regulation of State and Savings Banks authorizing the Auditor of State to require a change of correspondents; to verify and reconcile the accounts and pass books of depositors, and to provide for annual meetings, was taken up and considered.

Grier of Poweshiek moved that the rules be suspended, 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 ayes were:

Allred, Anderson, Arney, Balluff, Bascom, Beans, Beebe, Blackmore, Boe, Boettger, Bonwell, Boomgaarden, Bowman, Brandes, Byerly, Calkins, Cassady, Cooper, Cousins, Crummer, Cunningham, Dabney, Dalby, Dawson, Derrough, Dewell, Dewey, DeWitt, Dodds, Drury, Dye, Ellis, Fenn, Fourt, Fox, Fulliam, Fulton, Goodykoontz, Grier, Hackler, Hanson, Harding, Hickenlooper, Hufaker, Hunter, Ide, Inman, Jacobs, Jewell, Johnson, Jones, Kendall, Klay, Kull, Larrabee, McCleery, McDonald, Meredith, Miller of Bremer, Miller of Dubuque, Moore of Wapello, Moore of Linn, Newell, O'Connor, Penn, Perkins, Reaney, Reitz, Ripley, Ritter, Sankey, Schulte, Smith, Stillman, Stoddard, Sullivan, Swan, Swift, Tegeler, Welden, White, Wolfe, Mr. Speaker—83.

The nays were:

None.

Absent or not voting:

Bauman, Beery, Burt, Corrie, Crozier, Darrah, Davidson, Elliott, Etter, Felt, Finlayson, Harvey, Holmes, Kellogg, Koontz, Lee, Marston, Schee, Schroeder, Sheldon, Thompson, Tilton, Ward, Wilson, Zeller—25.

So the bill passed and the title was agreed to.

On motion of Grier of Poweshiek, House File No. 485, a bill for an act to repeal Section Eighteen Hundred Seventy-five (1875) of the Supplement to the Code, 1907, and enact a substitute therefor, relating to banks and banking, was taken up and considered.

Cooper of Jasper proposed the following amendment:

I move to amend Section 1875 by adding after the words "per annum" in the ninth line of the printed bill "except the examiner

in charge of examiners and reports who shall receive an annual salary of \$2,000.00."

Amendment lost.

Grier of Poweshiek moved that the rules 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 ayes were:

Allred, Anderson, Arney, Balluff, Bascom, Beans, Beebe, Beery, Blackmore, Boe, Boettger, Bonwell, Boomgaarden, Bowman, Brandes, Byerly, Calkins, Cassady, Cooper, Cousins, Crummer, Cunningham, Dalby, Dawson, Derrough, Dewell, Dewey, DeWitt, Drury, Dye, Ellis, Fourt, Fox, Grier, Hackler, Hanson, Harding, Harvey, Hickenlooper, Holmes, Hunter, Ide, Inman, Jacobs, Johnson, Jones, Kendall, Kull, Larrabee, McCleery, McDonald, Meredith, Moore of Wapello, Moore of Linn, Newell, Reaney, Ripley, Sankey, Schee, Schroeder, Schulte, Smith, Stoddard, Sullivan, Swan, Thompson, Tilton, Welden, White, Wolfe, Zeller, Mr. Speaker—72.

The nays were:

Bauman, Crozier, Dabney, Etter, Fulliam, Huffaker, Jewell, Miller of Bremer, Miller of Dubuque, O'Connor, Penn, Perkins, Reitz, Ritter, Tegeler—15.

Absent or not voting:

Burt, Corrie, Darrah, Davidson, Dodds, Elliott, Felt, Fenn, Finlayson, Fulton, Goodykoontz, Kellogg, Klay, Koontz, Lee, Marston, Sheldon, Stillman, Swift, Ward, Wilson—21.

So the bill passed and the title was agreed to.

On motion of Kull of Howard, House File No. 383, a bill for an act to prohibit any person, company, partnership, association or corporation, engaged in the business of lumber dealing, or owning or operating lumber yards, from combining or entering into any agreement, contract, trust, or pool to fix the prices at which lumber is to be sold, or to prevent the free action of competition in the buying of lumber, or the selling of lumber, and to provide punishment for the violation of this act, was taken up and considered.



Perkins of Delaware proposed the following substitute amendment:

A Bill for an Act to Prohibit any Person, Company, Partnership, Association or Corporation, Engaged in any Business, or Owning or Operating any Business, From Combining or Entering Into any Agreement, Contract, Trust or Pool to Fix the Prices at Which any Commodity or any Article of Commerce is to be Sold, or to Prevent the Free Action of Competition in the Buying of any Commodity or any Article of Commerce, or the Selling of any Commodity or any Article of Commerce, and to Provide Punishment for the Violation of this Act.

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

SECTION 1. That it shall be unlawful for any person, company, partnership, association or corporation owning or operating any business of buying, selling, handling, consigning or transporting any commodity or any article of commerce, to enter into any agreement, contract or combination with any other dealer, or dealers, partnership, company, corporation or association of dealers, whether within or without the State, engaged in like business, for the fixing of the price or prices at which any commodity or any article of commerce should be sold by different dealers or sellers; or to divide between said dealers the aggregate or net proceeds of the earnings of such dealers and sellers, or any portion thereof; or to form, enter into, maintain, or contribute money or anything of value to any trust, pool, combination or association of persons of whatsoever character or name, which has for any of its objects the prevention of full and free competition among buyers, sellers or dealers in any commodity or any article of commerce; or to do or permit it be done by his or their authority any act or thing whereby the free action of competition in the buying or selling of any commodity or any article of commerce is restrained or prevented.

SEC. 2. That in case any person, company, partnership, corporation or association, trust, pool or combination of whatsoever name shall do, cause to be done, or permit to be done, any act, matter or thing in this act prohibited or declared to be unlawful, such person, partnership, company, association, corporation, trust, pool or combination shall be liable to the person, partnership, company, association or corporation injured thereby for the full amount of damages sustained in consequence of any such violation of the provisions of this act.

SEC. 3. That any person, partnership, company, association or corporation subject to the provisions of this act, or any person, trust, combination, pool or association, or any director, officer, lessee, receiver, trustee, employe, clerk, agent or any person acting for or employed by them, who shall violate any of the provisions of Section 1 of this act, or who shall aid and abet in such violation, shall be deemed guilty of a misdemeanor, and shall upon conviction thereof be fined any sum not less than five hundred dollars (\$500) and not exceeding two thousand dollars (\$2,000) or imprisoned in the county jail for a period not exceeding six months, or both, at the discretion of the court. It shall be the duty of the grand jury

to enquire into and ascertain if there exists any pool, trust, combination or violation of any provision in this act, in their respective counties.

Roll call demanded by Kull of Howard and DeWitt of Montgomery.

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

The ayes were:

Bascom, Beans, Boe, Cassady, Dewey, Elliott, Hanson, Harding, Jewell, Johnson, Jones, Larrabee, Lee, McCleery, Miller of Dubuque, Moore of Wapello, Moore of Linn, Newell, Perkins, Welden, Mr. Speaker—21.

The nays were:

Allred, Anderson, Arney, Bauman, Beebe, Blackmore, Boettger, Boomgaarden, Bowman, Brandes, Burt, Byerly, Cooper, Cousins, Crozier, Crummer, Dabney, Dowson, Derrough, DeWitt, Drury, Dye, Ellis, Etter, Fenn, Fulliam, Grier, Hackler, Harvey, Hickenlooper, Holmes, Ide, Inman, Jacobs, Kendall, Klay, Koontz, Kull, McDonald, Meredith, Miller of Bremer, O'Connor, Penn, Reitz, Ripley, Ritter, Sankey, Schee, Schroeder, Schulte, Smith, Stillman, Stoddard, Swan, Swift, Tegeler, Thompson, Tilton, White, Wilson, Wolfe, Zeller—62.

Absent or not voting:

Balluff, Beery, Bonwell, Calkins, Corrie, Cunningham, Dalby, Derrough, Davidson, Dodds, Felt, Finlayson, Fourt, Fox, Fulton, Goodykoontz, Huffaker, Hunter, Kellogg, Marston, Reaney, Sheldon, Sullivan, Ward—25.

So the substitute amendment was lost.

Kull of Howard moved that the rules be suspended, 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 ayes were:

Allred, Anderson, Arney, Balluff, Bascom, Bauman, Beery, Boe, Boettger, Boomgaarden, Burt, Byerly, Calkins, Cooper, Cousins, Crozier, Crummer, Dabney, Dawson, DeWitt, Dodds, Drury, Elliott, Ellis, Etter, Fulliam, Grier, Hanson, Harvey, Hickenlooper, Holmes, Hunter, Ide, Inman, Jacobs, Jones, Kendall, Klay, Koontz,

Kull, Larrabee, Lee, McDonald, Meredith, Miller of Bremer, Moore of Linn, O'Connor, Penn, Reitz, Ripley, Ritter, Sankey, Schee, Schulte, Smith, Stillman, Stoddard, Sullivan, Swan, Swift, Tegeler, Thompson, Tilton, Welden, White, Wilson, Wolfe, Zeller—68.

The nays were:

Beans, Beebe, Blackmore, Bonwell, Brandes, Cassady, Dalby, Derrough, Dewey, Dye, Fenn, Fourt, Fulton, Hackler, Harding, Jewell, Johnson, McCleery, Miller of Dubuque, Moore of Wapello, Newell, Perkins, Reaney—24.

Absent or not voting:

Bowman, Corrie, Cunningham, Darrah, Davidson, Dewell, Felt, Finlayson, Fox, Goodykoontz, Huffaker, Kellogg, Marston, Schroeder, Sheldon, Ward—16.

So the bill passed and the title was agreed to.

On motion of Anderson of Hamilton, House File No. 431, a bill for an act providing for the temporary closing of certain schools and providing school privileges for the children residing in said districts, with report of committee recommending passage as amended, was taken up and considered.

Hanson of Humboldt proposed the following amendment to the amendments:

I move to amend the committee amendments by striking out all that refers to Section 1.

Amendment to the amendments adopted.

Committee amendments as amended adopted.

Anderson of Hamilton moved that the rules be suspended, 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 ayes were:

Allred, Anderson, Arney, Balluff, Bascom, Beebe, Beery, Blackmore, Boe, Bonwell, Boomgaarden, Bowman, Brandes, Burt, Cooper, Cousins, Cunningham, Dewell, Dewey, DeWitt, Dye, Elliott, Etter, Fourt, Fox, Grier, Hackler, Hanson, Hickenlooper, Holmes,

Hunter, Jewell, Jones, Moore of Wapello, Moore of Linn, Perkins, Ripley, Stillman, Sullivan, Swan, Swift, White—42.

The nays were:

Bauman, Beans, Boettger, Byerly, Calkins, Crummer, Dalby, Dawson, Derrough, Ellis, Fulliam, Fulton, Harding, Ide, Kendall, Larrabee, McCleery, Meredith, Miller of Bremer, Miller of Dubuque, Newell, O'Connor, Penn, Reaney, Reitz, Sankey, Schroeder, Schulte, Smith, Stoddard, Tegeler, Thompson, Tilton, Welden, Wilson, Wolfe, Zeller, Mr. Speaker—38.

Absent or not voting:

Cassady, Corrie, Crozier, Dabney, Darrah, Davidson, Dodds, Drury, Felt, Fenn, Finlayson, Goodykoontz, Harvey, Huffaker, Inman, Jacobs, Johnson, Kellogg, Klay, Koontz, Kull, Lee, McDonald, Marston, Ritter, Schee, Sheldon, Ward—28.

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

On motion of Cunningham of Buena Vista, House File No. 469, a bill for an act to repeal Section One Thousand Nine Hundred Eighty-nine-a-41 (1989-a-41), of the Supplement to the Code, 1907, relating to the fees and expenses in levee and drainage districts, and to enact a substitute in lieu thereof, was taken up and considered.

Cunningham of Buena Vista moved that the rules be suspended, 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 ayes were:

Allred, Arney, Bascom, Beans, Beery, Boe, Boettger, Bowman, Brandes, Burt, Byerly, Cooper, Cousins, Cunningham, Dawson, Derrough, Dewell, Dewey, DeWitt, Dodds, Dye, Elliott, Ellis, Fenn, Finlayson, Fourt, Grier, Hackler, Hanson, Harding, Holmes, Hunter, Ide, Inman, Jewell, Johnson, Jones, Kendall, Koontz, Kull, Larrabee, Lee, McCleery, Meredith, Miller of Bremer, Moore of Wapello, Moore of Linn, Newell, Reaney, Schroeder, Stillman, Swan, Swift, Thompson, Tilton, White, Wilson, Wolfe, Zeller, Mr. Speaker—60.

The nays were:

Anderson, Bauman, Blackmore, Bonwell, Boomgaarden, Cassady, Crozier, Crummer, Dalby, Etter, Fox, Fulliam, Hickenlooper, Miller of Dubuque, O'Connor, Penn, Ripley, Ritter, Sankey, Schee, Stoddard, Tegeler, Welden—23.

Absent or not voting:

Balluff, Beebe, Calkins, Corrie, Dabney, Darrah, Davidson, Drury, Felt, Fulton, Goodykoontz, Harvey, Huffaker, Jacobs, Kellogg, Klay, McDonald, Marston, Perkins, Reitz, Schulte, Sheldon, Smith, Sullivan, Ward—25.

So the bill passed.

Cunningham of Buena Vista moved to amend the title by inserting the words "and to enact a substitute therefor" following the comma after the figures "1907"; and insert a period following the word "districts" and strike out all following said period.

Amendment adopted, and the title as amended was agreed to.

#### MESSAGES FROM THE SENATE.

The following messages were received from the Senate:

MR. SPEAKER—I am directed to inform your honorable body that the Senate has passed the following bill in which the concurrence of the Senate was asked:

House File No. 382, a bill for an act relative to the amount of taxes to be levied for making and repairing bridges.

S. W. NEAL,  
*Secretary.*

Also:

MR. SPEAKER—I am directed to inform your honorable body that the Senate has passed the following bill in which the concurrence of the Senate was asked:

House File No. 200, a bill for an act making the provisions of Section three thousand eight hundred forty-seven (3847), Code Supplement of 1907, Section three thousand four hundred forty-eight (3448), Section three thousand eight hundred forty-nine (3849), Code Supplement, Section three thousand eight hundred fifty, 'fifty-one and 'fifty-two (3850-'51-'52) applicable to actions in justices' courts and providing for the deposit of money in lieu of bond.

S. W. NEAL,  
*Secretary.*

Also:

MR. SPEAKER—I am directed to inform your honorable body that the Senate has adopted the report of the conference committee on House File

No. 130, a bill for an act relating to the distribution of laws becoming effective by publication.

S. W. NEAL,  
*Secretary.*

Also:

MR. SPEAKER—I am directed to inform your honorable body that the Senate has indefinitely postponed the following bill in which the concurrence of the Senate was asked:

House File No. 15, a bill for an act to repeal Section four hundred eighty-one (481) of the Code relating to compensation of deputy auditors and enacting a substitute therefor.

S. W. NEAL,  
*Secretary.*

Also:

MR. SPEAKER—I am directed to inform your honorable body that the Senate has indefinitely postponed the following bill in which the concurrence of the Senate was asked:

House File No. 14, a bill for an act relating to compensation of deputy treasurers.

S. W. NEAL,  
*Secretary.*

Also:

MR. SPEAKER—I am directed to inform your honorable body that the Senate has adopted the conference committee report and amendments as proposed by the conference committee on House File No. 208, a bill for an act relating to the jurisdiction, powers, rules, regulations and expenses of the state board of health and local boards of health.

S. W. NEAL,  
*Secretary.*

Also:

MR. SPEAKER—I am directed to inform your honorable body that the Senate has indefinitely postponed the following bill in which the concurrence of the Senate was asked:

House File No. 42, a bill for an act requiring all guaranty, fidelity and surety companies doing business in the State of Iowa to deposit with the Auditor of State a guarantee fund for the protection of citizens of the state.

S. W. NEAL,  
*Secretary.*

Also:

MR. SPEAKER—I am directed to inform your honorable body that the Senate has indefinitely postponed the following bill in which the concurrence of the Senate was asked:

House File No. 292, a bill for an act relating to certain conveyances of real estate legalized by executors, administrators and guardians in this and foreign states.

S. W. NEAL,  
*Secretary.*

Also:

MR. SPEAKER—I am directed to inform your honorable body that the Senate has indefinitely postponed the following bill in which the concurrence of the Senate was asked:

House File No. 46, a bill for an act to provide for the punishment of persons responsible for or contributing to the delinquency of children.

S. W. NEAL,  
*Secretary.*

Also:

MR. SPEAKER—I am directed to inform your honorable body that the Senate has concurred in House amendments to Substitute for Senate File No. 290, a bill for an act to repeal Sections 2820-a, 2820-b, 2820-c and 2820-d of the Supplement to the Code, 1907, relative to the limit of indebtedness, etc.

S. W. NEAL,  
*Secretary.*

Also:

MR. SPEAKER—I am directed to inform your honorable body that the Senate has concurred in House amendments to Senate File No. 334, a bill for an act to amend the law as it appears in Section thirty-three hundred and five (3305), Supplement to the Code, 1907, relative to the time of granting administration.

S. W. NEAL,  
*Secretary.*

Also:

MR. SPEAKER—I am directed to inform your honorable body that the Senate has concurred in House amendments to Substitute for Senate File No. 99, a bill for an act to amend the law as it appears in Section twenty-six hundred and seventy-five (2675) of the Code, 1907, by providing an official name for the State Normal School at Cedar Falls.

S. W. NEAL,  
*Secretary.*

Also:

MR. SPEAKER—I am directed to inform your honorable body that the Senate has concurred in House amendments to Senate File No. 110, a bill for an act providing for the education of deaf and blind children at the school for the deaf and the college for the blind.

S. W. NEAL,  
*Secretary.*

Also:

MR. SPEAKER—I am directed to inform your honorable body that the Senate has concurred in the House amendments to Senate File No. 229, a bill for an act to prohibit the living, boarding, stopping or rooming of unmarried females under the age of eighteen years in any house, building, or premises where prostitution, fornication or concubinage is allowed or practiced and providing punishment for the violation.

S. W. NEAL,  
*Secretary.*

Also:

MR. SPEAKER—I am directed to inform your honorable body that the Senate grants the request of the House and returns herewith Senate File No. 164, a bill for an act to amend the law as it appears in Sections 1758-a and 1709 of the Supplement to the Code, 1907, giving insurance companies, in addition to the authority now enjoyed, the right to issue policies upon automobiles and marine risks and further adding to the list of properties and rights that may be insured; repealing the law as it appears in Section 1710 of the Supplement to the Code, 1907, and enacting a substitute therefor.

S. W. NEAL,  
*Secretary.*

Derrough of Warren moved that the House adjourn until 8:30 o'clock, P. M.

Moore of Linn moved to amend by changing the time to 7:30 P. M.

Amendment adopted.

Motion as amended prevailed.

#### NIGHT SESSION.

House met pursuant to adjournment.

Speaker Feely in the Chair.

On request of Schee of O'Brien leave of absence was granted Felt of Clay, indefinitely on account of sickness.

#### REPORTS OF COMMITTEES.

Sullivan of Polk, from the Committee on Judiciary, submitted the following report:

MR. SPEAKER—Your committee on Judiciary, to whom was referred Senate File No. 319, a bill for an act authorizing boards of supervisors to grant the use of public highways for erecting and maintaining poles and wires for the transmission of electricity, and fixing the liability for damages arising from the construction thereof, beg leave to report they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same be amended as follows: By striking out all after the enacting clause and inserting the following therefor:

Section 1. The Board of Supervisors of any county may, upon written application designating the particular highways, the use of which



is desired, grant to any person or corporation engaged in the manufacture of electric light and power, the right to erect and maintain poles and wires, for the purpose of conducting electricity for lighting, heat and power purposes, in any public highway in their county for a period not to exceed twenty years, subject to the following conditions and such further reasonable regulations as the legislature or the Board of Supervisors may hereafter prescribe:

The grantee shall in no case have the exclusive right to use such highway for the conducting of the electricity.

The poles and fixtures shall be so constructed as to not incommode the public in the use of any road or the navigation of any stream.

When any road along which such lines have been constructed shall be changed, the person or corporation shall, upon ninety days notice in writing remove said lines to said road as established.

The grantee shall use only strong and proper wires, properly insulated, attached to strong and sufficient supports and insulated at all points of attachment.

They shall replace all wires with new wires whenever by ordinary wear or other causes they are no longer safe, and remove all wires, the use of which is abandoned.

They shall properly insulate every wire carrying electric light, heat or power currents where it enters a building and within such building so as to avoid danger from fires.

Where such wires are carried across or under wires used for other service, there shall be suspended under or over said power, heat or light service lines, properly constructed and insulated guard nets, or shall be protected by such other equally efficient devices as will prevent contact with such other service lines, in case of sagging or breaking of such wires.

After July 1, 1909, no such grant shall be made until notice of the hearing of said application shall be published once each week for two consecutive weeks in a newspaper printed and published in the county seat, and of general circulation in said county, stating the time when said application will be acted upon and designating the particular highways named in said application.

The grantees shall be responsible for all damages that may arise from such construction and operation under this grant or from a failure to comply with said provisions.

Sec. 2. Any person or corporation having received a grant as above stated who fails to comply with the provisions of the preceding section shall, upon conviction thereof, be punished by a fine of not less than fifty nor more than five hundred dollars.

Sec. 3. This act being deemed of immediate importance, shall take effect and be in force from and after its passage and approval and publication in the Register and Leader and the Des Moines Capital, newspapers published in Des Moines, Iowa, said publication to be without expense to the State, and when so amended the bill do pass.

JOHN B. SULLIVAN,

*Chairman.*

Adopted.

Also :

MR. SPEAKER—Your committee on Judiciary, to whom was referred House File No. 520, a bill for an act to amend Section forty-seven hundred and sixty-seven (4767) of the Code relating to the punishment of persons convicted of making malicious threats with intent to extort money or to compel a person to do some act against his will, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same do pass.

JOHN B. SULLIVAN,  
*Chairman.*

Adopted.

Also :

MR. SPEAKER—Your committee on Judiciary, to whom was referred Senate File No. 394, a bill for an act to legalize the action of the independent school district of Marcus, Cherokee County, Iowa, in voting bonds at an election held on the first day of March, 1907, and legalizing the bonds issued by said district under said 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 do pass.

JOHN B. SULLIVAN,  
*Chairman.*

Adopted.

Also :

MR. SPEAKER—Your committee on Judiciary, to whom was referred House File No. 516, a bill for an act to amend Section thirty-one hundred forty-seven (3147) of the Code, relating to return of marriage certificates, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same do pass.

JOHN B. SULLIVAN,  
*Chairman.*

Adopted.

Also :

MR. SPEAKER—Your committee on Judiciary, to whom was referred Senate File No. 344, a bill for an act defining contributory dependency, fixing proceedings in regard thereto, providing for probation of parties guilty thereof subject to such orders as are calculated to remove such contributory dependency and providing for the enforcement of such orders, also providing for a finding of abandonment and for adoption upon such finding, determining the rights of children thus adopted and providing for punishment for enticing away and interfering with children legally placed into institutions and homes; to be additional to Chapter 5-b of Title III of the Supplement to the Code, 1907, beg leave to report they have had the

same under consideration and have instructed me to report the same back to the House with the recommendation that the same do pass.

JOHN B. SULLIVAN,  
*Chairman.*

Adopted.

Also:

MR. SPEAKER—Your committee on Judiciary, to whom was referred House File No. 527, a bill for an act to repeal Section five hundred ninety-nine (599) and Section six hundred (600) of the Code, relating to the incorporation of towns, and enacting substitutes therefor relating to the filing of petitions for said incorporated towns, the publication of notice thereof, the procedure before the courts and defining the powers and duties of the courts in relation thereto, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same do pass.

JOHN B. SULLIVAN,  
*Chairman.*

Adopted.

Also:

MR. SPEAKER—Your committee on Judiciary, to whom was referred Senate File No. 379, a bill for an act to amend the law as it appears in Section five thousand seven hundred eighteen-a-eighteen (5718-a-18) of the Supplement to the Code, 1907, relating to the power of the board of parole to establish rules and regulations governing paroles, beg leave to report they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same be indefinitely postponed.

JOHN B. SULLIVAN,  
*Chairman.*

Adopted, and Senate File No. 379 was indefinitely postponed.

Also:

MR. SPEAKER—Your committee on Judiciary, to whom was referred House File No. 517, a bill for an act to amend Section 5008 of the Code, relating to the infringement of civil rights, 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.

JOHN B. SULLIVAN,  
*Chairman.*

Adopted, and House File No. 517 was indefinitely postponed.

Also:

MR. SPEAKER—Your committee on Judiciary, to whom was referred Senate File No. 451, a bill for an act to amend Section four thousand two

hundred ninety-nine (4299) of the Code, relating to the declaration of forfeiture of contracts and the service of notice relating thereto, and to amend Section four thousand three hundred (4300) of the Code, relating to the recording of notice of forfeiture of contracts, beg leave to report they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same be amended as follows:

By striking out all after the enacting clause and substituting the following in lieu thereof:

Section 1. That Section four thousand two hundred and ninety-nine (4299) of the Code, be and the same is hereby amended by striking out all said section after the word "notice" in line seven (7) thereof, and inserting in lieu thereof the following:

"Shall contain a declaration of an intention to forfeit said contract, and the reason therefor, and may be served personally or by publication on the same conditions and in the same manner as is provided for the service of original notices. If such notice is served by publication no affidavit therefor shall be required, and the forfeiture shall not take place until thirty days after the last publication day.

Sec. 2. That Section four thousand three hundred (4300) of the Code, be and the same is hereby amended by adding thereto the following:

"If said payments are not made or the conditions broken are not performed within said period of thirty days the vendor may file for record in the Recorder's office the notice of forfeiture with the proof of service thereto attached, and if service was by publication also file his affidavit that personal service of the notice could not be had within this State; and when so filed and recorded the record thereof shall be constructive notice to all persons of the declaration of forfeiture and service of notice thereof. The Recorder shall receive the same fee therefor as for recording other instruments," and when so amended the bill do pass.

JOHN B. SULLIVAN,  
*Chairman.*

Adopted.

Also:

MR. SPEAKER—Your committee on Judiciary, to whom was referred House File No. 43, a bill for an act to authorize the payment of the cost of corporate suretyship upon official bonds, beg leave to report they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same be amended as follows:

By striking out all after the enacting clause and substituting the following therefor: "Section 1. That the state or any county may pay out of the funds of the state or county the cost of any official bond required by the laws, furnished by the treasurer of state or by the treasurer of any county, to execute same in case said officer shall furnish the same with a

solvent surety company or companies authorized to do business in the state under the laws thereof," and when so amended the bill do pass.

JOHN B. SULLIVAN,  
*Chairman.*

Adopted.

Also:

MR. SPEAKER—Your committee on Judiciary, to whom was referred House File No. 449, a bill for an act to amend Sections forty-seven hundred seventy-five-c (4775-c) and forty-seven hundred seventy-five-d (4775-d) of the Supplement to the Code, 1907, relating to wife desertion and to the bond that may be given in case of the person who deserts his wife, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same do pass.

JOHN B. SULLIVAN,  
*Chairman.*

Adopted.

#### REPORT OF JOINT COMMITTEE ON ENROLLED BILLS.

Klay of Sioux, from the Joint Committee on Enrolled Bills, submitted the following report:

MR. SPEAKER—Your Joint Committee on Enrolled Bills respectfully report that they have examined, and find correctly enrolled, Senate File No. 166, a bill for an act to enable counties to establish and maintain public hospitals, levy a tax and issue bonds therefor, elect hospital trustees, maintain training schools for nurses, provide suitable means for the care of tuberculous persons, and to make possible the ultimate establishment of an adequate supply of hospitals with equal rights to all and special privileges to none.

Also:

Senate File No. 208, a bill for an act to amend Section eighteen hundred and fifty-seven (1857) of the Code relating to the dissolution of State banks.

Also:

Senate File No. 213, a bill for an act fixing the liability of a bank to its depositor for payment of forged or raised checks.

Also:

Senate File No. 235, a bill for an act to amend Section two thousand five hundred and thirty-nine (2539) of the Supplement to the Code, 1907, relating to the compensation and duties of the fish and game warden.

Also:

Senate File No. 310, a bill for an act to legalize the acts of the Board of Directors of the school township of Wilson in the county of Osceola and State of Iowa in authorizing a school house to be built in sub-division number four (4) in said school township and in levying a tax therefor.

Also:

Senate File No. 331, a bill for an act authorizing the State Board of Control to enter into a contract for the employment of certain inmates of the reformatory at Anamosa.

GERRIT KLAY,  
*Chairman House Committee.*

HENRY L. ADAMS,  
*Chairman Senate Committee.*

Adopted.

#### INTRODUCTION OF BILLS.

By Committee on Retrenchment and Reform, House File No. 537:

A Bill for an Act Repealing Section One Hundred Sixty-two (162) of the Code and One Hundred Sixty-three-a (163-a) and One Hundred Sixty-three-b (163-b) of the Supplement to the Code, 1907, Defining the Character of Vouchers upon which Warrants Shall be Drawn by the Auditor of State upon the State Treasury and Requiring a Biennial Report of State Expenses for the Several State Offices, Boards, Commissions and Institutions to be Made by the Executive Council.

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

Section 1. That Section one hundred sixty-two (162) of the Code is hereby repealed and the following enacted in lieu thereof:

All officers of the State, members of boards or commissions, officers of State institutions and all persons drawing funds from the treasury of the State shall file with the Auditor of State duplicate itemized vouchers, showing in detail the items of service, expense, things furnished or contracts upon which payment is sought before a warrant is issued upon the State treasury. Duplicate vouchers shall not be required to be filed for disbursements made on account of institutions under the management of the Board of Control or the State Board of Education. All warrants shall be drawn in the name of the person, firm or contractor entitled to payment or compensation and in no case shall warrants be drawn in the name of the certifying office, department, board or institution or in the name of an employe of the same except for personal service rendered or expense incurred by said employe unless there be express statutory authority therefor. When the law permits the drawing of funds in advance of their expenditure the person or persons drawing such funds shall file the itemized vouchers above required within one hundred (100) days after the issuance of any

such warrant, each voucher to show by proper reference that it was paid out of the funds drawn on the date of the issuance of the warrant before mentioned. Duplicate copies of vouchers above required to be filed with the Auditor of State shall be filed by him with the Executive Council at the end of each month and by the Executive Council made available for the use of the expert accountant, named under the provisions of Section 161-a of the Supplement to the Code, 1907.

Sec. 2. That Section one hundred sixty-three-a (163-a) of the Supplement to the Code, 1907, be and the same is hereby repealed and the following enacted in lieu thereof:

Biennially, on or before the first day of September of each year prior to the convening of the General Assembly, the Executive Council shall cause to be compiled a complete report of the expenditures of the several state offices, boards, commissions and institutions, except those institutions under the management of the Board of Control, or the State Board of Education in such manner as will show the amount and nature of all expenditures reported; the price paid for things or commodities purchased or furnished for said departments or institutions; the rates paid as salaries or per diem with the names of the officers, clerks or employes receiving compensation or payment for expenses; a statement of the printing and binding done for the several departments; a statement of fees collected and the disposition made thereof by each of said offices, boards, commissions and institutions.

All bills against the State of Iowa of any kind or character including personal per diem and expense account now or hereafter required by law to be examined and approved by the Executive Council before payment is made therefor, shall be made out in duplicate and filed in the office of the secretary of the Executive Council. A copy of all the reports required to be filed with the several State departments, boards or commissions, by the Secretary of State, under the provisions of Section 120 of the Supplement to the Code, 1907, shall be filed with the Executive Council.

All other data required for this report shall be reported by the several State officers, departments or institutions to the Executive Council at such time and in such form as the Executive Council may direct. For keeping of the necessary accounts, preparing the data thus to be reported and preparing the report required, the Executive Council may employ a competent clerk at not to exceed three (3) dollars per day for the time actually and necessarily employed, the expense thereof to be paid from the State treasurer upon verified vouchers certified by the Executive Council.

Sec. 3. Section one hundred sixty-three-b (163-b) of the Supplement to the Code, 1907, be and the same is hereby repealed and the following enacted in lieu thereof.

The report required by section two (2) of the act shall be published by the Executive Council in an edition of five thousand (5000) copies, five hundred (500) of which shall be bound in cloth and the balance in paper covers, and shall be distributed as follows; one copy bound

in cloth and fifteen (15) copies in paper covers to each member of the General Assembly; one copy bound in cloth to each State officer, member of board and commission; one copy bound in cloth to each public, free and college library in the State; ten (10) copies bound in cloth to the State library; five (5) copies bound in cloth to the State historical department; one copy bound in paper to each county auditor, treasurer, clerk of the district court, and each newspaper in the State; the remaining copies in excess of the reserve list to be distributed on order of the Executive Council.

Sec. 4. This act shall take effect and be in force from and after its passage and publication in the Register and Leader and the Des Moines Capital, daily newspapers published in Des Moines, Iowa.

Read first and second time and passed on file.

By Dabney of Davis, House File No. 538, a bill for an act to repeal Chapter Two-a (2-a) Title XII of the Supplement to the Code, Nineteen Hundred and Seven, (1907), relating to the detention and treatment of dipsomaniacs, inebriates and those addicted to the excessive use of narcotics.

Read first and second time and referred to Committee on Retrenchment and Reform.

Schee of O'Brien moved that Senate File No. 319 retain its place on the calendar.

Motion prevailed.

#### CONSIDERATION OF BILLS.

On motion of Newell of Plymouth, House File No. 233, a bill for an act to legalize the incorporation of the town of Hinton, Iowa, and the passage and adoption of its ordinances, resolutions and rules of health, with report of committee recommending passage as amended by substitute amendment, was taken up, considered, and substitute amendment adopted.

McDonald of Carroll in the Chair.

Newell of Plymouth moved that the rules be suspended, 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 ayes were:

Allred, Arney, Balluff, Bascom, Bauman, Beebe, Bonwell, Boomgaarden, Bowman, Brandes, Burt, Cooper, Cousins, Crozier, Crum-



mer, Cunningham, Dabney, Dalby, Darrah, Dawson, Dewey, Dodds, Elliott, Fenn, Fourt, Fox, Grier, Hackler, Harding, Harvey, Hickenlooper, Hunter, Ide, Inman, Jacobs, Jewell, Jones, Kellogg, Kendall, Larrabee, Lee, McDonald, Meredith, Miller of Dubuque, Moore of Linn, Newell, O'Connor, Perkins, Reaney, Ripley, Ritter, Schee, Schulte, Stillman, Swift, Thompson, Tilton, White, Wilson, Mr. Speaker—60.

The nays were:

None.

Absent or not voting:

Anderson, Beans, Beery, Blackmore, Boe, Boettger, Byerly, Calkins, Cassady, Corrie, Davidson, Derrough, Dewell, DeWitt, Drury, Dye, Ellis, Etter, Felt, Finlayson, Fulliam, Fulton, Goodykoontz, Hanson, Holmes, Huffaker, Johnson, Klay, Koontz, Kull, McCleery, Marston, Miller of Bremer, Moore of Wapello, Penn, Reitz, Sankey, Schroeder, Sheldon, Smith, Stoddard, Sullivan, Swan, Tegeler, Ward, Welden, Wolfe, Zeller—48.

So the bill passed and the title was agreed to.

On motion of Newell of Plymouth, House File No. 234, a bill for an act to legalize the incorporation of the town of Merrill, Iowa, and the passage and adoption of its ordinances, resolutions and rules of health, with report of committee recommending passage as amended was taken up, considered, and the report of the committee with substitute amendments adopted.

Newell of Plymouth moved that the rules be suspended, 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 ayes were:

Allred, Arney, Balluff, Bascom, Bauman, Beans, Beebe, Bonwell, Boomgaarden, Bowman, Brandes, Burt, Cooper, Cousins, Crozier, Crummer, Cunningham, Dabney, Dalby, Darrah, Dawson, Dewell, Dewey, Dodds, Elliott, Fenn, Fourt, Fox, Goodykoontz, Grier, Hackler, Harding, Harvey, Hickenlooper, Hunter, Ide, Jacobs, Jewell, Johnson, Jones, Kellogg, Kendall, Klay, Larrabee, Lee, McDonald, Meredith, Miller of Dubuque, Moore of Wapello, Moore of Linn, Newell, O'Connor, Perkins, Reaney, Rip-

ley, Ritter, Schulte, Stillman, Swift, Thompson, Tilton, Welden, White, Wilson, Mr. Speaker—65.

The nays were :

Inman—1.

Absent or not voting :

Anderson, Beery, Blackmore, Boe, Boettger, Byerly, Calkins, Cassady, Corrie, Davidson, Derrough, DeWitt, Drury, Dye, Ellis, Etter, Felt, Finlayson, Fulliam, Fulton, Hanson, Holmes, Huffaker, Koontz, Kull, McCleery, Marston, Miller of Bremer, Penn, Reitz, Sankey, Schee, Schroeder, Sheldon, Smith, Stoddard, Sullivan, Swan, Tegeler, Ward, Wolfe, Zeller—42.

So the bill passed and the title was agreed to.

On motion of Harding of Woodbury, House File No. 482, a bill for an act legalizing the acts, resolutions, ordinances and proceedings of the council of the incorporated town of Oto, Woodbury County, Iowa, was taken up and considered.

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

Speaker Feely in the Chair.

On the question, "Shall the bill pass?"

The nays were :

Allred, Arney, Balluff, Bascom, Bauman, Beans, Beebe, Boettger, Bonwell, Boomgaarden, Bowman, Brandes, Burt, Calkins, Cooper, Cousins, Crummer, Dabney, Dalby, Dawson, Dewell, Dewey, Dodds, Elliott, Fenn, Fourt, Fox, Goodykoontz, Grier, Harding, Harvey, Hickenlooper, Hunter, Ide, Inman, Jacobs, Jewell, Johnson, Kellogg, Kendall, Klay, Larrabee, Lee, Meredith, Miller of Dubuque, Moore of Wapello, Moore of Linn, Newell, O'Connor, Penn, Perkins, Reaney, Ripley, Ritter, Schulte, Stillman, Swift, Thompson, Tilton, Welden, White, Wilson, Wolfe, Mr. Speaker—64.

The nays were :

None.

Absent or not voting :

Anderson, Beery, Blackmore, Boe, Byerly, Cassady, Corrie, Crozier, Cunningham, Darrah, Davidson, Derrough, DeWitt, Drury, Dye, Ellis, Etter, Felt, Finlayson, Fulliam, Fulton, Hackler, Hanson, Holmes, Huffaker, Jones, Koontz, Kull, McCleery, McDonald, Marston, Miller of Bremer, Reitz, Sankey, Schee, Schroeder, Sheldon, Smith, Stoddard, Sullivan, Swan, Tegeler, Ward, Zeller—44.

So the bill passed and the title was agreed to.

On motion of Jacobs of Calhoun, House File No. 490, a bill for an act to legalize the incorporation of the town of Knierim, Calhoun County, Iowa, the election of its officers and all acts done and ordinances passed by the town council of said town, was taken up and considered.

Jacobs of Calhoun 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 ayes were:

Allred, Arney, Balluff, Bascom, Bauman, Beans, Beebe, Boettger, Bonwell, Boomgaarden, Bowman, Brandes, Burt, Calkins, Cooper, Cousins, Crozier, Crummer, Cunningham, Dabney, Dalby, Darrah, Dawson, Dewell, Dewey, Dodds, Elliott, Fenn, Fourt, Fox, Fulton, Goodykoontz, Grier, Hackler, Harding, Harvey, Hunter, Ide, Inman, Jacobs, Jewell, Johnson, Jones, Kellogg, Kendall, Klay, Larrabee, Lee, Meredith, Miller of Dubuque, Moore of Wapello, Moore of Linn, Newell, O'Connor, Penn, Reaney, Ripley, Ritter, Schulte, Stillman, Swift, Thompson, Tilton, Welden, White, Wilson, Wolfe, Mr. Speaker—68.

The nays were:

None.

Absent or not voting :

Anderson, Beery, Blackmore, Boe, Byerly, Cassady, Corrie, Davidson, Derrough, Dewey, Drury, Dye, Ellis, Etter, Felt, Finlayson, Fulliam, Hanson, Hickenlooper, Holmes, Huffaker, Koontz,

Kull, McCleery, McDonald, Marston, Miller of Bremer, Perkins, Reitz, Sankey, Schee, Schroeder, Sheldon, Smith, Stoddard, Sullivan, Swan, Tegeler, Ward, Zeller—40.

So the bill passed and the title was agreed to.

On motion of White of Story, House File No. 511, a bill for an act to legalize the acts of the city council and mayor of the city of Ames, Iowa, in contracting an indebtedness during the three years immediately preceding the passage of this act in excess of the statutory limit of one and one-fourth per cent for the erecting, maintaining and operating an electric light and power plant and water-works system and other purposes and not exceeding the five per cent constitutional limit of the actual value of the taxable property in said city, was taken up, considered, and Senate File No. 401 was substituted therefor.

White of Story moved that the rule be suspended, that the bill be read a third time now, which motion prevailed, and the bill was read a third time.

On the question, "Shall the bill pass?"

The ayes were:

Allred, Arney, Balluff, Bascom, Bauman, Beans, Beebe, Boettger, Bonwell, Boomgaarden, Bowman, Brandes, Burt, Calkins, Cooper, Cousins, Crozier, Crummer, Cunningham, Dabney, Dalby, Darrah, Dawson, Dewell, Dewey, Dodds, Elliott, Fenn, Fourt, Fox, Fulton, Goodykoontz, Grier, Hackler, Harding, Harvey, Hickenlooper, Hunter, Ide, Inman, Jacobs, Jewell, Johnson, Jones, Kellogg, Kendall, Klay, Larrabee, Lee, McDonald, Meredith, Miller of Dubuque, Moore of Wapello, Moore of Linn, Newell, O'Connor, Penn, Perkins, Reaney, Ripley, Ritter, Schee, Schulte, Stillman, Swift, Thompson, Tilton, Welden, White, Wilson, Wolfe, Mr. Speaker—72.

The nays were:

None.

Absent or not voting:

Anderson, Beery, Blackmore, Boe, Byerly, Cassady, Corrie, Davidson, Derrough, DeWitt, Drury, Dye, Ellis, Etter, Felt, Finlayson, Fulliam, Hanson, Holmes, Huffaker, Koontz, Kull, McCleery,

Marston, Miller of Bremer, Reitz, Sankey, Schroeder, Sheldon, Smith, Stoddard, Sullivan, Swan, Tegeler, Ward, Zeller—36.

So the bill passed and the title was agreed to.

On motion of Reaney of Louisa, House File No. 439, a bill for an act to amend Section Eleven Hundred Forty-three (1143) of the Code, relating to destruction of ballots, was taken up and considered.

Reaney of Louisa 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 ayes were:

Allred, Arney, Balluff, Bascom, Bauman, Beans, Beebe, Boettger, Bonwell, Boomgaarden, Bowman, Brandes, Burt, Calkins, Cooper, Cousins, Crozier, Crummer, Cunningham, Dabney, Dalby, Darrah, Dewell, Dewey, Dodds, Elliott, Fenn, Fourt, Fox, Fulton, Goodykoontz, Grier, Hackler, Harvey, Hickenlooper, Hunter, Ide, Inman, Jewell, Johnson, Jones, Kellogg, Kendall, Klay, Larrabee, Lee, McDonald, Meredith, Miller of Dubuque, Moore of Wapello, Moore of Linn, Newell, O'Connor, Penn, Perkins, Reaney, Ripley, Ritter, Schee, Schulte, Stillman, Swift, Thompson, Tilton, Welden, Wilson, Wolfe, Mr. Speaker—68.

The nays were:

None.

Absent or not voting:

Anderson, Beery, Blackmore, Boe, Byerly, Cassady, Corrie, Davidson, Dawson, Derrough, DeWitt, Drury, Dye, Ellis, Etter, Felt, Finlayson, Fulliam, Hanson, Harding, Holmes, Huffaker, Jacobs, Koontz, Kull, McCleery, Marston, Miller of Bremer, Reitz, Sankey, Schroeder, Sheldon, Smith, Stoddard, Sullivan, Swan, Tegeler, Ward, White, Zeller—40.

So the bill passed and the title was agreed to.

On motion of Crummer of Pocahontas, Senate File No. 342, a bill for an act legalizing and curing the acts and proceedings of the incorporated town of Pocahontas and the town council of said incorporated town, in the County of Pocahontas, and State of Iowa, in relation to the establishment, erection and maintenance and ex-

tension of a system of water-works in said town, and the issuance of warrants of said town in payment therefor, and authorizing the town council of said town to issue bonds for the purpose of taking up and paying its floating indebtedness represented by its warrants, was taken up and considered.

Crummer of Pocahontas moved that the rule be suspended, that the bill be read a third time now, which motion prevailed, and the bill was read a third time.

On the question, "Shall the bill pass?"

The ayes were:

Allred, Arney, Balluff, Bascom, Bauman, Beans, Beebe, Boettger, Bonwell, Boomgaarden, Bowman, Brandes, Burt, Calkins, Cooper, Cousins, Crozier, Crummer, Cunningham, Dabney, Dalby, Darrah, Dawson, Dewell, Dewey, Dodds, Elliott, Fenn, Fourt, Fox, Fulton, Goodykoontz, Grier, Hackler, Harding, Harvey, Hickenlooper, Hunter, Ide, Inman, Jacobs, Jewell, Johnson, Jones, Kellogg, Kendall, Klay, Larrabee, Lee, McDonald, Meredith, Miller of Dubuque, Moore of Wapello, Moore of Linn, Newell, O'Connor, Penn, Perkins, Reaney, Ripley, Ritter, Schee, Schulte, Stillman, Swift, Thompson, Tilton, Welden, White, Wilson, Wolfe, Mr. Speaker—72.

The nays were:

None.

Absent or not voting:

Anderson, Beery, Blackmore, Boe, Byerly, Cassady, Corrie, Davidson, Derrough, DeWitt, Drury, Dye, Ellis, Etter, Felt, Finlayson, Fulliam, Hanson, Holmes, Huffaker, Koontz, Kull, McCleery, Marston, Miller of Bremer, Reitz, Sankey, Schroeder, Sheldon, Smith, Stoddard, Sullivan, Swan, Tegeler, Ward, Zeller—36.

So the bill passed and the title was agreed to.

On motion of Bauman of Van Buren, Senate File No. 296, a bill for an act to legalize the issuing of certain warrants on the school fund by the Board of Directors of the Independent School District of Farmington, in Van Buren County, State of Iowa, was taken up and considered.

Bauman of Van Buren moved that the rule be suspended, that the bill be read a third time now, which motion prevailed, and the bill was read a third time.

On the question, "Shall the bill pass?"

The ayes were:

Allred, Arney, Balluff, Bascom, Bauman, Beans, Beebe, Boettger, Bonwell, Boomgaarden, Bowman, Brandes, Calkins, Cooper, Cousins, Crummer, Cunningham, Dabney, Dalby, Darrah, Davidson, Dewell, Dewey, Dodds, Drury, Elliott, Fenn, Fourn, Fox, Fulton, Goodykoontz, Grier, Hackler, Hanson, Harding, Harvey, Hicklenooper, Ide, Inman, Jacobs, Jewell, Johnson, Jones, Kellogg, Klay, Larrabee, Lee, McDonald, Meredith, Miller of Dubuque, Moore of Wapello, Moore of Linn, Newell, O'Connor, Perkins, Reaney, Ripley, Ritter, Schulte, Stillman, Tilton, Welden, White, Wilson, Wolfe, Mr. Speaker—66.

The nays were:

None.

Absent or not voting:

Anderson, Beery, Blackmore, Boe, Burt, Byerly, Cassady, Corrie, Crozier, Dawson, Derrough, DeWitt, Dye, Ellis, Etter, Felt, Finlayson, Fulliam, Holmes, Huffaker, Hunter, Kendall, Koontz, Kull, McCleery, Marston, Miller of Bremer, Penn, Reitz, Sankey, Schee, Schroeder, Sheldon, Smith, Stoddard, Sullivan, Swan, Swift, Tegeler, Thompson, Ward, Zeller—42.

So the bill passed and the title was agreed to.

Lee of Emmet called up his motion to reconsider the vote by which House File No. 378 failed to pass the House and the vote by which it passed to its third reading.

Motion prevailed.

Lee of Emmet proposed the following amendment:

I move to amend House File No. 378 by adding after the period at the end of Section One the following: "Every ordinance adopted under the provisions of this act shall provide for the giving of at least 30 days' notice to the owner of the land upon or along which such trees or shrubs are growing, which notice shall be in writing and be personal as to residents of the town or city.

Amendment adopted.

Miller of Dubuque 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 ayes were:

Allred, Balluff, Bascom, Bauman, Beans, Beebe, Boettger, Bonwell, Boomgaarden, Bowman, Brandes, Burt, Calkins, Cousins, Crozier, Crummer, Cunningham, Dabney, Dalby, Darrah, Dawson DeWitt, Dodds, Elliott, Fenn, Fourt, Goodykoontz, Grier, Hackler, Hanson, Harding, Harvey, Hickenlooper, Hunter, Inman, Johnson, Kellogg, Kendall, Klay, Larrabee, Lee, McDonald, Miller of Dubuque, Moore of Linn, Newell, O'Connor, Penn, Perkins, Reaney, Ritter, Schee, Schulte, Stillman, Swift, Welden, White, Wilson, Wolfe, Mr. Speaker—59.

The nays were:

Fulton, Ide, Jacobs, Jewell, Jones, Meredith, Ripley, Tilton—8.

Absent or not voting:

Anderson, Arney, Beery, Blackmore, Boe, Byerly, Cassady, Cooper, Corrie, Davidson, Derrough, Dewell, Dewey, Drury, Dye, Ellis, Etter, Felt, Finlayson, Fox, Fulliam, Holmes, Huffaker, Koontz, Kull, McCleery, Marston, Miller of Bremer, Moore of Wapello, Reitz, Sankey, Schroeder, Sheldon, Smith, Stoddard, Sullivan, Swan, Tegeler, Thompson, Ward, Zeller—41.

So the bill passed and the title was agreed to.

On motion of Moore of Wapello, Senate File No. 267, a bill for an act to legalize the elections, acts and transactions, resolutions, by-law rules and regulations, contracts and certificates of the Ottumwa Cemetery Association, was taken up and considered.

Moore of Wapello moved that the rule be suspended, that the bill be read a third time now, which motion prevailed, and the bill was read a third time.

On the question, "Shall the bill pass?"

The ayes were:



Allred, Arney, Balluff, Bascom, Bauman, Beans, Beebe, Boettger, Bonwell, Boomgaarden, Bowman, Brandes, Burt, Calkins, Cooper, Cousins, Crozier, Crummer, Cunningham, Dabney, Dalby, Darrah, Dawson, Dewell, Dewey, Dodds, Elliott, Fenn, Fourt, Fox, Fulton, Goodykoontz, Grier, Hackler, Hanson, Harding, Harvey, Hickenlooper, Hunter, Ide, Inman, Jacobs, Jewell, Johnson, Jones, Kellogg, Kendall, Klay, Larrabee, Lee, McDonald, Meredith, Miller of Dubuque, Moore of Wapello, Moore of Linn, Newell, O'Connor, Perkins, Reaney, Ripley, Ritter, Sankey, Schee, Schulte, Stillman, Swift, Thompson, Tilton, Welden, White, Wilson, Wolfe, Mr. Speaker—72.

The nays were:

None.

Absent or not voting:

Anderson, Beery, Blackmore, Boe, Byerly, Cassady, Corrie, Davidson, Derrough, DeWitt, Drury, Dye, Ellis, Etter, Felt, Finlayson, Fulliam, Holmes, Huffaker, Koontz, Kull, McCleery, Marston, Meredith, Penn, Reitz, Sankey, Schroeder, Sheldon, Smith, Stoddard, Sullivan, Swan, Tegeler, Ward, Zeller—36.

So the bill passed and the title was agreed to.

On motion of Moore of Wapello, Senate File No. 269, a bill for an act amending the law as it appears in Section Sixteen Hundred Fifty (1650) of the Code, relating to the re-incorporations of the cemetery associations, was taken up and considered.

Moore of Wapello moved that the rule be suspended, that the bill be read a third time now, which motion prevailed, and the bill was read a third time.

On the question, "Shall the bill pass?"

The ayes were:

Allred, Arney, Balluff, Bascom, Bauman, Beans, Beebe, Boettger, Bonwell, Boomgaarden, Bowman, Brandes, Burt, Calkins, Cooper, Cousins, Crozier, Crummer, Cunningham, Dabney, Dalby, Darrah, Dawson, Dewey, Dodds, Elliott, Fenn, Fourt, Fox, Fulton, Goodykontz, Grier, Hackler, Hanson, Harding, Harvey, Hickenlooper, Hunter, Ide, Inman, Jacobs, Jewell, Johnson, Jones, Kellogg, Kendall, Klay, Larrabee, Lee, McDonald, Meredith, Miller of Dubuque, Moore of Wapello, Moore of Linn, Newell, O'Con-

nor, Perkins, Reaney, Ripley, Ritter, Schee, Schulte, Stillman, Swift, Thompson, Tilton, Welden, White, Wilson, Wolfe, Mr. Speaker—71.

The nays were:

None.

Absent or not voting:

Anderson, Beery, Blackmore, Boe, Byerly, Cassady, Corrie, Davidson, Derrough, Dewell, DeWitt, Drury, Dye, Ellis, Etter, Felt, Finlayson, Fulliam, Holmes, Huffaker, Koontz, Kull, McCleery, Marston, Miller of Bremer, Penn, Reitz, Sankey, Schroeder, Sheldon, Smith, Stoddard, Sullivan, Swan, Tegeler, Ward, Zeller—37.

So the bill passed and the title was agreed to.

On motion of Harding of Woodbury, Senate File No. 233, a bill for an act to amend the law as it appears in Sections Eight Hundred Fifty-c (850-c), Eight Hundred Fifty-e (850-e), and Eight Hundred Fifty-f (850-f), of the Supplement to the Code, 1907, relating to parks and park commissioners was taken up and considered.

Harding of Woodbury moved that the rule be suspended, that the bill be read a third time now, which motion prevailed, and the bill was read a third time.

On the question, "Shall the bill pass?"

The ayes were:

Allred, Arney, Balluff, Bascom, Bauman, Beans, Beebe, Boettger, Bonwell, Boomgaarden, Bowman, Brandes, Burt, Calkins, Cooper, Cousins, Crozier, Crummer, Cunningham, Dabney, Dalby, Darrah, Dewell, Dewey, Elliott, Fenn, Fourt, Fox, Fulton, Goodykoontz, Grier, Hackler, Hanson, Harding, Harvey, Hickenlooper, Hunter Ide, Jewell, Johnson, Jones, Kellogg, Kendall, Klay, Larrabee, Lee, McDonald, Meredith, Miller of Dubuque, Moore of Wapello, Moore of Linn, Newell, O'Connor, Penn, Perkins, Reaney, Ripley, Ritter, Schulte, Stillman, Swift, Thompson, Tilton, Welden, White, Wilson, Wolfe, Mr. Speaker—68.

The nays were:

None.

Absent or not voting :

Anderson, Beery, Blackmore, Boe, Byerly, Cassady, Corrie, Davidson, Dawson, Derrough, DeWitt, Dodds, Drury, Dye, Ellis, Etter, Felt, Finlayson, Fulliam, Holmes, Huffaker, Inman, Jacobs, Koontz, Kull, McCleery, Marston, Miller of Bremer, Reitz, Sankey Schee, Schroeder, Sheldon, Smith, Stoddard, Sullivan, Swan, Tegeler, Ward, Zeller—40.

So the bill passed and the title was agreed to.

On motion of Klay of Sioux, House Joint Resolution No. 5, a joint resolution and memorial requesting congress, under the provisions of Article Five of the Constitution of the United States, to call a convention to propose an amendment to the Constitution of the United States whereby polygamous cohabitation shall be prohibited and Congress given power to enforce such prohibition by appropriate legislation, was taken up and considered.

HOUSE JOINT RESOLUTION NO. 5.

A joint resolution and memorial requesting Congress, under the provision of Article five of the Constitution of the United States, to call a convention to propose an amendment to the Constitution of the United States whereby polygamous cohabitation shall be prohibited and Congress given power to enforce such prohibition by appropriate legislation.

*Be it Resolved by the House of Representatives and Senate Concurring:*

WHEREAS, It appears from investigation recently made by the Senate of the United States, and otherwise, that polygamy still exists in certain places in the United States notwithstanding prohibitory statutes enacted by the several states thereof; and

WHEREAS, The practice of polygamy is generally condemned by the people of the United States, and there is a demand for the more effectual prohibition thereof, by placing the subject under federal jurisdiction and control, at the same time reserving to each state the right to make and enforce its own laws relating to marriage and divorce;

Now Therefore, *Be it Resolved*, That application be and hereby is made to Congress, under the provision of Article five of the Constitution of the United States, for the calling of a convention to propose an amendment to the Constitution of the United States, whereby polygamy and polygamous cohabitation shall be prohibited, and Congress shall be given power to enforce such prohibition by appropriate legislation.

*Resolved*, That the Legislatures of all other States of the United States now in session, or when next convened, be and they are hereby respectfully requested to join in this application by the adoption of this or any equivalent resolution.

*Resolved Further*, That the Secretary of State be and hereby is directed to transmit copies of this application to the Senate and House of Repre-

sentatives of the United States and to the several members of said bodies representing this State therein; also to transmit copies hereof to the Legislatures of all other States of the United States.

Klay of Sioux moved that the rule be suspended, that the Joint Resolution be considered engrossed and read a third time now, which motion prevailed, and the Joint Resolution was read a third time.

On the question, "Shall the Joint Resolution pass?"

The ayes were:

Allred, Arney, Balluff, Bascom, Bauman, Beans, Beebe, Boettger, Bonwell, Boomgaarden, Bowman, Brandes, Burt, Calkins, Cooper, Cousins, Crozier, Crummer, Cunningham, Dabney, Dalby, Darrah, Dawson, Dewell, Dewey, Dodds, Elliott, Fenn, Fourt, Fox, Fulton, Goodykoontz, Grier, Hackler, Hanson, Harding, Harvey, Hickenlooper, Hunter, Ide, Inman, Jacobs, Jewell, Johnson, Jones, Kellogg, Kendall, Klay, Larrabee, Lee, McDonald, Meredith, Miller of Dubuque, Moore of Wapello, Moore of Linn, O'Connor, Penn, Perkins, Reaney, Ripley, Ritter, Schee, Schulte, Stillman, Swift, Thompson, Tilton, Welden, White, Wilson, Wolfe, Mr. Speaker—72.

The nays were:

None.

Absent or not voting:

Anderson, Beery, Blackmore, Boe, Byerly, Cassady, Corrie, Davidson, Derrough, DeWitt, Drury, Dye, Ellis, Etter, Felt, Finlayson, Fulliam, Holmes, Huffaker, Koontz, Kull, McCleery, Marston, Miller of Bremer, Newell, Reitz, Sankey, Schroeder, Sheldon, Smith, Stoddard, Sullivan, Swan, Tegeler, Ward, Zeller—36.

So the Joint Resolution passed and its title was agreed to.

On motion of Wolfe of Clinton, Senate File No. 137, a bill for an act to amend the law as it appears in Section One Thousand Four Hundred and Sixty-seven (1467) of the Supplement to the Code, 1907, relating to collateral inheritance tax and exemptions, was taken up and considered.

Wolfe of Clinton moved that the rule be suspended, that the bill be read a third time now, which motion prevailed, and the bill was read a third time.

On the question, "Shall the bill pass?"

The ayes were:

Allred, Arney, Balluff, Bascom, Bauman, Beans, Beebe, Boettger, Bonwell, Boomgaarden, Bowman, Brandes, Burt, Calkins, Cooper, Cousins, Crozier, Crummer, Cunningham, Dabney, Dalby, Darrah, Dawson, Dewell, Dewey, Dodds, Elliott, Fenn, Fox, Goodykoontz, Grier, Hackler, Hanson, Harding, Harvey, Hickenlooper, Hunter, Ide, Inman, Jewell, Johnson, Jones, Kellogg, Kendall, Klay, Larrabee, Lee, McDonald, Meredith, Miller of Dubuque, Moore of Wapello, Moore of Linn, Newell, O'Connor, Penn, Reaney, Ripley, Ritter, Schee, Schulte, Stillman, Swift, Thompson, Tilton, Weiden, White, Wilson, Wolfe, Mr. Speaker—69.

The nays were:

None.

Absent or not voting:

Anderson, Beery, Blackmore, Boe, Byerly, Cassady, Corrie, Davidson, Derrough, DeWitt, Drury, Dye, Ellis, Etter, Felt, Finlayson, Fourt, Fulliam, Fulton, Holmes, Huffaker, Jacobs, Koontz, Kull, McCleery, Marston, Miller of Bremer, Perkins, Reitz, Sankey, Schroeder, Sheldon, Smith, Stoddard, Sullivan, Swan, Tegeler, Ward, Zeller—39.

So the bill passed and the title was agreed to.

On motion of Johnson of Mitchell, Senate File No. 329, a bill for an act to amend Section Thirteen Hundred Twelve (1312) of the Code, relating to the listing of moneys and credits for taxation by persons acting in a fiduciary capacity, was taken up and considered.

Johnson of Mitchell moved that the rule be suspended, that the bill be read a third time now, which motion prevailed, and the bill was read a third time.

On the question, "Shall the bill pass?"

The ayes were:

Allred, Arney, Balluff, Bascom, Bauman, Beans, Beebe, Boettger, Bonwell, Boomgaarden, Bowman, Brandes, Calkins, Cooper, Cousins, Crozier, Crummer, Cunningham, Dabney, Dalby, Darrah, Dewell, Dewey, Dodds, Elliott, Fenn, Fox, Fulton, Goodykoontz, Grier, Hackler, Hanson, Harding, Harvey, Hickenlooper, Hunter,

Ide, Inman, Jacobs, Jewell, Johnson, Jones, Kellogg, Kendall, Kull, Larrabee, Lee, McDonald, Meredith, Miller of Dubuque, Moore of Wapello, Moore of Linn, Newell, O'Connor, Penn, Perkins, Reitz, Ripley, Ritter, Schee, Schulte, Stillman, Swift, Thompson, Tilton, Welden, White, Wilson, Wolfe, Mr. Speaker—70.

The nays were:

None.

Absent or not voting:

Anderson, Beery, Blackmore, Boe, Burt, Byerly, Calkins, Corrie, Davidson, Dawson, Derrough, DeWitt, Drury, Dye, Ellis, Etter, Felt, Finlayson, Fourt, Fulliam, Holmes, Huffaker, Koontz, Kull, McCleery, Marston, Miller of Bremer, Reitz, Sankey, Schroeder, Sheldon, Smith, Stoddard, Sullivan, Swan, Tegeler, Ward, Zeller—38.

So the bill passed and the title was agreed to.

On motion of Inman of Floyd, House Joint Resolution No. 6, authorizing and recommending the pardon or parole of C. H. Woodward now confined at Ft. Madison, Iowa, was taken up and considered.

#### HOUSE JOINT RESOLUTION NO. 6.

Authorizing and Recommending the Pardon or Parole of C. H. Woodward, now Confined at Fort Madison, Iowa.

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

SECTION 1. That the Governor be authorized to and we recommend he grant a pardon or parole to C. H. Woodward, who is now confined in the State Penitentiary at Fort Madison, upon such terms and conditions as the Governor may prescribe.

Inman of Floyd moved that the rule be suspended, that the Joint Resolution be considered engrossed and read a third time now, which motion prevailed and the Joint Resolution was read a third time.

On the question, "Shall the Joint Resolution pass?"

The ayes were:

Allred, Arney, Balluff, Bascom, Bauman, Beans, Beebe, Boettger, Bonwell, Boomgaarden, Bowman, Brandes, Calkins, Cooper, Cousins, Crozier, Crummer, Cunningham, Dabney, Dalby, Darrah, Dawson, Dewell, Dewey, Dodds, Elliott, Fourt, Fulton, Goodykoontz, Grier, Hanson, Harding, Harvey, Hickenlooper, Hunter, Inman, Jacobs, Jewell, Johnson, Kellogg, Kendall, Klay, Larra-

bee, Lee, McDonald, Meredith, Miller of Dubuque, Moore of Wapello, Moore of Linn, Newell, O'Connor, Penn, Perkins, Reaney, Ripley, Ritter, Schee, Schulte, Stillman, Swift, Thompson, Tilton, Welden, White, Wilson, Wolfe, Mr. Speaker—67.

The nays were:

None.

Absent or not voting:

Anderson, Beery, Blackmore, Boe, Burt, Byerly, Cassady, Corrie, Davidson, Derrough, DeWitt, Drury, Dye, Ellis, Etter, Felt, Fenn, Finlayson, Fox, Fulliam, Hackler, Holmes, Huffaker, Ide, Jones, Koontz, Kull, McCleery, Marston, Miller of Bremer, Reitz, Sankey, Schroeder, Sheldon, Smith, Stoddard, Sullivan, Swan, Tegeler, Ward, Zeller—41.

So the Joint Resolution passed and the title was agreed to.

On motion of Boettger of Scott, Substitute for Senate File No. 177, a bill for an act requiring persons, partnerships, or corporations owning or operating street car systems to provide transparent shields for the platforms of certain street cars and providing a penalty for the violation of the requirements thereof, was taken up and considered.

Boettger of Scott moved that the rule be suspended, that the bill be read a third time now, which motion prevailed, and the bill was read a third time.

On the question, "Shall the bill pass?"

The ayes were:

Allred, Arney, Balluff, Bascom, Bauman, Beans, Beebe, Boettger, Bonwell, Boomgaarden, Bowman, Brandes, Cooper, Cousins, Crozier, Crummer, Cunningham, Dabney, Dalby, Darrah, Dawson, Dewell, Dewey, Dodds, Elliott, Fourt, Goodykoontz, Grier, Hackler, Hanson, Harding, Harvey, Hickenlooper, Hunter, Inman, Johnson, Kellogg, Kendall, Klay, Larrabee, Lee, McDonald, Meredith, Miller of Dubuque, Moore of Wapello, Moore of Linn, Newell, O'Connor, Perkins, Reaney, Ripley, Ritter, Schee, Schulte, Stillman, Swift, Thompson, Tilton, Welden, White, Wilson, Wolfe, Mr. Speaker—63.

The nays were:

None.

Absent or not voting :

Anderson, Beery, Blackmore, Boe, Burt, Byerly, Calkins, Cassady, Corrie, Davidson, Derrough, DeWitt, Drury, Dye, Ellis, Etter, Felt, Fenn, Finlayson, Fox, Fulliam, Fulton, Holmes, Huffaker, Ide, Jacobs, Jewell, Jones, Koontz, Kull, McCleery, Marston, Miller of Bremer, Penn, Reitz, Sankey, Schroeder, Sheldon, Smith, Stoddard, Sullivan, Swan, Tegeler, Ward, Zeller—45.

So the bill passed and the title was agreed to.

On motion of Arney of Marshall, House File No. 391, a bill for an act providing for the planting of forest trees upon lands owned by county or state, with report of committee recommending passage as amended by substitute amendment, was taken up, considered, and the substitute amendment adopted.

Arney of Marshall moved to amend by striking out the publication clause.

Motion prevailed.

Arney of Marshall 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 ayes were:

Allred, Arney, Balluff, Bascom, Bauman, Beans, Beebe, Boettger, Bonwell, Boomgaarden, Bowman, Brandes, Calkins, Cooper, Cousins, Crozier, Cunningham, Dabney, Darrah, Dawson, Dewell, Dodds, Elliott, Fourt, Fulton, Goodykoontz, Grier, Hackler, Hanson, Harvey, Hickenlooper, Hunter, Jewell, Johnson, Kellogg, Kendall, Larrabee, Lee, McDnald, Meredith, Miller of Dubuque, Moore of Wapello, Moore of Linn, O'Connor, Penn, Perkins, Reaney, Ripley, Ritter, Schulte, Stillman, Swift, Thompson, Tilton, Welden, White, Wilson, Wolfe, Mr. Speaker—59.

The nays were:

Dewey, Schee—2.

Absent or not voting :

Anderson, Beery, Blackmore, Boe, Burt, Byerly, Cassady, Corrie, Crummer, Dalby, Davidson, Derrough, DeWitt, Drury, Dye,



Ellis, Etter, Felt, Fenn, Finlayson, Fox, Fulliam, Harding, Holmes, Huffaker, Ide, Inman, Jacobs, Jones, Klay, Koontz, Kull, McCleery, Marston, Miller of Bremer, Newell, Reitz, Sankey, Schroeder, Sheldon, Smith, Stoddard, Sullivan, Swan, Tegeler, Ward, Zeller—47.

So the bill passed and the title was agreed to.

Harding of Woodbury called up Concurrent Resolution relative to creating a department of mines, and moved its adoption.

Motion prevailed.

#### MOTION TO RECONSIDER.

McDonald of Carroll moved to reconsider the vote by which House File No. 409 passed the House; also the vote by which it passed to its third reading.

EDWARD McDONALD.

I second the motion.

W. L. HARDING.

White of Story moved to adjourn until 8:30 o'clock A. M., Saturday.

Motion prevailed.

# JOURNAL OF THE HOUSE

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HALL OF THE HOUSE OF REPRESENTATIVES,  
DES MOINES, IOWA, APRIL 3, A. D. 1909.

House met pursuant to adjournment.

Speaker Feely in the Chair.

Prayer was offered by the Rev. Eugene W. F. Requa of Winter-set, Iowa.

Journal of Friday, April 2d, corrected and approved.

On request of Perkins of Delaware, leave of absence was granted Welden of Hardin until Monday.

On request of Dabney of Davis leave of absence was granted Swan of Appanoose until Tuesday.

On request of Schulte of Clayton, leave of absence was granted Felt of Clay until Monday.

On request of Hanson of Humboldt, leave of absence was granted Boe of Winnebago until Monday.

On request of Etter of Keokuk, leave of absence was granted McCleery of Washington, Brandes of Pottawattamie and Fulliam of Muscatine, members of the committee investigating complaints against the Insane Hospitals, while attending a committee meeting.

## INTRODUCTION OF BILLS.

By Sankey of Decatur, House File No. 539, a bill for an act to legalize the election in the incorporated town of Weldon, Decatur County, Iowa.

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

By Cooper of Jasper, House Joint Resolution No. 8:

JOINT RESOLUTION No. 8.

Relative to the Improvement of Waterways by the United States Government in the General Assembly of the State of Iowa in General Session Convened.

*Be it Resolved that,*

WHEREAS, It has been shown that the greatest wreckage and loss of life and vessels, and the heaviest insurance on American commerce is for passing and re-passing Cape Hatteras for ocean commerce between English ports, German and French ports, and the Eastern seaboard, and the Gulf, South American, and Pacific commerce, and in passing the Bahama Banks and the Straits of Florida to enter the Gulf ports, and through the West Indian islands to enter the Carribean Sea to reach the Panama Canal, and

WHEREAS, It has been manifest, and demonstrated by Government statistics and facts, and shown by accurate maps that nearly all of these dangers, risks, and extra insurances, and nearly a thousand miles in distance can be saved for Gulf, Carribean Sea and Panama and Pacific commerce by cutting a sea level canal through Florida, and

WHEREAS, The saving of time, rate, and insurance, that can be made by utilizing Southport, N. C., and all South Atlantic ports, and the Florida canal for Gulf, Carribean Sea, Panama and Pacific coast commerce, back and forth from the center of American population, and the northwest, middle, and southwest, will in less than five years far exceed the amount of money, needful to secure thirty-five feet depth of water at Southport, N. C., and the same at Port Royal, S. C., and thirty feet depth to the city of Wilmington, and twenty-five feet depth of water through Florida; all of which can be accomplished within five years from the beginning of actual work, by an expenditure of one million a year at Southport, and Port Royal, and five million a year for the Florida canal, and

WHEREAS, The difference in time made between the movement of freight by water, and by rail, is, that by rail the average time on non-perishable commerce is three miles an hour; while the average time by steamship is twelve miles an hour, and by sail-ship eight miles an hour, and

WHEREAS, In 1908, the United States navy used 836,389 tons of coal, at a cost of \$6.18 a ton, practically all delivered north of Cape Hatteras, and

WHEREAS, All this coal can be delivered to the navy by the establishment of a United States coaling station at Southport, south of Cape Hatteras, at a saving of \$3.68 a ton; and consequently a proportionate saving in rate on the other supplies, for the soldiers that man the navy, and for the ships handling Gulf, South American, Panama, and Pacific commerce; and

WHEREAS, The freight rate per ton per mile by water on canal, river, lakes and Gulf commerce is 4-5 of one mill per ton per mile, while by rail it is 12 mills per ton per mile, moving only three miles an hour by rail.

against eight to twelve an hour for 4-5 of a mill per ton per mile by water, and;

WHEREAS, In time saved, insurance saved, in freight saved, in distance saved, by land and water, by using Southport, and all South Atlantic ports, and the Florida canal, for commerce from the west and the center of American population, and the great Tennessee coal fields, for Eastern European trade, and for the Gulf, the Carribbean Sea, West India, Panama, South American, and Pacific trade, it can be shown that the annual saving will be over ten million dollars per annum, on wreckage and insurance, and that the saving for one and a half years on coal alone, for the United States navy, will equal the cost of the harbor improvement and the coaling station at Southport, and one at Port Royal, and equal the cost of the sea-level canal, with twenty-five feet depth of water in five years, or less time, from the Atlantic ocean through Florida to the Gulf, and will save in overflowed lands of Florida by the Florida channel over two hundred million dollars' worth of the richest land on earth. And develop a country on both sides of the canal, for over two hundred and fifty miles, that will surpass in fertility and beauty the valley of the Nile, and the health of which cannot be surpassed in the world, and;

WHEREAS, When the canal which is now being constructed from Chicago to the Mississippi river is opened, and the Panama Canal is opened there is no inland waterway on earth that will offer a greater saving in time, in insurance rates and in freight rates, in loss of life, and ships by wreckage, than the Florida canal, opened in connection with Southport harbor and all Atlantic ports south of Cape Hatteras, and;

WHEREAS, All of the United States Government tide water coal stations are now reached by long railroad hauls from the coal fields at a very high rate, and are practically all north of Cape Hatteras, and;

WHEREAS, Seventy-five per cent of all the tide water expenditures by the Nation on the Atlantic coast since the Nation's existence, has been north of Cape Hatteras,

*Therefore,* These facts taken with the fact that the South in the past three decades has grown faster in the development of its agricultural, mineral, timber, water powers, manufacturing wealth, and the establishment of pleasure resorts for summer and winter, than any other territory of the same size in the world, and;

WHEREAS, The great grain fields and cities of the West and the whole South has for years desired the establishment of a great Southern port of entry on the South Atlantic coast, which could be reached by the shortest possible railroad lines from the western grain fields, and the center of American population to tide water, and;

WHEREAS, The South and West are year by year coming more and more to realize that their mutual interest can best be served by joint co-operation in securing through Congress these needful and merited public improvements that they are jointly entitled to, and;

WHEREAS, Practically all the long line haul of the great trunk line systems of railroads south of the Ohio, and east of the Mississippi river is north and south, and;

WHEREAS, Because of this reason they are not interested in a great direct east and west trunk line, and the establishment of a great seaport in the middle of the long haul, and;

WHEREAS, The changing of the Isthmian Canal to Panama added an additional two thousand miles longer route to the commerce of the Ohio and Mississippi valleys and the Gulf states, and the South Atlantic states to reach the Pacific coast, throwing the route for the Panama Canal commerce through the dangerous West Indian passes, the insurance and loss even for the dangers of the Bahamas and Florida Straits on eastern and western ocean commerce unless a Florida canal is constructed will equal its cost in less than five years, and;

WHEREAS, The rate of insurance on the hundred dollar value for the risk of passing and re-passing Cape Hatteras has been an aggregate of 40 cents on the hundred dollars, exclusive of the insurance of the vessel itself; and the number of lives that have been lost has been many; and the number of vessels lost since 1875 passing Cape Hatteras is fifty-one, and the number lost passing the Bahamas and Florida Straits since 1885 has been one hundred and one, a grand total of one hundred and fifty-two, and their value estimated at six million dollars. The cotton and grain trade export from the four leading Gulf ports for the past ten years is \$1,724,699,952 carrying the insurance of forty cents on the hundred dollars, to say nothing of all the other millions of dollars of commerce for the Gulf ports, carrying a like insurance for the risk of passing and re-passing the Florida Straits, the Bahama Banks and Cape Hatteras, and

WHEREAS, It has been made manifest by figures and facts presented to this body, that ninety per cent saving in this great cost in insurance, in time, in distance, in wreckage, on a great portion of the Nation's commerce, and on the cost of the direct coal supply and provision for the United States navy and war department can be saved by the establishment of a United States coaling station at Southport, N. C., and Port Royal, S. C., and be established at small cost, and be closer to the center of American population and to the great Tennessee coal fields, and to serve the commerce of the South, the West, the North-West, and;

WHEREAS, Southport, N. C., and Port Royal, S. C., are of practically equal distance from the great base of coal supply, the grain fields of the West, and the center of American population, and the closest harbors that can be cheaply made available for ocean steamers drawing thirty-five of water, and be closer to the Tennessee coal fields by over a hundred miles, than any other such harbor to any other American coal fields on the American continent, that can be made available for so great a saving to commerce and for so small an amount of money. And which will be the closest tide water that can float the American navy, by nearly a hundred miles, to the great bread, meat and grain producing states, than any other harbors on the coast of the United States, that can be equipped with many times that amount of money, and;

WHEREAS, Southport is south of Cape Hatteras, the most dangerous portion of the United States ocean front, to commerce, to life, and to vessels, sailing from English and Eastern ports for Southern and Pacific ports, and;

WHEREAS, All commerce going and coming from the great North-West, West, Middle West and South-West, to the Gulf of Mexico, and to South America, and to Panama Canal, and Pacific commerce, and to South African ports, and to China and Japan, can make a great saving by the building of the Florida canal, and;

WHEREAS, All navy ship supplies taken on at Southport, N. C., or Port Royal, S. C., will be from six hundred to one thousand miles nearer all South African, all West Indian, all the Gulf, all the South American, all the Pacific and foreign ports of China and Japan, reached by the Panama Canal and save over three and a half million dollars a year on coal alone, consumed by the United States navy.

WHEREAS, Certain states in the South, by public state aid, and by public county aid, and under the executive control of the State of North Carolina, and in the states of Tennessee and South Carolina, are co-operating with each other to secure an independent east and west line of railroad, with connections from the great West through the center of American population, through the Tennessee coal fields, through to tide water, over the shortest possible route on the North Carolina and South Carolina coast, and;

WHEREAS, The states of Minnesota, Nebraska, Kansas, Iowa, Wisconsin, Michigan, Ohio, Indiana, Illinois, Kentucky, Missouri, Arkansas, Oklahoma, Texas, Louisiana, Mississippi, Alabama, Tennessee, North Carolina, South Carolina, Georgia and Florida, who paid out of the internal revenues for 1907 (a normal year), \$179,718,022.67, against the total internal revenue receipts to the government of \$269,664,022.85, and

WHEREAS, Every one of these states will be both directly and indirectly benefited by the opening of the Southport and Port Royal harbors and the construction of the Florida canal, and;

WHEREAS, These internal revenue taxes paid by these states is a more direct tax on the people of these states, and on the efforts to employ labor and manufacture the product of their own resources than any tariff or duty collected at the custom house, and;

WHEREAS, These improvements for better transportation facilities both by water and by land, will largely increase the manufacturing and general development that produces internal revenue in these states, and;

WHEREAS, Less than three per cent per annum for five years and a half, of the amount these states pay for the support of the national government, will make these needful improvements, which is but a righteous and just compensation for their paying 75 cent of the entire internal revenue, which is a direct tax on the people of these states for the support of the Nation, and not one of them but will increase by fourfold the three per cent expended from their own annual income for the support of the Nation, by making these improvements for the benefit of the whole Nation, and;

WHEREAS, By the unanimous and hearty co-operation of all of these States, by resolution and petition to Congress, they can secure congressional aid for these improvements that will break up the monopoly of the South and Western commerce, wherein it is compelled to pay for the long hauls and to carry the dangers of Cape Hatteras, the dangers of the Bahamas, the West Indies, of the Florida Straits; and with the Nation,

carry their portion of the burden of extra tax to pay \$6.18 a ton on nearly a million tons of coal per annum, for the supply of our great navy; when these public improvements will cause this coal to be delivered at \$3.68 a ton, if not \$2.50 a ton, with government co-operation. And a like saving on food supplies for the navy, which means the same saving for coal, for all ships plying in Gulf and Pacific ports, doing commerce with our eastern seaboard, and western Europe reached by way of the Panama Canal; therefore be it

*Resolved*, By the Legislature of this State in General Assembly convened, that we most respectfully call the attention of the Honorable Senators and members of the United States congress to these facts. And respectfully request their co-operation with the Honorable Senators and members from this State, to secure the needful appropriation per annum to be distributed over a period of not exceeding five years, to secure these needed improvements. A deep water harbor and United States navy coaling station at Southport, N. C., and the opening of the Florida canal from the mouth of the St. Johns river via Jacksonville, Fla., which will consist chiefly in dredging out deeper the St. Johns river to its fountain head, with a short cut across to the Kissimee river, and the Great Lake Okeechobee, and the dredging out of the Caloohatchee river, from there to the Gulf of Mexico at Puntarosa; which combined with the harbor at Southport will enable commerce from the Northwest, West, the great Middle Southwest and the center of American population, and from the Tennessee coal fields to escape all the dangers of Cape Hatteras, the Bahama Banks, the Florida Straits, and the West India Islands, to serve the commerce of the Gulf, of the Panama Canal, and the Pacific coast, in the interest of the Nation at large.

Read first and second time and referred to Committee on Federal Relations.

White of Story called up his resolution relative to the appointment of a Sifting Committee, and moved its adoption.

Harding of Woodbury proposed the following amendment:

I move to amend the resolution by adding the following: "and no bill shall be reported or considered by the House, that shall have been reported for indefinite postponement."

Amendment adopted.

Resolution as amended adopted.

#### CONSIDERATION OF BILLS.

White of Story moved that the House reconsider the vote by which Senate File No. 164 passed the House; also by which it passed to its third reading.

Motion prevailed.

White of Story proposed the following amendment:

I move to amend Senate File No. 164 as follows: Amend Section 3 of the original bill by inserting after the word "law" in line twenty-nine of said section the words and punctuation "of any other state or nation, and authorized under the laws."

Amendment adopted.

White of Story moved that the rule be suspended, that the bill be read a third time now, which motion prevailed, and the bill was read a third time.

On the question, "Shall the bill pass?"

The ayes were:

Allred, Anderson, Arney, Balluff, Bascom, Bauman, Beans, Beebe, Beery, Blackmore, Boettger, Bonwell, Boomgaarden, Bowman, Burt, Calkins, Cassady, Cooper, Cousins, Crozier, Crummer, Cunningham, Dabney, Darrah, Dawson, Derrough, Dewell, DeWitt, Dodds, Elliott, Ellis, Fenn, Fox, Fulliam, Goodykoontz, Hackler, Hanson, Harding, Harvey, Hickenlooper, Huffaker, Hunter, Ide, Inman, Jewell, Kellogg, Kendall, Klay, Koontz, Larrabee, Lee, McDonald, Miller of Dubuque, Moore of Wapello, Moore of Linn, Newell, O'Connor, Perkins, Reaney, Reitz, Ripley, Ritter, Sankey, Schroeder, Schulte, Sheldon, Smith, Stillman, Stoddard, Swift, Thompson, Ward, White, Wilson, Zeller, Mr. Speaker—76.

The nays were:

None.

Absent or not voting:

Boe, Brandes, Byerly, Corrie, Dalby, Davidson, Dewey, Drury, Dye, Etter, Felt, Finlayson, Fourt, Fulton, Grier, Holmes, Jacobs, Johnson, Jones, Kull, McCleery, Marston, Meredith, Miller of Bremer, Penn, Schee, Sullivan, Swan, Tegeler, Tilton, Welden, Wolfe—32.

So the bill passed and the title was agreed to.

On motion of Klay of Sioux, Senate File No. 319, a bill for an act authorizing boards of supervisors to grant the use of public highways for erecting and maintaining poles and wires for the



transmission of electricity and fixing the liability for damages arising from the construction thereof, with report of committee recommending passage as amended by substitute amendment, was taken up and considered.

Swift of Shelby proposed the following amendment :

I move to amend the substitute amendment for Senate File No. 319 by adding the following sub-division to Section One (1) :  
"The grantee shall pay into the county treasury five (5) per cent per annum of the gross earnings received by reason of any concession granted by the board of supervisors as contemplated herein, said sum to be payable annually on April 1st during the existence of the right of said grantee to use said highways, said sum so received to be credited to the county road fund.

Kellogg of Harrison moved the previous question.

Motion prevailed.

Amendment lost.

Substitute amendment adopted.

Klay of Sioux moved that the rules be suspended, that the bill be read a third time now, which motion prevailed, and the bill was read a third time.

On the question, "Shall the bill pass?"

The ayes were :

Allred, Anderson, Arney, Balluff, Bascom, Bauman, Beans, Beebe, Beery, Blackmore, Boettger, Bonwell, Boomgaarden, Bowman, Burt, Cassady, Cooper, Cousins, Crummer, Cunningham, Dabney, Dalby, Darrah, Derrough, Dewell, Dewey, DeWitt, Dodds, Drury, Dye, Elliott, Ellis, Etter, Fenn, Finlayson, Fourt, Fox, Fulton, Goodykoontz, Grier, Hackler, Hanson, Harding, Harvey, Hickenlooper, Huffaker, Inman, Jacobs, Jewell, Johnson, Jones, Kellogg, Kendall, Klay, Koontz, Kull, Larrabee, Lee, McDonald, Miller of Dubuque, Moore of Wapello, Moore of Linn, Newell, O'Connor, Penn, Reitz, Ripley, Ritter, Schee, Schulte, Sheldon, Smith, Stillman, Stoddard, Sullivan, Swift, Tegeler, Thompson, Tilton, Ward, White, Wilson, Wolfe, Zeller, Mr. Speaker—85.

The nays were :

Dawson—1.

Absent or not voting:

Boe, Brandes, Byerly, Calkins, Corrie, Crozier, Davidson, Felt, Fulliam, Holmes, Hunter, Ide, McCleery, Marston, Meredith, Miller of Bremer, Perkins, Reaney, Sankey, Schroeder, Swan, Welden—22.

So the bill passed and the title was agreed to.

On motion of Stoddard of Buchanan, House File No. 408, a bill for an act to prevent disease among bees and to provide for inspection thereof, was taken up and considered.

Wilson of Tama in the Chair.

Stoddard of Buchanan 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 ayes were:

Allred, Arney, Bascom, Bauman, Beans, Beebe, Beery, Blackmore, Boettger, Bonwell, Boomgaarden, Burt, Cassady, Cooper, Cousins, Crummer, Dabney, Darrah, Davidson, DeWitt, Dodds, Drury, Dye, Elliott, Ellis, Fenn, Finlayson, Fourt, Fox, Fulton, Góodykoontz, Hackler, Hanson, Harding, Harvey, Hickenlooper, Huffaker, Hunter, Ide, Jacobs, Jewell, Kellogg, Kendall, Koontz, Kull, Larrabee, McDonald, Miller of Dubuque, Newell, O'Connor, Ripley, Ritter, Schee, Schulte, Smith, Stillman, Stoddard, Sullivan, Swift, Thompson, Tilton, White, Wilson, Wolfe, Mr. Speaker—65.

The nays were:

Anderson, Dalby, Dewey, Etter, Johnson, Jones, Lee, Moore of Wapello, Penn, Reitz, Sankey, Schroeder, Sheldon, Tegeler, Ward, Zeller—16.

Absent or not voting:

Balluff, Boe, Bowman, Brandes, Byerly, Calkins, Corrie, Crozier, Cunningham, Dawson, Derrough, Dewell, Felt, Fulliam, Grier, Holmes, Inman, Klay, McCleery, Marston, Meredith, Miller of Bremer, Moore of Linn, Perkins, Reaney, Swan, Welden—27.

So the bill passed and the title was agreed to.

On motion of Hunter of Polk, House File No. 458, a bill for an act amending the law as it appears in Section Twenty-four Hundred Seventy-eight (2478) of the Code, relating to mining inspectors, was taken up and considered.

Hunter of Polk 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 ayes were:

Allred, Beans, Beery, Boettger, Bonwell, Cassady, Cooper, Crummer, Davidson, Dewey, DeWitt, Goodykoontz, Grier, Hackler, Hanson, Harding, Hickenlooper, Huffaker, Hunter, Jewell, Koontz, Kull, Larrabee, McDonald, Miller of Dubuque, Moore of Wapello, O'Connor, Penn, Ritter, Schulte, Sullivan, Tegeler, Thompson, Ward, White, Wilson, Zeller—36.

The nays were:

Anderson, Bascom, Bauman, Beebe, Blackmore, Boomgaarden, Cousins, Cunningham, Darrah, Dewell, Drury, Dye, Elliott, Ellis, Etter, Fenn, Fox, Fulliam, Harvey, Inman, Jones, Kellogg, Kendall, Klay, Lee, Moore of Linn, Newell, Perkins, Reitz, Ripley, Sankey, Schee, Schroeder, Smith, Stoddard, Swift, Tilton—37.

Absent or not voting:

Arney, Balluff, Boe, Bowman, Brandes, Burt, Byerly, Calkins, Corrie, Crozier, Dabney, Dalby, Dawson, Derrough, Dodds, Felt, Finlayson, Fourt, Fulton, Holmes, Ide, Jacobs, Johnson, McCleery, Marston, Meredith, Miller of Bremer, Reaney, Sheldon, Stillman, Swan, Welden, Wolfe, Mr. Speaker—34.

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

On motion of Inman of Floyd, House File No. 436, a bill for an act relating to the renewal of teachers' certificates, with report of committee recommending passage as amended by substitute amendment, was taken up, considered, and the substitute amendment adopted.

Inman of Floyd 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 ayes were :

Allred, Anderson, Arney, Balluff, Bascom, Bauman, Beans, Beebe, Beery, Blackmore, Boettger, Bonwell, Boomgaarden, Bowman, Calkins, Cassady, Cooper, Cousins, Crummer, Cunningham, Dabney, Dalby, Darrah, Dawson, Dewey, DeWitt, Dodds, Drury, Dye, Elliott, Ellis, Etter, Fenn, Finlayson, Fourt, Fox, Fulton, Goodykoontz, Grier, Hackler, Hanson, Harding, Harvey, Hickenlooper, Huffaker, Ide, Inman, Jacobs, Jewell, Johnson, Jones, Kellogg, Kendall, Klay, Koontz, Kull, Larrabee, Lee, McDonald, Miller of Dubuque, Moore of Wapello, Moore of Linn, Newell, O'Connor, Penn, Perkins, Reaney, Reitz, Ripley, Ritter, Sankey, Schroeder, Schulte, Sheldon, Smith, Stillman, Stoddard, Sullivan, Swift, Tegeler, Thompson, Tilton, Ward, White, Wilson, Wolfe, Zeller, Mr. Speaker—89.

The nays were :

None.

Absent or not voting :

Boe, Brandes, Burt, Byerly, Corrie, Crozier, Derrough, Dewell, Felt, Fulliam, Holmes, Hunter, McCleery, Marston, Meredith, Miller of Bremer, Schee, Swan, Welden—19.

So the bill passed and the title was agreed to.

On motion of Perkins of Delaware, House File No. 406, a bill for an act to amend Section Twenty-eight Hundred Twenty-three-a (2823-a), Supplement to the Code, 1907, relating to the duties of parents or guardians, was taken up and considered.

Speaker Feely in the Chair.

Perkins of Delaware proposed the following amendment :

I move to amend by adding the following to Section 1: "And by striking out the period at the end of line eleven and inserting in lieu thereof a semi-colon followed by the words, 'but the Board of School Directors in any city of the first or second class may require attendance for the entire time the schools are in session in any school year. '"

Amendment adopted.

Perkins of Delaware 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 ayes were:

Allred, Anderson, Arney, Balluff, Bascom, Beans, Beebe, Beery, Blackmore, Boettger, Bonwell, Boomgaarden, Burt, Calkins, Casady, Cooper, Cunningham, Darrah, Dawson, Dewell, Dewey, DeWitt, Drury, Dye, Elliott, Ellis, Etter, Fenn, Finlayson, Fox, Fulton, Goodykoontz, Grier, Hackler, Hanson, Hickenlooper, Hunter, Ide, Inman, Jewell, Johnson, Jones, Kellogg, Kendall, Klay, Koontz, Kull, Larrabee, Lee, McDonald, Miller of Dubuque, Moore of Wapello, Moore of Linn, O'Connor, Penn, Perkins, Reaney, Ripley, Sankey, Schee, Schroöder, Smith, Stillman, Stoddard, Sullivan, Thompson, Tilton, Ward, White, Wilson, Zeller, Mr. Speaker—72.

The nays were:

Bauman, Harvey, Newell, Schulte—4.

Absent or not voting:

Boe, Bowman, Brandes, Byerly, Corrie, Cousins, Crummer, Crozier, Dabney, Dalby, Davidson, Derrough, Dodds, Felt, Fourt, Fulliam, Harding, Holmes, Huffaker, Jacobs, McCleery, Marston, Meredith, Miller of Bremer, Reitz, Ritter, Sheldon, Swan, Swift, Tegeler, Welden, Wolfe—32.

So the bill passed and the title was agreed to.

On motion of Fourt of Allamakee, House File No. 471, a bill for an act to amend Section Twenty-six Hundred and Seventy-four-f (2674-f), Title Thirteen (13), Chapter Four (4), of the Supplement to the Code, 1907, relating to the duties of the highway commission, with report of committee recommending passage as amended, was taken up, considered and the amendments adopted.

Fourt of Allamakee 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 ayes were :

Allred, Anderson, Arney, Balluff, Bascom, Bauman, Beebe, Beery, Blackmore, Boettger, Bonwell, Burt, Calkins, Cassady, Cooper, Cunningham, Dalby, Davidson, Dewey, Drury, Dye, Elliott, Ellis, Etter, Fenn, Finlayson, Fourt, Fox, Fulton, Goodykoontz, Grier, Hackler, Hanson, Harding, Hickenlooper, Hunter, Inman, Jacobs, Jewell, Johnson, Jones, Kellogg, Kendall, Kull, Larrabee, Lee, McDonald, Miller of Dubuque, Moore of Linn, Newell, O'Connor, Penn, Perkins, Reaney, Reitz, Ripley, Schulte, Smth, Stillman, Stoddard, Swift, Ward, White, Wilson, Zeller, Mr. Speaker—66.

The nays were :

Boomgaarden, Dabney, Darrah, Dewell, Ritter, Sankey, Schee, Schroeder, Tilton—9.

Absent or not voting :

Beans, Boe, Bowman, Brandes, Byerly, Corrie, Cousins, Crummer, Crozier, Dawson, Derrough, DeWitt, Dodds, Felt, Fulliam, Harvey, Holmes, Huffaker, Ide, Klay, Koontz, McCleery, Marston, Meredith, Miller of Bremer, Moore of Wapello, Sheldon, Sullivan, Swan, Tegeler, Thompson, Welden, Wolfe—33.

So the bill passed and the title was agreed to.

On motion of McDonald of Carroll, House File No. 448, a bill for an act to amend Section One Thousand Three Hundred Four (1304) of the Supplement to the Code, 1907, in relation to classes of property exempt from the assessment of taxes, with report of committee recommending passage as amended, was taken up, considered, and the amendments adopted.

Dewey of Guthrie proposed the following amendment :

I move to amend by adding the following thereto, "hereafter issued."

Amendment adopted.

Davidson of Palo Alto proposed the following amendment :

I move to amend by adding the following as Section 2 :

“Section 2. No deduction from the assessment of the stock of any bank or trust company shall be permitted because such bank or trust company holding such bonds and certificates as may be exempt above.”

Amendment adopted.

McDonald of Carroll 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 ayes were :

Allred, Anderson, Arney, Balluff, Bascom, Beebe, Beery, Boettger, Byerly, Cassady, Crummer, Cunningham, Darrah, Davidson, Dewey, Dodds, Drury, Ellis, Etter, Fourt, Fox, Goodykoontz, Hacker, Hanson, Harding, Harvey, Inman, Jacobs, Jewell, Johnson, Jones, Kellogg, Kendall, Klay, Koontz, Kull, Larrabee, Lee, McDonald, Miller of Dubuque, Moore of Linn, O'Connor, Reaney, Ritter, Schee, Schulte, Sheldon, Smith, Stoddard, Sullivan, Swift, Tegeler, Thompson, Ward, White, Wilson, Wolfe, Zeller, Mr. Speaker—59.

The nays were :

Bauman, Blackmore, Bonwell, Boomgaarden, Burt, Calkins, Cooper, Cousins, Dalby, Dawson, Dewell, DeWitt, Dye, Elliott, Finlayson, Hickenlooper, Huffaker, Ide, Moore of Wapello, Penn, Reitz, Ripley, Sankey, Schroeder, Stillman, Tilton—26.

Absent or not voting :

Beans, Boe, Bowman, Brandes, Corrie, Crozier, Dabney, Derrough, Felt, Fenn, Fulliam, Fulton, Grier, Holmes, Hunter, McCleery, Marston, Meredith, Miller of Bremer, Newell, Perkins, Swan, Welden—23.

So the bill passed and the title was agreed to.

On motion of Moore of Linn, House File No. 524, a bill for an act to appropriate money for the purpose of defraying the expenses incurred in the election contests from the 10th representative district of Iowa, the 26th representative district of Iowa, the 45th representative district of Iowa, the 59th representative district of Iowa, and the 67th representative district of Iowa, and to pay sundry persons for services, mileage and other expenses in-

curred in connection with said election contests, was taken up and considered.

Moore of Linn 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 ayes were:

Allred, Anderson, Arney, Balluff, Bascom, Bauman, Beans, Beebe, Beery, Blackmore, Boettger, Bonwell, Boomgaarden, Bowman, Byerly, Calkins, Cassady, Cooper, Cousins, Crozier, Crummer, Dabney, Dalby, Dewell, Dewey, DeWitt, Drury, Dye, Elliott, Ellis, Etter, Fenn, Fourt, Fox, Fulton, Goodykoontz, Grier, Hanson, Harding, Harvey, Hickenlooper, Huffaker, Inman, Jacobs, Jewell, Kellogg, Kendall, Klay, Koontz, Kull, Larrabee, Lee, Meredith, Miller of Dubuque, Moore of Wapelo, Moore of Linn, Newell, Penn, Reaney, Reitz, Ripley, Ritter, Sankey, Schroeder, Schulte, Sheldon, Smith, Stillman, Stoddard, Sullivan, Swift, Thompson, Tilton, Ward, White, Wilson, Wolfe, Mr. Speaker—78.

The nays were:

None.

Absent or not voting:

Boe, Brandes, Burt, Corrie, Cunningham, Darrah, Dawson, Davidson, Derrough, Dodds, Felt, Finlayson, Fulliam, Hackler, Holmes, Hunter, Ide, Johnson, Jones, McCleery, McDonald, Marston, Miller of Bremer, O'Connor, Perkins, Schee, Swan, Tegeler, Welden, Zeller—30.

So the bill passed and the title was agreed to.

Lee of Emmet introduced House Joint Resolution No. 9.

#### HOUSE JOINT RESOLUTION NO. 9.

Joint Resolution of the Thirty-third 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 the Representatives of the United States, with the request that the same shall be laid before the said Senate and House.

Unanimous consent having been granted, Lee of Emmet moved that the rule be suspended, that the Joint Resolution be considered engrossed, and read a third time now, which motion prevailed, and Joint Resolution was read a third time.

On the question, "Shall the Joint Resolution pass?"

The ayes were:

Arney, Balluff, Beans, Beebe, Beery, Blackmore, Bonwell, Boomgarden, Byerly, Calkins, Cassady, Cooper, Cousins, Crozier, Crummer, Cunningham, Dabney, Dalby, Darrah, Dawson, Dewey, DeWitt, Dye, Elliott, Ellis, Etter, Fenn, Finlayson, Fourt, Fox, Fulliam, Fulton, Goodykoontz, Hackler, Hanson, Huffaker, Hunter, Ide, Jewell, Johnson, Jones, Kellogg, Kendall, Klay, Kootz, Kull, Larrabee, Lee, Miller of Dubuque, Newell, O'Connor, Penn, Reaney, Reitz, Ripley, Ritter, Sankey, Schroeder, Schulte, Smith, Stillman, Stoddard, Sullivan, Swift, Tegeler, Thompson, Mr. Speaker—67.

The nays were:

Allred, Harvey, Moore of Linn, Sheldon, Tilton—5.

Absent or not voting:

Anderson, Bascom, Bauman, Boc, Boettger, Bowman, Brandes, Burt, Corrie, Davidson, Derrough, Dwell, Dodds, Drury, Felt, Grier, Harding, Hickenlooper, Holmes, Inman, Jacobs, McCleery, McDonald, Marston, Meredith, Miller of Bremer, Moore of Wapello, Perkins, Schee, Swan, Ward, Welden, White, Wilson, Wolfe, Zeller—36.

So House Joint Resolution No. 9 passed and the title was agreed to.

MESSAGES FROM THE SENATE.

The following messages were received from the Senate:

MR. SPEAKER—I am directed to inform your honorable body that the Senate asks the recall of the following bill in which the concurrence of the House was asked:

Senate File No. 32, a bill for an act relating to the publication and rules of local boards of health.

S. W. NEAL,  
*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. 393, a bill for an act to amend the law as it appears in Section 480-b of the Supplement to the Code, 1907, relating to the duties of county auditors.

S. W. NEAL,  
*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. 350, a bill for an act to prevent placing obstructions on the streets and highways and providing a penalty therefor.

S. W. NEAL,  
*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. 358, a bill for an act prohibiting the giving of immoral plays, exhibitions and entertainments and the use and leasing of real property therefor and providing a penalty for the violation thereof.

S. W. NEAL,  
*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. 369, a bill for an act in regard to admission to the soldiers' home and payment for support by members.

S. W. NEAL,  
*Secretary.*

Also :

MR. SPEAKER—I am directed to inform your honorable body that the Senate has amended by substitute and passed the following bill in which the concurrence of the Senate was asked:

House File No. 31, a bill for an act repealing Sections five hundred and ninety (590) of the Code relative to the compensation of township trustees and enacting a substitute therefor.

S. W. NEAL,  
*Secretary.*

Also :

MR. SPEAKER—I am directed to inform your honorable body that the Senate has amended and passed the following joint resolution in which the concurrence of the Senate was asked:

House Joint Resolution No. 2, providing for and empowering the board of regents of the State University, the trustees of the Iowa State College of Agriculture and Mechanic Arts and the trustees of the Iowa State Normal School to make application for the admission of these state institutions to the rights and privileges of the Carnegie foundation for the advancement of teaching and to receive the same.

S. W. NEAL,  
*Secretary.*

#### SENATE MESSAGES CONSIDERED.

Senate File No. 358, a bill for an act prohibiting the giving of immoral plays, exhibitions, and entertainments and the use and leasing of real property therefor, and providing a penalty for the violation thereof.

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

Senate File No. 350, a bill for an act to prevent placing obstructions on the streets, alleys, and highways, and providing a penalty therefor.

Read first and second time and referred to Committee on Roads and Highways.

Senate File No. 369, a bill for an act in regard to admission to the Soldiers' Home and payment for support by members.

Read first and second time and referred to Committee on Soldiers' and Orphans' Home.

Senate File No. 393, a bill for an act to amend the law as it appears in Section Four Hundred Eighty-b (480-b) of the Supplement to the Code, 1907, relating to the duties of county auditors.

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

SENATE AMENDMENTS CONSIDERED.

On request of Boettger of Scott, unanimous consent having been given, House File No. 31, a bill for an act repealing Section Five Hundred and Ninety (590) of the Code, relative to the compensation of township trustees and enacting a substitute therefor, with the following Senate amendments, was taken up and the amendments read and considered.

SENATE SUBSTITUTE FOR HOUSE FILE NO. 31.

A Bill for an Act to Amend Section Five Hundred and Ninety (590) of the Code Relating to the Compensation of Township Trustees.

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

SECTION 1. That Section five hundred and ninety (590) of the Code be amended by adding to subdivision one (1) "except in townships having a population of thirty thousand (30,000) or over, and situated entirely within the limits of a city acting under special charter, such compensation shall be three dollars (\$3.00) per day."

Boettger of Scott moved that the House concur in the Senate amendments.

On the question, "Shall the House concur?"

The ayes were:

Allred, Anderson, Arney, Balluff, Bascom, Bauman, Beans, Beebe, Beery, Blackmore, Boettger, Bonwell, Boomgaarden, Calkins, Cassady, Cooper, Cousins, Cunningham, Dabney, Darrah, Dawson, Derrough, Dewell, Dewey, DeWitt, Dodds, Drury, Dye, Elliott, Ellis, Etter, Fenn, Finlayson, Fourt, Fox, Goodykoontz, Grier, Hackler, Hanson, Harding, Hickenlooper, Huffaker, Hunter, Ide, Jacobs, Jewell, Johnson, Jones, Kellogg, Kendall, Klay, Koontz, Kull, Larrabee, Lee, McDonald, Miller of Dubuque, Newell, O'Connor, Reaney, Reitz, Ripley, Ritter, Sankey, Schee, Schroeder, Schulte, Smith, Stillman, Stoddard, Tegeler, Thompson, Tilton, Ward, White, Zeller, Mr. Speaker—77.

The nays were:

None.

Absent or not voting:

Boe, Bowman, Brandes, Byerly, Burt, Corrie, Crozier, Dalby, Davidson, Felt, Fulliam, Fulton, Harvey, Holmes, Inman, McCleery, Marston, Meredith, Miller of Bremer, Moore of Wapello, Moore of Linn, Penn, Perkins, Sheldon, Sullivan, Swan, Swift, Welden, Wilson, Wolfe—31.

So the House concurs.

On request of Harding of Woodbury, unanimous consent having been given, House Joint Resolution No. 2, with the following Senate amendments, was taken up, and the amendments read and considered.

*House Joint Resolution Providing for and Empowering the Board of Regents of the State University, the Trustees of the Iowa State College of Agriculture and Mechanic Arts and the trustees of the Iowa State Normal School to Make Application for the Admission of these State Institutions to the Rights and Privileges of the Carnegie Foundation for the Advancement of Teaching and to Receive the Same.*

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

That the Board of Regents of the State University, Trustees of the Iowa State College of Agriculture and Mechanic Arts, and the Trustees of the Iowa State Normal School be and the same are hereby empowered to make application for and receive for the benefit of teachers of their respective institutions the rights and privileges of the Carnegie foundation for the advancement of teaching.

Amend the title by striking out the words, "Iowa State Normal School" in line four (4) thereof and by inserting in lieu thereof the following: "State Teachers' College at Cedar Falls."

Amend by striking out the words, "Iowa State Normal School" and by inserting in lieu thereof the following: "State Teachers' College at Cedar Falls."

Harding of Woodbury moved that the House concur in the Senate amendments.

On the question, "Shall the House concur?"

The ayes were:

Allred, Anderson, Arney, Balluff, Bascom, Beans, Beebe, Beery, Blackmore, Boettger, Bonwell, Boomgaarden, Brandes, Burt, Calkins, Cassady, Cooper, Cousins, Crozier, Dalby, Darrah, Dawson, Derrough, Dewell, Dewey, DeWitt, Dodds, Drury, Dye, Elliott, Ellis, Etter, Felt, Finlayson, Fourt, Fox, Fulton, Goodykoontz, Grier, Hackler, Hanson, Harding, Harvey, Hickenlooper, Huffak-

er, Hunter, Ide, Inman, Jacobs, Jewell, Johnson, Kellogg, Kendall, Klay, Koontz, Kull, Larrabe, Lee, McCleery, McDonald, Miller of Dubuque, Moore of Linn, Newell, O'Connor, Perkins, Reaney, Reitz, Ripley, Ritter, Sankey, Schee, Schroeder, Schulte, Smith, Stillman, Stoddard, Swift, Thompson, Ward, White, Mr. Speaker—81.

The nays were :

Crummer, Fulton, Zeller—3.

Absent or not voting :

Bauman Boe, Bowman, Byerly, Corrie, Cunningham, Dabney, Davidson, Felt, Holmes, Jones, Marston, Meredith, Miller of Bremer, Moore of Wapello, Penn, Sheldon, Sullivan, Swan, Tegeler, Tilton, Welden, Wilson, Ward—24.

So the House concurs.

Bowman of Linn moved to withdraw House File No. 318 from the Committee on Judiciary and the further consideration of the House.

Motion prevailed.

Hickenlooper of Monroe moved that the request of the Senate for the recall of Senate File No. 82 be granted.

Motion prevailed.

Speaker announced that as Speaker of the House, in the presence of the House, he had signed Senate File Nos. 310, 208, 213, 235, 331 and 166.

Sullivan of Polk moved that Senate File No. 348 be recalled from the Senate.

Motion prevailed.

The Governor's special message was read.

Beebe of Franklin moved that the House adjourn until 1:00 o'clock, P. M.

Motion prevailed.

## AFTERNOON SESSION.

House met pursuant to adjournment.

Speaker Feely in the Chair.

On request, leave of absence was granted Derrough of Warren until Monday.

On request of Blackmore of Worth, leave of absence was granted Fox of Dallas until Monday.

On request, leave of absence was granted the members of the Retrenchment and Reform Committee for the afternoon.

## REPORTS OF COMMITTEES.

Elliott of Page, from the Committee on Suppression of Intemperance, submitted the following report:

MR. SPEAKER—Your committee on Suppression of Intemperance, to whom was referred House File No. 372, a bill for an act to amend Sections twenty-four hundred thirty-two (2432) and twenty-four hundred forty-five (2445) of the Code relating to the mulct tax, beg leave to report they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same be indefinitely postponed.

J. D. ELLIOTT,  
*Chairman.*

Adopted, and House File No. 372 was indefinitely postponed.

Also:

MR. SPEAKER—Your committee on Suppression of Intemperance, to whom was referred Senate File No. 76, a bill for an act to repeal Section 2448-1 of the 1907 Revision of the Code and Sections 2432 and 2445 of the 1897 Code, relating to statement of consent, payment of mulct tax and distribution of the same, and enacting substitutes therefor, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same do pass.

J. D. ELLIOTT,  
*Chairman.*

Ordered passed on file.

Harding of Woodbury, from the Committee on Municipal Corporations, submitted the following report:

MR. SPEAKER—Your committee on Municipal Corporations, to whom was referred Senate File No. 212, a bill for an act to require every

person, partnership, company or corporation, owning or operating a street railway in this state, to equip certain cars with brakes and appliances for the control and stopping of the same, and providing a penalty for the violation thereof, beg leave to report they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same be amended as follows:

By striking out all after the enacting clause and substituting the following in lieu thereof:

SECTION 1. Every person, partnership, company or corporation, owning or operating a street railway in this state shall equip every double truck passenger car of thirty-seven (37) feet and more in length over all, or weighing thirty-five thousand (35,000) pounds or more, purchased, built or rebuilt hereafter, with power brakes capable of bringing such car to a stop within a reasonable distance, together with equipment for sanding the rails of any street railway, which brake and sand equipment shall be controlled and operated by the motorman on said car.

SEC. 2. Any violation of this Section shall be punished by a fine of not less than fifty (\$50.00) dollars nor more than one hundred (\$100.00) dollars for each day every such car is operated in violation hereof, and when so amended the bill do pass.

W. L. HARDING,  
*Chairman.*

Adopted.

Also:

MR. SPEAKER—Your committee on Municipal Corporations, to whom was referred House File No. 474, a bill for an act to amend the law as it now appears in subdivision sixteen (16) of Section six hundred and sixty-eight (668) of the Supplement to the Code, 1907, in relation to the time of making appropriation by the city council, beg leave to report they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same be indefinitely postponed.

W. L. HARDING,  
*Chairman.*

Adopted, and House File No. 474 was indefinitely postponed.

Also:

MR. SPEAKER—Your committee on Municipal Corporations, to whom was referred Senate File No. 337, a bill for an act to amend Section six hundred thirty-eight (638) of the Code relative to villages, beg leave to report they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same be indefinitely postponed.

W. L. HARDING,  
*Chairman.*

Adopted, and Senate File No. 337 was indefinitely postponed.



Johnson of Mitchell, from the Committee on Penitentiaries, submitted the following report:

MR. SPEAKER—Your committee on Penitentiaries, to whom was referred House File No. 493, a bill for an act to amend Section two thousand seven hundred twenty-seven-a-58 (2727-a-58), two thousand seven hundred twenty-seven-a-59 (2727-a-59) of the Supplement to the Code, 1907, providing for the inspection of county and city jails, beg leave to report they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same be indefinitely postponed.

K. J. JOHNSON,  
*Chairman.*

Adopted, and House File No. 493 was indefinitely postponed.

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

MR. SPEAKER—Your committee on Elections, to whom was referred Senate File No. 108, a bill for an act to amend the law as it appears in Section eleven hundred and six (1106) of the Supplement to the Code, 1907, relating to election ballots, beg leave to report they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same do pass.

J. H. DARRAH,  
*Chairman.*

Adopted.

Also:

MR. SPEAKER—Your committee on Elections, to whom was referred House File No. 206, a bill for an act to amend Section eleven hundred thirteen (1113) of the Code relating to polling places and voting booths, beg leave to report they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same be indefinitely postponed.

J. H. DARRAH,  
*Chairman.*

Adopted, and House File No. 206 was indefinitely postponed.

Also:

MR. SPEAKER—Your committee on Elections, to whom was referred substitute for Senate File No. 113, a bill for an act relating to the holding of primary elections by political parties, beg leave to report they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same be amended by striking out all after the enacting clause and substituting the following:

SECTION 1. That the law as it appears in Section one thousand eighty-seven-a1 (1087-a1) of the Supplement to the Code, 1907, be, and the

same is hereby amended by striking out of said section all after the period following the word "provided" in the fourteenth line thereof.

SEC. 2. That the law as it appears in Section one thousand eighty-seven-a5 (1087-a5) of the Supplement to the Code, 1907, be, and the same is hereby amended by striking the comma following the word "election" in the sixth line of said section and inserting in lieu thereof a period; and by striking out of said section all after the period and inserting in lieu thereof the following: "The expenses of the primary election shall be audited by the board of supervisors of each county and be paid the same as the expenses of the general election. The compensation of the judges and clerks of the primary election shall be the sum of twenty-five cents per hour for all official services rendered by any such judge or clerk at any such election.

SEC. 3. That the law as it appears in Section one thousand eighty-seven-a6 (1087-a6) of the Supplement to the Code, 1907, be, and the same is hereby amended by striking out of said section the certain figures, characters, letters and words after the word "from" and before the article "the" in the seventh line of said section, to-wit: "1:00 p. m. to 8:00 p. m." and inserting in lieu thereof the following: "nine o'clock a. m. to eight o'clock p. m."

SEC. 4. That the law as it appears in Section one thousand eighty-seven-a10 (1087-a10) of the Supplement to the Code, 1907, be, and the same is hereby amended by inserting a comma immediately after the word "county" in the eighteenth line of said section and by inserting immediately after said comma the following, "or a candidate for party committeeman"; and by striking out from said section all of line sixty-one after the word "am"; and by adding to said section after the period at the end thereof, the following: "All nomination papers shall be destroyed at the same time and in the manner in which the primary election ballots are destroyed"; and by striking out the word "thirty" in line fifty-four and inserting in lieu thereof the word "fifteen."

SEC. 5. That the law as it appears in Section one thousand eighty-seven-a12 (1087-a12) of the Supplement to the Code, 1907, be and the same is hereby amended by striking out of said section all after the period following the word "nomination" at the end of the seventh line of said section and inserting in lieu thereof the following: "such lists shall also designate the order in which the names of all candidates for the office of Senator in the Congress of the United States and for offices to be filled by the voters of the entire state shall be arranged and printed upon the primary election ballots in each county, in the following manner, to-wit: The Secretary of State shall arrange the sur-names of such candidates for the respective offices alphabetically for the county in the State coming first in alphabetical order; thereafter, for each succeeding county, in alphabetical order, the names appearing first for the respective offices in the last preceding county shall be placed last, so that the names that occupied second position before the change shall be first after the change; provided, however, if it shall appear from the foregoing arrangement that the name of a candidate for any office shall occupy first position in counties in which the aggregate vote cast for the candidate of his party for Governor at the last preceding general election

materially exceeded such vote in the counties in which any of the other candidates of the same party for the same office shall occupy first position, then, in any case, the Secretary of State shall alter the foregoing arrangement of names of such candidates sufficiently so that their names shall occupy first position in counties whose aggregate vote for the candidate of their party for Governor at the last preceding general election is as near equal as practicable.

Such auditor shall forthwith publish a proclamation of the time of holding the primary election, the hours during which the polls will be open, the offices for which candidates are to be nominated and that the primary election will be held in the regular polling places in each precinct. Such notice shall be published once each week for two consecutive weeks before the primary election, in not to exceed two newspapers of general circulation in such county. One of such newspapers shall represent the political party which cast the largest vote in such county at the last preceding general election, and the other, if any, that shall represent the political party which cast the next largest vote in such county at such general election. The county auditor shall correct any errors or omissions in names of candidates and any other errors brought to his knowledge before the printing of the ballots."

SEC. 6. That the law as it appears in Section one thousand eighty-seven-a13 (1087-a13) of the Supplement to the Code, 1907, be, and the same is hereby repealed and the following enacted as a substitute therefor:

"The names of the candidates of each political party for nomination for the several offices, and for party committeemen and blank spaces for the delegates to the county convention shall be printed in black ink on separate sheets of paper, uniform in color, quality, texture and size with the name of the political party printed at the head of said ballots, which ballots shall be prepared by the county auditor in the same manner as for the general election, except as in this chapter otherwise provided. The names of candidates for the office of Senator in the Congress of the United States and for offices to be filled by the voters of the entire State shall be arranged and printed on the primary election ballots in the order in which they are certified by the Secretary of State. The names of candidates for offices to be filled by the voters of a county, and by the voters of any district of the State composed of more than one county, shall be arranged and printed upon the primary election ballots in the following manner, to-wit: The county auditor shall prepare a list of the election precincts of his county, by arranging the various townships, towns and cities in the county in alphabetical order and the wards or precincts of each city, town or township in numerical order under the name of such city, town or township. He shall then arrange the surnames of all candidates for such offices alphabetically for the respective offices for the first precinct in the list; thereafter, for each succeeding precinct, the names appearing first for the respective offices in the last preceding precinct shall be placed last, so that the names that were second before the change shall be first after the change. The names of candidates for all offices to be filled by the voters of a territory smaller than a

county shall be arranged and printed alphabetically according to the surnames for the respective offices."

Sec 7. That Section one thousand eighty-seven-a14 (1087-a14) of the Supplement to the Code, 1907, be, and the same is hereby amended by striking from said section the dotted line and square before it at the end of said section, and inserting in lieu thereof the following:

John Doe

Richard Roe

.....

The county auditor shall not print on the official ballot of a political party the title of any office for which nomination papers for a candidate therefor have not been filed, but this prohibition shall not extend to township offices nor to party committeemen."

Sec. 8. That the law as it appears in Section one thousand eighty-seven-a15 (1087-a15) of the Supplement to the Code, 1907, be, and the same is hereby repealed and the following enacted as a substitute therefor:

"After the printing of the official ballots, the county auditor shall change a sufficient number thereof to supply each voting precinct in the county with ten sample ballots of each political party. The auditor shall change the same by writing or stamping the words, "Sample Ballot" in red ink near the top of each of such ballots, and by signing his name or stamping a fac simile thereof and his title of office immediately thereunder. Such sample ballots shall not be voted, received or counted in any primary election. The county auditor shall distribute such sample ballots with the official ballots, and it shall be the duty of the judges of election to see that such sample ballots are posted in and about the polling places upon the day of the primary election and before the opening of the polls."

Sec. 9. That the law as it appears in Section one thousand eighty-seven-a18 (1087-a18) of the Supplement to the Code, 1907, be, and the same is hereby repealed and the following enacted as a substitute therefor:

"Any candidate whose name appears upon the official primary ballot of any voting precinct may require the board of supervisors of the county in which such precinct is situated to recount the ballots cast in any such precinct as to the office for which he was a candidate, at the time fixed for canvassing the returns of the judges of election, by filing with the county auditor not later than the day before such meeting, a showing, in writing, duly sworn to by such candidate, that fraud was committed, or error or mistake made, in counting or returning the votes cast in any such precinct as to the office for which he was a candidate. The showing must be specified and from it there must appear reasonable ground to believe that a recount of the ballots would produce a result as to his candidacy different from the returns made by the judges. If such showing is made to the satisfaction of the board, it shall thereupon recount the ballots cast in any such precinct for the office for which the contestant was a candidate, and if the result reached by the board on the recount of the ballots as to such office be different from that returned by the judges of

election it shall be substituted therefor as the true and correct return and so regarded in all subsequent proceedings. The action of the board shall be final and no other contest of any kind shall be permitted. The term "candidate" as used in this section shall include and apply to persons voted for for delegates and party committeemen."

Sec. 10. That the law as it appears in Section one thousand eighty-seven-a19 (1087-a19) of the Supplement to the Code, 1907, be, and the same is hereby amended by inserting after the comma following the word "nominated" and before the word "together" in the twenty-sixth line of said section the following: "By reason of the failure of any candidate for any such office to receive thirty-five per centum of all the votes cast by such party or such office."

Sec. 11. That the law as it appears in Section one thousand eighty-seven-a21 (1087-a21) of the Supplement to the Code, 1907, be, and the same is hereby amended by adding after the period at the end of said section the following:

"The published proceedings of the board of supervisors as a canvassing board shall contain only a brief statement of the names of the candidates nominated by the electors of any county or sub-division thereof under the title of the office for which they are nominated, and a statement of the title of the county offices, if any, for which no nomination was made by any political party participating in the primary election for the failure of any one of its candidates for any office to receive thirty-five per centum of all the votes cast by the party for such office."

Sec. 12. That the law as it appears in Section one thousand eighty-seven-a22 (1087-a22) of the Supplement to the Code, 1907, be, and the same is hereby amended by inserting after the comma following the word "nominated" and before the word "together" in the twenty-fourth line of said section, the following:

"By reason of the failure of any candidates for any such office to receive thirty-five per centum of all votes cast by such party for such office" and by adding after the period at the end of said section the following:

"The candidate of any party for the office of Senator in the Congress of the United States having received 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 said primary election as to such office to the next convening General Assembly."

Sec. 13. That the law as it appears in Section one thousand eighty-seven-a-24 (1087-a-24) of the Supplement to the Code, 1907, be, and the same is hereby amended by striking from said Section all after the period following the word "be" in the fourth line of said Section down to and including the word "occurs" in the eighth line and inserting in lieu thereof the following:

"Vacancies occurring in nominations made in the primary election before the holding of the county, district or state convention, shall be filled by the county convention if the office in which the vacancy in nomination occurs is to be filled by the voters of the county; by a district convention if the office in which the vacancy in nomination occurs is to be filled by the voters of a district composed of more than one county; by the state convention if the office in which the vacancy occurs is to be filled by the

voters of the entire state. Vacancies in nominations in such offices occurring after the holding of a county, district or state convention, or on failure of any such convention to fill a vacancy in a nomination, as aforesaid, then it shall be filled by the party committee for the county, district or state, as the case may be. If a vacancy shall occur in any such office too late for the filing of nomination papers for candidates therefor in the primary election and before a holding of a county, district or state convention, as the case may be, then the convention having jurisdiction shall make nomination for such office; and if a vacancy in any such office shall occur after the holding of a county, district or state convention, then nomination for each office may be made by the party committee for the county, district or state, as the case may be. Vacancies in nomination for offices to be filled by the voters of a territory smaller than a county shall be filled by the members of the party committee for the county from such subdivision. Nominations made as above provided and as provided in Sections one thousand eighty-seven-a-25 (1087-a-25), one thousand eighty-seven-a-26 (1087-a-26) and one thousand eighty-seven-a-27 (1087-a-27) of the Supplement to the Code, 1907, shall be certified forthwith to the proper officer by the chairman and secretary of the convention or committee as the case may be, and if received in time shall be printed upon the official ballots the same as if the nomination had been made in the primary election. Such certificate of nomination shall state the name, place of residence and postoffice address of the person nominated, the office to which he is nominated and the name of the political party making the nomination."

SEC. 14. That the law as it appears in Section one thousand eighty-seven-a-25 (1087-a-25) of the Supplement to the Code, 1907, be and the same is hereby amended by striking out the word "third" in the fifth line of said Section and inserting in lieu thereof the word "fourth;" and by inserting after the period following the word "convention" and before the word "one" in the nineteenth line of said Section the following:

"The term of office of such delegates shall begin on the day following the final canvass of the votes by the board of supervisors, and shall continue for two years and until their successors are elected;" and by inserting a period after the word "elected" in the twentieth line of said Section; and by striking from said Section all after said period to the word "his" in the twenty-first line; and by inserting after the period following the word "position" and before the word "returns" in the twenty-seventh line of said Section the following:

"The county central committee elected in the primary election shall organize on the day of the convention, immediately following the same. Vacancies in such committee may be filled by majority vote of the committee;" and by striking out the words "such returns are filed" following the word "after" and before the word "notify" in the thirty-second line, and inserting in lieu thereof the words: "the final count and canvass of the votes and returns by the board of supervisors;" and by changing the period following the word "election" in the forty-second line of said Section to a comma and inserting after said comma and before the word "if" in the same line, the following:

"By reason of the failure of any candidate for any such office to receive thirty-five per centum of all votes cast by such party therefor," and by inserting after the comma following the word "election" and before the word "as" in the forty-seventh line of said Section the following:

"By reason of the failure of any candidate for any such office to receive thirty-five per centum of all votes cast by such party therefor;" and by adding to said Section after the period at the end thereof, the following:

"But in no case shall the county convention make a nomination for an office for which no person was voted for in the primary election of such party, except for judges of the superior and district courts;" and by inserting after the word "thereof" and before the word "thus" in line thirty-seven the following: "or when delegates representing a majority of the precincts."

SEC. 15. That the law as it appears in Section one thousand eighty-seven-a-26 (1087-a-26) of the Supplement to the Code, 1907, be and the same is hereby amended, by inserting after the comma following the word "states" and the word "as" in the twenty-second line of said Section, the following:

"By reason of the failure of any candidate for any office to receive thirty-five per centum of all votes cast by his party therefor," and by inserting after the word "election" in the thirty-first line of said Section a comma and immediately following said comma and before the word "as" in the same line, the following: "By reason of the failure of any candidate for any such office to receive thirty-five per centum of all votes cast by such party therefor," and by adding to said Section after the period at the end thereof, the following:

"But in no case shall any such convention of a party make a nomination for an office for which no person was voted for in the primary election of such party, except for judges of the district court."

SEC. 16. That the law as it appears in Section one thousand eighty-seven-a-27 (1087-a-27) of the Supplement to the Code, 1907, be, and the same is hereby amended by striking out the words, "third Thursday" at the end of the third line of said section, and inserting in lieu thereof the words, "first Wednesday," and by striking out the words and language, "Thursday following primary election," following the word "fifth" in the fourth line of said section, and inserting in lieu thereof the following: "Wednesday following the county convention," and by inserting a comma after the word "election" in the sixteenth line of said section and inserting after said comma and before the word "as" in the same line, the following:

"By reason of the failure of any candidate for any such office to receive thirty-five per centum of all votes cast by such party therefor," and by adding to said Section after the period at the end thereof, the following:

"But in no case shall the state convention of a party make a nomination for an office for which no person was voted for in the primary election of such party, except for judges of the supreme court."

SEC. 17. That the law as it appears in Section one thousand eighty-seven-a-23 (1087-a-23) is hereby amended by inserting after the word "con-

vention" in line ten and before the comma following it the words, "or party committee."

Your committee recommend that said substitute be further amended by striking out the title and substituting therefor the following:

A Bill for an Act to Amend the Law as it Appears in Sections One Thousand Eighty-seven-a-1 (1087-a-1), One Thousand Eighty-seven-a-5 (1087-a-5), One Thousand Eighty-seven-a-6 (1087-a-6), One Thousand Eighty-seven-a-10 (1087-a-10), One Thousand Eighty-seven-a-12 (1087-a-12), One Thousand Eighty-seven-a-14 (1087-a-14), One Thousand Eighty-seven-a-19 (1087-a-19), One Thousand Eighty-seven-a-21 (1087-a-21), One Thousand Eighty-seven-a-22 (1087-a-22), One Thousand Eighty-seven-a-23 (1087-a-23), One Thousand Eighty-seven-a-24 (1087-a-24), One Thousand Eighty-seven-a-25 (1087-a-25), One Thousand Eighty-seven-a-26 (1087-a-26), and One Thousand Eighty-seven-a-27 (1087-a-27) of the Supplement to the Code, 1907, and to Repeal the Law as it Appears in Sections One Thousand Eighty-seven-a-13 (1087-a-13), One Thousand Eighty-seven-a-15 (1087-a-15) and One Thousand Eighty-seven-a-18 (1087-a-18) of the Supplement to the Code, 1907, and to Enact Substitutes Therefor, all Relating to the Holding of Primary Elections by Political Parties, and that when so amended that the Bill do Pass.

J. H. DARRAH,  
*Chairman.*

Adopted.

Amendments adopted.

#### REPORT OF COMMITTEE ON ENROLLED BILLS.

Klay of Sioux, 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. 30, a bill for an act to amend Section five hundred and ninety-two (592) of the Code relating to the compensation of township assessors.

Also:

House File No. 189, a bill for an act to amend the law as it appears in Section sixteen hundred and sixty-one-a (1661-a), and sixteen hundred seventy-five (1675), Supplement to the Code of 1907, allowing appropriations for a short course in agriculture and domestic science.

Also:

House File No. 250, a bill for an act to repeal title eleven of the Code and the law as it appears in title eleven of the Supplement to the Code, 1907, relating to the militia and enacting a substitute therefor to be known as "the Military Code of Iowa."



Also:

House File No. 452, a bill for an act to amend Section four hundred thirty (430) of the Code relative to dependent soldiers' and sailors' tax.

Also:

House File No. 130, a bill for an act relating to the distribution of laws becoming effective by publication.

Also:

House File No. 200, a bill for an act providing for the deposit of money in lieu of bond where bonds are required as security for costs.

Also:

House File No. 208, a bill for an act to repeal Sections twenty-five hundred and seventy-a (2570-a), twenty-five hundred seventy-a-1 (2570-a-1), twenty-five hundred and seventy-b (2570-b), and twenty-five hundred and seventy-one (2571) of the Supplement to the Code, 1907, relating to the care of persons affected with contagious diseases, the payment of quarantine expenses and the publishing and distribution of regulations of local boards of health.

Also:

House File No. 382, a bill for an act to amend Section thirteen hundred three (1303) of the Supplement to the Code, 1907, relative to the amount of taxes to be levied for making and repairing bridges.

GERRIT KLAY,  
*Chairman.*

Adopted.

#### REPORT OF JOINT COMMITTEE ON ENROLLED BILLS.

Klay of Sioux, 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. 30, a bill for an act to amend Section five hundred and ninety-two (592) of the Code relating to the compensation of township assessors.

Also:

House File No. 189, a bill for an act to amend the law as it appears in Section sixteen hundred and sixty-one-a (1661-a), and sixteen hundred seventy-five (1675), Supplement to the Code of 1907, allowing appropriations for a short course in agriculture and domestic science.

Also:

House File No. 250, a bill for an act to repeal title eleven of the Code and the law as it appears in title eleven of the Supplement to the Code,

1907, relating to the militia and enacting a substitute therefor to be known as the military Code of Iowa."

Also:

House File No. 452, a bill for an act to amend Section four hundred thirty (430) of the Code relative to dependent soldiers' and sailors' tax.

Also:

House File No. 130, a bill for an act relating to the distribution of laws becoming effective by publication.

Also:

House File No. 200, a bill for an act providing for the deposit of money in lieu of bond where bonds are required as security for costs.

Also:

House File No. 208, a bill for an act to repeal Sections twenty-five hundred and seventy-a (2570-a), twenty-five hundred seventy-a-1 (2570-a-1), twenty-five hundred and seventy-b (2570-b), and twenty-five hundred and seventy-one (2571) of the Supplement to the Code, 1907, relating to the care of persons affected with contagious diseases, the payment of quarantine expenses and the publishing and distribution of regulations of local boards of health.

Also:

House File No. 382, a bill for an act to amend Section thirteen hundred three (1303) of the Supplement to the Code, 1907, relative to the amount of taxes to be levied for making and repairing bridges.

Also:

Senate File No. 99, a bill for an act to amend Section twenty-six hundred seventy-five (2675) of the Code, relating to the Normal School at Cedar Falls.

Also:

Senate File No. 110, a bill for an act providing for the education of deaf and blind children at the school for the deaf and the college for the blind.

Also:

Senate File No. 229, a bill for an act to prohibit the living, boarding, stopping, or rooming of unmarried females under the age of eighteen years in any house, building, or premises where prostitution, fornication, or concubinage is allowed or practiced and providing punishment for the violation thereof.

Also:

Senate File No. 266, a bill for an act to amend the law as it appears in Section eight hundred fifty-c (850-c) of the Supplement to the Code, 1907, relating to the tax levy for park purposes and repealing Section eight hundred fifty-two (852) of the Code as amended by Chapter forty-three (43) of the acts of the thirty-second General Assembly.

Also:

Senate File No. 290, a bill for an act to repeal Section twenty-eight hundred twenty-a (2820-a), twenty-eight hundred twenty-b (2820-b), twenty-eight hundred twenty-c (2820c), and twenty-eight hundred twenty-d (2820-d) of the Supplement to the Code, 1907, and to enact a substitute therefor relative to the limit of indebtedness of independent school districts.

Also:

Senate File No. 334, a bill for an act to amend the law as it appears in Section thirty-three hundred and five (3305) of the Code, relative to the time of granting administration.

GERRIT KLAY,  
*Chairman House Committee.*

HENRY L. ADAMS,  
*Chairman Senate Committee.*

Adopted.

The committee appointed to investigate the advisability of re-districting the state as to judicial districts, submitted the following report:

*Resolved,* That the committee on Judicial Districts, having under consideration the report of the special committee appointed to investigate the advisability of redistricting the State as to Judicial Districts, find as follows:

That we commend the work of said special committee; that we are of the opinion that many changes should be made in the Judicial Districts of the State in order to equalize the work of the judges, and to eliminate judges where such elimination may be made without affecting the efficiency of the court or working undue hardship upon the judges; but that it is the sense of the committee that it would be impossible to take up and carry through any general scheme of redistricting during the remaining days of the session, and that we therefore commend the matter to the attention of the Thirty-fourth General Assembly.

HIRAM DEWELL,  
*Chairman.*

HERMAN KULL,  
WM. WELDEN,  
C. E. DEWITT,  
GEO. C. WHITE,

JOHN B. SULLIVAN,  
PAUL E. STILLMAN,  
L. G. JONES,  
N. J. LEE,

Adopted.

## INTRODUCTION OF BILLS.

By Ripley of Hancock, House File No. 542:

A Bill for an Act to Release and Absolve A. B. Sawyer, Treasurer of Hancock County, Iowa, and His Bondsmen and the Two Sureties on the Depository Bond of the First State Bank of Corwith, Iowa, From Liability on Account of any Loss Sustained by Reason of the Deposit, Placing or Allowing to Remain of County or Other Funds in the First State Bank of Corwith, Iowa.

WHEREAS, The First State Bank of Corwith, Iowa, had been selected and used by the treasurer of Hancock County, Iowa, as a depository for state, county and other public funds, from the organization of said bank in November, 1895, until February 8, 1907, without any resolution on the part of the board of supervisors and the requiring of a depository bond under Section 1457 of the Code; that during all of that time, said bank had been considered and used as a safe and secure place for the keeping of the funds derived from the collection of the taxes of said county, and;

WHEREAS, On the 8th day of February, 1907, the board of supervisors of Hancock County, Iowa, by resolution authorized the deposit of state, county and other public funds, by its treasurer, in the said First State Bank of Corwith, Iowa, upon the said bank furnishing a bond as provided for in Section 1457 of the Code, and;

WHEREAS, Said bank furnished said bond on the fifth day of April, 1907, and on the second day of May, 1907, said bond was duly approved by the said board, as provided by law; that prior to the resolution of said board and on or about the eighth day of January, 1907, said treasurer deposited with said bank the check of the retiring treasurer, drawn on said bank for the amount of his deposit therein as such treasurer, the sum of nine thousand three hundred fifty-two and 3-100 dollars (\$9,352.03); and the same was placed to the credit of the said treasurer, A. B. Sawyer; that afterwards by virtue of various transactions, on the fifth day of April, 1907, there was shown to be on deposit in said bank of county, state and other public funds the sum of seventeen thousand two hundred thirty-nine and 79-100 dollars (\$17,239.79), and;

WHEREAS, On the fifth day of April, 1907, said bank was wholly insolvent and without the security of the said bond, said sum was wholly lost to the county.

That after said fifth day of April, 1907, other deposits were made in said bank and sums were withdrawn by said treasurer up to the 23d day of November, 1907, when said account showed to be the sum of \$12,065.98; that on the 17th day of November, 1907, the cashier of said bank absconded and on the 27th day of November, 1907, a receiver was appointed to wind up the affairs of said bank, and;

WHEREAS, Action has been commenced by the treasurer, under the direction of the said county to collect said sum from the sureties on said bond and said action is now pending in the supreme court; that the sureties on said bond signed same by reason of fraudulent representations of the cashier of said bank, who well knew that said bank was wholly in-

solvent at the time; that there were six sureties on said bond, but at the time of closing said bank only three were solvent; that to require said three solvent sureties to perform all of the conditions of said bond would work a great and lasting injustice, hardship and damage to said sureties, and;

WHEREAS, The sum due on said deposit is of minor importance to said county, and to the additional taxpayer, is trivial, and;

WHEREAS, There has been paid to the treasurer by the receiver of said First State Bank a dividend of fifteen per cent. on said deposit, and further dividends will hereafter be declared, but not sufficient to pay said deposit in full.

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

SECTION 1. That A. B. Sawyer, county treasurer of Hancock County, Iowa, is hereby declared to be released and entirely absolved from liability by reason of the loss of county and other funds deposited, placed or allowed to remain in the First State Bank of Corwith, Iowa.

That he be not liable for same and held not to account, or be required to account, for same or any part thereof, except such dividends as may be paid thereon by the receiver of the First State Bank of Corwith, Iowa.

SEC. 2. That the sureties on the depository bond of the First State Bank of Corwith, Iowa, be, and hereby are, released from all liability by reason of a loss of account or other funds deposited, placed or allowed to remain in the First State Bank by A. B. Sawyer, county treasurer of Hancock County, Iowa.

SEC. 3. That any action brought or attempted to be brought by any citizen of said county shall be and the same is hereby declared to be without jurisdiction and void.

This act, being expressly intended to avoid any litigation that might arise from, or on account of, the said act herein passed.

SEC. 4. This act, being deemed of immediate importance, shall take effect and be in force from and after its publication in the Register and Leader, a newspaper published in Des Moines, Iowa, and the Corwith Hustler, a newspaper published in Corwith, Iowa, such publication to be without expense to the State.

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

#### 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. 371, a bill for an act to enable cities to improve water fronts and to levy a tax to pay for such work and in certain cases to borrow money therefor and issue negotiable bonds for such debt.

S. W. NEAL,  
*Secretary.*

Also:

MR. SPEAKER—I am directed to inform your honorable body that the Senate has passed the following bill in which the concurrence of the Senate was asked:

House File No. 417, a bill for an act relating to the duties of the county auditors.

S. W. NEAL,  
*Secretary.*

Also:

MR. SPEAKER—I am directed to inform your honorable body that the Senate has passed the following bill in which the concurrence of the Senate was asked:

House File No. 291, a bill for an act to amend Section four thousand nine hundred and seventy-nine (4979) of the Code, relating to offenses against the public health.

S. W. NEAL,  
*Secretary.*

Also:

MR. SPEAKER—I am directed to inform your honorable body that the Senate has passed the following bill in which the concurrence of the Senate was asked:

House File No. 321, a bill for an act to amend the law as it appears in Section four thousand nine hundred and ninety-nine-a-thirty-one (499-a-31) of the Supplement to the Code, nineteen hundred and seven (1907), relating to food standards.

S. W. NEAL,  
*Secretary.*

Also:

MR. SPEAKER—I am directed to inform your honorable body that the Senate has passed the following bill in which the concurrence of the Senate was asked:

House File No. 201, a bill for an act to repeal Section ten hundred ninety-one (1091) of the Code, relative to polling places for country precincts and to enact a substitute therefor.

S. W. NEAL,  
*Secretary.*

Also:

MR. SPEAKER—I am directed to inform your honorable body that the Senate has passed the following bill in which the concurrence of the Senate was asked:

House File No. 301, a bill for an act to amend Section 458-c of the Supplement to the Code, 1907, relative to injuries of domestic animals by dogs or wolves.

S. W. NEAL,  
*Secretary.*

Also:

MR. SPEAKER—I am directed to inform your honorable body that the Senate has passed the following bill in which the concurrence of the Senate was asked:

House File No. 185, a bill for an act to amend chapter one hundred forty-two (142) of the Thirty-second General Assembly relating to the sale of denatured alcohol and to enact an amendment thereto.

S. W. NEAL,  
*Secretary.*

Also:

MR. SPEAKER—I am directed to inform your honorable body that the Senate has passed the following bill in which the concurrence of the Senate was asked:

House File No. 290, a bill for an act amendatory of and additional to Chapter fifteen (15), Title twelve (12) of the Code, and Supplement to the Code, relative to the care and propagation of fish.

S. W. NEAL,  
*Secretary.*

Also:

MR. SPEAKER—I am directed to inform your honorable body that the Senate has passed the following bill in which the concurrence of the Senate was asked:

House File No. 433, a bill for an act to amend Section two thousand twenty-eight (2028) as it appears in the Supplement to the Code, 1907, relating to ways to lands which have no other means of access.

S. W. NEAL,  
*Secretary.*

Also:

MR. SPEAKER—I am directed to inform your honorable body that the Senate has passed the following bill in which the concurrence of the Senate was asked:

House File No. 296, a bill for an act to repeal Sections twenty-five hundred and sixty-three-a (2563-a), twenty-five hundred and sixty-three-b (2563-b), twenty-five hundred sixty-three-c (2563-c), twenty-five hundred sixty-three-d (2563-d), twenty-five hundred sixty-three-e (2563-e), twenty-five hundred sixty-three-f (2563-f), twenty-five hundred sixty-three-g (2563-g), twenty-five hundred sixty-three-h (2563-h) of the Supplement to the Code, 1907, and to enact in lieu thereof the following relating to protection of game.

S. W. NEAL,  
*Secretary.*

Also:

MR. SPEAKER—I am directed to inform your honorable body that the Senate has indefinitely postponed the following bill in which the concurrence of the Senate was asked:

House File No. 276, a bill for an act relating to limited partnerships.

S. W. NEAL,  
*Secretary.*

Also:

MR. SPEAKER—I am directed to inform your honorable body that the Senate has indefinitely postponed the following bill in which the concurrence of the Senate was asked:

House File No. 483, a bill for an act relating to banks and banking.

S. W. NEAL,  
*Secretary.*

Also:

MR. SPEAKER—I am directed to inform your honorable body that the Senate has indefinitely postponed the following bill in which the concurrence of the Senate was asked:

House File No. 194, a bill for an act making appropriations to install suitable elevators in the state house.

S. W. NEAL,  
*Secretary.*

Also:

MR. SPEAKER—I am directed to inform your honorable body that the Senate has indefinitely postponed the following bill in which the concurrence of the Senate was asked:

House File No. 285, a bill for an act making an appropriation to Robert Mann.

S. W. NEAL,  
*Secretary.*

Also:

MR. SPEAKER—I am directed to inform your honorable body that the Senate has indefinitely postponed the following bill in which the concurrence of the Senate was asked:

House File No. 57, a bill for an act relating to investment of funds of savings banks.

S. W. NEAL,  
*Secretary.*

Also:

MR. SPEAKER—I am directed to inform your honorable body that the Senate has indefinitely postponed the following bill in which the concurrence of the Senate was asked:

House File No. 21, a bill for an act to amend Section twenty-one hundred sixty-five-a (2165-a) and twenty-one hundred sixty-five-b (2165-b) of the Code Supplement, pertaining to the duty of express companies maintaining an office at or near the business center of cities and towns, and the duty of the railroad commissioners as to the same.

S. W. NEAL,  
*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. 382, a bill for an act authorizing the giving of pensions to disabled and retired policemen and the widows and minor children and dependant fathers or mothers of deceased policemen in cities, incor



porated towns, and special charter cities having organized police departments, creating a fund from which to pay such pensions and providing for the distribution thereof, creating a board of trustees to care for such pension fund, etc.

S. W. NEAL,  
*Secretary.*

SENATE MESSAGE CONSIDERED.

Senate File No. 382, a bill for an act authorizing the giving of pensions to disabled and retired policemen and the widows and minor children and dependent fathers and mothers of deceased policemen in cities, incorporated towns, and special charter cities having organized police departments, creating a fund from which to pay such pensions and providing for the distribution thereof, creating a Board of Trustees to care for such pension fund and prescribing their powers and duties and authorizing the retiring from service of policemen under certain conditions.

Read first and second time and passed on file.

Tegeler of Dubuque, Chairman of the committee appointed to draft resolutions respecting the life and public service of the Hon. Anton Limbach, presented the resolutions prepared by that committee and moved their adoption.

Motion prevailed, the resolutions were adopted and ordered printed in the Journal.

O'Connor of Chickasaw offered the following resolution:

RESOLUTION.

WHEREAS, A challenge by the base ball team composed of the pages of the Senate has been received by the ball team made up of the pages of the House, and

WHEREAS, The said challenge has been accepted upon the part of the House page team, and

WHEREAS, The training season is now upon us and in order to sustain the position of superiority of the House in all things, it is necessary to have the House team in fit condition, and

WHEREAS, The undersigned has been elected manager of said House team and has been memorialized to introduce a resolution asking sufficient time to practice, therefore be it

*Resolved*, That three pages of the House ball team be excused one hour each day until the date of the contest with the Senate team, the names of the three members excused to be presented to the Speaker each day by the captain of the team.

Laid over under Rule 34.

The Speaker announced that as Speaker of the House, in the presence of the House, he had signed House File Nos. 452, 382, 30, 130, 189, 208, 200 and 250.

Beery of Henry moved that House File No. 409 be withdrawn from the Committee on Appropriations and the further consideration of the House.

Motion prevailed.

Johnson of Mitchell moved that House File No. 392 be withdrawn from the Committee on Judiciary and the further consideration of the House.

Motion prevailed.

#### CONSIDERATION OF BILLS.

On motion of Anderson of Hamilton, House File No. 513, a bill for an act to amend Section Thirteen Hundred Twenty-six (1326) Title Seven (7), Chapter One (1), of the Code of Iowa, relating to stock of building and loan associations, was taken up and considered.

Anderson of Hamilton 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 ayes were:**

Allred, Anderson, Arney, Balluff, Bauman, Beebe, Beery, Blackmore, Boettger, Bonwell, Boomgaarden, Bowman, Byerly, Cooper, Cousins, Crummer, Cunningham, Dabney, Dalby, Darrah, Dewell, Dewey, DeWitt, Drury, Dye, Elliott, Ellis, Etter, Fenn, Finlayson, Fourt, Fulton, Goodykoontz, Grier, Hanson, Harvey, Hick-enlooper, Huffaker, Hunter, Jewell, Johnson, Jones, Kellogg, Klay, Larrabee, McDonald, Meredith, Miller of Dubuque, Moore of Linn, O'Connor, Penn, Reaney, Reitz, Ripley, Sankey, Schee, Schroeder, Schulte, Smith, Stillman, Stoddard, Sullivan, Swift, Tegeler, Thompson, Ward, White, Wilson, Wolfe, Mr. Speaker—70.

**The nays were:**

None.

## Absent or not voting :

Bascom, Beans, Boe, Brandes, Burt, Calkins, Cassady, Corrie, Crozier, Davidson, Dawson, Derrough, Dodds, Felt, Fox, Fulliam, Hackler, Harding, Holmes, Ide, Inman, Jacobs, Kendall, Koontz, Kull, Lee, McCleery, Marston, Miller of Bremer, Moore of Wapello, Newell, Perkins, Ritter, Sheldon, Swan, Tilton, Welden, Zeller—38.

So the bill passed and the title was agreed to.

On motion of Grier of Poweshiek, House File No. 440, a bill for an act providing that superior courts shall have jurisdiction of dipsomaniacs, inebriates and those addicted to the excessive use of narcotics, under Chapter 2-a of the Supplement to the Code, 1907, with report of committee recommending passage as amended by substitute amendment, was taken up, considered and the substitute amendment adopted.

Grier of Poweshiek 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 ayes were :

Allred, Anderson, Arney, Balluff, Bascom, Bauman, Beans, Beebe, Beery, Blackmore, Boettger, Bonwell, Boomgaarden, Bowman, Byerly, Calkins, Cooper, Corrie, Crummer, Cunningham, Dalby, Darrah, Davidson, Dawson, Dewell, Dewey, DeWitt, Drury, Dye, Ellis, Etter, Felt, Fenn, Finlayson, Fourt, Fulton, Goodykoontz, Grier, Hanson, Harding, Harvey, Hickenlooper, Huffaker, Hunter, Ide, Jewell, Jones, Kellogg, Kendall, Klay, Kull, Larrabee, McDonald, Meredith, Miller of Dubuque, Moore of Wapello, Moore of Linn, O'Connor, Penn, Reaney, Reitz, Ripley, Sankey, Schee, Schroeder, Smith, Stillman, Stoddard, Sullivan, Tegeler, Tilton, Ward, Wilson, Wolfe, Zeller, Mr. Speaker—76.

The nays were :

None.

Absent or not voting :

Boe, Brandes, Burt, Cassady, Cousins, Crozier, Dabney, Derrough, Dodds, Elliott, Fox, Fulliam, Hackler, Holmes, Inman, Ja-

cobs, Johnson, Koontz, Lee, McCleery, Marston, Miller of Bremer, Newell, Perkins, Ritter, Schulte, Sheldon, Swan, Swift, Thompson, Welden, White—32.

So the bill passed and the title was agreed to.

On motion of Grier of Poweshiek, House File No. 367, a bill for an act to provide for recognition by the State Board of Medical Examiners of standard attainments in colleges other than medical colleges, was taken up and considered.

Grier of Poweshiek 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 ayes were:

Allred, Anderson, Arney, Beebe, Beery, Blackmore, Bonwell, Byerly, Cooper, Cunningham, Dabney, Darrah, Davidson, Dawson, Dewey, DeWitt, Dodds, Drury, Dye, Elliott, Ellis, Etter, Fenn, Fourt, Fulton, Goodykoontz, Grier, Hackler, Hanson, Harding, Hickenlooper, Huffaker, Hunter, Inman, Johnson, Kellogg, Kendall, Koontz, Larrabee, Meredith, Moore of Wapello, Moore of Linn, Newell, Penn, Ripley, Ritter, Sankey, Schee, Schroeder, Schulte, Sheldon, Smith, Stillman, Stoddard, Swift, Thompson, Tilton, Ward, Zeller, Mr. Speaker—60.

The nays were:

Bascom, Bauman, Beans, Boettger, Boomgaarden, Calkins, Cousins, Dalby, Dewell, Finlayson, Harvey, Ide, Jones, Klay, Kull, Lee, Miller of Dubuque, O'Connor, Tegeler, Wilson—20.

Absent or not voting:

Balluff, Boe, Bowman, Brandes, Burt, Cassady, Corrie, Crummer, Crozier, Derrough, Felt, Fox, Fulliam, Holmes, Jacobs, Jewell, McCleery, McDonald, Marston, Miller of Bremer, Perkins, Reaney, Reitz, Sullivan, Swan, Welden, White, Wolfe—28.

So the bill passed and the title was agreed to.

On motion of Arney of Marshall, House File No. 460, a bill for an act in regard to admission to the Soldiers' Home and payment for support by members, was taken up, considered and Senate File No. 369 was substituted therefor.

Arney of Marshall moved that the rule be suspended, that the bill be read a third time now, which motion prevailed, and the bill was read a third time.

On the question, "Shall the bill pass?"

The ayes were:

Allred, Anderson, Arney, Balluff, Bascom, Bauman, Beans, Beebe, Blackmore, Boettger, Bonwell, Boomgaarden, Byerly, Calkins, Cassady, Cooper, Cousins, Crummer, Cunningham, Dabney, Dalby, Darrah, Davidson, Dewell, Dewey, DeWitt, Dodds, Dye, Elliott, Ellis, Etter, Fenn, Finlayson, Fourt, Fulton, Goodykoontz, Grier, Hackler, Hanson, Harding, Harvey, Hickenlooper, Huffaker, Ide, Inman, Jewell, Johnson, Jones, Kellogg, Kendall, Klay, Koontz, Kull, Larrabee, Lee, McDonald, Meredith, Miller of Dubuque, Moore of Wapello, Newell, O'Connor, Penn, Reaney, Reitz, Ripley, Ritter, Sankey, Schroeder, Schulte, Smith, Stillman, Stoddard, Sullivan, Swift, Thompson, Tilton, Ward, Wilson, Zeller—80.

The nays were:

None.

Absent or not voting:

Beery, Boe, Bowman, Brandes, Burt, Corrie, Crozier, Dawson, Derrough, Drury, Felt, Fox, Fulliam, Holmes, Hunter, Jacobs, McCleery, Marston, Miller of Bremer, Moore of Linn, Perkins, Schee, Sheldon, Swan, Tegeler, Welden, White, Wolfe—28.

So the bill passed and the title was agreed to.

On motion of Hunter of Polk, House File No. 489, a bill for an act to amend the law as it appears in Section Seven Hundred Forty-one-f (741-f), Chapter Four, Title Five, of the Supplement to the Code, 1907, authorizing certain cities to incur an indebtedness for the purpose of constructing a city hall in an amount not exceeding in the aggregate two and one-half per centum of the actual value of the taxable property within such city, and to authorize the issuance of bonds in pursuance of an election which may have been heretofore held authorizing the erection of such city hall, was taken up, considered, and Senate File No. 384 was substituted therefor.

Dewey of Guthrie proposed the following amendment:

I move to amend by adding to Section 2: "without expense to the State."

Amendment adopted.

Hunter of Polk proposed the following amendment:

I move to amend by adding in line 8 after the word "section" the following: "Thirteen hundred six" and inclosing the figures in parenthesis.

Amendment adopted.

Hunter of Polk moved that the rule be suspended, that the bill be read a third time now, which motion prevailed, and the bill was read a third time.

Hickenlooper of Monroe in the Chair.

On the question, "Shall the bill pass?"

The ayes were:

Allred, Anderson, Arney, Bascom, Bauman, Beans, Beebe, Beery, Boettger, Bonwell, Boomgaarden, Calkins, Cassady, Cooper, Cousins, Crozier, Crummer, Dabney, Dalby, Darrah, Dewell, Dewey, DeWitt, Dodds, Drury, Dye, Elliott, Ellis, Etter, Fenn, Finlayson, Fourt, Fulton, Goodykoontz, Hackler, Hanson, Harding, Hickenlooper, Huffaker, Hunter, Ide, Inman, Jewell, Johnson, Jones, Kellogg, Kendall, Koontz, Kull, Larrabee, Lee, McDonald, Meredith, Miller of Dubuque, Moore of Wapello, O'Connor, Penn, Reaney, Reitz, Ripley, Ritter, Sankey, Schulte, Sheldon, Smith, Stillman, Stoddard, Sullivan, Swift, Tegeler, Thompson, Tilton, Ward, White, Wilson, Zeller, Mr. Speaker—77.

The nays were:

Newell, Schee—2.

Absent or not voting:

Balluff, Blackmore, Boe, Bowman, Brandes, Burt, Byerly, Corrie, Cunningham, Davidson, Dawson, Derrough, Felt, Fox, Fulham, Grier, Harvey, Holmes, Jacobs, Klay, McCleery, Marston, Miller of Bremer, Moore of Linn, Perkins, Schroeder, Swan, Welden, Wolfe—29.

So the bill passed and the title was agreed to.

On motion of Calkins of Adams, House File No. 117, a bill for an act requiring all persons selling their personal property, with the intention of leaving the county or state, to secure all taxes due or to become due, on the property about to be sold, with report of committee recommending passage as amended by substitute amendment, was taken up, considered and the substitute amendment adopted.

Klay of Sioux proposed the following amendment:

I move to amend by adding to the end of the first paragraph of Section 2 the following: "Insert after the word 'said' in the eleventh line of Section 1404 of the Code, the following, 'or any previous. '"

Amendment adopted.

Calkins of Adams 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 ayes were:

Allred, Anderson, Balluff, Bascom, Bauman, Beans, Beebe, Beery, Blackmore, Boettger, Bonwell, Boomgaarden, Byerly, Calkins, Cassady, Corrie, Cousins, Crozier, Crummer, Dabney, Dalby, Darrah, DeWitt, Dodds, Dye, Elliott, Ellis, Etter, Fourt, Grier, Hackler, Hickenlooper, Huffaker, Hunter, Ide, Johnson, Jones, Kendall, Klay, Koontz, Kull, Meredith, Miller of Dubuque, Moore of Wapello, Moore of Linn, O'Connor, Penn, Perkins, Reaney, Reitz, Ripley, Ritter, Sankey, Schee, Schroeder, Schulte, Smith, Stoddard, Sullivan, Swift, Tegeler, Ward, Wilson, Zeller—63.

The nays were:

Arney, Cooper, Dewey, Finlayson, Jewell, Kellogg, Larrabee, Newell, Stillman, Thompson, Tilton—11.

Absent or not voting:

Boe, Bowman, Brandes, Burt, Corrie, Cunningham, Davidson, Dawson, Derrough, Dewell, Drury, Felt, Fenn, Fox, Fulliam, Fulton, Goodykoontz, Hanson, Harding, Harvey, Holmes, Inman, Jacobs, Lee, McCleery, McDonald, Marston, Miller of Bremer, Sheldon, Swan, Welden, White, Wolfe, Mr. Speaker—34.

Roll call verified.

So the bill passed and the title was agreed to.

On motion of Sullivan of Polk, House File No. 486, a bill for an act authorizing the giving of pensions to disabled and retired policemen and the widows and minor children, and dependent fathers and mothers of deceased policemen in cities, incorporated towns, and special charter cities having organized police departments, creating a fund from which to pay such pensions and providing for the distribution thereof, creating a Board of Trustees to care for such pension fund and prescribing their powers and duties and authorizing the retiring from service of policemen under certain conditions, was taken up, considered, and Senate File No. 382 was substituted therefor.

Speaker Feely in the Chair.

Sullivan of Polk moved that the rule be suspended, that the bill be read a third time now, which motion prevailed, and the bill was read a third time.

On the question, "Shall the bill pass?"

The ayes were:

Allred, Anderson, Arney, Bascom, Bauman, Beebe, Blackmore, Boettger, Bonwell, Bowman, Calkins, Cassady, Cousins, Crozier, Dabney, Darrah, Dewey, DeWitt, Drury, Elliott, Ellis, Fenn, Finlayson, Fourt, Fulton, Hackler, Hanson, Harding, Hickenlooper, Huffaker, Hunter, Ide, Jewell, Jones, Kendall, Klay, Larrabee, McDonald, Meredith, Miller of Dubuque, Moore of Wapello, Reaney, Ripley, Sankey, Schee, Schulte, Smith, Stillman, Stoddard, Sullivan, Swift, Thompson, Tilton, Ward, White, Zeller, Mr. Speaker—57.

The nays were:

Boomgarden, Byerly, Cunningham, Dalby, Etter, Inman, Newell, O'Connor, Penn—9.

Absent or not voting:

Balluff, Beans, Beery, Boe, Brandes, Burt, Cooper, Corrie, Crummer, Davidson, Dawson, Derrough, Dewell, Dodds, Dye, Felt, Fox, Fulliam, Goodykoontz, Grier, Harvey, Holmes, Jacobs, Johnson, Kellogg, Koontz, Kull, Lee, McCleery, Marston, Miller of Bremer,



Moores of Linn, Perkins, Reitz, Ritter, Schroeder, Sheldon, Swan, Tegeler, Welden, Wilson, Wolfe—42.

Roll call verified.

So the bill passed and the title was agreed to.

On motion of Lee of Emmet, substitute for Senate File No. 113, a bill for an act to amend the law as it appears in Sections One Thousand Eighty-seven-a-1 (1087-a-1, One Thousand Eighty-seven-a-5 (1087-a-5), One Thousand Eighty-seven-a-6 (1087-a-6), One Thousand Eighty-seven-a-10 (1087-a-10), One Thousand Eighty-seven-a-12 (1087-a-12), One Thousand Eighty-seven-a-14 (1087-a-14), One Thousand Eighty-seven-a-19 (1087-a-19), One Thousand Eighty-seven-a-21 (1087-a-21), One Thousand Eighty-seven-a-22 (1087-a-22), One Thousand Eighty-seven-a-23 (1087-a-23), One Thousand Eighty-seven-a-24 (1087-a-24), One Thousand Eighty-seven-a-25 (1087-a-25), One Thousand Eighty-seven-a-26 (1087-a-26), and One Thousand Eighty-seven-a-27 (1087-a-27), of the Supplement to the Code, 1907, and to repeal the law as it appears in Sections One Thousand Eighty-seven-a-13 (1087-a-13), One Thousand Eighty-seven-a-15 (1087-a-15), and One Thousand Eighty-seven-a-18 (1087-a-18), of the Supplement to the Code, 1907, and to enact substitutes therefor, all relating to the holding of primary elections by political parties, with report of committee recommending passage as amended by substitute amendment, was taken up, considered and the substitute amendment adopted.

Lee of Emmet moved that the rule be suspended, that the bill be read a third time now, which motion prevailed, and the bill was read a third time.

On the question, "Shall the bill pass?"

The ayes were:

Allred, Anderson, Balluff, Bascom, Bauman, Beans, Beebe, Beery, Blackmore, Bonwell, Boomgaarden, Bowman, Calkins, Casady, Cooper, Cousins, Crozier, Crummer, Cunningham, Darrah, Davidson, Dewell, Dewey, Dodds, Drury, Elliott, Ellis, Fenn, Finlayson, Fulton, Grier, Hackler, Hanson, Harding, Harvey, Hicklenlooper, Huffaker, Hunter, Ide, Inman, Jacobs, Jones, Kendall, Kull, Larrabee, Lee, McDonald, Meredith, Miller of Dubuque, Moore of Wapello, Newell, O'Connor, Penn, Reaney, Ripley, Rit-

ter, Sankey, Schee, Smith, Stoddard, Sullivan, Swift, Thompson, Tilton, Ward, White, Wilson, Zeller, Mr. Speaker—69.

The nays were:

Dabney, Etter—2.

Absent or not voting:

Arney, Boe, Boettger, Brandes, Burt, Byerly, Corrie, Dalby, Dawson, Derrough, DeWitt, Dye, Felt, Fourt, Fox, Fulliam, Goodykoontz, Holmes, Jewell, Johnson, Kellogg, Klay, Koontz, McCleery, Marston, Miller of Bremer, Moore of Linn, Perkins, Reitz, Schroeder, Schulte, Sheldon, Stillman, Swan, Tegeler, Welden, Wolfe—37.

So the bill passed and the title was agreed to.

On motion of Meredith of Cass, House File No. 4, a bill for an act to establish the office of Commerce Counsel, and defining the powers and duties of the same, with report of committee recommending passage as amended by substitute amendment, was taken up and considered.

Meredith of Cass proposed the following amendment as a substitute for the amendment proposed by the committee:

**SUBSTITUTE FOR HOUSE FILE NO. 4.**

**A Bill for an Act Providing for the Appointment of a Commerce Counsel as an Assistant to the Attorney General and Defining the Powers and Duties of the Same.**

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

**SECTION 1.** It shall be the duty of the Attorney General to diligently investigate the regulations, practices, equipment, services, and the reasonableness of the rates charged or to be charged for services rendered or to be rendered by the railroads and transportation corporations, companies, or associations, operating in whole or in part within the State of Iowa, and whenever in the judgment of said Attorney General any of the said regulations, practices, equipment, services, or charges affecting any of the citizens or industries of the State are undue, unjust, unreasonable, unlawful, or unduly prejudicial, or unjustly discriminate against any of the citizens or industries of the State of Iowa, it shall be the duty of the said Attorney General to institute proceedings as provided by law relative to the said matters and to prosecute the same, presenting or assisting in the presentation of said facts in a lawful manner before the Interstate Commerce Commission or the Board of Railroad Commissioners of the State of Iowa, having jurisdiction over the same and power to act in the premises.

**Sec. 2.** It shall be the duty of the said Attorney General or his Commerce Counsel assistant, as hereinafter provided to draft the necessary

papers, to represent and appear for the people of the State of Iowa in all actions and proceedings involving any question under this act and to intervene, if, in his judgment advisable, in any action or proceeding in which any such question is involved; to commence and prosecute all actions and proceedings directed or authorized by the Board of Railroad Commissioners of the State of Iowa.

SEC. 3. The Attorney General may apply to the Board of Railroad Commissioners, Interstate Commerce Commission, or other tribunal having jurisdiction of the subject matter, by petition, for the issuance of a subpoena *duces tecum* for the production of such books, tariffs, records, documents, or papers and, upon a showing of reasonable cause for the examination thereof, such tribunal shall issue such subpoena for their production. Copies of all ruling, orders, regulations or decisions of the Board of Railroad Commissioners of this State, relating to the regulation or fixing of rates, regulations, rules, or character of service of any railroad or transportation corporation, company, or association, shall be filed with the Attorney General.

SEC. 4. For the purpose of carrying into effect the provisions hereof, the Attorney General is hereby authorized and directed to appoint an assistant who shall be known as the Commerce Counsel, whose salary shall be three thousand dollars (\$3,000.00) per year; and the said Commerce Counsel shall have reimbursed to him all actual and necessary traveling expenses incurred in the discharge of his official duties. The said Attorney General is further authorized, and empowered to appoint and at pleasure remove such additional clerical assistants as may be necessary, subject to the approval and authorization of the Executive Council.

Said Commerce Counsel, when not engaged in his special duties, shall assist in any duties of the Attorney General. The Attorney General may remove said Commerce Counsel for malfeasance or nonfeasance in office or for any cause that renders him ineligible to appointment or incapable or unfit to discharge the duties of his office.

SEC. 5. No person in the employ of or owning any of the stock or property in, or who has, in any way or manner, pecuniary interests in any railroad or transportation corporation, company, or association, shall be eligible to the office of Commerce Counsel, and the entry into the employment of or the acquiring of any stock or interest in any railroad or such other corporation by said Commerce Counsel after his appointment shall disqualify him to hold said office or perform the duties thereof. Said Commerce Counsel shall not engage in any other business, vocation or employment. The Commerce Counsel who solicits or otherwise exercises his influence, directly or indirectly, to induce other officers or employes of the State to adopt his political views, or to favor any particular person or candidate for office, or who shall, in any manner, contribute money or thing of value, to any person for election purposes shall be removed from his office or position by the Attorney General.

SEC. 6. This act, being deemed of immediate importance, shall take effect and be in force immediately upon its publication in the Register and Leader and the Des Moines Capital, newspapers published at Des Moines, Iowa, and when so amended the bill do pass.

Amendment adopted.

Substitute amendment as amended adopted.

Meredith of Cass 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?"

Meredith of Cass moved that further consideration of substitute for House File No. 4 be deferred until 11:00 o'clock Monday, April 5th.

Motion prevailed.

Hackler of Webster moved that the House recall House File No. 524 from the Senate for further consideration.

Motion prevailed.

#### MOTION TO RECONSIDER.

MR. SPEAKER—I move to reconsider the vote by which House File No. 524 passed the House.

I second the motion.

GEO. E. GRIER,

W. I. BEANS.

I move that the vote by which House File No. 524 passed to its third reading be reconsidered.

I second the motion.

GEO. E. GRIER,

W. I. BEANS.

O'Connor of Chickasaw moved that House adjourn until Monday at 8:30 o'clock.

Motion prevailed.

# JOURNAL OF THE HOUSE

HALL OF THE HOUSE OF REPRESENTATIVES,  
DES MOINES, IOWA, APRIL 5, A. D., 1909.

House met pursuant to adjournment.

Representative Miller in the Chair.

Prayer was offered by Rev. Joseph Steele of Ankeny, Iowa.

Journal of Saturday, April 3d, corrected and approved.

On request of Holmes of Kossuth, leave of absence was granted Hackler of Webster until Tuesday.

On request leave of absence was granted Mr. Speaker for the forenoon session.

On request of Ide of Union, leave of absence was granted Burt of Taylor until Tuesday.

## REPORTS OF COMMITTEES.

Moore of Linn, from the Committee on Appropriations, submitted the following report:

MR. SPEAKER—Your committee on Appropriations to whom was referred Senate File No. 402, a bill for an act making appropriations for the construction, repair, improvement and contingent funds for the state hospitals, penitentiaries, industrial schools, institution for the feeble-minded, college for the blind, school for the deaf, Iowa soldiers' home and Iowa soldiers' orphans home, beg leave to report they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same do pass..

ERNEST R. MOORE,  
*Chairman.*

Adopted.

Also:

MR. SPEAKER—Your committee on Appropriations to whom was referred Senate File No. 403, a bill for an act making appropriations for the State University, the Iowa State College of Agriculture and Mechanic Arts, and the State Normal school, beg leave to report they have

had the same under consideration and have instructed me to report the same back to the House with the recommendation that he same be amended as follows:

By striking out of lines 13 and 14 of section two the words and figures "eight thousand (\$8,000) dollars" and inserting in lieu thereof the words and figures "five thousand (\$5,000) dollars."

By striking out of the 24th line of section two the figures "5,000" and inserting in lieu thereof the figures "10,000."

By striking out of the 20th and 21st lines of section 2 the words and figures "one hundred seven thousand five hundred (\$107,500) dollars" and inserting in lieu thereof the words and figures "one hundred twelve thousand five hundred (\$112,500) dollars," and when so amended the bill do pass.

ERNEST R. MOORE,  
*Chairman.*

Adopted.

Also:

MR. SPEAKER—Your committee on Appropriations, to whom was referred House File No. 512, a bill for an act to provide for the appropriation of moneys to the Farmers' Institute of Cherokee and Palo Alto counties and to the Franklin County Agricultural Society, beg leave to report they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same be amended as follows:

By inserting just before the enacting clause the following:—"WHEREAS, C. C. Hunt of Poweshiek county, Iowa, incurred expenses under the authority of the law as it appears in section five hundred and fifty a (550 a) of the Supplement to the Code, 1907, as follows: railway fare from Montezuma to Des Moines and return (2 trips) \$5.76, hotel expense (4 days) \$12.00, but such expense was incurred without the period of thirty days authorized in said section."

Also that the period at the end of section one (1) be changed to a semi-colon and the following added, "\$17.76 to C. C. Hunt, of Poweshiek county, Iowa.", and when so amended the bill do pass.

ERNEST R. MOORE,  
*Chairman.*

Adopted.

Also:

MR. SPEAKER: Your Committee on Appropriations to whom was referred Senate File No. 349, a bill for an act to appropriate money for the purpose of quarantining injurious insects under the provisions of the law as it appears in Section 2575-a-48 and 2575-a-49 of the Supplement to the Code, 1907, beg leave to report they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same do pass.

ERNEST R. MOORE,  
*Chairman.*

Adopted.

Sullivan of Polk, from the Committee on Judiciary, submitted the following report:

MR. SPEAKER: Your Committee on Judiciary to whom was referred Senate File No. 361, a bill for an act to amend Section three hundred thirty-five (335) of the Code relating to the selection of persons to serve as petit and grand jurors and talesmen, beg leave to report they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same do pass.

JOHN B. SULLIVAN,  
*Chairman.*

Adopted.

Also:

MR. SPEAKER: Your Committee on Judiciary to whom was referred Senate File No. 278, a bill for an act in relation to holding district courts and the assignment of judge therefor, beg leave to report they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same be amended as follows:

First. By inserting after the word "Iowa" in the first line thereof the following: "composed wholly of one county and."

Second. By striking out in line five the word "now," and when so amended the bill do pass.

JOHN B. SULLIVAN,  
*Chairman.*

Adopted.

Also:

MR. SPEAKER: Your Committee on Judiciary to whom was referred House File No. 178, a bill for an act defining certain public service corporations and providing for reasonable service and rates; declaring unlawful any discriminatory charges; prescribing penalties and action for reduction of rates and charges; repealing all laws in conflict herewith, beg leave to report they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same be amended as follows:

By striking out all after the enacting clause and substituting the following in lieu thereof:

Section 1. No person, firm, company, association or corporation, foreign or domestic, supplying or furnishing telephone or telegraph service in the State of Iowa shall either directly or indirectly, by rebate or other device, give or furnish to any person, firm, company, association or corporation any telephone or telegraph service at a different rate or price than shall be charged others for like service in the same locality, under substantially similar circumstances and conditions, nor shall any person, firm, company, association or corporation accept or use any free service or discriminatory rate for telephone or telegraph service, except the persons described in Section two hereof. The words "free serv-

ice" as used in this act shall include any service furnished or given for any consideration other than money paid in the usual way at the rate or price open to all others who desire to purchase said service.

Sec. 2. The persons to whom free service or discriminatory rates or price may be furnished or given are bona fide officers of firms, companies, associations or corporations doing a telephone or telegraph business, and those persons whose chief and principal occupation is to render service for persons, firms, companies, associations or corporations engaged in the telephone or telegraph business, the State of Iowa, and counties and municipal corporations located within said State; provided, however, that nothing in this act contained shall be construed to prohibit service rendered free or at reduced rates pursuant to franchise contracts, heretofore, or hereafter made.

Sec. 3. Each person, firm, association or corporation engaged in giving telephone service either directly or indirectly to the public, shall at all times keep posted in each of its offices, a complete schedule of rates and charges in force at that particular plant or system for local exchange service with classification, if any there be, and such notice shall at all times be posted in a conspicuous place, and be subject to the view and inspection of the public. No rate or charge shall be made or posted, that is in excess of any rate or charge made by such person, firm or corporation for a like or similar service, in the same locality and under substantially similar circumstances and conditions.

Sec. 4. Any person, firm or company, association or corporation supplying or furnishing telephone or telegraph service, or any officer, agent or representative thereof violating any of the provisions of this act shall be fined in a sum not less than twenty-five dollars and not more than two hundred and fifty dollars for each offense, and any person other than the persons excepted in the sections of this act who accepts or uses any free service or discriminatory rates within this State shall be subject to a like penalty, and when so amended the bill do pass.

JOHN B. SULLIVAN,  
*Chairman.*

Adopted.

#### INTRODUCTION OF BILLS.

By O'Connor of Chickasaw, House File No. 543:

A Bill for an Act to Amend House File No. Two Hundred Sixty-one (261) of the Thirty-third General Assembly, Relating to the Issuance of Bonds by the City of New Hampton, Iowa.

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

Section 1. That the word "eighteen" in the interlineation to the first line of the second page of the original bill be stricken out and the word "fifteen" inserted in lieu thereof and the figures "\$18,000" in the first line of the second page of the original bill be stricken out and the figures "15,000" inserted in lieu thereof.

Sec. 2. This act being deemed of immediate importance, shall take effect from and after its publication in the Register and Leader, a news-



paper published in Des Moines, Iowa, and the New Hampton Courier, a newspaper published in New Hampton, Iowa, without expense to the State.

Read first and second time and passed on file.

By Larrabee of Fayette, House File No. 544:

A Bill for an Act Legalizing the Acts and Proceedings of the City Council of the City of Oelwein, Iowa, in Erecting and Constructing a Dam in the Park of Said City, and other Improvements Therein and Appropriating Money from the Park Fund in Payment of the Same, and any and all Acts of the City Treasurer in the Payment of Warrants Drawn on the Park Fund for that Purpose by the City Clerk of said City.

WHEREAS, At a meeting of the city council of the city of Oelwein, held on the 13th day of March, 1903, a resolution was adopted by said city council to submit to the qualified electors, of said city of Oelwein, the question of voting a two mill tax levy upon the assessed property within said city, for the purpose of purchasing suitable real property for a public park for said city, said levy to continue for five years from date of levy, and

WHEREAS, Proper proclamation was made and notice given of an election upon the question of making said tax levy for the purpose of purchasing suitable real property for a public park for said city, and

WHEREAS, Said proposition was submitted to the qualified electors of said city, at the city election of said city, held on the 30th day of March, 1903, and

WHEREAS, A majority of the legal voters voting at said election, voted in favor of said tax levy, and

WHEREAS, On the 8th day of September, 1903, said city council levied in pursuance of said election a two mill tax for public park fund, which public park fund tax has annually thereafter been levied, and

WHEREAS, On the 30th day of July, 1906, the city council of said city, by resolution duly adopted, instructed the mayor and clerk of said city, to enter into a contract for the purchase of the following described real property for park purposes:

And the north two-thirds and the east one-half of the southwest one-fourth of section thirty-three, township ninety-one north, range nine west of the fifth P. M. in Fayette county, Iowa.

And to pay for the same in following manner: One thousand dollars at the time of signing the contract, and seven thousand one hundred and fifty dollars, on the 31st day of May, 1921, and instructed the city clerk to draw a warrant on the Park fund in the sum of one thousand dollars, as first payment on said contract. And that said contract was duly made and entered into by the mayor and clerk of said city in accordance with the provisions of said resolution. And the warrant drawn by the city clerk for one thousand dollars, as first payments on said contract, and

WHEREAS, Since the purchase of said land for park purposes, the city council of said city have erected and constructed a dam across a stream of water running through said park and made other improvements in

said park and drawn warrants on said park fund amounting in the aggregate to the sum of four thousand eight hundred and eighty-five dollars and forty-four cents, in payment for said dam and other improvements, and

WHEREAS, Said city warrants drawn on the Park fund for the purposes hereinbefore set forth were duly presented to the city treasurer of said city, and by him paid out of said Park fund, and

WHEREAS, There are doubts as to the legality of the proceedings and actions of said city council in the making of the improvements as hereinbefore set forth, in said park, and making payment therefor in the manner above stated, and

WHEREAS, There are also doubts as to the legality and validity of the action of said city treasurer, in the payment of said warrants, for the purposes herebefore set forth, therefore,

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

SECTION 1. That all proceedings of the city council of the city of Oelwein, Iowa, with reference to the improvements made in said park, as set out in the preamble hereto, are hereby legalized and made of the same validity, force and effect as if all of the requirements and provisions of the law applicable thereto had been fully complied with, and that the erection and construction of said dam and other improvements made in said park, and the payment therefor, in the way and manner hereinbefore set forth are hereby declared to be valid and legal, and that the action of said city treasurer in the payment of said warrants drawn on said Park fund in the way and manner set forth in the preamble hereto is hereby legalized and validated so as to be of the same force and effect as if each and every provision of the statute with reference thereto had been strictly complied with.

SEC. 2. Nothing in this act shall in any manner affect pending litigation.

SEC. 3. This act being deemed of immediate importance shall take effect and be in force from and after its publication in the Des Moines Register and Leader, a newspaper published in Des Moines, Iowa, and the Oelwein Register, a newspaper published in Oelwein, Iowa, without expense to the State.

Read first and second time and passed on file.

Speaker pro tempore Lee in the Chair.

#### MOTION TO RECONSIDER.

I move to reconsider the vote by which House File No. 4 passed to its third reading.

I second the motion.

C. A. MEREDITH.

G. W. SCHEE.

## CONSIDERATION OF BILLS.

On motion of Miller of Bremer, House File No. 446, a bill for an act to repeal Section Twenty-five Hundred Ninety-six-a (2596-a) Supplement to the Code, 1907, and to enact a substitute therefor, relating to the sale of cocaine and other drugs, was taken up and considered.

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

Moore of Wapello moved to reconsider the vote by which House File No. 446 passed to its third reading.

Motion prevailed.

Moore of Wapello proposed the following amendment:

I move to amend by striking out of the printed bill in line 17, the words "of the articles" and to insert in lieu thereof the words "coca (ecythroxlyn coca) cocaine, alpha or bete eucaine or derivatives of any of them, or any preparation containing coca, cocaine, alpha, bete eucaine or derivatives of any of them."

Jacobs of Calhoun moved to recommit the bill with pending amendment to the Committee on Pharmacy and that the bill retain its place on the Calendar.

Motion prevailed.

On motion of Hunter of Polk, House File No. 377, a bill for an act to amend the law as it appears in Section Twenty-five Hundred Five (2505) of the Supplement to the Code, 1907, relating to the inspection of petroleum products, was taken up and considered.

Hunter of Polk 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 ayes were:

Allred, Anderson, Arney, Bascom, Bauman, Beans, Beebe, Blackmore, Boe, Boettger, Bonwell, Boomgaarden, Bowman, Brandes, Byerly, Calkins, Cassady, Cooper, Cousins, Crozier, Crummer, Cunningham, Dabney, Dalby, Darrah, Dawson, Derrough, Dewell, Dewey, DeWitt, Dodds, Dye, Elliott, Ellis, Etter, Finlayson, Fourt, Fox, Fulliam, Fulton, Grier, Hanson, Harvey, Hickenlooper, Holmes, Huffaker, Hunter, Ide, Inman, Jacobs, Kellogg, Kendall, Kull, Larrabee, Lee, McCleery, Meredith, Miller of Bremer, Miller

of Dubuque, Moore of Wapello, Newell, O'Connor, Reitz, Ripley, Ritter, Sankey, Schee, Schroeder, Schulte, Sheldon, Smith, Stoddard, Sullivan, Tegeler, Thompson, Tilton, Ward, White, Wilson, Wolfe—80.

The nays were:

None.

Absent or not voting:

Balluff, Beery, Burt, Corrie, Davidson, Drury, Felt, Fenn, Goodykoontz, Hackler, Harding, Jewell, Johnson, Jones, Klay, Koontz, McDonald, Marston, Moore of Linn, Penn, Perkins, Reaney, Stillman, Swan, Swift, Welden, Zeller, Mr. Speaker—28.

So the bill passed and the title was agreed to.

On motion of White of Story, House File No. 496, a bill for an act to amend the laws as it appears in Section Four Thousand Nine Hundred Forty-six-b (4946-b) of the Supplement to the Code, 1907, relating to the distribution of dissecting material, was taken up and considered.

White of Story 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 ayes were:

Allred, Anderson, Arney, Balluff, Bascom, Beans, Beebe, Beery, Blackmore, Boettger, Bonwell, Boomgaarden, Bowman, Brandes, Byerly, Calkins, Cassady, Cooper, Cousins, Crozier, Crummer, Cunningham, Dabney, Darrah, Dawson, Derrough, Dewell, Dewey, DeWitt, Dodds, Drury, Dye, Ellis, Etter, Fenn, Finlayson, Fourt, Fox, Fulliam, Fulton, Goodykoontz, Grier, Hanson, Hickenlooper, Holmes, Huffaker, Hunter, Ide, Inman, Jacobs, Johnson, Jones, Kellogg, Kendall, Kull, Larrabee, Lee, McCleery, Meredith, Miller of Dubuque, Moore of Wapello, Moore of Linn, Newell, Penn, Reitz, Ripley, Ritter, Sankey, Schee, Schroeder, Schulte, Sheldon, Smith, Stillman, Stoddard, Sullivan, Swift, Tegeler, Tilton, White, Wilson, Wolfe, Zeller—83.

The nays were:

Bauman, Boe, Jewell—3.

Absent or not voting:

Burt, Corrie, Dalby, Davidson, Elliott, Felt, Hackler, Harding,

Harvey, Klay, Koontz, McDonald, Marston, Miller of Bremer, O'Connor, Perkins, Reaney, Swan, Thompson, Ward, Welden, Mr. Speaker—22.

So the bill passed and the title was agreed to.

On motion of Miller of Bremer, House File No. 398, a bill for an act creating a State Board of Chiropractic Examiners, and to regulate the practice of chiropractic in the State of Iowa, to license chiropractors, and to punish persons violating the provisions of this act, was taken up and considered.

Hanson of Humboldt proposed the following amendment:

I move to amend House File No. 398 by striking out all after the enacting clause and substituting the following therefor:

SECTION 1. That nothing in this act shall apply to practitioners for any other system of healing already regulated by law, or to those who, in the performance of their religious duties and beliefs, treat the sick and afflicted by mental means without the use of any material remedy or device. Drugless practitioners shall be subject to all local and state laws and regulations that govern physicians in matters pertaining to the public health.

SEC. 2. Every person who has been engaged in drugless practice in the State of Iowa for at least one year preceding the passage of this act, and who holds a diploma from a legally chartered school of drugless practice shall within ninety (90) days thereafter cause his name, age, residence, place of business and nature of his practice, to be registered with the board of examiners, and pay a registration fee of twenty (\$20.00) dollars to the secretary of the board, whereupon the board shall issue a license, which, when issued, shall be prima facie evidence of the right of the holder thereof to practice in the State of Iowa. All persons not provided for as above who desire to practice under this act in the State of Iowa shall be required to present a diploma from a school wherein the course of study comprises a term of at least twenty (20) months, of four (4) terms of five (5) months each, in actual attendance at such school, and which shall include instruction in the following branches, to-wit: anatomy, physiology, histology, pathology, gynecology, hygiene, symptomatology, dissection, and two full terms of five (5) months each of clinical practice. Upon the presentation of such diploma to the State Board of Examiners and satisfying such board that he is the legal holder thereof, he shall be granted by such board an examination on the branches therein noted. Examination questions on such subjects shall be identical with those asked of graduates of medical colleges who are taking their examinations on said subjects at the same time and place. The same number of yearly examinations shall be given for drugless practitioners as are given for medical practitioners. The fee for such examination, which shall accompany the application, shall be twenty (\$20.00) dollars. The same general average shall be required as in cases of physicians ex-

amined by the State Board of Medical Examiners. Upon passing a satisfactory examination as above prescribed, the said board of examiners shall issue a certificate to the applicant therefor stating the particular system by which he expects to practice signed by the president and secretary of said board, which certificate shall authorize the holder thereof to engage in the practice of said system or method in the State of Iowa. This certificate, when issued, shall be registered with the recorder of the county in which the holder thereof resides and for which he shall pay a fee of fifty (50) cents, and the holder thereof shall not be subject to the provisions of Section two thousand five hundred eighty (2580) of the Code.

SEC. 3. The certificate provided for in the foregoing section shall not authorize the holder thereof to practice by any system or method other than that specified on his license or to prescribe or use drugs in his practice or to perform major or operative surgery.

SEC. 4. Upon removal to another county in the State of Iowa the holder of a license to engage in drugless practice shall have his certificate registered with the recorder of the county to which he removes, and shall pay a fee of fifty (50) cents to said recorder.

SEC. 5. The board may refuse to grant a license to or may revoke the license of any person guilty of immoral, dishonorable or unprofessional conduct, or who is addicted to the use of liquor or any drug as to unfit him for practice, or who procures, addicts, or abets the procuring of a criminal abortion. No license shall be revoked except upon notice and hearing. After ninety (90) days, upon application and proof that disqualification had ceased, the board may reinstate such person.

SEC. 6. The board of examiners may refuse to grant a certificate to any person otherwise qualified who is not of good moral character. For like cause or for incompetency or habitual intoxication, or upon satisfactory evidence by affidavit or otherwise that a certificate has been granted upon false and fraudulent statements as to graduation or length of practice, the said board may revoke a certificate by an unanimous affirmative vote of the members of the board. After the revocation of a certificate the holder thereof shall not engage in drugless practice in the state.

SEC. 7. Any person who shall present to the board of examiners a fraudulent or false diploma, or one of which he is not the rightful owner, for the purposes of procuring a certificate as herein provided, or shall file, or attempt to file, with the recorder of any county in the State, the certificate of another as his own, or who shall falsely personate any one to whom a certificate has been granted by such board, or shall engage in drugless practice in the State without first having obtained and filed for record the certificate herein required, and who is not embraced in any of the exceptions contained in this chapter, or who continues to engage in drugless practice after the revocation of such certificate, is guilty of a misdemeanor, and upon conviction thereof shall be fined not less than three hundred (\$300.00) dollars, nor more than five hundred (\$500.00) dollars and cost of prosecution and shall stand committed to the county jail until such fine is paid; and whoever shall file or attempt to file with the recorder of any county in the State the certificate of another with the name of the party to whom it was granted, or issued,

erased, and the claimant's name inserted, or shall file or attempt to file with the board of examiners any false or forged affidavit of identification, shall be guilty of forgery.

SEC. 8. All acts and parts of acts in conflict herewith are hereby repealed.

Miller of Bremer moved that the rule be suspended that the bill be considered engrossed and read a third time now.

Jacobs of Calhoun moved that the substitute amendment be laid on the table.

Motion prevailed, and the substitute amendment and bill were laid on the table.

On motion of Sankey of Decatur, House File No. 148, a bill for an act to repeal Section Four Hundred Forty-one (441) of the Supplement to the Code of 1907, pertaining to county printing and enacting in lieu thereof the following, with report of committee recommending passage as amended by substitute amendment was taken up and considered.

Sankey of Decatur proposed the following amendment to the substitute amendment:

I move to strike out the word "minority" in the seventh line of Section one (1) and substitute the word "majority;" also strike out the period at the end of said section and add the words "if more than one newspaper is employed to publish said county printing, it shall be given to the political party casting the largest minority vote at the last general election."

Amendment adopted.

Arney of Marshall moved that House File No. 148 be referred to the Committee on Printing.

Motion prevailed, and House File No. 148 was so referred.

On motion of Stoddard of Buchanan, House File No. 97, a bill for an act to indemnify Gustave Winter for personal injury sustained by him while employed at the Hospital for the Insane at Independence, Iowa, with report of committee recommending passage as amended was taken up, considered and the amendment adopted.

Stoddard of Buchanan 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 ayes were:

Allred, Anderson, Arney, Balluff, Bascom, Bauman, Beans, Beebe, Beery, Blackmore, Boe, Boettger, Bonwell, Boomgaarden, Bowman, Brandes, Byerly, Cassady, Cooper, Cousins, Crummer, Cunningham, Dalby, Darrah, Davidson, Dawson, Derrough, Dewell, Dewey, DeWitt, Dodds, Drury, Dye, Elliott, Ellis, Etter, Fenn, Finlayson, Fourt, Fox, Fulliam, Fulton, Goodykoontz, Grier, Hanson, Harvey, Hickenlooper, Holmes, Huffaker, Ide, Jacobs, Jewell, Johnson, Jones, Kellogg, Kendall, Koontz, Kull, Larrabee, Lee, McCleery, McDonald, Meredith, Miller of Dubuque, Moore of Wapello, Moore of Linn, Newell, O'Connor, Penn, Perkins, Reitz, Ripley, Ritter, Sankey, Schee, Schroeder, Schulte, Smith, Stillman, Stoddard, Sullivan, Swift, Tegeler, Tilton, Ward, White, Wilson, Wolfe, Zeller—89.

The nays were:

None.

Absent or not voting:

Burt, Calkins, Corrie, Crozier, Dabney, Felt, Hackler, Harding, Hunter, Inman, Klay, Marston, Miller of Bremer, Reaney, Sheldon, Swan, Thompson, Welden, Mr. Speaker—19.

So the bill passed and the title was agreed to.

On motion of Miller of Bremer, House File No. 360, a bill for an act to amend Paragraph Two (2), Section Thirteen Hundred and Four (1304) of the Supplement to the Code, 1907, relating to exemption from taxation of charitable and benevolent institutions, with report of committee recommending passage as amended, was taken up and considered.

Hanson of Humboldt moved that the committee amendment be laid on the table.

Roll call demanded by Miller of Bremer and Davidson of Palo Alto.

#### SPECIAL ORDER.

Time having arrived for Special Order No. 15, Meredith of Cass called up his motion to reconsider the vote by which House File No. 4 passed to its third reading.

Motion prevailed.



Meredith of Cass 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 ayes were:

Anderson, Arney, Bascom, Bauman, Beebe, Blackmore, Boe, Bonwell, Boomgaarden, Brandes, Byerly, Cassady, Cousins, Crozier, Crummer, Cunningham, Dabney, Darrah, Davidson, Dawson, Dewey, DeWitt, Dodds, Drury, Etter, Fenn, Finlayson, Fulliam, Fulton, Goodykoontz, Grier, Hanson, Harding, Harvey, Holmes, Huffaker, Hunter, Inman, Jacobs, Jewell, Johnson, Kull, Larrabee, Lee, McDonald, Meredith, Newell, O'Connor, Ripley, Sankey, Schee, Schroeder, Schulte, Smith, Stillman, Stoddard, Sullivan, Swift, Thompson, Tilton, Ward, White, Zeller—63.

The nays were:

Allred, Beans, Bowman, Cooper, Dalby, Derrough, Dewell, Dye, Elliott, Fourt, Fox, Jones, Kellogg, Kendall, Koontz, Marston, Miller of Bremer, Miller of Dubuque, Moore of Wapelo, Moore of Linn, Penn, Perkins, Reitz, Ritter, Sheldon, Tegeler, Welden, Wolfe—28.

Absent or not voting:

Balluff, Beery, Boettger, Burt, Calkins, Corrie, Ellis, Felt, Hackler, Hickenlooper, Ide, Klay, McCleery, Renaey, Swan, Wilson, Mr. Speaker—17.

So the bill passed and the title was agreed to.

Further consideration of House File No. 360 was resumed.

The ayes were:

Boe, Davidson, Elliott, Jewell—4.

The nays were:

Allred, Arney, Balluff, Bascom, Bauman, Beebe, Blackmore, Boettger, Bonwell, Boomgaarden, Bowman, Brandes, Byerly, Cassady, Cooper, Cousins, Crozier, Dalby, Darrah, Dawson, Derrough, Dewell, Dewey, DeWitt, Dodds, Drury, Dye, Ellis, Etter, Fenn, Fox, Fulliam, Goodykoontz, Grier, Harvey, Hickenlooper, Huffaker of Bremer, Miller of Dubuque, Moore of Wapello, Moore of Miller of Dubuque, Moore of Wapello, O'Connor, Reitz, Ripley, Ritter, Sankey, Schee, Schroeder, Schulte, Sheldon, Smith, Still-

man, Stoddard, Sullivan, Swift, Tegeler, Ward, Welden, Wolfe, Zeller—65.

Absent or not voting:

Anderson, Beans, Beery, Burt, Calkins, Corrie, Crummer, Cunningham, Dabney, Felt, Finlayson, Fourt, Fulton, Hackler, Hanson, Harding, Holmes, Hunter, Ide, Inman, Jacobs, Johnson, Klay, Lee, McCleery, McDonald, Meredith, Miller of Bremer, Moore of Linn, Newell, Penn, Perkins, Reaney, Swan, Thompson, Tilton, White, Wilson, Mr. Speaker—39.

So the motion was lost.

Committee amendments adopted.

Miller of Bremer moved that the rules 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 ayes were:

Allred, Anderson, Arney, Bascom, Beebe, Beery, Blackmore, Boettger, Boomgaarden, Bowman, Brandes, Cooper, Cousins, Crozier, Cunningham, Dabney, Darrah, Dawson, DeWitt, Dodds, Drury, Dye, Ellis, Etter, Fenn, Fulliam, Grier, Harvey, Hickenlooper, Holmes, Huffaker, Hunter, Inman, Johnson, Jones, Kellogg, Kendall, Kull, Meredith, Miller of Bremer, Miller of Dubuque, Penn, Reitz, Ripley, Sankey, Schee, Schroeder, Schulte, Smith, Stillman, Stoddard, Swift, Tegeler, Tilton, Welden, Zeller—55.

The nays were:

Bauman, Beans, Boe, Bonwell, Cassady, Corrie, Crummer, Dalby, Derrough, Dewell, Dewey, Elliott, Finlayson, Fourt, Fox, Goodykoontz, Hanson, Jewell, Larrabee, Lee, McCleery, Marston, Moore of Wapello, Newell, Perkins, Ritter, Sheldon, Tilton—28.

Absent or not voting:

Balluff, Burt, Byerly, Calkins, Davidson, Felt, Fulton, Hackler, Harding, Ide, Jacobs, Klay, Koontz, McDonald, Moore of Linn, O'Connor, Reaney, Sullivan, Swan, Thompson, Ward, White, Wilson, Wolfe, Mr. Speaker—25.

So the bill passed and the title was agreed to.

## EXPLANATION OF VOTE.

MR. SPEAKER—I desire to explain my vote on the substitute for House File No. 4. While I am in favor of a Commerce Counsel, I do not believe that the provisions of this bill will secure the services of a competent attorney for the position. The method provided in the bill is incorrect and for these reasons I vote nay.

W. P. ALLRED.

On motion of Stillman of Greene House File No. 494, a bill for an act to amend Section Two Thousand Eight Hundred Twenty-three-p (2823-p) of the Supplement to the Code, 1907, relating to furnishing a list of books suitable for use in School District Libraries, was taken up and considered.

Stillman of Greene 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 ayes were:

Allred, Anderson, Arney, Balluff, Bascom, Bauman, Beans, Beebe, Beery, Blackmore, Boettger, Bonwell, Boomgaarden, Bowman, Brandes, Byerly, Cassady, Cooper, Corrie, Cousins, Crozier, Crummer, Dabney, Dalby, Darrah, Dawson, Derrough, Dewell, Dewey, DeWitt, Dodds, Drury, Dye, Elliott, Ellis, Etter, Fenn, Finlayson, Fourt, Fox, Fulliam, Fulton, Goodykoontz, Hanson, Harding, Harvey, Hickenlooper, Huffaker, Hunter, Inman, Jacobs, Jewell, Johnson, Jones, Kellogg, Kendall, Kull, Larrabee, Lee, McCleery, Miller of Dubuque, Moore of Wapello, Moore of Linn, Newell, O'Connor, Perkins, Reitz, Ripley, Ritter, Sankey, Schee, Schroeder, Schulte, Smith, Stillman, Stoddard, Sullivan, Swift, Thompson, Tilton, Ward, Welden, White, Wilson, Zeller—85.

The nays were:

None.

Absent or not voting:

Boe, Burt, Calkins, Cunningham, Davidson, Felt, Grier, Hacker, Holmes, Ide, Klay, Koontz, McDonald, Marston, Meredith, Miller of Bremer, Penn, Reaney, Sheldon, Swan, Tegeler, Wolfe, Mr. Speaker—23.

So the bill passed and the title was agreed to.

On motion of Moore of Linn, House File No. 531, a bill for an act making an appropriation to defray the mileage and expenses of the members of the various committees sent by the Thirty-third General Assembly to visit the several state educational institutions, was taken up and considered.

Moore of Linn 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 ayes were:

Allred, Anderson, Arney, Balluff, Bascom, Bauman, Beans, Beebe, Beery, Blackmore, Bonwell, Boomgaarden, Bowman, Byerly, Cassady, Cooper, Corrie, Cousins, Crozier, Crummer, Cunningham, Dabney, Dalby, Darrah, Derrough, Dewell, Dewey, DeWitt, Dodds, Elliott, Etter, Fenn, Finlayson, Fourt, Fox, Fulliam, Goodykoontz, Grier, Hanson, Harvey, Hickenlooper, Huffaker, Hunter, Inman, Jacobs, Jewell, Jones, Kellogg, Kendall, Kull, Larrabee, Lee, McCleery, Marston, Meredith, Miller of Dubuque, Moore of Wapello, Moore of Linn, Newell, O'Connor, Penn, Perkins, Reitz, Ripley, Ritter, Sankey, Schroeder, Schulte, Smith, Stillman, Stoddard, Sullivan, Swift, Thompson, Tilton, Ward, Welden, White, Zeller—79.

The nays were:

None.

Absent or not voting:

Boe, Boettger, Brandes, Burt, Calkins, Davidson, Dawson, Drury, Dye, Ellis, Felt, Fulton, Hackler, Harding, Holmes, Ide, Johnson, Klay, Koontz, McDonald, Miller of Bremer, Reaney, Schee, Sheldon, Swan, Tegeler, Wilson, Wolfe, Mr. Speaker—29.

So the bill passed and the title was agreed to.

On motion of Moore of Linn, House File No. 530, a bill for an act making an appropriation to defray the mileage expense, general expenses and witness fees of the investigating committee for the hospitals for insane, was taken up and considered.

Moore of Linn 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 ayes were:

Allred, Anderson, Arney, Balluff, Bascom, Bauman, Beans, Beebe, Beery, Blackmore, Boe, Bonwell, Boomgaarden, Bowman, Brandes, Byerly, Cassady, Cooper, Corrie, Cousins, Crozier, Crummer, Cunningham, Dabney, Dalby, Darrah, Davidson, Dawson, Derrough, Dewell, Dewey, DeWitt, Dodds, Drury, Dye, Elliott, Ellis, Etter, Fenn, Finlayson, Fourt, Fox, Fulliam, Fulton, Hanson, Harding, Harvey, Hickenlooper, Huffaker, Hunter, Inman, Jewell, Johnson, Jones, Kellogg, Kendall, Kull, Larrabee, Lee, McCleery, McDonald, Meredith, Miller of Bremer, Miller of Dubuque, Moore of Wapello, Moore of Linn, Newell, O'Connor, Penn, Perkins, Reitz, Ripley, Ritter, Sankey, Schroeder, Schulte, Sheldon, Smith, Stillman, Stoddard, Sullivan, Swift, Tegeler, Tilton, Ward, Welden, White, Wilson, Wolfe—89.

The nays were:

None.

Absent or not voting:

Boettger, Burt, Calkins, Felt, Goodykoontz, Grier, Hackler, Holmes, Ide, Jacobs, Klay, Koontz, Marston, Reaney, Schee, Swan, Thompson, Zeller, Mr. Speaker—19.

So the bill passed and the title was agreed to.

On motion of Davidson of Palo Alto, House File No. 523, a bill for an act to amend Chapter 9, Title 25 of the Code of Iowa, to regulate the issuance of warrants upon requisitions from governors of other states and territories, was taken up and considered.

Davidson of Palo Alto 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 ayes were:

Anderson, Balluff, Bascom, Bauman, Beebe, Beery, Blackmore, Boe, Bonwell, Boomgaarden, Bowman, Brandes, Byerly, Calkins,

Cassady, Cooper, Corrie, Cousins, Crozier, Crummer, Dabney, Darrah, Davidson, Derrough, Dewell, Dewey, DeWitt, Dodds, Drury, Dye, Elliott, Ellis, Etter, Fenn, Fourn, Fox, Fulliam, Fulton, Hanson, Harding, Harvey, Hickenlooper, Huffaker, Hunter, Inman, Jacobs, Jewell, Johnson, Jones, Kellogg, Kendall, Koontz, Kull, Larrabee, Lee, McCleery, McDonald, Meredith, Miller of Bremer, Miller of Dubuque, Moore of Wapello, Moore of Linn, Newell, O'Connor, Penn, Perkins, Reitz, Ripley, Ritter, Schroeder, Schulte, Sheldon, Smith, Sullivan, Thompson, Tilton, Welden, White, Wolfe,—79.

The nays were:

None.

Absent or not voting:

Allred, Arney, Beans, Boettger, Burt, Cunningham, Dalby, Dawson, Felt, Finlayson, Goodykoontz, Grier, Hackler, Holmes, Ide, Klay, Marston, Reaney, Sankey, Schee, Stillman, Stoddard, Swan, Swift, Tegeler, Ward, Wilson, Zeller, Mr. Speaker—29.

So the bill passed and the title was agreed to.

#### MESSAGES FROM THE SENATE.

The following messages were received from the Senate:

MR. SPEAKER—I am directed to inform your honorable body that the Senate has passed the following bill in which the concurrence of the House is asked:

Senate File no. 403, a bill for an act making an appropriation for the State University, the Iowa State College of Agriculture and Mechanic Arts and the State Normal School.

S. W. NEAL,  
*Secretary.*

Also:

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 publishing of the report of the Capitol Commission.

S. W. NEAL,  
*Secretary.*

Also:

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

Concurrent Resolution relative to the furnishing of certain officers of the Senate and House, with Codes, Supplement to Code and Session Laws.

S. W. NEAL,  
*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. 297, a bill for an act to amend the law as it appears in Section 1090 of the Code relating to the formation of Election Precincts.

S. W. NEAL,  
*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. 410, a bill for an act making an appropriation for the Farmers Institute of Pocahontas county, Iowa, under the provisions of Section 1675 of the Supplement to the Code, 1907.

S. W. NEAL,  
*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. 413, a bill for an act amending Section 150 and 151 of the Code, relating to the Custodian of public buildings and property.

S. W. NEAL,  
*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. 402, a bill for an act making appropriations for the constitution, repair, improvement and contingent funds for the State Hospitals, Penitentiaries, Industrial Schools, Institution for the Feeble-Minded, College for the Blind, School for the Deaf, Iowa Soldiers' Home and Iowa Soldiers' Orphans Home.

S. W. NEAL,  
*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. 251, a bill for an act to amend the law as it appears in sub-division 4 of Section 138 of the Supplement to the Code, 1907, and Section 139 of the Code, relating to printing.

S. W. NEAL,  
*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. 406, a bill for an act to amend Section four thousand eight hundred and eleven (4811) of the Code, relating to getting off and on cars while in motion, and providing punishment therefor.

S. W. NEAL,  
*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:

Substitute for Senate File No. 365, a bill for an act to provide for the payment of a bounty for the destruction of foxes.

S. W. NEAL,  
*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. 404, a bill for an act providing for the inside finishing and completion of the Historical, Memorial and Art building.

S. W. NEAL,  
*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. 405, a bill for an act creating a Capitol Grounds Improvement Commission.

S. W. NEAL,  
*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. 261, a bill for an act to amend the law as it appears in Section 5718-a-18 of the Supplement to the Code, 1907, relating to the power of the Board of Parole, to establish rules and regulations governing paroles; also, to amend Section 5626, of the Code, relating to pardons and the revision of fines and forfeitures.

S. W. NEAL,  
*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. 330, a bill for an act to amend the law as it appears in Section twenty-four hundred and forty-eight (2448) of the Supplement to the Code, 1907, relating to the sale of intoxicating liquors.

S. W. NEAL,  
*Secretary.*

Also:

MR. SPEAKER—I am directed to inform your honorable body that the Senate has amended by substitute and passed the following bill in which the concurrence of the Senate was asked:

Senate File No. 29, a bill for an act repealing Section five hundred and ninety-one (591) of the Code, relating to the compensation of Township Clerks and enacting a substitute therefor.

S. W. NEAL,  
*Secretary.*

Also:

MR. SPEAKER—I am directed to inform your honorable body that the Senate requests the recall of House File No. 292, a bill for an act relating to certain conveyances of real estate legalized by executors, administrators and guardians.

S. W. NEAL,  
*Secretary.*

Also:

MR. SPEAKER—I am directed to inform your honorable body that the Senate has amended and passed the following bill in which the concurrence of the Senate was asked:

House File No. 175, a bill for an act to repeal Section thirteen hundred three (1303) of the Supplement to the Code, 1907, relating to levy of taxes by board of supervisors, and to enact a substitute therefor.

S. W. NEAL,  
*Secretary.*

Also:

MR. SPEAKER—I am directed to inform your honorable body that the Senate has amended and passed the following bill in which the concurrence of the Senate was asked:

House File No. 393, a bill for an act to amend Section four hundred four (404) of the Code relating to the sale or exchange of bonds issued under the provisions of Section four hundred three (403) of the 1907 Supplement of the Code.

S. W. NEAL,  
*Secretary.*

Also:

MR. SPEAKER—I am directed to inform your honorable body that the Senate has amended and passed the following bill in which the concurrence of the Senate was asked:

House File No. 121, a bill for an act to amend Section one thousand five hundred and seventy (1570) of the Supplement to the Code, 1907,

providing for the time when Osage Orange, Willow, and other hedge fences shall be trimmed.

S. W. NEAL,  
*Secretary.*

Also:

MR. SPEAKER—I am directed to inform your honorable body that the Senate has refused to concur in House amendments to Senate File No. 281, a bill for an act increasing the amount that may be levied for the contingent fund in a school district.

S. W. NEAL,  
*Secretary.*

Also:

MR. SPEAKER—I am directed to inform your honorable body that the Senate has adopted the report of the conference committee and passed the substitute as recommended by conference committee on House File No. 265, a bill for an act providing for the delivery to the city treasurer of so much of the county road fund tax as is collected from property within the incorporated limits of any city.

S. W. NEAL,  
*Secretary.*

Also:

MR. SPEAKER—I am directed to inform your honorable body that the Senate has amended and passed the following bill, in which the concurrence of the Senate was asked:

House File No. 482, a bill for an act legalizing the acts, resolutions, ordinances and proceedings of the council of the incorporated town of Oto, Woodbury county, Iowa.

S. W. NEAL,  
*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. 396, a bill for an act relating to the government of certain cities and the recalling of elective officers therein.

S. W. NEAL,  
*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. 422, a bill for an act legalizing the ordinances of the incorporated town of Laurens, Iowa.

S. W. NEAL,  
*Secretary.*

Also:

MR. SPEAKER—I am directed to inform your honorable body that the Senate has passed the following bill in which the concurrence of the Senate was asked:

House File No. 490, a bill for an act to legalize the incorporation of the town of Knierim, Calhoun county, Iowa.

S. W. NEAL,  
*Secretary.*

Also:

MR. SPEAKER—I am directed to inform your honorable body that the Senate has concurred in House amendments to Senate File No. 371, a bill for an act to enable cities to improve water fronts and to levy a tax to pay for such work.

S. W. NEAL,  
*Secretary.*

Also:

MR. SPEAKER—I am directed to inform your honorable body that the Senate has concurred in House amendments to Senate File No. 290, a bill for an act relative to the limit of indebtedness of school districts.

S. W. NEAL,  
*Secretary.*

Also:

MR. SPEAKER—I am directed to inform your honorable body that the Senate has passed the following bill in which the concurrence of the Senate was asked:

House File No. 234, a bill for an act to legalize the incorporation of the town of Merrill, Iowa.

S. W. NEAL,  
*Secretary.*

Also:

MR. SPEAKER—I am directed to inform your honorable body that the Senate has passed the following bill in which the concurrence of the Senate was asked:

House File No. 233, a bill for an act to legalize the incorporation of the town of Hinton, Iowa.

S. W. NEAL,  
*Secretary.*

Also:

MR. SPEAKER—I am directed to inform your honorable body that the Senate has passed the following bill in which the concurrence of the Senate was asked:

House File No. 314, a bill for an act relating to the protection of city and town property from floods.

S. W. NEAL,  
*Secretary.*

Also:

MR. SPEAKER—I am directed to inform your honorable body that the Senate has indefinitely postponed the following bill, in which the concurrence of the Senate was asked:

House File No. 347, a bill for an act relative to the requirements as to soundness of stallions kept for public service.

S. W. NEAL,  
*Secretary.*

Also:

MR. SPEAKER—I am directed to inform your honorable body that the Senate has indefinitely postponed the following bill in which the concurrence of the Senate was asked:

House File No. 391, a bill for an act providing for the planting of forest trees upon lands owned by county or state.

S. W. NEAL,  
*Secretary.*

#### SENATE MESSAGES CONSIDERED.

Substitute for Senate File No. 297, a bill for an act to amend Section Ten Hundred and Ninety (1090) of the Code, relating to the formation of election precincts.

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

Senate File No. 403, a bill for an act making appropriations for the State University, the Iowa State College of Agriculture and Mechanic Arts, and the State Normal School.

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

Senate File No. 410, a bill for an act making an appropriation for the Farmers' Institute of Pocahontas County, Iowa, under the provisions of Section Sixteen Hundred Seventy-five (1675) of the Supplement to the Code, 1907.

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

Senate File No. 402, a bill for an act making appropriations for the construction, repair, improvement and contingent funds for the State Hospitals, Penitentiaries, Industrial Schools, Sanatorium for Treatment of Tuberculosis, Institution for the Feeble-minded, College for the Blind, School for the Deaf, Iowa Soldiers' Home and Iowa Soldiers' Orphans' Home.

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

Senate File No. 251, a bill for an act to amend the law as it appears in Sub-division Four (4) of Section One Hundred Thirty-eight (138) of the Supplement to the Code, 1907, and Section One Hundred Thirty-nine (139) of the Code, relating to printing.

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

Senate File No. 413, a bill for an act amending Sections One Hundred Fifty (150) and One Hundred Fifty-one (151) of the Code, relating to the duties of the custodian of public buildings and property.

Read first and second time and referred to Committee on Retrenchment and Reform.

Senate File No. 261, a bill for an act to amend the law as it appears in Section Five Thousand Six Hundred and Twenty-six (5626) of the Supplement to the Code, 1907, relating to pardons and the remission of fines and forfeitures.

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

Senate File No. 330, a bill for an act to amend the law as it appears in Section Twenty-four Hundred Forty-eight (2448) of the Supplement to the Code, 1907, relating to the sale of intoxicating liquors.

Read first and second time and referred to Committee on Suppression of Intemperance.

Senate File No. 405, a bill for an act creating the Capitol Grounds Improvement Commission and defining its duties and making an appropriation therefor.

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

Senate File No. 404, a bill for an act providing for the inside finishing and completion of the Historical, Memorial and Art Building, and making an appropriation therefor.

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

Substitute for Senate File No. 365, a bill for an act to provide for the payment of a bounty or bounties for the destruction of foxes.

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

Senate File No. 406, a bill for an act to amend Section Four Thousand Eight Hundred and Eleven (4811) of the Code, relating to getting off and on cars while in motion, and providing punishment therefor.

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

Senate File No. 396, a bill for an act to amend the law as it appears in Section Ten Hundred Fifty-six-a-thirty-six (1056-a-36), Chapter Fourteen-c, Title Five of the Supplement to the Code, 1907, relating to the government of certain cities and the recalling of elective officers therein.

Read first and second time and referred to Committee on Municipal Corporations.

Senate File No. 422, a bill for an act legalizing the ordinances of the incorporated town of Laurens, Iowa.

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

Harding of Woodbury moved the adoption of the following Conference Committee report on House File No. 265.

MR. SPEAKER—Your conference committee, to which was referred House File No. 265, beg leave to report to you that they have had the same under consideration and make the following recommendation:

We recommend the following substitute for the bill:

A Bill for an Act to Repeal Section Fifteen Hundred Thirty (1530) of the Supplement to the Code, 1907, and Enacting a Substitute Therefor, Relating to the County Road Fund and County Drainage Fund and Providing for the Collection and Distribution of the Same.

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

SECTION 1. That the law as it appears in Section fifteen hundred thirty (1530) of the Supplement to the Code, 1907, be and the same is hereby repealed and the following enacted in lieu thereof:

The board of supervisors of each county shall, at the time of levying taxes for other purposes, levy a tax of not more than one mill on the dollar of the assessed value of the taxable properties in its county, in-

cluding all taxable property in municipalities which shall be collected at the same time and in the same manner as other taxes and be known as the county road fund and be paid out only on the order of the board of supervisors, for the purchase of road tools or machinery or for work done on the roads in the county in such places as it shall determine; provided that on written petition of a majority of the electors who are freeholders of any township in any county the board of supervisors may levy an additional mill in said township to be expended by said board of supervisors on roads in townships where the same is levied; provided, further, that the board of supervisors of any county may levy an additional tax of not more than one mill on the dollar of the taxable property in the county including all taxable property in cities and incorporated towns outside the limits of cities of the first class and cities acting under special charter, which tax shall be collected at the same time and in the same manner as other taxes and be known as the county drainage fund and be paid out only on the order of the board for drainage of highways and paying drainage assessments heretofore levied for benefits to highways in the county or that may hereafter be levied for such purpose. One-half of the county road fund arising from the property within any municipality shall be paid over by the county treasurer to the treasurer of the municipality in the same manner as other municipal taxes and shall be expended on the roads or streets within such municipality by and under the direction of the council or commission. The county treasurer shall receive the same compensation for collecting this tax as he does for collecting corporation taxes, except as hereinafter provided. Taxes already collected under Section fifteen hundred thirty (1530) of the Supplement to the Code, 1907, and in the hands of the county treasurer shall be paid over to the treasurer of the municipality in the same manner as other municipal taxes. Moneys so collected shall not be transferable to any other fund nor used for any other purpose. The board of supervisors shall levy such additional sum for the benefit of such township as shall have certified a desire for such additional levy as provided for in Section fifteen hundred twenty-eight (1528) of this chapter. The amount for the general township fund and the county road fund and county drainage fund shall not exceed in any year six mills on the dollar.

SEC. 2. The administrative bodies of such municipality shall have authority to appropriate out of the fund arising from such tax, the whole or any part thereof, for the improvement of roads outside of the limits of their municipality where the board of supervisors are making improvements on such roads, in which case the amount of such appropriation shall be paid over to the treasurer of the county for such specific improvement and disbursed by the board of supervisors. If expended by the administrative body of the municipality it shall be expended upon that part of the roads within its limits which are reserved and used for traveling purposes and only such roads as are a continuation of country roads which are main arteries of travel, and one-half of the road fund collected within the municipality and retained for disbursement by the board of supervisors shall be by them used on such roads as are main arteries of travel immediately tributary to the municipality for which such tax has been collected. Nothing herein contained shall prevent the board of

supervisors from paying over to the treasurer of the municipality the whole or any part of said tax raised within such municipality to be expended by such municipality as herein provided.

SEC. 3. In municipalities where taxes are collected independent of the county treasurer no compensation shall be paid to the county treasurer for the collection of this tax.

SEC. 4. The term municipality as herein used is defined to include cities, towns, cities acting under special charter and those under the commission form of government, and when so amended the bill do pass.

J. H. ALLEN,  
JOHN HAMMILL,  
ROBERT HUNTER,  
W. C. WHITING,  
F. H. HUNTER,  
W. T. HARDING,  
AUG. A. BALLUFF,  
H. C. BRANDES.

So the House adopts the Conference Committee report.

On the question, "Shall the substitute for House File No. 265 pass?"

The ayes were:

Allred, Anderson, Arney, Balluff, Bascom, Beans, Beebe, Beery, Blackmore, Boettger, Bonwell Boomgaarden, Bowman, Byerly, Calkins, Cassady, Cooper, Cousins, Crozier, Crummer, Dabney, Darrah, Derrough, Dewell, Dodds, Drury, Dye, Elliott, Etter, Fenn, Finlayson, Fourt, Fox, Fulliam, Fulton, Goodykoontz, Hanson, Harding, Harvey, Hickenlooper, Holmes, Huffaker, Hunter, Ide, Jewell, Jones, Kellogg, Kendall, Koontz, Kull, Larrabee, Lee, McCleery, McDonald, Meredith, Miller of Bremer, Miller of Dubuque, Moore of Wapello, O'Connor, Penn, Perkins, Reitz, Ripley, Ritter, Sankey, Schee, Schroeder, Schulte, Smith, Stoddard, Sullivan, Swift, Tegeler, Thompson, Tilton, White, Zeller—77.

The nays were:

None.

Absent or not voting:

Bauman, Boe, Brandes, Burt, Corrie, Cunningham, Dalby, Davidson, Dawson, Dewey, DeWitt, Ellis, Felt, Grier, Hackler, Inman, Jacobs, Johnson Klay, Marston, Moore of Linn, Newell, Reaney, Sheldon, Stillman, Swan, Ward, Welden, Wilson, Wolfe, Mr. Speaker—31.

So the bill passed and the title was agreed to.



Grier of Poweshiek moved that the House insist on its amendments to Senate File No. 281, a bill for an act to amend the law as it appears in Section Two Thousand Eight Hundred Six (2806) of the Code of Iowa, to increase the amount that may be levied for the contingent fund in a school district.

On the question, "Shall the House insist?"

The ayes were:

Allred, Anderson, Arney, Balluff, Beans, Beebe, Beery, Blackmore, Boe, Boettger, Bonwell, Boomgaarden, Bowman, Brandes, Byerly, Calkins, Cassady, Cooper, Cousins, Crozier, Crummer, Cunningham, Dabney, Derrough, Dewell, Dewey, DeWitt, Dye, Elliott, Etter, Fenn, Finlayson, Fourt, Fox, Fulliam, Fulton, Goodykoontz, Grier, Hanson, Harding, Hickenlooper, Holmes, Hufaker, Hunter, Ide, Inman, Jacobs, Jones, Kendall, Koontz, Larrabee, Lee, McCleery, Meredith, Miller of Dubuque, Moore of Wapello, Moore of Linn, O'Connor, Penn, Perkins, Reitz, Ripley, Ritter, Sankey, Schulte, Sheldon, Stillman, Stoddard, Sullivan, Swift, Tilton, Zeller—72.

The nays were:

Harvey, Schee, Smith—3.

Absent or not voting:

Bascom, Bauman, Burt, Corrie, Dalby, Darrah, Davidson, Dawson, Dodds, Drury, Ellis, Felt, Hackler, Jewell, Johnson, Kellogg, Klay, Kull, McDonald, Marston, Miller of Bremer, Newell, Reaney, Schroeder, Swan, Tegeler, Thompson, Ward, Welden, White, Wilson, Wolfe, Mr. Speaker—33.

So the House insists on its amendments.

#### SENATE AMENDMENTS CONSIDERED.

On request of Hickenlooper of Monroe unanimous consent having been given, House File No. 175, a bill for an act to repeal Section Thirteen Hundred Three (1303) of the Supplement to the Code, 1907, relating to levy of taxes by board of supervisors, and to enact a substitute therefor, with the following Senate amendments, was taken up and the amendments read and considered.

Amend by striking out the period following the words "thereof" in the last line of the title and insert in lieu thereof a semicolon and the following: "creating a court expense fund."

Amend by adding to Section 1 the following: "Provided, further, that the levy for the purpose of providing an additional fund shall not exceed three mills on a dollar."

Hickenlooper of Monroe moved that the House concur in the Senate amendments.

On the question, "Shall the House concur?"

The ayes were:

Allred, Anderson, Arney, Balluff, Bascom, Beans, Beebe, Beery, Blackmore, Boe, Boettger, Bonwell, Boomgaarden, Brandes, Byerly, Calkins, Cassady, Cooper, Cousins, Crozier, Crummer, Cunningham, Dabney, Dalby, Darrah, Derrough, Dewell, Dewey, DeWitt, Dye, Elliott, Etter, Fenn, Finlayson, Fourt, Fox, Fulliam, Fulton, Goodykoontz, Grier, Harding, Hickenlooper, Holmes, Hufaker, Ide, Inman, Jacobs, Jewell, Jones, Kendall, Koontz, Larrabee, Lee, McCleery, McDonald, Meredith, Miller of Bremer, Miller of Dubuque, Moore of Wapello, Moore of Linn, O'Connor, Perkins, Reitz, Ripley, Ritter, Sankey, Schulte, Smith, Stillman, Stoddard, Sullivan, Tegeler, Thompson, Tilton, Ward, White, Zeller—77.

The nays were:

None.

Absent or not voting:

Bauman, Bowman, Burt, Corrie, Davidson, Dawson, Dodds, Drury, Ellis, Felt, Hackler, Hanson, Harvey, Hunter, Johnson, Kellogg, Klay, Kull, Marston, Newell, Penn, Reaney, Schee, Schroeder, Sheldon, Swan, Swift, Welden, Wilson, Wolfe, Mr. Speaker—31.

So the House concurs.

On request of Boettger of Scott, unanimous consent having been given, House File No. 29, a bill for an act repealing Section Five Hundred and Ninety-one (591) of the Code, relating to the compensation of township clerks and enacting a substitute therefor, with the following Senate amendments, was taken up and the amendments read and considered.

Schee of O'Brien in the Chair.

## SUBSTITUTE FOR HOUSE FILE NO. 29.

A Bill for an Act to Amend Section Five Hundred and Ninety-one (591) of the Code Relating to Compensation of Township Clerks.

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

SECTION 1. That Section five hundred and ninety-one (591) of the Code be amended by adding to subdivision one (1): "except in townships having a population of thirty thousand (30,000) or over, and situated entirely within the limits of a city acting under special charter, such compensation shall be three dollars (\$3.00) per day."

Boettger of Scott moved that the House concur in the Senate amendments.

On the question, Shall the House concur?

Allred, Anderson, Arney, Balluff, Bascom, Beans, Beebe, Blackmore, Boe, Boettger, Bonwell, Boomgaarden, Bowman, Byerly, Calkins, Cassady, Cousins, Crozier, Crummer, Cunningham, Dabney, Dalby, Darrah, Dewell, Dewey, DeWitt, Dodds, Elliott, Etter, Fenn, Finlayson, Fourt, Fox, Fulliam, Grier, Hanson, Harding, Hickenlooper, Huffaker, Hunter, Ide, Jacobs, Jones, Kendall, Larrabee, McDonald, Meredith, Miller of Bremer, Miller of Dubuque, Moore of Wapello, Moore of Linn, O'Connor, Perkins, Reitz, Ripley, Ritter, Sankey, Schee, Schulte, Smith, Stillman, Stoddard, Sullivan, Tegeler, Thompson, Tilton, White, Zeller—68.

The nays were:

None.

Absent or not voting:

Bauman, Beery, Brandes, Burt, Cooper, Corrie, Davidson, Dawson, Derrough, Drury, Dye, Ellis, Felt, Fulton, Goodykoontz, Hackler, Harvey, Holmes, Inman, Jewell, Johnson, Kellogg, Klay, Koontz, Kull, Lee, McCleery, Marston, Newell, Penn, Reaney, Schroeder, Sheldon, Swan, Swift, Ward, Welden, Wilson, Wolfe, Mr. Speaker—40.

So the House concurs.

On request of Dabney of Davis, unanimous consent having been given, House File No. 393, a bill for an act to amend Section Four Hundred Four (404) of the Code, relating to the sale or exchange of bonds issued under the provisions of Section Four Hundred Three (403) of the Nineteen Hundred Seven (1907) Supplement

of the Code, with the following Senate amendments, was taken up and the amendments read and considered.

Amend the title by striking out all after the word "bonds" in the third line, and by inserting in lieu thereof the words "and refunding of the same."

Dabney of Davis moved that the House concur in the Senate amendments.

On the question, Shall the House concur?

The ayes were:

Arney, Balluff, Bascom, Beans, Beebe, Beery, Blackmore, Boe, Bonwell, Boomgaarden, Bowman, Byerly, Calkins, Cassady, Cooper, Cousins, Crozier, Crummer, Cunningham, Dabney, Dalby, Darrah, Derrough, Dewell, Dewey, DeWitt, Dodds, Dye, Elliott, Etter, Fenn, Finlayson, Fourt, Fox, Fulliam, Fulton, Goodykoontz, Grier, Hanson, Hickenlooper, Holmes, Hunter, Ide, Inman, Jacobs, Jewell, Jones, Kendall, Koontz, Lamb, Lee, McCleery, McDonald, Meredith, Miller of Bremer, Miller of Dubuque, Moore of Wapello, Moore of Linn, O'Connor, Perkins, Reitz, Ripley, Ritter, Sankey, Schee, Schulte, Smith, Stillman, Stoddard, Sullivan, Tegeler, Thompson, Ward, White, Wilson, Zeller—76.

The nays were:

None.

Absent or not voting:

Allred, Anderson, Bauman, Boettger, Brandes, Burt, Corrie, Davidson, Dawson, Drury, Ellis, Felt, Hackler, Harding, Harvey, Hunter, Johnson, Kellogg, Klay, Kull, Marston, Newell, Penn, Reaney, Schroeder, Sheldon, Swan, Swift, Tilton, Welden, Wolfe, Mr. Speaker—32.

So the House concurs.

On request of Dabney of Davis, unanimous consent having been given, House File No. 121, a bill for an act to amend Section One Thousand Five Hundred and Seventy (1570) of the Code, 1907, providing for the time when osage orange, willow, and other hedge fences shall be trimmed, with the following Senate amendments, was taken up and the amendments read and considered.

Amend by adding as Section 2:

“Section 2. That said section be further amended by adding after the comma (,) following the word “township” in the fifth line of said section the following: ‘provided, however, that the owner of said fence may grow on the average three (3) trees to the rod, for posts, on condition that he keep the underbrush to said trees trimmed up to a height of three (3) feet above the height they are required to be trimmed by said section.’ ”

Dabney of Davis moved that the House concur in the Senate amendments.

On the question, “Shall the House concur?”

The ayes were:

Allred, Anderson, Arney, Balluff, Bascom, Beans, Beebe, Beery, Blackmore, Boe, Boettger, Bonwell, Boomgaarden, Bowman, Brandes, Byerly, Calkins, Cassady, Cooper, Cousins, Crozier, Crummer, Cunningham, Dabney, Darrah, Derrough, Dewell, Dewey, DeWitt, Dye, Ellis, Etter, Fenn, Finlayson, Fourt, Fox, Fulliam, Goodykoontz, Grier, Hanson, Harding, Harvey, Hickenlooper, Holmes, Huffaker, Hunter, Ide, Inman, Jacobs, Jones, Kendall, Koontz, Larrabee, Lee, McCleery, McDonald, Meredith, Miller of Bremer, Miller of Dubuque, Moore of Wapello, Moore of Linn, O’Connor, Penn, Perkins, Reitz, Ripley, Ritter, Sankey, Schulte, Smith, Stillman, Stoddard, Sullivan, Swift, Tegeler, Thompson, Tilton, Wilson, Zeller—79.

The nays were:

None.

Absent or not voting:

Bauman, Burt, Corrie, Dalby, Davidson, Dawson, Dodds, Drury, Elliott, Felt, Fulton, Hackler, Jewell, Johnson, Kellogg, Klay, Kull, Marston, Newell, Reaney, Schee, Schroeder, Sheldon, Swan, Ward, Welden, White, Wolfe, Mr. Speaker—29.

So the House concurs.

On request of Harding of Woodbury, unanimous consent having been given, House File No. 482, a bill for an act legalizing the acts, resolutions, ordinances and proceedings of the council of the incorporated town of Oto, Woodbury County, Iowa, with the following Senate amendments was taken up and the amendments read and considered.

Amend Section Three by adding thereto the following: "Which publication shall be without expense to the state."

Harding of Woodbury moved that the House concur in the Senate amendments.

On the question, "Shall the House concur?"

The ayes were:

Allred, Anderson, Arney, Balluff, Bascom, Bauman, Beebe, Beery, Blackmore, Boe, Bonwell, Boomgaarden, Bowman, Brandes, Byerly, Calkins, Cassady, Cooper, Cousins, Crozier, Crummer, Cunningham, Dabney, Darrah, Derrough, Dewell, DeWitt, Drury, Dye, Etter, Fenn, Finlayson, Fourt, Fox, Fulliam, Fulton, Goodykoontz, Hanson, Harding, Harvey, Hickenlooper, Holmes, Huffaker, Hunter, Ide, Inman, Jewell, Johnson, Jones, Kellogg, Kendall, Koontz, Kull, Larrabee, Lee, McCleery, McDonald, Meredith, Miller of Dubuque, Moore of Wapello, Moore of Linn, Newell, O'Connor, Penn, Perkins, Reitz, Ripley, Ritter, Sankey, Schee, Schroeder, Schulte, Sheldon, Smith, Stillman, Stoddard, Sullivan, Swift, Tegeler, Tilton, White, Wolfe, Zeller—83.

The nays were:

None.

Absent or not voting:

Beans, Boettger, Burt, Corrie, Dalby, Davidson, Dawson, Dewey, Dodds, Elliott, Ellis, Felt, Grier, Hackler, Jacobs, Klay, Marston, Miller of Bremer, Reaney, Swan, Thompson, Ward, Welden, Wilson, Mr. Speaker—25.

So the House concurs.

Holmes of Kossuth moved that the House recall Senate File No. 379 and that it be referred to Committee on Pardons.

Motion prevailed.

Grier of Poweshiek moved that a Conference Committee on Senate File No. 281 be appointed.

Motion prevailed.

Inman of Floyd moved that the request of the Senate for the recall of House File No. 292 be granted.

Motion prevailed.

Speaker pro tempore Lee announced that as Speaker of the House, in the presence of the House, he had signed Senate File Nos. 266, 394, 229, 99, 110 and 290.

Speaker pro tempore Lee announced as members of the Conference Committee on Senate File No. 281 on the part of the House: Grier of Poweshiek, Finlayson of Grundy, Ripley of Hancock and McDonald of Carroll.

Miller of Dubuque moved that the House adjourn until 1:00 o'clock, P. M.

O'Connor of Chickasaw moved to amend to change the time to 1:15 P. M.

Amendment adopted.

Motion to adjourn prevailed.

#### AFTERNOON SESSION.

House met pursuant to adjournment.

Speaker Feely in the Chair.

The Speaker announced as members of the Sifting Committee: White of Story, Lee of Emmet, Sullivan of Polk, Moore of Linn, Harding of Woodbury, Koontz of Johnson and McDonald of Carroll.

#### REPORTS OF COMMITTEES.

Miller of Bremer, from the Committee on Pharmacy, submitted the following report:

MR. SPEAKER—Your committee on Pharmacy to whom was referred House File No. 442, a bill for an act relating to the practice of Pharmacy, creating the office of Commissioner of Pharmacy, a Board of Pharmacy and Inspectors, and fixing the compensation thereof, also, abolishing the offices of Commission of Pharmacy and of secretary and treasurer thereof, beg leave to report they have had the same under consideration and have

instructed me to report the same back to the House with the recommendation that the same do pass.

C. W. MILLER,  
*Chairman*

Adopted.

Also:

MR. SPEAKER—Your committee on Pharmacy to whom was referred House File No. 461, a bill for an act to amend Section two thousand five hundred eighty-nine-b (2589-b) of the Supplement to the Code, 1907, relating to the practice of pharmacy, beg leave to report they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same do pass.

C. W. MILLER,  
*Chairman.*

Adopted.

#### REPORT OF COMMITTEE ON ENROLLED BILLS.

Klay of Sioux 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 Joint Resolution No. 2, providing for and empowering the Board of Regents of the State University, the trustees of the Iowa State College of Agriculture and Mechanic Arts and the trustees of the State Teachers College at Cedar Falls to make application for the admission of these State Institutions to the rights and privileges of the Carnegie foundation for the advancement of teaching and to receive the same.

Also:

House File No. 31, a bill for an act to amend Section five hundred and ninety (590) of the Code relating to the compensation of township trustees.

Also:

House File No. 185, a bill for an act to amend Section two thousand five hundred eighty-eight (2588) of the Code, and Section two thousand five hundred ninety-three (2593) of the Supplement to the Code, 1907, relating to the sale of denatured alcohol and poison fly paper.

Also:

House File No. 201, a bill for an act to repeal Section ten hundred ninety-one (1091) of the Code, relative to polling places for country precincts and to enact a substitute therefor.



Also:

House File No. 290, a bill for an act amendatory of and additional to Chapter fifteen (15) Title twelve (XII) of the Code and Supplement to the Code, relative to the care and propagation of fish.

Also:

House File No. 291, a bill for an act to amend Section four thousand nine hundred and seventy-nine (4979) of the Code, relating to offenses against the public health.

Also:

House File No. 296, a bill for an act to repeal Sections twenty-five hundred and sixty-three-a (2563-a), twenty-five hundred and sixty-three-b (2563-b), twenty-five hundred sixty-three-c (2563-c), twenty-five hundred sixty-three-d (2563-d), twenty-five hundred sixty-three-e (2563-e), twenty-five hundred sixty-three-f (2563-f), twenty-five hundred sixty-three-g (2563-g), twenty-five hundred sixty-three-h (2563-h) of the Supplement to the Code, 1907, and to enact in lieu thereof the following relating to protection of game.

Also:

House File No. 30, a bill for an act to amend Section five hundred and ninety two (592) of the Code relating to the compensation of township assessors.

Also:

House File No. 189, a bill for an act to amend the law as it appears in Sections sixteen hundred and sixty-one-a (1661-a), and sixteen hundred seventy-five (1675) Supplement to the Code of 1907, allowing appropriations for a short course in agriculture and domestic science.

Also:

House File No. 200, a bill for an act providing for the deposit of money in lieu of bonds where bonds are required as security for costs.

Also:

House File No. 250, a bill for an act to repeal Title eleven of the Code and the law as it appears in Title eleven of the Supplement to the Code, 1907, relating to the militia and enacting a substitute therefor to be known as the Military Code of Iowa.

Also:

House File No. 452, a bill for an act to amend Section four hundred thirty of the Code relative to dependent Soldiers' and Sailors' tax.

Also:

House File No. 208, a bill for an act to repeal Sections twenty-five hundred and seventy-a (2570-a), twenty-five hundred seventy-a-1 (2570-a-1), twenty-five hundred and seventy-b (2570-b), and twenty-five hundred and seventy-one (2571) of the Supplement to the Code, 1907, relating to the care of persons affected with contagious diseases, the payment of quarantine expenses and the publishing and distribution of regulations of local boards of health.

Also:

House File No. 382, a bill for an act to amend section thirteen hundred three (1303) of the Supplement to the Code, 1907, relative to the amount of taxes to be levied for making and repairing bridges.

GERRIT KLAY,  
*Chairman.*

Adopted.

REPORT OF JOINT COMMITTEE ON ENROLLED BILLS.

Klay of Sioux, from the 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 Joint Resolution No. 2, providing for and empowering the Board of Regents of the State University, the trustees of the Iowa State College of Agriculture and Mechanic Arts and the trustees of the State Teachers College at Cedar Falls to make application for the admission of these State institutions to the rights and privileges of the Carnegie foundation for the advancement of teaching and to receive the same.

Also:

House File No. 31, a bill for an act to amend Section five hundred and ninety (590) of the Code relating to the compensation of township trustees.

Also:

House File No. 185, a bill for an act to amend Section two thousand five hundred eighty-eight (2588) of the Code, and Section two thousand five hundred ninety-three (2593) of the Supplement to the Code, 1907, relating to the sale of denatured alcohol and poison fly paper.

Also:

House File No. 201, a bill for an act to repeal Section ten hundred ninety-one (1091) of the Code, relative to polling places for country precincts and to enact a substitute therefor.

Also:

House File No. 290, a bill for an act amendatory of and additional to Chapter fifteen (15) Title twelve (XII) of the Code and Supplement to the Code, relative to the care and propagation of fish.

Also:

House File No. 291, a bill for an act to amend Section four thousand nine hundred and seventy-nine (4979) of the Code, relating to offenses against the public health.

Also:

House File No. 296, a bill for an act to repeal Sections twenty-five hundred and sixty-three-a (2563-a), twenty-five hundred and sixty-three-b (2563-b), twenty-five hundred sixty-three-c (2563-c), twenty-five hundred sixty-three-d (2563-d), twenty-five hundred sixty-three-e (2563-e), twenty-five hundred sixty-three-g (2563-g), twenty-five hundred sixty-three-h (2563-h) of the Supplement to the Code, 1907, and to enact in lieu thereof the following relating to protection of game.

GERRIT KLAY,

*Chairman House Committee.*

HENRY L. ADAMS,

*Chairman Senate Committee.*

Adopted.

White of Story, from the Committee on Ways and Means, submitted the following report:

MR. SPEAKER—Your Committee on Way and Means to whom was referred Senate File No. 258, a bill for an act repealing Sections five thousand sixty (5060), five thousand sixty-one (5061), five thousand sixty-three (5063), five thousand sixty-four (5064), five thousand sixty-five (5065), five thousand sixty-six (5066), five thousand sixty-seven (5067) of the Code, and five thousand sixty-two (5062) Supplement to the Code, 1907, relating to pools and trusts, and to enact a substitute therefor, beg leave to report they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same be indefinitely postponed.

GEO. C. WHITE,

*Chairman.*

Adopted.

The following minority views on House File No. 258 were filed:

The undersigned, representing a minority of the committee on Ways and Means, having had under consideration House File No. 258, a bill for an act repealing Sections five thousand sixty (5060), five thousand sixty-one (5061), five thousand sixty-three (5063), five thousand sixty-four (5064), five thousand sixty-five (5065), five thousand sixty-six (5066), five thousand sixty-seven (5067), of the Code, and five thousand sixty-two

(5062) Supplement to the Code, 1907, relating to pools and trusts, and to enact substitutes therefor, hereby recommend that the bill do pass.

(Signed)

C. W. MILLER,  
H. H. BOETTGER,  
E. B. FULLIAM,  
HERMAN KULL,  
EDWARD McDONALD,  
H. C. SCHROEDER,  
S. H. BAUMAN,  
W. P. DAWSON,  
HENRY RITTER,  
SIMON MILLER,  
GEO. C. CALKINS.

Miller of Bremer moved that minority report be substituted for the majority report.

Roll call demanded by Miller of Bremer and Fulliam of Muscatine.

On the question, "Shall the minority views be substituted for the majority report?"

The ayes were:

Allred, Balluff, Bascom, Blackmore, Boettger, Boomgaarden, Byerly, Cunningham, Dabney, Dawson, DeWitt, Dodds, Drury, Ellis, Etter, Inman, Jacobs, Johnson, Kendall, Koontz, Kull, Larabee, McDonald, Meredith, Miller of Bremer, Miller of Dubuque, Moore of Linn, O'Connor, Penn, Reitz, Sankey, Schee, Schroeder, Schulte, Stillman, Stoddard, Sullivan, Swift, Tegeler, Welden, White, Wolfe—42.

The nays were:

Bonwell, Cassady, Cooper, Corrie, Crozier, Crummer, Dalby, Darrah, Davidson, Derrough, Dewell, Dewey, Elliott, Fenn, Finlayson, Fourt, Fox, Fulliam, Goodykoontz, Hanson, Harding, Hunter, Jewell, Jones, Klay, McCleerq, Marston, Moore of Wapello, Reaney, Ripley, Thompson, Tilton, Mr. Speaker—33.

Absent or not voting:

Anderson, Arney, Bauman, Beans, Beebe, Beery, Boe, Bowman, Brandes, Burt, Calkins, Cousins, Dye, Felt, Fulton, Grier, Hacker, Harvey, Hickenlooper, Holmes, Huffaker, Ide, Kellogg, Lee, Newell, Perkins, Ritter, Sheldon, Smith, Swan, Ward, Wilson, Zeller—33.

So the minority views were substituted for the majority report.

Johnson of Mitchell, chairman of the Committee on Penitentiaries, submitted the following:

Your Pen. Committee a report would make  
On one sixteen which takes the persimmons,  
We've scanned the lines and skinned the metre  
And think the thoths, now, Mr. Speaker—

Your committee would offer 'mendments plenty,  
We first strike out lines one to twenty,  
Lines down to forty then are dropped  
For babbling brooks can ne'er be stopped.

"The Mill will never grind with the water that has past"  
Nor the Miller cease to warble while the carving artists last,  
The purpling geysers purl and laughing waters laugh  
But our Dry Rum amendment lost in the finish half.

The Statesman of Jasper and the sage of Cass  
Since the coveted amendment failed to pass,  
This subtle poem would so amend  
That true to fact the song would tend.

For viewing down from Iowa's peaks,  
A mere phantasy the poet speaks  
And the poetic raiment of her river towns  
Is but a sham as are all the gowns.

In fact 'tis held we must insert  
If we would not pure nature hurt,  
And would we aught of truth infuse,  
Must say the crags do ooze with booze.

We now remove the remnants still  
Contained within this twice read bill  
And leave the page all white and clear  
For some more realistic seer.

We've searched the Code and even Shake'  
To learn how he could license take,  
In winding up this tra-la-la  
By rhyming A-y-e with Iowa.

Enshrouded 'bout the corpse we pause,  
With naught left on but 'nacting claws—  
We shed our tears upon the bier,  
And then proceed to scratch it here.

We tread then on in mournful way,  
To move the form to dark, cold Klay,  
Where all passed sins may be enrolled,  
For courts supreme to yet unfold.

Perchance we may from the Senate gleam,  
The method by which to lose the dream,  
And hunt 'round till we're able  
To find a noiseless, cushioned table.

The Gentleman of cloth from far Kossuth  
 Might echo the sadness our hearts, forsooth  
 Do feel as we gaze on it  
 The triumph of the Bard of Britt.

Let future men be all referred  
 To the poetic stunt of the 33d,  
 But our old Code has now a load,  
 And can't embrace this prairie ode.

As future sessions here may pass  
 And see it thru optometric glass,  
 They may, should sentiment so soar,  
 Appropriate a monument forevermore.

K. J. JOHNSON,  
*Chairman.*

Johnson of Mitchell moved the adoption of the report.

Report adopted.

Johnson of Mitchell moved the committee amendments be laid on the table.

Motion prevailed.

On motion of Fulton of Jefferson, House File No. 487, a bill for an act to amend Section Twenty-seven Hundred Fifty-five (2755) of the Supplement to the Code, 1907, relating to the election of members of the school board, with report of committee recommending passage as amended by substitute amendment, was taken up, considered and the substitute amendment adopted.

Fulton of Jefferson proposed the following amendment to the substitute amendment.

I move to amend House File No. 487 as it appears in the House Journal on page 1188, by striking out of line 19, Section 1, the words "at such polling precincts," and inserting in lieu thereof the words, "within such district."

Amendment adopted.

Committee amendments adopted.

Fulton of Jefferson 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.

White of Story in the Chair.

On the question, "Shall the bill pass?"

The ayes were:

Allred, Anderson, Arney, Bascom, Beery, Blackmore, Boe, Bonwell, Boomgaarden, Bowman, Cooper, Corrie, Cunningham, Dalby, Darrah, Dawson, Derrough, Dewey, DeWitt, Fenn, Finlayson, Fourt, Fox, Fulton, Goodykoontz, Grier, Hanson, Harding, Hicklooper, Holmes, Hunter, Ide, Inman, Jacobs, Johnson, Jones, Larrabee, Lee, Moore of Wapello, Moore of Linn, Reaney, Ripley, Schee, Stillman, Stoddard, Sullivan, Ward, Welden, White—49.

The nays were:

Boettger, Byerly, Calkins, Cousins, Crozier, Crummer, Dabney, Davidson, Drury, Dye, Ellis, Fulliam, Harvey, Huffaker, Jewell, Kendall, Koontz, Kull, Miller of Bremer, Miller of Dubuque, Newell, Penn, Reitz, Ritter, Sankey, Schroeder, Schulte, Smith, Tegeler, Thompson, Tilton, Wolfe, Zeller—33.

Absent or not voting:

Balluff, Bauman, Beans, Beebe, Brandes, Burt, Cassady, Dewell, Dodds, Elliott, Etter, Felt, Hackler, Kellogg, Klay, McCleéry, McDonald, Marston, Meredith, O'Connor, Perkins, Sheldon, Swan, Swift, Wilson, Mr. Speaker—26.

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

On motion of Harvey of Osceola, House File No. 500, a bill for an act to amend the law as it appears in Section Four Hundred Eighty-b (480-b) of the Supplement to the Code, 1907, relating to the duties of county auditors, was taken up, considered, and Senate File No. 393 was substituted therefor and recalled from the Committee on Printing.

Harvey of Osceola moved that the rule be suspended, that the bill be read a third time now, which motion prevailed, and the bill was read a third time.

Speaker Feely in the Chair.

On the question, "Shall the bill pass?"

The ayes were:

Allred, Anderson, Arney, Balluff, Bascom, Bauman, Beebe, Beery, Blackmore, Boe, Boettger, Bonwell, Boomgaarden, Bowman, Brandes, Byerly, Calkins, Cooper, Corrie, Cousins, Crozier,

Crummer, Dabney, Dalby, Darrah, Davidson, Dawson, Derrough, Dewell, Dewey, DeWitt, Dodds, Drury, Dye, Elliott, Ellis, Etter, Fenn, Finlayson, Fourt, Fox, Goodykoontz, Hanson, Harvey, Hickenlooper, Holmes, Huffaker, Hunter, Ide, Inman, Jacobs, Jewell, Jones, Kellogg, Kendall, Koontz, Kull, Larrabee, McCleery, McDonald, Miller of Bremer, Miller of Dubuque, Moore of Wapello, Moore of Linn, Newell, O'Connor, Penn, Perkins, Reitz, Ripley, Ritter, Sankey, Schee, Schroeder, Schulte, Sheldon, Smith, Stillman, Stoddard, Sullivan, Swift, Tegeler, Thompson, Ward, Welden, Wolfe, Zeller, Mr. Speaker—88.

The nays were:

Fulliam, Fulton—2.

Absent or not voting:

Beans, Burt, Cassady, Cunningham, Felt, Grier, Hackler, Harding, Johnson, Klay, Lee, Marston, Meredith, Reaney, Swan, Tilton, White, Wilson—18.

So the bill passed and the title was agreed to.

On motion of Kull of Howard, House File No. 359, a bill for an act to amend Section Twenty-five Hundred Eighty-two (2582) of the Supplement to the Code, relative to the practice of medicine and providing for the issuance of temporary permits, was taken up and considered.

Kull of Howard 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 ayes were:

Allred, Anderson, Arney, Balluff, Bascom, Bauman, Beebe, Blackmore, Boe, Boettger, Bonwell, Boomgaarden, Byerly, Calkins, Cooper, Corrie, Cousins, Crozier, Crummer, Dabney, Dalby, Darrah, Davidson, Dawson, Derrough, Dewell, Dewey, DeWitt, Dodds, Drury, Dye, Elliott, Ellis, Etter, Fenn, Fulliam, Goodykoontz, Grier, Hanson, Harding, Hickenlooper, Holmes, Huffaker, Hunter, Ide, Inman, Jacobs, Johnson, Jones, Kellogg, Kendall, Koontz, Kull, Larrabee, Lee, McCleery, McDonald, Miller of Dubuque, Moore of Wapello, O'Connor, Penn, Perkins, Reaney, Reitz, Ripley, Ritter, Sankey, Schroeder, Schulte, Sheldon, Smith, Stillman,



Stoddard, Sullivan, Swift, Tegeler, Thompson, Tilton, White, Wolfe, Zeller, Mr. Speaker—82.

The nays were:

Fox—1.

Absent or not voting:

Beans, Beery, Bowman, Brandes, Burt, Cassady, Cunningham, Felt, Finlayson, Fourt, Fulton, Hackler, Harvey, Jewell, Klay, Marston, Meredith, Miller of Bremer, Moore of Linn, Newell, Schee, Swan, Ward, Welden, Wilson—25.

So the bill passed and the title was agreed to.

On motion of Bonwell of Audubon, House File No. 522, a bill for an act to amend the law as it appears in Section Twelve (12) of the Code relating to the compensation of members of the General Assembly was taken up and considered.

Ward of Woodbury proposed the following amendment:

I move to amend by adding thereto: "This shall not be effective until the year 1915."

Moore of Linn moved that the amendment be laid on the table.

Roll call demanded by Bauman of Van Buren and Swift of Shelby.

On the question, "Shall the amendment be laid on the table?"

The ayes were:

Anderson, Arney, Bascom, Bauman, Beebe, Blackmore, Brandes, Corrie, Crozier, Cunningham, Dewell, DeWitt, Dodds, Drury, Dye, Elliott, Etter, Finlayson, Fox, Goodykoontz, Grier, Harding, Harvey, Huffaker, Hunter, Ide, Jacobs, Johnson, Jones, Larrabee, Lee, Miller of Bremer, Moore of Linn, Newell, Perkins, Schroeder, Smith, Stillman, Ward, Welden—40.

The nays were:

Allred, Balluff, Beery, Boe, Boettger, Bonwell, Boomgaarden, Cassady, Cooper, Crummer, Dabney, Darrah, Davidson, Dawson, Derrough, Dewey, Ellis, Fourt, Fulliam, Fulton, Hanson, Hickenlooper, Inman, Jewell, Kendall, Koontz, Kull, McCleery, McDonald, Miller of Dubuque, Moore of Wapello, O'Connor, Penn, Rean-

ey, Ripley, Ritter, Sankey, Schee, Schulte, Stoddard, Sullivan, Swift, Tegeler, Tilton, Zeller, Mr. Speaker—46.

Absent or not voting:

Beans, Bowman, Burt, Byerly, Calkins, Cousins, Dalby, Felt, Fenn, Hackler, Holmes, Kellogg, Klay, Marston, Meredith, Reitz, Sheldon, Swan, Thompson, White, Wilson, Wolfe—22.

So the motion was lost.

Amendment lost.

Schee of O'Brien proposed the following amendment:

I move to strike out the word "ten" and insert the word "seven."

Amendment lost.

Bonwell of Audubon moved that the previous question be now ordered.

Motion prevailed.

Moore of Linn moved that the bill be referred to the Committee on Public Charities.

Motion lost.

Lee of Emmet moved that further consideration be deferred until tomorrow at 2 o'clock P. M.

Motion lost.

Harding of Woodbury moved that the remarks of Bonwell of Audubon be printed in the Journal.

Bonwell of Audubon 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 ayes were:

Allred, Balluff, Beery, Boe, Boettger, Bonwell, Boomgaarden, Crummer, Darrah, Davidson, Dawson, Finlayson, Hanson, Inman, Jewell, McCleery, McDonald, Marston, Miller of Dubuque, Moore of Wapello, O'Connor, Penn, Reaney, Sankey, Schulte, Sheldon, Stoddard, Sullivan, Wolfe, Mr. Speaker—30.

The nays were :

Anderson, Arney, Bascom, Bauman, Beans, Beebe, Blackmore, Brandes, Calkins, Cooper, Corrie, Cousins, Crozier, Cunningham, Dabney, Derrough, Dewell, Dewey, DeWitt, Dodds, Drury, Dye, Elliott, Ellis, Etter, Fenn, Fourt, Fox, Fulliam, Fulton, Goodykoontz, Grier, Harding, Harvey, Hickenlooper, Holmes, Huffaker, Hunter, Ide, Jacobs, Johnson, Jones, Kellogg, Kendall, Koontz, Kull, Larrabee, Lee, Miller of Bremer, Moore of Linn, Newell, Perkins, Reitz, Ripley, Ritter, Schee, Schroeder, Smith, Stillman, Swift, Thompson, Tilton, Ward, Welden, Zeller—65.

Absent or not voting :

Bowman, Burt, Byerly, Cassady, Dalby, Felt, Hackler, Klay, Meredith, Swan, Tegeler, White, Wilson—13.

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

#### EXPLANATION OF VOTES.

MR. SPEAKER—In explanation of my vote in favor of House File No. 522, by Bonwell, I desire to say that I think the salary named in the bill is too high but there should be some increase.

F. C. DAVIDSON.

MR. SPEAKER—In view of primary and election expenses greatly cutting down a legislator's salary, believing he does not receive sufficient compensation as such and as this is my second term in the General Assembly and not expecting a return at the hands of my constituency, I vote aye on House File No. 522.

LOREN W. INMAN.

#### CONSIDERATION OF BILLS.

On motion of Calkins of Adams, House File No. 68, a bill for act to regulate the taxation of mortgages and mortgaged real estate, was taken up and considered.

Calkins of Adams proposed the following substitute amendment:

#### SUBSTITUTE FOR HOUSE FILE NO. 68.

A Bill for an Act to Regulate the Taxation of Mortgages and Mortgaged Real Estate.

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

SECTION 1. That all debts secured by mortgages shall be taxed in the county where the mortgage is recorded and the tax levy be made in the township that secured the mortgage.

SEC. 2. Whenever real estate shall be subject to mortgage such mortgage for the purpose of taxation shall be deemed an interest in such real estate and shall be assessed and taxed as such interest in the assessment district in which such real estate is located and not otherwise.

SEC. 3. The valuation of the interest of the mortgage shall be according to the true value thereof upon the same basis that other taxable property is valued in the same county and combined valuation of the mortgagee and mortgagor shall not exceed the just valuation which should be placed upon the mortgaged real estate if unencumbered.

SEC. 4. That interest of the mortgagor in such real estate shall be assessed for only such value or amount as shall remain after deducting the assessed value of the mortgage from the assessed value of the real estate. The mortgagor may pay the tax on the mortgage which shall be a lawful offset and deducted from the amount then due or to become due on said mortgage.

SEC. 5. The county auditor shall furnish a list of all mortgages in his county to the assessor prior to each and every assessment.

SEC. 6. That all acts and parts of acts inconsistent with this act is hereby repealed.

Substitute amendment adopted.

Ward of Woodbury proposed the following amendment:

I move to amend House File No. 68 by adding to Section 3 the following: "and at the option of the mortgagor both such interests may be assessed and taxed to the mortgagor, without separate valuation, the same as unincumbered real estate."

Ward of Woodbury moved that the bill be made a Special Order for Tuesday, April 6th at 10:00 o'clock, A. M.

Motion prevailed.

On motion of Elliott of Page, House File No. 322, a bill for an act appropriating the sum of One Hundred Thirty-nine Dollars and Sixty-five Cents (\$139.65) to be paid to S. J. McCord in settlement of a claim against the State of Iowa arising by reason of the efforts of the said S. J. McCord to extradite one James F. Milligan was taken up and considered.

Elliott of Page 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 ayes were:

Allred, Balluff, Bascom, Bauman, Beans, Beebe, Beery, Blackmore, Boe, Boettger, Bonwell, Boomgaarden, Brandes, Cassady, Cooper, Corrie, Cousins, Crozier, Crummer, Cunningham, Dabney, Dalby, Darrah, Davidson, Dawson, Derrough, Dewell, Dewey, DeWitt, Dodds, Drury, Dye, Fenn, Finlayson, Fourt, Fox, Fulton, Goodykooztz, Hanson, Harding, Harvey, Hickenlooper, Holmes, Huffaker, Hunter, Ide, Inman, Jacobs, Jewell, Johnson, Jones, Kellogg, Kendall, Kull, Larrabee, Lee, McCleery, McDonald, Marston, Miller of Bremer, Miller of Dubuque, Moore of Wapello, Moore of Linn, Newell, O'Connor, Penn, Reitz, Ripley, Ritter, Schee, Schulte, Sheldon, Smith, Stillman, Stoddard, Sullivan, Swift, Tegeler, Tilton, Ward, Welden, White, Wolfe, Mr. Speaker—84.

The nays were :

Byerly, Etter, Fulliam, Sankey, Schroeder, Zeller—6.

Absent or not voting :

Anderson, Arney, Bowman, Burt, Calkins, Elliott, Ellis, Felt, Grier, Hackler, Klay, Koontz, Meredith, Perkins, Reaney, Swan, Thompson, Wilson—18.

So the bill passed and the title was agreed to.

On motion of Sullivan of Polk, House File No. 400, a bill for an act to amend Section One Thousand Seven Hundred Eighty-eight (1788) of the Supplement to the Code, 1907, relating to the matter of the assessment of life insurance associations, and providing for the deposit by members of cash or notes for future assessments, was taken up and considered.

Jacobs of Calhoun proposed the following amendment :

I move to amend House File No. 400 by striking out the words "or notes" in the fourth line thereof.

Amendment adopted.

Sullivan of Polk 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 ayes were :

Allred, Arney, Balluff, Bascom, Bauman, Beans, Beebe, Beery, Blackmore, Boe, Boettger, Bonwell, Boomgaarden, Brandes, Byerly, Cassady, Cooper, Corrie, Cousins, Crozier, Crummer, Dabney, Dalby, Darrah, Davidson, Derrough, Dewell, Dewey, DeWitt, Dodds, Dye, Elliott, Ellis, Fenn, Finlayson, Fourt, Fox, Fulton, Goodykoontz, Hanson, Harding, Harvey, Hickenlooper, Holmes, Huffaker, Hunter, Ide, Inman, Jacobs, Jewell, Johnson, Jones, Kendall, Kull, Larrabee, Lee, McCleery, McDonald, Marston, Miller of Dubuque, Moore of Wapello, Moore of Linn, Newell, O'Connor, Penn, Reitz, Ripley, Ritter, Sankey, Schee, Schulte, Smith, Stillman, Stoddard, Sullivan, Swift, Tegeler, Tilton, Ward, Welden, White, Wolfe, Zeller, Mr. Speaker—84.

The nays were:

Fulliam—1.

Absent or not voting:

Anderson, Bowman, Burt, Calkins, Cunningham, Dawson, Drury, Etter, Felt, Grier, Hackler, Kellogg, Klay, Koontz, Meredith, Miller of Bremer, Perkins, Reaney, Schroeder, Sheldon, Swan, Thompson, Wilson—23.

So the bill passed.

Jacobs of Calhoun moved to amend the title by striking out the words "or notes."

Amendment adopted, and the title as amended was agreed to.

On motion of Hunter of Polk, House File No. 491, a bill for an act to amend the law as it appears in Section Twenty-five Hundred Ten-c (2510-c) of the Supplement to the Code, 1907, relating to the manufacture and sale of linseed and other oils, and the adulteration thereof, was taken up and considered.

Hunter of Polk 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 ayes were:

Allred, Anderson, Arney, Balluff, Bascom, Bauman, Beans, Beebe, Beery, Blackmore, Boe, Boomgaarden, Brandes, Byerly, Calkins, Cassady, Cooper, cousins, Crozier, Dabney, Darrah, Davidson,

Derrough, Dewell, Dewey, DeWitt, Dodds, Dye, Elliott, Ellis, Etter, Fenn, Finlayson, Fourt, Fox, Fulliam, Fulton, Goodykoontz, Harding, Hickenlooper, Huffaker, Hunter, Ide, Jewell, Johnson, Jones, Kendall, Koontz, Larrabee, McDonald, Marston, Miller of Dubuque, Moore of Wapello, Moore of Linn, Newell, O'Connor, Penn, Reitz, Ripley, Ritter, Schee, Schroeder, Schulte, Smith, Stillman, Stoddard, Sullivan, Swift, Tegeler, Thompson, Tilton, Ward, Welden, White, Wolfe, Zeller, Mr. Speaker—77.

The nays were:

Dalby, Harvey—2.

Absent or not voting:

Boettger, Bonwell, Bowman, Burt, Corrie, Crummer, Cunningham, Dawson, Drury, Felt, Grier, Hackler, Hanson, Holmes, Inman, Jacobs, Kellogg, Klay, Kull, Lee, McCleery, Meredith, Miller of Bremer, Perkins, Reaney, Sankey, Sheldon, Swan, Wilson—29.

So the bill passed and the title was agreed to.

On motion of Sullivan of Polk, House File No. 507, a bill for an act to amend the law as it appears in Section Twenty-eight Hundred Twelve-e (2812-e) of the Supplement to the Code, 1907, relating to the duration of school bonds, was taken up and considered.

Schee of O'Brien proposed the following amendment:

I move to amend House File No. 507 by adding to Section 1 of said bill the following: "and further amend Section Twenty-eight Hundred and Twelve-e (2812-e) of the Supplement to the Code, 1907, by striking out of line six thereof the word and figure 'six (6)' and insert in lieu thereof the word and figure 'five (5).'"

Amendment adopted.

Sullivan of Polk 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 ayes were:

Allred, Arney, Balluff, Bascom, Bauman, Beans, Beebe, Beery, Blackmore, Boe, Boettger, Boomgaarden, Bowman, Brandes, By-

erly, Calkins, Cassady, Cooper, Corrie, Cousins, Crummer, Cunningham, Dabney, Dalby, Darrah, Davidson, Derrrough, Dewell, Dewey, DeWitt, Dodds, Dye, Elliott, Ellis, Etter, Fenn, Finlayson, Fourt, Fox, Goodykoontz, Grier, Hanson, Harding, Hickenlooper, Holmes, Huffaker, Hunter, Ide, Inman, Jacobs, Jewell, Johnson, Jones, Kendall, Klay, Koontz, Kull, Larrabee, McDonald, Marston, Miller of Bremer, Miller of Dubuque, Moore of Wapello, Moore of Linn, Newell, O'Connor, Reaney, Reitz, Ripley, Ritter, Sankey, Schee, Schroeder, Schulte, Smith, Stillman, Stoddard, Sullivan, Swift, Tegeler, Tilton, Ward, Welden, White, Wolfe, Zeller, Mr. Speaker—88.

The nays were:

Fulliam—1.

Absent or not voting:

Anderson, Bonwell, Burt, Dawson, Drury, Felt, Fulton, Hackler, Harvey, Kellogg, Lee, McCleery, Meredith, Penn, Perkins, Sheldon, Swan, Thompson, Wilson—19.

So the bill passed and the title was agreed to.

On motion of Darrah of Lucas, House File No. 184, a bill for an act to amend the Negotiable Instruments Law, relative to the payment of instruments payable at a bank, was taken up and considered.

Darrah of Lucas 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 ayes were:

Allred, Anderson, Balluff, Bascom, Bauman, Beans, Beebe, Beery, Blackmore, Boe, Boettger, Bonwell, Brandes, Cassady, Cooper, Corrie, Cousins, Crozier, Dabney, Dalby, Darrah, Davidson, Derrrough, Dewell, Dewey, DeWitt, Dodds, Drury, Dye, Ellis, Finlayson, Goodykoontz, Grier, Hanson, Harvey, Huffaker, Hunter, Inman, Jewell, Johnson, Jones, Kendall, Koontz, Kull, McDonald, O'Connor, Ripley, Ritter, Schee, Schulte, Stillman, Swift, Tilton, Welden, Wolfe, Zeller, Mr. Speaker—57.

The nays were:



Boomgaarden, Byeerly, Calkins, Crummer, Dawson, Elliott, Etter, Fenn, Fourt, Fulliam, Harding, Hickenlooper, Ide, Jacobs, Klay, Larrabee, Lee, McCleery, Moore of Wapello, Moore of Linn, Reaney, Reitz, Sankey, Schroeder, Smith, Stoddard, Tegeler, Thompson—28.

Absent or not voting:

Arney, Bowman, Burt, Cunningham, Felt, Fox, Fulton, Hackler, Holmes, Kellogg, Marston, Meredith, Miller of Bremer, Miller of Dubuque, Newell, Penn, Perkins, Sheldon, Sullivan, Swan, Ward, White, Wilson—23.

So the bill passed and the title was agreed to.

On motion of Grier of Poweshiek, House File No. 442, a bill for an act relating to the practice of pharmacy, creating the office of Commissioner of Pharmacy, a Board of Pharmacy and Inspectors, and fixing the compensation thereof, also abolishing the office of Commission of Pharmacy and of secretary and treasurer thereof, was taken up and considered.

Grier of Poweshiek 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 ayes were:

Allred, Beebe, Beery, Cooper, Corrie, Crummer, Dabney, Davidson, Derrough, Dewell, Dewey, Dye, Elliott, Fourt, Fox, Grier, Harvey, Hickenlooper, Hunter, Larrabee, Moore of Wapello, Reaney, Tilton, Zeller—24.

The nays were:

Anderson, Arney, Bascom, Bauman, Blackmore, Bonwell, Boomgaarden, Brandes, Byerly, Calkins, Cassidy, Cousins, Crozier, Cunningham, Dalby, Darrah, DeWitt, Dodds, Drury, Ellis, Etter, Fenn, Finlayson, Fulliam, Goodykoontz, Huffaker, Ide, Inman, Jewell, Jones, Kendall, Klay, Kull, McCleery, Marston, Miller of Bremer, Miller of Dubuque, Newell, O'Connor, Penn, Reitz, Ritter, Sankey, Smith, Stillman, Stoddard, Tegeler, Ward, Welden, Mr. Speaker—51.

Absent or not voting:

Balluff, Beans, Boe, Boettger, Bowman, Burt, Dawson, Felt, Hackler, Hanson, Harding, Holmes, Jacobs, Johnson, Kellogg, Koontz, Lee, McDonald, Meredith, Moore of Linn, Perkins, Ripley, Schee, Schroeder, Schulte, Sheldon, Sullivan, Swan, Swift, Thompson, White, Wilson, Wolfe—33.

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

On motion of Hunter of Polk, House File No. 305, a bill for an act to amend the law as it appears in Section Two Hundred Ninety-eight (298) of the Supplement to the Code, 1907, relating to compensation of clerks of the district court and their deputies, was taken up and considered.

Hunter of Polk moved that the rules be suspended, 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 ayes were:

Balluff, Blackmore, Boettger, Cassady, Dabney, Dalby, Darrah, Davidson, Dawson, Derrough, Dewey, Dodds, Drury, Finlayson, Fourt, Fox, Goodykoontz, Hanson, Harvey, Hiekenlooper, Holmes, Hunter, Ide, Inman, Jacobs, Jewell, Jones, Kendall, Klay, McCleery, Miller of Dubuque, O'Connor, Reaney, Smith, Stillman, Swift, Tilton, Wolfe, Zeller, Mr. Speaker—40.

The nays were:

Allred, Anderson, Arney, Bascom, Bauman, Boomgaarden, Brandes, Byerly, Cooper, Corrie, Crummer, Cunningham, DeWitt, Dye, Ellis, Etter, Fenn, Fulliam, Huffaker, Kull, Larrabee, Moore of Wapello, Penn, Ripley, Ritter, Sankey, Schee, Schroeder, Tegeler, Thompson, Ward, Welden—32.

Absent or not voting:

Beans, Beebe, Beery, Boe, Bonwell, Bowman, Burt, Calkins, Cousins, Crozier, Dewell, Elliott, Felt, Fulton, Grier, Hackler, Harding, Johnson, Kellogg, Koontz, Lee, McDonald, Marston, Meredith, Miller of Bremer, Moore of Linn, Newell, Perkins, Reitz, Schulte, Sheldon, Stoddard, Sullivan, Swan, White, Wilson—36.

So the bill failing to receive a constitutional majority was declared lost.

On motion of Ritter of Des Moines, House File No. 405, a bill for an act to amend Section Twenty-five Hundred and Seventy-five-a-thirty (2575-a-30) and Twenty-five Hundred Seventy-five-a-thirty-one (2575-a-31) of the Supplement to the Code, and to repeal Section Twenty-five Hundred and Seventy-five-a-twenty-nine (2575-a-29) of the Supplement to the Code, relative to the qualifications of nurses and enacting a substitute therefor, with report of committee recommending passage as amended was taken up, considered, and the amendments adopted.

Ritter of Des Moines 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 ayes were:

Allred, Anderson, Arney, Balluff, Bascom, Bauman, Beans, Beebe, Blackmore, Boettger, Bonwell, Boomgaarden, Bowman, Byerly, Casady, Cooper, Corrie, Crozier, Dabney, Dalby, Darrah, Davidson, Dawson, Derrough, Dewell, Dewey, DeWitt, Dodds, Drury, Dye, Ellis, Etter, Fourt, Fox, Fulliam, Goodykoontz, Hanson, Harding, Hickenlooper, Holmes, Huffaker, Hunter, Ide, Jacobs, Johnson, Jones, Kendall, Klay, Koontz, Kull, Larrabee, McDonald, Meredith, Miller of Bremer, Miller of Dubuque, Moore of Wapello, Moore of Linn, Newell, O'Connor, Penn, Reaney, Reitz, Ripley, Ritter, Sankey, Schroeder, Schulte, Sheldon, Smith, Stillman, Stoddard, Sullivan, Swift, Tegeler, Welden, White, Wolfe, Zeller, Mr. Speaker—79.

The nays were:

Elliott—1.

Absent or not voting:

Beery, Boe, Brandes, Burt, Calkins, Cousins, Crummer, Cunningham, Felt, Fenn, Finlayson, Fulton, Grier, Hackler, Harvey, Inman, Jewell, Kellogg, Lee, McCleery, Marston, Perkins, Schee, Swan, Thompson, Tilton, Ward, Welden—28.

So the bill passed.

Ritter of Des Moines proposed the following amendment:

I move to amend the title to House File No. 405 by striking out all after the word "section" in line one and up to the word "twenty" in line two of said title.

Amendment adopted, and the title as amended was agreed to.

#### MESSAGES FROM THE SENATE.

The following messages were received from the Senate:

MR. SPEAKER—I am directed to inform your honorable body that the Senate has passed the following bill in which the concurrence of the Senate was asked:

House File No. 126, a bill for an act providing that owners or keepers of stallions shall have a lien upon the progeny of any such animal for the service fee thereof.

S. W. NEAL,  
*Secretary.*

Also:

MR. SPEAKER—I am directed to inform your honorable body that the Senate has concurred in House amendment to Senate File No. 384, a bill for an act to amend the law as it appears in Section 741-f, Chapter 4, Title 5, of the Supplement to the Code, 1907, authorizing certain cities to incur as indebtedness for the purpose of constructing a city hall in an amount not exceeding in the aggregate two percentum of the actual value of the taxable property within such city, and to authorize the issuance of bonds in pursuance of an election on which may have been heretofore held authorizing the erection of such city hall.

S. W. NEAL,  
*Secretary.*

Also:

MR. SPEAKER—I am directed to inform your honorable body that the Senate has concurred in House amendments to Senate File No. 319, a bill for an act authorizing the boards of supervisors to grant the use of public highways for erection and maintaining poles and wires for the transmission of electricity.

S. W. NEAL,  
*Secretary.*

Also:

MR. SPEAKER—I am directed to inform your honorable body that the Senate herewith returns as requested House File No. 524, a bill for an act to appropriate money for the purpose of defraying the expenses incurred in the election contest from the Tenth Representative District of Iowa, the 26th Representative District of Iowa, the 45th Representative District of Iowa, the 59th Representative District of Iowa, and the 67th Representative District of Iowa, and to pay sundry persons for services,

mileage, and other expenses incurred in connection with said election contests.

S. W. NEAL,  
*Secretary.*

Also:

MR. SPEAKER—I am directed to inform your honorable body that the Senate has passed the following bill in which the concurrence of the Senate was asked:

House File No. 436, a bill for an act relating to the renewal of teacher's certificates.

S. W. NEAL,  
*Secretary.*

Also:

MR. SPEAKER—I am directed to inform your honorable body that the Senate has passed the following bill in which the concurrence of the Senate was asked:

House File No. 349, a bill for an act to create the Iowa State Drainage, Water-ways and Conservation Commission, and defining the powers and duties of the same.

S. W. NEAL,  
*Secretary.*

Also:

MR. SPEAKER—I am directed to inform your honorable body that the Senate has passed the following bill in which the concurrence of the Senate was asked:

House File No. 428, a bill for an act to amend the law as it appears in Section 412 Supplement to the Code, 1907, relative to the meeting of the Board of Supervisors.

S. W. NEAL,  
*Secretary.*

Also:

MR. SPEAKER—I am directed to inform your honorable body that the Senate has passed the following bill in which the concurrence of the Senate was asked:

House File No. 230, a bill for an act to amend Section 2247 of the Code relative to the levy of a poor tax.

S. W. NEAL,  
*Secretary.*

Also:

MR. SPEAKER—I am directed to inform your honorable body that the Senate has passed the following bill in which the concurrence of the Senate was asked:

House File No. 373, a bill for an act to amend Section 337 of the Supplement to the Code, 1907, relating to the selection of Jury lists.

S. W. NEAL,  
*Secretary.*

Also:

MR. SPEAKER—I am directed to inform your honorable body that the Senate has amended and passed the following bill in which the concurrence of the Senate was asked:

House File No. 495, a bill for an act relating to water courses, levees and drains.

S. W. NEAL,  
*Secretary.*

Also:

MR. SPEAKER—I am directed to inform your honorable body that the Senate has passed the following bill in which the concurrence of the Senate was asked:

House File No. 273, a bill for an act to authorize the commandant of the Soldiers' Home to sell effects of deceased soldiers.

S. W. NEAL,  
*Secretary.*

Also:

MR. SPEAKER—I am directed to inform your honorable body that the Senate has passed the following bill in which the concurrence of the Senate was asked:

House File No. 424, a bill for an act relating to education.

S. W. NEAL,  
*Secretary.*

Also:

MR. SPEAKER—I am directed to inform your honorable body that the Senate has passed the following bill in which the concurrence of the Senate was asked:

House File No. 229, a bill for an act relating to fish and game and making an appropriation for the Fish and Game Commission.

S. W. NEAL,  
*Secretary.*

Also:

MR. SPEAKER—I am directed to inform your honorable body that the Senate herewith returns, as requested by the House, Senate File No. 348, a bill for an act relating to the report of criminal statistics, etc., to the Secretary of State.

*Secretary.*  
S. W. NEAL,

Also:

MR. SPEAKER—I am directed to inform your honorable body that the President of the Senate has appointed as Conference Committee on part of the Senate on Senate File No. 81, a bill for an act to increase the amount that may be levied for the contingent fund in a school district:

Senators Peterson, Gilliland, White and Clark.

S. W. NEAL,  
*Secretary.*

Also:

MR. SPEAKER—I am directed to inform your honorable body that the Senate has passed the following bill in which the concurrence of the Senate was asked:

House File No. 414, a bill for an act relating to the investigation of complaints as to the management and treatment of inmates of county and private institutions in which insane persons are kept.

S. W. NEAL,  
*Secretary.*

Also:

MR. SPEAKER—I am directed to inform your honorable body that the Senate has amended by substitute and passed the following bill in which the concurrence of the Senate was asked:

House File No. 182, a bill for an act authorizing the extension of the traveling library and other activities of the Iowa Library Commission.

S. W. NEAL,  
*Secretary.*

#### SENATE AMENDMENTS CONSIDERED.

On request of Holmes of Kossuth, unanimous consent having been given, House File No. 182, a bill for an act authorizing the extension of the Traveling Library and other activities of the Iowa Library Commission, and providing additional funds therefor, with the following Senate amendments, was taken up and the amendments read and considered.

#### SUBSTITUTE FOR HOUSE FILE No. 182.

A Bill for an Act to Amend Sections 2888-e and 2888-h, Supplement to the Code, 1907, Relating to the Library Commission, Defining the Duties of the Members Thereof, Prescribing the Salaries of Same and to Make an Appropriation Therefor.

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

SECTION 1. That the remainder of Section 2888-e beginning with and following the words "in addition to" in the twelfth line of said Section, be repealed, and the following enacted in lieu thereof:

In addition to their salaries the necessary traveling expenses shall be allowed the secretary and assistants while absent from the office in the service of the commission, the same to be verified and certified and paid in the same manner as other expenses incurred by the commission.

SEC. 2. That Section 2888-h be, and the same is hereby repealed, and the following enacted in lieu thereof:

No member of the commission shall ever receive any compensation for services as a member, but the traveling expenses of members in attending meetings of the commission, or in visiting or establishing libraries and other incidental and necessary expenses connected with the work of the commission, shall be paid including the necessary expense in the main-

tenance and extension of the traveling library system, provided that the whole amount of said expense and salaries shall not exceed the sum of eleven thousand dollars (\$11,000) in any one year, not more than six thousand dollars (\$6,000) of said sum to be used in the payment of salaries. All bills and accounts incurred by the commission or by its members under the law, and all expenses of the members of the commission, and its secretary and its assistants shall be itemized, verified and certified by the chairman and secretary of the commission, and be audited and allowed by the executive council before being paid. The State Auditor shall issue warrants therefor upon the State Treasurer, and there is hereby annually appropriated from any funds in the state treasury, not otherwise appropriated, the sum of eleven thousand dollars (\$11,000) to carry into effect the provisions of this act, and any balance not expended in any one year may be added by the commission to the expenditure of any ensuing year.

Holmes of Kossuth moved that the House concur in the Senate amendments.

On the question, Shall the House concur?

The ayes were:

Anderson, Arney, Balluff, Bascom, Bauman, Beans, Beebe, Blackmore, Boettger, Bonwell, Boomgaarden, Bowman, Brandes, Calkins, Cassady, Cooper, Corrie, Cousins, Crozier, Crummer, Cunningham, Dabney, Dalby, Darrah, Davidson, Derrough, Dewell, Dewey, DeWitt, Drury, Dye, Elliott, Ellis, Fenn, Finlayson, Fourt, Fox, Fulliam, Fulton, Goodykoontz, Hanson, Harding, Harvey, Hickenlooper, Holmes, Huffaker, Hunter, Ide, Jewell, Jones, Kendall, Kull, Larrabee, Lee, McCleery, Meredith, Miller of Bremer, Miller of Dubuque, Moore of Wapello, Moore of Linn, Newell, O'Connor, Penn, Reaney, Reitz, Ripley, Ritter, Sankey, Schee, Schroeder, Schulte, Smith, Stillman, Stoddard, Tegeler, Thompson, Tilton, Ward, Welden, White, Wilson, Mr. Speaker—82.

The nays were:

None.

Absent or not voting:

Allred, Beery, Boe, Burt, Byerly, Dawson, Dodds, Etter, Felt, Grier, Hackler, Inman, Jacobs, Johnson, Kellogg, Klay, Koontz, McDonald, Marston, Perkins, Sheldon, Sullivan, Swan, Swift, Wolfe, Zeller—26.

So the House concurs.



On request of Stillman of Greene, unanimous consent having been given, House File No. 495, a bill for an act to repeal Sections Nineteen Hundred Eighty-nine-a-2 (1989-a-2), Nineteen Hundred Eighty-nine-a-4 (1989-a-4), Nineteen Hundred Eighty-nine-a-5 (1989-a-5), Nineteen Hundred Eighty-nine-a-6 (1989-a-6), Nineteen Hundred Eighty-nine-a-7 (1989-a-7), Nineteen Hundred Eighty-nine-a-8 (1989-a-8), Nineteen Hundred Eighty-nine-a-10 (1989-a-10), Nineteen Hundred Eighty-nine-a-12 (1989-a-12), Nineteen Hundred Eighty-nine-a-13 (1989-a-13), Nineteen Hundred Eighty-nine-a-14 (1989-a-14), Nineteen Hundred Eighty-nine-a-16 (1989-a-16), Nineteen Hundred Eighty-nine-a-18 (1989-a-18), Nineteen Hundred Eighty-nine-a-19 (1989-a-19), Nineteen Hundred Eighty-nine-a-21 (1989-a-21), Nineteen Hundred Eighty-nine-a-22 (1989-a-22), Nineteen Hundred Eighty-nine-a-27 (1989-a-27), Nineteen Hundred Eighty-nine-a-29 (1989-a-29), Nineteen Hundred Eighty-nine-a-32 (1989-a-32), Nineteen Hundred Eighty-nine-a-35 (1989-a-35), Nineteen Hundred Eighty-nine-a-44 (1989-a-44), of the Supplement to the Code, 1907, and to repeal Sections Nineteen Hundred Eighty-nine-a-3 (1989-a-3), Nineteen Hundred Eighty-nine-a-11 (1989-a-11), and Nineteen Hundred Eighty-nine-a-19 (1989-a-19) of the Supplement to the Code, 1907, and enact substitutes therefor, all relating to the subject of waters, water-courses, levees and drains, with the following Senate amendments, was taken up and the amendments read and-considered.

1. Amend Section one of the bill by inserting a comma after the word "Code" in the second line and the figures "1907" and comma.

2. Amend Section two of the bill by striking out of the last line of said section the words "so far as" and inserting in lieu thereof the word "when."

3. Amend Section three of the bill by striking out the word "three" in the thirtieth line and inserting in lieu thereof the word "two" and by striking out the word "ten" in the thirty-second line and inserting the word "twenty" and by striking out the word "have" in the fortieth line.

4. Amend Section six by striking out all the words and punctuation marks commencing with the word "by" in the third line and ending with the word "also" before the word "by" in the fifth line.

Amend Section seven by substituting a period for the comma following the word "auditor" in line six of the bill and by striking out of said Section all following said period.

6. Amend Section ten of the bill by inserting after the word "changed" in line six the following words: "or that a change or alteration in the location thereof should be made" and be further amended by striking out the figure "26" following the word "eighty-nine" in next to the last line of said section and inserting in lieu thereof the letter and figure as follows: "a-6."

7. Amend Section eleven of the bill by striking out all the words and punctuation marks commencing with the word "striking" in the third line thereof down to and including the word "by" in the sixth line thereof, and by striking out the quotation marks following the word "be" in line sixteen thereof and by adding after the period following said word the following: "Provided, however, that no deferred installment of the amount assessed, as between vendor and vendee, mortgagor and mortgagee, shall become a lien upon the property against which it is assessed and levied, until the thirty-first day of December of the year next preceding that in which it is due and payable." And be further amended by striking out the last four lines of said Section.

6 Amend Section thirteen by striking out of said Section all after the colon following the word "following" in line five and inserting in lieu thereof the following: "The board of supervisors shall be a proper party in all appeal cases for the purpose of representing the drainage district. When an appeal, authorized by this chapter, is taken, the county auditor shall forthwith make a transcript of the notice of appeal and appeal bond and transmit the same to the clerk of the district court, and the clerk shall docket the same upon payment by the appellant of the docket fee; and on or before the first day of the next succeeding term of the district court, the appellant shall file a petition setting forth the order or decision of the board appealed from and his claims and objections relating thereto; a failure to comply with these requirements shall be deemed a waiver of the appeal and in such case the court shall dismiss the same; it shall not be necessary for the appellee to file answer to the petition unless some affirmative defense is made thereto, but he may do so. The board shall provide a book to be known as the "Drainage Record" and the county auditor shall keep a full and complete record therein of all proceedings of the board relating to drainage districts."

9. Amend Section fourteen of the bill by inserting after the word "by" in line five thereof the following words: "striking out the period at the end of said section and inserting in lieu thereof a semicolon and"; and be further amended by striking out all of said section after the period following the word "same" in line nine thereof and inserting in lieu thereof the following: And be further amended by striking out the letter "a" following the word "proceedings" in the fourth line from the end of said section and inserting in lieu thereof the word "or."

10. Amend by striking out of the bill Section fifteen (15) and inserting in lieu thereof the following:

SEC. 15. That the law as it appears in Section nineteen hundred eighty-nine-a-18 (1989-a18) of the Supplement to the Code, 1907, be amended by inserting after the word "bridge" and before the comma following said word in the thirtieth line of said section the words: "when such improvement is located at the place of the natural waterway or place provided by the railroad company for the flow of the water"; and that said section be further amended by inserting after the word "bridge" and before the word "shall" in the thirty-third line of said section the following words and the punctuation marks, viz.: "when such improvement is located at the place of the natural water way or place provided by the railroad company for the flow of the water"; and that said section be further amended

by adding after the period at the end of said section the following: "All other proceedings in relation to railroads shall be the same as provided for individual property owners within the drainage district."

11. Amend by striking out Section seventeen (17) of the bill.

12. Amend by striking out Section nineteen (19) of the bill.

13. Amend by striking out Section twenty (20) of the bill.

14. Amend Section twenty-one of the bill by striking out all of said section after the colon following the word "words" in the fifth line thereof and inserting in lieu the following words: "At all joint meetings of the boards of supervisors of two or more counties the membership present of each board shall vote as a unit and in accord with the expressed desire of the majority of such membership found by a roll call thereof, a record of which shall be kept and recorded in the proceedings."

15. Amend the bill by adding the following sections thereto as follows:

SEC. 22. That the law as it appears in Chapter two-a of Title ten of the Supplement to the Code, 1907, be amended by adding to said Chapter as Section 1989-a-54 the following: "That after the original establishment of a drainage district, as in this chapter provided, if the said board is satisfied that additional lands should be included within any drainage district, and that said lands are benefited by the improvement therein, and that said lands have been included in said original district, then, in such case, the board may order the engineer to make a plat of said lands, with the elevations thereof, and report thereon; and thereupon if said report be in favor of including additional lands, which shall be particularly described in the report, said board shall proceed in such matter as to said proposed annexed territory as in the original establishing of such district, including the fixing and levying of the special tax for benefits, and thereafter the said annexed territory shall be a part of said district, and governed in all respects as lands within the original district; or said annexation may be made and brought under the jurisdiction of the board for all of said purposes upon the petition of the owners of all the lands to be annexed.

16. Amend the bill by adding thereto the following section:

SEC. 23. This act, being deemed of immediate importance, shall take effect and be in force from and after its publication in the Register and Leader and Des Moines Capital, newspapers published at Des Moines, Iowa.

17. Amend the bill by renumbering Sections 18, 21, 22, 23 and 24 as 17, 18, 19, 20 and 21, and when so amended the bill do pass.

Stillman of Greene moved that the House refuse to concur in the Senate amendments.

On the question, Shall the House concur?

The ayes were:

None.

The nays were:

Allred, Anderson, Arney, Balluff, Bascom, Bauman, Beans, Beebe, Boettger, Boomgaarden, Bowman, Brandes, Cassady, Cooper, Corrie, Cousins, Crummer, Cunningham, Dabney, Dalby, Darrah, Davidson, Dawson, Derrough, Dewell, Dewey, DeWitt, Drury, Elliott, Ellis, Etter, Felt, Finlayson, Fourt, Fox, Fulliam, Fulton, Goodykoontz, Hanson, Harding, Harvey, Hickenlooper, Holmes, Huffaker, Hunter, Ide, Inman, Jacobs, Jewell, Johnson, Jones, Kendall, Koontz, Kull, Larrabee, Lee, McCleery, Meredith, Miller of Bremer, Miller of Dubuque, Moore of Wapello, Newell, O'Connor, Penn, Perkins, Reaney, Reitz, Ripley, Ritter, Sankey, Schroeder, Schulte, Smith, Stillman, Stoddard, Swift, Welden, Wilson, Mr. Speaker—79.

Absent or not voting :

Beery, Blackmore, Boe, Bonwell, Burt, Byerly, Calkins, Crozier, Dodds, Dye, Fenn, Grier, Hackler, Kellogg, Klay, McDonald, Marston, Moore of Linn, Schee, Sheldon, Sullivan, Swan, Tegeler, Thompson, Tilton, Ward, White, Wolfe, Zeller—29.

So the House refused to concur in the Senate amendments.

Miller of Bremer moved that House File No. 258 be made a Special Order for 10:30 A. M., Tuesday, and that the bill be not re-referred to the Sifting Committee.

Roll call demanded by Miller of Bremer and Schee of O'Brien.

The ayes were :

Anderson, Balluff, Bauman, Beebe, Blackmore, Boettger, Boomgaarden, Brandes, Calkins, Crozier, Cunningham, Dabney, DeWitt, Ellis, Etter, Fulliam, Huffaker, Ide, Inman, Kendall, Kull, McCleery, Meredith, Miller of Bremer, Miller of Dubuque, Newell, O'Connor, Penn, Reitz, Sankey, Schee, Schroeder, Schulte, Smith, Stoddard, Swift, Tegeler, Ward, Welden, White—40.

The nays were :

Arney, Bascom, Beans, Bonwell, Bowman, Cassady, Cooper, Corrie, Crummer, Dalby, Davidson, Dawson, Derrough, Dewell, Dewey, Dye, Fenn, Finlayson, Fox, Fulton, Goodykoontz, Hanson, Harding, Harvey, Hickenlooper, Holmes, Hunter, Jacobs, Jewell, Johnson, Larrabee, Lee, Moore of Wapello, Moore of Linn, Reaney, Ripley, Stillman, Thompson, Tilton, Wilson, Mr. Speaker—41.

Absent or not voting :

Allred, Beery, Boe, Burt, Byerly, Cousins, Darrah, Dodds, Drury, Elliott, Felt, Fourt, Grier, Hackler, Jones, Kellogg, Klay, Koontz, McDonald, Marston, Perkins, Ritter, Sheldon, Sullivan, Swan, Wolfe, Zeller—27.

So the motion was lost.

The following remarks were made by Bonwell of Audubon on House File No. 522:

When the salary of members of the Legislature was fixed at \$500.00 a number of years ago, the great State of Iowa was much younger and much less developed in its industrial and material resources than it is today. Since that time no State in the Union of States has made more rapid strides in industrial and manufacturing development than our own great State of Iowa. No point in the State, I am informed, is more than twelve miles from a railroad station. The farm lands have increased in value, three fold and farm, dairy and other products equally as much. The wealth of the State ranks away up near the top of wealthy states. Since that time an addition of fifty dollars has been added to the salary of each Legislator for postage and for which the members of the present Legislature will bear me witness the letters they receive are legion.

With all the marvelous increase in the material wealth of this great State the Legislators pay remains the same as of old, of the days that are past and gone. The people of Iowa elect their best men to represent them and make laws for their government. They expect them to be honest and guard the interests of their constituents with all the power and ability they possess, and I believe they do it. I cannot believe any member of the Thirty-third General Assembly would do otherwise and would balk at dissembling or otherwise detract from the high standard set by recent former Legislatures of the State. Then why not compensate him with a salary commensurate with the dignity and importance of the office and the service he renders the State. If I should be a candidate for a third term I am not afraid, if this bill becomes a law, to go before my people for re-nomination and re-election. Many of them have said to me time and again that it was a shame and outrage upon the class of men sent to the Legislature to pay them the paltry sum of \$550.00. It is equivalent to working for your board and campaign expenses and giving your time without compensation. Your constituents, under present and probably future industrial conditions of this country, will take no umbrage at you increasing the pay of the Thirty-fourth and future General Assemblies. It is only justice to the members of the Legislature from the great commonwealth of Iowa. This bill should pass without a dissenting vote and without debate.

Speaker announced that as Speaker of the House, in the presence of the House, he had signed House Joint Resolution No. 2, House File Nos. 31, 185, 201, 290, 291, and 296.

Holmes of Kossuth moved that Senate File No. 324 be indefinitely postponed.

Motion prevailed.

Miller of Bremer moved that House File No. 116 be withdrawn from the further consideration of the House.

Motion prevailed.

White of Story moved that House File No. 155 be withdrawn from the Committee on Roads and Highways and the further consideration of the House.

Motion prevailed.

#### MOTIONS TO RECONSIDER.

MR. SPEAKER—I move to reconsider the vote by which the resolution providing for a House Sifting Committee was adopted.

LOREN W. INMAN.

I second the motion.

J. D. ELLIOTT.

MR. SPEAKER—I move to reconsider the vote by which the substitute for House File No. 398 was tabled.

E. B. FULLIAM.

I second the motion.

F. C. O'CONNOR.

MR. SPEAKER—I move to reconsider the vote by which House File No. 360 passed the House.

P. M. JEWELL.

I second the motion.

G. W. TILTON.

I move that the vote by which House File No. 360 passed to its third reading be reconsidered.

P. M. JEWELL.

I second the motion.

G. W. TILTON.

Hunter of Polk moved that the House adjourn until 8:30 o'clock A. M., tomorrow.

Motion prevailed.

# JOURNAL OF THE HOUSE

HALL OF THE HOUSE OF REPRESENTATIVES,  
DES MOINES, IOWA, APRIL 6, A. D. 1909.

House met pursuant to adjournment.

Speaker Feely in the Chair.

Prayer was offered by the Rev. Elmore A. Elliott of Des Moines, Iowa.

Journal of Monday, April 5th, corrected and approved.

Leave of absence was granted members of the committee appointed to investigate complaints against the Hospitals for Insane during the Tuesday session.

On request of Byerly of Jones, leave of absence was granted Bauman of Van Buren until Wednesday.

On request of Harding of Woodbury, leave of absence was granted Ward of Woodbury until Thursday.

## REPORTS OF COMMITTEES.

Sullivan of Polk, from the Committee on Judiciary, submitted the following report:

MR. SPEAKER—Your committee on Judiciary to whom was referred House File No. 502, a bill for an act legalizing releases and satisfactions of recorded mortgages, beg leave to report they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same be indefinitely postponed.

JOHN B. SULLIVAN,  
*Chairman.*

Adopted, and House File No. 502 was indefinitely postponed.

Also:

MR. SPEAKER—Your committee on Judiciary to whom was referred House File No. 504, a bill for an act for recovery of interest in real estate when spouse failed to join in conveyance or other interest in which right of dower or homestead attached, beg leave to report they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same be indefinitely postponed.

JOHN B. SULLIVAN,  
*Chairman.*

Adopted, and House File No. 504 was indefinitely postponed.

Also:

MR. SPEAKER—Your committee on Judiciary to whom was referred House File No. 503, a bill for an act providing for the releasing or satisfying of recorded mortgages by corporations, beg leave to report they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same be indefinitely postponed.

JOHN B. SULLIVAN,  
*Chairman.*

Adopted, and House File No. 503 was indefinitely postponed.

Also:

MR. SPEAKER—Your committee on Judiciary to whom was referred Senate File No. 422, a bill for an act legalizing the ordinances of the incorporated town of Laurens, Iowa, beg leave to report they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same be amended as follows:

First. By inserting after the word "ordinances" in line four of the preamble the following words, "in this that the record fails to show that readings of the same were had on separate days or that such readings were dispensed with by proper suspension of the rules provided therefor"; and when so amended the bill do pass.

JOHN B. SULLIVAN,  
*Chairman.*

Adopted.

Also:

MR. SPEAKER—Your committee on Judiciary to whom was referred House File No. 542, a bill for an act to release and absolve A. B. Sawyer, treasurer of Hancock county, Iowa, and his two bondsmen and the two sureties on the depository bond of the First State Bank of Corwith, Iowa, from liability on account of any loss sustained by reason of the deposit, placing or allowing to remain of county or other funds in the First State Bank of Corwith, Iowa, beg leave to report they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same do pass.

JOHN B. SULLIVAN,  
*Chairman.*

Adopted.

Also:

MR. SPEAKER—Your committee on Judiciary to whom was referred House File No. 475, a bill for an act giving the court power under any proceeding under Sections five thousand sixty (5060), and five thousand sixty-one (5061) of the Code, to compel the attendance of witnesses, the



production of books and papers of corporations, partnerships, associations and individuals prosecuted under said sections and providing for the exemptions from liability of any agent, officer, employe, director, or stockholder thereof for, or on account of, any transaction to which said evidence or testimony may relate, beg leave to report they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same be amended as follows:

By striking out all after the enacting clause and substituting the following therefor:

SECTION 1. Whenever any proceeding shall be commenced in any court of competent jurisdiction in this State by the Attorney General or county attorney against any corporation or corporations, individual or individuals, or association of individuals, or joint stock associations or co-partnerships under the law against the formation and maintenance of pools, trusts of any kind, monopolies or confederations, combinations or organizations in restraint of trade, to dissolve the same or to restrain their formation or maintenance in this State, or to recover the penalties in this act provided, then and in such case, if the Attorney General or county attorney desires to take the testimony of any officer, director, agent or employe of any corporation, or joint stock association proceeded against, or in case of a co-partnership, and of the members of said partnership, or any employe thereof, in any court in which said action may be pending; and the individual or individuals whose testimony is desired are without the jurisdiction of this State, or reside without the State of Iowa, or are beyond the reach of a subpoena, then in such case the Attorney General or county attorney may file in said court in term time or with the judge thereof in vacation a statement in writing, setting forth the name or names of the persons or individuals whose testimony he desires to take and the time when and place where he desires said person to appear and if books, papers or documents are desired to be produced, general description of such books, papers and documents, and thereupon the court or judge thereof shall make an order for the taking of said testimony of such person or persons and for the production of such books, papers and documents in the possession or under the control of the person or persons whose testimony is sought to be taken or in the possession or under the control of the defendant or defendants in the suit and relating to the merits of such suit or to any evidence therein and shall require the person to appear in court and give evidence and to produce the books, papers or documents, or shall designate and appoint a commissioner for that purpose who shall be an officer authorized to take depositions in this State and said commissioner shall upon presentation of the order immediately issue a notice in writing directed to the defendant in the suit and to its attorney or attorneys of record in said cause which notice shall set forth the order made by the court or judge thereof, and the time when and place where the testimony of such persons will be taken and the books, papers or documents shall be produced and be signed by such commissioner. Service of such notice may be made upon the defendant by service thereof upon any of the officers of the defendant

corporation or upon any agent of such corporation or by service upon any member of an association co-partnership, or joint stock company or upon an attorney of record of any defendant against whom such action is brought, the service may be made by any person authorized to serve subpoena, provided, however, that such application shall always allow in fixing said time the same number of days travel to reach the designated place in Iowa that would now be allowed by law in case of taking depositions; provided, also, in addition to the above named time, six days shall be allowed for the attorneys of record or the agent, officer or employee on whom notice is served to notify the person or persons whose testimony is to be taken. The claim that the giving of testimony or the production of evidence may tend to criminate, the agent, officer, employee, director or stock holder of said corporation, co-partnership, association or individual giving such evidence shall not excuse said agent, officer, employee, director or stockholder thereof from testifying or producing said books or papers; but no such agent, officer, employee, director or stockholder shall be prosecuted or subjected to any penalty or forfeiture for or on account of any transaction, matter or thing concerning which said agent, officer, employee, director or stockholder may testify or produce evidence, documentary or otherwise, in such proceedings.

Sec. 2. Whenever the persons mentioned in the preceding section shall be notified, as therein provided, to require any officer, agent, director or employe to attend before any court, or before any person authorized to take the testimony in said proceedings, and the person or persons whose testimony is requested, as provided, shall fail to appear and testify and produce any books, papers or documents that may be ordered to be produced by the court, or the other officer authorized to take such evidence, and shall fail to present satisfactory excuse therefor in writing under oath, then it shall be the duty of the court, upon motion of the Attorney General or county attorney, to strike out the answer, motion, reply, demurrer, or other pleading then or thereafter filed in said action or proceeding by the said corporation, joint stock association or co-partnership, whose officer, agent, director, or employe has neglected or failed to attend and testify and produce all books, papers and documents he or they shall have been ordered to produce on said action by the court or person authorized to take said testimony, and said court shall render judgment by default against said corporation, joint stock association or co-partnership. And it is further provided, that in case any officer, agent, employe, director or representative of any corporation, joint stock association or co-partnership in any such proceedings as hereinbefore mentioned who shall reside or be found within this state, shall be subpoenaed to appear and testify or to produce books, papers, and documents, and shall fail, neglect or refuse to do so, then the answer, motion, demurrer, or other pleadings then and thereafter filed by said corporation, joint stock association or co-partnership in any such proceedings, shall, on motion of the Attorney General or county attorney, be stricken out and judgment in said cause rendered against said corporation, joint stock association or co-partnership.

Sec. 3. That Section five thousand sixty-two (5062) of the Supplement to the Code, 1907, be repealed and the following enacted in lieu thereof:

"Section 5062. Any corporation, company, joint stock association, co-partnership or association violating any of the provisions of Sections five thousand sixty (5060) and five thousand sixty-one (5061) of the Code, and any such persons who are now, or shall hereafter create, enter into, become a member of, or a party to any pool, trust, agreement, combination, confederation or understanding, whether the same is made in this State or elsewhere, with any other corporation, partnership, individual, or any other person or association of persons, to do any of the things prohibited in said sections in this State, shall be fined not less than five hundred dollars nor more than five thousand dollars, and in addition thereto shall forfeit and pay to the State for each and every day in which such corporation, company, co-partnership or association transacts business in this State in violation of said sections and while a member of or a party to any pool, trust, agreement, combination, confederation or understanding as aforesaid, the sum of one hundred dollars, to be recovered by suit in any court having jurisdiction; and any president, manager, director, officer, agent, or receiver of any corporation, company, co-partnership or association, or any member of any corporation, company, co-partnership or association or any individual found guilty of a violation of the provisions of said sections shall be fined not less than five hundred dollars nor more than five thousand dollars, or be imprisoned in the county jail not to exceed one year, or both such fine and imprisonment.

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

And that the title of said bill be amended so as to read as follows: "A bill for an act providing for the production of books and papers of corporations, partnerships, associations, and individuals, and to compel the attendance of witnesses in proceedings relating to pools, trusts, combinations and monopolies, and to repeal Section five thousand sixty-two (5062) of the Supplement to the Code, 1907, and enact a substitute therefor, relating to pools and trusts." And when so amended that the bill do pass.

JOHN B. SULLIVAN,  
*Chairman.*

Adopted.

Also:

MR. SPEAKER—Your committee on Judiciary to whom was referred Senate File No. 367, a bill for an act defining the elements of damage that may be proven and awarded where the death of the wife has been caused by the fault of any person, firm, or corporation, and providing a remedy in behalf of the husband, beg leave to report they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same be indefinitely postponed.

JOHN B. SULLIVAN,  
*Chairman.*

Adopted, and Senate File No. 367 was indefinitely postponed.

Also:

MR. SPEAKER—Your committee on Judiciary to whom was referred House File No. 506, a bill for an act to repeal Section four thousand seven hundred sixty-five (4765) of the Code, relating to kidnapping and fixing a penalty therefor, beg leave to report they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same be indefinitely postponed.

JOHN B. SULLIVAN,  
*Chairman.*

Adopted, and House File No. 506 was indefinitely postponed.

Also:

MR. SPEAKER—Your committee on Judiciary to whom was referred Senate File No. 395, a bill for an act to legalize certain notices of incorporation beg leave to report they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same do pass.

JOHN B. SULLIVAN,  
*Chairman.*

Adopted.

Also:

MR. SPEAKER—Your committee on Judiciary to whom was referred House File No. 270, a bill for an act to amend Section four thousand two hundred and ten (4210) of the Code, relating to the method of giving three days' notice to quit, beg leave to report they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same be indefinitely postponed.

JOHN B. SULLIVAN,  
*Chairman.*

Adopted, and House File No. 270 was indefinitely postponed.

Also:

MR. SPEAKER—Your committee on Judiciary to whom was referred Senate File No. 400, a bill for an act in relation to the payment of certain debts by prostitution; prohibiting the payment of certain debts by labor of prostitutes, and providing for the punishment for the violation of its provisions, beg leave to report they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same be amended as follows:

First. By striking out the words, "voluntary or involuntary" as they appear in lines four (4) and five (5), and when so amended the bill do pass.

JOHN B. SULLIVAN,  
*Chairman.*

Adopted.

Also:

MR. SPEAKER—Your committee on Judiciary to whom was referred Senate File No. 261, a bill for an act to amend the law as it appears in Section five thousand six hundred and twenty-six (5626) of the Supplement to the Code, 1907, relating to pardons and the remissions of fines and forfeitures, beg leave to report they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same be indefinitely postponed.

JOHN B. SULLIVAN,  
*Chairman.*

Adopted, and Senate File No. 261 was indefinitely postponed.

Also:

MR. SPEAKER—Your committee on Judiciary to whom was referred Senate File No. 358, a bill for an act prohibiting the giving of immoral plays, exhibitions, and entertainments and the use and leasing of real property therefor and providing a penalty for the violation thereof, beg leave to report they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same do pass.

JOHN B. SULLIVAN,  
*Chairman.*

Adopted.

Also:

MR. SPEAKER—Your committee on Judiciary to whom was referred Senate File No. 115, a bill for an act to amend the law as it appears in Section thirty-four hundred forty-seven-b (3447-b) of the Supplement to the Code, 1907, relating to recovery of interest in real estate when the spouse has failed to join in the conveyance, beg leave to report they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same be amended as follows:

By striking out all after the enacting clause and substituting the following therefor:

SECTION 1. In all cases where the holder of any equitable interest or estate in real estate situated within this State prior to the first day of January, 1885, conveyed certain equitable interest or estate by deed, mortgage, assignment or other conveyance of any kind whatsoever, and the spouse fails to join therein, such spouse or their heirs at law, devisees, grantees or assigns of such spouse shall be barred from recovering the distributive share of such spouse unless suit is brought therefor within one year after the taking effect of this act, but in case the right of such distributive share has not accrued by the death of the spouse making the conveyance or other instrument, then the one not joining is hereby authorized to file in the recorder's office in the county where the land is situated, a notice with affidavit, setting forth affiants' claim, together with the facts upon which such claim rests and residence of such claim-

ant; and if such notice is not filed within two (2) years from the taking effect of this act, such claim shall be forever barred.

If such notice and affidavit are so filed, such right shall be preserved for the period of one (1) year after the same accrues, by the death of the spouse, and if such proceedings be not instituted within one year from the death of such spouse for the establishment of such interest, the same shall be forever barred.

Any action contemplated in this section may include lands situated in different counties by giving notice thereof as provided by Section thirty-five hundred forty-four (3544) of the Code; and when so amended the bill do pass.

JOHN B. SULLIVAN,  
*Chairman.*

Adopted.

Also:

MR. SPEAKER—Your committee on Judiciary to whom was referred Senate File No. 406, a bill for an act to amend Section four thousand eight hundred and eleven (4811) of the Code, relating to getting off and on cars while in motion, and providing punishment therefor, beg leave to report they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same do pass.

JOHN B. SULLIVAN,  
*Chairman.*

Adopted.

Stillman of Greene, from the Committee on Schools and Text Books, submitted the following report:

MR. SPEAKER—Your committee on Schools and Text Books to whom was referred House File No. 521, a bill for an act to amend Section two thousand seven hundred thirty-four-b (2734-b) of the Supplement to the Code, 1907, relating to the qualifications and duties of the county superintendent and his deputy beg leave to report they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same do pass.

PAUL E. STILLMAN,  
*Chairman.*

Adopted.

Welden of Hardin, from the Committee on Railroads and Transportation, submitted the following report:

MR. SPEAKER—Your committee on Railroads and Transportation to whom was referred House File No. 472, a bill for an act to amend the law as it appears in Chapter one of Title nine of the Supplement to the Code, relating to the issuance of capital stock of railway corporations, beg leave to report they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same be amended as follows: By substituting the following and when so amended that the bill do pass.

A Bill for an Act to Amend Section One Thousand Six Hundred Forty-one-b (1641-b) of the Supplement to the Code, Nineteen Hundred Seven (1907), Relating to the Issuance of Capital Stock of Railway Corporations.

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

SECTION 1. That Section one thousand six hundred forty-one-b (1641-b) of the Supplement to the Code, 1907, be and the same is hereby amended by adding thereto the following:

"That for the purpose of encouraging the construction of new steam or electric railways incorporated in this State, the labor performed in effecting the organization of such corporation and the reasonable discount allowed or commission paid in negotiating and affecting the sale of bonds for the construction and equipment of such road shall be taken into consideration as elements of value in fixing the amount of capital stock that may be issued, but in no case shall the total stock issued exceed the total value of the property when completed.

SEC. 2. 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 at Des Moines, Iowa, and when so amended that the bill do pass.

WM. WELDEN,  
*Chairman.*

Adopted.

Also:

MR. SPEAKER—Your committee on Railroads and Transportation to whom was referred House File No. 499, a bill for an act to amend Section twenty-one hundred and sixty-five-a (2165-a) of the Supplement to the Code, 1907, relative to the regulation of express companies, beg leave to report they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same do pass.

WM. WELDEN,  
*Chairman.*

Adopted.

Also:

MR. SPEAKER—Your Committee on Railroads and Transportation has by unanimous vote directed me recommend to the House that it recall from the Senate, Senate File No. 328, which Senate File was heretofore reported to the House with the recommendation that it be indefinitely postponed, which report was by the House adopted. It is the sense of your Committee on Railroads and Transportation that this is a meritorious bill and believe that it was recommended for indefinite postponement without mature consideration through inadvertence.

WM. WELDEN,  
*Chairman.*

Moore of Linn, from the Committee on Appropriations, submitted the following report:

MR. SPEAKER—Your Committee on Appropriations to whom was referred Senate File No. 61, a bill for an act requiring the teachings of agriculture to be included in the course of study of the State University of Iowa, the State College of Agriculture and Mechanic Arts, the State Normal school for the purpose of preparing teachers of agriculture and domestic science and providing for an instructor of agriculture and an instructor in domestic science at the expense of the State in accredited colleges and making appropriation therefor, beg leave to report they have had the same under consideration and have instructed me to report the same back to the House without recommendation and with the request that the bill be placed on the calendar.

ERNEST R. MOORE,  
*Chairman.*

Adopted.

Bonwell of Audubon, from the Committee on Roads and Highways, submitted the following report:

MR. SPEAKER—Your Committee on Roads and Highways to whom was referred Senate File No. 256, a bill for an act to amend Section fifteen hundred and seventy (1570) of the Supplement to the Code, 1907, and to provide for the growing of posts, beg leave to report they have had the same under consideration and recommend the same to be indefinitely postponed.

J. C. BONWELL,  
*Chairman.*

Adopted, and Senate File No. 256 was indefinitely postponed.

Also:

MR. SPEAKER—Your Committee on Roads and Highways to whom was referred House File No. 83, a bill for an act providing revenue for the improvement of public highways, creating a county drainage fund for said purpose and providing for the destruction of weeds and noxious weeds on the same and the land adjacent thereto; naming the officers whose duty it shall be to enforce the provisions of this act and defining their duties, repealing Section fifteen hundred twenty-eight (1528) and fifteen hundred and thirty (1530) of the Supplement of the Code, 1907, and enacting substitute therefor, and repealing Section fifteen hundred sixty-two-a (1562-a) of the Supplement of the Code, 1907, and repealing Section fifteen hundred sixty-four (1564) fifteen hundred sixty-five (1565) and five thousand twenty-four (5024) of the Code, beg leave to report they have had the same under consideration and recommend the same to be indefinitely postponed.

J. C. BONWELL,  
*Chairman.*

Adopted, and House File No. 83 was indefinitely postponed.

Also:

MR. SPEAKER—Your Committee on Roads and Highways to whom was referred House File No. 118, a bill for an act to repeal Sections fourteen



hundred and three (1403) and fifteen hundred and forty-a (1540-a) of the Supplement to the Code, relating to the collection of Road taxes, and to enact substitute therefor, beg leave to report they have had the same under consideration and recommend the same be indefinitely postponed.

J. C. BONWELL,  
*Chairman.*

Adopted, and House File No. 118 was indefinitely postponed.

Beebe of Franklin, from the Committee on Claims, submitted the following report:

MR. SPEAKER—Your Committee on Claims to whom was referred House File No. 509, a bill for an act making an appropriation for Francis M. Segler, and as compensation for service rendered the State, beg leave to report they have had the same under consideration and recommend the same be indefinitely postponed.

N. W. BEEBE,  
*Chairman.*

Adopted, and House File No. 509 was indefinitely postponed.

Also:

MR. SPEAKER—Your Committee on Claims to whom was referred House File No. 470, a bill for an act providing for the payment to John M. Davis the sum of two hundred and sixteen (\$216.00) dollars, beg leave to report they have had the same under consideration and recommend the same be indefinitely postponed.

N. W. BEEBE,  
*Chairman.*

Adopted, and House File No. 470, was indefinitely postponed.

#### REPORT OF COMMITTEE ON ENROLLED BILLS.

Klay of Sioux, 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. 301, a bill for an act to amend Section four hundred and fifty-eight-c (458-c) of the Supplement to the Code, 1907, relative to injuries of domestic animals by dogs and wolves.

Also:

House File No. 321, a bill for an act to amend the law as it appears in Section four thousand nine hundred and ninety-nine-a-thirty-one (4999-a-31) of the Supplement to the Code, 1907, relating to food standards.

Also:

House File No. 417, a bill for an act to repeal Section one thousand nine hundred eighty-nine-a-forty-two (1989-a-42) of the Supplement

of the Code, 1907, relative to the duties of the county auditor; and to the employment of additional help for county auditors in levee or drainage districts; and to the drainage record, and the enactment of a substitute therefor.

Also:

House File No. 433, a bill for an act to amend Section two thousand twenty-eight as it appears in the Supplement to the Code, 1907, relating to ways to lands which have no other means of access.

Also:

House File No. 29, a bill for an act to amend Section five hundred and ninety-one (591) of the Code relating to the compensation of township clerks.

Also:

House File No. 121, a bill for an act to amend Section one thousand five hundred and seventy (1570) of the Supplement to the Code, 1907, providing for the time when osage orange, willow, and other hedge fences shall be trimmed.

Also:

House File No. 175, a bill for an act to amend Section one thousand three hundred and three (1303) of the Supplement to the Code, 1907, relating to levying of taxes by board of supervisors, and creating a court expense fund.

GERRET KLAY,  
*Chairman.*

Adopted.

#### REPORT OF JOINT COMMITTEE ON ENROLLED BILLS.

Klay of Sioux, from the Joint 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. 301, a bill for an act to amend Section four hundred and fifty-eight-c (458-c) of the Supplement to the Code, 1907, relative to injuries of domestic animals by dogs and wolves.

Also:

House File No. 321, a bill for an act to amend the law as it appears in Section four thousand nine hundred and ninety-nine-a-thirty-one (4999-a-31) of the Supplement to the Code, 1907, relating to food standards.

Also:

House File No. 417, a bill for an act to repeal Section one thousand nine hundred eighty-nine-a-forty-two (1989-a-42) to the Supplement of the Code, 1907, relative to the duties of the county auditor; and to the employment of additional help for county auditors in levee or drainage district; and to the drainage record, and the enactment of a substitute therefor.

Also:

House File No. 433, a bill for an act to amend Section two thousand twenty-eight as it appears in the Supplement to the Code, 1907, relating to ways to lands which have no other means of access.

Also:

House File No. 29, a bill for an act to amend Section five hundred and ninety-one (591) of the Code relating to the compensation of township clerks.

Also:

House File No. 121, a bill for an act to amend Section one thousand five hundred and seventy (1570) of the Supplement to the Code, 1907, providing for the time when osage orange, willow, and other hedge fences shall be trimmed.

Also:

House File No. 175, a bill for an act to amend Section one thousand three hundred and three (1303) of the Supplement to the Code, 1907, relating to levying of taxes by board of supervisors, and creating a court expense fund.

Also:

Senate File No. 319, a bill for an act authorizing board of supervisors to grant the use of public highways for erecting and maintaining poles and wires for the transmission of electricity, and fixing the liability for damages arising from the construction thereof.

Also:

Senate File No. 382, a bill for an act authorizing the giving of pensions to disabled and retired policemen and the widows and minor children and dependent fathers and mothers of deceased policemen in cities, incorporated towns, and special charter cities having organized police departments, creating a fund from which to pay such pensions and providing for the distribution thereof, creating a board of trustees to care for such pension fund and prescribing their powers and duties and authorizing the retiring from service of policemen under certain conditions.

Also:

Senate File No. 384, a bill for an act to amend the law as it appears in Section seven hundred forty-one-f (741-f), chapter four, title five, of the Supplement to the Code, 1907, authorizing certain cities to incur an indebtedness for the purpose of constructing a city hall in an amount not exceeding in the aggregate two per centum of the actual value of the taxable property within such city, and to authorize the issuance of bonds in pursuance of an election which may have been heretofore held authorizing the erection of such city hall.

Also:

Senate File No. 31, a bill for an act requiring all corporations doing business within the State to make an annual report and pay an annual license fee to the Secretary of State.

Also:

Senate File No. 177, a bill for an act requiring persons, partnerships or corporations owning or operating street car systems to provide transparent shields for the platforms of certain street cars and providing a penalty for the violation of the requirements hereof.

Also:

Senate File No. 267, a bill for an act to legalize the elections, acts and transactions, resolutions, by-laws, rules and regulations, contracts and certificates of the Ottumwa Cemetery Association.

Also:

Senate File No. 296, a bill for an act to legalize the issuing of certain warrants on the school fund by the board of directors of the independent school district of Farmington, in Van Buren County, State of Iowa.

Also:

Senate File No. 371, a bill for an act to enable certain cities to improve their water fronts and to levy a tax to pay for such work and in certain cases to borrow money therefor and issue negotiable bonds for such debt.

Also:

Senate File No. 401, a bill for an act to legalize the acts of the city council of the city of Ames, Iowa, in contracting an indebtedness during the five years immediately preceding the passage of this act in excess of the statutory limit of one and one-fourth per cent for the erecting, maintaining and operating an electric light and power plant and water works system and other purposes and not exceeding the five per

cent constitutional limit of the actual value of the taxable property in said city.

Also:

Senate File No. 369, a bill for an act in regard to admission to the Soldiers' Home and payment for support by members.

Also:

Senate File No. 137, a bill for an act to amend the law as it appears in Section one thousand four hundred and sixty-seven (1467) of the Supplement to the Code, 1907, relating to collateral inheritance tax and exemptions.

Also:

Senate File No. 233, a bill for an act to amend the law as it appears in Sections eight hundred Fifty-c (850-c), eight hundred fifty-e (850-e), and Eight Hundred Fifty-f (850-f) of the Supplement to the Code, 1907, relating to parks and park commissioners.

Also:

Senate File No. 269, a bill for an act amending the law as it appears in Section sixteen hundred fifty (1650) of the Code, relating to the reincorporation of the cemetery associations.

Also:

Senate File No. 271, a bill for an act authorizing the giving of pensions to disabled and retired firemen and the widows and minor children and dependent fathers and mothers of deceased firemen in cities, incorporated towns, and special charter cities having organized fire departments, creating a fund from which to pay such pensions and providing for the distribution thereof, creating a board of trustees to care for such pension fund and prescribing their powers and duties and authorizing the retiring from service of firemen under certain conditions.

Also:

Senate File No. 342, a bill for an act legalizing and curing the acts and proceedings of the incorporated town of Pocahontas and the town council of said incorporated town, in the County of Pocahontas and State of Iowa, in relation to the establishment, erection and maintenance and extension of a system of water works in said town, and the issuance of warrants of said town in payment therefor, and authorizing the town council of said town to issue bonds for the purpose of taking up and paying its floating indebtedness represented by its warrants.

Also:

Senate File No. 329, a bill for an act to amend Section thirteen hundred twelve (1312) of the Code relating to the listing of moneys and credits for taxation by persons acting in a fiduciary capacity.

GERRIT KLAY,

*Chairman House Committee.*

HENRY L. ADAMS,

*Chairman Senate Committee.*

Adopted.

#### CONSIDERATION OF BILLS.

Lee of Emmet moved that the vote by which the Committee report recommending indefinite postponement of Senate File No. 348 be reconsidered.

Motion prevailed.

Lee of Emmet proposed the following amendment:

I move to amend the bill by striking out all of Section One (1) and substituting the following in lieu thereof:

"SECTION 1. That Section five thousand seven hundred eighteen-a-fourteen (5718-a-14) of the Supplement to the Code, 1907, be amended by inserting after the period following the word resolution in the twenty-sixth line the following:

They shall, prior to the beginning of each regular session of the General Assembly, make a report to the Governor, including a summary of paroles granted and releases recommended, the names of all prisoners who have violated their paroles and such other information concerning its operation under the law as may be deemed to be of public interest, also, an abstract for each year of the criminal returns received from the clerk of the district court, embracing all of the important facts contained in such return."

I also move to amend the bill by making Section five (5) read Section six (6) and inserting the following as Section five (5):

"SEC. 5. That Section sixty-nine (69) of the Code be and the same is hereby repealed."

I move to correct the title of the bill to read as follows:

A Bill for an Act to Repeal Section Sixty-nine (69) of the Code, and to Amend the Law as it Appears in Section Five Thousand Seven Hundred Eighteen-a-Fourteen (5718-a-14) of the Supplement to the Code, 1907; also to Amend Sections Two Hundred Ninety-three (293), Four Hundred Seventy-five (475) and Five Thousand Six Hundred Forty-one (5641) of the Code, Relating to Criminal Reports and Statistics.

Amendment adopted.

Zeller of Madison in the Chair.

Lee of Emmet moved that the rules be suspended, the bill be read a third time now, which motion prevailed, and the bill was read a third time.

On the question, "Shall the bill pass?"

The ayes were:

Anderson, Bascom, Beans, Beebe, Beery, Blackmore, Boe, Bowman, Byerly, Cassady, Cooper, Corrie, Cousins, Crummer, Cunningham, Dabney, Dalby, Darrah, Derrough, Dewell, Dewey, DeWitt, Drury, Dye, Etter, Fenn, Finlayson, Fourt, Fox, Fulliam, Goodykoontz, Grier, Hanson, Harding, Harvey, Hickenlooper, Huf-faker, Inman, Jewell, Jones, Kellogg, Kendall, Klay, Koontz, Larabee, Lee, McCleery, McDonald, Miller of Dubuque, Moore of Wapello, Moore of Linn, Newell, O'Connor, Reaney, Reitz, Ripley, Ritter, Sankey, Schee, Schroeder, Schulte, Smith, Stillman, Stoddard, Sullivan, Swan, Swift, Tilton, Welden, Wilson, Wolfe, Zeller, Mr. Speaker—73.

The nays were:

Ellis, Perkins—2.

Absent or not voting:

Allred, Arney, Balluff, Bauman, Boettger, Bonwell, Boomgaarden, Brandes, Burt, Calkins, Crozier, Davidson, Dawson, Dodds, Elliott, Felt, Fulton, Hackler, Holmes, Hunter, Ide, Jacobs, Johnson, Kull, Marston, Meredith, Miller of Bremer, Penn, Sheldon, Tegeler, Thompson, Ward, White—33.

So the bill passed and the title was agreed to.

On motion of Miller of Dubuque, Senate File No. 305, a bill for an act to grant and relinquish to the city of Dubuque, Iowa, the title of the State of Iowa, in or to a portion of the abandoned river bed of the Mississippi river, being land of the character described in Section One (1), of Chapter Two Hundred and Twelve (212) of the Acts of the Thirty-first General Assembly, lying within the limits of said city and in Sections Twenty-five (25) and Thirty-six (36), Township Eighty-nine (89) North, Range Two (2), east of the fifth principal meridian and authorizing and directing the Governor and Secretary of State to issue a patent therefor, was taken up and considered.

Miller of Dubuque moved that the rules be suspended, the bill be read a third time now, which motion prevailed, and the bill was read a third time.

On the question, "Shall the bill pass?"

The ayes were:

Anderson, Arney, Balluff, Bascom, Beans, Beebe, Beery, Blackmore, Boe, Boomgaarden, Bowman, Brandes, Byerly, Cassady, Cooper, Corrie, Crozier, Crummer, Cunningham, Dalby, Darrah, Derrough, Dewell, Dewey, Drury, Dye, Elliott, Ellis, Etter, Fenn, Finlayson, Fourt, Fox, Fulliam, Fulton, Goodykoontz, Grier, Hackler, Hanson, Harding, Hickenlooper, Huffaker, Hunter, Inman, Jacobs, Jewell, Johnson, Jones, Kellogg, Kendall, Klay, Koontz, Kull, Larrabee, Lee, McCleery, McDonald, Marston, Meredith, Miller of Dubuque, Moore of Wapello, Moore of Linn, Newell, O'Connor, Penn, Perkins, Reaney, Reitz, Ripley, Ritter, Sanky, Schroeder, Schulte, Sheldon, Smith, Stillman, Stoddard, Sullivan, Swan, Swift, Tegeler, Thompson, Tilton, White, Wilson, Wolfe, Zeller—87.

The nays were:

None.

Absent or not voting:

Allred, Bauman, Boettger, Bonwell, Burt, Calkins, Cousins, Dabney, Davidson, Dawson, DeWitt, Dodds, Felt, Harvey, Holmes, Ide, Miller of Bremer, Schee, Ward, Welden, Mr. Speaker—21.

So the bill passed and the title was agreed to.

On motion of Brandes of Pottawattamie, Senate File No. 191, a bill for an act appropriating the sum of two hundred nine dollars and twelve cents (\$209.12) for the relief of N. W. Williams, on account of work done for the state for which he has not been paid, was taken up and considered.

Brandes of Pottawattamie moved that the rules be suspended, the bill be read a third time now, which motion prevailed, and the bill was read a third time.

On the question, "Shall the bill pass?"

The ayes were:



Allred, Anderson, Arney, Balluff, Bascom, Beans, Beebe, Beery, Blackmore, Boe, Boettger, Bonwell, Boomgaarden, Bowman, Brandes, Byerly, Calkins, Cassady, Cooper, Corrie, Cousins, Crozier, Crummer, Cunningham, Dabney, Dalby, Darrah, Derrough, Dewell, Dewey, DeWitt, Dye, Elliott, Etter, Fenn, Fourt, Fox, Fulliam, Fulton, Goodykoontz, Grier, Hackler, Hanson, Harding, Harvey, Hickenlooper, Holmes, Huffaker, Hunter, Jewell, Johnson, Jones, Kellogg, Kendall, Klay, Koontz, Kull, Larrabee, Lee, McCleery, McDonald, Marston, Miller of Dubuque, Moore of Wapello, Moore of Linn, O'Connor, Penn, Perkins, Reaney, Reitz, Ripley, Ritter, Sankey, Schee, Schroeder, Schulte, Smith, Stillman, Stoddard, Sullivan, Swan, Swift, Tegeler, Thompson, Tilton, Ward, Welden, White, Wilson, Wolfe, Zeller, Mr. Speaker—92.

The nays were:

None.

Absent or not voting:

Bauman, Burt, Davidson, Dawson, Dodds, Drury, Ellis, Felt, Finlayson, Ide, Inman, Jacobs, Meredith, Miller of Bremer, Newell, Sheldon—16.

So the bill passed and the title was agreed to.

Speaker Feely in the Chair.

#### SPECIAL ORDER.

Time having arrived for Special Order No. 16, Ward of Woodbury moved the adoption of the amendment to House File No. 68.

Amendment adopted.

Ward of Woodbury proposed the following amendment:

I move to amend Section 1 by adding thereto after the word "mortgages" in line 1 the words "and contracts for sale of real estate."

Amendment adopted.

Ward of Woodbury proposed the following amendment:

I move to amend Section 1 by striking from line 3 the words, "that secured the mortgage" and inserting in lieu thereof the words "where the real estate is located."

Amendment adopted.

Ward of Woodbury proposed the following amendment:

I move to amend Section 3 by inserting after the word "and" in the third line the word "the."

Amendment adopted.

Calkins of Adams moved that the rules be suspended, 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 ayes were:

Allred, Arney, Bascom, Boe, Calkins, Cousins, Crummer, Dabney, DeWitt, Dodds, Drury, Elliott, Ellis, Etter, Fenn, Fox, Hanson, Harding, Harvey, Holmes, Huffaker, Hunter, Inman, Jewell, Johnson, Kellogg, Kendall, Koontz, Marston, Meredith, Perkins, Reitz, Ritter, Sankey, Schee, Schroeder, Swan, Swift, Tegeler, Tilton, Ward, Wilson, Wolfe, Zeller—44.

The nays were:

Anderson, Balluff, Beans, Beebe, Blackmore, Boettger, Bonwell, Boomgaarden, Bowman, Brandes, Cooper, Corrie, Cunningham, Dalby, Darrah, Davidson, Derrough, Dewell, Dewey, Dye, Finlayson, Fourt, Fulton, Goodykoontz, Grier, Hackler, Hickenlooper, Jacobs, Jones, Klay, Kull, Larrabee, Lee, McCleery, Miller of Bremer, Miller of Dubuque, Moore of Wapello, Moore of Linn, Newell, O'Connor, Reaney, Ripley, Schulte, Sheldon, Smith, Stillman, Stoddard, Thompson, Mr. Speaker—49.

Absent or not voting:

Bauman, Beery, Burt, Byerly, Cassady, Crozier, Dawson, Felt, Fulliam, Ide, McDonald, Penn, Sullivan, Welden, White, Wilson—15.

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

On motion of Beery of Henry, substitute for Senate File No. 158, a bill for an act amending Section Thirteen Hundred and Ten (1310) of the Code, relating to taxation of shares of stock in corporation taxed in another state or territory, and amending Section Thirteen Hundred and Twenty-three (1323) of the Code, relating to taxation of domestic corporations, was taken up and considered.

Crozier of Marion proposed the following amendment :

I move to amend Section 1 by striking out the semi-colon after the word "taxation" in line 10 and adding the words "except as to the excess of the assessed value in this state over and above its assessed value in the foreign state."

Amendment lost.

Beery of Henry moved that the rules be suspended, the bill be read a third time now, which motion prevailed, and the bill was read a third time.

On the question, "Shall the bill pass?"

The ayes were :

Allred, Anderson, Arney, Bascom, Beebe, Beery, Blackmore, Boe, Boettger, Boomgaarden, Bowman, Brandes, Cassady, Cooper, Corrie, Cousins, Crummer, Darrah, Dawson, Derrough, Dodds, Dye, Elliott, Ellis, Fenn, Fourt, Fulliam, Fulton, Goodykoontz, Grier, Hackler, Hanson, Harding, Hickenlooper, Holmes, Hunter, Inman, Jewell, Johnson, Jones, Klay, Koontz, Larrabee, McCleery, McDonald, Meredith, Moore of Linn, Newell, Reaney, Ritter, Sheldon, Smith, Stillman, Stoddard, Sullivan, Swan, Swift, Thompson, Tilton, Ward, Welden, White, Wolfe, Mr. Speaker—64.

The nays were :

Beans, Bonwell, Byerly, Calkins, Crozier, Dabney, Dalby, Davidson, Dewell, Dewey, DeWitt, Drury, Etter, Finlayson, Fox, Harvey, Huffaker, Jacobs, Kendall, Kull, Marston, Miller of Dubuque, Moore of Wapello, O'Connor, Penn, Perkins, Reitz, Ripley, Sankey, Schee, Schroeder, Schulte, Zeller—33.

Absent or not voting :

Balluff, Bauman, Burt, Cunningham, Felt, Ide, Kellogg, Lee, Miller of Bremer, Tegeler, Wilson—11.

So the bill passed and the title was agreed to.

#### MOTION TO RECONSIDER.

I move to reconsider the vote by which House File No. 305 failed to pass the House, and also the vote by which it passed to its third reading.

HENEY RITTER.

I second the motion.

E. H. CUNNINGHAM.

Motion prevailed, and the House proceeded to reconsider House File No. 305.

Hunter of Polk proposed the following amendment:

I move to amend House File No. 305 by striking out all of Section One and inserting the following in lieu thereof:

“Section 1. That Section Two Hundred Ninety-eight (298) of the Supplement to the Code, 1907, be and the same is hereby amended by striking out the word “and” in the thirteenth (13) line thereof and by inserting after the period after the word “dollars” in the sixteenth (16) line thereof the following: “And in counties having a population exceeding sixty-five thousand (65000) one or more deputy clerks may be employed, whose compensation shall not exceed eight thousand dollars (\$8,000).”

Amendment adopted.

Hunter of Polk moved that the rules be suspended, 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 ayes were:

Balluff, Bascom, Beans, Beebe, Beery, Blackmore, Boe, Boettger, Boomgaarden, Bowman, Brandes, Burt, Cassady, Cooper, Cousins, Crozier, Crummer, Dabney, Dalby, Darrah, Dawson, Derrough, Dewey, DeWitt, Dodds, Drury, Dye, Ellis, Etter, Fenn, Fourt, Fox, Fulliam, Goodykoontz, Grier, Hackler, Hanson, Harding, Hick-enlooper, Huffaker, Hunter, Inman, Jacobs, Jewell, Jones, Kendall, Klay, Koontz, Kull, Larrabee, Lee, McDonald, Meredith, Miller of Dubuque, O'Connor, Perkins, Reaney, Ripley, Ritter, Schee, Schroeder, Schulte, Smith, Stillman, Stoddard, Sullivan, Swan, Swift, Tegeler, Welden, White, Wolfe, Zeller, Mr. Speaker—75.

The nays were:

Harvey, Moore of Wapello, Moore of Linn, Reitz—4.

Absent or not voting:

Allred, Anderson, Arney, Bauman, Bonwell, Byerly, Calkins, Cunningham, Davidson, Dewell, Elliott, Felt, Finlayson, Fulton, Holmes, Ide, Johnson, Kellogg, McCleery, Marston, Miller of Brem-

er, Newell, Penn, Sankey, Sheldon, Thompson, Tilton, Ward, Wilson—29.

So the bill passed and the title was agreed to.

On motion of Meredith of Cass, Senate File No. 76, a bill for an act to prohibit any person, except a qualified elector, from engaging in the sale of intoxicating liquors at retail and to prohibit any person, firm, association or corporation engaged or interested in the manufacture, brewing, distilling or refining of intoxicating liquors, from owning or leasing any building, fixtures, furniture or apparatus to be used for the purpose of selling intoxicating liquors at retail was taken up and considered.

Meredith of Cass moved that the rules be suspended, the bill be read a third time now, which motion prevailed, and the bill was read a third time.

On the question, "Shall the bill pass?"

The ayes were:

Allred, Anderson, Arney, Bascom, Beans, Beebe, Beery, Boe, Brandes, Burt, Cassady, Cooper, Corrie Cousins, Crozier, Crummer, Cunningham, Dalby, Darrah, Davidson, Dawson, Derrough, Dewell, Dewey, DeWitt, Drury, Elliott, Finlayson, Fourt, Fox, Fulton, Goodykoontz, Grier, Hackler, Hanson, Harding, Harvey, Hickenlooper, Holmes, Huffaker, Hunter, Inman, Jacobs, Jewell, Johnson, Kellogg, Klay, Kull, Larrabee, Lee, McCleery, McDonald, Marston, Meredith, Moore of Wapello, Moore of Linn, O'Connor, Perkins, Reaney, Ripley, Schee, Sheldon, Smith, Stillman, Stoddard, Sullivan, Swan, Swift, Thompson, Ward, Welden, White, Wilson, Zeller, Mr. Speaker—75.

The nays were:

Blackmore, Bonwell, Boomgaarden, Byerly, Ellis, Etter, Fulham, Jones, Kendall, Miller of Dubuque, Reitz, Ritter, Schroeder, Schulte, Tegeler, Tilton, Wolfe—18.

Absent or not voting:

Balluff, Bauman, Boettger, Bowman, Calkins, Dabney, Dye, Felt, Fenn, Ide, Koontz, Miller of Bremer, Newell, Penn, Sankey—15.

So the bill passed and the title was agreed to.

On motion of Moore of Linn, House File No. 529, a bill for an act amending Sections 150 and 151 of the Code, relating to the duties of the custodian of public buildings and property, was taken up, considered, and House File No. 529 was recalled from the Committee on Retrenchment and Reform and Senate File No. 413 substituted therefor.

Moore of Linn moved that the rules be suspended, the bill be read a third time now, which motion prevailed, and the bill was read a third time

On the question, "Shall the bill pass?"

The ayes were:

Allred, Anderson, Arney, Balluff, Bascom, Beans, Beebe, Beery, Blackmore, Boe, Boettger, Bonwell, Boomgaarden, Brandes, Burt, Byerly, Calkins, Cassady, Cooper, Corrie, Cousins, Crozier, Crummer, Cunningham, Dabney, Dalby, Darrah, Davidson, Dawson, Derrough, Dewell, Dewey, DeWitt, Drury, Dye, Elliott, Ellis, Etter, Fenn, Finlayson, Fourt, Fox, Fulliam, Goodykoontz, Grier, Hackler, Harding, Harvey, Hickenlooper, Holmes, Hunter, Jacobs, Jewell, Johnson, Jones, Kellogg, Kendall, Koontz, Kull, Larrabee, Lee, McCleery, Marston, Meredith, Miller of Dubuque, Moore of Wapello, Moore of Linn, O'Connor, Penn, Perkins, Reaney, Ripley, Ritter, Sankey, Schee, Schroeder, Schulte, Sheldon, Smith, Stoddard, Sullivan, Swan, Swift, Tegeler, Thompson, Tilton, Welden, White, Wilson, Wolfe, Zeller, Mr. Speaker—92.

The nays were:

None.

Absent or not voting:

Bauman, Bowman, Dodds, Felt, Fulton, Hanson, Huffaker, Ide, Inman, Klay, McDonald, Miller of Bremer, Newell, Reitz, Stillman, Ward—16.

So the bill passed and the title was agreed to.

Hackler of Webster called up his motion to reconsider the vote by which House File No. 524 passed the House and by which it passed to its third reading.

Moore of Linn raised the point of order that action on the motion to reconsider was in violation of Rule 32.

Mr. Speaker ruled the point well taken, and Hackler of Webster moved the suspension of the rule.

Motion lost.

#### 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. 198, a bill for an act relating to the State Veterinary Surgeon.

S. W. NEAL,  
*Secretary.*

Also:

MR. SPEAKER—I am directed to inform your honorable body that the Senate has concurred in House amendments to Senate File No. 162, a bill for an act giving Insurance companies the right to issue policies upon automobiles and marine risks.

S. W. NEAL,  
*Secretary.*

Also:

MR. SPEAKER—I am directed to inform your honorable body that the Senate has passed the following bill in which the concurrence of the Senate was asked:

House File No. 450, a bill for an act providing for the enumeration of deaf and blind persons.

S. W. NEAL,  
*Secretary.*

Also:

MR. SPEAKER—I am directed to inform your honorable body that the Senate has indefinitely postponed the following bill in which the concurrence of the Senate was asked:

House File No. 471, a bill for an act relating to the duties of the Highway Commission.

S. W. NEAL,  
*Secretary.*

#### SENATE AMENDMENTS CONSIDERED.

On request of Boe of Winnebago, unanimous consent having been given, House File No. 198, a bill for an act to amend Sections Two Thousand Five Hundred Thirty (2530) and Two Thousand Five Hundred Thirty-six (2536) of the Supplement to the Code, relating to State Veterinary Surgeon, with the following Senate amendments, was taken up and the amendments read and considered.

Amend Section 2 by striking out the word "fifteen" in the fifth line and inserting in lieu thereof the word "eleven."

Boe of Winnebago moved that the House concur in the Senate amendments:

On the question, "Shall the House concur?"

The ayes were:

Anderson, Balluff, Bascom, Beans, Beebe, Beery, Blackmore, Boe, Boomgaarden, Bowman, Brandes, Byerly, Cassady, Cooper, Corrie, Cousins, Crummer, Dalby, Darrah, Derrough, Dewell, Dewey, DeWitt, Dodds, Drury, Elliott, Ellis, Etter, Fenn, Fourt, Fox, Fulliam, Fulton, Goodykoontz, Grier, Hanson, Harding, Harvey, Hickenlooper, Holmes, Huffaker, Hunter, Jewell, Johnson, Jones, Kellogg, Kendall, Klay, Koontz, Larrabee, Lee, McCleery, Meredith, Miller of Dubuque, Moore of Wapello, Moore of Linn, O'Connor, Penn, Perkins, Reaney, Reitz, Ripley, Ritter, Sankey, Schroeder, Schulte, Sheldon, Smith, Stillman, Stoddard, Sullivan, Swan, Swift, Tegeler, Welden, White, Wolfe, Zeller, Mr. Speaker—79.

The nays were:

None.

Absent or not voting:

Allred, Arney, Bauman, Boettger, Bonwell, Burt, Calkins, Crozier, Cunningham, Dabney, Davidson, Dawson, Dye, Felt, Finlayson, Hackler, Ide, Inman, Jacobs, Kull, McDonald, Marston, Miller of Bremer, Newell, Schee, Thompson, Tilton, Ward, Wilson—29.

So the House concurs.

Boe of Winnebago offered the following concurrent resolution:

#### CONCURRENT RESOLUTION.

Resolved, by the House the Senate concurring, that all books and supplies upon the members' desks, at the close of the session be turned over to the custodian of public buildings, and that he is hereby directed to place the same in suitable condition for shipping.

Resolved further, that the two men appointed by the Thirty-third General Assenbly as assistants in the Secretary of State's office be authorized to assist the Custodian in doing such work.



Boe of Winnebago asked unanimous consent for immediate consideration of the concurrent resolution, and moved its adoption.

Motion prevailed and the concurrent resolution was adopted.

Beery of Henry moved that House File No. 410 be withdrawn from the Committee on Roads and Highways and the further consideration of the House.

Motion prevailed.

Lee of Emmet moved that the House request the recall of Senate File No. 328 from the Senate for further consideration.

Motion prevailed.

Speaker announced that as Speaker of the House, in the presence of the House, he had signed House File Nos. 175, 121, 29, 433, 417, 321, 301, 384, 342, 271, 137, 233, 269, 329, 177, 267, 296, 371, 401, 369, 31, 390 and 382.

Zeller of Madison moved that the House adjourn until 1:30 o'clock P. M.

Motion prevailed.

#### AFTERNOON SESSION.

House met pursuant to adjournment.

Speaker Feely in the Chair.

On request of Bowman of Linn leave of absence was granted Ide of Union until Wednesday.

#### REPORTS OF COMMITTEES.

Meredith of Cass, from the Committee on Printing, submitted the following report:

MR. SPEAKER—Your Committee on Printing to whom was referred a resolution introduced by Mr. Cooper, relative to the printing of reports of State officers, boards and commissions and matter included in said reports, and directed to investigate, with a view to ascertaining whether or not the expenditure of money for the publication of books, reports, documents and other forms of printed matter cannot be curtailed by reducing the number or eliminating the publication of some of said reports and publication in accordance with the resolution, beg leave to report as follows:

That with respect to the number of such reports and documents printed, the responsibility therefor is lodged with the Executive Council in Sec-

tion No. 125 of the Supplement to the Code, 1907, as follows: "The Executive Council shall reduce the number of copies of any report herein provided whenever the books of the document accountant in the office of the Secretary of State show that a less number will supply all the necessary needs for such publication."

With respect to the subject matter which shall be included within such reports and documents the responsibility therefor is lodged with the Governor in Section No. 124 of the Code, the language of which is as follows: "He (the Governor) shall, however, cause all reports to be carefully examined before being printed and shall omit from printed copy all matters he may deem not of sufficient importance to warrant publication thereof at the State's expense."

We further report that we have obtained from the Secretary of State a statement showing the number of copies of all the reports printed during the years 1905, 1906, and 1907, and number destroyed by order of the Executive Council during the year 1908 and the number remaining on hand March 8, 1909, which statement is attached to and made a part of this report.

We further find from said statement that the total number of annual reports published is twelve (12), the total number of biennial reports is thirty-three (33), and the total number of extraordinary documents three (3), such extraordinary documents being the Code, Code Supplement, and Soldiers' Roster. We find that out of this total of forty-eight (48) reports and documents now being published reductions have been made during the past three years, either by statute or by the action of the Executive Council, with respect to thirty-four (34) of said publications.

We further find that the Secretary of State is required by statute to publish once every two years a complete report of the number of documents printed and the number remaining on hand, for the guidance of the Executive Council in determining the number of such reports and documents which are actually necessary and we are informed it is the purpose of the Executive Council to make reductions in the number printed whenever it is possible. As to the subject matter of these reports which is made by statute a matter for the Governor to determine, we feel that this question is so largely a matter of judgment that we do not feel qualified to pass upon the same.

We further find that in the year 1908, by order of the Executive Council, a number of copies of various reports remaining on hand were destroyed. The largest single item in such destruction was 3,600 copies of the Supplement to the Code, 1902, which became useless when the Supplement to the Code, 1907, was published. The number of copies of the Supplement to the Code has been reduced from 15,000 in 1902 to 12,000 for 1907. The manner of the destruction above referred to was that the paper in said books and documents was sold at its market value as old paper and the covers of all bound volumes were turned over to the Board of Control for use on other reports.

It is the opinion of your committee that the attention of the Governor and of the Executive Council is being particularly directed to the end that all unnecessary expenditure in this connection should be eliminated

and that in as much as the varying demand for various publications from year to year makes it impossible to determine exactly the number which will be required, it is the opinion of your committee that the statutory safeguards now thrown around such expenditures are sufficient to protect the interests of the State.

C. A. MEREDITH,  
*Chairman.*

### Adopted.

Supplemental report of Committee on Printing:

#### STATEMENT.

Showing the number of copies of the various reports below mentioned, printed during the years 1905, 1906 and 1907, the number destroyed by order of the executive council during the year 1908 and the number remaining on hand March 8, 1909.

#### ACADEMY OF SCIENCES.

Annual proceedings. Reserve 100.

Year	No. copies printed	No. copies destroyed	No. on hand
1905 .....	1,000	none	150
1906 .....	1,000	none	460
1907 .....	1,000	none	200

#### ADJUTANT-GENERAL

Biennial report. Reserve 75.

Year	No. copies printed	No. copies destroyed	No. on hand
1905 .....	2,000	none	119
1906 .....	1,500	none	236

Soldiers Roster.

Year	No. copies printed	No. copies destroyed	No. on hand
1908 Vol. 1 .....	10,000	none	9,276
1909 Vol. 2 .....	10,000	none	9,300

#### AGRICULTURAL DEPARTMENT.

Year Book. Reserve 50.

Year	No. copies printed	No. copies destroyed	No. on hand
1905 .....	3,000	none	129
1906 .....	3,000	none	115
1907 .....	3,000	none	506

## ATTORNEY GENERAL.

## Biennial Report. Reserve 60.

Year	No. copies printed	No. copies destroyed	No. on hand
1904 .....	2,000		91
1906 .....	2,000		291
1908 .....	1,500		Not printed yet

## AUDITOR OF STATE.

## Biennial report. Reserve 100.

Year	No. copies printed	No. copies destroyed	No. on hand
1905 .....	3,000	none	375
1906 .....	2,500	none	300

## Annual insurance reports. Reserve.

Year	No. copies printed	No. copies destroyed	No. on hand
1905 Vol. 1 Fire.....	6,000	none	600
Vol. 2 Life.....	6,000	none	600
1906 Vol. 1. Fire.....	6,000	none	700
Vol. 2 Life.....	6,000	none	700
1907 Vol. 1 Fire.....	4,500	none	1,097
Vol. 2 Life.....	4,500	none	960

## BOARD OF CONTROL.

## Biennial report. Reserve 100.

Year	No. copies printed	No. copies destroyed	No. on hand
1905 .....	4,000	none	380
1906 .....	3,000	none	940

## BOARD OF HEALTH.

## Biennial Report. Reserve 100.

Year	No. copies printed	No. copies destroyed	No. on hand
1903 .....	3,000	341	100
1905 .....		Report not printed	
1906 .....	2,500	none	144

## CUSTODIAN OF PUBLIC BUILDINGS.

## Biennial report. Reserve 50.

Year	No. copies printed	No. copies destroyed	No. on hand
1905 .....	2,000	none	223
1906 .....	1,500	none	439

## FOOD AND DAIRY COMMISSIONER.

## Annual report. Reserve 50.

Year	No. copies printed	No. copies destroyed	No. on hand
1905 .....	3,500	none	293
1906 .....	4,000	none	249
1907 .....	4,000	none	836

## DENTAL EXAMINERS.

## Biennial report. Reserve 25.

1903 .....	2,000	none	50
1905 .....		Report not printed	
1906 .....	2,000	none	100
1908 .....	3,000	none	300

## GENERAL ASSEMBLY.

## Rules. Reserve 25.

Year	No. copies printed	No. copies destroyed	No. on hand
1904 .....	3,000	none	50
1906 .....	2,500	none	165
1907 .....	1,000	none	200

## House Journals. Reserve 50.

Year	No. copies printed	No. copies destroyed	No. on hand
1904 .....	2,000	none	197
1906 .....	2,000	none	340
1907 .....	2,000	none	175

## Senate Journals. Reserve 50.

Year	No. copies printed	No. copies destroyed	No. on hand
1904 .....	2,000	none	197
1906 .....	2,000	none	290
1907 .....	2,000	none	180

## GEOLOGICAL SURVEY.

## Annual report. Reserve 100.

Year	No. copies printed	No. copies destroyed	No. on hand
1905 Vol. 15 .....	3,000	none	535
1906 Vol. 16 .....	3,000	none	746
1907 Vol. 17 .....	3,000	none	842
1908 Vol. 18 .....	3,000	none	1,095

## EXECUTIVE COUNCIL.

## Annual Telegraph and Telephone Assessment Report. Reserve 75.

Year	No. copies printed	No. copies destroyed	No. on hand
1905 .....	2,500	905	200
1906 .....	2,000	321	300
1907 .....	2,000	none	150
1908 .....	2,000	none	150

## Annual Railway Assessment report. Reserve 100.

Year	No. copies printed	No. copies destroyed	No. on hand
1905 .....	2,500	none	160
1906 .....	2,000	none	70
1907 .....	2,000	none	200
1908 .....	2,000	none	100

## Biennial expense report. Reserve 75.

Year	No. copies printed	No. copies destroyed	No. on hand
1905 .....	5,000	none	159
1906 .....	5,000	none	500
1907 .....	5,000	none	150

## FISH AND GAME WARDEN.

## Biennial report. Reserve 50.

Year	No. copies printed	No. copies destroyed	No. on hand
1905 .....	2,000	28	100
1906 .....	1,500	none	100
1908 .....	1,500	none	125

## GOVERNOR.

## Biennial Message. Reserve 100.

Year	No. copies printed	No. copies destroyed	No. on hand
1904 .....	*15,000	3,000	500
1906 .....	2,500	none	175
1907 .....	2,500	none	550

## Inaugural address. Reserve 50.

Year	No. copies printed	No. copies destroyed	No. on hand
1904 .....	*15,000	1,968	500
1906 .....	** 2,000	none	300

\*12,000 extra copies ordered by the Thirtieth General Assembly.

\*\*12,500 extra copies ordered by the Thirtieth General Assembly.

## Biennial report on pardons. Reserve 50.

Year	No. copies printed	No. copies destroyed	No. on hand
1905 .....	2,000	117	97
1906 .....	1,500	139	97

## HISTORICAL DEPARTMENT.

## Biennial report. Reserve.

Year	No. copies printed	No. copies destroyed	No. on hand
1905 .....	2,000	none	390
1906 .....	2,000	none	400
1908 .....	1,500	Not printed yet	

## HORTICULTURAL SOCIETY.

## Annual report. Reserve 50.

Year	No. copies printed	No. copies destroyed	No. on hand
1905 .....	4,000	none	199
1906 .....	4,000	none	227
1907 .....	4,000	none	292

## IOWA LIBRARY COMMISSION.

## Biennial report. Reserve 50.

Year	No. copies printed	No. copies destroyed	No. on hand
1905 .....	2,000	none	73
1906 .....	2,000	none	197

## LABOR COMMISSIONER.

## Biennial report. Reserve 75.

Year	No. copies printed	No. copies destroyed	No. on hand
1905 .....	4,000	none	88
1906 .....	3,500	none	79

## MINE INSPECTORS.

## Biennial report. Reserve 50.

1905 .....	3,000	none	77
1906 .....	2,000	none	100

## PHARMACY COMMISSION.

## Biennial report. Reserve 50.

Year	No. copies printed	No. copies destroyed	No. on hand
1905 .....	3,000	none	555
1903 .....	3,000	none	15

1906 .....		Report not printed
1908 .....	2,500	none

## PIONEER LAWMAKERS ASSOCIATION.

## Biennial proceedings. Reserve 75.

Year	No. copies printed	No. copies destroyed	No. on hand
1904 .....	1,200	none	725
1906 .....	1,200	none	435
1907 .....	1,200	none	236

## RAILROAD COMMISSIONERS.

## Annual report. Reserve 100.

Year	No. copies printed	No. copies destroyed	No. on hand
1904 .....	4,000	none	787
1905 .....	4,000	none	1,123
1906 .....	3,000		530

## SECRETARY OF STATE.

## Biennial criminal report. Reserve 75.

Year	No. copies printed	No. copies destroyed	No. on hand
1905 .....	2,000	none	98
1906 .....	1,500	none	245

## Biennial land report. Reserve 75.

Year	No. copies printed	No. copies destroyed	No. on hand
1905 .....	2,000	none	106
1906 .....	1,500	none	200

## Biennial report of oil inspections. Reserve 50.

Year	No. copies printed	No. copies destroyed	No. on hand
1905 .....	2,000	166	50
1906 .....	1,500	none	323

## Code of 1897.

Year	No. copies printed	No. copies destroyed	No. on hand
1897 .....	15,000	none	4,700
1902 .....	7,500		

## 1902 Code Supplement.

Year	No. copies printed	No. copies destroyed	No. on hand
1902 .....	15,000	3,600	1,500



## 1907 Code Supplement.

Year	No. copies printed	No. copies destroyed	No. on hand
1907 .....	12,000	none	5,000

## Session Laws.

1904 30th General Assembly..	12,000	423	2,300
1906 31st General Assembly..	12,000	258	2,500
1907 32d General Assembly....	11,000	none	3,500

## Official Registers. Reserve 125.

Year	No. copies printed	No. copies destroyed	No. on hand
1905 .....	15,000	none	256
1906 .....	30,000	none	263
1907 .....	40,000	none	*3,000

\*2,000 of these will be shipped out between now and the first of August.

## STATE COLLEGE OF AGRICULTURE AND MECHANIC ARTS.

## Biennial report. Reserve 75.

Year	No. copies printed	No. copies destroyed	No. on hand
1905 .....	3,000	none	200
1906 .....	2,500	none	275

## STEAMBOAT INSPECTORS.

## Biennial report. Reserve 25.

Year	No. copies printed	No. copies destroyed	No. on hand
1905 .....	2,000	none	100
1906 .....	1,500	none	110

## STATE HISTORICAL SOCIETY.

## Biennial report. Reserve 75.

Year	No. copies printed	No. copies destroyed	No. on hand
1905 .....	2,000	none	185
1906 .....	1,500	none	94

## STATE LIBRARIAN.

## Biennial report. Reserve 50.

Year	No. copies printed	No. copies destroyed	No. on hand
1905 .....	2,000	none	300
1906 .....	1,500	none	100

## STATE NORMAL SCHOOL.

Biennial report. Reserve 50.

Year	No. copies printed	No. copies destroyed	No. on hand
1905 .....	2,000	none	189
1906 .....	1,500	none	120
1908 .....	1,500	none	125

## STATE TEACHERS ASSOCIATION.

Annual proceedings. Reserve 50.

Year	No. copies printed	No. copies destroyed	No. on hand
1905 .....	1,500	none	258
1906 .....	1,500	none	140
1907 .....	1,500	none	153

## STATE UNIVERSITY.

Biennial report.

Year	No. copies printed	No. copies destroyed	No. on hand
1905 .....	2,000	none	70
1906 .....	1,500	none	120
1908 .....	1,500	none	125

## SUPERINTENDENT OF PUBLIC INSTRUCTION.

Biennial report. Reserve 100.

Year	No. copies printed	No. copies destroyed	No. on hand
1903 .....	4,500	90	188
1905 .....	4,500	885	251
1906 .....	4,000		937

## TREASURER OF STATE.

Biennial report. Reserve 100.

Year	No. copies printed	No. copies destroyed	No. on hand
1905 .....	*3,500	865	200
1906 .....	2,000	none	641

\*1,500 extra copies printed.

## WEATHER AND CROP SERVICE.

Annual report. Reserve 25.

Year	No. copies printed	No. copies destroyed	No. on hand
1905 .....	2,000	none	61
1906 .....	1,500	none	72
1907 .....	2,000	none	240

## VETERINARY SURGEON.

Biennial report. Reserve 25.

Year	No. copies printed	No. copies destroyed	No. on hand
1901 .....	2,000	none	107
1903 .....	2,000	none	84
1905 .....		Report not printed	
1906 .....		Report not printed	
1908 .....		1,500 number to be printed	

Adopted.

## REPORT OF COMMITTEE ON ENROLLED BILLS.

Klay of Sioux, from the Committee on Enrolled Bills, submitted the following report:

MR. SPEAKER—Your committee on Enrolled Bills respectfully report that they have this day sent to the Governor for his approval, House Joint Resolution No. 2, providing for and empowering the Board of Regents of the State University, the Trustees of the Iowa State College of Agriculture and Mechanic Arts and the Trustees of the State Teachers' College at Cedar Falls to make application for the admission of these State institutions to the rights and privileges of the Carnegie foundation for the advancement of teaching and to receive the same.

Also:

House File No. 31, a bill for an act to amend Section five hundred and ninety (590) of the Code relating to the compensation of township trustees.

Also:

House File No. 185, a bill for an act to amend Section two thousand five hundred eighty-eight (2588) of the Code, and Section two thousand five hundred ninety-three (2593) of the Supplement to the Code, 1907, relating to the sale of denatured alcohol and poison fly paper.

Also:

House File No. 201, a bill for an act to repeal Section ten hundred ninety-one (1091) of the Code, relative to polling places for country precincts and to enact a substitute therefor.

Also:

House File No. 290, a bill for an act amendatory of and additional to Chapter fifteen (15), Title twelve (XII) of the Code and Supplement to the Code, relative to the care and propagation of fish.

Also:

House File No. 296, a bill for an act to amend Sections four thousand nine hundred and seventy-nine (4979) of the Code, relating to offenses against the public health.

Also:

House File No. 296, a bill for an act to repeal Sections twenty-five hundred and sixty-three-a (2563-a), twenty-five hundred sixty-three-b (2563-b), twenty-five hundred sixty-three-c (2563-c), twenty-five hundred sixty-three-d (2563-d), twenty-five hundred sixty-three-e (2563-e), twenty-five hundred sixty-three-f (2563-f), and twenty-five hundred sixty-three-g (2563-g), twenty-five hundred sixty-three-h (2563-h) of the Supplement to the Code, 1907, and to enact in lieu thereof the following relating to protection of game.

Also:

House File No. 301, a bill for an act to amend Section four hundred and fifty-eight-c (458-c) of the Supplement to the Code, 1907, relative to injuries of domestic animals by dogs and wolves.

Also:

House File No. 321, a bill for an act to amend the law as it appears in Section four thousand nine hundred and ninety-nine-a-thirty-one (4999-a-31) of the Supplement to the Code, 1907, relating to food standards.

Also:

House File No. 417, a bill for an act to repeal Section one thousand nine hundred eighty-nine-a-forty-two (1989-a-42) to the Supplement of the Code, 1907, relative to the duties of the county auditor; and to the employment of additional help for county auditors in levee or drainage districts; and to the drainage record, and the enactment of a substitute therefor.

Also:

House File No. 433, a bill for an act to amend Section two thousand twenty-eight as it appears in the Supplement to the Code, 1907, relating to ways to lands which have no other means of access.

Also:

House File No. 29, a bill for an act to amend Section five hundred and ninety-one (591) of the Code relating to the compensation of township clerks.

Also:

House File No. 121, a bill for an act to amend Section one thousand five hundred and seventy (1570) of the Supplement to the Code, 1907, providing for the time when osage orange, willow, and other hedge fences shall be trimmed.

Also:

House File No. 175, a bill for an act to amend Section one thousand three hundred and three (1303) of the Supplement to the Code, 1907, relating to levying of taxes by board of supervisors, and creating a court expense fund.

GERRIT KLAY,  
*Chairman.*

Also:

MR. SPEAKER—Your committee on Enrolled Bills respectfully report that they have examined, and find correctly enrolled House File No. 233, a bill for an act to legalize the passage, adoption and publication of the ordinances, resolutions and rules of health of the incorporated town of Hinton, Iowa.

Also:

House File No. 234, a bill for an act to legalize the passage, adoption and publication of the ordinances, resolutions and rules of health of the incorporated town of Merrill, Iowa.

Also:

House File No. 265, a bill for an act to repeal Section fifteen hundred thirty (1530) of the Supplement to the Code, 1907, and enacting a substitute therefor, relating to the county road fund and county drainage fund and providing for the collection and distribution of the same.

Also:

House File No. 314, a bill for an act to amend Sections eight hundred forty-nine-a (849-a), eight hundred forty-nine-b (849-b), eight hundred forty-nine-c (849-c), eight hundred forty-nine-e (849-e), eight hundred forty-nine-f (849-f), eight hundred forty-nine-g (849-g) and eight hundred forty-nine-h (849-h) of the Supplement to the Code, 1907, relating to the protection of city and town property from floods.

Also:

House File No. 393, a bill for an act to amend Section four hundred four (404) of the Code relating to the sale or exchange of bonds and refunding of the same.

Also:

House File No. 490, a bill for an act to legalize the incorporation of the town of Knierim, Calhoun County, Iowa, the election of its officers and all acts done and ordinances passed by the town council of said town.

Also:

House File No. 482, a bill for an act legalizing the acts, resolutions, ordinances and proceedings of the council of the incorporated town of Oto, Woodbury County, Iowa.

Also:

House File No. 229, a bill for an act relating to fish and game, and making appropriation for the fish and game commission of the State of Iowa.

Also:

House File No. 126, a bill for an act providing that owners or keepers of stallions shall have a lien upon the progeny of any such animal for the service fee thereof.

Also:

House File No. 230, a bill for an act to amend Section two thousand two hundred and forty-seven (2247) of the Code in relation to the levy of a poor tax.

Also:

House File No. 273, a bill for an act to amend chapter one hundred twelve (112) of the Acts of the Thirtieth General Assembly and provide for the collection of certificates of deposit, promissory notes, and other demands owned by deceased inmates of state institutions and to provide for the sale of the personal effects of such deceased inmates, and the disposition of the money so received.

Also:

House File No. 349, a bill for an act to create the Iowa state drainage, water-ways and conservation commission, and defining the powers and duties of the same.

Also:

House File No. 373, a bill for an act to amend Section three hundred thirty-seven (337) of the Supplement to the Code, 1907, relating to the selection of jury lists.

Also:

House File No. 414, a bill for an act relating to the investigation of complaints as to the management and treatment of inmates of county and private institutions in which insane persons are kept, and of children cared for by associations and societies contemplated by the law as it appears in Section three thousand two hundred sixty-j (3260-j) of the Supplement to the Code, 1907.

Also:

House File No. 424, a bill for an act to amend Section two thousand eight hundred twenty-three-a (2823-a) of the Supplement to the Code, 1907, relating to the attendance at the public schools.

Also:

House File No. 428, a bill for an act to amend the law as it appears in Section four hundred twelve (412) Supplement to the Code, 1907, relative to the meeting of the board of supervisors.

Also:

House File No. 436, a bill for an act relating to the renewal of teachers' certificates.

GERRIT KLAY,  
*Chairman.*

Adopted.

#### REPORT OF JOINT COMMITTEE ON ENROLLED BILLS.

Klay of Sioux, 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. 126, a bill for an act providing that owners or keepers of stallions shall have a lien upon the progeny of any such animal for the service fee thereof.

Also:

House File No. 230, a bill for an act to amend Section two thousand two hundred and forty-seven (2247) of the Code in relation to the levy of a poor tax.

Also:

House File No. 273, a bill for an act to amend chapter one hundred twelve (112) of the Acts of the Thirtieth General Assembly and provide for the collection of certificates of deposit, promissory notes, and other demands owned by deceased inmates of state institutions and to provide for the sale of the personal effects of such deceased inmates, and the disposition of the money so received.

Also:

House File No. 349, a bill for an act to create the Iowa state drainage, water-ways and conservation commission, and defining the powers and duties of the same.

Also:

House File No. 414, a bill for an act relating to the investigation of complaints as to the management and treatment of inmates of county and private institutions in which insane persons are kept, and of children cared for by associations and societies contemplated by the law as it appears in Section three thousand two hundred sixty-j (3260-j) of the Supplement to the Code, 1907.

**Also:**

House File No. 373, a bill for an act to amend Section three hundred thirty-seven (337) of the Supplement to the Code, 1907, relating to the selection of jury lists.

**Also:**

House File No. 424, a bill for an act to amend Section two thousand eight hundred twenty-three-a (2823-a) of the Supplement to the Code, 1907, relating to the attendance at the public schools.

**Also:**

House File No. 428, a bill for an act to amend the law as it appears in Section four hundred twelve (412) Supplement to the Code, 1907, relative to the meeting of the board of supervisors.

**Also:**

House File No. 436, a bill for an act relating to the renewal of teachers' certificates.

**Also:**

House File No. 233, a bill for an act to legalize the passage, adoption and publication of the ordinances, resolutions and rules of health of the incorporated town of Hinton, Iowa.

**Also:**

House File No. 234, a bill for an act to legalize the passage, adoption and publication of the ordinances, resolutions and rules of health of the incorporated town of Merrill, Iowa.

**Also:**

House File No. 265, a bill for an act to repeal Section fifteen hundred thirty (1530) of the Supplement to the Code, 1907, and enacting a substitute therefor, relating to the county road fund and county drainage fund and providing for the collection and distribution of the same.

**Also:**

House File No. 314, a bill for an act to amend Sections eight hundred forty-nine-a (849-a), eight hundred forty-nine-b (849-b), eight hundred forty-nine-c (849-c), eight hundred forty-nine-e (849-e), eight hundred forty-nine-f (849-f), eight hundred forty-nine-g (849-g) and eight hundred forty-nine-h (849-h) of the Supplement to the Code 1907, relating to the protection of city and town property from floods,

**Also:**

House File No. 393, a bill for an act to amend Section four hundred four (404) of the Code relating to the sale or exchange of bonds and refunding of the same.



Also:

House File No. 490, a bill for an act to legalize the incorporation of the town of Knierim, Calhoun County, Iowa, the election of its officers and all acts done and ordinances passed by the town council of said town.

Also:

House File No. 482, a bill for an act legalizing the acts, resolutions, ordinances and proceedings of the council of the incorporated town of Oto, Woodbury County, Iowa.

Also:

House File No. 229, a bill for an act relating to fish and game, and making appropriation for the fish and game commission of the State of Iowa.

GERRITT KLAY,  
*Chairman House Committee.*  
 HENRY L. ADAMS,  
*Chairman Senate Committee.*

Adopted.

#### INTRODUCTION OF BILLS.

By Investigating Committee of the Insane Hospitals, House File No. 545:

A Bill for an Act to Increase the Support Funds of the State Hospitals in Which Insane Patients are Kept.

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

SECTION 1. That the Board of Control of State institutions may from time to time fix the monthly sum for the board and care of each patient in the Mt. Pleasant State Hospital, Independence State Hospital, Clarinda State Hospital and Cherokee State Hospital, which sum shall not exceed fourteen dollars. Said sum shall be placed to the credit of the hospital entitled thereto upon certificate of the Board of Control of State institution, based upon reports of the superintendent, and paid from the State treasury as provided by the law as it appears in Section two thousand seven hundred twenty-seven-a-1 (2727-a-1) to Section two thousand seven hundred twenty-seven-a-fifty-one (2727-a-51) inclusive of the Code Supplement, 1907, and the certificate of the board shall be competent evidence of the amount due for the time therein stated. The amount credited a hospital for any month shall be based on the average number of patients in the hospital for the preceding month.

SEC. 2. The law as it appears in Sections two thousand two hundred ninety-one-b (2291-b), two thousand two hundred ninety-one-c (2291-c), and two thousand two hundred ninety-one-d (2291-d) of the Code Supplement 1907, is hereby repealed.

SEC. 3. This act, being deemed of immediate importance, 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 referred to Sifting Committee.

The Speaker announced that as Speaker of the House, in the presence of the House, he had signed House File Nos. 126, 230, 273, 349, 373, 414, 424, 428, 436, 233, 234, 265, 314, 393, 490, 482, and 229.

The Speaker announced as Conference Committee on House File No. 495, on the part of the House: Stillman of Greene, Davidson of Palo Alto, Jacobs of Calhoun, and Kellogg of Harrison.

The Speaker announced as Conference Committee on Senate File No. 113 on the part of the House: Lee of Emmett, Darrah of Lucas, Ripley of Hancock and McDonald of Carroll.

Stillman of Greene moved that a conference committee be appointed on House File No. 495.

Motion prevailed.

#### 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 the publishing of the report of the Capitol Commission.

S. W. NEAL,  
*Secretary.*

Also:

MR. SPEAKER—I am directed to inform your honorable body that the Senate has amended and passed the following bill in which the concurrence of the Senate was asked:

House File No. 12, a bill for an act to define an absentee and to provide for the care and management of the estate of such absentee.

S. W. NEAL,  
*Secretary.*

Also:

MR. SPEAKER—I am directed to inform your honorable body that the Senate has amended and passed the following bill in which the concurrence of the Senate was asked:

House File No. 219, a bill for an act relative to the election of township assessors in certain townships.

S. W. NEAL,  
*Secretary.*

Also :

MR. SPEAKER—I am directed to inform your honorable body that the Senate has amended and passed the following bill in which the concurrence of the Senate was asked:

House File No. 455, a bill for an act to amend Section 2823-e of the Supplement to the Code, 1907, relating to the probation officers.

S. W. NEAL,  
*Secretary.*

Also :

MR. SPEAKER—I am directed to inform your honorable body that the Senate has amended and passed the following bill in which the concurrence of the Senate was asked:

House File No. 427, a bill for an act relating to the qualification of sureties on certain official bonds.

S. W. NEAL,  
*Secretary.*

Also :

MR. SPEAKER—I am directed to inform your honorable body that the Senate has passed the following Joint Resolution in which the concurrence of the House is asked:

Senate Joint Resolution No. 4, providing for the appointment of a joint committee of the Senate and House to investigate the subject of the best methods of further regulating and controlling the public service corporations doing business in the State.

S. W. NEAL,  
*Secretary.*

Also :

MR. SPEAKER—I am directed to inform your honorable body that the Senate insists upon its amendments to House File No. 495, a bill for an act relating to water, water courses, levees and drains, and asks for conference committee and the President of the Senate appoints as committee on part of the Senate: Senators Peterson, Francis, Hammill and Smith of Des Moines.

S. W. NEAL,  
*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. 133, a bill for an act to amend Section 2574 of the Code providing for an increase in the salary of the Secretary of the State Board of Health.

S. W. NEAL,  
*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. 357, a bill for an act relating to the compensation of the Superintendent of Public Instruction.

S. W. NEAL,  
*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. 420, a bill for an act relating to the levy of a millage tax for the State Normal School.

S. W. NEAL,  
*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. 419, a bill for an act relating to the levy of a millage tax for the State College of Agriculture and Mechanical Arts.

S. W. NEAL,  
*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. 417, a bill for an act relating to the levy of a millage tax for the State University of Iowa.

S. W. NEAL,  
*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:

Substitute for Senate File No. 399, a bill for an act to repeal Section 3068 of the Code and to enact a substitute therefor, relating to the use of private seals by individuals, firms or corporations, and the use of corporate seals by certain corporations in the matter of the execution of written contracts and other instruments of writing.

S. W. NEAL,  
*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:

Substitute for Senate File No. 92, a bill for an act to prohibit the use of cigarettes by minors under 21 years of age and providing penalties therefor.

S. W. NEAL,  
*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. 258, a bill for an act making an appropriation for John Jones on account of injuries received by him at the State Hospital for insane persons at Clarinda, Iowa.

S. W. NEAL,  
*Secretary.*

Also:

MR. SPEAKER—I am directed to inform your honorable body that the Senate has refused to concur in House amendments to Senate File No. 113, a bill for an act relating to the holding of primary elections by political parties.

S. W. NEAL,  
*Secretary.*

Also:

MR. SPEAKER—I am directed to inform your honorable body that the Senate has refused to concur in House amendment to Substitute for Senate File No. 105, a bill for an act relating to unfair discrimination.

S. W. NEAL,  
*Secretary.*

Also:

MR. SPEAKER—I am directed to inform your honorable body that the Senate has amended and passed the following bill in which the concurrence of the Senate was asked:

House File No. 162, a bill for an act relating to officers' bonds.

S. W. NEAL,  
*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:

Substitute for Senate File No. 414, a bill for an act authorizing street improvements in incorporated towns.

S. W. NEAL,  
*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. 388, a bill for an act providing a method of nominating candidates for certain offices in certain cities.

S. W. NEAL,  
*Secretary.*

## SENATE MESSAGES CONSIDERED.

Senate File No. 420, a bill for an act to amend Section One (1) of Chapter One Hundred and Eighty-six (186) of the laws of the Thirty-first General Assembly, relating to the levy of a millage tax for the State Normal School and providing for the expenditure thereof.

Read first and second time and referred to Sifting Committee.

Senate File No. 357, a bill for an act to amend the law as it appears in Section Twenty-six Hundred and Twenty-seven (2627) of the Supplement to the Code, 1907, relating to the compensation of the superintendent of public instruction.

Read first and second time and referred to Sifting Committee.

Senate File No. 133, a bill for an act to amend Section Twenty-five Hundred and Seventy-four (2574) of the Code, providing for an increase in the salary of the Secretary of the State Board of Health.

Read first and second time and referred to Sifting Committee.

Senate File No. 258, a bill for an act making an appropriation for John Jones on account of injuries received by him at the State Hospital for Insane Persons at Clarinda, Iowa.

Read first and second time and referred to Sifting Committee.

Substitute for Senate File No. 399, a bill for an act to repeal Section Three Thousand Sixty-eight (3068) of the Code and to enact a substitute therefor, relating to the use of private seals by individuals, firms or corporations, and the use of corporate seals by certain corporations in the matter of the execution of written contracts and other instruments of writing.

Read first and second time and referred to Sifting Committee.

Senate File No. 417, a bill for an act to amend Section One (1) of Chapter One Hundred and Eighty-three (183) of the laws of the Thirty-first General Assembly relating to the levy of a millage tax for the State University of Iowa and providing for expenditure thereof.

Read first and second time and referred to Sifting Committee.

Senate File No. 419, a bill for an act to amend Section One (1) of Chapter One Hundred and Eighty-four (184) of the laws of the Thirty-first General Assembly, relating to the levy of a mill-age tax for the State College of Agriculture and Mechanic Arts and providing for the expenditure thereof.

Read first and second time and referred to Sifting Committee.

Substitute for Senate File No. 92, a bill for an act to prohibit the use of cigarettes by minors under twenty-one years of age, and providing penalties therefor.

Read first and second time and referred to Sifting Committee.

Senate File No. 388, a bill for an act providing a method of nominating candidates for certain offices in cities of the first and second class, and those acting under special charters, and repealing Section Ten Hundred Eighty-seven-a-thirty-four (1087-a-34) of the Supplement to the Code, 1907.

Read first and second time and referred to Sifting Committee.

Substitute for Senate File No. 414, a bill for an act authorizing street improvements in incorporated towns having a population in excess of One Thousand, and providing for the levy of special assessments therefor (additional to Title Five (V), Chapter Seven (7) of the Code, as amended).

Read first and second time and referred to Sifting Committee.

#### SENATE JOINT RESOLUTION NO. 4.

Joint Resolution Providing for the Appointment of a Joint Committee of the Senate and House to Investigate the Subject or the Best Methods of Further Regulating and Controlling the Public Service Corporations Doing Business in the State, and Providing for the Report of Said Committee to the Next General Assembly, and for the Payment of the Expenses of Such Investigation and Defining the Powers of the Committee.

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

SECTION 1. That the President of the Senate is hereby authorized and requested to appoint three (3) members of the Senate, and the Speaker of the House three (3) members of the House, who, when so appointed, shall constitute a committee for the purpose of carefully inquiring into the subject of the regulation and control of the public service corporations of the State, and the advisability of providing for the further regulation and control thereof by a State Commission. The said committee shall make to the Thirty-fourth General Assembly a detailed report of its

findings and conclusions supported by the facts, and shall make such recommendations to the next General Assembly as may be by it deemed to be advisable in the premises. Said report shall be filed not later than the first day of the next session and be based upon the investigations herein referred to, and supplemented by an examination and comparison of the methods employed elsewhere.

SEC. 2. There is hereby referred to said committee the Sammis bill, the Smith bill, the Van Law bill, the White-Grier-Larrabee bill and the Lee bill, all now pending in this General Assembly, and all relating to the regulation and control of public service corporations, and said committee shall consider said bills making up its report and recommendations.

SEC. 3. The members of such committee shall receive while in the performance of their duties mileage in the sum of five cents per mile each way, and the actual necessary expenses incurred in the performance of their duties, to be paid out of any money in the State treasury not otherwise appropriated, on itemized, verified vouchers filed with the Auditor of State, provided that the aggregate expenditures of said committee shall not exceed the sum of \$1,200.00.

Read first and second time and referred to Sifting Committee.

SENATE CONCURRENT RESOLUTION.

Concurrent Resolution relative to publishing the report of the doings of the capitol commission subsequent to the date of the report made to the governor on or about January 1, 1903.

WHEREAS, The report of the doings of the capitol commission for the years 1903, 1904 and 1905 has not been printed, and,

WHEREAS, The original report was filed with the Senate by Governor A. B. Cummins, March 20, 1906, and no order was made for the printing of the same, and,

WHEREAS, The original report has been lost and only a carbon copy of the same now exists, and,

WHEREAS, There is frequent demand for access to the statistics contained in said report, therefore,

*Be it Resolved by the Senate, the House Concurring:*

That the Secretary of State is hereby authorized to have printed in pamphlet form one thousand (1,000) copies of said report for general distribution.

Moore of Linn moved that the House concur in the Senate Concurrent Resolution.

Motion prevailed.

SENATE AMENDMENTS CONSIDERED.

On request of Wilson of Tama, unanimous consent having been given, House File No 219, a bill for an act to repeal the law as



it appears in Section Five Hundred Sixty-five (565) of the Code, and enact a substitute therefor, with regard to election of township assessors in certain townships therefor, with the following Senate amendments, was taken up and the amendment read and considered.

Amend by striking out the word "corporated" in the seventh line of Section 1 and inserting in lieu thereof the word "corporate."

Wilson of Tama moved that the House concur in the Senate amendments.

On the question, Shall the House concur?

The ayes were:

Allred, Anderson, Arney, Balluff, Bascom, Beery, Blackmore, Boe, Boettger, Boomgaarden, Bowman, Byerly, Calkins, Cassady, Cooper, Corrie, Cousins, Crozier, Crummer, Cunningham, Dabney, Dalby, Darrah, Davidson, Dawson, Derrough, Dewell, Dewey, DeWitt, Dodds, Drury, Dye, Elliott, Ellis, Etter, Fenn, Finlayson, Fourt, Fox, Fulton, Goodykoontz, Grier, Hackler, Hanson, Harding, Harvey, Hickenlooper, Holmes, Huffaker, Inman, Jacobs, Jewell, Johnson, Jones, Kellogg, Kendall, Klay, Larrabee, Lee, McDonald, Meredith, Miller of Dubuque, Moore of Linn, Newell, Penn, Perkins, Reaney, Reitz, Ripley, Ritter, Sankey, Schroeder, Schulte, Smith, Stillman, Stoddard, Sullivan, Swan, Swift, Tilton, Welden, Wilson, Wolfe, Zeller, Mr. Speaker—85.

The nays were:

None.

Absent or not voting:

Bauman, Beans, Beebe, Bonwell, Brandes, Burt, Felt, Fulliam, Hunter, Ide, Koontz, Kull, McCleery, Marston, Miller of Bremer, Moore of Wapello, O'Connor, Schee, Sheldon, Tegeler, Thompson, Ward, White—23.

So the House concurs.

On request of Sullivan of Polk, unanimous consent having been given, House File No. 162, a bill for an act to repeal Section One Thousand One Hundred Eighty-five (1185) of the Code and to enact a substitute therefor; to repeal Section One Thousand One Hundred Eighty-eight (1188) of the Code and to enact a substi-

tute therefor; to repeal Section One Thousand One Hundred Ninety-six (1196), of the Code, and to enact a substitute therefor, relating to officers bonds, with the following Senate amendments, was taken up and the amendments read and considered.

Amend Section 1 by adding thereto the following: "If any County treasurer shall elect to furnish a bond with any association or incorporation as surety as provided in this chapter the reasonable cost of such bond shall be paid by the county where the bond is filed."

Sullivan of Polk moved that the House concur in the Senate amendments.

On the question, Shall the House concur?

The ayes were:

Allred, Anderson, Arney, Balluff, Bascom, Beans, Beebe, Blackmore, Boe, Boomgaarden, Bowman, Calkins, Cooper, Corrie, Cousins, Crozier, Crummer, Dabney, Dalby, Darrah, Derrough, Dewell, Dewey, Dodds, Drury, Dye, Elliott, Ellis, Etter, Fenn, Fourt, Goodykoontz, Hackler, Hanson, Harding, Harvey, Hickenlooper, Holmes, Huffaker, Inman, Jacobs, Jewell, Johnson, Jones, Kellogg, Kendall, Klay, Kull, Larrabee, McDonald, Marston, Meredith, Miller of Dubuque, Moore of Wapello, Moore of Linn, Newell, Penn, Reaney, Reitz, Ripley, Ritter, Schee, Stillman, Stoddard, Sullivan, Swan, Swift, Tegeler, Thompson, Tilton, White, Wolfe, Zeller, Mr. Speaker—74.

The nays were:

None.

Absent or not voting:

Bauman, Beery, Boettger, Bonwell, Brandes, Burt, Byerly, Casady, Cunningham, Davidson, Dawson, DeWitt, Felt, Finlayson, Fox, Fulliam, Fulton, Grier, Hunter, Ide, Koontz, Lee, McCleery, Miller of Bremer, O'Connor, Perkins, Sankey, Schroeder, Schulte, Sheldon, Smith, Ward, Welden, Wilson—34.

So the House concurs.

On request of Balluff of Scott, unanimous consent having been given, House File No. 12, a bill for an act providing for the guardianship of the estates of absentees, (additional to Chapter Five (5), Title Sixteen (XVI) of the Code), with the following Senate

amendments, was taken up and the amendments read and considered.

Amend Section 1 of the bill by striking out of lines 1 and 5, inclusive the words: "When any adult resident of the state owning property therein, shall disappear from his usual place of residence and his whereabouts shall be unknown to the members of his family or other persons with whom he resided immediately before his disappearance," and by inserting in lieu thereof the words: "When any adult person owning property within the state and whose whereabouts are and have been unknown."

Amend Section 1 by striking out of line 9 thereof the words, "the person so disappearing last resided" and by inserting in lieu thereof the words, "the property or any part thereof is situated."

Amend Section 2 of the bill by striking out the period at the end of said section, and by inserting in lieu thereof a comma and by adding to said section the words, "and shall be allowed reasonable compensation therefor to be fixed by the court."

Balluff of Scott moved that the House concur in the Senate amendments.

On the question, Shall the House concur?

The ayes were:

Anderson, Arney, Balluff, Bascom, Beans, Beery, Blackmore, Boe, Boettger, Boomgaarden, Bowman, Byerly, Calkins, Cassady, Cooper, Corrie, Cousins, Crozier, Crummer, Dabney, Dalby, Darrah, Davidson, Dawson, Derrough, Dewell, DeWitt, Dodds, Drury, Dye, Elliott, Ellis, Etter, Fenn, Finlayson, Fourt, Fox, Fulton, Goodykoontz, Grier, Hackler, Hanson, Hickenlooper, Holmes, Huf-faker, Hunter, Inman, Jacobs, Jewell, Johnson, Jones, Kellogg, Kendall, Klay, Kull, Larrabee, McDonald, Meredith, Miller of Bremer, Miller of Dubuque, Moore of Wapello, Moore of Linn, Newell, Penn, Ripley, Ritter, Sankey, Schee, Schroeder, Schulte, Smith, Stillman, Stoddard, Sullivan, Swan, Swift, Tilton, Welden, White, Wolfe, Zeller, Mr. Speaker—82.

The nays were:

None.

Absent or not voting:

Allred, Bauman, Beebe, Bonwell, Brandes, Burt, Cunningham, Dewey, Felt, Fulliam, Harding, Harvey, Ide, Koontz, Lee, McCleery, Marston, O'Connor, Perkins, Reaney, Reitz, Sheldon, Tegeler, Thompson, Ward, Wilson—26.

So the House concurs.

On request of Holmes of Kossuth, unanimous consent having been given, House File No. 455, a bill for an act to amend Section Two Thousand Eight Hundred Twenty-three-e (2823-e) of the Supplement to the Code, 1907, relating to the probation officers, with the following Senate amendments, was taken up and the amendments read and considered.

Amend the title by striking out the word "probation" as the same appears in the third line thereof and insert in lieu thereof the word "truant."

Holmes of Kossuth moved that the House concur in the Senate amendments.

On the question, "Shall the House concur?"

The ayes were:

Allred, Anderson, Arney, Balluff, Bascom, Blackmore, Boe, Boettger, Boomgaarden, Bowman, Byerly, Calkins, Cooper, Corrie, Cousins, Crozier, Crummer, Cunningham, Dalby, Darrah, Davidson, Derrough, Dewell, Dewey, DeWitt, Dodds, Drury, Dye, Elliott, Ellis, Etter, Fenn, Finlayson, Fourt, Fox, Fulton, Goodykoontz, Grier, Hackler, Hanson, Harding, Harvey, Hickenlooper, Holmes, Huffaker, Inman, Jacobs, Jewell, Johnson, Jones, Kellogg, Kendall, Klay, Kull, Larrabee, Lee, Meredith, Miller of Bremer, Miller of Dubuque, Moore of Wapello, Moore of Linn, Newell, Penn, Perkins, Reaney, Reitz, Ripley, Ritter, Sankey, Schee, Schroeder, Schulte, Smith, Stillman, Stoddard, Swan, Swift, Tegeler, Thompson, White, Wilson, Wolfe, Zeller, Mr. Speaker—84.

The nays were:

None.

Absent or not voting:

Bauman, Beans, Beebe, Beery, Bonwell, Brandes, Burt, Cassady, Dabney, Dawson, Felt, Fulliam, Huffaker, Ide, Koontz, McCleery,

McDonald, Marston, O'Connor, Sheldon, Sullivan, Tilton, Ward, Welden—24.

So the House concurs.

On motion of Lee of Emmet, unanimous consent having been given, House File No. 427, a bill for an act to amend the law as it appears in Section Three Hundred Fifty-eight (358) of the Code, relating to qualification of sureties on certain official bonds, with the following Senate amendments, was taken up and the amendments read and considered.

Amend Section 1 by striking therefrom all after the colon in line 4 thereof to and including the word "deputies" in line 6 thereof and inserting in lieu thereof the following: "Attorneys at law shall not be accepted as sureties upon any official bonds provided for in this section."

Lee of Emmet moved that the House concur in the Senate amendments.

On the question, "Shall the House concur?"

The ayes were:

Allred, Anderson, Arney, Balluff, Bascom, Beans, Beebe, Beery, Blackmore, Boe, Boettger, Boomgaarden, Byerly, Calkins, Casady, Cooper, Corrie, Cousins, Crozier, Crummer, Cunningham, Dabney, Dalby, Darrah, Davidson, Dawson, Derrough, Dewell, Dewey, DeWitt, Dodds, Drury, Dye, Elliott, Ellis, Etter, Fenn, Finlayson, Fourt, Fox, Fulton, Grier, Hackler, Hanson, Harding, Harvey, Hickenlooper, Holmes, Hunter, Jewell, Johnson, Jones Kendall, Klay, Kull, Larrabee, Lee, Meredith, Miller of Dubuque, Moore of Wapello, Moore of Linn, Newell, Penn, Perkins, Reaney, Reitz, Ripley, Ritter, Sankey, Schee, Schroeder, Smith, Stillman, Stoddard, Swan, Swift, Thompson, Tilton, Welden, White, Wilson, Wolfe, Zeller, Mr. Speaker—84.

The nays were:

None.

Absent or not voting:

Bauman, Bonwell, Bowman, Brandes, Burt, Felt, Fulliam, Goddykoontz, Huffaker, Ide, Inman, Jacobs, Kellogg, Koontz,

McCleery, McDonald, Marston, Miller of Bremer, O'Connor, Schulte, Sheldon, Sullivan, Tegeler, Ward—24.

So the House concurs.

Lee of Emmet moved that the House insist on its amendments to Senate File No. 113 and that the Speaker appoint a Conference Committee.

On the question, Shall the House insist?

The ayes were:

Allred, Anderson, Arney, Bascom, Beans, Beebe, Beery, Blackmore, Boe, Boettger, Boomgaarden, Bowman, Brandes, Cassady, Cooper, Corrie, Cousins, Crozier, Crummer, Cunningham, Dabney, Dalby, Darrah, Davidson, Dawson, Derrough, Dewell, Dewey, DeWitt, Dodds, Drury, Dye, Ellis, Etter, Fenn, Finlayson, Fourt, Fox, Fulton, Grier, Hackler, Hanson, Harding, Harvey, Hickenlooper, Holmes, Inman, Jacobs, Jewell, Johnson, Jones, Kendall, Klay, Koont, Kull, Larrabee, Lee, McDonald, Marston, Meredith, Miller of Dubuque, Moore of Wapello, Moore of Linn, O'Connor, Penn, Reaney, Reitz, Ripley, Sankey, Smith, Stoddard, Sullivan, Swan, Swift, Tegeler, Thompson, Tilton, Wilson, Wolfe, Zeller, Mr. Speaker—81.

The nays were:

None.

Absent or not voting:

Balluff, Bauman, Bonwell, Burt, Byerly, Calkins, Elliott, Felt, Fulliam, Goodykoontz, Huffaker, Hunter, Ide, Kellogg, McCleery, Miller of Bremer, Newell, Perkins, Ritter, Schee, Schroeder, Schulte, Sheldon, Stillman, Ward, Welden, White—27.

So the House insists on its amendments.

Lee of Emmet moved that the House recede from its amendments to Senate File No. 105.

On the question, Shall the House recede?

The ayes were:

Allred, Anderson, Balluff, Bascom, Beebe, Blackmore, Boe, Boettger, Boomgaarden, Brandes, Byerly, Calkins, Cassady, Cooper, Corrie, Cousins, Crozier, Dalby, Darrah, Derrough, Dewell, Dewey,

DeWitt, Dodds, Dury, Dye, Etter, Fourt, Fulton, Goodykoontz, Grier, Hackler, Hanson, Harvey, Hickenlooper, Hunter, Jacobs, Jewell, Johnson, Kellogg, Kendall, Klay, Koontz, Kull, Larrabee, Lee, McDonald, Marston, Meredith, Miller of Dubuque, Moore of Wapello, Moore of Linn, Newell, Penn, Reaney, Reitz, Ripley, Sankey, Schulte, Smith, Stillman, Stoddard, Sullivan, Swan, Swift, Thompson, Tilton, Wilson, Wolfe, Zeller, Mr. Speaker—71.

The nays were:

Burt, Cunningham, Dawson, Fenn, Fox, Inman, Jones, White—8.

Absent or not voting:

Arney, Bauman, Beans, Beery, Bonwell, Bowman, Crummer, Dabney, Davidson, Elliott, Ellis, Felt, Finlayson, Fulliam, Harding, Holmes, Huffaker, Ide, McCleery, Miller of Bremer, O'Connor, Perkins, Ritter, Schee, Schroeder, Sheldon, Tegeler, Ward, Welden—29.

So the House recesses.

#### CONSIDERATION OF BILLS.

On motion of Arney of Marshall, House File No. 534, a bill for an act to amend the law as it appears in Sections 2540, 2540-a, 2551, 2552, 2556 of the Supplement to the Code, 1907, and Sections 2544, 2554, 2555, 2559, 2562, of the Code, relating to the protection of fish and game; regulating the shipment of game within the state; prohibiting the shipment of fish for sale; prohibiting the sale of game, and providing for the appointment of deputy fish and game wardens and fixing their compensation, was taken up and considered, and made a Special Order for Wednesday, April 7th, at 10:00 o'clock A. M.

On motion of Sheldon of Ringgold, House File No. 413, a bill for an act to amend Section Thirty-one Hundred Forty-seven (3147) of the Code of 1897, relating to return of marriage certificates, was taken up and considered.

Sheldon of Ringgold moved that the rules be suspended, 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 ayes were:

Allred, Anderson, Arney, Balluff, Bascom, Beans, Beebe, Beery, Blackmore, Boe, Boettger, Boomgaarden, Bowman, Brandes, Burt, Byerly, Calkins, Cooper, Corrie, Cousins, Crozier, Crummer, Cunningham, Dalby, DaDrrah, Davidson, Derrough, Dewell, Dewey, DeWitt, Dodds, Dye, Elliott, Fenn, Fourt, Fox, Fulliam, Fulton, Goodykoontz, Grier, Hanson, Harvey, Hickenlooper, Huffaker, Inman, Jacobs, Jewell, Johnson, Jones, Kellogg, Kendall, Klay, Koontz, Kull, Larrabee, Lee, McCleery, McDonald, Marston, Meredith, Miller of Dubuque, Moore of Wapello, Moore of Linn, Newell, O'Connor, Penn, Perkins, Reaney, Reitz, Ripley, Ritter, Sankey, Schee, Schroeder, Schulte, Sheldon, Smith, Stillman, Stoddard, Sullivan, Swan, Thompson, Tilton, Welden, White, Wilson, Wolfe, Zeller, Mr. Speaker—89.

The nays were:

None.

Absent or not voting:

Bauman, Bonwell, Cassady, Dabney, Dawson, Drury, Ellis, Etter, Felt, Finlayson, Hackler, Harding, Holmes, Hunter, Ide, Miller of Bremer, Swift, Tegeler, Ward—19.

So the bill passed and the title was agreed to.

On motion of Moore of Linn, Senate File No. 402, a bill for an act making appropriations for the construction, repair, improvement and contingent funds for the State hospitals, penitentiaries, Industrial schools, sanatorium for treatment of tuberculosis, Institution for the Feeble-Minded, College for the Blind, School for the Deaf, Iowa Soldiers' Home and Iowa Soldiers' Orphans' Home, was taken up and considered.

Crozier of Marion proposed the following amendment:

I move to amend Section 3 by changing the item for beds by striking out the figures \$2,000 and inserting in lieu thereof "\$2,700."

Amendment adopted.

Perkins of Delaware proposed the following amendment:

I move to amend Section 10 by inserting after the fifth line thereof the following: "For pianos six hundred (\$600.00) dollars."



Amendment adopted.

Boettger of Scott proposed the following amendment:

I move to amend Section 16 by striking out item eight, relative to printing and binding.

Amendment lost.

Moore of Linn moved that the rules be suspended, the bill be read a third time now, which motion prevailed, and the bill was read a third time.

On the question, "Shall the bill pass?"

The ayes were:

Allred, Anderson, Arney, Balluff, Bascom, Beans, Beebe, Beery, Blackmore, Boe, Boettger, Bonwell, Boomgaarden, Bowman, Burt, Byerly, Cassady, Cooper, Corrie, Cousins, Crozier, Crummer, Cunningham, Dabney, Dalby, Darrah, Davidson, Dawson, Derrough, Dewell, Dewey, DeWitt, Dodds, Drury, Dye, Elliott, Ellis, Etter, Fenn, Finlayson, Fourt, Fox, Fulliam, Fulton, Goodykoontz, Hackler, Hanson, Harding, Harvey, Hickenlooper, Holmes, Huffaker, Inman, Jacobs, Jones, Kellogg, Kendall, Klay, Kull, Larrabee, Lee, McCleery, McDonald, Marston, Meredith, Miller of Dubuque, Moore of Wapello, Moore of Linn, Newell, O'Connor, Penn, Perkins, Reaney, Reitz, Ripley, Ritter, Sankey, Schee, Schroeder, Schulte, Sheldon, Smith, Stillman, Stoddard, Sullivan, Swan, Swift, Tilton, Welden, White, Wilson, Wolfe, Zeller, Mr. Speaker—94.

The nays were:

None.

Absent or not voting:

Bauman, Brandes, Calkins, Felt, Grier, Hunter, Ide, Jewell, Johnson, Koontz, Miller of Bremer, Tegeler, Thompson, Ward—14.

So the bill passed and the title was agreed to.

On motion of Moore of Linn, Senate File No. 403, a bill for an act making appropriations for the State University, the Iowa State College of Agriculture and Mechanic Arts, and the State Normal School with report of committee recommending passage as amended, was taken up, considered, and the amendment adopted.

Moore of Linn moved that the rules be suspended, the bill be read a third time now, which motion prevailed and the bill was read a third time.

On the question, "Shall the bill pass?"

The ayes were:

Anderson, Arney, Balluff, Bascom, Beans, Beery, Blackmore, Boe, Boettger, Bonwell, Boomgaarden, Bowman, Brandes, Burt, Byerly, Cassady, Cooper, Corrie, Cousins, Crozier, Crummer, Cunningham, Dalby, Darrah, Derrough, Dewell, Dewey, DeWitt, Dodds, Drury, Dye, Elliott, Ellis, Etter, Fenn, Finlayson, Fourt, Fox, Fulliam, Fulton, Goodykoontz, Grier, Hackler, Hanson, Harding, Harvey, Hickenlooper, Huffaker, Jacobs, Jewell, Johnson, Jones, Kellogg, Kendall, Klay, Koontz, Larrabee, Lee, McCleery, McDonald, Meredith, Miller of Dubuque, Moore of Wapello, Moore of Linn, Newell, O'Connor, Penn, Perkins, Reaney, Reitz, Ripley, Ritter, Sankey, Schroeder, Schulte, Smith, Sullivan, Swan, Swift, Tilton, Welden, White, Wilson, Wolfe, Zeller, Mr. Speaker—86.

The nays were:

None.

Absent or not voting:

Allred, Bauman, Beebe, Calkins, Dabney, Davidson, Dawson, Felt, Holmes, Hunter, Ide, Inman, Kull, Marston, Miller of Bremer, Schee, Sheldon, Stillman, Stoddard, Tegeler, Thompson, Ward—22.

So the bill passed and the title was agreed to.

On motion of Davidson of Palo Alto, Senate File No. 383, a bill for an act to amend the law as it appears in Section Nineteen Hundred and Eighty-nine-a-twenty-seven (1989-a-27), of the Supplement to the Code, 1907, relating to drainage bonds, providing for additional levy of tax and sale of bonds in certain contingencies, with report of committee recommending passage as amended was taken up, considered, and the amendment adopted.

Davidson of Palo Alto moved that the rules be suspended, the bill be read a third time now, which motion prevailed, and the bill was read a third time.

On the question, "Shall the bill pass?"

The ayes were :

Allred, Anderson, Arney, Balluff, Bascom, Beans, Blackmore, Boe, Boettger, Bonwell, Boomgaarden, Bowman, Burt, Byerly, Cassady, Cooper, Corrie, Cousins, Crozier, Crummer, Cunningham, Dalby, Darrah, Davidson, Dawson, Derrough, Dewell, Dewey, DeWitt, Dodds, Dye, Elliott, Ellis, Etter, Fenn, Finlayson, Fourt, Fox, Fulliam, Fulton, Goodykoontz, Grier, Hackler, Hanson, Harvey, Hickenlooper, Holmes, Huffaker, Inman, Jacobs, Jewell, Johnson, Jones, Kellogg, Kendall, Klay, Koontz, Kull, Larrabee, McCleery, McDonald, Marston, Meredith, Miller of Dubuque, Moore of Wapello, Moore of Linn, Newell, Penn, Perkins, Reaney, Reitz, Ripley, Ritter, Sankey, Schroeder, Schulte, Smith, Sullivan, Swan, Swift, Tegeler, Tilton, Welden, White, Wilson, Wolfe, Zeller, Mr. Speaker—88.

The nays were :

None.

Absent or not voting :

Bauman, Beebe, Beery, Brandes, Calkins, Dabney, Drury, Felt, Harding, Hunter, Ide, Lee, Miller of Bremer, O'Connor, Schee, Sheldon, Stillman, Stoddard, Thompson, Ward—20.

So the bill passed and the title was agreed to.

On motion of White of Story, Senate File No. 51, a bill for an act to amend Section 254-a-2 of the Supplement to the Code, relating to compensation of shorthand reporters, with report of committee recommending passage as amended by substitute amendment was taken up and considered.

White of Story moved that the substitute amendment be not adopted.

Motion prevailed, and the committee amendments were lost.

White of Story moved that the rules be suspended, the bill be read a third time now, which motion prevailed, and the bill was read a third time.

Arney of Marshall in the Chair.

On the question, "Shall the bill pass?"

The ayes were :

Allred, Anderson, Arney, Balluff, Bascom, Beans, Beebe, Beery, Blackmore, Boe, Boettger, Bonwell, Boomgaarden, Bowman, Burt, Byerly, Cassady, Cooper, Corrie, Cousins, Crozier, Crummer, Cunningham, Dabney, Darrah, Davidson, Dawson, Derrough, Dewell, DeWitt, Dodds, Drury, Dye, Elliott, Ellis, Fenn, Fourt, Fox, Fulliam, Fulton, Goodykoontz, Grier, Hackler, Hanson, Harding, Harvey, Hickenlooper, Holmes, Huffaker, Hunter, Inman, Jacobs, Jewell, Johnson, Jones, Kendall, Klay, Koontz, Kull, Larrabee, Lee, McCleery, McDonald, Marston, Meredith, Miller of Dubuque, Moore of Wapello, Moore of Linn, Newell, O'Connor, Penn, Perkins, Reaney, Reitz, Ripley, Ritter, Sankey, Schulte, Smith, Stillman, Stoddard, Sullivan, Swan, Swift, Tegeler, Thompson, Tilton, Welden, White, Wilson, Wolfe—91.

The nays were:

Dewey, Etter, Kellogg, Schee, Zeller—5.

Absent or not voting:

Bauman, Brandes, Calkins, Dalby, Felt, Finlayson, Ide, Miller of Bremer, Schroeder, Sheldon, Ward, Mr. Speaker—12.

So the bill passed and the title was agreed to.

On motion of Moore of Linn, House File No. 537, a bill for an act repealing Section One Hundred Sixty-two (162) of the Code and One Hundred Sixty-three-a (163-a) and One Hundred Sixty-three-b (163-b) of the Supplement to the Code, 1907, defining the character of vouchers upon which warrants shall be drawn by the Auditor of State upon the state treasury and requiring a biennial report of state expenses for the several state offices, boards, commissions and institutions to be made by the executive council, was taken up and considered.

Moore of Linn moved that the rules be suspended, 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 ayes were:

Allred, Anderson, Arney, Balluff, Bascom, Beans, Beebe, Beery, Blackmore, Boe, Boettger, Bonwell, Boomgaarden, Bowman, Burt, Byerly, Cassady, Cooper, Corrie, Cousins, Crozier, Crummer, Dab-

ney, Dalby, Darrah, Dawson, Derrough, Dewell, Dewey, DeWitt, Dodds, Dye, Elliott, Ellis, Etter, Fenn, Finlayson, Fourt, Fox, Fulton, Goodykoontz, Hackler, Harding, Harvey, Hickenlooper, Holmes, Huffaker, Hunter, Inman, Jewell, Johnson, Jones, Kendall, Klay, Koontz, Kull, Larrabee, Lee, McDonald, Marston, Meredith, Moore of Wapello, Moore of Linn, Newell, O'Connor, Penn, Reaney, Reitz, Ripley, Ritter, Sankey, Schee, Schroeder, Schulte, Smith, Stoddard, Sullivan, Swan, Swift, Tegeler, Tilton, Welden, White, Wolfe, Zeller—85.

The nays were:

None.

Absent or not voting:

Bauman, Brandes, Calkins, Cunningham, Davidson, Drury, Felt, Fulliam, Grier, Hanson, Ide, Jacobs, Kellogg, McClery, Miller of Bremer, Miller of Dubuque, Perkins, Sheldon, Stillman, Thompson, Ward, Wilson, Mr. Speaker—23.

So the bill passed and the title was agreed to.

On motion of Sullivan of Polk, substitute for Senate File No. 206, a bill for an act to amend the law as it appears in Title V, Chapter Fourteen-c (14-c) of the Supplement to the Code, 1907, relating to the government of certain cities and conferring additional powers upon such cities, was taken up and considered.

Sullivan of Polk moved that the rules be suspended, the bill be read a third time now, which motion prevailed, and the bill was read a third time.

On the question, "Shall the bill pass?"

The ayes were:

Allred, Anderson, Arney, Balluff, Bascom, Beebe, Boe, Boettger, Bonwell, Boomgaarden, Bowman, Byerly, Cassady, Cooper, Corrie, Cousins, Crozier, Crummer, Cunningham, Dalby, Darrah, Derrough, Dewell, Dye, Elliott, Ellis, Etter, Fenn, Fourt, Fox, Fulton, Goodykoontz, Hackler, Hanson, Hickenlooper, Huffaker, Jewell, Johnson, Jones, Kendall, Klay, Kull, Larrabee, Lee, McDonald, Meredith, Miller of Dubuque, Moore of Wapello, O'Connor, Penn, Reaney, Reitz, Ripley, Ritter, Schulte, Smith, Sullivan, Swan, Tegeler, Thompson, Tilton, Welden, White, Wilson, Wolfe, Zeller—68.

The nays were:

Schee—1.

Absent or not voting:

Bauman, Beans, Beery, Blackmore, Brandes, Burt, Calkins, Dabney, Davidson, Dawson, Dewey, DeWitt, Dodds, Drury, Felt, Finlayson, Fulliam, Grier, Harding, Harvey, Holmes, Hunter, Ide, Inman, Jacobs, Kellogg, McCleery, Marston, Miller of Bremer, Moore of Linn, Newell, Perkins, Sankey, Schroeder, Sheldon, Stillman, Swift, Ward, Mr. Speaker—39.

So the bill passed and the title was agreed to.

On motion of Klay of Sioux, Senate File No. 265, a bill for an act relating to the building of county bridges, the preparation and publication of plans and specifications therefor, the appointment of inspectors, the giving notice of the time and manner of bidding, the letting of contracts, and providing punishment for a violation of any of the provisions of this act, was taken up and considered.

Klay of Sioux proposed the following amendment:

I move to amend Section 2 by striking out the period at the end of Section 2 and insert in lieu thereof the following: "Or to bridges constructed of wood."

Amendment adopted.

Koontz of Johnson proposed the following amendment:

I move to amend Section 6 by striking out all after the word "commission" in line 3.

Tilton of Iowa moved that the amendment be tabled.

Roll call was demanded by Koontz of Johnson and Klay of Sioux.

On the question, Shall the amendment lay on the table?

The ayes were:

Byerly, Cassady, Dabney, Derrough, Dewell, Dewey, DeWitt, Dye, Etter, Harvey, Hickenlooper, Huffaker, Jewell, Meredith, Newell, Reaney, Schulte, Swan, Tegeler, Tilton, Zeller, Mr. Speaker—22.

The nays were:

Allred, Anderson, Arney, Balluff, Bascom, Beery, Boe, Boettger, Bonwell, Boomgaarden, Bowman, Cooper, Corrie, Cousins, Crozier, Dalby, Darrah, Davidson, Elliott, Ellis, Fenn, Finlayson, Fox, Fulton, Goodykoontz, Hackler, Hanson, Harding, Hickenlooper, Hunter, Johnson, Jones, Kendall, Klay, Koontz, Kull, Larrabee, Lee, McDonald, Marston, Miller of Dubuque, Moore of Wapello, O'Connor, Penn, Perkins, Ripley, Ritter, Sankey, Schee, Schroeder, Smith, Stoddard, Sullivan, Thompson, Welden, White, Wolfe—57.

Absent or not voting :

Bauman, Beans, Beebe, Blackmore, Brandes, Burt, Calkins, Crummer, Cunningham, Dawson, Dye, Drury, Felt, Fourt, Fulham, Grier, Holmes, Ide, Inman, Jacobs, Kellogg, McCleery, Miller of Bremer, Reitz, Sheldon, Stillman, Swift, Ward—28.

So the motion was lost.

Amendment lost.

Stoddard of Buchanan proposed the following amendment :

I move to amend by striking out the words "two hundred" in the last line of Section 2 and inserting in lieu thereof the words "one thousand."

Roll call was demanded by Klay of Sioux and Wolfe of Clinton.

The ayes were :

Beery, Boe, Bonwell, Brandes, Cooper, Corrie, Crummer, Cunningham, Darrah, Dawson, Derrough, Dewey, DeWitt, Elliott, Etter, Finlayson, Fourt, Fox, Fulton, Harvey, Hickenlooper, Huffaker, Inman, Jewell, Johnson, Lee, Moore of Wapello, Newell, Penn, Reaney, Ripley, Sankey, Schee, Schulte, Stoddard, Swift, Thompson, Tilton, White, Wilson, Zeller, Mr. Speaker—42.

The nays were :

Allred, Arney, Balluff, Bascom, Beebe, Boettger, Boomgaarden, Dabney, Ellis, Fenn, Goodykoontz, Hackler, Hanson, Harding, Hunter, Jones, Kendall, Klay, Koontz, Kull, Larrabee, McDonald, Marston, Meredith, Miller of Dubuque, O'Connor, Perkins, Ritter, Schroeder, Swan, Tegeler, Welden—32.

Absent or not voting :

Anderson, Bauman, Beans, Blackmore, Bowman, Burt, Byerly, Calkins, Cassady, Cousins, Crozier, Dalby, Jacobs, Dewell, Dodds, Drury, Dye, Felt, Fulliam, Grier, Holmes, Ide, Jacobs, Kellogg, McCleery, Miller of Bremer, Moore of Linn, Reitz, Sheldon, Smith, Stillman, Sullivan, Ward, Wolfe—34.

So the amendment was adopted.

Finlayson of Grundy proposed the following amendment:

I move to strike out of line 12 of Section 2, the words, "two" and insert in lieu thereof the word "three."

Amendment lost.

Tegeler of Dubuque proposed the following amendment:

I move to strike out the enacting clause.

On motion of Lee of Emmet the House took a recess until 7:30 o'clock.

#### NIGHT SESSION.

House reconvened pursuant to adjournment.

Speaker Feely in the chair.

On request of Johnson of Mitchell leave of absence was granted Felt of Clay indefinitely.

On request of Johnson of Mitchell leave of absence was granted Zeller of Madison for the evening.

House resumed consideration of Senate File No. 265.

Roll call on the amendment to strike out the enacting clause demanded by Klay of Sioux and Kendall of Clinton.

The ayes were:

Bowman, Brandes, Byerly, Calkins, Dewell, Dewey, DeWitt, Dye, Fenn, Goodykoontz, Harvey, Inman, Koontz, Miller of Dubuque, O'Connor, Penn, Reitz, Ripley, Schee, Schroeder, Schulte, Tegeler, Tilton, Wilson—25.

The nays were:

Allred, Anderson, Balluff, Bascom, Beery, Blackmore, Boe, Boettger, Bonwell, Cooper, Corrie, Crozier, Crummer, Darrah, Dawson, Derrough, Elliott, Ellis, Etter, Finlayson, Grier, Hackler, Hanson,



Hickenlooper, Johnson, Jones, Kellogg, Kendall, Klay, Kull, Larrabee, Lee, McCleery, McDonald, Marston, Newell, Perkins, Ritter, Stoddard, Sullivan, Swan, Thompson, Welden, White, Wolfe, Mr. Speaker—46.

Absent or not voting :

Arney, Bauman, Beans, Beebe, Boomgaarden, Burt, Cassady, Cousins, Cunningham, Dabney, Dalby, Davidson, Dodds, Drury, Felt, Fourt, Fox, Fulliam, Fulton, Harding, Holmes, Hunter, Ide, Jacobs, Jewell, Meredith, Miller of Bremer, Moore of Wapello, Moore of Linn, Reaney, Sankey, Sheldon, Smith, Stillman, Swift, Ward, Zeller—37.

So the amendment was lost.

Lee of Emmet moved that further consideration of the bill be deferred until tomorrow at 10 o'clock.

Motion lost.

Klay of Sioux moved that the rules be suspended, the bill be read a third time now, which motion prevailed, and the bill was read a third time.

On the question, "Shall the bill pass?"

The ayes were :

Balluff, Bascom, Beery, Blackmore, Boettger, Bonwell, Boomgaarden, Cooper, Corrie, Crummer, Dabney, Dodds, Elliott, Ellis, Hackler, Hanson, Harding, Inman, Kellogg, Kendall, Klay, Kull, Larrabee, Lee, McDonald, Marston, Moore of Wapello, O'Connor, Perkins, Ritter, Sullivan, Swift, Welden, White, Wolfe—35.

The nays were :

Allred, Beans, Boe, Bowman, Brandes, Byerly, Calkins, Cousins, Cunningham, Darrah, Dawson, Derrough, Dewell, Dewey, DeWitt, Dye, Etter, Fenn, Fourt, Fulton, Goodykoontz, Grier, Harvey, Huffaker, Hunter, Jacobs, Jewell, Johnson, Jones, Koontz, McCleery, Miller of Bremer, Miller of Dubuque, Moore of Linn, Newell, Penn, Reitz, Ripley, Schee, Schroeder, Schulte, Stoddard, Swan, Tegeler, Thompson, Tilton, Wilson, Mr. Speaker—48.

Absent or not voting :

Anderson, Arney, Bauman, Beebe, Burt, Cassady, Crozier, Dalby,

Davidson, Drury, Felt, Finlayson, Fox, Fulliam, Hickenlooper, Holmes, Ide, Meredith, Reaney, Sankey, Sheldon, Smith, Stillman, Ward, Zeller—25.

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

Schulte of Clayton called up the concurrent resolution relative to a national park in Iowa, and moved its adoption.

Motion prevailed.

Kellogg moved that the remarks of Mr. Schulte be printed in the Journal.

Motion prevailed.

Mr. Schulte offered the following remarks:

MR. SPEAKER—I feel that it is my duty to offer a few remarks in support of the merits of this resolution and I hope to be able in my humble way to enlighten the membership of this House somewhat as to the conditions as they are found in this territory proposed to be preserved as a public pleasure ground. It may be that this resolution has not been considered with any great degree of seriousness by the membership of this House and I fear that some may regard it as only visionary, but gentlemen, I assure you that there is merit in this resolution, and I believe that the members of this House know that I will not support any measure on this floor that I do not honestly and sincerely believe to be worthy and right.

It is my desire that it shall be made known to the people of Iowa and the northern Mississippi valley states that it is not necessary to travel a thousand miles or more to other lands and foreign lands to find a playground of hills and valleys, of rivers and lakes, but that the most beautiful and picturesque scenery in all the world is at your very home, along the "Father of Waters," the grandest river that you know this truth you will wonder why the people of this northwest are not putting forth their every effort to preserve this land of natural beauty for the future generations of unnumbered millions, who will make their homes in this valley of unmeasured wealth, and before the thoughtless hand of human greed has destroyed the scenery as made by the forces of nature through the ages and before the many groves of native trees, which will remain very much as first seen by the early pioneer, be shorn of their pristine beauty.

If you could but stand for one hour on the heights that overshadow the waters at the confluence of the Wisconsin and this mighty river and cast your eyes towards the north only to see for miles and miles the rocks and hills rising five hundred feet or more above the water, then to look toward the south with the same picture before your eyes, and at a third glance to see the Wisconsin rolling its volume of water towards you amid the same beautiful scenery, you would not hesitate to support this resolution.

If you could but for a single hour look down upon the numerous islands with their many lakes in the Wisconsin delta that lay hundreds of feet below you at that very point where the great river was first discovered by the white man, and the land of the great commonwealth of Iowa was first seen by him, you would not only give your support to this resolution, but I believe you would utter with exultation the words, "inexpressibly grand," as did the discoverer, Marquette, while his canoe was drifting in sight of this grandeur.

I know your patriotism would prompt you to support this resolution if you were to stand upon the very peak where was raised the first American flag that ever floated over the Louisiana purchase, and in sight of the very spot where was established the first trading post on the upper Mississippi, where was located the capitol of Crawford county, that county which included the whole northwest and where lay in ruins the old historic Fort Crawford. Here we have the favorite camping grounds of the Fox and Sac Indians. Here many stubborn and bloody battles were fought by the red man for supremacy on these favorable hunting grounds as is witnessed by his own traditions. Here prehistoric man lived, loved and thrived and according to the statement of archaeologists this territory contains most valuable groups of effigy and burial mounds.

By this resolution we seek to call the attention of Congress to the fact that there are no government reservations of any great size in the Mississippi Valley and that the health and happiness of the future generations of this country demand that there be play grounds in the form of parks reserved for the public and that out door recreation is as essential to the welfare of a people as the training of colleges and schools, that the territory in the locality where the Wisconsin flows into the Mississippi is most desirable and suitable for a public park, and that the government should acquire this land while it can be had at a reasonable price and preserve it in its natural state for the many millions that will make their homes in the great Mississippi Valley.

The thought of creating national parks along the Mississippi river is not new, the people of other states have been more or less active in creating sentiment along these lines, and Wisconsin especially has shown its activity in that they have created a state park commission and there is now a bill before the legislature of that state providing for the acquisition of a park of this very territory for the use as a state park, and making an appropriation for the payment and maintenance of the same.

This will undoubtedly become a law, and while it is commendable, it seems that since the park will be on the bank of government water, and the park proposed by this resolution will be on both sides of the river, and in more than one state, it should be under government control and without restriction on the part of any state.

Under the Wisconsin bill it is sought to reserve about three thousand acres and it is estimated that the upland can be purchased for twenty-five dollars per acre, and the bottom land for much less. The several thousand acres that can be utilized on the Iowa side can be purchased for a similar price.

Parks should be so located that they may be visited by many and this proposed park is but a short distance by rail from Chicago, Milwaukee, Madison, St. Paul, Minneapolis and other cities. Two great railroad systems run through it and it can be reached by boat from the north and the south.

If established as a national park it will become the favorite retreat during vacation and rest for the people along the river from New Orleans to Minneapolis. We hope to see the time when the tourist will be attracted by beautiful parks and cities along the "Father of Waters" and that he will take a trip up the Mississippi instead of touring on the Hudson or crossing the Atlantic for a trip up the Rhine.

There is no grander river than ours. There are none of greater possibilities and ere many years have passed its beauty will be celebrated in poetry and song, and we hope to see a national park at the confluence of the Wisconsin and Mississippi that will be unrivaled in its natural beauty.

Here twenty thousand acres or more are awaiting to be called to serve the purpose for which I believe it was intended, to become the pleasure ground for the American people and remain such until time shall be no more.

The passing of this resolution may not cause Congress to act, but I do hope that it may have the effect of calling the attention of the people to the fact that there is a necessity and demand for public pleasure grounds for future generations, and I hope that this resolution may receive the unanimous support of the House.

On motion of O'Connor of Chickasaw, House File No. 543, a bill for an Act to amend House File No. Two Hundred and Sixty-one (261) of the Thirty-third General Assembly, relating to the issuance of bonds by the City of New Hampton, Iowa, was taken up and considered.

O'Connor of Chickasaw moved that the rules be suspended, 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 ayes were:

Allred, Anderson, Balluff, Bascom, Beans, Beebe, Beery, Blackmore, Boe, Boettger, Bonwell, Boomgaarden, Bowman, Brandes, Byerly, Calkins, Cooper, Corrie, Crozier, Crummer, Cunningham, Dabney, Dalby, Darrah, Derrough, Dewey, Dodds, Dye, Elliott, Ellis, Etter, Fenn, Fourt, Fulton, Goodykoontz, Grier, Hackler, Hanson, Harding, Hickenlooper, Huffaker, Hunter, Inman, Jacobs, Jewell, Johnson, Jones, Kellogg, Kendall, Klay, Koontz, Kull, Larrabee, Lee, McCleery, McDonald, Meredith, Miller of Bremer, Miller of Dubuque, Moore of Linn, Newell, O'Connor, Penn, Perkins, Reitz, Ripley, Ritter, Schee, Schroeder, Schulte, Stoddard, Sullivan, Swan, Swift, Teleger, Thompson, Ward, Welden, White, Wilson, Wolfe, Mr. Speaker—82.

The nays were:

None.

Absent or not voting:

Arney, Bauman, Burt, Cassady, Cousins, Davidson, Dawson, Dewell, DeWitt, Drury, Felt, Finlayson, Fox, Fulliam, Harvey, Holmes, Ide, Marston, Moore of Wapello, Reaney, Sankey, Sheldon, Smith, Stillman, Ward, Zeller—26.

So the bill passed and the title was agreed to.

Jacobs of Calhoun called up concurrent resolution relative to petitioning the Iowa delegation in Congress for establishing of post roads and moved its adoption.

Motion prevailed.

On motion of Bascom of Dickinson Senate File No. 224, a bill for an act to amend Section Eleven Hundred Ninety-five (1195) of the Code, relating to officers holding over for any reason, was taken up and considered.

Bascom of Dickinson moved that the rules be suspended, the bill be read a third time now, which motion prevailed, and the bill was read a third time.

On the question, "Shall the bill pass?"

The ayes were:

Allred, Anderson, Balluff, Bascom, Beans, Beebe, Beery, Blackmore, Boe, Boettger, Bonwell, Boomgaarden, Bowman, Brandes, Byerly, Calkins, Cooper, Corrie, Crozier, Dabney, Dalby, Darrah, Dawson, Derrough, Dewell, Dewey, DeWitt, Dodds, Dye, Elliott, Ellis, Etter, Fenn, Finlayson, Fourt, Fulton, Goodykoontz, Grier, Hackler, Hanson, Harding, Harvey, Hickenlooper, Holmes, Huffaker, Hunter, Inman, Jacobs, Jewell, Johnson, Jones, Kellogg, Kendall, Klay, Koontz, Kull, Larrabee, Lee, McCleery, McDonald, Meredith, Miller of Bremer, Miller of Dubuque, Moore of Linn, Newell, O'Connor, Penn, Perkins, Reitz, Ripley, Ritter, Schroeder, Schulte, Stillman, Stoddard, Sullivan, Swan, Swift, Tegeler, Thompson, Tilton, Welden, White, Wilson, Wolfe, Mr. Speaker—86.

The nays were:

None.

Absent or not voting:

Arney, Bauman, Burt, Cassady, Cousins, Crummer, Cunningham, Davidson, Drury, Felt, Fox, Fulliam, Ide, Marston, Moore of Wapello, Reaney, Sankey, Schee, Sheldon, Smith, Ward, Zeller—22.

So the bill passed and the title was agreed to.

On motion of Ripley of Hancock House File No. 451, a bill for an act to amend Section Four Thousand Two Hundred Ninety-nine (4299) of the Code, relating to the declaration of forfeiture of contracts, and the service of notice relating thereto, and to amend Section Four Thousand Three Hundred (4300) of the Code, relating to the recording of notice of forfeiture of contract, with report

of committee recommending passage as amended by substitute amendment, was taken up, considered, and the report of the substitute amendment adopted.

Ripley of Hancock moved that the rules be suspended, 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 ayes were:

Allred, Anderson, Balluff, Bascom, Beans, Beebe, Beery, Blackmore, Boettger, Bonwell, Boomgaarden, Bowman, Brandes, Byerly, Calkins, Cooper, Corrie, Cousins, Crozier, Cunningham, Dabney, Dalby, Darrah, Dawson, Derrough, Dewell, DeWitt, Dodds, Dye, Elliott, Ellis, Etter, Fenn, Finlayson, Fourt, Fulton, Goodykoontz, Grier, Hackler, Hanson, Hickenlooper, Holmes, Huffaker, Hunter, Inman, Jacobs, Jewell, Johnson, Jones, Kellogg, Kendall, Klay, Koontz, Kull, Larrabee, Lee, McCleery, McDonald, Meredith, Miller of Bremer, Miller of Dubuque, Moore of Wapello, Moore of Linn, Newell, O'Connor, Penn, Perkins, Reitz, Ripley, Ritter, Schulte, Stillman, Stoddard, Sullivan, Swan, Swift, Tegeler, Thompson, Tilton, Ward, Welden, White, Wilson, Wolfe, Mr. Speaker—85.

The nays were:

None.

Absent or not voting:

Arney, Bauman, Boe, Burt, Cassady, Crummer, Davidson, Dewey, Drury, Felt, Fox, Fulliam, Harding, Harvey, Ide, Marston, Reaney, Sankey, Schee, Schroeder, Sheldon, Smith, Zeller—23.

So the bill passed and the title was agreed to.

On motion of Lee of Emmet, Senate File No. 108, a bill for an act to amend the law as it appears in Section Eleven Hundred and Six (1106) of the Supplement to the Code, 1907, relating to election ballots, was taken up and considered, and the report of the committee, with substitute amendment as amended, adopted.

Brandes of Pottawattamie moved the previous question.

Motion prevailed.

Lee of Emmet moved that the rules be suspended, the bill be read a third time now, which motion prevailed, and the bill was read a third time.

On the question, "Shall the bill pass?"

The ayes were:

Anderson, Balluff, Blackmore, Boe, Boettger, Byerly, Crozier, Dabney, Darrah, Dawson, DeWitt, Dodds, Ellis, Finlayson, Hanson, Holmes, Huffaker, Hunter, Johnson, Jones, Kellogg, Kendall, Kull, Lee, McDonald, Miller of Dubuque, Moore of Linn, Newell, O'Connor, Ritter, Schroeder, Schulte, Stillman, Stoddard, Sullivan, Swift, White, Wolfe, Mr. Speaker—39.

The nays were:

Allred, Bascom, Beans, Beery, Bonwell, Boomgaarden, Bowman, Brandes, Calkins, Cooper, Corrie, Cousins, Crummer, Cunningham, Dalby, Derrough, Dewey, Dye, Elliott, Etter, Fenn, Fourt, Fulton, Goodykoontz, Grier, Hackler, Harding, Harvey, Hickenlooper, Inman, Jacobs, Jewell, Klay, Koontz, Larrabee, McCleery, Meredith, Miller of Bremer, Moore of Wapello, Penn, Perkins, Reitz, Ripley, Schee, Swan, Tegeler, Thompson, Tilton, Welden, Wilson—51.

Absent or not voting:

Arney, Bauman, Beebe, Burt, Cassady, Davidson, Drury, Felt, Fox, Fulliam, Ide, Marston, Reaney, Sankey, Sheldon, Smith, Ward, Zeller—18.

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

On motion of Larrabee of Fayette House File No. 544, a bill for an act legalizing the acts and proceedings of the city council of the city of Oelwein, Iowa, in erecting and constructing a dam in the park of said city, and other improvements therein and appropriating money from the park fund in payment of the same, and any and all acts of the city treasurer in the payment of warrants drawn on the park fund for that purpose by the city clerk of said city, was taken up and considered.

Larrabee of Fayette moved that the rules be suspended, 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 ayes were:

Allred, Anderson, Balluff, Bascom, Beans, Beebe, Beery, Blackmore, Boe, Boettger, Bonwell, Boomgaarden, Bowman, Brandes, Byerly, Calkins, Cooper, Corrie, Cousins, Crozier, Crummer, Cunningham, Dabney, Dalby, Darrah, Dawson, Derrough, Dewell, Dewey, Dodds, Dye, Elliott, Ellis, Etter, Fenn, Finlayson, Fourt, Fulton, Goodykoontz, Grier, Hackler, Hanson, Harding, Harvey, Hickenlooper, Huffaker, Hunter, Inman, Jacobs, Jewell, Johnson, Jones, Kellogg, Kendall, Klay, Koontz, Kull, Larrabee, Lee, McCleery, McDonald, Meredith, Miller of Dubuque, Moore of Wapello, Moore of Linn, Newell, O'Connor, Penn, Perkins, Ritter, Schulte, Stillman, Stoddard, Sullivan, Swan, Swift, Tegeler, Thompson, Tilton, Welden, Wilson, Wolfe, Mr. Speaker—83.

The nays were:

None.

Absent or not voting:

Arney, Bauman, Burt, Cassady, Davidson, DeWitt, Drury, Felt, Fox, Fulliam, Holmes, Ide, Marston, Reaney, Miller of Bremer, Reitz, Ripley, Sankey, Schee, Schroeder, Sheldon, Smith, Ward, White, Zeller—25.

So the bill passed and the title was agreed to.

On motion of Newell of Plymouth, Senate File No. 185, a bill for an act to amend Section Two Thousand Five Hundred Eighty-nine-b (2589-b) of the Supplement to the Code, 1907, relative to the requirements of applicants for registration as pharmacists, was taken up and considered.

Newell of Plymouth moved that the rules be suspended, the bill be read a third time now, which motion prevailed, and the bill was read a third time.

On the question, "Shall the bill pass?"

The ayes were:

Allred, Balluff, Bascom, Beebe, Beery, Blackmore, Boe, Boettger, Bonwell, Boomgaarden, Bowman, Brandes, Byerly, Calkins, Cooper, Corrie, Cousins, Crozier, Cunningham, Dabney, Dalby, Darrah,



Dawson, Derrough, Dewell, Dewey, DeWitt, Dodds, Dye, Elliott, Ellis, Etter, Fenn, Finlayson, Fourt, Fulton, Goodykoontz, Grier, Hackler, Hanson, Harding, Hickenlooper, Holmes, Huffaker, Hunter, Inman, Jewell, Johnson, Jones, Kellogg, Kendall, Klay, Kull, Larraee, Lee, McCleery, McDonald, Meredith, Miller of Bremer, Miller of Dubuque, Moore of Wappelo, Moore of Linn, Newell, O'Connor, Penn, Reitz, Ripley, Ritter, Schroeder, Schulte, Stillman, Stoddard, Sullivan, Swan, Swift, Tegeler, Thompson, Tilton, Welden, White, Wilson, Mr. Speaker—82.

The nays were :

None.

Absent or not voting :

Anderson, Arney, Bauman, Beans, Burt, Cassady, Crummer, Davidson, Drury, Felt, Fox, Fulliam, Harvey, Ide, Jacobs, Koontz, Marston, Perkins, Reaney, Sankey, Schee, Sheldon, Smith, Ward, Wolfe, Zeller—26.

So the bill passed and the title was agreed to.

On motion of Lee of Emmet Senate File No. 307, a bill for an act to amend Section Four Thousand One Hundred Thirty-nine (4139) of the Code, relating to practice in the Supreme Court, was taken up and considered.

Lee of Emmet moved that the rules be suspended, the bill be read a third time now, which motion prevailed, and the bill was read a third time.

On the question, "Shall the bill pass?"

The ayes were :

Allred, Anderson, Balluff, Bascom, Beebe, Beery, Blackmore, Boe, Boettger, Bonwell, Boomgaarden, Bowman, Brandes, Byerly, Calkins, Cooper, Corrie, Cousins, Crozier, Crummer, Cunningham, Dabney, Dalby, Darrah, Dawson, Derrough, Dewey, Dewell, DeWitt, Dodds, Dye, Ellis, Etter, Fenn, Finlayson, Fourt, Fulton, Goodykoontz, Grier, Hackler, Hanson, Harding, Harvey, Hickenlooper, Hunter, Inman, Jewell, Johnson, Jones, Kellogg, Kendall, Klay, Kull, Larrabee, Lee, McCleery, Meredith, Miller of Bremer, Miller of Dubuque, Moore of Wapello, Moore of Linn, Newell, O'Connor,

Penn, Perkins, Ripley, Ritter, Schroeder, Schulte, Stillman, Stoddard, Sullivan, Swan, Swift, Tegeler, Thompson, Tilton, White, Wilson, Mr. Speaker—80.

The nays were :

None.

Absent or not voting :

Arney, Bauman, Beans, Burt, Cassady, Davidson, Drury, Elliott, Felt, Fox, Fulliam, Holmes, Huffaker, Ide, Jacobs, Koontz, McDonald, Marston, Reaney, Reitz, Sankey, Schee, Sheldon, Smith, Ward, Welden, Wolfe, Zeller—28.

So the bill passed and the title was agreed to.

On motion of Goodykoontz of Boone Senate File No. 338, a bill for an act to amend the law as it appears in Section Ten Hundred Sixty (1060) of the Supplement to the Code, 1907, relating to the time of the commencement of the term of officers chosen at a general election, with report of committee recommending passage as amended, was taken up, considered, and amendment adopted.

Goodykoontz of Boone moved that the rules be suspended, the bill be read a third time now, which motion prevailed, and the bill was read a third time.

On the question, "Shall the bill pass?"

The ayes were :

Allred, Anderson, Balluff, Bascom, Beans, Beebe, Beery, Blackmore, Boe, Boettger, Bonwell, Boomgaarden, Bowman, Brandes, Byerly, Calkins, Cooper, Corrie, Crozier, Crummer, Cunningham, Dabney, Dalby, Darrah, Dawson, Derrough, Dewell, Dewey, DeWitt, Dodds, Dye, Elliott, Ellis, Etter, Fenn, Finlayson, Fourt, Fulton, Goodykoontz, Hackler, Hanson, Harding, Harvey, Hickenlooper, Holmes, Hunter, Inman, Jacobs, Jewell, Johnson, Jones, Kellogg, Kendall, Klay, Kull, Larrabee, Lee, McCleery, Meredith, Miller of Bremer, Miller of Dubuque, Moore of Wappelo, Moore of Linn, Newell, O'Connor, Penn, Perkins, Reitz, Ripley, Ritter, Schroeder, Schulte, Stillman, Stoddard, Sullivan, Swan, Swift, Tegeler, Thompson, Tilton, Welden, White, Wilson, Wolfe, Mr. Speaker—85.

The nays were:

None.

Absent or not voting:

Arney, Bauman, Burt, Cassady, Cousins, Davidson, Drury, Felt, Fox, Fulliam, Grier, Huffaker, Ide, Koontz, McDonald, Marston, Reaney, Sankey, Schee, Sheldon, Smith, Ward, Zeller—23.

So the bill passed and the title was agreed to.

On motion of Lee of Emmet, Senate File No. 306, a bill for an act to amend the law as it appears in Section Four Thousand One Hundred Fourteen (4114) of the Supplement to the Code, 1907, relating to the sufficiency of notice of appeal, was taken up and considered.

Lee of Emmet moved that the rules be suspended, the bill be read a third time now, which motion prevailed, and the bill was read a third time.

On the question, "Shall the bill pass?"

The ayes were:

Allred, Anderson, Balluff, Bascom, Beans, Beebe, Beery, Blackmore, Boe, Boettger, Bonwell, Boomgaarden, Bowman, Byerly, Calkins, Cooper, Corrie, Crozier, Crummer, Cunningham, Dabney, Dalby, Darrah, Dawson, Derrough, Dewell, Dewey, DeWitt, Dodds, Dye, Elliott, Ellis, Etter, Fenn, Finlayson, Fourt, Fulton, Goodykoontz, Hackler, Hanson, Harding, Harvey, Hickenlooper, Holmes, Jacobs, Jewell, Johnson, Jones, Kellogg, Kendall, Klay, Koontz, Kull, Larrabee, Lee, McCleery, McDonald, Meredith, Miller of Bremer, Miller of Dubuque, Moore of Wapello, Moore of Linn, Newell, O'Connor, Perkins, Reitz, Ripley, Ritter, Schroeder, Schulte, Stillman, Stoddard, Sullivan, Swan, Swift, Tegeler, Tilton, Welden, White, Wilson, Wolfe, Mr. Speaker—82.

The nays were:

None.

Absent or not voting:

Arney, Bauman, Brandes, Burt, Cassady, Cousins, Davidson, Drury, Felt, Fox, Fulliam, Grier, Huffaker, Hunter, Ide, Inman,

Marston, Penn, Reaney, Sankey, Schee, Sheldon, Smith, Thompson, Ward, Zeller—26.

So the bill passed and the title was agreed to.

On motion of Johnson of Mitchell, House File No. 527, a bill for an act to repeal Section Five Hundred Ninety-nine (599) and Section Six Hundred (600) of the Code, relating to the incorporation of towns, and enacting substitutes therefor, relating to the filing of petitions for said incorporated towns, the publication of notice therefor, the procedure before the courts and defining the powers and duties of the courts in relation thereto, was taken up and considered.

Johnson of Mitchell moved that the rules be suspended, 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 ayes were:

Allred, Anderson, Bascom, Beans, Beebe, Blackmore, Boe, Bonwell, Boomgaarden, Bowman, Brandes, Cooper, Crozier, Crummer, Cunningham, Darrah, Dawson, Derrough, Dewell, Dewey, Dodds, Elliott, Fourt, Fulton, Goodykoontz, Hanson, Harvey, Hickenlooper, Holmes, Hunter, Inman, Jacobs, Jewell, Johnson, Jones, Kellogg, Kendall, Klay, Kull, Larrabee, Meredith, Miller of Dubuque, Moore of Wapello, Moore of Linn, Newell, Perkins, Ripley, Stillman, Stoddard, Sullivan, Swan, Swift, Tilton, White, Wilson, Mr. Speaker—56.

The nays were:

Balluff, Boettger, Byerly, Calkins, DeWitt, Dye, Ellis, Etter, Fenn, Finlayson, Harding, Lee, McCleery, Miller of Dubuque, O'Connor, Penn, Ritter, Schulte, Tegeler, Wolfe—20.

Absent or not voting:

Arney, Bauman, Beery, Burt, Cassady, Corrie, Cousins, Dabney, Dalby, Davidson, Drury, Felt, Fox, Fulliam, Grier, Hackler, Huffaker, Ide, Koontz, McDonald, Marston, Reaney, Reitz, Sankey, Schee, Schroeder, Sheldon, Smith, Thompson, Ward, Welden, Zeller—32.

So the bill passed and the title was agreed to.

On motion of Lee of Emmet, House File No. 520, a bill for an act to amend Section Forty-seven Hundred and Sixty-seven (4767) of the Code, relating to the punishment of persons convicted of making malicious threats with intent to extort money or compel a person to do some act against his will, was taken up and considered, and the report of the committee, with substitute amendment as amended, adopted.

Lee of Emmet proposed the following amendment:

I move to amend by striking out the word "and" from the first line in the title and from the first line of Section 1.

Motion prevailed.

Lee of Emmet moved that the rules be suspended, 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 ayes were:

Allred, Anderson, Balluff, Bascom, Beans, Beebe, Boe, Boettger, Bonwell, Boomgaarden, Bowman, Brandes, Byerly, Cooper, Corrie, Crummer, Cunningham, Dabney, Dalby, Darrah, Dawson, Derrough, Dewell, Dewey, DeWitt, Dodds, Elliott, Ellis, Etter, Fulton, Goodykoontz, Hanson, Harding, Harvey, Hickenlooper, Holmes, Hunter, Inman, Jacobs, Jewell, Jones, Kellogg, Kendall, Klay, Koontz, Kull, Larrabee, Lee, McDonald, Meredith, Miller of Dubuque, Moore of Wapello, Moore of Linn, Newell, O'Connor, Penn, Perkins, Reitz, Ripley, Ritter, Schee, Schulte, Stillman, Stoddard, Sullivan, Swan, Swift, Tegeler, Thompson, Tilton, Welden, White, Wilson, Wolfe, Mr. Speaker—75.

The nays were:

Fenn—1.

Absent or not voting:

Arney, Bauman, Beery, Blackmore, Burt, Calkins, Cassady, Cousins, Crozier, Davidson, Drury, Dye, Felt, Fenn, Finlayson, Fourt, Fox, Fulliam, Grier, Hackler, Huffaker, Ide, Johnson, McCleery, Marston, Miller of Bremer, Reaney, Sankey, Schroeder, Sheldon, Smith, Ward, Zeller—32.

So the bill passed and the title was agreed to.

On motion of Sullivan of Polk, House File No. 508, a bill for an act to amend the law as it appears in Section Ten Hundred Fifty-six-a-thirty-six, Chapter Fourteen-c, Title Five of the Supplement to the Code, 1907, relating to the government of certain cities and the recalling of elective officers therein, with report of committee recommending passage as amended, was taken up, considered, and the amendment adopted.

Sullivan of Polk moved that the rules be suspended, 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 ayes were:

Allred, Anderson, Balluff, Bascom, Beans, Beebe, Boe, Boettger, Bonwell, Boomgaarden, Brandes, Byerly, Cooper, Corrie, Crozier, Crummer, Cunningham, Dabney, Dalby, Darrah, Dawson, Derrough, Dewell, Dewey, DeWitt, Dodds, Elliott, Ellis, Etter, Fourt, Fulton, Goodykoontz, Hackler, Hanson, Harding, Harvey, Hickenlooper, Holmes, Hunter, Jacobs, Jewell, Johnson, Jones, Kendall, Klay, Koontz, Kull, Larrabee, Lee, McCleery, McDonald, Meredith, Miller of Bremer, Miller of Dubuque, Moore of Linn, Newell, O'Connor, Penn, Perkins, Reitz, Ritter, Schroeder, Schulte, Stillman, Stoddard, Sullivan, Swan, Swift, Thompson, Tilton, Welden, White, Wilson, Wolfe, Mr. Speaker—75.

The nays were:

None.

Absent or not voting:

Arney, Bauman, Beery, Blackmore, Bowman, Burt, Calkins, Casady, Cousins, Davidson, Drury, Dye, Felt, Fenn, Finlayson, Fox, Fulliam, Grier, Huffaker, Ide, Inman, Kellogg, Marston, Moore of Wapello, Reaney, Ripley, Sankey, Schee, Sheldon, Smith, Tegeler, Ward, Zeller—33.

So the bill passed and the title was agreed to.

Allred of Wayne moved that the House adjourn until 8:30 o'clock A. M. tomorrow morning.

Motion prevailed.

# JOURNAL OF THE HOUSE

HALL OF THE HOUSE OF REPRESENTATIVES  
DES MOINES, IOWA, APRIL 7, A. D. 1909.

House met pursuant to adjournment.

Representative Goodykoontz in the chair.

Prayer was offered by the Rev. O. W. Fifer, of Des Moines, Iowa.

## REPORTS OF COMMITTEES.

Moore of Linn, from the Committee on Appropriations, submitted the following report:

MR. SPEAKER—Your committee on Appropriations, to whom was referred House File No. 70, a bill for an act to appropriate money for the use of the Mount Pleasant State Hospital at Mount Pleasant, Iowa, beg leave to report they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same be indefinitely postponed.

ERNEST R. MOORE,  
*Chairman.*

Adopted, and House File No. 70 was indefinitely postponed.

Also:

MR. SPEAKER—Your committee on Appropriations, to whom was referred House File No. 146, a bill for an act making appropriation for the support and the development of the Iowa State Normal School at Cedar Falls, beg leave to report they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same be indefinitely postponed.

ERNEST R. MOORE,  
*Chairman.*

Adopted, and House File No. 146 was indefinitely postponed.

Also:

MR. SPEAKER—Your committee on Appropriations, to whom was referred House File No. 78, a bill for an act to appropriate money for the

use of the Cherokee State Hospital at Cherokee, Iowa, beg leave to report they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same be indefinitely postponed.

ERNEST R. MOORE,  
*Chairman.*

Adopted, and House File No. 78 was indefinitely postponed.

Also:

MR. SPEAKER—Your committee on Appropriations, to whom was referred House File No. 237, a bill for an act making appropriation for the State University of Iowa, beg leave to report they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same be indefinitely postponed.

ERNEST R. MOORE,  
*Chairman.*

Adopted, and House File No. 237 was indefinitely postponed.

Also:

MR. SPEAKER—Your committee on Appropriations, to whom was referred House File No. 95, a bill for an act to appropriate money for the use of the Industrial School for Boys at Eldora, Iowa, beg leave to report they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same be indefinitely postponed.

ERNEST R. MOORE,  
*Chairman.*

Adopted, and House File No. 95 was indefinitely postponed.

Also:

MR. SPEAKER—Your committee on Appropriations, to whom was referred Senate Joint Resolution No. 3, relating to the appointment of a commission to investigate the natural resources and waterways of the State and defining the duties of such commission and making an appropriation therefor, beg leave to report they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same be indefinitely postponed.

ERNEST R. MOORE,  
*Chairman.*

Adopted, and Senate Joint Resolution No. 3 was indefinitely postponed.

Also:

MR. SPEAKER—Your committee on Appropriations, to whom was referred House File No. 49, a bill for an act to appropriate money for the



use of the institution for feeble-minded children at Glenwood, beg leave to report they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that he same be indefinitely postponed.

ERNEST R. MOORE,  
*Chairman.*

Adopted, and House File No. 49 was indefinitely postponed.

Also:

MR. SPEAKER—Your committee on Appropriations, to whom was referred House File No. 396, a bill for an act to appropriate money for the Soldiers' Home at Marshalltown, Iowa, beg leave to report they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same be indefinitely postponed.

ERNEST R. MOORE,  
*Chairman.*

Adopted, and House File No. 396 was indefinitely postponed.

Also:

MR. SPEAKER—Your committee on Appropriations, to whom was referred House File No. 238, a bill for an act making appropriation to the Iowa State College of Agriculture and Mechanic Arts, beg leave to report they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same be indefinitely postponed.

ERNEST R. MOORE,  
*Chairman.*

Adopted, and House File No. 238 was indefinitely postponed.

Also:

MR. SPEAKER—Your committee on Appropriations, to whom was referred House File No. 244, a bill for an act to appropriate money for the use of the Iowa Soldiers' Orphans' Home at Davenport, Iowa, beg leave to report they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same be indefinitely postponed.

ERNEST R. MOORE,  
*Chairman.*

Adopted, and House File No. 244 was indefinitely postponed.

Also:

MR. SPEAKER—Your committee on Appropriations, to whom was referred House File No. 220, a bill for an act to appropriate money for the use of the State Sanatorium for the treatment of tuberculosis at Oakdale, Iowa, beg leave to report they have had the same under consideration and

have instructed me to report the same back to the House with the recommendation that the same be indefinitely postponed.

ERNEST R. MOORE,  
*Chairman.*

Adopted, and House File No. 220 was indefinitely postponed.

Also:

MR. SPEAKER—Your committee on Appropriations, to whom was referred House File No. 240, a bill for an act to appropriate money for the use of the school for the deaf at Council Bluffs, Iowa, beg leave to report they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same be indefinitely postponed.

ERNEST R. MOORE,  
*Chairman.*

Adopted, and House File No. 240 was indefinitely postponed.

Also:

MR. SPEAKER—Your committee on Appropriations, to whom was referred House File No. 188, a bill for an act to appropriate money for the use of the Iowa Soldiers' Home, Marshalltown, Iowa, beg leave to report they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same be indefinitely postponed.

ERNEST R. MOORE,  
*Chairman.*

Adopted, and House File No. 188 was indefinitely postponed.

Also:

MR. SPEAKER—Your committee on Appropriations, to whom was referred House File No. 156, a bill for an act to appropriate money for the use of the Clarinda State Hospital at Clarinda, Iowa, beg leave to report they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same be indefinitely postponed.

ERNEST R. MOORE,  
*Chairman.*

Adopted, and House File No. 156 was indefinitely postponed.

Also:

MR. SPEAKER—Your committee on Appropriations, to whom was referred House File No. 56, a bill for an act to appropriate money for the use of the Industrial School for Girls at Mitchellville, beg leave to report they have had the same under consideration and have instructed

me to report the same back to the House with the recommendation that the same be indefinitely postponed.

ERNEST R. MOORE,  
*Chairman.*

Adopted, and House File No. 56 was indefinitely postponed.

Also:

MR. SPEAKER—Your committee on Appropriations, to whom was referred House File No. 65, a bill for an act to appropriate money for the use of the Reformatory at Anamosa, Iowa, beg leave to report they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same be indefinitely postponed.

ERNEST R. MOORE,  
*Chairman.*

Adopted, and House File No. 65 was indefinitely postponed.

#### REPORT OF COMMITTEE ON ENROLLED BILLS.

Klay of Sioux, from the Committee on Enrolled Bills, submitted the following report:

MR. SPEAKER—Your committee on Enrolled Bills respectfully report they have examined, and find correctly enrolled House File No. 12, a bill for an act providing for the guardianship of the estates of absentees. (Additional to Chapter five (5), Title sixteen (XVI) of the Code.)

Also:

House File No. 162, a bill for an act to repeal Section one thousand one hundred eighty-five (1185) of the Code and to enact a substitute therefor; to repeal Section one thousand one hundred eighty-eight (1188) of the Code and to enact a substitute therefor; to repeal Section one thousand one hundred ninety-six (1196) of the Code and to enact a substitute therefor, relating to officers' bonds.

Also:

House File No. 182, a bill for an act to amend Sections 2888-e and 2888-h Supplement to the Code, 1907, relating to the library commission, defining the duties of the members thereof, prescribing the salaries of same and to make an appropriation therefor.

Also:

House File No. 198, a bill for an act to amend Sections two thousand five hundred thirty (2530) and two thousand five hundred thirty-six (2536) of the Supplement to the Code, 1907, relating to State Veterinary Surgeon.

Also:

House File No. 219, a bill for an act to repeal the law as it appears in Section five hundred sixty-five (565) of the Code, and enact a substitute

therefor with regard to election of township assessors in certain townships.

Also:

House File No. 427, a bill for an act to amend the law as it appears in Section three hundred fifty-eight (358) of the Code, relating to qualification of sureties on certain official bonds.

Also:

House File No. 450, a bill for an act providing for the enumeration of deaf or blind persons, additional to Chapter one (1), Title seven (7) of the Code.

Also:

House File No. 455, a bill for an act to amend Section two thousand eight hundred twenty-three-e (2823-e) of the Supplement to the Code, 1907, relating to the truant officers.

GERRIT KLAY,  
*Chairman.*

Adopted.

#### REPORT OF COMMITTEE ON ENROLLED BILLS.

MR. SPEAKER—Your committee on Enrolled Bills respectfully report that they have this day sent to the Governor for his approval. House File No. 126, a bill for an act providing that owners or keepers of stallions shall have a lien upon the progeny of any such animal for the service fee thereof.

Also:

House File No. 230, a bill for an act to amend Section two thousand two hundred and forty-seven (2247) of the Code in relation to the levy of a poor tax.

Also:

House File No. 273, a bill for an act to amend chapter one hundred twelve (112) of the Acts of the Thirtieth General Assembly and provide for the collection of certificates of deposit, promissory notes, and other demands owned by deceased inmates of state institutions and to provide for the sale of the personal effects of such deceased inmates, and the disposition of the money so received.

Also:

House File No. 349, a bill for an act to create the Iowa State drainage water-ways and conservation commission, and defining the powers and duties of the same.

Also:

House File No. 373, a bill for an act to amend Section three hundred thirty-seven (337) of the Supplement to the Code, 1907, relating to the selection of jury lists.

Also:

House File No. 414, a bill for an act relating to the investigation of complaints as to the management and treatment of inmates of county and private institutions in which insane persons are kept, and of children cared for by associations and societies contemplated by the law as it appears in Section three thousand two hundred sixty-j (3260-j) of the Supplement to the Code, 1907.

Also:

House File No. 424, a bill for an act to amend Section two thousand eight hundred twenty-three-a (2823-a) of the Supplement to the Code, 1907, relating to the attendance at the public schools.

Also:

House File No. 428, a bill for an act to amend the law as it appears in Section four hundred twelve (412) Supplement to the Code, 1907, relative to the meeting of the board of supervisors.

Also:

House File No. 436, a bill for an act relating to the renewal of teachers' certificates.

Also:

House File No. 233, a bill for an act to legalize the passage, adoption and publication of the ordinances, resolutions and rules of health of the incorporated town of Hinton, Iowa.

Also:

House File No. 234, a bill for an act to legalize the passage, adoption and publication of the ordinances, resolutions and rules of health of the incorporated town of Merrill, Iowa.

Also:

House File No. 265, a bill for an act to repeal Section fifteen hundred thirty (1530) of the Supplement to the Code, 1907, and enacting a substitute therefor, relating to the county road fund and county drainage fund and providing for the collection and distribution of the same.

Also:

House File No. 314, a bill for an act to amend Sections eight hundred forty-nine-a (849-a), eight hundred forty-nine-b (849-b), eight

hundred forty-nine-c (849-c), eight hundred forty-nine-e (849-e), eight hundred forty-nine-f (849-f), eight hundred forty-nine-g (849-g) and eight hundred forty-nine-h (849-h) of the Supplement to the Code 1907, relating to the protection of city and town property from floods.

Also:

House File No. 393, a bill for an act to amend Section four hundred four (404) of the Code relating to the sale or exchange of bonds and refunding of the same.

Also:

House File No. 490, a bill for an act to legalize the incorporation of the town of Knierim, Calhoun County, Iowa, the election of its officers and all acts done and ordinances passed by the town council of said town.

Also:

House File No. 482, a bill for an act legalizing the acts, resolutions, ordinances and proceedings of the council of the incorporated town of Oto, Woodbury County, Iowa.

Also:

House File No. 229, a bill for an act relating to fish and game, and making appropriation for the fish and game commission of the State of Iowa.

GERBERT KLAY,  
*Chairman.*

Adopted.

#### REPORT OF JOINT COMMITTEE ON ENROLLED BILLS.

Klay of Sioux, from the Joint Committee on Enrolled Bills, submitted the following report:

MR. SPEAKER—Your joint committee on Enrolled Bills respectfully report that they have examined, and find correctly enrolled Senate File No. 164, a bill for an act to amend the law as it appears in Section seventeen hundred and fifty-eight-a (1758-a) and Section seventeen hundred and nine (1709) of the Supplement to the Code, 1907, giving insurance companies, in addition to the authority now enjoyed, the right to issue policies upon automobiles and marine risks, and further adding to the list of properties and rights that may be insured; repealing the law as it appears in Section seventeen hundred and ten (1710) of the Supplement to the Code, 1907, and enacting a substitute therefor.

Also:

Senate File No. 76, a bill for an act to prohibit any person, except a qualified elector, from engaging in the sale of intoxicating liquors at

retail, and to prohibit any person, firm, association or corporation engaged or interested in the manufacture, brewing, distilling or refining of intoxicating liquors, from owning or leasing any building, fixtures, furniture or apparatus to be used for the purpose of selling intoxicating liquors at retail.

Also :

Senate File No. 191, a bill for an act appropriating the sum of two hundred nine dollars and twelve cents (\$209.12) for the relief of N. W. Williams on account of work done for the State for which he has not been paid.

Also :

Senate File No. 393, a bill for an act to amend the law as it appears in Section four hundred eighty-b (480-b) of the Supplement to the Code, 1907, relating to the duties of county auditors.

Also :

Senate File No. 413, a bill for an act amending Sections one hundred fifty (150) and one hundred fifty-one (151) of the Code, relating to the duties of the custodian of public buildings and property.

Also :

Senate File No. 158, a bill for an act amending Section thirteen hundred and ten (1310) of the Code, relating to taxation of shares of stock in corporations taxed in another state or territory, and amending Section thirteen hundred and twenty-three (1323) of the Code, relating to taxation of domestic corporations.

Also :

Senate File No. 305, a bill for an act to grant and relinquish to the city of Dubuque, Iowa, the title of the State of Iowa in or to a portion of the abandoned river bed of the Mississippi River, being land of the character described in Section one (1) of Chapter two hundred and twelve (212) of the Acts of the Thirty-first General Assembly, lying within the limits of said city and in Sections twenty-five (25) and thirty-six (36), Township eighty-nine (89) North, Range two (2), East of the Fifth Principal Meridian and authorizing and directing the Governor and the Secretary of State to issue a patent therefor.

Also :

Senate File No. 105, a bill for an act to amend the law as it appears in Section five thousand twenty-eight-b (5028-b) of the Supplement to the Code, 1907, relating to unfair discrimination between different sections, communities or localities, defining the same and providing penalties for persons found guilty thereof.

House File No. 12, a bill for an act providing for the guardianship of the estates of absentees. (Additional to Chapter five (5), Title sixteen (XVI) of the Code.)

Also :

House File No. 162, a bill for an act to repeal Section one thousand one hundred eighty-five (1185) of the Code and to enact a substitute therefor; to repeal Section one thousand one hundred eighty-eight (1188) of the Code and to enact a substitute therefor; to repeal Section one thousand one hundred ninety-six (1196) of the Code and to enact a substitute therefor, relating to officers' bonds.

Also :

House File No. 182, a bill for an act to amend Sections 2888-e and 2888-h Supplement to the Code, 1907, relating to the library commission, defining the duties of the members thereof, prescribing the salaries of same and to make an appropriation therefor.

Also :

House File No. 198, a bill for an act to amend Sections two thousand five hundred thirty (2530) and two thousand five hundred thirty-six (2536) of the Supplement to the Code, 1907, relating to State Veterinary Surgeon.

Also :

House File No. 219, a bill for an act to repeal the law as it appears in Section five hundred sixty-five (565) of the Code, and enact a substitute therefor with regard to election of township assessors in certain townships.

Also :

House File No. 427, a bill for an act to amend the law as it appears in Section three hundred fifty-eight (358) of the Code, relating to qualification of sureties on certain official bonds.

Also :

House File No. 450, a bill for an act providing for the enumeration of deaf or blind persons, additional to Chapter one (1), Title seven (7) of the Code.

Also :

House File No. 455, a bill for an act to amend Section two thousand eight hundred twenty-three-e (2823-e) of the Supplement to the Code, 1907, relating to the truant officers.

GERRIT KLAY,  
*Chairman House Committee.*

HENRY L. ADAMS,  
*Chairman Senate Committee.*

Adopted.



## INTRODUCTION OF BILLS.

By Committee on Retrenchment and Reform, House File No. 546:

A Bill for an Act to Amend Section Two Thousand Seven Hundred Twenty-seven-a-1 (2727-a-1) of Chapter Eleven-b (11-b), Title Thirteen (13) of the Supplement to the Code, 1907, relative to the salary of members of the Board of Control for State Institutions.

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

SECTION 1. That Section thousand seven hundred twenty-seven-a-1 (2727-a-1) of Chapter 11-b (11-b), Title thirteen (13) of the Supplement to the Code, 1907, be amended by striking out the words and figures "three thousand dollars (\$3,000)" in line twenty-two and inserting in lieu thereof the words and figures "three thousand five hundred dollars (\$3,500)."

Read first and second time and referred to the Sifting Committee.

By Committee on Retrenchment and Reform, House File No. 547:

A Bill for an Act to Amend Section Sixty-five (65) of Chapter One (1), Title Two (2), Supplement to the Code, 1907, Section Eighty-six (86), of Chapter Two (2), Title (2), of the Code, Section One Hundred Fifteen (115), Chapter Four (4), Title Two (2) of the Code, Section Ninety-eight (98), Chapter Four (4), Title Two (2) of the Code, Relative to the Salaries of State Officers.

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

SECTION 1. That Section sixty-five (65) of Chapter two (2), Title two (2) of the Supplement to the Code, 1907, be, and is hereby amended by striking out the words "five thousand dollars" in lines one and two of said section and inserting in lieu thereof the words "six thousand five hundred dollars."

SEC. 2. That Section eighty-six (86), Chapter two (2), Title two (2) of the Code, be amended by striking out the words "twenty-two hundred dollars" in line two and inserting in lieu thereof the words "three thousand five hundred dollars."

SEC. 3. That Section ninety-eight (98) of Chapter four (4), Title two (2) of the Code, be amended by striking out the words "twenty-two hundred dollars" in line two and inserting in lieu thereof the words "three thousand five hundred dollars."

SEC. 4. That Section one hundred fifteen (115) of Chapter four (4), Title two (2) of the Code, be amended by striking out the words "twenty-two hundred dollars" in line two and inserting in lieu thereof the words "three thousand five hundred dollars."

Read first and second time and referred to the Sifting Committee.

The Committee appointed to investigate the Hospitals for the Insane, submitted the following report, which was read, and on motion of Lee of Emmet was ordered printed in the Journal and action deferred until Thursday.

**MR. SPEAKER AND THE HOUSE OF REPRESENTATIVES**—We, your committee appointed by resolution of this House to investigate the condition of the Insane Hospitals of the state, beg leave to submit the following report:

We commenced our investigation on the 18th day of February, 1909, by obtaining from the records of the Board of Control a list of names of persons, discharged patients and former attendants of the institutions; to about 500 of these we addressed letters of inquiry and about 200 of them responded.

We next visited the hospitals at Mt. Pleasant, Clarinda and Independence, taking the testimony of a number of witnesses at Mt. Pleasant and Clarinda. We were unable to obtain very much information at any of the institutions, but from the evidence secured we were of the opinion that abuses did exist and that it would be necessary to make further investigations. This we reported on the 13th day of March, 1909, and thereupon we were directed by the House to continue our investigation and empowered to subpoena and compel the attendance of witnesses.

Since the passage of the latter resolution, we have taken the testimony of a large number of witnesses, both employes and discharged patients of the hospitals at Mt. Pleasant, Clarinda, Cherokee and Independence, and have also examined a considerable number of witnesses who were subpoenaed at the request of the Board of Control. All of the testimony taken before the Committee is submitted herewith.

We further report that we have found it impracticable, within the time limit of the present session of the legislature, to make a full and complete investigation of the conditions that have obtained at the hospitals. From the inquiry we have made and from the evidence taken by us, it is evident that abuses exist in the government and discipline of the institutions at Mt. Pleasant, Clarinda and Independence. The evidence discloses, that in many instances, the force of attendants is inadequate to meet the demands that are made upon them; that there is not a sufficient number of attendants to properly attend to the wants of the patients under their care. In some instances, we found that from 127 to 140 patients were consigned to the care of a single attendant during the night time, of this number, a portion were sick and required almost constant attention; the number of persons under the care of such attendant rendered it impossible for those who were ill to receive such care as their condition demanded.

We further find from the evidence herewith submitted, that there have been many instances of neglect and cruelty by the attendants in charge; such, for example as the use of harsh and profane language toward patients; in some instances the inmates were kicked, struck and choked; some were thrown upon the floor and towels saturated with soap and water were applied to the nostrils and mouth until the patient was rendered unconscious; the patients, generally were compelled to render the most menial services.

We find that whenever notice of these abuses has been brought to the knowledge of the several superintendents, that the attendants in fault have been discharged and, in one institution, we find that the persons guilty of infraction of the rules, when discharged had a deduction made from the wages due them as a punishment for the violation of the rules of the institution, and we believe that most of these abuses have escaped the knowledge of the superintendents and the members of the Board of Control. There appears to be, among the attendants at these different institutions, some agreement or understanding, tacit or otherwise, whereby, as long as they remain employes of the institutions they neglect to report the misconduct of their fellows.

From our investigation and conference with the officials we believe that the per capita of \$12.00 per month is inadequate to secure proper and sufficient help to watch over and care for the patients, day and night; that more and better attendants should be employed; that help should be secured to perform the dirty and menial services about the institutions which is now done by some of the inmates themselves; that if the per capita should be increased to \$14.00 per month, proper help could be employed, more food and better food could be obtained, and that more and better clothing could be furnished the inmates of these several institutions.

We believe that the supervisors of the different wards should have their offices upon the floors with their wards so that they can give more and closer supervision to the work under their control and direction and that they should be required to be there during their working and office hours.

We further recommend that, whenever any employe is discharged on account of having abused any patient, he shall never again be employed by the State in any like institution and if any attendant violates any of the laws of the State of Iowa in the mistreatment of a patient, the superintendent of the institution where such attendant is employed shall, as one of his duties, file information against him for the crime committed. We also suggest that no institution be permitted to employ any of the class of help known as "hospital institution tramps."

Our investigation has only caused us to become more deeply interested than heretofore in the unfortunate wards of the State and we believe that there should be a special committee appointed at each session of the legislature to look into the management of the hospitals.

In conclusion we are glad to be able to say that we found the hospitals in excellent condition in all their departments so far as cleanliness and the general arrangements were concerned and we personally saw no instances of lack of decorum on the part of employes or attendants or of lack of discipline on the part of the management.

A large number of the letters received by the committee and the affidavits made by witnesses and the typescript of the testimony are returned with this report and it is all respectfully submitted, with an itemized statement of all expenses incurred by this committee.

H. C. BRANDES,  
*Chairman.*

Des Moines, Iowa, April 7, 1909.

Ripley of Hancock, Chairman of the Conference Committee on House File No. 9 offered the following report and moved its adoption:

*The Speaker of the House and the President of the Senate:*

Your committee on conference on the disagreeing votes of the House and Senate on House File No. 9, after full and free conference, begs leave to report and recommend as follows:

First. That the Senate recede from its substitute amendment to said House File.

Second. That the following amendment to House File No. 9 be adopted to-wit: That Section 1 be amended by striking out of lines 4, 5 and 6 thereof the words and language, to-wit:

"When a citizen of the State owning property therein absents himself therefrom and conceals his whereabouts from his family for a period of seven years" and inserting in lieu thereof the following:

"When a resident of this State owning property therein, or any person who may have been a resident of this State, has acquired or may hereafter acquire property or property rights within the State, absents himself from his usual place of residence and conceals his whereabouts from his family without known cause for a period of seven years, or any such person who has gone to parts unknown for a period of ten years."

A. C. RIPLEY,

N. J. LEE,

JOHN B. SULLIVAN,

AUG. A. BALLUFF,

*Conferees on the part of the House.*

W. P. WHIPPLE,

A. V. PROUDFOOT,

JOHN HAMMILL,

W. C. WHITING,

*Conferees on the part of the Senate.*

Adopted.

Ripley of Hancock moved that the House adopt the amendment recommended by the Conference Committee on House File No. 9.

On the question, "Shall the House adopt the amendments?"

The ayes were:

Allred, Anderson, Balluff, Bascom, Bauman, Beery, Blackmore, Boe, Boettger, Boomgaarden, Brandes, Byerly, Calkins, Cassady, Cooper, Corrie, Cousins, Crozier, Crummer, Dalby, Davidson, Derrough, Dewey, Dodds, Drury, Dye, Ellis, Etter, Fenn, Finlayson, Fourt, Fox, Fulton, Goodykoontz, Hackler, Hanson, Harding, Hickenlooper, Hunter, Jacobs, Jewell, Johnson, Kellogg, Kendall, Klay, Koontz, Kull, Larrabee, Lee, Meredith, Miller of Dubuque, Moore of Wapello, Moore of Linn, Penn, Perkins, Reaney, Reitz,

Ripley, Ritter, Sankey, Schee, Schroeder, Schulte, Sheldon, Smith, Stoddard, Sullivan, Swan, Swift, Tegeler, Thompson, Tilton, White, Wilson, Wolfe, Zeller, Mr. Speaker—79.

The nays were:

None.

Absent or not voting:

Arney, Beans, Beebe, Bonwell, Bowman, Burt, Cunningham, Dabney, Darrah, Dawson, Dewell, DeWitt, Elliott, Felt, Fulliam, Grier, Harvey, Holmes, Huffaker, Ide, Inman, Jones, McCleery, McDonald, Marston, Miller of Bremer, Stillman, Ward, Welden—29.

So the amendments were adopted.

Lee of Emmet called up the Senate message on Senate File No. 328 and moved to reconsider the vote by which the report of the Committee on Railroads and Transportation, recommending indefinite postponement, was adopted.

Larrabee of Fayette seconded the motion.

Motion prevailed.

Lee of Emmet moved that the rules be suspended, the bill be read a third time now, which motion prevailed, and the bill was read a third time.

On the question, "Shall the bill pass?"

The ayes were:

Allred, Anderson, Arney, Balluff, Bascom, Bauman, Beans, Beebe, Beery, Blackmore, Boe Boettger, Bonwell, Boomgaarden, Brandes, Byerly, Calkins, Cassady, Cooper, Corrie, Cousins, Crozier, Crummer, Cunningham, Dabney, Dalby, Darrah, Dawson, Derrough, Dewey, DeWitt, Dodds, Drury, Dye, Ellis, Etter, Fenn, Finlayson, Fourt, Fox, Fulliam, Fulton, Goodykoontz, Hackler, Hanson, Hickenlooper, Huffaker, Hunter, Ide, Inman, Jacobs, Jewell, Johnson, Jones, Kellogg, Kendall, Klay, Kull, Larrabee, Lee, McCleery, McDonald, Meredith, Miller of Dubuque, Moore of Wapello, Newell, O'Connor, Penn, Reaney, Reitz, Ripley, Sankey, Schroeder, Schulte, Sheldon, Smith, Stillman, Stoddard, Sullivan, Swan, Swift, Thompson, Tilton, Welden, White, Wilson, Wolfe, Zeller, Mr. Speaker—89.

The nays were:

None.

Absent or not voting :

Bowman, Burt, Davidson, Dewell, Elliott, Felt, Grier, Harding, Harvey, Holmes, Koontz, Marston, Miller of Bremer, Moore of Linn, Perkins, Ritter, Schee, Tegeler, Ward—19.

So the bill passed and the title was agreed to.

#### CONSIDERATION OF BILLS.

On motion of Kendall of Clinton, Senate File No. 359, a bill for an act repealing Section Two Thousand Nine Hundred-a-twenty-five (2900-a-25) of the Supplement to the Code, 1907, and enacting a substitute for the same, relating to the sale of lands within the beds of meandered lakes, was taken up and considered.

Kendall of Clinton moved that the rules be suspended, the bill be read a third time now, which motion prevailed, and the bill was read a third time.

On the question, "Shall the bill pass?"

The ayes were :

Anderson, Balluff, Bascom, Bauman, Beebe, Beery, Boe, Boettger, Boomgaarden, Bowman, Byerly, Cassady, Cooper, Corrie, Crummer, Cunningham, Dabney, Dalby, Dawson, Derrough, Dewell, Dewey, DeWitt, Dodds, Dye, Ellis, Fenn, Fourt, Fulliam, Goodykoontz, Hanson, Harding, Harvey, Hickenlooper, Holmes, Ide, Jacobs, Jewell, Jones, Kellogg, Kendall, Klay, Koontz, Larrabee, Lee, McDonald, Marston, Moore of Wapello, Moore of Linn, O'Connor, Perkins, Reitz, Ritter, Sankey, Schee, Smith, Stillman, Stoddard, Sullivan, Swan, Swift, Tegeler, Thompson, Tilton, Welden, White, Zeller, Mr. Speaker—68.

The nays were :

None.

Absent or not voting :

Allred, Arney, Beans, Blackmore, Bonwell, Brandes, Burt, Calkins, Cousins, Crozier, Darrah, Davidson, Drury, Elliott, Etter, Felt, Finlayson, Fox, Fulton, Grier, Hackler, Huffaker, Hunter, Inman, Johnson, Kull, McCleery, Meredith, Miller of Bremer, Miller of Dubuque, Newell, Penn, Reaney, Ripley, Schroeder, Schulte, Sheldon, Ward, Wilson, Wolfe—40.

So the bill passed and the title was agreed to.

On motion of Jewell of Winneshiek, House File No. 379, a bill for an act requiring incorporated cities and towns to publish the acts or proceedings of the board of aldermen and city and town councils, with report of committee recommending passage as amended by substitute amendment was taken up, considered, and the substitute amendments adopted.

Jewell of Winneshiek moved that the rules be suspended, 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 ayes were:

Anderson, Bascom, Bauman, Beans, Beebe, Beery, Boe, Boomgaarden, Burt, Byerly, Cassady, Cooper, Cousins, Crozier, Crummer, Cunningham, Dabney, Dalby, Dawson, Derrough, Dewell, Dewey, DeWitt, Dodds, Ellis, Etter, Fenn, Fourt, Fulliam, Goodykoontz, Hanson, Harvey, Hickenlooper, Holmes, Hunter, Ide, Jewell, Johnson, Jones, Kellogg, Kendall, Klay, Kull, Larrabee, Lee, McCleery, McDonald, Marston, Miller of Bremer, Moore of Wapello, Moore of Linn, Newell, O'Connor, Perkins, Reaney, Reitz, Ritter, Sankey, Schee, Smith, Stoddard, Sullivan, Swan, Swift, Tegeler, Tilton, White, Zeller, Mr. Speaker—69.

The nays were:

None.

Absent or not voting:

Allred, Arney, Balluff, Blackmore, Boettger, Bonwell, Bowman, Brandes, Calkins, Corrie, Darrah, Davidson, Drury, Dye, Elliott, Felt, Finlayson, Fox, Fulton, Grier, Hackler, Harding, Huffaker, Inman, Jacobs, Koontz, Meredith, Miller of Dubuque, Penn, Ripley, Schroeder, Schulte, Sheldon, Stillman, Thompson, Ward, Welden, Wilson, Wolfe—39.

So the bill passed and the title was agreed to.

On motion of Cunningham of Buena Vista, House File No. 488, a bill for an act to repeal Section Two Thousand Seventy-seven-a (2077-a) of the Supplement to the Code, 1907, relative to the

posting of bulletins in passenger stations and to enact a substitute therefor, was taken up and considered.

Cunningham of Buena Vista proposed the following amendment :

I move to amend the title by striking out all after the figures "1907" and inserting in lieu thereof the following: "And to enact a substitute therefor relative to the installing of telephones and posting notices in railway stations."

Amendment adopted.

Harding of Woodbury in the Chair.

Cunningham of Buena Vista moved that the rules be suspended, 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 ayes were :

Anderson, Arney, Bascom, Bauman, Beans, Beebe, Beery, Blackmore, Boe, Boettger, Bonwell, Boomgaarden, Brandes, Calkins, Cassady, Cooper, Corrie, Cousins, Crummer, Cunningham, Dabney, Dawson, Derrough, Dewey, DeWitt, Dodds, Drury, Dye, Ellis, Fenn, Fourt, Fulton, Goodykoontz, Hackler, Hanson, Harding, Harvey, Huffaker, Hunter, Ide, Inman, Jewell, Jones, Kellogg, Kendall, Klay, Koontz, Kull, Larrabee, Lee, Marston, Miller of Dubuque, Moore of Wapello, Moore of Linn, Newell, O'Connor, Reaney, Sankey, Schee, Schulte, Stillman, Stoddard, Swan, Swift, Tilton, White, Wilson, Zeller—68.

The nays were :

Byerly, Perkins, Sheldon, Smith—4.

Absent or not voting :

Allred, Balluff, Bowman, Burt, Crozier, Dalby, Darrah, Davidson, Dewell, Elliott, Etter, Felt, Finlayson, Fox, Fulliam, Grier, Hickenlooper, Holmes, Jacobs, Johnson, McCleery, McDonald, Meredith, Miller of Bremer, Penn, Reitz, Ripley, Ritter, Schroeder, Sullivan, Tegeler, Thompson, Ward, Welden, Wolfe, Mr. Speaker—36.

So the bill passed and the title was agreed to.



On motion of Anderson of Hamilton, Senate File No. 39, a bill for an act legalizing certain instruments of writing heretofore executed by corporations conveying, encumbering or affecting real estate that have been executed without the attaching or affixing of the corporate seal thereto, was taken up and considered.

Anderson of Hamilton moved that the rules be suspended, the bill be read a third time, which motion prevailed, and the bill was read a third time.

On the question, "Shall the bill pass?"

The ayes were:

Anderson, Arney, Balluff, Bascom, Bauman, Beans, Beebe, Beery, Blackmore, Boe, Boettger, Bonwell, Boomgaarden, Brandes, Burt, Byerly, Calkins, Cassady, Cooper, Corrie, Cousins, Crummer, Dabney, Dalby, Dawson, Derrough, Dewell, Dewey, DeWitt, Dodds, Drury, Dyè, Ellis, Etter, Fenn, Fourt, Fulliam, Fulton, Goodykoontz, Hackler, Hanson, Harding, Harvey, Hickenlooper, Holmes, Huffaker, Hunter, Ide, Jewell, Johnson, Jones, Kendall, Klay, Kull, Larrabee, Lee, McCleery, McDonald, Meredith, Miller of Bremer, Miller of Dubuque, Moore of Wapello, Moore of Linn, Newell, O'Connor, Perkins, Reaney, Ritter, Sankey, Schee, Schulte, Smith, Stillman, Stoddard, Sullivan, Swan, Swift, Tegeler, Thompson, Tilton, White, Wilson, Wolfe—83.

The nays were:

None.

Absent or not voting:

Allred, Bowman, Crozier, Cunningham, Darrah, Davidson, Elliott, Felt, Finlayson, Fox, Grier, Inman, Jacobs, Kellogg, Koontz, Marston, Penn, Reitz, Ripley, Schroeder, Sheldon, Ward, Welden, Zeller, Mr. Speaker—25.

So the bill passed and the title was agreed to.

On motion of Crummer of Pocahontas, Senate File No. 422, a bill for an act legalizing the ordinances of the incorporated town of Laurens, Iowa, with report of committee recommending passage as amended, was taken up, considered, and the amendment adopted.

Crummer of Pocahontas moved that the rules be suspended, the bill be read a third time now, which motion prevailed, and the bill was read a third time.

On the question, "Shall the bill pass?"

The ayes were:

Anderson, Arney, Balluff, Bascom, Bauman, Beans, Beebe, Beery, Blackmore, Boe, Boettger, Bonwell, Boomgaarden, Brandes, Burt, Byerly, Calkins, Cassady, Cooper, Corrie, Cousins, Crozier, Crummer, Dabney, Dalby, Darrah, Davidson, Dawson, Derrough, Dewell, Dewey, DeWitt, Dodds, Drury, Dye, Ellis, Fenn, Fulliam, Fulton, Goodykoontz, Hackler, Hanson, Harding, Harvey, Hickenlooper, Holmes, Huffaker, Hunter, Ide, Inman, Jewell, Johnson, Jones, Kellogg, Kendall, Klay, Koontz, Kull, Larrabee, McCleery, McDonald, Meredith, Moore of Wapello, Newell, Perkins, Reaney, Reitz, Ripley, Ritter, Sankey, Schee, Schroeder, Schulte, Smith, Stillman, Stoddard, Swan, Swift, Tegeler, Thompson, Tilton, Welden, White, Wilson, Zeller—85.

The nays were:

None.

Absent or not voting:

Allred, Bowman, Cunningham, Elliott, Etter, Felt, Finlayson, Fourt, Fox, Grier, Jacobs, Lee, Marston, Miller of Bremer, Miller of Dubuque, Moore of Linn, O'Connor, Penn, Sheldon, Sullivan, Ward, Wolfe, Mr. Speaker—23.

So the bill passed and the title was agreed to.

On motion of Stillman of Greene, Senate File No. 387, a bill for an act to prohibit secret fraternities and societies being formed in the public schools of this state, empowering and making it the duty of school directors to adopt rules and regulations relating thereto, and to enforce the same, and making it an offense to solicit pupils to join them and prescribing the penalty therefor, was taken up and considered.

Stillman of Greene moved that the rules be suspended, the bill be read a third time now, which motion prevailed, and the bill was read a third time.

On the question, "Shall the bill pass?"

The ayes were:

Allred, Anderson, Arney, Bascom, Bauman, Beans, Beebe, Beery, Blackmore, Boe, Bonwell, Boomgaarden, Bowman, Brandes, Burt,

Byerly, Calkins, Cassady, Cooper, Corrie, Cousins, Crozier, Crummer, Cunningham, Dalby, Darrah, Dawson, Dewell, Dewey, DeWitt, Dye, Ellis, Etter, Fourt, Fulton, Goodykoontz, Hackler, Hanson, Harding, Hickenlooper, Holmes, Huffaker, Hunter, Ide, Inman, Jacobs, Jewell, Johnson, Jones, Kellogg, Kendall, Kull, Larrabee, Lee, Meredith, Miller of Dubuque, Moore of Wapello, Newell, O'Connor, Perkins, Reaney, Reitz, Ritter, Sankey, Schroeder, Schulte, Sheldon, Smith, Stillman, Stoddard, Sullivan, Swan, Tegeler, Thompson, Tilton, Welden, White, Wolfe, Zeller—79.

The nays were:

Boettger, Dodds, Fenn, Fulliam, Harvey, Koontz, Schee—7.

Absent or not voting:

Balluff, Dabney, Davidson, Derrough, Drury, Elliott, Felt, Finlayson, Fox, Grier, Klay, McCleery, McDonald, Marston, Miller of Bremer, Moore of Linn, Penn, Ripley, Swift, Ward, Wilson, Mr. Speaker—22.

So the bill passed and the title was agreed to.

On motion of Davidson of Palo Alto, House File No. 449, a bill for an act to amend Section 4775-c, 4775-d, of the Supplement to the Code, 1907, relating to wife desertion and to the bond that may be given in case of the person who deserts his wife, was taken up and considered.

Speaker Feely in the Chair.

Davidson of Palo Alto moved that the rules be suspended, 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 ayes were:

Allred, Arney, Balluff, Bascom, Bauman, Beans, Beebe, Beery, Blackmore, Boe, Boettger, Bonwell, Boomgaarden, Brandes, Burt, Calkins, Cassady, Cooper, Corrie, Cousins, Crozier, Crummer, Cunningham, Dabney, Dalby, Darrah, Davidson, Dawson, Dewey, DeWitt, Dodds, Drury, Dye, Ellis, Fenn, Fourt, Fulton, Goodykoontz, Hackler, Hanson, Harding, Harvey, Hickenlooper, Huffaker, Hunter, Ide, Inman, Jacobs, Jewell, Jones, Kendall, Klay, Kull, Larrabee, Lee, McCleery, Meredith, Miller of Dubuque, Moore

of Wapello, Moore of Linn, Newell, O'Connor, Penn, Reaney, Reitz, Ripley, Ritter, Sankey, Schee, Schroeder, Schulte, Smith, Stoddard, Sullivan, Swan, Tilton, Welden, White, Wilson, Wolfe, Zeller, Mr. Speaker—82.

The nays were:

Fulliam—1.

Absent or not voting:

Anderson, Bowman, Byerly, Derrough, Dewell, Elliott, Etter, Felt, Finlayson, Fox, Grier, Holmes, Johnson, Kellogg, Koontz, McDonald, Marston, Miller of Bremer, Perkins, Sheldon, Stillman, Swift, Tegeler, Thompson, Ward—25.

So the bill passed and the title was agreed to.

On motion of Davidson of Palo Alto, House File No. 512, a bill for an act to provide for the appropriation of moneys to the farmers institutes of Cherokee and Palo Alto Counties and to the Franklin County Agricultural Society, with report of committee recommending passage as amended, was taken up, considered, and the amendment adopted.

DeWitt of Montgomery proposed the following amendment:

I move to amend by striking out the words and figures "three hundred and fifty dollars (\$350)" from Section 1 and insert in lieu thereof the following: "three hundred sixty-seven and seventy-six one-hundredths dollars (\$367.76)."

Amendment adopted.

Davidson of Palo Alto moved that the rules be suspended, 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 ayes were:

Allred, Anderson, Arney, Balluff, Bascom, Bauman, Beans, Beebe, Beery, Blackmore, Boe, Boettger, Bonwell, Boomgaarden, Bowman, Brandes, Burt, Byerly, Calkins, Cassady, Cooper, Corrie, Cousins, Crozier, Crummer, Cunningham, Dabney, Dalby, Darrah, Davidson, Dawson, Derrough, Dewell, DeWitt, Dodds, Drury, Dye, Ellis, Etter, Fenn, Fox, Fulliam, Fulton, Goodykoontz, Hack-

ler, Hanson, Harding, Harvey, Hickenlooper, Holmes, Huffaker, Ide, Inman, Jewell, Johnson, Jones, Kellogg, Kendall, Klay, Kull, Larrabee, Lee, McCleery, McDonald, Marston, Meredith, Miller of Bremer, Miller of Dubuque, Moore of Wapello, Moore of Linn, Newell, O'Connor, Penn, Ritter, Schee, Schroeder, Schulte, Sheldon, Smith, Stoddard, Sullivan, Swan, Swift, Tegeler, Thompson, Tilton, Welden, White, Wilson, Wolfe, Zeller, Mr. Speaker—92.

The nays were:

None.

Absent or not voting:

Dewey, Elliott, Felt, Finlayson, Fourt, Grier, Hunter, Jacobs, Koontz, Perkins, Reaney, Reitz, Ripley, Sankey, Stillman, Ward,—16.

So the bill passed and the title was agreed to.

On motion of Crozier of Marion, House File No. 519, a bill for an act to amend Section 4139 of the Code, in relation to procedure in the Supreme Court, was taken up and considered.

Crozier of Marion proposed the following amendment:

I move to amend Section 1 by striking from line four the words "in instructing the jury or."

Amendment adopted.

Crozier of Marion moved that the rules be suspended, 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 ayes were:

Allred, Anderson, Arney, Bascom, Bauman, Blackmore, Boettger, Bowman, Byerly, Calkins, Cooper, Cousins, Crozier, Dabney, Davidson, Dawson, Derrough, Dewell, DeWitt, Ellis, Etter, Fenn, Fox, Ide, Koontz, Larrabee, McDonald, Meredith, Miller of Dubuque, Perkins, Reaney, Ritter, Schroeder, Sheldon, Smith, Sullivan, Swift, Tegeler, Tilton, White, Zeller—41.

The nays were:

Beans, Bonwell, Boomgaarden, Corrie, Crummer, Dalby, Darrah, Dewey, Dye, Elliott, Fulliam, Goodykoontz, Hackler, Harding, Harvey, Hunter, Inman, Jacobs, Jewell, Jones, Kellogg, Kendall, Klay, Lee, Marston, Miller of Bremer, Moore of Wapello, Moore of Linn, Newell, O'Connor, Penn, Ripley, Sankey, Schee, Schulte, Stillman, Stoddard, Swan, Welden, Wilson, Wolfe, Mr. Speaker—42.

Absent or not voting:

Balluff, Beebe, Beery, Boe, Brandes, Burt, Cassady, Cunningham, Dawson, Dodds, Drury, Felt, Finlayson, Fourt, Fulton, Grier, Hanson, Hickenlooper, Holmes, Kull, McCleery, Reitz, Thompson, Ward, White—25.

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

#### SPECIAL ORDER.

Time having arrived for Special Order No. 17, the House resumed the consideration of House File No. 534.

Arney of Marshall moved that the rules be suspended, 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 ayes were:

Allred, Anderson, Arney, Balluff, Bascom, Bauman, Beans, Beebe, Beery, Blackmore, Boettger, Bonwell, Boomgaarden, Cassady, Corrie, Cousins, Crozier, Crummer, Cunningham, Dalby, Darrah, Davidson, Dawson, Derrough, Dewell, Dewey, Dodds, Drury, Dye, Ellis, Etter, Fenn, Finlayson, Fourt, Fox, Fulliam, Fulton, Goodykoontz, Hackler, Hanson, Hickenlooper, Holmes, Huffaker, Hunter, Ide, Inman, Jacobs, Jewell, Johnson, Jones, Kellogg, Klay, Koontz, Larrabee, Lee, McDonald, Marston, Meredith, Miller of Dubuque, Moore of Wapello, Moore of Linn, Newell, O'Connor, Perkins, Reaney, Reitz, Ritter, Schulte, Sheldon, Smith, Stillman, Stoddard, Sullivan, Swift, Tegeler, Thompson, Tilton, Welden, White, Wilson, Wolfe, Mr. Speaker—82.

The nays were:

Byerly, Ripley, Sankey, Zeller—4.

Absent or not voting :

Boe, Bowman, Brandes, Burt, Calkins, Cooper, Dabney, DeWitt, Elliott, Felt, Grier, Harding, Harvey, Kendall, Kull, McCleery, Miller of Bremer, Penn, Schee, Schroeder, Swan, Ward—22.

So the bill passed.

Arney of Marshall proposed the following amendment to the title :

A Bill for an Act to Amend the Law as it Appears in Sections Twenty-five Hundred Forty (2540), Twenty-five Hundred Forty-a (2540-a), Twenty-five Hundred Fifty-one (2551) and Twenty-five Hundred Fifty-six (2556) of the Supplement to the Code, 1907, and Sections Twenty-five Hundred Fifty-five (2555) and Twenty-five Hundred Fifty-nine (2559) of the Code, and to Repeal Section Twenty-five Hundred Fifty-two (2552) of the Supplement to the Code, 1907, and Sections Twenty-five Hundred Fifty-four (2554), and Twenty-five Hundred Sixty-two (2562) of the Code, Relating to the Protection of Fish and Game; Regulating the Shipment of Fish and Sale; Prohibiting the Sale of Game, and Providing for the Appointment of Deputy Fish and Game Wardens and Fixing their Compensation.

Amendment adopted, and the title as amended was agreed to.

On motion of Lee of Emmet, Senate File No. 131, a bill for an act to repeal Sections Two Hundred Eight (208), Two Hundred Nine (209), and Two Hundred Ten (210) of the Code, relating to the office and duties of the Attorney General, and to enact substitute therefor, with report of committee recommending passage as amended, was taken up, considered, and the amendment adopted.

Drury of Sac in the Chair.

Lee of Emmet moved that the rules be suspended, the bill be read a third time now, which motion prevailed, and the bill was read a third time.

On the question, "Shall the bill pass?"

The ayes were :

Allred, Anderson, Arney, Bascom, Bauman, Beans, Beebe, Beery, Boe, Bonwell, Boomgaarden, Brandes, Burt, Calkins, Cassady, Cooper, Corrie, Cousins, Crummer, Dalby, Darrah, Dawson, Derrough, Dewell, Dewey, DeWitt, Drury, Dye, Finlayson, Fourt, Fulton, Goodykoontz, Hackler, Hanson, Holmes, Huffaker, Hunter, Ide, Inman, Jacobs, Jewell, Johnson, Jones, Kendall, Klay, Larra-

bee, Lee, McCleery, Marston, Meredith, Moore of Wapello, Moore of Linn, Newell, O'Connor, Penn, Perkins, Reaney, Reitz, Ripley, Schee, Schulte, Sheldon, Smith, Stillman, Stoddard, Sullivan, Swift, Thompson, Tilton, Welden, White, Wilson, Wolfe, Zeller, Mr. Speaker—75.

The nays were:

Byerly, Ellis, Fenn, Fulliam, Miller of Bremer, Miller of Dubuque, Ritter, Sankey, Schroeder—9.

Absent or not voting:

Balluff, Blackmore, Boettger, Bowman, Crozier, Cunningham, Dabney, Davidson, Dodds, Elliott, Etter, Felt, Fox, Grier, Harding, Harvey, Hickenlooper, Kellogg, Koontz, Kull, McDonald, Swan, Tegeler, Ward—24.

So the bill passed and the title was agreed to.

On motion of Beebe of Franklin, House File No. 510, a bill for an act to amend the law as it appears in Section One Hundred Fifty-four (154) of the Code, relative to compensation of Custodian, was taken up and considered.

Beebe of Franklin moved that the rules be suspended, 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 ayes were:

Allred, Arney, Bascom, Beans, Beebe, Beery, Blackmore, Boettger, Bonwell, Brandes, Cassady, Darrah, Derrough, DeWitt, Ellis, Finlayson, Fourt, Fulton, Goodykoontz, Hanson, Harding, Hickenlooper, Hunter, Inman, Jacobs, Jewell, Johnson, Jones, Kellogg, Kendall, Klay, Koontz, Larrabee, Lee, McDonald, Marston, Meredith, Miller of Bremer, Miller of Dubuque, Moore of Wapello, Moore of Linn, O'Connor, Penn, Perkins, Reaney, Sankey, Sheldon, Stoddard, Sullivan, Swan, Thompson, Tilton, Welden, White, Zeller—55.

The nays were:

Bauman, Boomgaarden, Calkins, Corrie, Dawson, Dewey, Drury, Dye, Hackler, Huffaker, Ide, McCleery, Newell, Reitz, Ritter, Schulte, Smith, Tegeler, Wilson—19.



Absent or not voting:

Anderson, Balluff, Boe, Bowman, Burt, Byerly, Cooper, Cousins, Crozier, Crummer, Cunningham, Dabney, Dalby, Davidson, Dewell, Dodds, Elliott, Etter, Felt, Fenn, Fox, Fulliam, Grier, Harvey, Holmes, Kull, Ripley, Schee, Schroeder, Stillman, Swift, Ward, Wolfe, Mr. Speaker—34.

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

On motion of Anderson of Hamilton, substitute for Senate File No. 399, a bill for an act to repeal Section Three Thousand Sixty-eight (3068) of the Code, and to enact a substitute therefor, relating to the use of private seals by individuals, firms, or corporations, and the use of corporate seals by certain corporations in the matter of the execution of written contracts and other instruments of writing, was taken up and considered.

Anderson of Hamilton moved that the rules be suspended, the bill be read a third time now, which motion prevailed, and the bill was read a third time.

On the question, "Shall the bill pass?"

The ayes were:

Allred, Anderson, Arney, Balluff, Bascom, Bauman, Beans, Beery, Blackmore, Boe, Boettger, Bonwell, Bowman, Brandes, Burt, Byerly, Cassady, Cooper, Corrie, Cousins, Crozier, Crummer, Cunningham, Darrah, Dawson, Derrough, Dewell, Dewey, Dye, Ellis, Etter, Fenn, Fourt, Fox, Fulliam, Fulton, Goodykoontz, Hackler, Hanson, Harding, Hickenlooper, Holmes, Huffaker, Hunter, Inman, Jewell, Johnson, Jones, Koontz, Larrabee, Lee, McCleery, McDonald, Marston, Meredith, Miller of Bremer, Miller of Dubuque, Moore of Wapello, Newell, Penn, Perkins, Reaney, Ritter, Schee, Schroeder, Schulte, Sheldon, Smith, Stillman, Stoddard, Sullivan, Swan, Tegeler, Thompson, Tilton, Welden, White, Wilson, Wolfe, Zeller, Mr. Speaker—81.

The nays were:

Dabney, Dalby, Harvey—3.

Absent or not voting:

Beebe, Boomgaarden, Calkins, Davidson, DeWitt, Dodds, Drury, Elliott, Felt, Finlayson, Grier, Ide, Jacobs, Kellogg, Kendall,

Klay, Kull, Moore of Linn, O'Connor, Reitz, Ripley, Sankey, Swift, Ward—24.

So the bill passed and the title was agreed to.

On motion of Perkins of Delaware, substitute for Senate File No. 71, a bill for an act providing for the destruction of weeds and noxious weeds on the public highways and lands adjacent thereto and the destruction of noxious weeds on railway right of ways and grounds and making it the duty of the township trustees and county supervisors to enforce the provisions of this act; amending the law as it appears in Sections One Thousand Five Hundred and Twenty-eight (1528), One Thousand Five Hundred and Thirty (1530) of the Supplement to the Code, 1907, and repealing the law as it appears in Sections One Thousand Five Hundred and Sixty-two (1562) and One Thousand Five Hundred and Sixty-two-a (1562-a) of the Supplement to the Code, 1907, and Sections One Thousand Five Hundred and Sixty-four (1564), Five Thousand and Twenty-four (5024) of the Code, was taken up and considered.

Perkins of Delaware proposed the following amendment:

I move to amend the title by striking out the words "fifteen hundred and thirty (1530)"; also by striking out Section 6 and renumbering the sections thereafter.

Amendment adopted.

DeWitt of Montgomery proposed the following amendment:

I move to strike out Section 9.

Roll call demanded by DeWitt of Montgomery and Tilton of Iowa.

On the question, Shall the amendment be adopted?

The ayes were:

Bauman, Boomgaarden, Crozier, DeWitt, Dodds, Ellis, Etter, Harvey, Huffaker, Inman, Johnson, Meredith, Sankey, Stoddard, Sullivan, Tilton, White, Zeller—18.

The nays were:

Allred, Anderson, Arney, Balluff, Bascom, Blackmore, Boe, Boettger, Bonwell, Bowman, Brandes, Cassady, Cooper, Corrie, Cous-

ins, Crummer, Cunningham, Dabney, Derrough, Dewell, Dewey, Dye, Finlayson, Fulliam, Fulton, Hackler, Hanson, Harding, Hickenlooper, Jacobs, Jewell, Jones, Kellogg, Kendall, Klay, Koontz, Kull, Larrabee, Lee, McCleery, Marston, Miller of Bremer, Miller of Dubuque, Moore of Wapello, Moore of Linn, O'Connor, Penn, Perkins, Reaney, Reitz, Ritter, Schee, Schroeder, Schulte, Sheldon, Smith, Stillman, Swan, Swift, Thompson, Welden, Wolfe, Mr. Speaker—63.

Absent or not voting :

Beans, Beebe, Beery, Burt, Byerly, Calkins, Dalby, Darrah, Davidson, Dawson, Drury, Elliott, Felt, Fenn, Fourt, Fox, Goodykoontz, Grier, Holmes, Hunter, Ide, McDonald, Newell, Ripley, Tegeler, Ward, Wilson—27.

So the amendment was lost.

Perkins of Delaware moved that the rules be suspended, the bill be read a third time now, which motion prevailed, and the bill was read a third time.

On the question, "Shall the bill pass?"

The ayes were :

Allred, Anderson, Arney, Balluff, Bascom, Beebe, Beery, Blackmore, Boettger, Bonwell, Brandes, Byerly, Calkins, Cassady, Cooper, Corrie, Cousins, Crummer, Dabney, Davidson, Derrough, Dewey, Drury, Dye, Ellis, Finlayson, Fulliam, Hackler, Hanson, Harding, Holmes, Jacobs, Jewell, Johnson, Kendall, Klay, Koontz, Kull, Larrabee, Lee, McDonald, Marston, Meredith, Miller of Bremer, Miller of Dubuque, Moore of Wapello, Moore of Linn, O'Connor, Penn, Perkins, Reitz, Ripley, Ritter, Sankey, Schee, Schulte, Sheldon, Smith, Stillman, Sullivan, Swift, Thompson, Welden, Wolfe, Mr. Speaker—65.

The nays were :

Bauman, Beans, Boe, Boomgaarden, Cunningham, Dalby, Darrah, Dawson, DeWitt, Etter, Fenn, Fourt, Fox, Fulton, Harvey, Hickenlooper, Huffaker, Ide, Inman, Jones, McCleery, Reaney, Schroeder, Stoddard, Swan, Tilton, Zeller—27.

Absent or not voting :

Bowman, Burt, Crozier, Dowell, Dodds, Elliott, Felt, Goodykoontz, Grier, Hunter, Kellogg, Newell, Tegeler, Ward, White, Wilson—16.

So the bill passed and the title was agreed to.

#### EXPLANATION OF VOTES.

The following explanation of votes were filed on House File No. 510:

**MR. SPEAKER**—I am informed that the records show that I was absent and not voting on House File No. 510, by Beebe. I was present and voted aye, and ask that the correction be made.

M. L. BURT.

**MR. SPEAKER**—I understand that I am reported as not voting on House File No. 510. I was present and voted aye.

W. R. COOPER.

Beebe of Franklin moved that the rules be suspended and the Journal be corrected as to the roll call on House File No. 510 by adding the names of Burt of Taylor and Cooper of Jasper as voting "aye."

Unanimous consent was granted for the correction of the roll call, so that the vote on House File No. 510 was: yeas 56; nays 20; absent or not voting 32.

The Speaker reversed his decision on House File No. 510 and declared that the bill passed and the title was agreed to.

O'Connor of Chickasaw offered the following resolution:

#### RESOLUTION.

**WHEREAS**, The Hon. Jos. W. Folk, ex-Governor of Missouri and a national figure, is to visit the State House during the forenoon session, therefore be it

*Resolved*, That the Speaker appoint a committee of two to invite ex-Governor Folk to visit the House chamber and to speak briefly to its membership.

O'Connor of Chickasaw asked unanimous consent for immediate consideration of the resolution, and moved its adoption.

Resolution adopted.

## MESSAGES FROM THE SENATE.

The following messages were received from the Senate :

MR. SPEAKER—I am directed to inform your honorable body that the Senate has passed the following bill in which the concurrence of the Senate was asked:

House File No. 153, a bill for an act to establish a laboratory to manufacture hog cholera serum.

S. W. NEAL,  
*Secretary.*

Also:

MR. SPEAKER—I am directed to inform your honorable body that the Senate has passed the following bill in which the concurrence of the Senate was asked:

House File No. 531, a bill for an act to defray the expenses of the committee sent to visit the various educational institutions.

S. W. NEAL,  
*Secretary.*

Also:

MR. SPEAKER—I am directed to inform your honorable body that the Senate has passed the following bill in which the concurrence of the Senate was asked:

House File No. 530, a bill for an act to pay the expenses incident to the investigating committee for the Hospital for the Insane.

S. W. NEAL,  
*Secretary.*

Also:

MR. SPEAKER—I am directed to inform your honorable body that the Senate has indefinitely postponed the following bill in which the concurrence of the Senate was asked:

House File No. 213, a bill for an act regulating certain classes of advertisements.

S. W. NEAL,  
*Secretary.*

Also:

MR. SPEAKER—I am directed to inform your honorable body that the Senate has indefinitely postponed the following bill in which the concurrence of the Senate was asked:

House File No. 469, a bill for an act relating to the fees and expenses in levee and drainage districts.

S. W. NEAL,  
*Secretary.*

Also:

MR. SPEAKER—I am directed to inform your honorable body that the Senate herewith returns, as requested by the House, Senate File No. 328, a bill for an act enlarging the powers of the Board of Railroad Commissioners.

S. W. NEAL,  
*Secretary.*

Also:

MR. SPEAKER—I am directed to inform your honorable body that the Senate has passed the following Joint Resolution, in which the concurrence of the Senate was asked:

House Joint Resolution No. 7, for the appointment of a joint committee to purchase a chair and gavel for the Speaker of the House and the President of the Senate.

S. W. NEAL,  
*Secretary.*

Also:

MR. SPEAKER—I am directed to inform your honorable body that the Senate has indefinitely postponed the following bill in which the concurrence of the Senate was asked:

House File No. 97, a bill for an act to indemnify Gustave Winter.

S. W. NEAL,  
*Secretary.*

Also:

MR. SPEAKER—I am directed to inform your honorable body that the Senate has indefinitely postponed the following bill in which the concurrence of the Senate was asked:

House File No. 523, a bill for an act to regulate the issuance of warrants upon requisitions from the governors of other states.

S. W. NEAL,  
*Secretary.*

Also:

MR. SPEAKER—I am directed to inform your honorable body that the Senate has indefinitely postponed the following bill in which the concurrence of the Senate was asked:

House File No. 117, a bill for an act relating to the listing of and lien on personal property for taxes.

S. W. NEAL,  
*Secretary.*

The Speaker announced that as Speaker of the House, in the presence of the House, he had signed Senate File Nos. 105, 393, 413, 305, 158, 76, 164, 191; also House File Nos. 12, 162, 182, 198, 219, 427, 450 and 455.

Bauman of Van Buren moved that the House adjourn until 1:30 o'clock P. M.

Motion prevailed.

#### AFTERNOON SESSION.

House met pursuant to adjournment.

Speaker Feely in the Chair.

Journal of Tuesday, April 6th, corrected and approved.

On request of Swan of Appanoose leave of absence was granted Hackler of Webster until Thursday.

On request of Balluff of Scott leave of absence was granted Wolfe of Clinton until Thursday P. M.

On request of Beery of Henry leave of absence was granted Grier of Poweshiek until Thursday.

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

#### REPORT OF JOINT COMMITTEE ON ENROLLED BILLS.

Klay of Sioux, from the Joint Committee on Enrolled Bills, submitted the following report:

MR. SPEAKER—Your Joint Committee on Enrolled Bills respectfully report that they have examined, and find correctly enrolled, Senate File No. 185, a bill for an act to amend Section two thousand five hundred and eighty-nine-b (2589-b) of the Supplement to the Code, 1907, relative to the requirements of applicants for registration as pharmacists.

Also:

Senate File No. 224, a bill for an act to amend Section eleven hundred ninety-five (1195) of the Code, relating to officers holding over for any reason.

Also:

Senate File No. 306, a bill for an act to amend the law as it appears in Section four thousand one hundred fourteen (4114) of the Supplement to the Code, 1907, relating to the sufficiency of notice of appeal.

Also:

Senate File No. 307, a bill for an act to amend Section four thousand one hundred thirty-nine (4139) of the Code relating to practice in the Supreme Court.

Also:

Senate File No. 399, a bill for an act repealing Section two thousand nine hundred-a-twenty-five (2900-a-25) of the Supplement to the Code, 1907, and enacting a substitute for the same, relating to the sale of the lands within the beds of meandered lakes.

Also:

Also:

Senate File No. 51, a bill for an act to amend the law as it appears in Section two hundred and fifty-four-a-2 (254-a-2) of the Supplement to the Code, 1907, relating to the compensation of short-hand reporters.

Senate File No. 348, a bill for an act to repeal Section 69 of the Code, and to amend the law as it appears in Section 5718-a-14 of the Supplement to the Code 1907; also to amend Sections 293, 475 and 5641 of the Code, relating to criminal reports and statistics.

Also:

Senate File No. 206, a bill for an act to amend the law as it appears in Title V Chapter fourteen-c (14-c) of the Supplement to the Code, 1907, relating to the government of certain cities, and conferring additional powers upon such cities.

GERRIT KLAY,  
*Chairman House Committee.*

HENRY L. ADAMS,  
*Chairman Senate Committee.*

Adopted.

Stillman of Greene, Chairman of the Conference Committee on House File No. 495, offered the following report and moved its adoption:

MR. SPEAKER—Your Conference Committee to whom was referred House File No. 495 to consider the disagreement arising over the refusal of the House to concur in the Senate Amendments to said bill and the insistence of the Senate upon said amendments, which amendments were in words and figures following to-wit:

1. Amend Section one of the bill by inserting a comma after the word "Code" in the second line and the figures "1907" and comma.
2. Amend Section two of the bill by striking out of the last line of said Section the words "so far as" and inserting in lieu thereof the word "when."
3. Amend Section three of the bill by striking out the word "three" in the thirtieth line and inserting in lieu thereof the word "two" and by striking out the word "ten" in the thirty-second line and inserting the word "twenty" and by striking out the word "have" in the fortieth line.
4. Amend Section six by striking out all the words and punctuation marks commencing with the word "by" in the third line and ending with the word "also" before the word "by" in the fifth line.
5. Amend Section seven by substituting a period for the comma following the word "auditor" in line six of the bill and by striking out of said section all following said period.
6. Amend Section ten of the bill by inserting after the word "changed" in line six the following words: "or that a change or alteration in the



location should be made" and be further amended by striking out the figure "26" following the word "eighty-nine" in next to the last line of said section and inserting in lieu thereof the letter and figure as follows "a-6."

7. Amend Section eleven of the bill by striking out all the words and punctuation marks commencing with the word "striking" in the third line thereof down to and including the word "by" in the sixth line thereof. And by striking out the quotation marks following the word "be" in line sixteen thereof and by adding after the period following said word the following:

"Provided, however, that no deferred installment of the amount assessed, as between vendor and vendee, mortgagor and mortgagee, shall become a lien upon the property against which it is assessed and levied, until the thirty-first day of December of the year next preceding that in which it is due and payable." And be further amended by striking out the last four lines of said section.

8. Amend Section thirteen by striking out of said section all after the colon following the word "following" in line five and inserting in lieu thereof the following: "The board of supervisors shall be a proper party in all appeal cases, or actions attacking the proceedings of the board had and taken under the provisions of this chapter, for the purpose of representing the drainage district, and all interested parties therein, other than those prosecuting the appeal or other adversary action; and the employment of counsel by the board as authorized in this chapter shall be for the purpose of protecting all the rights of the drainage district and interested parties therein other than those prosecuting the appeal or other adversary action. In all appeals or adversary actions, the appellant or complaining party shall be entitled the plaintiff and the board of supervisors and drainage district it represents the defendant. When an appeal authorized by this chapter is taken the county auditor shall forthwith make a transcript of the notice of appeal and appeal bond and transmit the same to the clerk of the district court, and the clerk shall docket the same upon payment by the appellant of the docket fee; and on or before the first day of the next succeeding term of the district court, the appellant shall file a petition setting forth the order or decision of the board appealed from and his claims and objections relating thereto; a failure to comply with these requirements shall be deemed a waiver of the appeal and in such case the court shall dismiss the same; it shall not be necessary for the appellee to file answer to the petition unless some affirmative defense is made thereto, but he may do so. The board shall provide a book to be known as the "Drainage Record" and the county auditor shall keep a full and complete record therein of all proceedings of the board relating to drainage districts."

9. Amend Section fourteen of the bill by inserting after the word "by" in line five thereof the following words: "striking out the period at the end of said section and inserting in lieu thereof a semi-colon and"; and be further amended by striking out all of said section after the period following the word "same" in line nine thereof and inserting in lieu thereof the following: "And be further amended by striking out the

letter "a" following the word "proceedings" in the fourth line from the end of said section and inserting in lieu thereof the word "or."

10. Amend by striking out of the bill Section fifteen (15) and inserting in lieu thereof the following:

Sec. 15. That the law as it appears in Section nineteen hundred eighty-nine-a-18 (1989-a-18) of the Supplement to the Code, 1907, be amended by inserting after the word "bridge" and before the comma following said word in the thirtieth line of said section the words: "when such improvement is located at the place of the natural water way or place provided by the railroad company for the flow of the water"; and that said section be further amended by inserting after the word "bridge" and before the word "shall" in the thirty-third line of said section the following words and punctuation marks, viz.: "when such improvement is located at the place of the natural water way or place provided by the railroad company for the flow of the water"; and that said section be further amended by adding after the period at the end of said section the following: "All other proceedings in relation to railroads shall be the same as provided for individual property owners within the drainage district."

11. Amend by striking out Section seventeen (17) of the bill.

12. Amend by striking out Section nineteen (19) of the bill.

13. Amend by striking out Section twenty (20) of the bill.

14. Amend Section twenty-one of the bill by striking out all of said section after the colon following the word "words" in the fifth line thereof and inserting in lieu the following words: "At all joint meetings of the boards of supervisors of two or more counties the membership present of each board shall vote as a unit and in accord with the expressed desire of the majority of such membership found by a roll call thereof, a record of which shall be kept and recorded in the proceedings."

15. Amend the bill by adding the following section:

Sec. 22. That the law as it appears in Chapter two-a of Title ten of the Supplement to the Code, 1907, be amended by adding to said chapter as Section 1989-a-54 the following: "That after the original establishment of a drainage district, as in this chapter provided, if the said board is satisfied that additional lands should be included within any drainage district, and that said lands are benefited by the improvement therein, and that said lands should have been included in said original district, then, in such case, the board may order the engineer to make a plat of said lands, with the elevations thereof, and report thereon; and thereupon if said report be in favor of including additional lands, which shall be particularly described in the report, said board shall proceed in such matter as to said proposed annexed territory as in the original establishing of such district, including the fixing and levying of the special tax for benefits, and thereafter the said annexed territory shall be a part of said district, and governed in all respects as lands within the original districts; or said annexation may be made and brought under the jurisdiction of the board for all of said purposes upon the petition of the owners of all the lands to be annexed.

16. Amend the bill by renumbering Sections 18, 21, 22, 23, 24 and 25 as 17, 18, 19, 20, 21 and 22.

Amend the Title of the bill by striking out the words and figures, "nineteen hundred eighty-nine-a-19 (1989-a19)" in lines nine and ten of the printed bill and the words and figures "nineteen hundred eighty-nine-a-27 (1989-a27)" in lines ten and eleven thereof; and be further amended by inserting after the comma following the word "therefor" in line seventeen the following: And to enact sections of law additional to Chapter two-a of Title ten (10) of the Supplement to the Code, 1907, beg leave to report that they have had the same under advisement and have reached an agreement thereon and in accordance with the agreement arrived at would respectfully recommend as follows:

1. That the House concur in and adopt the Senate amendments hereinbefore set out numbered one, two, three, four, five, six, seven, eight, nine, ten, eleven, twelve, thirteen, fifteen and sixteen, (1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 15, and 16) and the Senate amendment to the title of the bill.

2. That the Senate recede from its insistence on Senate amendments numbered four and fourteen (4 and 14).

3. That the following amendment be adopted by both House and Senate as a substitute for Senate amendment numbered fourteen (14) viz: "amend Section twenty-one of the bill by striking out all of said section after the colon following the word "words" in the fifth line and inserting in lieu thereof the following words: "When the boards of supervisors are of unequal number, each member of the board of the smallest number of members shall cast a full vote and each member of any larger board shall cast such fractional part of a full vote as may be determined by making the smallest number of the membership of any board the numerator and the number of the membership of any such larger board entitled to vote, the denominator of such fraction, so as to equalize the voting power of each board."

Respectfully submitted,

C. F. PETERSON,  
JOHN HAMMILL,  
FRED N. SMITH,  
L. E. FRANCIS,

*Members on the part of the Senate.*

PAUL E. STILLMAN,  
GEO. A. KELLOGG,  
F. G. DAVIDSON,  
JOHN W. JACOBS,

*Members on the part of the House.*

Adopted.

Stillman of Greene moved that the House concur in the Senate amendments and adopt the amendments to Section 1 as proposed by the Conference Committee.

On the question, Shall the House concur in the Senate amendments and adopt the committee amendments?

The ayes were:

Allred, Anderson, Arney, Balluff, Bascom, Bauman, Beans, Beebe, Beery, Blackmore, Boe, Boettger, Bonwell, Boomgaarden, Bowman, Brandes, Burt, Byerly, Cooper, Corrie, Cousins, Crozier, Crummer, Dabney, Dalby, Darrah, Davidson, Derrough, Dewell, Dewey, DeWitt, Dye, Ellis, Etter, Fenn, Finlayson, Fourt, Fox, Fulliam, Fulton, Goodykoontz, Hackler, Hanson, Harding, Harvey, Hickenlooper, Holmes, Hunter, Jacobs, Johnson, Jones, Kellogg, Kendall, Koontz, Kull, Larrabee, Lee, McCleery, McDonald, Meredith, Miller of Dubuque, Moore of Wapello, Moore of Linn, Newell, Penn, Perkins, Reaney, Reitz, Ripley, Ritter, Schee, Schroeder, Schulte, Sheldon, Smith, Stillman, Stoddard, Sullivan, Swan, Swift, Tegeler, Thompson, Tilton, White, Wolfe, Zeller, Mr. Speaker—87.

The nays were:

Cunningham, Klay—2.

Absent or not voting:

Calkins, Cassady, Dawson, Dodds, Drury, Elliott, Felt, Grier, Huffaker, Ide, Inman, Jewell, Marston, Miller of Dubuque, O'Connor, Sankey, Ward, Welden, Wilson—19.

So the House concurs in the Senate amendments and adopts the committee amendments.

White of Story moved that when the House adjourn it be until 7:30 o'clock P. M.

Motion prevailed.

The Speaker announced that as Speaker of the House, in the presence of the House, he had signed Senate File Nos. 348, 185, 224, 307, 51, 306, 359, and 206.

#### CONSIDERATION OF BILLS.

On motion of Cooper of Jasper, House File No. 501, a bill for an act permitting lower land owners to join tile to the tile of upper land owners, with report of committee recommending passage as amended, was taken up, considered, and the amendments adopted.

Cooper of Jasper moved that the rules be suspended, 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 ayes were:

Balluff, Bascom, Bauman, Beans, Beebe, Beery, Blackmore, Boe, Boettger, Bonwell, Boomgaarden, Bowman, Brandes, Burt, Byerly, Calkins, Coöper, Corrie, Cousins, Crozier, Dabney, Dalby, Darrah, Derrough, Dewell, Dewey, Dodds, Dye, Ellis, Fenn, Finlayson, Fourt, Fox, Fulliam, Goodykoontz, Hackler, Hanson, Hickenlooper, Hunter, Ide, Inman, Jacobs, Johnson, Jones, Kellogg, Kendall, Klay, Larrabee, Lee, McCleery, McDonald, Meredith, Miller of Dubuque, Moore of Wapello, Moore of Linn, Newell, O'Connor, Penn, Perkins, Reaney, Ripley, Ritter, Sankey, Schee, Schroeder, Schulte, Smith, Stillman, Stoddard, Sullivan, Swift, Tegeler, Thompson, Tilton, White, Wolfe, Zeller, Mr. Speaker—78.

The nays were:

Crummer, Harvey—2.

Absent or not voting:

Allred, Anderson, Arney, Cassady, Cunningham, Davidson, Dawson, DeWitt, Drury, Elliott, Etter, Felt, Fulton, Grier, Harding, Holmes, Huffaker, Jacobs, Koontz, Kull, Marston, Miller of Dubuque, Reitz, Sheldon, Swan, Ward, Welden, Wilson—28.

So the bill passed and the title was agreed to.

On motion of Beery of Henry, Senate File No. 327, a bill for an act to indemnify Mamie McMahan for personal injury sustained by her while employed as nurse at the Mt. Pleasant State Hospital, was taken up and considered.

Beery of Henry moved that the rules be suspended, the bill be read a third time now, which motion prevailed, and the bill was read a third time.

On the question, "Shall the bill pass?"

The ayes were:

Allred, Anderson, Balluff, Bascom, Bauman, Beans, Beebe, Beery, Blackmore, Boe, Boettger, Bonwell, Boomgaarden, Bowman, Burt, Byerly, Calkins, Cooper, Corrie, Cousins, Crozier, Crummer, Dabney, Dalby, Darrah, Derrough, Dewell, Dewey, DeWitt, Dodds, Dye, Ellis, Etter, Fenn, Finlayson, Fourt, Fox, Fulliam, Goodykoontz, Hanson, Harvey, Hickenlooper, Hunter, Ide, Inman, Jacobs, Jewell, Johnson, Jones, Kellogg, Kendall, Klay, Kull, Larrabee, Lee, McCleery, McDonald, Meredith, Miller of Dubuque, Moore of Wapello, Moore of Linn, Newell, O'Connor,

Penn, Perkins, Reaney, Reitz, Ripley, Ritter, Sankey, Schee, Schulte, Smith, Stillman, Stoddard, Sullivan, Swan, Swift, Tegeler, Thompson, Tilton, White, Wilson, Wolfe, Mr. Speaker—85.

The nays were:

None.

Absent or not voting:

Arney, Brandes, Cassady, Cunningham, Davidson, Dawson, Drury, Elliott, Felt, Fulton, Grier, Hackler, Harding, Holmes, Huffaker, Koontz, Marston, Miller of Bremer, Schroeder, Sheldon, Ward, Welden, Zeller—23.

So the bill passed and the title was agreed to.

On motion of Crozier of Marion, Senate File No. 81, a bill for an act to repeal Chapter One Hundred and Eighty-one (181) of the laws as enacted by the Thirty-second General Assembly of the State of Iowa, relating to the assumption of risks, and providing a substitute therefor, with report of committee recommending passage as amended, was taken up, considered, and the amendment adopted.

Crozier of Marion moved that the rules be suspended, the bill be read a third time now, which motion prevailed, and the bill was read a third time.

On the question, "Shall the bill pass?"

The ayes were:

Anderson, Bascom, Bauman, Beans, Beery, Boe, Boettger, Calkins, Cooper, Corrie, Cousins, Crozier, Dabney, Darrah, Davidson, Dawson, Derrough, Dewey, Dodds, Drury, Ellis, Etter, Fenn, Fulham, Goodykoontz, Hanson, Harding, Harvey, Hickenlooper, Hunter, Ide, Jacobs, Johnson, Jones, Kellogg, Kendall, Klay, Kull, Larrabee, Lee, McDonald, Miller of Dubuque, Moore of Wapello, Moore of Linn, O'Connor, Penn, Reitz, Sankey, Schee, Schulte, Smith, Sullivan, Swan, Swift, Thompson, Tilton, White, Wilson, Wolfe, Mr. Speaker—60.

The nays were:

Arney, Beebe, Blackmore, Bonwell, Boomgaarden, Brandes, Burt, Dewell, Dye, Finlayson, Fourt, Fox, Fulton, Huffaker, Inman, McCleery, Meredith, Reaney, Ripley, Schroeder, Stoddard, Welden—22.

## Absent or not voting :

Allred, Balluff, Bowman, Cassady, Crummer, Cunningham, Dalby, DeWitt, Elliott, Felt, Grier, Hackler, Holmes, Jewell, Koontz, Marston, Miller of Bremer, Newell, Perkins, Ritter, Sheldon, Stillman, Tegeler, Ward, Zeller—26.

So the bill passed and the title was agreed to.

On motion of Dye of Pottawattamie, Senate File No. 15, a bill for an act to repeal Section Two Thousand Seven Hundred Twenty-seven-a (2727-a), Supplement to the Code, 1907, and to enact a substitute therefor, providing funds for the support of the School for the Deaf at Council Bluffs, Iowa, was taken up and considered.

Dye of Pottawattamie moved that the rules be suspended, the bill be read a third time now, which motion prevailed, and the bill was read a third time.

On the question, "Shall the bill pass?"

The ayes were :

Allred, Anderson, Arney, Balluff, Bascom, Bauman, Beebe, Beery, Blackmore, Boe, Boettger, Bonwell, Boomgaarden, Bowman, Brandes, Burt, Byerly, Cassady, Cooper, Cousins, Crozier, Crummer, Dabney, Dalby, Darrah, Davidson, Dawson, Derrough, Dewell, Dewey, DeWitt, Dodds, Dye, Ellis, Etter, Fenn, Finlayson, Fourt, Fox, Fulliam, Fulton, Goodykoontz, Hanson, Harding, Harvey, Hickenlooper, Holmes, Huffaker, Hunter, Ide, Inman, Jewell, Jones, Kellogg, Kendall, Klay, Kull, Larrabee, Lee, McCleery, McDonald, Marston, Meredith, Miller of Dubuque, Moore of Wapello, Newell, O'Connor, Penn, Perkins, Reaney, Reitz, Ripley, Ritter, Sankey, Schee, Schroeder, Schulte, Sheldon, Smith, Stoddard, Sullivan, Swan, Swift, Tegeler, Tilton, Welden, White, Zeller, Mr. Speaker—89.

The nays were :

None.

Absent or not voting :

Beans, Calkins, Corrie, Cunningham, Drury, Elliott, Felt, Grier, Hackler, Jacobs, Johnson, Koontz, Miller of Bremer, Moore of Linn, Stillman, Thompson, Ward, Wilson, Wolfe—19.

So the bill passed and the title was agreed to.

On motion of Lee of Emmet, Senate File No. 157, a bill for an act to amend the law as it appears in Chapter Two (2)-A, Title Ten, (10), of the Supplement to the Code, 1907, relating to levees, ditches, drains and water-courses, and providing for work beyond the boundary lines of the district and for the acquirement by condemnation of lands therefor, by adding thereto the following, with report of committee recommending passage as amended, was taken up, considered, and the amendments adopted.

Lee of Emmet moved that the rules be suspended, the bill be read a third time now, which motion prevailed, and the bill was read a third time.

On the question, "Shall the bill pass?"

The ayes were:

Allred, Anderson, Arney, Balluff, Bascom, Bauman, Beans, Beebe, Beery, Blackmore, Boe, Boettger, Boomgaarden, Bowman, Brandes, Byerly, Calkins, Cassady, Cooper, Corrie, Crummer, Cunningham, Dalby, Darrah, Davidson, Dawson, Derrough, Dewell, DeWitt, Dodds, Dye, Ellis, Etter, Fenn, Fox, Fulliam, Hanson, Harding, Harvey, Hickenlooper, Holmes, Huffaker, Hunter, Ide, Inman, Jewell, Johnson, Jones, Kellogg, Klay, Koontz, Kull, Larabee, Lee, Marston, Meredith, Miller of Bremer, Miller of Dubuque, Moore of Wapello, Newell, O'Connor, Penn, Perkins, Reaney, Ritter, Sankey, Schee, Schroeder, Schulte, Sheldon, Smith, Sullivan, Swan, Tegeler, Thompson, Tilton, Welden, White, Wolfe, Zeller, Mr. Speaker—81.

The nays were:

None.

Absent or not voting:

Bonwell, Burt, Cousins, Crozier, Dabney, Dewey, Drury, Elliott, Felt, Finlayson, Fourt, Fulton, Goodykoontz, Grier, Hackler, Jacobs, Kendall, McCleery, McDonald, Moore of Linn, Reitz, Ripley, Stillman, Stoddard, Swift, Ward, Wilson—27.

So the bill passed and the title was agreed to.

On motion of Brandes of Pottawattamie, Senate File No. 179, a bill for an act to amend the law as it appears in Sections Two Hundred Fifty-four-a-thirteen (254-a-13), Two Hundred Fifty-



four-a-fourteen (254-a-14), Two Hundred Fifty-four-a-fifteen (254-a-15), Two Hundred Fifty-four-a-sixteen (254-a-16), Two Hundred Fifty-four-a-seventeen (254-a-17), Two Hundred Fifty-four-a-eighteen (254-a-18), Two Hundred Fifty-four-a-nineteen (254-a-19), Two Hundred Fifty-four-a-twenty (254-a-20), Two Hundred Fifty-four-a-twenty-one (254-a-21), Two Hundred Fifty-four-a-twenty-two (254-a-22), Two Hundred Fifty-four-a-twenty-three (254-a-23), Two Hundred Fifty-four-a-twenty-four (254-a-24), Two Hundred Fifty-four-a-twenty-five (254-a-25), Two Hundred Fifty-four-a-twenty-six (254-a-26), Two Hundred Fifty-four-a-twenty-seven (254-a-27), Two Hundred Fifty-four-a-twenty-eight (254-a-28), Two Hundred Fifty-four-a-29 (254-a-29), Two Hundred Fifty-four-a-thirty (254-a-30), of the Supplement to the Code, 1907, relating to juvenile courts, detention homes and schools, and conferring concurrent jurisdiction upon superior courts with district courts, of proceedings brought under said sections, was taken up and considered.

Brandes of Pottawattamie moved that the rules be suspended, the bill be read a third time now, which motion prevailed, and the bill was read a third time.

Harding of Woodbury in the Chair.

On the question, "Shall the bill pass?"

The ayes were:

Allred, Anderson, Arney, Balluff, Bascom, Bauman, Beebe, Beery, Blackmore, Boe, Boettger, Bonwell, Boomgaarden, Bowman, Brandes, Burt, Byerly, Calkins, Cassady, Cooper, Corrie, Cousins, Cunningham, Dabney, Darrah, Dawson, Derrough, Dewell, Dewey, DeWitt, Dodds, Dye, Ellis, Etter, Fenn, Finlayson, Fourt, Fox, Fulliam, Fulton, Goodykoontz, Hanson, Harding, Harvey, Hick-enlooper, Holmes, Huffaker, Hunter, Ide, Inman, Jewell, Johnson, Jones, Kellogg, Kendall, Kull, Larrabee, Lee, McCleery, McDonald, Marston, Meredith, Miller of Bremer, Moore of Wapello, O'Connor, Penn, Perkins, Ripley, Ritter, Sankey, Schulte, Sheldon, Smith, Stillman, Stoddard, Sullivan, Swan, Swift, Tegeler, Tilton, Welden, White, Zeller, Mr. Speaker—84.

The nays were:

Dalby—1.

Absent or not voting:

Beans, Crozier, Crummer, Davidson, Drury, Elliott, Felt, Grier, Hackler, Jacobs, Klay, Koontz, Miller of Dubuque, Moore of Linn, Newell, Reaney, Reitz, Schee, Schroeder, Thompson, Ward, Wilson, Wolfe—23.

So the bill passed and the title was agreed to.

On motion of Fulton of Jefferson, Senate File No. 278, a bill for an act in relation to holding district courts and the assignment of judges therefor, with report of committee recommending passage as amended, was taken up, considered, and the amendments adopted.

Fulton of Jefferson moved that the rules be suspended, the bill be read a third time now, which motion prevailed, and the bill was read a third time.

On the question, "Shall the bill pass?"

The ayes were:

Allred, Anderson, Arney, Bascom, Bauman, Beebe, Beery, Blackmore, Boe, Boettger, Bonwell, Boomgaarden, Bowman, Brandes, Burt, Cassady, Cooper, Corrie, Cousins, Crummer, Cunningham, Dalby, Darrah, Davidson, Dawson, Derrough, Dewell, Dewey, DeWitt, Drury, Dye, Fenn, Finlayson, Fourt, Fox, Fulton, Goodykoontz, Hanson, Harding, Hickenlooper, Holmes, Hunter, Ide, Inman, Jacobs, Jewell, Johnson, Jones, Kellogg, Larrabee, Lee, McCleery, Marston, Meredith, Moore of Wapello, Moore of Linn, Newell, Perkins, Ripley Sheldon, Stillman, Stoddard, Sullivan, Swan, Swift, Thompson, Welden, White, Mr. Speaker—69.

The nays were:

Balluff, Calkins, Crozier, Dabney, Elis, Etter, Fulliam, Huffaker, Kendall, Koontz, Kull, McDonald, Miller of Bremer, Miller of Dubuque, O'Connor, Perkins, Reitz, Ritter, Sankey, Schulte, Tegeler, Tilton, Zeller—22.

Absent or not voting:

Beans, Byerly, Dodds, Elliott, Felt, Grier, Hackler, Harvey, Klay, Penn, Reaney, Schee, Schroeder, Smith, Ward, Wilson, Wolfe—17.

So the bill passed and the title was agreed to.

On motion of Moore of Wapello, Senate File No. 340, a bill for an act amending the law as it appears in Section 2596-a of the Supplement to the Code, 1907, relating to the sale of cocaine and certain other drugs, was taken up and considered.

Moore of Wapello moved that the rules be suspended, the bill be read a third time now, which motion prevailed, and the bill was read a third time.

On the question, "Shall the bill pass?"

The ayes were :

Allred, Anderson, Arney, Balluff, Bascom, Bauman, Beans, Beebe, Beery, Blackmore, Boe, Bonwell, Boomgaarden, Bowman, Brandes, Burt, Cassady, Cooper, Corrie, Cousins, Crummer, Cunningham, Dabney, Dalby, Dawson, Derrough, Dewell, Dewey, DeWitt, Dodds, Ellis, Fenn, Finlayson, Fourt, Fox, Goodykoontz, Harding, Harvey, Hickenlooper, Holmes, Huffaker, Hunter, Ide, Inman, Jacobs, Jewell, Johnson, Jones, Kellogg, Kendall, Klay, Kull, Larrabee, Lee, McCleery, Marston, Meredith, Moore of Wapello, Moore of Linn, Newell, O'Connor, Reaney, Ripley, Ritter, Schroeder, Sheldon, Smith, Stillman, Sullivan, Swan, Swift, Welden, White, Zeller—74.

The nays were :

Byerly, Fulliam, Miller of Dubuque, Penn, Perkins, Sankey, Tegeler, Tilton—8.

Absent or not voting :

Boettger, Calkins, Crozier, Darrah, Davidson, Drury, Dye, Elliott, Etter, Felt, Fulton, Grier, Hackler, Hanson, Koontz, McDonald, Miller of Bremer, Reitz, Schee, Schulte, Stoddard, Thompson, Ward, Wilson, Wolfe, Mr. Speaker—26.

So the bill passed and the title was agreed to.

On motion of Crozier of Marion, House File No. 472, a bill for an act to amend the law as it now appears in Chapter 1, Title IX of the Supplement to the Code, relating to the issuance of capital stock of railway corporations, with report of committee recommending passage as amended by substitute amendment, was taken up, considered, and the substitute amendment adopted.

Speaker Feely in the Chair.

Schee of O'Brien proposed the following amendment:

I move to amend by adding to Section 1: "Provided that the promoters and stockholders of such railroad shall invest not less than 20 per cent of the amount of bonds such railroad company may be allowed to issue."

Amendment lost.

Crozier of Marion moved that the rules be suspended, 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 ayes were:

Allred, Anderson, Balluff, Bascom, Bauman, Beebe, Beery, Boe, Boettger, Bonwell, Boomgaarden, Bowman, Brandes, Burt, Byerly, Calkins, Cassady, Cooper, Corrie, Cousins, Crozier, Crummer, Dalby, Darrah, Davidson, Derrough, Dewey, DeWitt, Dodds, Dye, Ellis, Etter, Fenn, Finlayson, Fourt, Fox, Goodykoontz, Hanson, Harding, Hickenlooper, Huffaker, Hunter, Ide, Jacobs, Jewell, Johnson, Jones, Kendall, Klay, Koontz, Kull, McCleery, Meredith, Miller of Bremer, Miller of Dubuque, Moore of Wapello, Moore of Linn, O'Connor, Penn, Reaney, Reitz, Ripley, Ritter, Sankey, Sheldon, Smith, Stillman, Stoddard, Sullivan, Swan, Tegeler, Thompson, Tilton, Welden, Wilson, Zeller, Mr. Speaker—77.

The nays were:

Dabney, Dawson, Drury, Larrabee, Lee, Marston, Newell, Perkins, Schee, Schulte—10.

Absent or not voting:

Arney, Beans, Blackmore, Cunningham, Dewell, Elliott, Felt, Fulliam, Fulton, Grier, Hackler, Harvey, Holmes, Inman, Kellogg, McDonald, Schroeder, Swift, Ward, White, Wolfe—21.

So the bill passed and the title was agreed to.

On motion of Boettger of Scott, substitute for Senate File No. 285, a bill for an act to repeal Section Thirteen Hundred and Six-e (1306-e) of the Supplement to the Code, 1907, relating to the issuance of bonds by cities and towns, and to enact a substi-

tute therefor, relating to the same subject, was taken up and considered.

Schee of O'Brien proposed the following amendment:

I move to amend Section 2 by adding thereto the following: "Provided no bonds issued under the authority of this act shall bear over five per centum per annum."

Amendment lost.

Schee of O'Brien proposed the following amendment:

I move to amend by striking out the words "and towns" and "or towns" wherever they occur.

Amendment lost.

Boettger of Scott moved that the rules be suspended, the bill be read a third time now, which motion prevailed, and the bill was read a third time.

On the question, "Shall the bill pass?"

The ayes were:

Allred, Balluff, Bascom, Bauman, Beebe, Beery, Boe, Boettger, Brandes, Burt, Byerly, Calkins, Cassady, Cooper, Corrie, Cunningham, Dalby, Davidson, Derrough, Dewell, Dewey, DeWitt, Dodds, Ellis, Etter, Fenn, Finlayson, Fourt, Fox, Fulliam, Fulton, Goodykoontz, Hanson, Harding, Harvey, Hickenlooper, Holmes, Huffaker, Hunter, Inman, Jewell, Johnson, Jones, Kellogg, Kendall, Koontz, Kull, Larrabee, McCleery, Meredith, Miller of Bremer, Miller of Dubuque, Moore of Wapello, O'Connor, Penn, Reaney, Ritter, Schulte, Smith, Stoddard, Sullivan, Swan, Swift, Tegeler, Thompson, Tilton, Welden, White, Wilson, Zeller, Mr. Speaker—71.

The nays were:

Anderson, Boomgaarden, Drury, Moore of Linn, Reitz, Sankey, Schee, Sheldon—8.

Absent or not voting:

Arney, Beans, Blackmore, Bonwell, Bowman, Cousins, Crozier, Crummer, Dabney, Darrah, Dawson, Dye, Elliott, Felt, Grier, Hackler, Ide, Jacobs, Klay, Lee, McDonald, Marston, Newell, Perkins, Ripley; Schroeder, Stillman, Ward, Wolfe—29.

So the bill passed and the title was agreed to.

MESSAGES FROM THE SENATE.

The following messages were received from the Senate:

MR. SPEAKER—I am directed to inform your honorable body that the Senate has passed the following bill in which the concurrence of the House is asked:

Senate File No. 378, a bill for an act providing a punishment for the purchase of intoxicating liquors.

S. W. NEAL,  
*Secretary.*

Also:

MR. SPEAKER—I am directed to inform your honorable body that the Senate has indefinitely postponed the following bill in which the concurrence of the Senate was asked:

House File No. 467, a bill for an act relating to banks as depositaries.

S. W. NEAL,  
*Secretary.*

Also:

MR. SPEAKER—I am directed to inform your honorable body that the Senate has concurred in House amendments to Senate File No. 383, a bill for an act relating to drainage bonds.

S. W. NEAL,  
*Secretary.*

Also:

MR. SPEAKER—I am directed to inform your honorable body that the Senate has concurred in House amendments to Senate File No. 422, a bill for an act to legalize the ordinances of the town of Laurens, Iowa.

S. W. NEAL,  
*Secretary.*

Also:

MR. SPEAKER—I am directed to inform your honorable body that the Senate has concurred in House amendments to Senate File No. 348, a bill for an act relating to the report of criminal statistics.

S. W. NEAL,  
*Secretary.*

Also:

MR. SPEAKER—I am directed to inform your honorable body that the Senate has concurred in the following concurrent resolution, in which the concurrence of the Senate was asked:

Relative to the shipment of supplies of the members of the Thirty-third General Assembly.

S. W. NEAL,  
*Secretary.*

Also:

MR. SPEAKER—I am directed to inform your honorable body that the Senate has indefinitely postponed the following bill in which the concurrence of the Senate was asked:

House File No. 344, a bill for an act to provide for the maintenance of certain cemeteries and to provide a tax for such purpose.

S. W. NEAL,  
*Secretary.*

Also:

MR. SPEAKER—I am directed to inform your honorable body that the Senate has passed the following bill in which the concurrence of the Senate was asked:

House File No. 543, a bill for an act relating to the issuance of bonds by the city of New Hampton, Iowa.

S. W. NEAL,  
*Secretary.*

Also:

MR. SPEAKER—I am directed to inform your honorable body that the Senate has indefinitely postponed the following bill in which the concurrence of the Senate was asked:

House File No. 90, a bill for an act relating to the taxation of National, State and Savings banks.

S. W. NEAL,  
*Secretary.*

Also:

MR. SPEAKER—I am directed to inform your honorable body that the Senate has indefinitely postponed the following bill in which the concurrence of the Senate was asked:

House File No. 484, a bill for an act relating to the operation of State and Savings banks.

S. W. NEAL,  
*Secretary.*

Also:

MR. SPEAKER—I am directed to inform your honorable body that the Senate has amended and failed to pass the following bill in which the concurrence of the Senate was asked:

House File No. 36, a bill for an act providing for the assessment of cost of the sprinkling of streets on the property benefitted thereby.

S. W. NEAL,  
*Secretary.*

Also:

MR. SPEAKER—I am directed to inform your honorable body that the Senate has passed the following bill in which the concurrence of the Senate was asked:

House File No. 207, a bill for an act to encourage the dairy industry of the State.

S. W. NEAL,  
*Secretary.*

Also:

MR. SPEAKER—I am directed to inform your honorable body that the Senate has passed the following bill in which the concurrence of the Senate was asked:

House File No. 508, a bill for an act relating to the government of certain cities.

S. W. NEAL,  
*Secretary.*

Also:

MR. SPEAKER—I am directed to inform your honorable body that the Senate has passed the following bill in which the concurrence of the Senate was asked:

House File No. 544, a bill for an act legalizing the Acts and proceedings of the city council of the city of Oelwein, Iowa.

S. W. NEAL,  
*Secretary.*

Also:

MR. SPEAKER—I am directed to inform your honorable body that the President pro tempore of the Senate has appointed as members of the joint committee pursuant to House Joint Resolution No. 7, in which the concurrence of the Senate was asked, providing for the appointment of a joint committee to buy a chair and gavel for the Speaker of the House and President of the Senate: Senators Maytag, Larrabee, and Clarkson.

S. W. NEAL,  
*Secretary.*

Also:

MR. SPEAKER—I am directed to inform your honorable body that the Senate has concurred in House amendments to substitute for Senate File No. 71, a bill for an act providing for the destruction of weeds and noxious weeds on the public highways and lands adjacent thereto; and the destruction of noxious weeds on railway right of ways and grounds and making it the duty of the township trustees and county supervisors to enforce the provisions of this act.

S. W. NEAL,  
*Secretary.*

Also:

MR. SPEAKER—I am directed to inform your honorable body that the Senate has concurred in House amendments to Senate File No. 131, a bill for an act to repeal Sections 208, 209 and 210 of the Code, relating to the office and duties of the Attorney General and to enact a substitute therefor.

S. W. NEAL,  
*Secretary.*

Also:

MR. SPEAKER—I am directed to inform your honorable body that the Senate has indefinitely postponed Joint Resolution in which the concurrence of the Senate was asked:



Joint Resolution No. 5, Joint Resolution and Memorial requesting Congress under the provisions of Article five of the Constitution of the United States, to call a convention to propose an amendment to the constitution of the United States, whereby polygamous cohabitation shall be prohibited and Congress given power to enforce such prohibition by appropriate legislation.

S. W. NEAL,  
*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. 263, a bill for an act making appropriation for the payment of the expenses incurred under special committee appointed in the contest of A. F. N. Hambleton vs. John F. Ream.

S. W. NEAL,  
*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. 161, a bill for an act to amend Chapter 120 of the laws of the Twenty-sixth General Assembly by making it the duty of Dickinson county to maintain the dam in said act provided for and granting an appropriation of \$1,000 to aid therein.

S. W. NEAL,  
*Secretary.*

Also:

MR. SPEAKER—I am directed to inform your honorable body that the Senate has amended by substitute and passed the following bill in which the concurrence of the Senate was asked:

House File No. 263, a bill for an act relating to the investment of funds of insurance companies other than life.

S. W. NEAL,  
*Secretary.*

Also:

MR. SPEAKER—I am directed to inform your honorable body that the Senate has passed the following bill in which the concurrence of the Senate was asked:

House File No. 406, a bill for an act to amend Section twenty-eight hundred twenty-three-a (2823-a) Supplement to the Code, 1907, relating to the duties of parents or guardians.

S. W. NEAL,  
*Secretary.*

## SENATE MESSAGES CONSIDERED.

Senate File No. 263, a bill for an act to make appropriations for the payment of expenses incurred under the special committee appointed in the contest of A. F. N. Hambleton, contestant vs. John F. Ream, incumbent, and to make an appropriation therefor.

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

Senate File No. 378, a bill for an act defining the offense and providing a punishment for the inducing of the purchase of intoxicating liquors by persons to whom the sale of such liquors is forbidden by law.

Read first and second time and referred to Sifting Committee.

Senate File No. 161, a bill for an act to amend Chapter One Hundred Twenty (120) of the laws of the Twenty-sixth General Assembly, by making it the duty of Dickinson County to maintain the dam in said act provided for, and granting an appropriation of One Thousand Dollars (\$1,000.00) to aid therein.

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

## SENATE AMENDMENTS CONSIDERED.

On request of Kellogg of Harrison, unanimous consent having been given, House File No. 263, with the following Senate amendments, was taken up and the amendments read and considered.

## SENATE SUBSTITUTE FOR HOUSE FILE NO. 263.

A Bill for an Act to Repeal the Law as it Appears in Section Sixteen Hundred Ninety-nine (1699) of the Code Relating to the Investment of Funds of Insurance Companies other than Life, Organized under Chapter Four (4) of the Code and to Enact a Substitute Therefor.

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

SECTION 1. Section sixteen hundred ninety-nine (1699) of the Code is hereby repealed and the following enacted in lieu thereof: "Any company organized under this chapter may invest its capital and funds in the following described securities and no other.

1. The bonds of the United States.
2. The bonds of the State or of any other State, when such bonds are at or above par.
3. Bonds or other evidences of indebtedness of any county, city, town or school district within the State or any other State, drainage district

bonds of this State, improvement certificates issued by any municipal corporation of this State, such certificates being a first lien upon real estate within the corporate limits of the municipality issuing the same, where such bonds, or other evidences of indebtedness are issued by authority of and according to law and bearing interest.

4. Bonds and mortgages and other interest bearing securities being first liens upon real estate within this State or any other State worth at least double the amount loaned thereon and secured thereby exclusive of improvements, or two and one-half times such amount including the improvements thereon but no such improvements shall be considered in estimating the value unless the owner shall contract to keep the same insured during the life of the loan, in some reliable fire insurance company or companies authorized to do business in the State, other than the company making the investment, in a sum at least double the excess of the loan above one-half the value of the ground exclusive of the improvements, the insurance to be made payable in case of loss to the company or association investing its funds, as its interest may appear at the time of loss; except that the surplus funds may be invested in stocks other than bank stock or in bonds or other evidence of indebtedness of any solvent dividend paying corporation organized under the laws of any of the States, or of the United States, or may be loaned thereon upon pledge thereof, at not exceeding eighty per cent of their current market value but no investment shall be made in the companies' own stock.

Kellogg of Harrison moved that the House concur in the Senate amendments.

On the question, "Shall the House concur?"

The ayes were:

Allred, Anderson, Arney, Balluff, Bascom, Bauman, Beans, Beebe, Beery, Blackmore, Boe, Boettger, Bonwell, Bowman, Burt, Byerly, Calkins, Cooper, Corrie, Cousins, Crozier, Crummer, Dabney, Dalby, Darrah, Davidson, Derrrough, Dewell, Dewey, DeWitt, Dodds, Dye, Ellis, Etter, Fenn, Finlayson, Fourt, Fulton, Goodykoontz, Hackler, Hanson, Harvey, Hickenlooper, Holmes, Hunter, Ide, Inman, Johnson, Jones, Kellogg, Kendall, Klay, Koontz, Kull, Larrabee, Lee, McCleery, McDonald, Moore of Wapello, Moore of Linn, Newell, O'Connor, Reaney, Reitz, Ripley, Ritter, Schee, Schulte, Sheldon, Smith, Stillman, Stoddard, Sullivan, Swan, Swift, Tegeler, Thompson, Tilton, White, Wilson, Wolfe, Zeller, Mr. Speaker—85.

The nays were:

Boomgaarden, Dawson, Fulliam, Schroeder—4.

Absent or not voting:

Cassady, Cunningham, Drury, Elliott, Felt, Fox, Grier, Harding, Huffaker, Jewell, Marston, Meredith, Miller of Bremer, Miller of Dubuque, Penn, Perkins, Sankey, Ward, Welden—19.

So the House concurs.

O'Connor of Chickasaw and Dewey of Guthrie escorted ex-Governor Folk to the Speaker's station and he then addressed the members of the House.

#### MOTION TO RECONSIDER.

I move to reconsider the vote by which substitute for Senate File No. 158 passed the House.

B. F. STODDARD

I second the motion.

THOS. HICKENLOOPER.

Roll call demanded by Jacobs of Calhoun and Inman of Floyd.

Beery of Henry moved that the motion to reconsider be laid on the table.

Roll call demanded by Jacobs of Calhoun and O'Connor of Chickasaw.

On the question, "Shall the motion lay on the table?"

The ayes were:

Arney, Balluff, Beery, Boettger, Boomgaarden, Bowman, Cassady, Corrie, Cousins, Darrah, Derrrough, Drury, Dye, Fulton, Harding, Johnson, Jones, Klay, Larrabee, Reaney, Ritter, Smith, Swift, White,—24.

The nays were:

Allred, Anderson, Bascom, Bauman, Beans, Beebe, Boe, Bonwell, Burt, Cooper, Crummer, Cunningham, Dabney, Dalby, Davidson, Dawson, Dewey, DeWitt, Dodds, Etter, Fenn, Finlayson, Fourt, Fox, Fulliam, Goodykoontz, Hanson, Harvey, Hickenlooper, Holmes, Huffaker, Hunter, Ide, Inman, Jacobs, Jewell, Kellogg, Kendall, Kull, Lee, McCleery, Marston, Meredith, Miller of Bremer, Miller of Dubuque, Moore of Wapello, Moore of Linn, Newell, O'Connor, Penn, Perkins, Ripley, Sankey, Schee, Schroeder, Schulte, Sheldon, Stillman, Stoddard, Swan, Tegeler, Thompson, Tilton, Welden, Wilson, Zeller, Mr. Speaker—67.

Absent or not voting :

Blackmore, Brandes, Byerly, Calkins, Crozier, Dewell, Elliott, Ellis, Felt, Grier, Hackler, Koontz, McDonald, Reitz, Sullivan, Ward, Wolfe—17.

So the motion was lost.

On the question, "Shall the House reconsider?"

The ayes were :

Allred, Anderson, Bauman, Beans, Beebe, Boe, Brandes, Burt, Calkins, Cooper, Crummer, Cunningham, Dabney, Dalby, Davidson, Dewey, DeWitt, Etter, Fenn, Finlayson, Fox, Fulliam, Goodykoontz, Hanson, Harvey, Hickenlooper, Huffaker, Hunter, Ide, Inman, Jacobs, Kellogg, Kendall, Kull, Lee, Marston, Meredith, Miller of Bremer, Miller of Dubuque, Moore of Wapello, Moore of Linn, Newell, O'Connor, Penn, Perkins, Ripley, Sankey, Schroeder, Schulte, Sheldon, Stoddard, Swan, Tegeler, Thompson, Tilton, Wilson, Zeller—57.

The nays were :

Arney, Balluff, Bascom, Beery, Bonwell, Boomgaarden, Cassady, Corrie, Cousins, Darrah, Dawson, Derrough, Dewell, Dodds, Dye, Fourt, Fulton, Harding, Jewell, Johnson, Jones, Klay, Larabee, Reaney, Reitz, Ritter, Smith, Stillman, Swift, Welden, White—32.

Absent or not voting :

Blackmore, Boettger, Bowman, Byerly, Crozier, Elliott, Ellis, Felt, Grier, Hackler, Holmes, Koontz, McCleery, McDonald, Schee, Sullivan, Ward, Wolfe, Mr. Speaker—19.

So the motion prevailed.

I move to reconsider the vote by which Senate File No. 158 passed to its third reading.

B. F. STODDARD.

I second the motion.

THOS. HICKENLOOPER.

Motion prevailed.

Jacobs of Calhoun moved that the House request the recall from the Senate of substitute for Senate File No. 158.

Motion prevailed.

Sullivan of Polk moved that House File No. 536 be withdrawn from the Sifting Committee and the further consideration of the House.

Motion prevailed.

- Moore of Linn moved that the House adjourn.

Motion prevailed.

#### NIGHT SESSION.

House met pursuant to adjournment.

Speaker pro tempore Lee in the Chair.

On request of Larrabee of Fayette, leave of absence was granted Davidson of Palo Alto until Thursday.

#### MESSAGES FROM THE SENATE.

The following messages were received from the Senate:

MR. SPEAKER—I am directed to inform your honorable body that the Senate has passed the following bill in which the concurrence of the House is asked:

Senate File No. 418, a bill for an act providing for the removal of appointive officers.

S. W. NEAL,  
*Secretary.*

Also:

MR. SPEAKER—I am directed to inform your honorable body that the Senate has amended and passed the following bill in which the concurrence of the Senate was asked:

House File No. 537, a bill for an act defining the character of vouchers upon which warrants shall be drawn.

S. W. NEAL,  
*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:

Substitute for Senate File No. 386, a bill for an act to define gift enterprise and authorizing special charter cities and cities of first and second class to license tax and regulate same.

S. W. NEAL,  
*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:

Substitute for Senate File No. 391, a bill for an act to prohibit the improper use of milk and cream cans, defining the same and providing a penalty therefor.

S. W. NEAL,  
*Secretary.*

#### SENATE MESSAGES CONSIDERED.

Senate File No. 418, a bill for an act providing for the removal of appointive State officials, members of Boards, members of Commissions, commissioners, and persons appointed by the same.

Read first and second time and referred to Sifting Committee.

Substitute for Senate File No. 391, a bill for an act providing for the filing and registering with the Secretary of State, a distinctive mark of ownership of milk and cream cans; require the payment of a fee for such registration; defining the improper use of such milk and cream cans, and providing a penalty therefor.

Read first and second time and referred to Sifting Committee.

Substitute for Senate File No. 386, a bill for an act to define gift enterprises and to provide a penalty for carrying on the same.

Read first and second time and referred to Sifting Committee.

#### REPORTS OF COMMITTEES.

Moore of Linn, from the Committee on Appropriations, submitted the following report:

MR. SPEAKER—Your committee on Appropriations, to whom was referred Senate File No. 252, a bill for an act providing for the appointment of visiting committees from the members of the General Assembly to visit the State institutions prior to the convening of each regular session, and make appropriations therefor, beg leave to report they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same be indefinitely postponed.

ERNEST R. MOORE,  
*Chairman.*

Adopted, and Senate File No. 252 was indefinitely postponed.

Also:

MR. SPEAKER—Your committee on Appropriations, to whom was referred Senate File No. 410, a bill for an act making an appropriation for

the Farmers' Institute of Pocahontas county, Iowa, under the provisions of Section 1675 of the Supplement to the Code, 1907, beg leave to report they have had the same under consideration and recommend the same do pass.

ERNEST R. MOORE,  
*Chairman.*

Adopted.

White of Story, from the Sifting Committee, submitted the following report:

MR. PRESIDENT—Your Sifting Committee to whom was referred Senate File No. 130, a bill for an act, providing for the punishment of intoxication, use of profane, indecent, or boisterous language, or disturbing the peace and quiet of any railway station or car, beg leave to report they have had the same under consideration and recommend the same be amended as follows:

By striking out all after the enacting clause and inserting in lieu thereof the attached substitute.

SECTION 1. If any person be found in a state of intoxication at any railway station, or upon any railway train or street car, or publicly using profane, indecent or boisterous language to the disturbance of the public peace and quiet at or in any such places, he shall be guilty of a misdemeanor, and upon conviction thereof be fined in a sum not exceeding one hundred dollars, or be imprisoned in the county jail not more than thirty days.

Sec. 2. For the purpose of the enforcement of the provisions of this act, and while on duty in the line of their employment only, all railway station agents, and all railway and street car conductors, are hereby declared to be peace officers, with the same authority, and subject to the same responsibilities, as constables, except that they shall not be required to qualify as such, nor shall they receive any compensation whatsoever from the State for any services performed hereunder.

Sec. 3. Any person arrested under the provisions of this act shall, together with such list of the names and post office addresses of witnesses to the alleged offense as are obtainable, be delivered without necessary delay to any local peace officer of this State, whose duty it shall be to forthwith file, or cause to be filed, against such person, an information, upon which a warrant of arrest shall be issued, and said accused taken thereunder before the proper magistrate to be dealt with as by law provided.

SEC. 4. It shall be lawful for any conductor acting as such peace officer to use all lawful means to prevent the entry into any car under his control of any intoxicated person not in the custody of a peace officer, and shall have the further right to eject from any such car in a lawful manner, and at proper times and places, any intoxicated person, or any person publicly using profane, indecent or boisterous language to the



disturbance of the public peace and quiet, and when so amended the bill do pass.

GEO. C. WHITE,  
*Chairman.*

Adopted.

#### CONCURRENT RESOLUTION.

Kellogg of Harrison offered the following concurrent resolution and moved its adoption:

*Be it Resolved by the House, the Senate Concurring:*

That the Secretary of State be directed to compile and publish in pamphlet form for general distribution six thousand copies each of the drainage, amended primary and road laws of the State, as soon as possible after the adjournment of the Thirty-third General Assembly.

Unanimous consent was asked for the immediate consideration of the resolution.

Resolution adopted.

Harding of Woodbury moved that Senate File No. 130 and the substitute amendment be made a Special Order for 9:00 o'clock, A. M., Thursday, April 8th.

Motion prevailed.

#### SENATE AMENDMENTS CONSIDERED.

On request of Moore of Linn, unanimous consent having been given, House File No. 537, a bill for an act repealing Section One Hundred Sixty-two (162) of the Code and One Hundred Sixty-three-a (163-a) and One Hundred Sixty-three-b (153-b) of the Supplement to the Code, 1907, defining the character of vouchers upon which warrants shall be drawn by the Auditor of State upon the state treasury and requiring a biennial report of state expenses for the several state offices, boards, commissions and institutions, to be made by the executive council, with Senate amendments, was taken up and the amendments read and considered.

Amend Section 1 by inserting after the word "therefor" and before the period in the sixteenth line as the same appears in the Journal, the following: "Except that when goods or material are purchased in foreign countries, warrants may be drawn upon the state treasurer, payable to bearer for net amount of invoice and

current exchange, and the state treasurer shall furnish such foreign draft payable to order of person, firm or corporation from whom purchase is made."

Moore of Linn moved that the House concur in the Senate amendments.

On the question, Shall the House concur?

The ayes were:

Allred, Anderson, Arney, Bascom, Bauman, Beebe, Boe, Bonwell, Boomgaarden, Bowman, Brandes, Burt, Calkins, Cooper, Corrie, Cousins, Crozier, Crummer, Dabney, Dawson, Dewell, Dewey, DeWitt, Dodds, Etter, Fenn, Fulliam, Fulton, Goodykoontz, Grier, Hanson, Harvey, Hickenlooper, Hunter, Ide, Inman, Jacobs, Jewell, Jones, Kellogg, Kendall, Klay, Koontz, Kull, Larrabee, Lee, McCleery, McDonald, Marston, Miller of Dubuque, Moore of Wapello, Moore of Linn, Newell, O'Connor, Penn, Perkins, Reaney, Reitz, Ripley, Ritter, Schee, Schulte, Sheldon, Stoddard, Sullivan, Tegeler, Tilton, Welden, White, Mr. Speaker—70.

The nays were:

None.

Absent or not voting:

Balluff, Beans, Beery, Blackmore, Boettger, Byerly, Cassady, Cunningham, Dalby, Darrah, Davidson, Derrough, Drury, Dye, Elliott, Ellis, Felt, Finlayson, Fourt, Fox, Hackler, Harding, Holmes, Huffaker, Johnson, Meredith, Miller of Bremer, Sankey, Schroeder, Smith, Stillman, Swan, Swift, Thompson, Ward, Wilson, Wolfe, Zeller—38.

So the House concurs.

#### CONSIDERATION OF BILLS.

On motion of Dabney of Davis, Senate File No. 538, a bill for an act to repeal Chapter Two-a (2-a), Title XII of the Supplement to the Code, Nineteen Hundred and Seven, 1907, relating to the detention and treatment of dipsomaniacs, inebriates and those addicted to the excessive use of narcotics, was taken up and considered.

Dabney of Davis proposed the following amendment:

I move to amend Section 2 by striking out the period at the end thereof and adding the following "which real estate the

Board of Control shall lease for the year 1910. This act shall take effect January 1st, 1910."

Amendment adopted.

Arney of Marshall proposed the following amendment:

I move to amend by striking out Section 2 and inserting in lieu thereof: "The Board of Control is hereby authorized to make such disposition of the Inebriates Home at Knoxville as they may see fit except the real estate belonging thereto."

Amendment lost.

Arney of Marshall proposed the following amendment:

I move to amend by striking from line 1 of Section 2, the words "and directed."

Amendment adopted.

Dabney of Davis moved that the rules be suspended, the bill be read a third time now, which motion prevailed, and the bill was read a third time.

On the question, "Shall the bill pass?"

The ayes were:

Anderson, Arney, Balluff, Bascom, Beans, Beebe, Bowman, Calkins, Cooper, Crummer, Cunningham, Dabney, Dewell, Dewey, Dodds, Fenn, Fulliam, Harding, Hickenlooper, Jacobs, Jones, Kellogg, Kendall, Klay, Larrabee, McCleery, McDonald, Miller of Dubuque, Moore of Wapello, Moore of Linn, Reaney, Ripley, Ritter, Schulte, Sheldon, Stoddard, Swan, Tegeler, White—39.

The nays were:

Allred, Bauman, Boe, Boomgaarden, Brandes, Burt, Corrie, Cousins, Crozier, Dawson, DeWitt, Etter, Fulton, Goodykoontz, Grier, Hanson, Harvey, Hunter, Ide, Inman, Jewell, Koontz, Kull, Lee, Marston, Miller of Bremer, Newell, Penn, Perkins, Reitz, Schee, Sullivan, Tilton, Welden—34.

Absent or not voting:

Beery, Blackmore, Boettger, Bonwell, Byerly, Cassady, Dalby, Darrah, Davidson, Derrough, Drury, Dye, Elliott, Ellis, Felt, Finlayson, Fourt, Fox, Hackler, Holmes, Huffaker, Johnson, Mere-

dith, O'Connor, Sankey, Schroeder, Smith, Stillman, Swift, Thompson, Ward, Wilson, Wolfe, Zeller, Mr. Speaker—35.

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

On motion of Harding of Woodbury, Senate File No. 395, a bill for an act to legalize certain notices of incorporation, was taken up and considered.

Harding of Woodbury moved that the rules be suspended, the bill be read a third time now, which motion prevailed, and the bill was read a third time.

On the question, "Shall the bill pass?"

The ayes were :

Allred, Anderson, Arney, Balluff, Bascom, Bauman, Beans, Beebe, Boe, Bowman, Brandes, Burt, Calkins, Cooper, Crummer, Dabney, Dewell, Dewey, Dodds, Dye, Etter, Fenn, Fourn, Fulliam, Fulton, Goodykoontz, Grier, Hanson, Harding, Harvey, Hickenlooper, Hunter, Ide, Jacobs, Jewell, Jones, Kellogg, Kendall, Klay, Koontz, Kull, Larrabee, Lee, McCleery, McDonald, Marston, Miller of Bremer, Miller of Dubuque, Moore of Wapello, Moore of Linn, Newell, O'Connor, Penn, Perkins, Reaney, Ripley, Ritter, Schulte, Sheldon, Stoddard, Sullivan, Swan, Tegeler, Thompson, Tilton, Welden, White—67.

The nays were :

None.

Absent or not voting :

Beery, Blackmore, Boettger, Bonwell, Boomgaarden, Byerly, Cassady, Cousins, Corrie, Crozier, Cunningham, Dalby, Darrah, Davidson, Dawson, Derrough, DeWitt, Drury, Elliott, Ellis, Felt, Finlayson, Fox, Hackler, Holmes, Huffaker, Inman, Johnson, Meredith, Reitz, Sankey, Schee, Schroeder, Smith, Stillman, Swift, Ward, Wilson, Wolfe, Zeller, Mr. Speaker—41.

So the bill passed and the title was agreed to.

On motion of Ripley of Hancock, Senate File No. 370, a bill for an act to enjoin and abate houses of lewdness, assignation and

prostitution, to declare the same to be nuisances, to enjoin the person or persons who conduct or maintain the same and the owner or agent of any building used for such purpose, and to assess a tax against the person maintaining said nuisance and against the building and owner thereof was taken up and considered.

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

Speaker Feely in the Chair.

On the question, "Shall the bill pass?"

The ayes were :

Allred, Anderson, Arney, Bascom, Bauman, Beans, Beebe, Boe, Bonwell, Boomgaarden, Bowman, Brandes, Burt, Calkins, Cooper, Corrie, Cousins, Crozier, Crummer, Dabney, Dawson, Dewell, Dewey, DeWitt, Dodds, Fenn, Fourt, Fulton, Goodykoontz, Grier, Harvey, Hickenlooper, Hunter, Ide, Inman, Jacobs, Jewell, Jones, Kellogg, Kendall, Klay, Koontz, Kull, Larrabee, Lee, McCleery, McDonald, Marston, Miller of Dubuque, Moore of Wapello, Moore of Linn, Newell, O'Connor, Perkins, Reaney, Reitz, Ripley, Ritter, Schee, Schulte, Stoddard, Sullivan, Swan, Tegeler, Thompson, Tilton, Welden, White—68.

The nays were :

None.

Absent or not voting :

Balluff, Beery, Blackmore, Boettger, Byerly, Cassady, Cunningham, Dalby, Darrah, Davidson, Derrrough, Drury, Dye, Elliott, Ellis, Etter, Felt, Finlayson, Fox, Fulliam, Hackler, Hanson, Harding, Holmes, Huffaker, Johnson, Meredith, Miller of Bremer, Penn, Sankey, Schroeder, Sheldon, Smith, Stillman, Swift, Ward, Wilson, Wolfe, Zeller, Mr. Speaker—40.

So the bill passed and the title was agreed to.

On motion of White of Story, Senate File No. 417, a bill for an act relating to the levy of a millage tax for the State University of Iowa, was taken up and considered.

White of Story moved that the rules be suspended, the bill be read a third time now, which motion prevailed, and the bill was read a third time.

On the question, "Shall the bill pass?"

The ayes were :

Allred, Anderson, Arney, Balluff, Bascom, Bauman, Beans, Beebe, Boe, Bonwell, Boomgaarden, Bowman, Brandes, Burt, Calkins, Cooper, Corrie, Cousins, Crozier, Crummer, Dabney, Dawson, Dewell, Dewey, DeWitt, Dodds, Etter, Fenn, Fourn, Fulham, Fulton, Goodykoontz, Grier, Hanson, Harding, Harvey, Hickenlooper, Hunter, Ide, Inman, Jacobs, Jewell, Jones, Kellogg, Kendall, Klay, Koontz, Kull, Larrabee, Lee, McCleery, McDonald, Marston, Miller of Bremer, Miller of Dubuque, Moore of Wapello, Moore of Linn, Newell, O'Connor, Penn, Reaney, Reitz, Ripley, Ritter, Schee, Schulte, Sheldon, Stoddard, Sullivan, Swan, Tegeler, Tilton, Welden, White, Mr. Speaker—75.

The nays were :

None.

Absent or not voting :

Beery, Blackmore, Boettger, Byerly, Cassady, Cunningham, Dalby, Darrah, Davidson, Derrough, Drury, Dye, Elliott, Ellis, Felt, Finlayson, Fox, Hackler, Holmes, Huffaker, Johnson, Meredith, Perkins, Sankey, Schroeder, Smith, Stillman, Swift, Thompson, Ward, Wilson, Wolfe, Zeller—33.

So the bill passed and the title was agreed to.

On motion of White of Story, Senate File No. 420, a bill for an act relating to the levy of a millage tax for the State Normal School, was taken up and considered.

White of Story moved that the rules be suspended, the bill be read a third time now, which motion prevailed, and the bill was read a third time.

On the question, "Shall the bill pass?"

The ayes were :

Allred, Anderson, Arney, Balluff, Bascom, Bauman, Beans, Beebe, Bonwell, Boomgaarden, Bowman, Brandes, Burt, Calkins,

Cooper, Corrie, Cousins, Crozier, Crummer, Dabney, Dawson, Dewell, Dewey, DeWitt, Dodds, Etter, Fenn, Fourt, Fulliam, Fulton, Goodykoontz, Grier, Hanson, Harding, Hickenlooper, Hunter, Ide, Inman, Jacobs, Jewell, Jones, Kellogg, Kendall, Klay, Koontz, Kull, Larrabee, Lee, McCleery, McDonald, Marston, Miller of Bremer, Miller of Dubuque, Moore of Wapello, Moore of Linn, O'Connor, Penn, Perkins, Reaney, Reitz, Ripley, Ritter, Schee, Schulte, Sheldon, Stoddard, Sullivan, Swan, Tegeler, Tilton, Welden, White, Mr. Speaker—73.

The nays were:

None.

Absent or not voting:

Beery, Blackmore, Boe, Boettger, Byerly, Cassady, Cunningham, Dalby, Darrah, Davidson, Derrough, Drury, Dye, Elliott, Ellis, Felt, Finlayson, Fox, Hackler, Harvey, Holmes, Huffaker, Johnson, Meredith, Newell, Sankey, Schroeder, Smith, Stillman, Swift, Thompson, Ward, Wilson, Wolfe, Zeller—35.

So the bill passed and the title was agreed to.

On motion of White of Story, Senate File No. 419, a bill for an act relating to the levy of a millage tax for the State College of Agriculture and Mechanic Arts, was taken up and considered.

White of Story moved that the rules be suspended, the bill be read a third time now, which motion prevailed, and the bill was read a third time.

On the question, "Shall the bill pass?"

The ayes were:

Allred, Anderson, Arney, Bascom, Bauman, Beans, Boe, Bonwell, Boomgaarden, Bowman, Brandes, Burt, Cooper, Corrie, Crozier, Crummer, Dabney, Dawson, Dewell, Dewey, DeWitt, Dodds, Etter, Fenn, Fourt, Fulliam, Fulton, Goodykoontz, Hanson, Harding, Harvey, Hickenlooper, Hunter, Ide, Inman, Jacobs, Jewell, Jones, Kellogg, Kendall, Klay, Koontz, Kull, Larrabee, McCleery, McDonald, Marston, Miller of Bremer, Miller of Dubuque, Moore of Wapello, Moore of Linn, Newell, O'Connor, Penn, Perkins, Reaney, Ritter, Schee, Schulte, Sheldon, Stoddard, Sullivan, Swan, Tilton, Welden, White, Mr. Speaker—67.

The nays were :

None.

Absent or not voting :

Balluff, Beebe, Beery, Blackmore, Boettger, Byerly, Calkins, Cassady, Cousins, Cunningham, Dalby, Darrah, Davidson, Derrough, Drury, Dye, Elliott, Ellis, Felt, Finlayson, Fox, Grier, Hackler, Holmes, Huffaker, Johnson, Lee, Meredith, Reitz, Ripley, Sankey, Schroeder, Smith, Stillman, Swift, Tegeler, Thompson, Ward, Wilson, Wolfe, Zeller—41.

So the bill passed and the title was agreed to.

On motion of White of Story, Senate File No. 373, a bill for an act to amend Section Ten Hundred Fifty-six-a-9 (1056-a-9) of the Supplement to the Code, 1907, relating to the publication of the State Auditor's report of municipal accounts was taken up and considered.

White of Story moved that the rules be suspended, the bill be read a third time now, which motion prevailed, and the bill was read a third time.

On the question, "Shall the bill pass?"

The ayes were :

Allred, Anderson, Arney, Bascom, Bauman, Beans, Beebe, Boe, Bonwell, Boongaarden, Bowman, Brandes, Burt, Cooper, Corrie, Crozier, Crummer, Dabney, Dawson, Dewell, Dewey, DeWitt, Etter, Fenn, Fourt, Fulliam, Fulton, Goodykoontz, Hanson, Harvey, Hickenlooper, Hunter, Ide, Inman, Jacobs, Jewell, Jones, Kellogg, Kendall, Klay, Koontz, Kull, Larrabee, Lee, McCleery, McDonald, Marston, Miller of Bremer, Miller of Dubuque, Moore of Wapello, Moore of Linn, Newell, O'Connor, Penn, Perkins, Reaney, Ripley, Ritter, Schee, Schulte, Sheldon, Stoddard, Sullivan, Swan, Tilton, Welden, White, Mr. Speaker—68.

The nays were :

None.

Absent or not voting :

Balluff, Beery, Blackmore, Boettger, Byerly, Calkins, Cassady, Cousins, Cunningham, Dalby, Darrah, Davidson, Derrough, Dodds,



Drury, Dye, Elliott, Ellis, Felt, Finlayson, Fox, Grier, Hackler, Harding, Holmes, Huffaker, Johnson, Meredith, Reitz, Sankey, Schroeder, Smith, Stillman, Swift, Tegeler, Thompson, Ward, Wilson, Wolfe, Zeller—40.

So the bill passed and the title was agreed to.

McDonald of Carroll moved that the House adjourn until 8:30 o'clock A. M., Thursday.

Motion prevailed.

# JOURNAL OF THE HOUSE

HALL OF THE HOUSE OF REPRESENTATIVES,  
DES MOINES, IOWA, APRIL 8, A. D. 1909.

House met pursuant to adjournment.

Speaker Feely in the Chair.

Prayer was offered by the Rev. James Perkins Burling, of Des Moines, Iowa.

Journal of Wednesday, April 7th, corrected and approved.

## REPORTS OF COMMITTEES.

Cooper of Jasper, from the Committee on Federal Relations, submitted the following report:

MR. SPEAKER—Your Committee on Federal Relations, to whom was referred Joint Resolution No. 8, a resolution relative to improvements of waterways by the United States Government, beg leave to report that they have had the same under consideration and recommend the same be referred to the Committee on Federal Relations of the next General Assembly.

W. R. COOPER,  
*Chairman.*

Adopted, and Joint Resolution No. 8 was so referred.

Moore of Linn, from the Committee on Appropriations, submitted the following report:

MR. SPEAKER—Your Committee on Appropriations, to whom was referred Senate File No. 258, a bill for an act making an appropriation for John Jones on account of injuries received by him at the state hospital for insane persons at Clarinda, Iowa, beg leave to report they have had the same under consideration and recommend the same do pass.

ERNEST R. MOORE,  
*Chairman.*

Adopted.

Also:

MR. SPEAKER—Your Committee on Appropriations, to whom was referred House File No. 246, a bill for an act to procure additional grounds adjacent to the Capitol for beautifying the same; the erection of additional state buildings and an appropriation therefor, beg leave to report they have had the same under consideration and recommend the same be amended as follows: By inserting the words and figures "twenty-five thousand dollars (\$25,000.00) in the fifth line of Section three (3), and when so amended the bill do pass.

ERNEST R. MOORE,  
*Chairman.*

Adopted.

Also:

MR. SPEAKER—Your Committee on Appropriations, to whom was referred House File No. 246, a bill for an act to procure additional grounds adjacent to the Capitol for beautifying the same, the erection of additional state buildings and an appropriation therefor, beg leave to report they have had the same under consideration and recommend the following be substituted therefor:

A Bill for an Act to Procure Additional Grounds Adjacent to the Capitol for Beautifying the Same; the erection of Additional State Buildings and an Appropriation Therefor.

WHEREAS, Additional grounds are required for the State Capitol, Soldiers' monument, the State heating plant, and as necessary sites for additional buildings required for the use of the State of Iowa, therefor

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

SECTION 1. The Executive Council is hereby authorized and empowered to purchase or procure by condemnation in the name of the state, such real estate as it may deem necessary for the immediate use of the state.

SEC. 2. The Executive Council shall have prepared during the following biennial period, plans and specifications for the erection of a fireproof office building to be erected upon land hereafter acquired or now owned by the state; said plans shall provide for an armory and ample office and storage rooms for the Adjutant General, the Agricultural Department, Board of Control, State Board of Health, Food and Dairy Commission, Geological Survey, Horticultural Society, State Veterinary Surgeon and other boards or commissions or such of said boards or commissions as the business of the state may demand their removal from the Capitol building. Such building plans should also provide for an adequate assembly or exhibition room suitable for agriculture, horticulture and like meetings, so situated as to conveniently serve such departments. Provided, however, that no plans or specifications shall be prepared under the provisions of this act for a building or buildings to cost, when completed, in excess of three hundred thousand dollars (\$300,000.00).

SEC. 3. There is hereby appropriated out of any money in the state treasury not otherwise appropriated, for the purpose of acquiring real

estate, preparing plans and specifications and for such other expenditures made necessary under this act, the sum of twenty-five thousand dollars (\$25,000.00); and when so amended the bill do pass.

ERNEST R. MOORE,  
*Chairman.*

Adopted.

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

MR. SPEAKER—Your Committee on Elections, to whom was referred substitute for Senate File No. 297, a bill for an act to amend Section ten hundred and ninety (1090) of the Code, relating to the formation of election precincts, beg leave to report they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same do pass.

J. H. DARRAH,  
*Chairman.*

Adopted.

#### REPORT OF COMMITTEE ON ENROLLED BILLS.

MR. SPEAKER—Your committee on Enrolled Bills respectfully report that they have this day sent to the Governor for his approval, House File No. 12, a bill for an act providing for the guardianship of the estates of absentees. (Additional to Chapter five (5), Title sixteen (XVI) of the Code.)

Also:

House File No. 162, a bill for an act to repeal Section one thousand one hundred eighty-five (1185) of the Code and to enact a substitute therefor; to repeal Section one thousand one hundred eighty-eight (1888) of the Code and to enact a substitute therefor; to repeal Section one thousand one hundred ninety-six (1196) of the Code and to enact a substitute therefor, relating to officers' bonds.

Also:

House File No. 182, a bill for an act to amend Sections 2888-e and 2888-h Supplement to the Code, 1907, relating to the library commission, defining the duties of the members thereof, prescribing the salaries of same and to make an appropriation therefor.

Also:

House File No. 198, a bill for an act to amend Sections two thousand five hundred thirty (2530) and two thousand five hundred thirty-six (2536) of the Supplement to the Code, 1907, relating to State Veterinary Surgeon.

Also:

House File No. 219, a bill for an act to repeal the law as it appears in Section five hundred sixty-five (565) of the Code, and enact a substitute

therefor with regard to election of township assessors in certain townships.

Also:

House File No. 427, a bill for an act to amend the law as it appears in Section three hundred fifty-eight (358) of the Code, relating to qualification of sureties on certain official bonds.

Also:

House File No. 450, a bill for an act providing for the enumeration of deaf or blind persons, additional to Chapter one (1), Title seven (7) of the Code.

Also:

House File No. 455, a bill for an act to amend Section two thousand eight hundred twenty-three-e (2823-e) of the Supplement to the Code, 1907, relating to the truant officers.

GERRIT KLAY,  
*Chairman.*

Adopted.

#### REPORT OF COMMITTEE ON ENROLLED BILLS.

Klay of Sioux, 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 Joint Resolution No. 7, for the appointment of a joint committee to purchase a chair and gavel for the Speaker of the House and the President of the Senate.

Also:

House File No. 153, a bill for an act to establish a laboratory for the manufacture of hog cholera serum at or near Des Moines under the supervision of the State Veterinary Surgeon and make an appropriation therefor.

Also:

House File No. 530, a bill for an act making an appropriation to defray the mileage expense, general expenses and witness fees of the investigating committee for the Hospitals for Insane.

Also:

House File No. 531, a bill for an act making an appropriation to defray the mileage and expenses of the members of the various committees sent by the Thirty-third General Assembly to visit the several State educational institutions.

Also:

House File No. 207, a bill for an act to encourage the dairy industry of the State of Iowa, to aid in providing instruction in practical and scientific dairying and making an appropriation therefor.

Also:

House File No. 508, a bill for an act to amend the law as it appears in Section ten hundred fifty-six-a-thirty-six (1056-a-36) of the Supplement to the Code, 1907, relating to the government of certain cities and the recalling of elective officers therein.

Also:

House File No. 543, a bill for an act to amend House File number two hundred sixty-one (261) of the Thirty-third General Assembly, relating to the issuance of bonds by the city of New Hampton, Iowa.

Also:

House File No. 544, a bill for an act legalizing the acts and proceedings of the city council of the city of Oelwein, Iowa, in erecting and constructing a dam in the park of said city, and other improvements therein and appropriating money from the park fund in payment of the same, and any and all acts of the city treasurer in the payment of warrants drawn on the park fund for that purpose by the city clerk of said city.

GERRIT KLAY,  
*Chairman.*

Adopted.

#### REPORT OF JOINT COMMITTEE ON ENROLLED BILLS.

Klay of Sioux, 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 Joint Resolution No. 7, for the appointment of a joint committee to purchase a chair and gavel for the Speaker of the House and the President of the Senate.

Also:

House File No. 153, a bill for an act to establish a laboratory for the manufacture of hog cholera serum at or near Des Moines under the supervision of the State Veterinary Surgeon and make an appropriation therefor.

Also:

House File No. 530, a bill for an act making an appropriation to defray the mileage expense, general expenses and witness fees of the investigating committee for the Hospitals for Insane.

Also:

House File No. 531, a bill for an act making an appropriation to defray the mileage and expenses of the members of the various committees sent by the Thirty-third General Assembly to visit the several State educational institutions.

Also:

House File No. 207, a bill for an act to encourage the dairy industry of the State of Iowa, to aid in providing instruction in practical and scientific dairying and making an appropriation therefor.

Also:

House File No. 508, a bill for an act to amend the law as it appears in Section ten hundred fifty-six-a-thirty-six (1056-a-36) of the Supplement to the Code, 1907, relating to the government of certain cities and the recalling of elective officers therein.

Also:

House File No. 543, a bill for an act to amend House File number two hundred sixty-one (261) of the Thirty-third General Assembly, relating to the issuance of bonds by the city of New Hampton, Iowa.

Also:

House File No. 544, a bill for an act legalizing the acts and proceedings of the city council of the city of Oelwein, Iowa, in erecting and constructing a dam in the park of said city, and other improvements therein and appropriating money from the park fund in payment of the same, and any and all acts of the city treasurer in the payment of warrants drawn on the park fund for that purpose by the city clerk of said city.

Also:

Senate File No. 71, a bill for an act providing for the destruction of weeds and noxious weeds on the public highways and lands adjacent thereto; and the destruction of noxious weeds on railway right-of-ways and grounds and making it the duty of the township trustees and county supervisors to enforce the provisions of this act; amending the law as it appears in Section 1528 of the Supplement to the Code, 1907, and repealing the law as it appears in Sections 1562 and 1562-a of the Supplement to the Code, 1907, and Sections 1564, 1565 and 5024 of the Code.

Also:

Senate File No. 179, a bill for an act to amend the law as it appears in Sections 254-a-13, 254-a-14, 254-a-15, 254-a-16, 254-a-17, 254-a-18, 254-a-19, 254-a-20, 254-a-21, 254-a-22, 254-a-23, 254-a-24, 254-a-25, 254-a-26, 254-a-27, 254-a-28, 254-a-29, 254-a-30, of the Supplement to the Code, 1907, relating to juvenile courts, detention homes and schools, and conferring concurrent jurisdiction upon superior courts with district courts, of proceedings brought under said sections.

**Also :**

Senate File No. 340, a bill for an act amending the law as it appears in Section 2596-a of the Supplement to the Code, 1907, relating to the sale of cocaine and certain other drugs.

**Also :**

Senate File No. 327, a bill for an act to indemnify Mamie McMahan for personal injury sustained by her while employed as nurse at the Mt. Pleasant Hospital, Mt. Pleasant, Iowa.

**Also :**

Senate File No. 15, a bill for an act to repeal Section 2727-a Supplement to the Code, 1907, and to enact a substitute therefor, providing funds for the support of the School for the Deaf at Council Bluffs, Iowa.

**Also :**

Senate File No. 157, a bill for an act additional to Chapter 2-a, Title 10 of the Supplement to the Code, 1907, relating to levees, ditches, drains and water courses, and providing for the acquirement of land by condemnation proceedings outside of a drainage district or county for purpose of securing proper outlet.

**Also :**

Senate File No. 81, a bill for an act to repeal Section 4999-a-3, Supplement of the Code, 1907, relating to the assumption of risks and providing a substitute therefor.

**Also :**

Senate File No. 387, a bill for an act to prohibit secret fraternities and societies being formed in the public schools of this State, empowering and making it the duty of school directors to adopt rules and regulations relating thereto and to enforce the same, and making it an offense to solicit pupils to join them and prescribing the penalty therefor.

**Also :**

Senate File No. 399, a bill for an act to repeal Section three thousand sixty-eight (3068) of the Code and to enact a substitute therefor, relating to the use of private seals by individuals, firms or corporations, and the use of corporate seals by certain corporations in the matter of the execution of written contracts and other instruments of writing.

**Also :**

Senate File No. 328, a bill for an act to amend the law as it appears in Section two thousand one hundred and thirteen (2113) of the Supplement to the Code, 1907, enlarging the powers of the Railroad Commissioners.



Also:

Senate file No. 422, a bill for an act legalizing the ordinances of the incorporated town of Laurens, Iowa.

Also:

Senate File No. 131, a bill for an act to repeal Sections two hundred eight (208), two hundred nine (209) and two hundred ten (210) of the Code, relating to the office and duties of the Attorney General, and to enact a substitute therefor.

Also:

Senate File No. 383, a bill for an act to amend the law as it appears in Section nineteen hundred and eighty-nine-a-twenty-seven (1929-a-27) of the Supplement to the Code, 1907, relating to drainage bonds, providing for additional levy of tax and sale of bonds in certain contingencies.

GERRIT KLAY,

*Chairman House Committee.*

HENRY L. ADAMS,

*Chairman Senate Committee.*

Adopted.

#### INTRODUCTION OF BILLS.

By Goodykoontz of Boone, House File No. 548:

A Bill for An Act to Amend Substitute for Senate File Number Two Hundred Ninety (290), Acts of the Thirty-third General Assembly, Relative to the Limit of Indebtedness of Independent School Districts.

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

SECTION 1. That section one (1) of the Substitute for Senate File number two hundred and ninety (290), acts of the Thirty-third General Assembly, be and the same is hereby amended by striking out the words "having a population of sixty-five thousand or more" as they appear in line seven (7) of the enrolled bill and inserting in lieu thereof the words "or incorporated town."

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

Read first and second time and referred to Sifting Committee.

Grier of Poweshiek moved that the following Conference Committee report on Senate File No. 281 be adopted:

MR. SPEAKER—Your conference committee, to whom was referred Senate File No. 281, to consider the disagreement arising over the House amendment to said bill which amendment was in the words and figures

following, to-wit: Amend by adding to Section one the following: "That the word "fifteen" is hereby stricken out of the thirtieth line of said section and the word "twenty-five" inserted in lieu of the word stricken out, beg leave to report that they have had the same under advisement and have agreed upon the following amendment to said bill as a substitute for House amendment under disagreement, to-wit: Amend Section one of the bill by adding thereto the following: "That the word fifteen" in line thirteen of said section be stricken out and the word "twenty" inserted in lieu thereof." And we respectfully recommend the adoption of said amendment as a substitute for the House amendment in disagreement.

C. F. PETERSON,  
SHIRLEY GILLILLAND,  
J. A. WHITE,  
E. W. CLARK,

*Committee on the part of the Senate.*

GEO. E. GRIER,  
EDWARD McDONALD,  
A. C. RIPLEY,  
R. M. FINLAYSON,

*Committee on the part of the House.*

Motion prevailed.

Grier of Poweshiek moved that the House adopt the amendments as recommended by the Conference Committee on Senate File No. 281.

On the question, "Shall the House adopt the amendments?"

The ayes were:

Allred, Anderson, Arney, Bascom, Bauman, Beebe, Beery, Boettger, Bonwell, Boomgaarden, Bowman, Brandes, Byerly, Calkins, Cassady, Cooper, Cousins, Crummer, Dalby, Darrah, Derrrough, Dewell, Dewey, DeWitt, Dodds, Dye, Elliott, Ellis, Etter, Finlayson, Fourt, Fox, Goodykoontz, Grier, Hanson, Harvey, Hickenlooper, Holmes, Huffaker, Hunter, Ide, Jones, Kellogg, Kendall, Klay, Koontz, Larrabee, McCleery, McDonald, Miller of Dubuque, Moore of Linn, Newell, O'Connor, Perkins, Reaney, Reitz, Ripley, Ritter, Schee, Schroeder, Sheldon, Stoddard, Swan, Swift, Tegeler, Thompson, Welden, White, Wilson, Wolfe, Zeller, Mr. Speaker—72.

The nays were:

None.

Absent or not voting:

Balluff, Beans, Blackmore, Boe, Burt, Corrie, Crozier, Cunningham, Dabney, Davidson, Dawson, Drury, Felt, Fenn, Fulliam, Fulton, Hackler, Harding, Inman, Jacobs, Jewell, Johnson, Kull, Lee, Marston, Meredith, Miller of Bremer, Moore of Wapello, Penn, Sankey, Schulte, Smith, Stillman, Sullivan, Tilton, Ward—36.

So the House adopted the amendments as recommended by the Conference Committee on Senate File No. 281.

Holmes of Kossuth moved that the vote by which the report of the Committee on Judiciary, recommending indefinite postponement of Senate File No. 379, be reconsidered.

Granted by unanimous consent.

#### SENATE CONCURRENT RESOLUTION.

*Resolved, by the Senate, the House Concurring:* That the Secretary of the Senate and Chief Clerk of the House be required to remain at the Capitol and perform their respective duties as such for a period of five days after the close of the session of the Thirty-third General Assembly, the first assistant secretary of the Senate and the assistant clerk of the House, each three days, the second assistant secretary and the reading clerk of the House, the journal clerks of the Senate and the journal clerks of the House each one day, the engrossing clerk of the Senate, one day and the engrossing clerk of the House three days, the enrolling clerk of the Senate three days and the enrolling clerk of the House one day, the postmistress and the assistant postmistress each two days, the mail carrier two days; for the purpose of reading, correcting, arranging, preserving and certifying the records of the session and closing up the business of their respective offices, and that they receive the same compensation per day for such extra time as they now receive.

Hickenlooper of Monroe moved that the House concur in the Senate Concurrent Resolution.

Motion prevailed.

Crozier of Marion moved that the House pages and telephone messengers be excused this afternoon at 2:00 o'clock P. M. to accept a challenge for a game of baseball received from the Senate pages.

Motion prevailed.

## CONSIDERATION OF BILLS.

On motion of Anderson of Hamilton, substitute for Senate File No. 297, a bill for an act to amend the law as it appears in Section Ten Hundred Ninety (1090) of the Code, relating to the formation of election precincts, was taken up and considered.

Anderson of Hamilton moved that the rules be suspended, the bill be read a third time now, which motion prevailed, and the bill was read a third time.

On the question, "Shall the bill pass?"

The ayes were:

Allred, Anderson, Arney, Bascom, Bauman, Beebe, Beery, Boe, Boettger, Bonwell, Boomgaarden, Bowman, Burt, Byerly, Calkins, Cassady, Cooper, Corrie, Cousins, Crummer, Cunningham, Dabney, Dalby, Darrah, Dawson, Derrough, Dewell, DeWitt, Dodds, Drury, Dye, Elliott, Ellis, Etter, Fenn, Finlayson, Fourt, Fox, Fulliam, Goodykoontz, Grier, Hanson, Harvey, Hickenlooper, Huffaker, Hunter, Ide, Inman, Jewell, Jones, Kellogg, Kendall, Koontz, Larabee, McCleery, Marston, Meredith, Miller of Bremer, Miller of Dubuque, Moore of Wapello, Moore of Linn, O'Connor, Penn, Perkins, Reaney, Reitz, Ripley, Ritter, Sankey, Schee, Schroeder, Sheldon, Smith, Stillman, Stoddard, Sullivan, Swan, Swift, Tegeler, Thompson, Tilton, Welden, White, Wilson, Wolfe, Zeller, Mr. Speaker—87.

The nays were:

None.

Absent or not voting:

Balluff, Beans, Blackmore, Brandes, Crozier, Davidson, Dewey, Felt, Fulton, Hackler, Harding, Holmes, Jacobs, Johnson, Klay, Kull, Lee, McDonald, Newell, Schulte, Ward—21.

So the bill passed and the title was agreed to.

## SPECIAL ORDER.

Time having arrived for Special Order No. 17, the House resumed the consideration of Senate File No. 130 and the substitute amendment pending.

Sullivan of Polk proposed the following amendments:

I move to amend Section 1 by inserting after the word "person" in the first line the following: "be guilty of any disorderly conduct."

Amendment lost.

Amend Section 4 by inserting after the word "intoxicated" in line 4, the words " a disorderly;" also by inserting after the word "intoxicated" in line 5 of said section the words "or disorderly."

Amendment lost.

Committee substitute amendment lost.

Dabney of Davis moved that the rules be suspended, the bill be read a third time now, which motion prevailed, and the bill was read a third time.

On the question, "Shall the bill pass?"

The ayes were:

Allred, Anderson, Arney, Bascom, Bauman, Beans, Beebe, Beery, Blackmore, Boe, Bonwell, Boomgaarden, Bowman, Brandes, Burt, Byerly, Calkins, Cassady, Cooper, Corrie, Cousins, Crozier, Crummer, Cunningham, Dabney, Dalby, Darrah, Davidson, Dawson, Derrough, Dewell, Dewey, DeWitt, Dodds, Drury, Dye, Elliott, Ellis, Felt, Fenn, Finlayson, Fourt, Fox, Fulton, Goodykoontz, Grier, Hanson, Harding, Harvey, Hickenlooper, Holmes, Huffaker, Hunter, Ide, Inman, Jacobs, Jewell, Johnson, Jones, Kellogg, Kendall, Klay, Koontz, Kull, Larrabee, Lee, McCleery, Marston, Meredith, Moore of Wapello, Moore of Linn, Newell, O'Connor, Penn, Perkins, Reaney, Ripley, Ritter, Sankey, Schee, Sheldon, Smith, Stillman, Stoddard, Swan, Swift, Thompson, Tilton, Welden, Wilson, Wolfe, Zeller, Mr. Speaker—93.

The nays were:

None.

Absent or not voting:

Balluff, Boettger, Etter, Fulliam, Hackler, McDonald, Miller of Bremer, Miller of Dubuque, Reitz, Schroeder, Schulte, Sullivan, Tegeler, Ward, White—15.

So the bill passed and the title was agreed to.

Swan of Appanoose in the Chair.

On motion of Crummer of Pocahontas, Senate File No. 410, a bill for an act making an appropriation for the Farmers' Institute of Pocahontas County, Iowa, under the provisions of Section Sixteen Hundred Seventy-five (1675) of the Supplement to the Code, 1907, was taken up and considered.

Crummer of Pocahontas moved that the rules be suspended, the bill be read a third time now, which motion prevailed, and the bill was read a third time.

On the question, "Shall the bill pass?"

The ayes were:

Anderson, Arney, Bascom, Bauman, Beans, Beebe, Beery, Blackmore, Boe, Boettger, Bonwell, Boomgaarden, Bowman, Brandes, Calkins, Cassady, Cooper, Corrie, Cousins, Crozier, Crummer, Cunningham, Darrah, Davidson, Dawson, Derrough, Dewell, Dewey, DeWitt, Dodds, Drury, Dye, Elliott, Ellis, Felt, Fenn, Fourt, Fox, Fulliam, Fulton, Goodykoontz, Grier, Harding, Harvey, Hickenlooper, Holmes, Huffaker, Hunter, Ide, Inman, Jacobs, Jewell, Johnson, Jones, Kellogg, Koontz, Kull, Larrabee, Lee, McCleery, Marston, Meredith, Miller of Dubuque, Moore of Wapello, Moore of Linn, Newell, O'Connor, Perkins, Reaney, Reitz, Ripley, Ritter, Sankey, Schroeder, Schulte, Sheldon, Smith, Stillman, Stoddard, Sullivan, Swan, Swift, Tegeler, Thompson, Tilton, Welden, Wilson, Wolfe, Zeller, Mr. Speaker—90.

The nays were:

None.

Absent or not voting:

Allred, Balluff, Burt, Byerly, Dabney, Dalby, Etter, Finlayson, Hackler, Hanson, Kendall, Klay, McDonald, Miller of Bremer, Penn, Schee, Ward, White—18.

So the bill passed and the title was agreed to.

On motion of Moore of Linn, Senate File No. 349, a bill for an act to appropriate money for the purpose of quarantining injurious insects under the provisions of the law as it appears in Sections Twenty-five Hundred and Seventy-five-a-Forty-eight (2575-a-48) and Section Twenty-five Hundred and Seventy-five-a-Forty-nine (2575-a-49) of the Supplement to the Code, 1907, was taken up and considered.

Moore of Linn moved that the rules be suspended, the bill be read a third time now, which motion prevailed, and the bill was read a third time.

On the question, "Shall the bill pass?"

The ayes were:

Allred, Anderson, Arney, Bascom, Bauman, Beans, Beebe, Beery, Blackmore, Boe, Boettger, Bonwell, Boomgaarden, Bowman, Brandes, Byerly, Cassady, Cooper, Corrie, Cousins, Crozier, Crummer, Dalby, Darrah, Davidson, Dawson, Derrough, Dewey, DeWitt, Dye, Elliott, Ellis, Etter, Felt, Finlayson, Fourt, Fox, Fuliam, Fulton, Goodykoontz, Grier, Hanson, Harvey, Hickenlooper, Holmes, Hunter, Ide, Inman, Jacobs, Jewell, Johnson, Jones, Kellogg, Kendall, Klay, Koontz, Kull, Larrabee, Lee, McDonald, Meredith, Miller of Dubuque, Moore of Wapello, Moore of Linn, Newell, O'Connor, Perkins, Reaney, Ripley, Ritter, Schee, Schulte, Sheldon, Smith, Stillman, Stoddard, Sullivan, Swan, Swift, Tegeler, Tilton, Welden, White, Wilson, Wolfe—85.

The nays were:

Calkins, Harding, Reitz, Sankey, Schroeder, Zeller—6.

Absent or not voting:

Balluff, Burt, Cunningham, Dabney, Dewell, Dodds, Drury, Fenn, Hackler, Huffaker, McCleery, Marston, Miller of Bremer, Penn, Thompson, Ward, Mr. Speaker—17.

So the bill passed and the title was agreed to.

On motion of Moore of Linn, Senate File No. 258, a bill for an act making an appropriation for John Jones on account of injuries received by him at the State Hospital for Insane Persons at Clarinda, Iowa, was taken up and considered.

Moore of Linn moved that the rules be suspended, the bill be read a third time now, which motion prevailed, and the bill was read a third time.

On the question, "Shall the bill pass?"

The ayes were:

Allred, Anderson, Arney, Bascom, Bauman, Beans, Beebe, Beery, Blackmore, Boe, Boettger, Bonwell, Boomgaarden, Bowman,

Brandes, Byerly, Calkins, Cassady, Cooper, Corrie, Cousins, Crozier, Crummer, Cunningham, Dalby, Darrah, Derrough, Dewell, Dewey, DeWitt, Dodds, Drury, Dye, Elliott, Ellis, Etter, Felt, Fenn, Finlayson, Fourt, Fox, Fulton, Goodykoontz, Grier, Hanson, Harvey, Hickenlooper, Holmes, Huffaker, Hunter, Ide, Inman, Jacobs, Jewell, Johnson, Jones, Kellogg, Kendall, Klay, Larrabee, Lee, McDonald, Meredith, Miller of Bremer, Miller of Dubuque, Moore of Wapello, Moore of Linn, Newell, O'Connor, Perkins, Reaney, Ripley, Ritter, Sankey, Schee, Schroeder, Schulte, Sheldon, Smith, Stillman, Stoddard, Sullivan, Swan, Swift, Tegeler, Tilton, Welden, White, Wilson, Wolfe, Zeller, Mr. Speaker—92.

The nays were:

None.

Absent or not voting:

Balluff, Burt, Dabney, Davidson, Dawson, Fulliam, Hackler, Harding, Koontz, Kull, McCleery, Marston, Penn, Reitz, Thompson, Ward—16.

So the bill passed and the title was agreed to.

On motion of Derrough of Warren, Senate File No. 92, a bill for an act to amend Section Five Thousand and Six (5006) of the Code, relating to the sale and use of cigarettes, was taken up and considered.

Derrough of Warren moved that the rules be suspended, the bill be read a third time now, which motion prevailed, and the bill was read a third time.

On the question, "Shall the bill pass?"

The ayes were:

Allred, Anderson, Arney, Bascom, Beery, Blackmore, Boe, Boettger, Bonwell, Boomgaarden, Brandes, Burt, Byerly, Cassady, Cooper, Corrie, Cousins, Crozier, Crummer, Cunningham, Dabney, Dalby, Darrah, Dawson, Derrough, Dewell, Dewey, DeWitt, Drury, Dye, Elliott, Ellis, Etter, Fenn, Finlayson, Fourt, Fox, Fulliam, Fulton, Grier, Hanson, Harvey, Hickenlooper, Holmes, Huffaker, Hunter, Ide, Inman, Jacobs, Jewell, Johnson, Jones, Kellogg, Kendall, Klay, Larrabee, Lee, McCleery, Marston, Meredith, Miller of Dubuque, Moore of Wapello, Moore of Linn, O'Connor, Perkins, Reaney, Reitz, Ripley, Ritter, Schee, Schroeder, Smith, Stillman,



Stoddard, Sullivan, Swan, Thompson, Tilton, Welden, White, Wilson, Wolfe, Zeller, Mr. Speaker—84.

The nays were:

Newell, Sankey, Sheldon—3.

Absent or not voting:

Balluff, Bauman, Beans, Beebe, Bowman, Calkins, Davidson, Dodds, Felt, Goodykoontz, Hackler, Harding, Koontz, Kull, McDonald, Miller of Bremer, Penn, Schulte, Swift, Tegeler, Ward—21.

So the bill passed and the title was agreed to.

On motion of Sullivan of Polk, Senate File No. 212, a bill for an act to require every person, partnership, company or corporation, owning or operating a street railway in this state, to equip certain cars with brakes and appliances for the control and stopping of the same, and providing a penalty for the violation thereof, with report of committee recommending passage as amended by substitute amendment, was taken up and considered.

Harding of Woodbury moved the adoption of the committee substitute amendment.

Sullivan of Polk proposed the following as a substitute for the amendment proposed by the committee:

I move to amend substitute for Senate File No. 212 by striking out all after the Enacting Clause and inserting the following in lieu thereof:

SECTION 1. Every person, partnership, company or corporation, owning or operating a street railway in this State shall equip every double truck passenger car of thirty-five feet and more in length over all, hereafter purchased, built or re-built, with air or electric brakes capable of bringing such car to a stop within a reasonable distance, together with equipment for sanding the rails of any street railway, which brake and sand equipment shall be controlled and operated by the motorman on said car.

SEC. 2. Any violation of this section shall be punished by a fine of not less than fifty dollars (\$50.00) nor more than one hundred dollars (\$100.00) for each day every such car is operated in violation hereof.

Speaker Feely in the Chair.

Roll call demanded by Sullivan of Polk and Boettger of Scott.

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

The ayes were:

Boe, Boettger, Boomgaarden, Byerly, Cousins, Crozier, Dabney, Darrah, Davidson, Dawson, Dewey, DeWitt, Dodds, Ellis, Etter, Fulliam, Hickenlooper, Huffaker, Hunter, Ide, Jones, Klay, Kull, Larrabee, Lee, Miller of Bremer, Miller of Dubuque, Moore of Wapello, O'Connor; Penn, Perkins, Ripley, Ritter, Sankey, Schulte, Smith, Sullivan, Swift, Tilton, Wolfe, Zeller—41.

The nays were:

Allred, Anderson, Arney, Bascom, Bauman, Beebe, Beery, Blackmore, Bowman, Brandes, Burt, Calkins, Cassady, Cooper, Corrie, Crummer, Dalby, Derrough, Dewell, Dye, Elliott, Felt, Fenn, Finlayson, Fourt, Fox, Fulton, Grier, Hackler, Hanson, Harding, Harvey, Inman, Jacobs, Jewell, Johnson, Kendall, McCleery, Marston, Meredith, Moore of Linn, Newell, Reaney, Sheldon, Stillman, Stoddard, Swan, Thompson, Welden—49.

Absent or not voting:

Balluff, Beans, Bonwell, Cunningham, Drury, Goodykoontz, Holmes, Kellogg, Koontz, McDonald, Reitz, Schee, Schroeder, Tegeler, Ward, White, Wilson, Mr. Speaker—18.

So the substitute amendment to the committee substitute amendment was lost.

Substitute amendment by the committee adopted.

Sullivan of Polk moved that the rules be suspended, the bill be read a third time now, which motion prevailed, and the bill was read a third time.

On the question, "Shall the bill pass?"

The ayes were:

Allred, Anderson, Arney, Bascom, Beebe, Beery, Blackmore, enlooper, entlooper, Fulliam, Fulton, Grier, Hackler, Hanson, Harding, Harvey, Hick-  
Witt, Dodds, Dye, Elliott, Ellis, Etter, Fenn, Finlayson, Fourt, De-  
Dabney, Dalby, Darrah, Davidson, Dawson, Derrough, Dewey, De-  
Cassady, Cooper, Corrie, Cousins, Crozier, Crummer, Cunningham,  
Boe, Boettger, Bonwell, Boomgaarden, Bowman, Brandes, Byerly,  
Johnson, Jones, Kellogg, Kendall, Klay, Kull, Larrabee, Lee, Mc-  
Cleery, Miller of Dubuque, Moore of Wapello, Moore of Linn, New-

ell, O'Connor, Penn, Reaney, Ritter, Schee, Schulte, Smith, Stillman, Stoddard, Sullivan, Swan, Tegeler, Thompson, Tilton, Welden, White, Wilson, Wolfe, Zeller, Mr. Speaker—85.

The nays were:

Beans, Burt, Drury, Meredith, Miller of Bremer, Ripley, Sankey, Schroeder—8.

Absent or not voting:

Balluff, Bauman, Calkins, Dewell, Felt, Fox, Goodykoontz, Koontz, McDonald, Marston, Perkins, Reitz, Sheldon, Swift, Ward,—15.

So the bill passed and the title was agreed to.

The following communication was received from the Board of Control:

HON. GUY A. FEELY,  
Speaker of the House of Representatives,  
Des Moines, Iowa.

*Dear Sir,*—We have read the report of the House committee to investigate rumors and reports of abuse and mistreatment of patients in the State hospitals and earnestly request the privilege of presenting to the House a statement of the facts involved as we understand them.

We believe the report to be unsustainable by the evidence and that it is unjust.

Respectfully submitted,  
BOARD OF CONTROL OF STATE INSTITUTIONS,  
By JOHN COWNIE,  
*Chairman.*

Arney of Marshall moved that the request of the Board of Control be granted, and that the Speaker fix a time by which they should make their statement.

Brandes of Pottawattamie moved that the motion be laid on the table.

Motion prevailed.

Brandes of Pottawattamie called up the report of the committee appointed to investigate charges against the state hospitals for the insane and moved its adoption.

Lee of Emmet moved as a substitute that the report of the committee and the evidence on which it was based together with the communication from the Board of Control be referred to a special

committee of five, with direction to make report by Friday morning.

White of Story moved that further action on the question be deferred until 4:00 o'clock P. M.

Motion lost.

Drury of Sac moved the previous question.

Motion prevailed.

Roll call demanded by Fulliam of Muscatine and Klay of Sioux on the question of referring the report to a special committee.

The ayes were:

Bascom, Boe, Darrah, Davidson, Hanson, Hunter, Inman, Jewell, Larrabee, Lee, Moore of Wapello, Reaney, Zeller—13.

The nays were:

Allred, Anderson, Bauman, Beans, Beebe, Beery, Blackmore, Boettger, Boomgaarden, Bonwell, Bowman, Brandes, Byerly, Calkins, Cassady, Cooper, Corrie, Cousins, Crummer, Cunningham, Dabney, Dalby, Dawson, Derrough, Dewey, DeWitt, Dodds, Drury, Dye, Etter, Felt, Fenn, Finlayson, Fox, Fulliam, Hackler, Harding, Harvey, Hickenlooper, Huffaker, Ide, Jacobs, Jones, Kellogg, Kendall, Klay, Koontz, Kull, McCleery, Marston, Meredith, Miller of Bremer, Miller of Dubuque, Moore of Linn, Newell, Penn, Reitz, Ripley, Ritter, Sankey, Schee, Schroeder, Schulte, Sheldon, Smith, Stillman, Stoddard, Sullivan, Swan, Swift, Tegeler, Thompson, Tilton, Welden, White, Wilson—76.

Absent or not voting:

Arney, Balluff, Burt, Crozier, Dewell, Elliott, Ellis, Fourt, Fulton, Goodykoontz, Grier, Holmes, Johnson, McDonald, O'Connor, Perkins, Ward, Wolfe, Mr. Speaker—19.

So the motion was lost.

Holmes of Kossuth moved the previous question on the adoption of the report of the committee.

Motion prevailed.

Roll call on the adoption of the report of the committee demanded by Klay of Sioux and Sullivan of Polk.

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

The ayes were:

Allred, Anderson, Arney, Bauman, Beans, Beebe, Beery, Blackmore, Boettger, Bonwell, Boomgaarden, Bowman, Brandes, Byerly, Calkins, Cassady, Cooper, Corrie, Cousins, Crummer, Dabney, Dalby Davidson, Derrough, Dewey, DeWitt, Dodds, Drury, Dye, Etter, Fenn, Finlayson, Fourt, Fox, Fulliam, Hackler, Harding, Harvey, Hickenlooper, Huffaker, Hunter, Ide, Jacobs, Jones, Kellogg, Kendall, Klay, Koontz, Kull, Larrabee, McCleery, Marston, Miller of Bremer, Miller of Dubuque, Moore of Linn, Newell, Penn, Perkins, Reaney, Reitz, Ripley, Ritter, Sankey, Schee, Schroeder, Schulte, Sheldon, Smith, Stillman, Stoddard, Sullivan, Swan, Swift, Tegeler, Thompson, Welden, White, Wilson, Wolfe, Mr. Speaker—80.

The nays were:

Bascom, Boe, Darrah, Inman, Jewell, Meredith—6.

Absent or not voting:

Balluff, Burt, Crozier, Cunningham, Dawson, Dewell, Elliott, Ellis, Felt, Fulton, Goodykoontz, Grier, Hanson, Holmes, Johnson, Lee, McDonald, Moore of Wapello, O'Connor, Tilton, Ward, Zeller—22.

So the report was adopted.

Inman of Floyd moved that the Board of Control be given the privilege of presenting a written statement to the House relative to the investigation of the State Hospitals for the Insane by a Special Committee of the House, and that the same be printed in the Journal of today.

Ripley of Hancock moved to strike out that portion of the motion with reference to printing the statement in the Journal.

Amendment adopted.

Motion as amended prevailed.

## 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 failed to pass the following bill in which the concurrence of the Senate was asked:

House File No. 513, a bill for an act to amend Section thirteen hundred twenty-six (1326), Title seven (7), Chapter one (1) of the Code of Iowa, relating to stock of building and loan associations.

S. W. NEAL,  
*Secretary.*

Also:

MR. SPEAKER—I am directed to inform your honorable body that the Senate adopted the following concurrent resolution, in which the concurrence of the House is asked:

Concurrent Resolution relative to requiring certain officers of the Thirty-third General Assembly to remain after final adjournment.

S. W. NEAL,  
*Secretary.*

Also:

MR. SPEAKER—I am directed to inform your honorable body that the Senate has adopted the conference committee report and the amendments as recommended by the conference committee on Senate File No. 281, a bill for an act to increase the amount that may be levied for the contingent fund in a school district.

S. W. NEAL,  
*Secretary.*

Also:

MR. SPEAKER—I am directed to inform your honorable body that the Senate grants the request of the House and returns herewith Senate File No. 379, a bill for an act relating to the power of the board of parole.

S. W. NEAL,  
*Secretary.*

Also:

MR. SPEAKER—I am directed to inform your honorable body that the Senate has indefinitely postponed the following bill in which the concurrence of the Senate was asked:

House File No. 360, a bill for an act relating to exemption from taxation of charitable and benevolent institutions.

S. W. NEAL,  
*Secretary.*

Also:

MR. SPEAKER—I am directed to inform your honorable body that the Senate has indefinitely postponed the following bill in which the concurrence of the Senate was asked:

House File No. 367, a bill for an act to provide for the recognition by the State board of medical examiners of standard attainments to colleges other than medical colleges.

S. W. NEAL,  
*Secretary.*

Also:

MR. SPEAKER—I am directed to inform your honorable body that the Senate has indefinitely postponed the following bill in which the concurrence of the Senate was asked:

House File No. 496, a bill for an act relating to the distribution of dissecting material.

S. W. NEAL,  
*Secretary.*

Also:

MR. SPEAKER—I am directed to inform your honorable body that the Senate has concurred in House amendments to Senate File No. 157, a bill for an act to amend the law as it appears in Chapter two-a. (2-a), Title ten (10) of the Supplement to the Code, 1907, relating to levees, ditches, drains and water courses and providing for work beyond the boundary lines of the district and for the acquirement by condemnation of lands therefor.

S. W. NEAL,  
*Secretary.*

Also:

MR. SPEAKER—I am directed to inform your honorable body that the Senate concurred in House amendments.

Senate File No. 81, a bill for an act relating to the assumption of risks.

S. W. NEAL,  
*Secretary.*

Also:

MR. SPEAKER—I am directed to inform your honorable body that the Senate has adopted the report of conference committee and concurred in amendments as recommended by conference committee on House File No. 495, a bill for an act relating to waters, water courses, levees and drains.

S. W. NEAL,  
*Secretary.*

Also:

MR. SPEAKER—I am directed to inform your honorable body that the Senate has passed the following bill in which the concurrence of the Senate was asked:

House File No. 292, a bill for an act relating to certain conveyances of real estate legalized by executors, administrators and guardians.

S. W. NEAL,  
*Secretary.*

Also:

MR. SPEAKER—I am directed to inform your honorable body that the Senate has adopted the report of the Conference Committee, receded from

it substitute amendment and adopts the amendments as recommended by the Conference Committee on House File No. 9, a bill for an act relating to the estate of absentees.

S. W. NEAL,  
*Secretary.*

Also:

MR. SPEAKER—I am directed to inform your honorable body that the Senate has indefinitely postponed the following bill in which the concurrence of the Senate was asked:

House File No. 228, a bill for an act making an appropriation to the State Historical society of Iowa.

S. W. NEAL,  
*Secretary.*

Also:

MR. SPEAKER—I am directed to inform your honorable body that the Senate has indefinitely postponed the following bill in which the concurrence of the Senate was asked:

House File No. 380, a bill for an act to establish a department of Horticulture and Forestry.

S. W. NEAL,  
*Secretary.*

Also:

MR. SPEAKER—I am directed to inform your honorable body that the Senate has indefinitely postponed the following bill in which the concurrence of the Senate was asked:

House File No. 322, a bill for an act making an appropriation to S. J. McCord.

S. W. NEAL,  
*Secretary.*

Also:

MR. SPEAKER—I am directed to inform your honorable body that the Senate has concurred in Senate amendments to Senate File No. 402, a bill for an act making an appropriation for the construction, repair, improvement and contingent funds of the State penal institutions.

S. W. NEAL,  
*Secretary.*

Also:

MR. SPEAKER—I am directed to inform your honorable body that the Senate has concurred in House amendments to Senate File No. 403, a bill for an act making an appropriation for the educational institutions.

S. W. NEAL,  
*Secretary.*

Also:

MR. SPEAKER—I am directed to inform your honorable body that the Senate has indefinitely postponed the following bill in which the concurrence of the Senate was asked:



House File No. 395, a bill for an act making an appropriation for the use of the Iowa Highway Commission.

S. W. NEAL,  
*Secretary.*

The Speaker of the House announced that as Speaker of the House, in the presence of the House, he had signed House File Nos. 207, 543, 153, 531, 544, 530, 508, House Joint Resolution No. 7; and Senate File Nos. 157, 430, 81, 179, 15, 327, 71, 328, 399, 387, 383, 131, and 422.

Fulton of Jefferson moved that the House adjourn until 1:30 o'clock P. M.

Motion prevailed.

#### AFTERNOON SESSION.

House met pursuant to adjournment.

Speaker Feely in the Chair.

#### REPORT OF COMMITTEE ON ENROLLED BILLS.

MR. SPEAKER—Your committee on Enrolled Bills respectfully report that they have this day sent to the Governor for his approval House Joint Resolution No. 7, for the appointment of a joint committee to purchase a chair and gavel for the Speaker of the House and the President of the Senate.

Also:

House File No. 530, a bill for an act making an appropriation to defray manufacture of hog cholera serum at or near Des Moines under the supervision of the State Veterinary Surgeon and make an appropriation therefor.

Also:

House File No. 530, a bill for an act making an appropriation to defray the mileage expense, general expenses and witness fees of the investigating committee for the Hospitals for Insane.

Also:

House File No. 531, a bill for an act making an appropriation to defray the mileage and expenses of the members of the various committees sent by the Thirty-third General Assembly to visit the several State educational institutions.

Also:

House File No. 207, a bill for an act to encourage the dairy industry of the State of Iowa, to aid in providing instruction in practical and scientific dairying and making an appropriation therefor.

Also:

House File No. 508, a bill for an act to amend the law as it appears in Section ten hundred fifty-six-a-thirty-six (1056-a-36) of the Supplement to the Code, 1907, relating to the government of certain cities and the recalling of elective officers therein.

Also:

House File No. 543, a bill for an act to amend House File number two hundred sixty-one (261) of the Thirty-third General Assembly, relating to the issuance of bonds by the city of New Hampton, Iowa.

Also:

House File No. 544, a bill for an act legalizing the acts and proceedings of the city council of the city of Oelwein, Iowa, in erecting and constructing a dam in the park of said city, and other improvements therein and appropriating money from the park fund in payment of the same, and any and all acts of the city treasurer in the payment of warrants drawn on the park fund for that purpose by the city clerk of said city.

GERRIT KLAY,  
*Chairman.*

Adopted.

#### REPORT OF JOINT COMMITTEE ON ENROLLED BILLS.

Klay of Sioux, from the Joint Committee on Enrolled Bills, submitted the following report:

MR. SPEAKER—Your joint committee on Enrolled Bills respectfully report that they have examined and find correctly enrolled Senate File No. 285, a bill for an act to amend the law as it appears in Section thirteen hundred and six-e (1306-e) of the Supplement to the Code, 1907, relating to the issuance of bonds by cities and towns and providing a means for the payment of such bonds.

Also:

Senate File No. 373, a bill for an act to amend Section ten hundred fifty-six-a-9 (1056-a-9) of the Supplement to the Code, 1907, relating to the publication of the State Auditor's report of municipal accounts.

Also:

Senate File No. 395, a bill or an act to legalize certain notices of incorporation.

Also:

Senate File No. 281, a bill for an act to amend the law as it appears in Section two thousand eight hundred six (2806) of the Supplement to the Code, 1907, to increase the amount that may be levied for the contingent fund in a school district.

Also:

Senate File No. 419, a bill for an act to amend Section one (1) of Chapter one hundred and eighty-four (184) of the laws of the Thirty-first General Assembly, relating to the levy of a millage tax for the State College of Agriculture and Mechanic Arts and providing for the expenditure thereof.

Also:

Senate File No. 420, a bill for an act to amend Section one (1) of Chapter one hundred and eighty-six (186) of the laws of the Thirty-first General Assembly, relating to the levy of a millage tax for the State Normal School and providing for the expenditure thereof.

Also:

Senate File No. 417, a bill for an act to amend Section one (1) of Chapter one hundred and eighty-three (183) of the laws of the Thirty-first General Assembly relating to the levy of a millage tax for the State University of Iowa and providing for expenditure thereof.

GERRIT KLAY,

*Chairman House Committee.*

HENRY L. ADAMS,

*Chairman Senate Committee.*

Ordered passed on file.

Anderson of Hamilton, offered the following resolution and moved its adoption:

RESOLUTION.

*Resolved*, That all committee books, petitions and other papers in the hands of the chairmen of the various committees be filed with the Chief Clerk.

Adopted.

Sullivan of Polk moved that House File No. 304 be withdrawn from the Committee on Appropriations and the further consideration of the House.

Motion prevailed.

## EXPLANATION OF VOTES.

The following explanation of votes were filed on the adoption of the report submitted by the committee appointed to investigate the State Hospitals for the Insane:

MR. SPEAKER—While not questioning the honesty of intent and purpose of the House committee appointed to examine and to report on the rumored abuses of the inmates of our hospitals for the insane I believe the report will give a wrong impression to the public as to the conditions prevailing therein, and also believing that a more thorough and complete investigation of all the facts relating thereto would give a different impression, I vote no on the motion to adopt the report of said committee.

P. M. JEWELL.

MR. SPEAKER—Without in the least impugning the honesty or the motives of the House committee for the investigation of the hospitals for the insane I believe the report of the committee should not be adopted without having heard the explanation of the Board of Control. I therefore vote No.

L. W. BOE.

The Speaker announced that as Speaker of the House, in the presence of the House, he had signed Senate File Nos. 285, 373, 395, 281, 419, 420 and 417.

Derrough of Warren moved that the following report of the Conference Committee on Senate File No. 17 be adopted.

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

The undersigned members of the conference committee heretofore appointed on Senate File No. 17 beg leave to report, that after considering the matters of difference referred in said bill recommend that the Senate concur in the House amendments thereto.

Respectfully submitted,

A. V. PROUDFOOT,

C. C. DOWELL,

C. G. SAUNDERS,

E. G. MOON,

JOHN T. CLARKSON,

*Conference Committee on part of the Senate.*

N. J. LEE,

GEO. W. SCHEE,

AUG. A. BALLUFF,

K. J. JOHNSON,

JOHN W. JACOBS,

*Conference Committee on part of the House.*

Motion prevailed.

## 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 report of the conference committee and concurred

in the House amendment in which the concurrence of the Senate was asked:

Senate File No. 17, a bill for an act relating to the valuation of personal property.

S. W. NEAL,  
*Secretary.*

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. 54, a bill for an act to repeal Section 2119 of the Code relating to the enforcement of the rules, orders and regulations of the board of railway commissioners, and to enact a substitute therefor.

S. W. NEAL,  
*Secretary.*

Also:

MR. SPEAKER—I am directed to inform your honorable body that the Senate has amended and passed the following bill in which the concurrence of the Senate was asked:

House File No. 111, a bill for an act to provide for a change of place of trial on certain written contracts, and to provide for taxing the costs therein.

S. W. NEAL,  
*Secretary.*

Also:

MR. SPEAKER—I am directed to inform your honorable body that the Senate has amended and passed the following bill in which the concurrence of the Senate was asked:

House File No. 534 a bill for an act relating to the protection of Fish and Game.

S. W. NEAL,  
*Secretary.*

Also:

MR. SPEAKER—I am directed to inform your honorable body that the Senate has passed the following joint resolution in which the concurrence of the House is asked:

Senate joint resolution No. 6, fixing the number and the compensation of the employes in the department of state at the seat of government.

S. W. NEAL,  
*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. 425, a bill for an act to legalize the acts of the board of directors of the school township of Garfield in the county of Clay.

S. W. NEAL,  
*Secretary.*

Also:

MR. SPEAKER—I am directed to inform your honorable body that the Senate has passed the following joint resolution in which the concurrence of the House is asked:

Senate joint resolution No. 5, approving estimates of the costs and plans and specifications for completion of buildings and erection of new buildings at the State College of Agriculture and Mechanic Arts.

S. W. NEAL,  
*Secretary.*

Also:

MR. SPEAKER—I am directed to inform your honorable body that the Senate has passed the following bill in which the concurrence of the Senate was asked:

House File No. 440, a bill for an act providing that superior courts shall have jurisdiction of dipsomaniacs and inebriates.

S. W. NEAL,  
*Secretary.*

Also:

MR. SPEAKER—I am directed to inform your honorable body that the Senate has concurred in House amendments to Senate File No. 278, a bill for act in relation to holding district courts and the assignment of judges therefor.

S. W. NEAL,  
*Secretary.*

SENATE MESSAGES CONSIDERED.

Senate Joint Resolution No. 6, joint resolution fixing the number and compensation of employes in the Department of State at the seat of government.

SENATE JOINT RESOLUTION NO. 6.

Joint Resolution Fixing the Number and Compensation of Employes in the Department of State at the Seat of Government.

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

Until July 1, 1911, the number of employes of the various offices at the seat of government, unless otherwise provided by law, shall at no time exceed the number named herein, and their compensation shall be amounts nerein fixed:

FOR THE OFFICE OF THE ATTORNEY-GENERAL.

	Per annum.
One assistant to the attorney general.....	\$1,800.00
One stenographer at a salary of.....	900.00
Additional assistance and contingent fund not to exceed the sum of .....	5,000.00

## FOR THE OFFICE OF AUDITOR OF STATE.

One chief clerk in the insurance department at a salary of....	1,800.00
One securities clerk in the insurance department, who shall give bond, at a salary of .....	1,500.00
One fee clerk in the insurance department, who shall give bond, at a salary of .....	1,400.00
Extra clerical assistance in the insurance, revenue and banking departments, not to exceed the sum of.....	1,000.00
One chief clerk in the revenue department at a salary of.....	1,600.00
One chief clerk in the banking department at a salary of.....	1,600.00
One assistant clerk in the banking department at a salary of..	1,000.00
Four stenographers at salaries each, of.....	900.00
One janitor at a salary of.....	780.00
One chief clerk in the department of municipal accounting; also to serve as general clerk.....	1,500.00
Extra clerical assistance, and such other expenses as shall be approved by the executive council in the department of municipal accounting not to exceed the sum of.....	700.00

## FOR THE OFFICE OF THE CLERK OF THE SUPREME COURT.

One clerk at a salary of.....	1,200.00
One clerk at a salary of.....	900.00
One messenger who shall perform such duties about his office and for the supreme court room proper as the clerk may order at a salary of .....	840.00

## FOR THE OFFICE OF GOVERNOR.

One pardon clerk at a salary of.....	1,200.00
One requisition clerk at a salary of.....	1,300.00
One general clerk at a salary of.....	900.00
One notarial clerk and stenographer at a salary of.....	900.00
One messenger and usher, who shall act as janitor, at a salary of	900.00

## FOR THE STATE LIBRARIAN'S OFFICE.

One cataloger at a salary of.....	1,000.00
One stenographer and bookkeeper at a salary of.....	900.00
One janitor at a salary of.....	780.00
One legislative and general reference assistant, who shall be under the direction of assistant to librarian.....	1,000.00

## FOR THE OFFICE OF RAILROAD COMMISSIONERS.

One general clerk at a salary of .....	1,200.00
One statistical and rate clerk at a salary of.....	1,200.00
One assistant statistical and rate clerk at a salary of.....	780.00
One stenographer at a salary of.....	900.00
One stenographer at a salary of.....	780.00

## FOR THE OFFICE OF THE SECRETARY OF STATE.

One chief clerk (who shall give bond) at a salary of.....	1,500.00
One corporation clerk at a salary of.....	1,200.00

One assistant corporation clerk at a salary of.....	1,200.00
One general clerk at a salary of.....	1,200.00
One stenographer at a salary of.....	900.00
One librarian of document department at a salary of.....	1,200.00
One document clerk and accountant for storage building not to exceed .....	1,200.00
Extra clerical assistance and help in storage building.....	1,000.00
One janitor and messenger at a salary of.....	900.00

## FOR THE OFFICE OF SUPERINTENDENT OF PUBLIC INSTRUCTION.

One stenographer at a salary of.....	900.00
One janitor at a salary of.....	780.00
For extra clerical assistance, not to exceed.....	500.00

## FOR THE SUPREME COURT ROOMS.

One bailiff who shall also act as messenger and perform such other duties as the supreme court may order at a salary of..	900.00
For stenographic and messenger service not to exceed.....	5,400.00

## FOR THE OFFICE OF TREASURER OF STATE.

One cashier (who shall give bond) at a salary of.....	1,500.00
One bookkeeper at a salary of.....	1,200.00
One general clerk at a salary of.....	1,200.00
One stenographer at a salary of.....	900.00
One watchman who shall be janitor at a salary of.....	780.00
For additional clerical assistance and contingent not to exceed..	600.00

## FOR THE HISTORICAL DEPARTMENT.

Assistant curator at a salary of.....	1,200.00
One clerk and stenographer at a salary of.....	1,000.00
One museum curator, at a salary of.....	1,000.00
Three janitors for the historical building at salaries, each of..	780.00
One night watchman at a salary of.....	840.00

## FOR THE EXECUTIVE COUNCIL.

One secretary at a salary of.....	2,000.00
One clerk at a salary of.....	1,600.00
One clerk at a salary of.....	1,000.00
One general clerk at a salary of.....	900.00
One stenographer at a salary of.....	900.00
One postmaster and mail carrier, with horse and wagon, at a salary of .....	1,400.00
For janitor service for office of Secretary of the Executive Council and supply department, and to act as messenger for delivery of supplies from storage building or elsewhere, the sum of	480.00

## FOR THE BOARD OF CONTROL.

One chief accountant at a salary of not to exceed.....	1,800.00
One storekeeper and clerk at a salary of not to exceed.....	900.00



One estimate clerk at a salary not to exceed.....	1,200.00
One stenographer and proof reader, at a salary of not to exceed.	1,000.00
Three stenographers and clerks at salaries, each, of not to exceed .....	900.00
One clerk and janitor at a salary of not to exceed.....	780.00
For extra clerical assistance, not to exceed.....	1,500.00

## FOR THE DEPARTMENT OF GEOLOGICAL SURVEY.

One secretary and clerk at a salary of.....	1,100.00
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## FOR WEATHER AND CROP SERVICE.

Directors salary .....	1,500.00
Clerical assistants not to exceed.....	720.00

## FOR THE OFFICE OF STATE MINE INSPECTOR.

One clerk at a salary of.....	1,000.00
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## FOR THE OFFICE OF THE STATE BOARD OF HEALTH.

One clerk and stenographer at a salary of.....	900.00
Extra clerical assistance not to exceed the sum of.....	900.00

## FOR THE OFFICE OF THE SUPREME COURT REPORTER.

One clerk at a salary of not to exceed.....	720.00
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## FOR THE OFFICE OF THE LIBRARY COMMISSION.

One secretary at a salary of.....	1,600.00
One librarian (traveling library) at a salary of.....	900.00
One field and reference assistant at a salary of.....	900.00
One library organizer at a salary of.....	720.00
One clerk and general stenographer at a salary of.....	720.00
For extra help as needed, including service of shipping clerk, not to exceed .....	780.00

## FOR THE OFFICE OF THE STATE PHARMACY COMMISSION.

One secretary at a salary of.....	1,500.00
For extra clerical assistance not to exceed.....	150.00

## FOR THE OFFICE OF THE FOOD AND DAIRY COMMISSIONER.

One clerk at a salary of.....	1,000.00
One clerk at a salary of.....	900.00
One janitor for rooms occupied by Food and Dairy Commissioner and State Veterinarian, at a salary of.....	780.00

## (FOR JANITOR FOR CERTAIN OFFICES.)

For the offices of the department of agriculture (agricultural society) and state board of health there shall be one janitor to be selected by them, at a salary of.....	780.00
For the offices of the pharmacy department, mining inspector and labor bureau, there shall be one janitor to be selected	

by the custodian at a salary of.....	780.00
For the offices of the adjutant general, G. A. R. department, and geological survey, there shall be one janitor selected by them at a salary of .....	780.00
For the offices of the railroad commissioners, horticultural department, and attorney general, there shall be one janitor selected by them at a salary of.....	780.00
TO BE EMPLOYED BY THE CUSTODIAN OF PUBLIC BUILDINGS AND PROPERTY.	
One chief engineer at a salary of not to exceed.....	1,500.00
One first assistant engineer at a salary of not to exceed.....	1,200.00
One second assistant engineer at a salary of not to exceed.....	1,000.00
One electrician and machinist at a salary of not to exceed.....	1,200.00
One carpenter at a salary of not to exceed.....	1,000.00
One chief of police at a salary of.....	900.00
Two night watchmen at salaries, each, of.....	900.00
One boiler washer, at a salary of.....	900.00
Necessary firemen (estimated at an average of six) at salaries, each, of .....	840.00
Eight floor janitors at salaries, each, of.....	780.00
One storage building janitor at a salary of.....	780.00
One janitress to have charge of the ladies toilet rooms at a salary of .....	780.00
One elevator tender at a salary of.....	780.00
Allowance for washing towels, not to exceed.....	500.00
One florist for six months at a salary of not to exceed \$70.00 per month, or total of .....	420.00
Two yard men for six months at salaries, each, of \$60.00 per month or a total of.....	720.00
Extra help as may be needed, not to exceed.....	720.00

## FOR THE BUREAU OF LABOR STATISTICS.

One clerk and statistician at a salary of..... 900.00

All janitors employed under the provisions of this resolution, shall at all times be subject to the orders of the custodian to perform any additional service, by way of rendering assistance to the state house engineers, carpenter, supply department, historical department, or any other labor that may be necessary about the capitol or upon the capitol grounds, at such hours as they are not necessarily employed in their regular janitor work, and it shall be the duty of the custodian to assign such janitors to any such extra service, and he shall discharge any janitor for incompetency, neglect of duty or insubordination.

All employes provided for in this act shall devote their entire time to the service of the state, except that this requirement shall not be interpreted to prevent the allowance of a reasonable vacation, such vacation to be at the discretion of the head of the Department or Commission interested, and in no case to exceed two weeks in any one year.

All clerks, janitors and other employes in the departments named in this resolution shall be under the control of the head of the department and may by him be transferred to such work as he shall direct in assist-

ing other clerks or elsewhere in the different branches of the service of the department.

Any head of a department may at any time discharge any clerk or other employe in such department for neglect of duty, insubordination or incapacity.

Read first and second time and referred to Sifting Committee.

Senate File No. 425, a bill for an act to legalize the acts of the Board of Directors of the School Township of Garfield, in the County of Clay, and State of Iowa, appointing the officers therefor, and legalizing the levy of taxes made for said school township in 1908.

Read first and second time and referred to Sifting Committee.

Senate Joint Resolution No. 5, joint resolution approving estimates of cost, plans and specifications for completion of buildings and erection of new buildings at the State College of Agriculture and Mechanic Arts.

Read first and second time and referred to Sifting Committee.

#### SENATE AMENDMENTS CONSIDERED.

On request of Swift of Shelby, unanimous consent having been given, House File No. 54, a bill for an act to repeal Section Twenty-one Hundred and Nineteen (2119) of the Code, relating to the enforcement of the rules, orders and regulations of the Board of Railway Commissioners, and to enact a substitute therefor, with the following Senate amendments, was taken up and the amendments read and considered.

That the title of said bill be stricken out and the following substituted therefor, to-wit:

“A bill for an act to amend Section Two Thousand One Hundred Nineteen (2119) of the Code, relating to the enforcement of the rules, orders and regulations of the Board of Railway Commissioners and to provide for the time when said rules, orders or regulations shall take effect,” and that the said bill be further amended by adding thereto the following:

“Sec. 3. The time for the taking effect of any rule, order or regulation affecting public rights, made by the Board of Railway Commissioners as provided herein, may, in its discretion, be extended and said extension of time may be granted for the purpose of testing the legality thereof, upon application by any such aggrieved railroad, showing reasonable grounds therefor, and that said application is made in good faith and not for the purpose of delay.”

Amend by adding the following to Section 3: "When any railroad shall fail upon appeal to secure a vacation of the order from which it has appealed, it may apply to the court in which said appeal is finally adjudicated for an order remitting the penalty which has accrued during the pendency of the appeal and upon a satisfactory showing that said appeal has been prosecuted in good faith and not for the purposes of delay, such court may remit the penalty that has accrued during the pendency of the appeal."

Amend the amendment by inserting after the word "that" in line six thereof the following words: "the order appealed from was unreasonable or unjust, or that the power of the Board to make the same laws doubtful and that."

Swift of Shelby moved that the House concur in the Senate amendments.

On the question, "Shall the House concur?"

The ayes were:

Allred, Anderson, Arney, Balluff, Bascom, Bauman, Beery, Blackmore, Boe, Boettger, Boomgaarden, Bowman, Brandes, Byerly, Calkins, Cooper, Corrie, Cousins, Crozier, Crummer, Cunningham, Dabney, Dalby, Darrah, Davidson, Derrough, Dewell, Dewey, DeWitt, Dodds, Drury, Elliott, Etter, Felt, Fenn, Finlayson, Fourt, Fulliam, Fulton, Goodykoontz, Grier, Hackler, Hanson, Harvey, Hickenlooper, Holmes, Hunter, Ide, Inman, Jewell, Johnson, Kendall, Klay, Koontz, Larrabee, McCleery, McDonald, Miller of Bremer, Miller of Dubuque, Moore of Wapello, Penn, Reaney, Reitz, Ripley, Ritter, Sankey, Schulte, Sheldon, Smith, Stillman, Stoddard, Sullivan, Swan, Swift, Tegeler, Thompson, Welden, Wilson, Wolfe, Zeller, Mr. Speaker—81.

The nays were:

Moore of Linn—1.

Absent or not voting:

Beans, Beebe, Bonwell, Burt, Cassady, Dawson, Dye, Ellis, Fox, Harding, Huffaker, Jacobs, Jones, Kellogg, Kull, Lee, Marston, Meredith, Newell, O'Connor, Perkins, Schee, Schroeder, Tilton, Ward, White—26.

So the House concurs.

On request of Cooper of Jasper, unanimous consent having been

given, House File No. 111, a bill for an act to amend Sections Three Thousand Five Hundred Five (3505), Three Thousand Five Hundred Seven (3507), Three Thousand Five Hundred Eleven (3511), of the Code, and Section Four Thousand Four Hundred Eighty-one (4881) of the Code, as amended, all relating to the place of trial of actions, with the following Senate amendments, was taken up and the amendments read and considered.

Amend the title to the bill by inserting the words "Supplement to the" in the fourth line of said title after the word "the" and before the word "Code," and by inserting the figures "1907" and a comma thereafter after the word "Code" in said fourth line, and by striking out the words "as amended" as they appear in the fourth line thereof.

Amend Section 4 by inserting after the word "the" and before the word "Code" in the second line thereof, the words "Supplement to the" and by inserting the figures "1907" and a comma thereafter after the word "Code" in said second line, and by striking out the words "as amended" as they appear in second line thereof.

Cooper of Jasper moved that the House concur in the Senate amendments.

On the question, "Shall the House concur?"

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The ayes were:

Allred, Anderson, Arney, Balluff, Bascom, Bauman, Beans, Beery, Blackmore, Boe, Boettger, Bonwell, Boomgaarden, Brandes, Burt, Byerly, Cooper, Corrie, Cousins, Crozier, Crummer, Cunningham, Dabney, Dalby, Darrah, Davidson, Dawson, Derrough, Dewey, DeWitt, Dodds, Drury, Dye, Ellis, Etter, Felt, Fenn, Finlayson, Fourt, Fox, Fulliam, Fulton, Goodykoontz, Grier, Hackler, Hanson, Harvey, Hickenlooper, Holmes, Ide, Inman, Jewell, Johnson, Jones, Kellogg, Kendall, Klay, Larrabee, Lee, McCleery, Miller of Dubuque, Moore of Wapello, Moore of Linn, Penn, Perkins, Reaney, Reitz, Ripley, Ritter, Sankey, Schulte, Smith, Stillman, Stoddard, Sullivan, Swan, Swift, Tegeler, Thompson, Tilton, Welden, White, Wilson, Zeller, Mr. Speaker—85.

The nays were:

None.

Absent or not voting:

Beebe, Bowman, Calkins, Cassady, Dewell, Elliott, Harding, Hufaker, Hunter, Jacobs, Koontz, Kull, McDonald, Marston, Meredith, Miller of Bremer, Newell, O'Connor, Schee, Schroeder, Sheldon, Ward, Wolfe—23.

So the House concurs.

On request of Arney of Marshall, unanimous consent having been given, House File No. 534, a bill for an act to amend the law as it appears in Sections Twenty-five Hundred and Forty, (2540), Twenty-five Hundred Forty-a (2540-a), Twenty-five Hundred and Fifty-one (2551), Twenty-five Hundred and Fifty-two (2552) and Twenty-five Hundred Fifty-six (2556), of the Supplement to the Code, 1907, and Sections Twenty-five Hundred Forty-four (2544), Twenty-five Hundred Fifty-four (2554), Twenty-five Hundred Fifty-five (2555), Twenty-five Hundred Fifty-nine (2559), and Twenty-five Hundred Sixty-two (2562), of the Code, relating to the protection of fish and regulating the shipment of game within the State; prohibiting the shipment of fish for sale; prohibiting the sale of game, and providing for the appointment of deputy fish and game wardens and fixing their compensation, with the following Senate amendment, was taken up and the amendments read and considered.

Amend Sub-division three of Section One of the bill by substituting a period for the comma following the word "state" in line six as printed in the House Journal, and by striking out the words "together with a statement" in line ten thereof and inserting in lieu thereof the word "and."

Amend the bill by striking out sub-division eight (8) of Section One.

Amend the bill by striking out sub-division nine (9) of Section One.

Arney of Marshall moved that the House refuse to concur in the Senate amendments.

Kull of Howard in the Chair.

On the question, Shall the House concur?

The ayes were:

Allred, Anderson, Beebe, Blackmore, Boettger, Boomgaarden, Bowman, Corrie, Dabney, Dalby, Derrough, Hanson, Hunter, Kel-

logg, Larrabee, Lee, Moore of Wapello, Penn, Ripley, Sankey, Schee, Sheldon, Smith, Stillman, Stoddard, Sullivan, Swift, Welden, White—29

The nays were :

Arney, Balluff, Bascom, Bauman, Beery, Boe, Brandes, Byerly, Calkins, Cooper, Cousins, Darrah, Davidson, Dawson, Dewell, Dewey, DeWitt, Dodds, Drury, Dye, Elliott, Ellis, Etter, Felt, Fenn, Fourt, Fulliam, Fulton, Goodykoontz, Grier, Harding, Harvey, Hickenlooper, Holmes, Huffaker, Ide, Jacobs, Jewell, Jones, Kendall, Klay, Knootz, Kull, McCleery, McDonald, Miller of Dubuque, O'Connor, Perkins, Reaney, Ritter, Schulte, Swan, Tegeler, Thompson, Tilton, Wilson, Wolfe, Zeller—58.

Absent or not voting :

Beans, Bonwell, Burt, Cassady, Crozier, Crummer, Cunningham, Finlayson, Fox, Hackler, Harvey, Inman, Johnson, Marston, Meredith, Miller of Bremer, Moore of Linn, Newell, Reitz, Ward, Mr. Speaker—21.

So the House refuses to concur.

#### CONSIDERATION OF BILLS.

On motion of Hackler of Webster, House File No. 475, a bill for an act giving the court power under any proceeding under Section Five Thousand Sixty (5060) and Five Thousand Sixty-one (5061) of the Code, 1907, to compel the attendance of witnesses; the production of books and papers of corporations, partnerships, associations and individuals prosecuted under said sections; and providing for the exemption from liability of any agent, officer, employe, director or stockholder thereof for, or on account of any transaction to which said evidence or testimony may relate, with report of committee recommending passage as amended by substitute amendments, was taken up, considered, and the substitute amendment adopted.

Klay of Sioux proposed the following amendment :

“I move to amend Section 1 by adding thereto: ‘unless such testimony is voluntarily given, or the evidence documentary or otherwise voluntary, produced by such agent, officer, employee, director or stockholder.’ ”

**Amendment adopted.**

Hackler of Webster moved that the rules be suspended, 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 ayes were:

Allred, Anderson, Arney, Balluff, Bascom, Bauman, Beans, Beery, Blackmore, Boettger, Bonwell, Boomgaarden, Bowman, Byerly, Calkins, Cooper, Corrie, Cousins, Crozier, Crummer, Dabney, Dalby, Darrah, Davidson, Dawson, Derrough, Dewell, Dewey, DeWitt, Dodds, Drury, Dye, Elliott, Ellis, Fenn, Finlayson, Fourt, Fox, Fulliam, Goodykoontz, Grier, Hackler, Hanson, Harding, Harvey, Hickenlooper, Huffaker, Hunter, Ide, Inman, Jacobs, Jewell, Johnson, Jones, Kendall, Klay, Koontz, Larrabee, Lee, McCleery, McDonald, Marston, Meredith, Miller of Dubuque, Moore of Wapello, Moore of Linn, O'Connor, Penn, Perkins, Reaney, Reitz, Ripley, Ritter, Sankey, Schulte, Smith, Stillman, Stoddard, Sullivan, Swan, Swift, Tegeler, Thompson, Tilton, Welden, White, Wilson, Wolfe, Mr. Speaker—89.

The nays were:

None.

Absent or not voting:

Beebe, Boe, Brandes, Burt, Cassady, Cunningham, Etter, Felt, Fulton, Holmes, Kellogg, Kull, Miller of Bremer, Newell, Schee, Schroeder, Sheldon, Ward, Zeller—19.

So the bill passed and the title was agreed to.

On motion of Dawson of Cherokee, Senate File No. 394, a bill for an act to legalize the action of the Independent School District of Marcus, Cherokee County, Iowa, in voting bonds at an election held on the first day of March, 1907, and legalizing the bonds issued by said district under said election, was taken up and considered.

Dawson of Cherokee moved that the rules be suspended, the bill be read a third time now, which motion prevailed, and the bill was read a third time.

On the question, "Shall the bill pass?"



The ayes were:

Allred, Anderson, Arney, Balluff, Bascom, Bauman, Beans, Beebe, Blackmore, Boe, Boettger, Bonwell, Boomgaarden, Bowman, Brandes, Byerly, Calkins, Cassady, Cooper, Corrie, Cousins, Crozier, Cunningham, Dabney, Dalby, Darrah, Davidson, Dawson, Derrough, Dewell, Dewey, DeWitt, Dodds, Drury, Dye, Elliott, Ellis, Etter, Felt, Fenn, Finlayson, Fourt, Fox, Fulliam, Fulton, Goodykoontz, Grier, Hanson, Harvey, Hickenlooper, Ide, Jacobs, Johnson, Jones, Kellogg, Kendall, Klay, Koontz, Kull, Larrabee, Lee, McCleery, McDonald, Miller of Dubuque, Newell, O'Connor, Penn, Reaney, Ripley, Ritter, Sankey, Schulte, Smith, Stillman, Stoddard, Sullivan, Swan, Swift, Tegeler, Thompson, Tilton, Welden, White, Wilson, Wolfe—85.

The nays were:

None.

Absent or not voting:

Beery, Burt, Crummer, Hackler, Harding, Holmes, Huffaker, Hunter, Inman, Jewell, Marston, Meredith, Miller of Bremer, Moore of Wapello, Moore of Linn, Perkins, Reitz, Schee, Schroeder, Sheldon, Ward, Zeller, Mr. Speaker—23.

So the bill passed and the title was agreed to.

On motion of Klay of Sioux, Senate File No. 386, a bill for an act defining gift enterprise and authorizing special charter cities and cities of the first and second class to license, tax and regulate same, was taken up and considered.

Klay of Sioux moved that the rules be suspended, the bill be read a third time now, which motion prevailed, and the bill was read a third time.

On the question, "Shall the bill pass?"

The ayes were:

Allred, Anderson, Bascom, Bauman, Beans, Beebe, Blackmore, Boe, Boomgaarden, Brandes, Cassady, Cooper, Corrie, Cousins, Crozier, Crummer, Cunningham, Dalby, Darrah, Dawson, Dewell, Dewey, DeWitt, Dodds, Dye, Elliott, Fenn, Finlayson, Fourt, Fox, Fulliam, Fulton, Goodykoontz, Grier, Hanson, Harvey, Hickenlooper, Huffaker, Jacobs, Jewell, Johnson, Kendall, Klay, Koontz, Kull, Larrabee, Miller of Dubuque, Moore of Wapello, Newell,

O'Connor, Penn, Perkins, Reaney, Ripley, Sankey, Schulte, Smith, Sullivan, Swan, Swift, Thompson, Tilton, Welden, White, Wilson, Zeller—66.

The nays were:

Byerly, Calkins, Reitz—3.

Absent or not voting:

Arney, Balluff, Beery, Boettger, Bonwell, Bowman, Burt, Dabney, Davidson, Derrough, Drury, Ellis, Etter, Felt, Hackler, Harding, Holmes, Hunter, Ide, Inman, Jones, Kellogg, Lee, McCleery, McDonald, Marston, Meredith, Miller of Bremer, Moore of Linn, Ritter, Schee, Schroeder, Sheldon, Stillman, Stoddard, Tegeler, Ward, Wolfe, Mr. Speaker—39.

So the bill passed and the title was agreed to.

On motion of O'Connor of Chickasaw, House File No. 499, a bill for an act to amend Section Twenty-one Hundred and Sixty-five-a (2165-a) of the Supplement to the Code, 1907, relative to the regulation of express companies, was taken up and considered.

O'Connor of Chickasaw moved that the rules be suspended, 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 ayes were:

Allred, Arney, Bascom, Bauman, Beans, Beery, Blackmore, Boe, Boettger, Bonwell, Boomgaarden, Bowman, Byerly, Cassady, Cooper, Cousins, Crozier, Crummer, Dabney, Dalby, Darrah, Dawson, Derrough, Dewey, DeWitt, Dodds, Dye, Elliott, Ellis, Etter, Felt, Finlayson, Fox, Fulliam, Goodykoontz, Hanson, Harvey, Hickenlooper, Holmes, Huffaker, Hunter, Ide, Jewell, Johnson, Jones, Kendall, Klay, Kull, Larrabee, Lee, McDonald, Miller of Dubuque, O'Connor, Penn, Reitz, Sankey, Schulte, Smith, Stoddard, Sullivan, Swan, Swift, Tegeler, Thompson, Tilton, Welden, White, Wilson, Wolfe, Zeller, Mr. Speaker—71.

The nays were:

None.

Absent or not voting:

Anderson, Balluff, Beebe, Brandes, Burt, Calkins, Corrie, Cunningham, Davidson, Derrough, Drury, Fenn, Fourt, Fulton, Grier, Hackler, Harding, Inman, Jacobs, Kellogg, Koontz, McCleery, Marston, Meredith, Miller of Bremer, Moore of Wapello, Moore of Linn, Newell, Perkins, Reaney, Ripley, Ritter, Schee, Schroeder, Sheldon, Stillman, Ward—37.

So the bill passed and the title was agreed to.

On motion of Sankey of Decatur, House File No. 539, a bill for an act to legalize the election in the incorporated town of Weldon, Decatur County, Iowa, was taken up and considered.

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

Speaker Feely in the Chair.

On the question, "Shall the bill pass?"

The ayes were:

Allred, Anderson, Arney, Balluff, Bascom, Beans, Boe, Boettger, Bonwell, Boomgaarden, Bowman, Brandes, Byerly, Cassady, Cooper, Cousins, Crozier, Crummer, Dabney, Dalby, Darrah, Dawson, Derrough, Dewell, Dewey, Dodds, Elliott, Ellis, Etter, Felt, Finlayson, Fourt, Fox, Fulliam, Fulton, Grier, Hanson, Harvey, Hick-enlooper, Holmes, Huffaker, Ide, Jacobs, Jewell, Johnson, Kellogg, Kendall, Klay, Koontz, Larrabee, Lee, McCleery, McDonald, Marston, Miller of Bremer, Miller of Dubuque, Moore of Wapello, Moore of Linn, Newell, O'Connor, Perkins, Reaney, Reitz, Ripley, Ritter, Sankey, Schulte, Smith, Stillman, Stoddard, Sullivan, Swan, Swift, Tegeler, Thompson, Tilton, White, Wilson, Wolfe, Zeller.  
Mr. Speaker—81.

The nays were:

None.

Absent or not voting:

Bauman, Beebe, Beery, Blackmore, Burt, Calkins, Corrie, Cunningham, Dawson, DeWitt, Drury, Dye, Fenn, Goodykoontz, Hackler, Harding, Hunter, Inman, Jones, Kull, Meredith, Penn, Schee, Schroeder, Sheldon, Ward, Welden—27.

So the bill passed and the title was agreed to.

On motion of Moore of Linn, Senate File No. 263, a bill for an act to make appropriations for the payment of expenses incurred under the special committee appointed in the contest of A. F. N. Hambleton, contestant, vs. John F. Ream, an incumbent, and to make an appropriation therefor, was taken up and considered.

Harding of Woodbury moved that the rules be suspended, the bill be read a third time now, which motion prevailed, and the bill was read a third time.

On the question, "Shall the bill pass?"

The ayes were:

Allred, Anderson, Arney, Balluff, Bascom, Beans, Beebe, Beery, Boe, Boettger, Bonwell, Boomgaarden, Brandes, Burt, Byerly, Casady, Cooper, Corrie, Crozier, Dalby, Darrah, Davidson, Derrough, Dewell, Dewey, DeWitt, Drury, Dye, Elliott, Ellis, Etter, Felt, Fenn, Finlayson, Fulton, Grier, Hackler, Hanson, Harvey, Hickenlooper, Holmes, Huffaker, Jacobs, Jewell, Johnson, Jones, Kendall, Koontz, Larrabee, McCleery, McDonald, Marston, Miller of Dubuque, Moore of Wapello, Moore of Linn, Newell, Penn, Reaney, Reitz, Ripley, Schulte, Smith, Stillman, Stoddard, Sullivan, Swan, Welden, White, Wilson, Wolfe, Mr. Speaker—72.

The nays were:

Harding, Tegeler—2.

Absent or not voting:

Bauman, Bowman, Calkins, Cousins, Crummer, Cunningham, Dabney, Dawson, Dodds, Fourt, Fox, Fulliam, Goodykoontz, Hunter, Ide, Inman, Kellogg, Klay, Kull, Lee, Meredith, Miller of Bremer, O'Connor, Perkins, Ritter, Sankey, Schee, Schroeder, Sheldon, Swift, Thompson, Tilton, Ward, Zeller—34.

So the bill passed and the title was agreed to.

On motion of Ripley of Hancock, House File No. 521, a bill for an act to amend Section Two Thousand Seven Hundred Thirty-four-b (2734-b) of the Supplement to the Code, 1907, relating to the qualifications and duties of the County Superintendent and his deputy, was taken up and considered.

Ripley of Hancock moved that the rules be suspended, 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 ayes were:

Balluff, Boe, Burt, Cassady, Cousins, Davidson, Finlayson, Hanson, Jewell, Larrabee, McCleery, Moore of Wapello, Ripley, Smith, Stillman, Mr. Speaker—16.

The nays were:

Bascom, Bauman, Beans, Beebe, Blackmore, Boettger, Boomgaarden, Brandes, Byerly, Corrie, Crozier, Crummer, Dawson, Derrough, Dewell, Dewey, DeWitt, Drury, Dye, Elliott, Ellis, Etter, Felt, Fenn, Fourt, Fox, Goodykoontz, Grier, Harvey, Hickenlooper, Huffaker, Ide, Jones, Kendall, Klay, Koontz, McDonald, Miller of Bremer, Moore of Linn, Newell, Reaney, Reitz, Sankey, Schulte, Stoddard, Swan, Swift, Tegeler, Thompson, Tilton, White, Wilson, Wolfe, Zeller—54.

Absent or not voting:

Allred, Anderson, Arney, Beery, Bonwell, Bowman, Calkins, Cooper, Cunningham, Dabney, Dalby, Darrah, Dodds, Fulliam, Fulton, Hackler, Harding, Holmes, Hunter, Inman, Jacobs, Johnson, Kellogg, Kull, Lee, Marston, Meredith, Miller of Dubuque, O'Connor, Penn, Perkins, Ritter, Schee, Schroeder, Sheldon, Sullivan, Ward, Welden—38.

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

On motion of Crozier of Marion, House File No. 178, a bill for an act defining certain public service corporations and providing for reasonable service and rates; declaring unlawful any discriminatory charges; prescribing penalties and action for reduction of rates and charges; repealing all laws in conflict herewith, with report of committee recommending passage as amended by substitute amendment, was taken up, considered, and the substitute amendment adopted.

Sullivan of Polk proposed the following amendment:

"I move to amend Section 2 by inserting after the word "business" in line six, the following: "religious, charitable and philanthropic institutions."

Amendment adopted.

Crozier of Marion moved that the rules be suspended, 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 ayes were:

Allred, Anderson, Arney, Bascom, Bauman, Beebe, Blackmore, Boe, Bonwell, Boomgaarden, Brandes, Burt, Byerly, Cassady, Cooper, Corrie, Cousins, Crozier, Crummer, Cunningham, Dabney, Dalby, Darrah, Davidson, Derrough, Dewell, Dewey, DeWitt, Dodds, Drury, Dye, Elliott, Ellis, Fenn, Finlayson, Fourt, Fox, Fulliam, Fulton, Goodykoontz, Grier, Hackler, Hanson, Harding, Harvey, Hickenlooper, Holmes, Huffaker, Hunter, Ide, Jacobs, Jewell, Johnson, Jones, Kendall, Klay, Larrabee, McCleery, McDonald, Meredith, Miller of Dubuque, Moore of Wapello, Moore of Linn, Newell, O'Connor, Penn, Reitz, Ripley, Ritter, Sankey, Schulte, Smith, Stoddard, Sullivan, Swan, Tegeler, Thompson, Tilton, White, Wilson, Zeller, Mr. Speaker—82.

The nays were:

Marston—1.

Absent or not voting:

Balluff, Beans, Beery, Boettger, Bowman, Calkins, Dawson, Etter, Felt, Inman, Kellogg, Koontz, Kull, Lee, Miller of Bremer, Perkins, Reaney, Schee, Schroeder, Sheldon, Stillman, Swift, Ward, Welden, Wolfe—25.

So the bill passed and the title was agreed to.

On motion of Harding of Woodbury, Senate File No. 380, a bill for an act providing for acquiring by condemnation proceedings by cities and towns of heating plants, water-works, gas works, electric light or electric power plants, and a mode of procedure therefor, and amending Section seven hundred twenty-two (722) of the Supplement to the Code, 1907, was taken up and considered.

Harding of Woodbury moved that the rules be suspended, the bill be read a third time now, which motion prevailed, and the bill was read a third time.

On the question, "Shall the bill pass?"

The ayes were:

Arney, Balluff, Bascom, Bauman, Beans, Beebe, Blackmore, Boe, Boettger, Bonwell, Boomgaarden, Bowman, Cassady, Corrie, Cousins, Cunningham, Dalby, Darrah, Davidson, Derrough, Dewell, Dewey, DeWitt, Dodds, Drury, Dye, Elliott, Ellis, Etter, Felt, Fenn, Fourt, Fox, Fulton, Grier, Hackler, Hanson, Harding, Harvey, Hickenlooper, Holmes, Huffaker, Ide, Jacobs, Johnson, Jones, Kendall, Klay, Larrabee, Lee, McDonald, Miller of Dubuque, Moore of Wapello, Newell, Schulte, Smith, Stillman, Stoddard, Sullivan, Swan, Tilton, White, Wilson, Mr. Speaker—64.

The nays were:

Byerly, Meredith, O'Connor, Ritter—4.

Absent or not voting:

Allred, Anderson, Beery, Brandes, Burt, Calkins, Cooper, Crumner, Crummer, Dabney, Dawson, Finlayson, Fulliam, Goodykoontz, Hunter, Inman, Jewell, Kellogg, Koontz, Kull, McCleery, Marston, Miller of Bremer, Moore of Linn, Penn, Perkins, Reaney, Reitz, Ripley, Sankey, Schee, Schroeder, Sheldon, Swift, Tegeler, Thompson, Ward, Welden, Wolfe, Zeller—40.

So the bill passed and the title was agreed to.

Johnson of Mitchell in the Chair.

On motion of Boettger of Scott Senate File No. 344, a bill for an act defining contributory dependency, fixing proceedings in regard thereto, providing for probation of parties guilty thereof, subject to such orders as are calculated to remove such contributory dependency and providing for the enforcement of such orders, also providing for a finding of abandonment and for adoption upon such finding, determining the rights of children thus adopted and providing for punishment for enticing away and interfering with children legally placed into institutions and homes; to be additional to Chapter 5-b of Title III of the 1907 Supplement of the Code, was taken up and considered.

Boettger of Scott moved that the rules be suspended, the bill be read a third time now, which motion prevailed, and the bill was read a third time.

Speaker Feely in the Chair.

On the question, "Shall the bill pass?"

The ayes were:

Allred, Arney, Balluff, Bascom, Bauman, Boe, Boettger, Boomgaarden, Brandes, Byerly, Cooper, Corrie, Cousins, Crozier, Crummer, Cunningham, Dalby, Darrah, Davidson, Dawson, Derrough, Dewey, DeWitt, Dye, Elliott, Ellis, Etter, Felt, Fenn, Finlayson, Fox, Fulliam, Fulton, Goodykoontz, Grier, Hackler, Hanson, Harding, Harvey, Hickenlooper, Holmes, Huffaker, Hunter, Ide, Jacobs, Jewell, Johnson, Jones, Kendall, Klay, Koontz, Kull, Larrabee, Lee, McCleery, McDonald, Marston, Meredith, Miller of Bremer, Miller of Dubuque, Moore of Wapello, Newell, O'Connor, Penn, Reitz, Ripley, Ritter, Schee, Schulte, Smith, Stillman, Stoddard, Sullivan, Swan, Swift, Tegeler, Thompson, Tilton, White, Wilson, Wolfe, Zeller, Mr. Speaker—84.

The nays were:

None.

Absent or not voting:

Anderson, Beans, Beebe, Beery, Blackmore, Bonwell, Bowman, Burt, Calkins, Cassady, Dabney, Dewell, Dodds, Drury, Fourt, Inman, Kellogg, Moore of Linn, Perkins, Reaney, Schroeder, Sheldon, Ward, Welden—24.

So the bill passed and the title was agreed to.

On motion of Sullivan of Polk, Senate File No. 361, a bill for an act to amend Section Three Hundred Thirty-five (335) of the Code, relating to the selection of persons to serve as petit and grand jurors and talesmen, was taken up and considered.

Sullivan of Polk moved that the rules be suspended, the bill be read a third time now, which motion prevailed, and the bill was read a third time.

On the question, "Shall the bill pass?"

The ayes were:

Allred, Anderson, Arney, Balluff, Bascom, Bauman, Beery, Blackmore, Boe, Boomgaarden, Bowman, Brandes, Burt, Byerly, Cooper, Corrie, Cousins, Crummer, Dabney, Dalby, Darrah, Davidson, Derrough, Dewell, Dewey, DeWitt, Dye, Elliott, Ellis, Etter, Felt, Fenn, Fourt, Fox, Fulliam, Fulton, Goodykoontz, Hackler, Hanson, Harding, Harvey, Hickenlooper, Huffaker, Hunter, Ide, Jacobs, Jewell, Johnson, Jones, Kendall, Klay, Koontz, Larrabee, Lee, McCleery, McDonald, Marston, Meredith, Miller of Dubuque,



Moore of Wapello, O'Connor, Penn, Ripley, Ritter, Sankey, Smith, Stillman, Stoddard, Sullivan, Swan, Swift, Tegeler, White, Wilson, Zeller, Mr. Speaker—76.

The nays were:

None.

Absent or not voting:

Beans, Beebe, Boettger, Bonwell, Calkins, Cassady, Crozier, Cunningham, Dawson, Dodds, Drury, Finlayson, Grier, Holmes, Inman, Kellogg, Kull, Miller of Bremer, Moore of Linn, Newell, Perkins, Reaney, Reitz, Schee, Schroeder, Schulte, Sheldon, Thompson, Tilton, Ward, Welden, Wolfe—32.

So the bill passed and the title was agreed to.

On motion of White of Story, Senate Joint Resolution No. 4, providing for the appointment of a joint committee to investigate the subject of the best method of further regulating and controlling the public service corporations doing business in the state, and providing for the report of said committee to the next General Assembly, and for the payment of the expenses of such investigation and defining the powers of the committee, was taken up and considered.

White of Story moved that the rules be suspended, the Joint Resolution be read a third time now, which motion prevailed, and the resolution was read a third time.

On the question, "Shall the Joint Resolution pass?"

The ayes were:

Blackmore, Boe, Cooper, Corrie, Crozier, Davidson, Goodykoontz, Hanson, Harding, Hunter, Ide, Jacobs, Jewell, Koontz, Kull, Larrabee, Moore of Linn, Newell, O'Connor, Penn, Sankey, Sullivan, Swan, Swift, White, Mr. Speaker—26.

The nays were:

Allred, Bascom, Beery, Boomgaarden, Bowman, Brandes, Burt, Cousins, Crummer, Cunningham, Darrah, Dawson, Derrough, Dewell, DeWitt, Dye, Elliott, Ellis, Fenn, Finlayson, Fourt, Fox,

Fulliam, Fulton, Hackler, Harvey, Huffaker, Johnson, Jones, Kendall, Klay, Lee, Marston, Meredith, Moore of Wapello, Reaney, Reitz, Ripley, Ritter, Schulte, Stillman, Stoddard, Tegeler, Tilton, Wilson, Zeller—47.

Absent or not voting :

Anderson, Arney, Balluff, Bauman, Beans, Beebe, Boettger, Bonwell, Byerly, Calkins, Cassady, Dabney, Dalby, Dodds, Drury, Etter, Felt, Grier, Hickenlooper, Holmes, Inman, Kellogg, McCleery, McDonald, Miller of Bremer, Miller of Dubuque, Perkins, Schee, Schroeder, Sheldon, Smith, Thompson, Ward, Welden, Wolfe—35.

So Senate Joint Resolution No. 4, having failed to receive a constitutional majority was declared lost.

On motion of Moore of Linn, Senate File No. 161, a bill for an act to amend Chapter 120 of the laws of the Twenty-sixth General Assembly by making it the duty of Dickinson county to maintain the dam in said act provided for and granting an appropriation of \$1,000 to aid therein, was taken up and considered.

Bascom of Dickinson moved that the rules be suspended, the bill be read a third time now, which motion prevailed, and the bill was read a third time.

On the question, "Shall the bill pass?"

The ayes were :

Arney, Balluff, Bascom, Bauman, Beans, Beebe, Beery, Blackmore, Boe, Boomgaarden, Brandes, Burt, Cassady, Cooper, Corrie, Cousins, Crozier, Crummer, Dalby, Darrah, Davidson, Dawson, Derrough, Dewell, Dewey, DeWitt, Dodds, Drury, Dye, Elliott, Ellis, Etter, Felt, Fenn, Finlayson, Fourt, Fox, Fulliam, Fulton, Hackler, Hanson, Harding, Hickenlooper, Holmes, Hunter, Ide, Jacobs, Jewell, Johnson, Jones, Kendall, Klay, Koontz, Kull, Larabee, Lee, McCleery, McDonald, Marston, Meredith, Miller of Bremer, Miller of Dubuque, Moore of Wapello, O'Connor, Penn, Reaney, Ripley, Ritter, Schulte, Stillman, Stoddard, Sullivan, Swan, Swift, Tegeler, Thompson, Wilson, Wolfe, Mr. Speaker—80.

The nays were:

Allred, Anderson, Byerly, Moore of Linn, Newell, Sankey, Tilton, White, Zeller—9.

Absent or not voting:

Boettger, Bonwell, Calkins, Cunningham, Dabney, Goodykoontz, Grier, Harvey, Huffaker, Inman, Kellogg, Perkins, Reitz, Schee, Schroeder, Sheldon, Smith, Ward, Welden—19.

So the bill passed and the title was agreed to.

Darrah of Lucas in the Chair.

On motion of Dewey of Guthrie, House File No. 246, a bill for an act creating a commission to procure additional grounds adjacent to the Capitol, for beautifying the same, the erection of additional state buildings and for an appropriation therefor, with report of committee recommending passage as amended, was taken up, considered, and the amendment adopted.

Klay of Sioux proposed the following amendment:

I move to amend by adding to Section 2: "Provided that such building shall be properly constructed in such a manner as not to require repairing or strengthening the first three years after its completion.

Amendment lost.

Dewey of Guthrie moved that the rules be suspended, 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 ayes were:

Beebe, Blackmore, Cassady, Corrie, Derrough, Dewey, Holmes, Hunter, McDonald, Stillman, Sullivan, Tilton, White—13.

The nays were:

Allred, Anderson, Bascom, Bauman, Beans, Boe, Boettger, Boomgaarden, Brandes, Byerly, Cooper, Cousins, Crozier, Crummer,

Dabney, Dawson, Dewell, DeWitt, Dodds, Drury, Dye, Elliott, Ellis, Etter, Felt, Fenn, Finlayson, Fourt, Fox, Fulliam, Fulton, Goodykoontz, Hackler, Harvey, Hickenlooper, Ide, Jacobs, Jewell, Johnson, Jones, Kendall, Klay, Koontz, Kull, Larrabee, McCleery, Marston, Meredith, Miller of Bremer, Miller of Dubuque, Moore of Wapello, Moore of Linn, Newell, O'Connor, Penn, Reaney, Reitz, Ripley, Ritter, Sankey, Schee, Stoddard, Swan, Swift, Tegeler, Thompson, Welden, Wilson, Wolfe, Zeller—71.

Absent or not voting:

Arney, Balluff, Beery, Bonwell, Bowman, Burt, Calkins, Cunningham, Dalby, Darrab, Davidson, Grier, Harding, Huffaker, Inman, Kellogg, Lee, Perkins, Schroeder, Schulte, Sheldon, Smith, Ward, Mr. Speaker--24.

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

#### INTRODUCTION OF BILLS.

By Lee of Emmet, House File No. 549:

A Bill for an Act to Repeal Section Nineteen Hundred Fifty-five (1955) and Nineteen Hundred Fifty-six (1956) of the Code and to Enact Substitutes Therefor, and to Amend Section Nineteen Hundred Fifty-Nine (1959) of the Code, all Relating to the Construction of Levees, Ditches or Drains by Owners of Lands for Agricultural, Sanitary or Mining Purposes across the Lands of Others and Providing for the Condemnation of such Lands as may be Necessary for the Construction and Maintenance of such Levees, Ditches or Drains.

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

SECTION 1. Section nineteen hundred fifty-five (1955) of the Code is hereby repealed and the following substituted therefor:

"Whenever the owner of any land shall desire to construct any levee, open ditch, tile or other under-ground drain, for agricultural, sanitary or mining purposes or for the purpose of securing more complete drainage or a better out-let, across the lands of others, or across or through the right-of-way and road bed of a railroad, and shall be unable to agree with the owner of any such lands, or with any such railroad company, through whose land or property he desires to construct the same, with regard to the location or manner of constructing any such ditch, drain or levee, or with regard to the compensation to be made, or with regard to any other matter properly connected therewith, he may file with

the township clerk of the township in which any such land or right-of-way is situated, an application in writing, setting forth a description of the land or other property through which he is desirous of constructing any such levee, ditch or drain, the starting point, route, terminus, character, size and depth thereof. Upon the filing of any such application, the clerk shall forthwith fix a time and place for hearing thereon before the township trustees of his township, which hearing shall be not more than ninety (90) days nor less than thirty (30) days from the time of the filing of such application and thereupon the township clerk shall cause notice in writing to be served upon the owner of each tract of land across which any such levee, ditch or drain, is proposed to be located, as shown by the transfer books in the office of the county auditor, and also upon the person in actual occupancy of any such lands of the pendency and prayer of such application, the time and place set for hearing on the same before the township trustees, which notice, as to residents of the county, shall be served not less than ten (10) days before the time set for such hearing, in the manner that original notices are required to be served. In case any such owner is a non-resident of the county, such notice as to him shall be posted in three (3) public places within the township where his land is situated at least fifteen (15) days before the time set for such hearing, one of which places shall be upon the land of which he is owner. Such notice may be served upon a railroad company by serving the same upon its nearest station agent.

If at the hearing it should appear that any person entitled to notice, as provided herein, has not been served with notice, as herein provided, the township trustees may postpone such hearing and fix a new time for the same and notice of such new day of hearing may be served on such omitted persons in the manner and for the same length of time provided herein, and by fixing such new day for hearing and by adjournment of the proceedings to such time, the trustees shall not be held to have lost jurisdiction of the subject matter of such proceeding nor of any persons previously served with notice.

Any person or corporation claiming damages as compensation for or on account of the construction of any such improvement, shall file a claim in writing therefor with the township clerk at least two (2) days before the day fixed for hearing on the application and a failure to file such claim at the time specified shall be deemed to be a waiver of the right to claim or recover such damage. The term "lands" as used in this and the next section shall include right of way and other real estate of a railroad company."

Sec. 2. Section nineteen hundred fifty-six (1956) of the Code is hereby repealed and the following substituted therefor:

"At the time set for hearing on any such applications, the trustees, if they are satisfied that the provisions of the preceding section has been complied with, shall proceed to hear and determine the sufficiency of the application as to form and substance, before final action thereon. They shall also determine the merits of the application, all objections thereto and all claims filed for damages that may be occasioned

by the location and construction of the proposed drainage improvement, and, if deemed necessary, the trustees may view the premises. The trustees may adjourn the proceedings from day to day, but no adjournment shall be for a longer period than ten (10) days. When the time for final action shall have arrived, the township trustees shall, if they find that the levee, ditch or drain petitioned for will be beneficial for sanitary, agricultural or mining purposes, locate the same and fix the points of entrance and exit on such land or property, the course of the same through each tract of land, the size, character and depth thereof, when and in what manner the same shall be constructed, how kept in repair, what connections may be made, what compensation, if any, shall be made to the owners of such land or property for damages by reason of the construction of any such improvements, and any other question arising in connection therewith. The trustees shall reduce their findings, decision and determination to writing, which shall be filed with the clerk of such township, who shall record it in his book of records, together with the application and all other papers filed in connection therewith, and he shall cause the findings and decision of the trustees to be recorded in the office of the county recorder of the county in which such land is situated, and said decision shall be final unless appealed from as provided in the next section."

Sec. 3. Section nineteen hundred fifty-nine (1959) of the Code is hereby amended by adding after the period at the end thereof, the following:

"If any such ditch or drain shall be located through or across the right of way or other land of a railroad company, the trustees shall determine the cost of constructing the same across and through such property and the railroad company shall have the privilege of constructing such improvement through its property in accordance with the specifications made by the trustees and recover the cost thereof as fixed by the trustees. But such railroad company before it may exercise such privilege shall file its election to that effect with the township clerk within five (5) days after the decision of the trustees is filed, and in case such election is filed the applicant shall within ten (10) days thereafter pay to the township clerk for the use of the railroad company, the cost of constructing the drainage improvement through its property, in addition to the amount that may be allowed as damages, and when the railroad company shall have completed the improvement through its property in accordance with such specifications it shall be entitled to demand and receive from the township clerk such cost. If the railroad company shall fail to so construct the improvement for a period of thirty (30) days after filing its election so to do, the applicant may proceed to do so and may have returned to him the cost thereof deposited with the township clerk."

Read first and second time and unanimous consent being granted the bill was taken up for consideration.

Klay of Sioux moved that further action be deferred until 9:00 o'clock, A. M.

Motion lost.

Lee of Emmet moved that the rules be suspended, 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 ayes were:

Allred, Anderson, Balluff, Bascom, Bauman, Beans, Beebe, Blackmore, Boe, Boettger, Boomgaarden, Bowman, Brandes, Burt, Byerly, Cassady, Cooper, Cousins, Crozier, Crummer, Dabney, Dalby, Darrah, Davidson, Dawson, Derrrough, Dewell, Dewey, DeWitt, Dodds, Drury, Dye, Elliott, Ellis, Felt, Fenn, Finlayson, Fourt, Fox, Goodykoontz, Hackler, Harvey, Hickenlooper, Holmes, Hunter, Ide, Jacobs, Jewell, Jones, Kendall, Koontz, Kull, Larrabee, Lee, McCleery, McDonald, Miller of Dubuque, Moore of Wapello, Newell, Penn, Reaney, Ripley, Ritter, Sankey, Schulte, Stillman, Stoddard, Sullivan, Swan, Swift, Thompson, Tilton, Welden, White, Wilson, Wolfe, Zeller—77.

The nays were:

Meredith—1.

Absent or not voting:

Arney, Beery, Bonwell, Calkins, Corrie, Cunningham, Etter, Fulham, Fulton, Grier, Hanson, Harding, Huffaker, Inman, Jones, Kellogg, Marston, Miller of Bremer, Moore of Linn, O'Connor, Perkins, Reitz, Schee, Schroeder, Sheldon, Smith, Tegeler, Ward, Mr. Speaker—30.

So the bill passed and the title was agreed to.

Holmes of Kossuth moved that the Sifting Committee be requested to report back immediately to this House Senate File Nos. 59 and 298.

Roll call demanded by Meredith of Cass and Holmes of Kossuth.

The ayes were:

Allred, Arney, Bauman, Boe, Bonwell, Boomgaarden, Bowman, Burt, Cooper, Corrie, Cousins, Crummer, Cunningham, Dalby, Darrah, Davidson, Dawson, Derrough, Dewey, DeWitt, Elliott, Felt, Fenn, Finlayson, Fourt, Fox, Fulton, Grier, Hanson, Hickenlooper, Holmes, Hunter, Ide, Jewell, Larrabee, Marston, Meredith, Moore of Wapello, Reaney, Schee, Smith, Stillman, Stoddard, Sullivan, Swan, Swift, Tegeler, Thompson, Zeller—49.

The nays were:

Balluff, Bascom, Blackmore, Boettger, Brandes, Byerly, Dabney, Dewell, Dodds, Dye, Ellis, Etter, Fulliam, Goodykoontz, Hackler, Harding Holmes, Huffaker, Jacobs, Johnson, Koontz, Kull, McCleery, McDonald, Miller of Bremer, Miller of Dubuque, Newell, O'Connor, Penn, Reitz, Ripley, Ritter, Sankey, Schulte, Tilton, Welden, Wolfe—36.

Absent or not voting:

Anderson, Beans, Beebe, Beery, Calkins, Cassady, Crozier, Drury, Harvey, Inman, Jones, Kellogg, Klay, Lee, Moore of Linn, Perkins, Schroeder, Sheldon, Ward, White, Wilson, Mr. Speaker—23.

Motion prevailed.

Holmes of Kossuth moved that the House adjourn until 8:30 o'clock A. M. Friday.

Motion prevailed.

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Titles of laws enacted and joint resolutions passed by the Thirty-third General Assembly to April 9, 1909.

By Ellis of Jackson, House File No. 1, a bill for an act to make an appropriation for the removal of the remains of Ex-Governor Ansel Briggs from Omaha, Nebraska, to Andrew, Jackson County, Iowa, and



for the erection of a monument in the cemetery at that place in commemoration of his memory.

By Hackler of Webster, House File No. 2, a bill for an act to repeal sections ten hundred fifty-six-a-seventeen (1056-a-17), ten hundred fifty-six-a-eighteen (1056-a-18), ten hundred fifty-six-a-twenty-six (1056-a-26) of chapter fourteen-c (14-c) of the Supplement to the Code of Iowa, and to enact substitutes therefor, and to amend sections ten hundred fifty-six-a-nineteen (1056-a-19), ten hundred fifty-six-a-twenty (1056-a-20), ten hundred fifty-six-a-twenty-one (1056-a-21), ten hundred fifty-six-a-twenty-four (1056-a-24), ten hundred fifty-six-a-twenty-five (1056-a-25), ten hundred fifty-six-a-twenty-eight (1056-a-28), ten hundred fifty-six-a-thirty-two (1056-a-32), ten hundred fifty-six-a-thirty-nine (1056-a-39), of chapter fourteen-c (14-c), of the Supplement to the Code of Iowa, all relating to the government of certain cities.

By Zeller of Madison, House File No. 5, a bill for an act to amend the law as it appears in section fifteen hundred thirty-two-a (1532-a), Code Supplement of 1907, relative to the duties of township trustees; the election and compensation of road superintendents; the division and consolidation of road districts and the collection of property road tax.

By Davidson of Palo Alto, House File No. 7, a bill for an act for the preservation and improvement of Medium lake and the islands therein and placing the same within the jurisdiction of the city of Emmetsburg and making appropriation therefor.

By Hickenlooper of Monroe, House File No. 11, a bill for an act to repeal section thirty-two hundred and sixty-eight (3268) of the Code, relative to the time and manner of examination of bonds of guardians, executors, administrators, and trustees, by clerk of the district court, and to enact a substitute therefor.

By Balluff of Scott, House File No. 12, a bill for an act to define an "absentee" and to provide for the care and management of the estate of such absentee and for the distribution of his or her estate by an administrator or executor.

By Koontz of Johnson, House File No. 28, a bill for an act to amend section one, chapter five, of the acts of the Sixteenth General Assembly of the State of Iowa, relating to the granting of power to the First Universalist Parish of Iowa City, Iowa, to transfer a portion of its property in Iowa City, Iowa.

By Boettger of Scott, House File No. 30, a bill for an act repealing section five hundred and ninety-two (592) of the Code relating to the compensation of township assessors and enacting a substitute therefor.

By Boettger of Scott, House File No. 31, a bill for an act repealing section five hundred and ninety (590) of the Code relative to the compensation of township trustees and enacting a substitute therefor,

By Arney of Marshall, House File No. 34, a bill for an act to amend the law as it appears in section twenty-six hundred four (2604) of the Supplement to the Code, 1907, relative to the perquisites of officers of the Iowa Soldiers' Home.

By Ritter of Des Moines, House File No. 37, a bill for an act to repeal section twenty-four hundred and forty-five (2445) of the Code and to enact a substitute therefor.

By Moore of Linn, House File No. 44, a bill for an act to provide that any fiduciary required by law to give bond may include the expense thereof as part of the lawful expense of executing his trust, etc.

By Fulton of Jefferson, House File No. 60, a bill for an act to amend section four hundred and thirty-three (433) of the Supplement of 1907 of the Code, relative to the burial of indigent soldiers and sailors.

By Beery of Henry, House File No. 71, a bill for an act to repeal section twenty-three hundred and sixty-seven (2367) of the Code defining a lawful fence.

By Brandes of Pottawattamie, House File No. 73, a bill for an act to repeal Section eleven hundred and seventy-seven (1177) of the Code relating to the commencement of term and qualification of public officers and to enact a substitute therefor.

By Brandes of Pottawattamie, House File No. 96, a bill for an act to amend section fourteen hundred seven (1407) of the Code and the Supplement to the Code, relating to the collection of delinquent personal property tax.

By Hickenlooper of Monroe, House File No. 98, a bill for an act to repeal the law as it appears in section three hundred thirty-seven-d (337-d) of the Supplement to the Code, 1907, relating to time of selecting jury lists, and to enact a substitute therefor.

By Arney of Marshall, (by request), House File No. 102, a bill for an act to repeal section fifteen hundred seventy-one (1571) of the Code and to enact a substitute in lieu thereof, relating to traction engines on the public roads.

By Bowman of Linn, House File No. 103, a bill for an act to give farmers telephone companies the same exemption from corporation fees which are now enjoyed by Farmers' Co-operative Creamery Associations and corporations organized for the manufacture of beet sugar.

By Arney of Marshall, House File No. 109, a bill for an act to repeal section thirteen hundred and sixty-three (1363) of the Code, relating to statistics, and enacting a substitute therefor.

By Brandes of Pottawattamie, House File No. 119, a bill for an act amending section seven hundred and forty-six (746) of the Supplement to the Code, relating to contracts and expenditures from the water-works sinking fund for purposes incident to the making and submission to the people of contracts for the purchase or erection of water-works.

By Swan of Appanoose, House File No. 121, a bill for an act to amend section one thousand five hundred and seventy (1570) of the Code, 1907, providing for the time when osage orange, willow and other hedge fences shall be trimmed.

By Hunter of Polk, House File No. 123, a bill for an act to amend section eight hundred fifty-j (850-j) of the Supplement to the Code, 1907, relating to park districts.

By Baxter of Ida, House File No. 126, a bill for an act providing that owners or keepers of stallions or jacks shall have a lien upon the get of any such animal for the service fee thereof.

By Lee of Emmet, House File No. 130, a bill for an act relating to the distribution of laws becoming effective by publication.

By DeWitt of Montgomery, House File No. 134, a bill for an act to amend section fifteen hundred sixty-one (1561) of the Code of Iowa, 1897, relating to the erection of guide posts.

By Ripley of Hancock, House File No. 138, a bill for an act to provide for feeble-minded men at Glenwood and the maintenance thereof. (Amendatory of chapter seven (7), title thirteen (XIII) of the Code, relating to the institution for feeble-minded children.

By Klay of Sioux, House File No. 145, a bill for an act to legalize the action of the board of supervisors of Sioux county, Iowa, relating to the sale of school lands in section twelve (12), township ninety-five (95), north of range forty-eight (48), west of the fifth (5th) principal meridian, Sioux county Iowa, and to authorize the governor to issue a patent therefor to John H. Hutchinson.

By Wilson of Tama, House File No. 153, a bill for an act to establish a laboratory at the Iowa College of Agriculture and Mechanic Arts to manufacture hog cholera serum and tuberculin and make an appropriation therefor.

By Sullivan of Polk, House File No. 158, a bill for an act to amend section three thousand one hundred thirty-eight (3138) of the Supplement to the Code, 1907, relating to the lien and liability of hotel and inn keepers.

By Sullivan of Polk, House File No. 159, a bill for an act to repeal section eighteen hundred twenty (1820) of the Code, relative to limitations of actions and enacting a substitute therefor.

By Committee on Judiciary, House File No. 161, a bill for an act to amend sections twenty-seven hundred eight (2708), twenty-seven hundred nine (2709), as they appear in Supplement to the Code, 1907.

relating to the age at which boys or girls may be committed to the Industrial Schools.

By Committee on Judiciary, House File No. 162, a bill for an act to repeal section one thousand one hundred eighty-five (1185) of the Code and to enact a substitute therefor; to repeal section one thousand one hundred eighty-eight (1188) and to enact a substitute therefor; to repeal section one thousand one hundred ninety-six (1196) and to enact a substitute therefor, relating to officers bonds.

By Koontz of Johnson, House File No. 170, a bill for an act to amend the law as it appears in section 716-a of the Supplement to the Code, fixing the levy for the fire fund in cities of the second class.

By Anderson of Hamilton, House File No. 171, a bill for an act providing for the completion and distribution of the Roster of Iowa Soldiers, Sailors and Marines, as provided by chapter 223, laws of the Thirty-second General Assembly, fixing number of volumes, and making an additional appropriation therefor.

By Kendall of Clinton, House File No. 174, a bill for an act to provide for the payment of bounties for killing ground hogs.

By Hickenlooper of Monroe, House File No. 175, a bill for an act to repeal section thirteen hundred three (1303) of the Supplement to the Code, 1907, relating to levy of taxes by board of supervisors, and to enact a substitute therefor.

By Sullivan of Polk, House File No. 177, a bill for an act to repeal sections forty-nine hundred seventy-five-d (4975-d), forty-nine hundred seventy-five-g (4975-g), and forty-nine hundred seventy-five-h (4975-h) of the Supplement to the Code, 1907, relating to bucket-shops and bucket-shopping, and to enact substitutes therefor.

By Committee on Judiciary, House File No. 179, a bill for an act to repeal section three hundred fifty-four (354) of the Supplement to the Code, 1907, relating to the fees of jurors, and enacting a substitute therefor.

By Holmes of Kossuth, House File No. 182, a bill for an act authorizing the extension of the traveling library and other activities of the Iowa Library Commission, and providing additional funds therefor.

By Tilton, of Iowa, House File No. 185, a bill for an act to amend chapter one hundred forty-two (142) of the Thirty-second General Assembly, relating to the sale of denatured alcohol and to enact an amendment thereto.

By Dodds, of Des Moines, House File No. 189, a bill for an act to add to the provisions of title nine (9), chapter three (3), Supplement to the Code of 1897, additional to section sixteen hundred sixty-one-a (1661-a).

By O'Connor of Chickasaw, House File No. 190, a bill for an act entitled an act relating to hotels, inns and public lodging houses, defining the same and prescribing rules for their operations and mainte-

nance, so as to insure the safety and health of employes and patrons of the same; providing for inspection thereof, fees for same and fixing fines and penalties for violation of such rules and regulations.

By Holmes of Kossuth, House File No. 191, a bill for an act to amend the law as it appears in section twenty-four hundred seventy-seven-d (2477-d), 1907 Supplement to the Code, relating to authority of officers to demand proof of age of children employed and defining what said proof shall be.

By Boe of Winnebago, House File No. 198, a bill for an act to amend sections two thousand five hundred thirty (2530) and two thousand five hundred thirty-six (2536) of the Supplement to the Code, relating to State Veterinary Surgeon.

By Crozier of Marion, House File No. 200, a bill for an act making the provisions of section three thousand eight hundred forty-seven (3847), Code Supplement of 1907, section three thousand four hundred forty-eight (3448), section three thousand eight hundred forty-nine (3849) Code Supplement, section three thousand eight hundred fifty, fifty-one and fifty-two (3850-51-52) applicable to actions in justice's courts and providing for the deposit of money in lieu of bond.

By Fulton of Jefferson, House File No. 201, a bill for an act to repeal section ten hundred ninety-one (1091) of the Code, relative to polling places for country precincts and to enact a substitute therefor.

By Perkins of Delaware, House File No. 207, a bill for an act to encourage the dairy industry of the State of Iowa, to aid in providing instruction in practical and scientific dairying and making an appropriation therefor.

House File No. 208, substitute for House File Nos. 24, 32, 53—by Committee on Public Health, a bill for an act to repeal sections twenty-five hundred sixty-five (2565), twenty-five hundred sixty-eight (2568) of the Code, and sections twenty-five hundred seventy-a (2570-a), twenty-five hundred seventy-a-1 (2570-a-1), twenty-five hundred seventy-b (2570-b), twenty-five hundred seventy-one (2571) and twenty-five hundred seventy-two (2572) of the Supplement to the Code, 1907, relating to the jurisdiction, powers, rules, regulations and expenses of the State Board of Health and of local boards of health, and to enact substitutes therefor.

By Stillman of Greene, House File No. 218, a bill for an act to amend section seven hundred thirty-two (732), Supplement to the Code, 1907, relative to the levying of taxes for public libraries.

By Wilson of Tama, House File No. 219, a bill for an act to repeal the law as it appears in section five hundred sixty-five (565) of the Code, and to enact a substitute therefor with regard to election of township assessors in certain townships.

On motion of Dabney of Davis, House File No. 221, a bill for an act to amend section four thousand two hundred fifty-three (4253) of the Code, relating to leasing real estate partitions for sale.

By Brandes of Pottawattamie, House File No. 223, a bill for an act to amend section one (1), chapter one hundred and twenty-two (122), of the laws of the twenty-ninth General Assembly, relating to the support of the Iowa School for the Deaf at Council Bluffs.

By Kellogg of Harrison, House File No. 227, a bill for an act to amend sections seven hundred forty-one-g (741-g), seven hundred forty-one-m (741-m), seven hundred forty-one-q (741-q) and seven hundred forty-six (746) of the Supplement to the Code, 1907, relating to the submission of questions to voters.

By Koontz of Johnson, House File No. 229, a bill for an act relating to fish and game, and making appropriation for the Fish and Game Commission of the State of Iowa.

By Wolfe of Clinton, House File No. 230, a bill for an act to amend section two thousand two hundred and forty-seven (2247) of the Code in relation to the levy of a poor tax.

By Smith of Wright, House File No. 231, a bill for an act making appropriation for additional improvements and land at the Iowa State Fair and Exposition Grounds.

By Newell of Plymouth, House File No. 233, a bill for an act to legalize the incorporation of the town of Hinton, Iowa, and the passage and adoption of its ordinances, resolutions and rules of health.

By Newell of Plymouth, House File No. 234, a bill for an act to legalize the incorporation of the town of Merrill, Iowa, and the passage and adoption of its ordinances, resolutions and rules of health.

By Cooper of Jasper (by request), House File No. 239, a bill for an act to amend section twenty-four hundred seventy-seven (2477) of the Supplement to the Code, 1907, relating to compensation and expenses of the Department of the Bureau of Labor Statistics.

By Grier of Poweshiek, House File No. 243, a bill for an act legalizing ordinances numbers thirty-eight and thirty-nine, establishing the grades of streets and side walks in the incorporated town of Deep River, Poweshiek County, Iowa.

By Bowman of Linn, House File No. 248, a bill for an act to amend section five thousand six hundred and fifty-two (5652) of the Code of Iowa, relating to hard labor by persons confined in jails.

By Committee on Military, House File No. 250, a bill for an act to repeal title eleven of the Code and the law as it appears in title eleven of the Supplement to the Code, 1907, relating to the militia and enacting a substitute therefor to be known as "The Military Code of Iowa."

By Fulliam of Muscatine, House File No. 251, a bill for an act to amend Section four thousand nine hundred and thirty-six (4936) of the Supplement to the Code of Iowa, relating to marriage of cousins.

By Koontz of Johnson, House File No. 252, a bill for an act to amend the law as it appears in section 1137-a-7 of the Supplement to the Code, 1907, relating to elections and voting machines.

By Committee on Judiciary, House File No. 256, a bill for an act to amend section seven hundred twenty (720), seven hundred twenty-one (721), and seven hundred seventy-six (776), of the Supplement to the Code, 1907, relating to the purchase of water or gas works, heat plants and electric plants, the granting of franchises and the submission of the question to the voters.

By O'Connor of Chickasaw, House File No. 261, a bill for an act to legalize the special election held in the city of New Hampton, Iowa, on the 5th day of February, 1907, wherein there was submitted to the voters of said city the question of issuing bonds in the sum of eighteen thousand dollars (\$18,000) for the purpose of erecting a combined water works, electric light and power plant and water tower and tank, and to validate and legalize the bonds issued in pursuance of said election.

By Ward of Woodbury, House File No. 263, a bill for an act to repeal section number sixteen hundred ninety-nine (1699) of the Code, relating to the investment of their funds by insurance companies other than life, organized under chapter (4) of title IX of the Code, and to enact a substitute therefor.

By Harding of Woodbury, House File No. 265, a bill for an act to amend section fifteen hundred and thirty (1530) of the Supplement to the Code, 1907, by providing for the delivery to the city treasurer of so much of the county road fund tax as is collected from property within the incorporated limits of any city.

By Arney of Marshall, House File No. 273, a bill for an act to authorize the commandant of the Soldiers' Home to sell effects of deceased soldiers.

By Bonwell of Audubon, House File No. 274, a bill for an act to amend the law as it appears in section four thousand seven hundred seventy-one (4771) of the Code, relating to punishment for the crime of assault with intent to inflict great bodily injury.

By Hunter of Polk, House File No. 278, a bill for an act to authorize the issuance of a search warrant, and the seizure of cigarettes and cigarette papers.

By Fourt of Allamakee, House File No. 290, a bill for an act amendatory of and additional to chapter fifteen (15), title twelve (XII) of the Code and Supplement to the Code, relative to the care and propagation of fish.

By Ripley of Hancock (by request), House File No. 291, a bill for an act to amend section four thousand nine hundred and seventy-nine (4979) of the Code, relating to offenses against the public health.

By Inman of Floyd, House File No. 292, a bill for an act to repeal section two thousand nine hundred forty-two-j (2942-j) of the Supplement to the Code, 1907, relating to certain conveyances of real estate legalized by executors, administrators and guardians in this and foreign states and to enact a substitute therefor.

By Arney of Marshall, House File No. 296, a bill for an act to repeal

sections twenty-five hundred and sixty-three-a (2563-a) twenty-five hundred and sixty-three-b (2563-b), twenty-five hundred and sixty-three-c (2563-c), twenty-five hundred sixty-three-d (2563-d), twenty-five hundred sixty-three-e (2563-e), twenty-five hundred sixty-three-f (2563-f), twenty-five hundred sixty-three-g (2563-g), twenty-five hundred sixty-three-h (2563-h), of the Supplement to the Code, 1907, and to enact in lieu thereof the following, relating to protection of game.

By Beery of Henry, House File No. 300, a bill for an act to amend section fifteen hundred and nine (1509) of the Code and section fifteen hundred and thirty-two-a (1532-a), Supplement to the Code, 1907, relative to the power and duties of the Trustees, Board of Regents and Board of Control, in regard to roads and highways in and around lands owned by the state.

By Beery of Henry, House File No. 301, a bill for an act to amend section four hundred and fifty-eight-c (458-c) of the Supplement to the Code, 1907, relative to injuries of domestic animals by dogs and wolves.

By Hackler of Webster, House File No. 313, a bill for an act to legalize certain ordinances of the town of Callendar, Webster County, Iowa.

By Schulte of Clayton, House File No. 314, a bill for an act to amend sections eight hundred forty-nine-a (849-a), eight hundred forty-nine-b (849-b), Eight Hundred forty-nine-c (849-c), eight hundred forty-nine-e (849-e), eight hundred forty-nine-f (849-f), eight hundred forty-nine-g (849-g) and eight hundred forty-nine-h (849-h) of the Supplement to the Code, 1907, relating to the protection of city and town property from floods.

By Bowman of Linn, House File No. 317, a bill for an act to legalize certain acts of the city council of the city of Cedar Rapids, Linn County, Iowa, and of the auditor, treasurer and board of supervisors of said Linn County, Iowa, relating to a levy of park tax.

By Hanson of Humboldt, House File No. 321, a bill for an act to amend the law as it appears in section four thousand nine hundred and ninety-nine-a-thirty-one (4999-a-31) of the Supplement to the Code Nineteen Hundred and Seven (1907), relating to food standards.

By Holmes of Kossuth, House File No. 333, a bill for an act making an appropriation to defray the expenses of the Lincoln program.

By Goodykoontz of Boone, House File No. 337, a bill for an act amending the law as it appears in section twenty-four hundred eighty-nine-a (2489-a), Supplement to the Code, 1907, relating to examination of mine foremen, pit bosses and hoisting engineers.

By Anderson of Hamilton (by request), House File No. 349, a bill for an act to create the Iowa State Drainage, Waterways and Conservation Commission, and defining the powers and duties of the same.

By Davidson of Palo Alto, House File No. 355, a bill for an act to repeal the law as it appears in chapter forty-one (41) of the laws of



the Thirty-second General Assembly and to enact a substitute therefor, relating to the powers of certain cities and towns.

By Fulliam of Muscatine, House File No. 357, a bill for an act to amend the law as it appears in section three thousand one hundred forty-one (3141) of the Code, 1907, relating to granting of marriage license by Clerk of the District Court.

By Schee of O'Brien (by request), House File No. 365, a bill for an act to legalize deed of Osceola County, Iowa, to Edgar Baker, for government lots two, three and four in section ten, in township one hundred, north of range thirty-nine west of the 5th principal meridian.

By Schulte of Clayton, House File No. 373, a bill for an act to amend section three hundred thirty-seven (337) of the Supplement to the Code, 1907, relating to the selection of jury lists.

By Fulton of Jefferson, House File No. 381, a bill for an act to legalize the incorporation of the town of Packwood, Jefferson County, Iowa, the election of its officers and all acts done and ordinances passed by the town council of said town.

By Cassady of Monona, House File No. 382, a bill for an act to amend section thirteen hundred three (1303) of the Supplement to the Code, 1907, relative to the amount of taxes to be levied for making and repairing bridges.

By Dabney of Davis, House File No. 393, a bill for an act to amend section four hundred four (404) of the Code relating to the sale or exchange of bonds issued under the provisions of section four hundred three (403) of the Nineteen Hundred Seven (1907) Supplement of the Code.

By Grier of Poweshiek, House File No. 399, a bill for an act providing for the trial of persons charged with the commission of the crime of murder who are confined in a prison or reformatory.

By Perkins of Delaware, House File No. 406, a bill for an act to amend section twenty-eight hundred twenty-three-a (2823-a), Supplement to the Code, 1907, relating to the duties of parents or guardians.

By Holmes of Kossuth (by request), House File No. 414, a bill for an act relating to the investigation of complaints as to the management and treatment of inmates of county and private institutions in which insane persons are kept, and of children cared for by associations and societies contemplated by the law as it appears in section three thousand two hundred sixty-j (3260-j) of the Supplement to the Code, 1907.

By Perkins of Delaware, House File No. 415, a bill for an act to amend the law as it appears in section thirteen hundred six-b (1306-b) of the Supplement to the Code, 1907, so as to authorize cities and incorporated towns to incur an indebtedness not exceeding in the aggregate added to all other indebtedness five per centum of the actual value of the taxable property within such cities or incorporated towns

for the purpose of extending as well as purchasing, erecting or maintaining and operating water works electric light and power plants, gas works and heating plants, or building and constructing sewers.

By Boe of Winnebago, House File No. 424, a bill for an act to amend section twenty-eight hundred twenty-three-a (2823-a) of the Supplement to the Code, 1907, relating to education.

By Judiciary Committee, House File No. 427, a bill for an act to amend the law as it appears in section three hundred fifty-eight (358) of the Code relating to qualification of sureties of certain official bonds.

By Bascom of Dickinson, House File No. 428, a bill for an act to amend the law as it appears in section four hundred twelve (412) Supplement to the Code, 1907, relating to the meeting of board of supervisors.

By Davidson of Palo Alto, House File No. 433, a bill for an act to amend section two thousand twenty-eight as it appears in the Supplement to the Code, 1907, relating to ways to lands which have no other means of access.

By Inman of Floyd, House File No. 436, a bill for an act relating to the renewal of teachers' certificates.

By White of Story, House File No. 437, a bill for an act providing a method by which the indebtedness of cities and towns in excess of the statutory limit of one and one-fourth per cent and within the five per cent constitutional limit may be legalized.

By Harding of Woodbury, House File No. 445, a bill for an act to legalize certain actions of the city council of the city of Sioux City, Iowa, relating to the transfer of moneys from the library bond fund to the judgment fund.

By Reaney of Louisa, House File No. 450, a bill for an act providing for the enumeration of deaf and blind persons additional to Chapter one (1), title seven (7), of the Code.

By Elliott of Page, House File No. 452, a bill for an act to amend section four hundred thirty (430) of the Code relative to dependent soldiers' and sailors' tax.

By Holmes of Kossuth, House File No. 455, a bill for an act to amend section two thousand eight hundred twenty-three-e (2823-a) of the Supplement to the Code, 1907, relating to the probation officers.

By Moore of Linn, House File No. 473, a bill for an act to confer additional powers on certain cities organized under chapter forty-eight (48) of the acts of the Thirty-second General Assembly of Iowa, and transferring to the city councils of such cities the powers conferred on river front improvement commissions organized in such cities under chapter two hundred ten (210) of the acts of the twenty-ninth General Assembly of Iowa and empowering the council of such cities to appoint river front improvement commissions and define

their duties. Also providing for the issuance of tax deeds by the county treasurer of the county in which such cities are located on sales of property for taxes heretofore made by the treasurers of such cities, and providing for special assessments and the levy of special taxes for the improvement of the beds and banks of rivers and other purposes connected therewith. Also providing for the division of such cities into road districts and the levy of a special tax for use and benefit thereof, also for the levy of a special tax for the benefit of the fire department, and authorizing the transfer of certain special taxes heretofore levied to the fire department fund or general fund.

By Harding of Woodbury, House File No. 482, a bill for an act legalizing the acts, resolutions, ordinances and proceedings of the council of the incorporated town of Oto, Woodbury County, Iowa.

By Sullivan of Polk, House File No. 508, a bill for an act to amend the law as it appears in section ten hundred fifty-six-a-thirty-six, chapter fourteen-c, title five of the Supplement to the Code, 1907, relating to the government of certain cities and the recalling of elective officers therein.

By Jacobs of Calhoun, House File No. 490, a bill for an act to legalize the incorporation of the town of Knierim, Calhoun County, Iowa, the election of its officers and all acts done and ordinances passed by the town council of said town.

By Committee on Appropriations, House File No. 530, a bill for an act making an appropriation to defray the mileage expense, general expenses and witness fees of the investigating committee for the Hospitals for nsane.

By Committee on Appropriations, House File No. 531, a bill for an act making an appropriation to defray the mileage and expenses of the members of the various committees sent by the Thirty-third General Assembly to visit the several state educational institutions.

By O'Connor of Chickasaw, House File No. 543, a bill for an act to amend House File No. Two hundred sixty-one (261) of the Thirty-third General Assembly, relating to the issuance of bonds by the city of New Hampton, Iowa.

By Larrabee of Fayette, House File No. 544, a bill for an act legalizing the acts and proceedings of the city council of the city of Oelwein, Iowa, in erecting and constructing a dam in the park of said city, and other improvements therein and appropriating money from the park fund in payment of the same, and any and all acts of the city treasurer in the payment of warrants drawn on the park fund for that purpose by the city clerk of said city.

#### SENATE BILLS.

By Senator Dowell, Senate File No. 3, a bill for an act to repeal the law as it appears in section 1457 of the Supplement to the Code

and to enact a substitute therefor relating to the subject of loaning or depositing of public funds.

By Senator Peterson, Senate File No. 4, a bill for an act to amend the law as it appears in section 2071 of the 1907 Supplement to the Code relating to the liability of corporations operating a railway for negligence or wrongs of employes.

By Senator Cosson, Senate File No. 6, a bill for an act to repeal sections 301, 302, 305, 306 and 307, of the Code, relating to the duties and limitations of the county attorney and to enact substitutes therefor.

By Senator Cosson, Senate File No. 7, a bill for an act to repeal sections 499 and 502 of the Code, relating to the duties and powers of the sheriff and his deputy, and to enact a substitute therefor.

By Senator Cosson, Senate File No. 8, a bill for an act authorizing the Governor to remove officers for misfeasance, malfeasance or non-feasance in office.

By Senator Whipple, Senate File No. 9, a bill for an act exempting stocks of paint in the hands of jobbers and dealers in the state on January 1, 1908, from the requirements of the law which appears as sections 2510-b, 2510-c, 2510-d, and 2510-h of the Supplement to the Code, 1907.

By Senator Allen of Van Buren, Senate File No. 12, a bill for an act to amend section three hundred-thirty-three (333) of the Code relating to persons exempt from liability to act as jurors.

By Senator Saunders, Senate File No. 15, a bill for an act to repeal section (2727-a), Supplement to the Code, and to enact a substitute therefor, providing funds for the support of the school for the deaf at Council Bluffs, Iowa.

By Senator Peterson, Senate File No. 22, a bill for an act to amend the law as it appears in section (740) of the 1907 Supplement to the Code, relating to aiding by taxation the maintenance of any institution of learning or benevolence including hospitals acquired by any county, city, town or school corporation by gift or devise.

By Senator Allen of Pocahontas, Senate File No. 23, a bill for an act to amend section (2116) of the Code, relating to the duties of railroads as to furnishing transportation.

By Senator Quigley, Senate File No. 28, a bill for an act to provide for the payment of bounty for the destruction of rattlesnakes.

By Senator Fitchpatrick, Senate File No. 31, a bill for an act requiring all corporations doing business within the state to make an annual report and pay an annual license fee to the Secretary of State.

By Senator Nichols, Senate File No. 37, a bill for an act to repeal section (1366) of the Code and enact a substitute therefor relative to assessment rolls.

By Senator Moon, Senate File No. 42, a bill for an act to amend section (4600-a) of the 1907 Supplement to the Code, relative to the compensation of justices of the peace and constables in townships having a population of 22,000 and under 35,000.

By Senator Maytag, Senate File No. 43, a bill for an act making an appropriation to pay the additional employes of the Thirty-third General Assembly.

By Senator Maytag, Senate File No. 44, a bill for an act making an appropriation for the purchase of (20,000) copies of the Railroad Commissioners official maps to be distributed by the members of the General Assembly and Railroad Commissioners.

By Senator Smith of Mitchell, Senate File No. 45, a bill for an act providing a method for the settlement of claims and demands for money or other property held by the state against persons.

By Senator Nichols, Senate File No. 48, a bill for an act to amend section (1661-a) of the Supplement to the Code relative to state aid to county and district fairs.

By Senator Hoyt, Senate File No. 50, a bill for an act to legalize the action and proceeding of the city council of the city of Manchester, relative to the boundary line and extent of the limits of said city.

By Senator Peterson (by request), Senate File No. 51, a bill for an act to amend section (254-a-2) of the Supplement to the Code relating to the compensation of shorthand reporters.

By Senator Francis, Senate File No. 63, a bill for an act making it the duty of all persons operating vessels propelled by machinery to carry lights during certain hours, providing rules for action upon meeting other vessels and fixing penalty for violation.

By Senator Saunders, Senate File No. 65, a bill for an act to repeal the law as it appears in section (232) of the 1907 Supplement to the Code, and enact a substitute therefor, relating to the schedule of times of holding terms of court.

By Senator Cosson, Senate File No. 67, a bill for an act to amend section (5448) of the Code, relating to the time in which an appeal may be taken from the final judgment in criminal cases.

By Senator Allen of Pocahontas, Senate File No. 71, a bill for an act providing revenue for the improvement of public highways, creating a county drainage fund for said purpose and providing for the destruction of weeds and noxious weeds on the same and land adjacent thereto; naming the officers whose duty it shall be to enforce the provisions of this act and defining their duties; repealing sections (1528) and (1530) of the Supplement of the Code, 1907, and enacting substitutes therefor, and repealing sections (1562) and (1562-a) of the Supplement to the Code, 1907, and repealing sections (1564), (1565) and (5024) of the Code.

By Senator Burgess, Senate File No. 72, a bill for an act requiring the entrance and exit doors of all hotels, churches, lodge halls, court houses, assembly halls, theaters, opera houses, seminaries, colleges and public school buildings to open outward.

By Senator Proudfoot (by request), Senate File No. 75, a bill for an act to repeal sections (16), (17), and (20) of Chapter (20), of the Acts of the Extra Session of the Twenty-sixth General Assembly as the same appear on page (4) of the prefix to the Code and enact substitutes therefor; to repeal sections (18) and (19) of chapter (20) of the Acts of the Extra Session of the Twenty-sixth General Assembly as amended by chapter (1) of the Acts of the Thirty-first General Assembly and as the same appear on page (5) of the prefix to the 1907 Supplement to the Code and enact substitutes therefor; and to repeal sections (42), (43), (44), (45), and (46) of the Code and enact substitutes therefor, relating to the distribution and sale of, and accounting for, the Codes and Session Laws.

By Senator Bennett, Senate File No. 76, a bill for an act to repeal section (2448-1) of the 1907 revision of the Code, and sections (2432) and (2445) of the 1897 Code, relating to statement of consent, payment of mulct tax and distribution of the same, and enacting substitutes therefor.

By Senator Chapman, Senate File No. 79, a bill for an act to legalize a special election of the city of Anamosa, Iowa, held October 28, 1907, for the purchase of water works system, and voting bonds therefor and the ordinances, resolutions and acts of the council relating to such water works.

By Senator Clarkson, Senate File No. 81, a bill for an act to repeal chapter one hundred and eighty-one (181) of the laws as enacted by the Thirty-second General Assembly of the State of Iowa, relating to the assumption of risks, and providing a substitute therefor.

By Senator Savage, Senate File No. 87, a bill for an act to repeal section sixteen hundred and seventy-five (1675) of the Supplement to the Code and to enact a substitute therefor, relative to Farmers' Institutes.

By Senator Savage, Senate File No. 88, a bill for an act to repeal section twenty-three hundred and forty-one-d (2341-d) of the Supplement to the Code, 1907, and to enact a substitute therefor, relative to the transfer of state certificates for pure bred stallions.

By Senator Adams, Senate File No. 91, a bill for an act to define and regulate the practice of optometry and for the creation of a Board of Examiners in Optometry.

By Senator Bruce (by request), Senate File No. 93, a bill for an act to repeal the law as it appears in section sixteen hundred fifty-seven-q (1657-q) of the Supplement to the Code and to enact a substitute therefor, relating to the auditing of accounts of the Department of Agriculture.

By Senator Stuckslager, Senate File No. 98, a bill for an act for the relief of the grantees of O. J. Felton, and for the purpose of having a patent issued in the name of Thos. Wilmont for a certain tract of land of Iowa.

By Senator De Wolf, Senate File No. 99, a bill for an act to amend the law as it appears in section twenty-six hundred and seventy-five (2675) of the Code, 1907, by providing an official name for the State Normal School at Cedar Falls.

By Senator Saunders, Senate File No. 101, a bill for an act to change the name and official title of the various poor farms of the State of Iowa.

By Senator Saunders, Senate File No. 102, a bill for an act to amend section three hundred and eight (308) of the Supplement to the Code, relating to the compensation of county attorneys.

By Senator Cosson, Senate File No. 105, a bill for an act to amend the law as it appears in section five thousand and twenty-eight-b (5028-b) of the Supplement to the Code, 1907, relating to unfair discrimination between different sections, communities or localities.

By Senator Whipple, Senate File No. 110, a bill for an act providing for the education of deaf and blind children at the school for the deaf and the college for the blind.

Senator Larrabee (by request), Senate File No. 119, a bill for an act to amend sections fifteen hundred and seventy-one-b (1571-b), fifteen hundred and seventy-one-c (1571-c), fifteen hundred and seventy-one-e (1571-e), and fifteen hundred and seventy-one-f (1571-f) of the 1907 Supplement to the Code, in reference to motor vehicles.

By Senator Chapman, Senate File No. 121, a bill for an act to legalize certain ordinances of the town of Oxford Junction, Jones County, Iowa.

By Senator Clark, Senate File No. 124, a bill for an act to amend section twenty-five hundred and seventy-eight-a (2578-a) of the Supplement to the Code of Iowa, relating to the revocation of certificates by the Board of Medical Examiners.

By Committee on Cities and Towns, Senate File No. 129, a bill for an act to amend section nine hundred and ninety-five (995) of the Code relating to powers and duties of commissioners in cities of special charter.

By Senator Cosson, Senate File No. 131, a bill for an act to repeal sections two hundred and eight (208) and two hundred ten (210) of the Code, relating to the office and duties of the Attorney General, and to enact a substitute therefor.

By Senator Maytag, Senate File No. 136, a bill for an act making appropriation to defray the expenses of the inaugural ceremonies.

By Senator Wilson, Senate File No. 137, a bill for an act to amend section one thousand four hundred and sixty-seven (1467) of the Code, relative to assessment and collection of collateral inheritance tax.

By Senator Van Law, Senate File No. 145, a bill for an act to cooperate with the city of Marshalltown, in constructing a permanent dam across the Iowa river.

By Senator Saunders, Senate File No. 150, a bill for an act to amend the law as it appears in section five hundred eleven (511) of the Supplement to the Code, 1907, relating to the compensation of sheriffs for boarding prisoners.

By Senator Saunders, Senate File No. 153, a bill for an act granting to the Omaha, Council Bluffs and Suburban Railway Company, a right of way over and across the lands of the Iowa School for the Deaf, located near Council Bluffs.

By Senator Saunders, Senate File No. 154, a bill for an act to create a commission authorized to locate and erect a pedestal for a monument to the memory of the late William B. Allison and making an appropriation to defray the expense thereof.

By Senator Hammill, Senate File No. 157, a bill for an act to amend the law as it appears in chapter two-a (2-a), title ten (10), of the Supplement to the Code, 1907, relating to levees, ditches, drains and water courses and providing for work beyond the boundary lines of the district and for the acquirement by condemnation of lands therefor by adding thereto the following:

By Senator Seeley, Senate File No. 158, a bill for an act amending section thirteen hundred and ten (1310) of the Code, relating to taxation of shares of stock in corporations doing business in another state or territory.

By Senator Francis, Senate File No. 162, a bill for an act amending the law as it appears in section thirteen hundred sixty-one (1361) of the Supplement to the Code, 1907, and section thirteen hundred fifty-four (1354) and section thirteen hundred fifty-five (1355) of the Code relating to the making of affidavit in assessment of property.

By Senator Allen of Pocahontas, Senate File No. 164, a bill for an act to amend the law as it appears in section 1758-a and section 1709 of the Supplement to the Code, 1907, giving insurance companies, in addition to the authority now enjoyed, the right to issue policies upon automobiles and marine risks and further adding to the list of properties and rights that may be insured; repealing the law as it appears in section 1710 of the Supplement to the Code, 1907, and enacting a substitute therefor.



By Senator Foley, Senate File No. 166, a bill for an act to enable counties to establish and maintain public hospitals, levy a tax and issue bonds therefor, elect hospital trustees, maintain training schools for nurses, provide suitable means for the care of tuberculous persons, and to make possible the ultimate establishment of an adequate supply of hospitals with equal rights to all and special privilege to none.

By Senator Dowell, Senate File No. 167, a bill for an act making an appropriation for Thomas H. Rattenbury on account of injuries received by him at the State Sanatorium for the treatment of tuberculosis.

By Senator Cosson, Senate File No. 170, a bill for an act to legalize the establishment of the superior court of the city of Perry, Dallas County, State of Iowa, and all the proceedings in the matter of establishing said court and the acts of all the officers of said city of Perry in relation to the establishment of said court, the issuance of the proclamation by the mayor and the election held on said establishment and the vote of the electors in establishing said court and the canvassing said vote and the declaring the result and the appointment of the judge thereof and the election of his successor and the official acts, orders, judgments, and decrees of said judges and the court and all the proceedings in said court and the official acts of the clerk thereof or any other officer of said court, legalizing all the aforesaid matters, acts and proceedings and record as fully and exactly as if the law in every particular had been complied with.

By Senator Peterson, Senate File No. 172, a bill for an act to amend section twenty-six hundred and one (2601) of the Code, relating to admission of inmates to the Iowa Soldiers' Home located at Marshalltown.

By Senator Moon, Senate File No. 177, a bill for an act requiring the partial inclosure of platforms on street cars.

By Senator Saunders, Senate File No. 179, a bill for an act to amend the law as it appears in sections two hundred fifty-four-a-thirteen (254-a-13), two hundred fifty-four-a-fourteen (254-a-14), two hundred fifty-four-a-fifteen (254-a-15), two hundred fifty-four-a-sixteen (254-a-16), two hundred fifty-four-a-seventeen (254-a-17), two hundred fifty-four-a-eighteen (254-a-18), two hundred fifty-four-a-nineteen (254-a-19), two hundred fifty-four-a-twenty (254-a-20), two hundred fifty-four-a-twenty-one (254-a-21), two hundred fifty-four-a-twenty-two (254-a-22), two hundred fifty-four-a-twenty-three (254-a-23), two hundred fifty-four-a-twenty-four (254-a-24), two hundred fifty-four-a-twenty-five (254-a-25), two hundred fifty-four-a-twenty-six (254-a-26), two hundred fifty-four-a-twenty-seven (254-a-27), two hundred fifty-four-a-twenty-eight (254-a-28), two hundred fifty-four-a-twenty-nine (254-a-29), two hundred fifty-four-a-thirty (254-a-30), of the Supplement to the Code, 1907, relating to juvenile courts, detention homes and schools, and conferring concurrent jurisdiction upon superior courts with district courts of proceedings brought under said sections.

By Senator Allen of Van Buren, Senate File No. 182, a bill for an act for the relief of the grantees of Joel J. Bradshaw, and for the purpose of having a patent issued in the name of W. F. Werner for a certain tract of land.

By Senator Sammis, Senate File No. 185, a bill for an act to amend section two thousand five hundred and eighty-nine-b (2589-b) of the Code Supplement, 1907, relative to the requirements of applicants for registration as pharmacists.

By Senator Saunders, Senate File No. 191, a bill for an act appropriating the sum of two hundred nine dollars and twelve cents (\$209.12) for the relief of N. W. Williams on account of work done for the state for which he has not been paid.

By Senator Van Law, Senate File No. 196, a bill for an act to amend section forty-eight hundred ninety-eight (4898) of the Code, relating to breaking jail and escape of prisoners from custody.

By Senator Seeley (by request), Senate File No. 197, a bill for an act to grant to certain officers and other employes of the State institutions under the control of the Board of Control of State institutions annual vacations with pay and to repeal chapter one hundred ninety-five (195) of the acts of the thirty-second General Assembly.

By Senator Whipple, Senate File No. 198, a bill for an act to create a state board of education for the state university, the college of agriculture and mechanic arts, and the normal school, and to prescribe its duties and to provide for the management and control of the state university, the college of agriculture and mechanic arts, and the normal school, to make appropriations therefor, and to repeal section two thousand six hundred seventeen (2617), two thousand six hundred eighteen (2618), two thousand six hundred nineteen (2619), two thousand six hundred twenty (2620), two thousand six hundred thirty-five (2635), two thousand six hundred thirty-six (2636), two thousand six hundred forty-two (2642), two thousand six hundred forty-six (2646), two thousand six hundred forty-seven (2647), two thousand six hundred fifty (2650), two thousand six hundred fifty-one (2651), two thousand six hundred fifty-two (2652), two thousand six hundred fifty-three (2653), two thousand six hundred sixty-eight (2668), two thousand six hundred sixty-nine (2669), two thousand six hundred seventy (2670), two thousand six hundred eighty-one (2681), of the code, and the law as it appears in sections two thousand seven hundred twenty-seven-a-fifty-three (2727-a-53), two thousand seven hundred twenty-seven-a-fifty-four (2727-a-54), two thousand seven hundred twenty-seven-a-fifty-five (2727-a-55), two thousand seven hundred twenty-seven-a-fifty-six (2727-a-56), of the supplement to the code, 1907, and to repeal all acts, and parts of acts inconsistent with this act.

By Senator Proudfoot, Senate File No. 203, a bill for an act to legalize the ordinances of the town of Norwalk, Warren county, Iowa, and the acts and proceedings of the council of said town had thereunder.

By Senator Dowell, Senate File No. 206, a bill for an act to amend the law as it appears in chapter fourteen-c of the supplement to the code, 1907, relating to the government of cities, and conferring additional powers upon such cities.

By Senator Seeley, Senate File No. 208, a bill for an act to amend section eighteen hundred and fifty-seven (1857) of the code, relating to the dissolution of savings banks.

By Senator Proudfoot, Senate File No. 213, a bill for an act fixing the liability of a bank to its depositor for payment of forged or raised checks.

By Senators Saunders, Senate File No. 216, a bill for an act prohibiting the detention or confinement of any female in any house, room, building, or premises by force, false pretense, or intimidation, for purposes of prostitution or with intent to cause such female to become a prostitute and providing a punishment for the violation thereof.

By Senator Smith of Des Moines, Senate File No. 217, a bill for an act to promote the building of permanent roads in the state and providing for the establishing of districts, and providing for the construction of roads, and prescribing the method for so doing, and providing for assessment and collection of a portion of the cost of the same, and issuing improvement certificates therefor and providing for a tax in aid thereof.

By Senator Hunter, Senate File No. 218, a bill for an act to amend section twenty-one hundred fifty-seven-g (2157-g) of the Supplement to the Code 1907, relating to free passes by common carriers.

By Senator Maytag, Senate File No. 219, a bill for an act to amend section twenty-six hundred ninety-two-a and section twenty-six hundred ninety-two-c of the Supplement to the Code, 1907, relating to state agents and making appropriation therefor.

By Senator Francis, Senate File No. 224, a bill for an act to amend section eleven hundred ninety-five (1195) of the Code, relating to officers holding over for any reason.

By Senator Saunders, Senate File No. 229, a bill for an act to prohibit the living, boarding, stopping, or rooming of unmarried females under the age of eighteen years in any house, building or premises where prostitution, fornication, or concubinage is allowed or practiced and providing punishment for the violation thereof.

By Senator DeWolf, Senate File No. 233, a bill for an act to amend the law as it appears in sections eight hundred fifty-c (850-c), eight hundred fifty-e (850-e), and eight hundred fifty-f (850-f) of the Supplement to the Code, 1907, relating to parks and park commissioners.

By Senator Francis (by request), Senate File No. 235, a bill for an act to amend section two thousand five hundred and thirty-nine (2539) of the Supplement to the Code, 1907, relating to the compensation and duties of the fish and game warden.

By Senator Chapman, Senate File No. 262, a bill for an act to legalize the resolutions and proceedings of the council of the city of Monticello, Iowa, relating to the parking, curbing, guttering and macadamizing of a portion of Sycamore street in said city and all acts done thereunder.

By Senator Saunders, Senate File No. 266, a bill for an act to amend the law as it appears in section eight hundred and fifty-c (850-c) of the Supplement to the Code, 1907, relating to the tax levy for park purposes and repealing section eight hundred and fifty-two (852) of the Code as amended by chapter forty-three (43) of the Acts of the Thirty-second General Assembly.

By Senator Moon, Senate File No. 269, a bill for an act amending the elections, acts and transactions, resolutions, by-laws, rules and regulations, contracts and certificates of the Ottumwa Cemetery Association.

By Senator Moon, Senate File No. 267, a bill for an act amending the law as it appears in section sixteen hundred and fifty (1650) of the Code, relating to the re-incorporations of the cemetery associations.

By Senator Saunders, Senate File No. 271, a bill for an act authorizing the giving of pensions to disabled and retired firemen and the widows and minor children and dependent fathers and mothers of deceased firemen in cities, incorporated towns, and special charter cities having organized fire department, creating a fund from which to pay such pensions and providing for the distribution thereof, creating a board of trustees to care for such pension fund and prescribing their powers and duties and authorizing the retiring from service of firemen under certain conditions.

By Senator White, Senate File No. 281, a bill for an act to amend the law as appears in section two thousand eight hundred six (2806) of the Code of Iowa, to increase the amount that may be levied for the contingent fund in a school district.

By Senator Gilliland, Senate File No. 282, a bill for an act to legalize the action and proceedings of the board of supervisors of Mills county, Iowa, in the matter of issuance of bonds for the refunding of indebtedness of Pony Creek drainage district No. 1 and the widening, deepening and improvement of said Pony Creek and in the levy of an assessment therefor.

By Senator De Armand, Senate File No. 285, a bill for an act to repeal section one thousand three hundred and six-e (1306-e) of the Supplement to the Code of Iowa, relating to the issuance of bonds by cities and towns, and to enact a substitute in lieu thereof relating to the same subject.

By Senator Dowell, Senate File No. 290, a bill for an act to repeal section twenty-eight hundred twenty-a (2820-a), twenty-eight hundred twenty-b (2820-b), twenty-eight hundred twenty-c (2820-c), and twenty-eight hundred twenty-d (2820-d) of the supplement to the Code, 1907, relative to the limit of indebtedness of independent school districts and to enact a substitute therefor.

By Senator Allen of Van Buren, Senate File No. 296, a bill for an act to legalize the issuing of certain warrants on the school fund by the Board of Directors of the independent school district of Farmington, in Van Buren County, State of Iowa.

By Senator Wilson, Senate File No. 304, a bill for an act requiring the proper equipment of locomotives used exclusively in switching or yard service; providing for the safety of employes engaged in their operation, and providing a penalty for failure to properly equip such switch engines.

By Senator Frudden, Senate File No. 305, a bill for an act to grant and relinquish to the city of Dubuque, Iowa, the title of the State of Iowa in or to a portion of the abandoned river bed of the Mississippi river, being land of the character described in section one (1), of chapter two hundred and twelve (212) of the acts of the Thirty-first General Assembly, lying within the limits of said city and in section twenty-five (25), and thirty-six (36), township eighty-nine (89) north, range two (2), east of the fifth principal meridian and authorizing and directing the governor and secretary of state a patent therefor.

By Senator Peterson, Senate File No. 306, a bill for an act to amend the law as it appears in section four thousand one hundred fourteen (4114) of the Supplement to the Code, 1907, relating to sufficiency of notice of appeal.

By Senator Peterson, Senate File No. 307, a bill for an act to amend section four thousand one hundred thirty-nine (4139) of the Code, relating to practice in the supreme court.

By Senator Balkema, Senate File No. 310, a bill for an act to legalize the acts of the Board of Directors of the school township of Wilson County of Osceola and State of Iowa, in authorizing a school house to be built in subdivision number four (4) in said school township and in levying a tax therefor.

By Committee on Highways, Senate File No. 317, a bill for an act to repeal sections fifteen hundred seventy-b (1570-b) and fifteen hundred seventy-c (1570-c) of the Supplement to the Code, 1907, and to enact a substitute therefor relating to the working of highways and providing penalties for injury to such highways or the work done thereon.

By Senator Adams, Senate File No. 318, a bill for an act to legalize the ordinances of the town of Maynard, Fayette County, Iowa, and the acts and proceedings of the council of said town thereunder.

By Senator Francis (by request), Senate File No. 219, a bill or an act authorizing Boards of Supervisors to grant the use of public highways for erecting and maintaining poles and wires for the transmission of electricity, and fixing the liability for damages arising from the construction thereof.

By Senator Seeley, Senate File No. 227, a bill for an act to indemnify Mamie McMahan for personal injury sustained by her while employed as nurse at the Mt. Pleasant State Hospital, Mt. Pleasant, Iowa.

By Senator Adams, Senate File No. 328, a bill for an act to amend the law as it appears in section two thousand one hundred thirteen (2113) of the Supplement to the Code, 1907, enlarging the powers of the railroad commissioners.

By Senator Smith of Mitchell, Senate File No. 329, a bill for an act to amend section thirteen hundred and twelve (1312) of the Code, relating to the listing of property for taxation by persons acting in a fiduciary capacity.

By Senator Chapman, Senate File No. 331, a bill for an act to amend the law as it appears in section two thousand one hundred and thirteen (2113) of the Supplement to the Code, 1907, enlarging the powers of the railroad commissioners.

By Senator Clarkson, Senate File No. 334, a bill for an act to amend section thirty-three hundred and five (3305), Supplement to the Code, 1907, relative to the time of granting administration.

By Senator Moon, Senate File No. 340, a bill for an act amending the law as it appears in section twenty-five hundred ninety-six-a (2596-a) of the Supplement to the Code, 1907, relating to the sale of cocaine and certain other drugs.

By Senator Allen of Pocahontas, Senate File No. 342, a bill for an act legalizing and curing the acts and proceedings of the incorporated town of Pocahontas and the town council of said incorporated town, in the County of Pocahontas and State of Iowa. In relation to the establishment erection and maintenance and extension of a system of water-works in said town, and the issuance of warrants of said town in payment therefor, and authorizing the town council of said town to issue bonds for the purpose of taking up and paying its floating indebtedness represented by its warrants.

By Senator Allen of Pocahontas, Senate File No. 348, a bill for an act to repeal Section Sixty-nine (69) of the Code, and to enact a substitute therefor providing for a report by the Board of Parole, also to amend section two hundred and ninety-three (293) of the Code, relating to the report of criminal statistics to the secretary of state; also amending section four hundred and seventy-five (475) of the Code relating to the report of county auditors, also amending section five thousand six hundred forty-one (5641) of the Code, relating to the duties of the sheriff.

By Senator Wilson, Senate File No. 359, a bill for an act repealing section two thousand nine hundred-a-25 (2900-a-25) of the Code Supplement and enacting a substitute for the same, relating to the sale of the lands within the beds of meandered lakes.

By Senator Mattes, Senate File No. 369, a bill for an act in regard to admission to the Soldiers' Home and payment for support by members.

By Senator De Armand, Senate File No. 371, a bill for an act to enable certain cities to improve their water-fronts and to levy a tax to pay for such work and in certain cases to borrow money therefor and issue negotiable bonds for such debt.

By Senator Larrabee, Senate File No. 373, a bill for an act to amend section ten hundred fifty-six-a-9 (1056-a-9) of the supplement to the Code, 1907, relating to the publication of the state auditor's report of municipal accounts.

By Senator Saunders, Senate File No. 382, a bill for an act authorizing the giving of pensions to disabled and retired policemen and the widows and minor children and dependent fathers and mothers of deceased policemen in cities, incorporated towns, and special charter cities having organized police departments, creating a fund from which to pay such pensions and providing for the distribution thereof, creating a board of trustees to care for such pension fund and prescribing their powers and duties and authorizing the retiring from service of policemen under certain conditions.

By Senator Gilliland, Senate File No. 383, a bill for an act to amend the law as it appears in section nineteen hundred and eighty-nine-a-twenty-seven (1989-a-27) of the Supplement to the Code, 1907, relating to drainage bonds.

By Senator Dowell, Senate File No. 384, a bill for an act to amend the law as it appears in section seven hundred forty-one-f (741-f), chapter four, title five, of the Supplement to the Code, 1907, authorizing certain cities to incur an indebtedness for the purpose of constructing a city hall in an amount not exceeding in the aggregate two and one-half per centum of the actual value of the taxable property within such city, and to authorize the issuance of bonds in pursuance of an election which may have been heretofore held authorizing the erection of such city hall.

By Committee on Schools, Senate File No. 387, a bill for an act to prohibit secret fraternities and societies being formed in the public schools of this state, empowering and making it the duty of school directors to adopt rules and regulations relating thereto and to enforce the same, and making it an offense to solicit pupils to join them and prescribing the penalty therefor.

By Senator Parshall, Senate File No. 393, a bill for an act to amend the law as it appears in section four hundred eighty-b (480-b) of the Supplement to the Code, 1907, relating to the duties of county auditors.

By Senator Hunter, Senate File No. 395, a bill for an act to legalize certain notices of incorporation.

By Senator Fitchpatrick, Senate File No. 399, a bill for an act providing for the release or satisfying of recorded mortgages by corporations.

Senate File No. 413, by Committee on Retrenchment and Reform, a bill for an act amending sections one hundred fifty (150) and one hundred fifty-one (151) of the Code, relating to the duties of the custodian of public buildings and property.

By Senator Whipple, Senate File No. 417, a bill for an act to amend section one (1) of chapter one hundred and eighty-three (183) of the laws of the Thirty-first General Assembly, relating to the levy of a mileage tax for the State University of Iowa and providing for expenditure thereof.

Senate File No. 401, a bill for an act to legalize the acts of the city council and mayor of the city of Ames, Iowa, in contracting an indebtedness during the five years immediately preceeding the passage of this act in excess of the statutory limit of one and one-fourth per cent for the erecting, maintaining and operating an electric light and power plant and water-works system and other purposes and not exceeding the five per cent constitutional limit of the actual value of the taxable property in said city.

By Senator Whipple, Senate File No. 419, a bill for an act to amend section one (1) of chapter one hundred and eighty-four (184) of the laws of the Thirty-first General Assembly, relating to the levy of a millage tax for the State College of Agriculture and Mechanic Arts and providing for the expenditure thereof.

By Senator Whipple, Senate File No. 420, a bill for an act to amend section one (1) of chapter one hundred and eighty-six (186) of the laws of the Thirty-first General Assembly, relating to the levy of a millage tax for the State Normal School and providing for the expenditure thereof.

By Senator Allen of Pocahontas, Senate File No. 422, a bill for an act legalizing the ordinances of the Incorporated Town of Laurens, Iowa.

C. R. BENEDICT,  
*Chief Clerk.*



# JOURNAL OF THE HOUSE

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HALL OF THE HOUSE OF REPRESENTATIVES,  
DES MOINES, IOWA, APRIL 9, A. D. 1909.

House met pursuant to adjournment.

Speaker Feely in the Chair.

Prayer was offered by Rev. Dr. Robert B. H. Bell of Des Moines, Iowa.

Journal of Thursday, April 8th, corrected and approved.

## REPORTS OF COMMITTEES.

Moore of Linn, from the Committee on Appropriations, submitted the following report:

MR. SPEAKER—Your Committee on Appropriations, to whom was referred Senate File No. 404, a bill for an act to provide for the inside finishing and completion of the Historical, Memorial and Art Building and making an appropriation therefor, beg leave to report they have had the same under consideration and recommend the same do pass.

ERNEST R. MOORE,  
*Chairman.*

Adopted.

Also:

MR. SPEAKER—Your Committee on Appropriations, to whom was referred Senate File No. 405, a bill for an act creating the Capitol Grounds Improvement Commission and defining its duties and making an appropriation therefor, beg leave to report they have had the same under consideration and recommend the same do pass.

ERNEST R. MOORE,  
*Chairman.*

Adopted.

## REPORT OF COMMITTEE ON ENROLLED BILLS.

Klay of Sioux, 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. 263, a bill for an act to repeal Section sixteen hundred ninety-nine (1699) of the Code, relating to the investment of funds of insurance companies other than life, organized under Chapter four (4), Title nine (9) of the Code and to enact a substitute therefor.

Also:

House File No. 292, a bill for an act to repeal Section two thousand nine hundred forty-two-j (2942-j) of the Supplement to the Code, 1907, relating to certain conveyances of real estate legalized by executors, administrators and guardians in this and foreign states and to enact a substitute therefor.

Also:

House File No. 406, a bill for an act to amend Section twenty-eight hundred twenty-three-a (2823-a), Supplement to the Code, 1907, relating to the duties of parents or guardians.

Also:

House File No. 495, a bill for an act to amend the law as it appears in sections nineteen hundred eighty-nine-a2 (1989-a2), nineteen hundred eighty-nine-a4 (1989-a4), nineteen hundred eighty-nine-a5 (18989-a5), nineteen hundred eighty-nine-a6 (1989-a6), nineteen hundred eighty-nine-a7 (1989-a7), nineteen hundred eighty-nine-a8 (1989-a8), nineteen hundred eighty-nine-a10 (1989-a10), nineteen hundred eighty-nine-a12 (1989-a12), nineteen hundred eighty-nine-a13 (1989-a13), nineteen hundred eighty-nine-a14 (1989-a14), nineteen hundred eighty-nine-a16 (1989-a16), nineteen hundred eighty-nine-a18 (1989-a18), nineteen hundred eighty-nine-a21 (1989-a21), nineteen hundred eighty-nine-a22 (1989-a22), nineteen hundred eighty-nine-a29 (1989-a29), nineteen hundred eighty-nine-a32 (1989-a32), nineteen hundred eighty-nine-a35 (1989-a35), nineteen hundred eighty-nine-a44 (1989-a44) of the Supplement to the Code, 1907, and to repeal Sections nineteen hundred eighty-nine-a3 (1989-a3), nineteen hundred eighty-nine-a11 (1989-a11) and nineteen hundred eighty-nine-a19 (1989-a19) of the Supplement to the Code, 1907, and enact substitutes therefor; and to enact sections of law additional to Chapter two-a of Title ten (10) of the Supplement to the Code, 1907. All relating to the subject of waters, water courses, levees, drains, and drainage districts.

Also:

House File No. 537, a bill for an act repealing Sections one hundred sixty-two (162) of the Code and one hundred sixty-three-a (163-a) and one hundred sixty-three-b (163-b) of the Supplement to the Code, 1907, defining the character of vouchers upon which warrants shall be drawn by the Auditor of State upon the state treasury and requiring a biennial

report of state expenses for the several state offices, boards, commissions and institutions to be made by the Executive Council.

GERRIT KLAY,  
*Chairman.*

Adopted.

REPORT OF JOINT COMMITTEE ON ENROLLED BILLS.

Klay of Sioux, 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. 263, a bill for an act to repeal Section sixteen hundred ninety-nine (1699) of the Code, relating to the investment of funds of insurance companies other than life, organized under Chapter four (4), Title nine (9) of the Code and to enact a substitute therefor.

Also:

House File No. 292, a bill for an act to repeal Section two thousand nine hundred forty-two-j (2942-j) of the Supplement to the Code, 1907, relating to certain conveyances of real estate legalized by executors, administrators and guardians in this and foreign states and to enact a substitute therefor.

Also:

House File No. 406, a bill for an act to amend Section twenty-eight hundred twenty-three-a (2823-a), Supplement to the Code, 1907, relating to the duties of parents or guardians.

Also:

House File No. 495, a bill for an act to amend the law as it appears in sections nineteen hundred eighty-nine-a2 (1989-a2), nineteen hundred eighty-nine-a4 (1989-a4), nineteen hundred eighty-nine-a5 (1989-a5), nineteen hundred eighty-nine-a6 (1989-a6), nineteen hundred eighty-nine-a7 (1989-a7), nineteen hundred eighty-nine-a8 (1989-a8), nineteen hundred eighty-nine-a10 (1989-a10), nineteen hundred eighty-nine-a12 (1989-a12), nineteen hundred eighty-nine-a13 (1989-a13), nineteen hundred eighty-nine-a14 (1989-a14), nineteen hundred eighty-nine-a16 (1989-a16), nineteen hundred eighty-nine-a18 (1989-a18), nineteen hundred eighty-nine-a21 (1989-a21), nineteen hundred eighty-nine-a22 (1989-a22), nineteen hundred eighty-nine-a29 (1989-a29), nineteen hundred eighty-nine-a32 (1989-a32), nineteen hundred eighty-nine-a35 (1989-a35), nineteen hundred eighty-nine-a44 (1989-a44) of the Supplement to the Code, 1907, and to repeal Sections nineteen hundred eighty-nine-a3 (1989-a3), nineteen hundred eighty-nine-a11 (1989-a11) and nineteen hundred eighty-nine-a19 (1989-a19) of the Supplement to the Code, 1907, and enact substitutes therefor;

and to enact sections of law additional to Chapter two-a of Title ten (10) water courses, levees, drains, and drainage districts.

Also:

House File No. 537, a bill for an act repealing Sections one hundred sixty-two (162) of the Code and one hundred sixty-three-a (163-a) and one hundred sixty-three-b (163-b) of the Supplement to the Code, 1907, defining the character of vouchers upon which warrants shall be drawn by the Auditor of State upon the state treasury and requiring a biennial report of state expenses for the several state offices, boards, commissions and institutions to be made by the Executive Council.

GERRIT KLAY,

*Chairman House Committee.*

HENRY L. ADAMS,

*Chairman Senate Committee.*

Adopted.

#### CONSIDERATION OF BILLS.

On motion of Jacobs of Calhoun, Senate File No. 184, a bill for an act repealing Section Sixteen Hundred and Ten (1610), Sixteen Hundred and Twelve (1612), Sixteen Hundred and Eighteen (1618) and Sixteen Hundred and Forty-one-d (1641-d) of the Supplement to the Code, 1907, also Section Sixteen Hundred and Fifteen (1615) of the Code, and enacting substitutes therefor; also repealing Section Sixteen Hundred and Eighteen-b (1618-b) of the Supplement to the Code, 1907; all in relation to corporations for pecuniary profit, with report of committee recommending passage as amended, was taken up, considered, and the amendment adopted.

Jacobs of Calhoun moved that the rules be suspended, the bill be read a third time now, which motion prevailed, and the bill was read a third time.

On the question, "Shall the bill pass?"

The ayes were:

Anderson, Arney, Balluff, Bascom, Bauman, Beebe, Boe, Bonwell, Boomgaarden, Bowman, Brandes, Byerly, Calkins, Cooper, Corrie, Cousins, Cunningham, Dabney, Dalby, Davidson, Dawson, Derrough, Dewell, Dewey, Dodds, Ellis, Felt, Fenn, Fourt, Fox, Fulliam, Goodykoontz, Grier, Hickenlooper, Holmes, Huf-faker, Hunter, Ide, Jacobs, Jewell, Jones, Kendall, Koontz, Larrabee, Lee, McCleery, Marston, Miller of Dubuque, Moore of Wap-

ello, Moore of Linn, Newell, Perkins, Reaney, Ritter, Sankey, Schulte, Stoddard, Sullivan, Swan, Thompson, Tilton, White, Wilson, Mr. Speaker—64.

The nays were :

Crummer, Kull, Smith—3.

Absent or not voting :

Allred, Beans, Beery, Blackmore, Boettger, Burt, Cassady, Crozier, Darrah, DeWitt, Drury, Dye, Elliott, Etter, Finlayson, Fulton, Hackler, Hanson, Harding, Harvey, Inman, Johnson, Kellogg, Klay, McDonald, Meredith, Miller of Bremer, O'Connor, Penn, Reitz, Ripley, Schee, Schroeder, Sheldon, Stillman, Swift, Tegeler, Ward, Welden, Wolfe, Zeller—41.

So the bill passed and the title was agreed to.

On motion of Felt of Clay, Senate File No. 425, a bill for an act to legalize the acts of the Board of Directors of the School Township of Garfield, in the County of Clay, and State of Iowa, appointing the officers therefor, and legalizing the levy of taxes made for said school township in 1908, was taken up and considered.

Felt of Clay moved that the rules be suspended, the bill be read a third time now, which motion prevailed, and the bill was read a third time.

On the question, "Shall the bill pass?"

The ayes were :

Allred, Anderson, Arney, Balluff, Bascom, Bauman, Beans, Beebe, Boettger, Bonwell, Bowman, Brandes, Byerly, Calkins, Cooper, Corrie, Cousins, Crummer, Cunningham, Dabney, Dalby, Darrah, Davidson, Derrough, Dewell, Dewey, DeWitt, Drury, Dye, Elliott, Ellis, Felt, Fenn, Fourt, Fox, Fulliam, Goodykoontz, Grier, Hackler, Hanson, Harvey, Hickenlooper, Huffaker, Hunter, Ide, Jewell, Jones, Kellogg, Kendall, Kull, Larrabee, Lee, McCleery, McDonald, Marston, Miller of Dubuque, Moore of Wapello, Moore of Linn, Newell, O'Connor, Perkins, Reaney, Ritter, Sankey, Schroeder, Schulte, Smith, Stoddard, Sullivan, Swan, Thompson, Tilton, Welden, White, Wilson, Zeller, Mr. Speaker—77.

The nays were :

None.

Absent or not voting :

Beery, Blackmore, Boe, Boomgaarden, Burt, Cassady, Crozier, Dawson, Dodds, Etter, Finlayson, Fulton, Harding, Holmes, Inman, Jacobs, Johnson, Klay, Koontz, Meredith, Miller of Bremer, Penn, Reitz, Ripley, Schee, Sheldon, Stillman, Swift, Tegeler, Ward, Wolfe—31.

So the bill passed and the title was agreed to.

On motion of Perkins of Delaware, Senate File No. 251, a bill for an act to amend the law as it appears in Sub-division 4 of Section 138 of the Supplement to the Code, 1907, and Section 139 of the Code relating to printing, was taken up and considered.

Perkins of Delaware moved that the rules be suspended, the bill be read a third time now, which motion prevailed, and the bill was read a third time.

On the question, "Shall the bill pass?"

The ayes were :

Allred, Anderson, Arney, Balluff, Bascom, Bauman, Beans, Beebe, Beery, Bonwell, Boomgaarden, Bowman, Brandes, Byerly, Calkins, Cooper, Corrie, Cousins, Crozier, Crummer, Cunningham, Dabney, Dalby, Darrah, Davidson, Derrough, Dewell, Dewey, DeWitt, Drury, Dye, Ellis, Etter, Felt, Fenn, Fourt, Fox, Fulliam, Fulton, Goodykoontz, Grier, Hackler, Hanson, Harding, Harvey, Hickenlooper, Holmes, Huffaker, Hunter, Ide, Inman, Jacobs, Jewell, Johnson, Jones, Kellogg, Kendall, Koontz, Kull, Larrabee, Lee, McDonald, Marston, Miller of Bremer, Miller of Dubuque, Moore of Wapello, Newell, O'Connor, Perkins, Reaney, Reitz, Ritter, Sankey, Schee, Schroeder, Schulte, Sheldon, Smith, Stoddard, Sullivan, Swan, Thompson, Tilton, Wilson, Zeller, Mr. Speaker—86.

The nays were :

None.

Absent or not voting :

Blackmore, Boe, Boettger, Burt, Cassady, Dawson, Dodds, Elliott, Finlayson, Klay, McCleery, Meredith, Moore of Linn, Penn, Ripley, Stillman, Swift, Tegeler, Ward, Welden, White, Wolfe—22.

So the bill passed and the title was agreed to.

On motion of Sullivan of Polk, Senate File No. 358, a bill for an act prohibiting the giving of immoral plays, exhibitions and entertainments and the use and leasing of real property therefor and providing a penalty for the violation thereof, was taken up and considered.

Sullivan of Polk moved that the rules be suspended, the bill be read a third time now, which motion prevailed, and the bill was read a third time.

On the question, "Shall the bill pass?"

The ayes were:

Allred, Anderson, Arney, Bascom, Bauman, Beans, Beebe, Beery, Boe, Bonwell, Boomgaarden, Bowman, Brandes, Byerly, Calkins, Cooper, Corrie, Crozier, Crummer, Cunningham, Dalby, Darrah, Davidson, Derrough, Dewell DeWitt, Drury, Dye, Elliott, Ellis, Etter, Felt, Fenn, Fourt, Fox, Fulliam, Fulton, Goodykoontz, Grier, Hackler, Hanson, Harding, Harvey, Hickenlooper, Huffaker, Hunter, Ide, Inman, Jacobs, Johnson, Jones, Kendall, Klay, Koontz, Kull, Larrabee, McCleery, McDonald, Moore of Linn, Newell, O'Connor, Penn, Perkins, Reaney, Reitz, Ripley, Ritter, Sankey, Schee, Schroeder, Schulte, Smith, Stoddard, Sullivan, Swan, Swift, Thompson, Welden, White, Wilson, Zeller, Mr. Speaker—82.

The nays were:

None.

Absent or not voting:

Balluff, Blackmore, Boettger, Burt, Cassady, Cousins, Dabney, Dawson, Dewey, Dodds, Finlayson, Holmes, Jewell, Kellogg, Lee, Marston, Meredith, Miller of Bremer, Miller of Dubuque, Moore of Wapello, Sheldon, Stillman, Tegeler, Tilton, Ward, Wolfe—26.

So the bill passed and the title was agreed to.

On motion of Thompson of Benton, Senate File No. 418, a bill for an act providing for the removal of appointive state officials, members of boards, members of commissions, commissioners and

Arney of Marshall proposed the following amendment:

Amend Section 1 by inserting after the word "parole" in the fourth line of the printed bill the following: "dairy commissioner, custodian of public buildings and property, state veterinary surgeon, inspectors of products of petroleum, members of state board of veterinary medical examiners, inspectors of passenger boats, members of the board of optometry examiners."

Amendment adopted.

Thompson of Benton moved that the rules be suspended, the bill be read a third time now, which motion prevailed, and the bill was read a third time.

On the question, "Shall the bill pass?"

The ayes were:

Allred, Arney, Bascom, Beans, Beebe, Beery, Blackmore, Bonwell, Boomgaarden, Brandes, Calkins, Cassady, Cooper, Corrie, Cousins, Crummer, Dabney, Darrah, Davidson, Dawson, Derrough, Dewell, Dewey, DeWitt, Dye, Elliott, Felt, Fenn, Fourt, Fox, Fulton, Grier, Hanson, Harvey, Hickenlooper, Holmes, Hunter, Ide, Inman, Jacobs, Jewell, Johnson, Jones, Klay, Larrabee, Moore of Wapello, Moore of Linn, Perkins, Reaney, Ripley, Schee, Schroeder, Sheldon, Smith, Stillman, Stoddard, Sullivan, Swan, Swift, Tilton, Welden, White, Wilson, Zeller, Mr. Speaker—65.

The nays were:

Anderson, Boe, Crozier, Dalby, Ellis, Etter, Fulliam, Goodykoontz, Hackler, Huffaker, Kendall, Kull, Marston, Miller of Bremer, Miller of Dubuque, Newell, Reitz, Ritter, Sankey, Schulte, Tegeler—21

Absent or not voting:

Balluff, Bauman, Boettger, Bowman, Burt, Byerly, Cunningham, Dodds, Drury, Finlayson, Harding, Kellogg, Koontz, Lee, McCleery, McDonald, Meredith, O'Connor, Penn, Thompson, Ward, Wolfe—22.

Roll call verified.

So the bill passed and the title was agreed to.

On motion of Moore of Linn, Senate Joint Resolution No. 6, was taken up and considered.

Joint Resolution Fixing the Number and Compensation of Employees in the Department of State at the Seat of Government.



## SENATE JOINT RESOLUTION NO. 6.

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

Until July 1, 1911, the number of employes of the various offices at the seat of government, unless otherwise provided by law, shall at no time exceed the number named herein, and their compensation shall be amounts herein fixed.

## FOR THE OFFICE OF THE ATTORNEY-GENERAL.

	Per annum.
One assistant to the attorney general.....	\$1,800.00
One stenographer at a salary of.....	900.00
Additional assistance and contingent fund not to exceed the sum of .....	5,000.00

## FOR THE OFFICE OF AUDITOR OF STATE.

One chief clerk in the insurance department at a salary of....	1,800.00
One securities clerk in the insurance department, who shall give bond, at a salary of.....	1,500.00
One fee clerk in the insurance department, who shall give bond, at a salary of.....	1,400.00
Extra clerical assistance in the insurance, revenue and banking departments, not to exceed the sum of.....	1,000.00
One chief clerk in the revenue department at a salary of.....	1,600.00
One chief clerk in the banking department at a salary of.....	1,600.00
One assistant clerk in the banking department at a salary of....	1,000.00
Four stenographers at salaries each, of.....	900.00
One janitor at a salary of.....	780.00
One chief clerk in the department of municipal accounting; also to serve as general clerk.....	1,500.00
Extra clerical assistance, and such other expenses as shall be ap- proved by the executive council in the department of muni- cipal accounting not to exceed the sum of.....	700.00

## FOR THE OFFICE OF THE CLERK OF THE SUPREME COURT.

One clerk at a salary of.....	1,200.00
One clerk at a salary of.....	900.00
One messenger who shall perform such duties about his office and for the supreme court room proper as the clerk may order at a salary of.....	840.00

## FOR THE OFFICE OF GOVERNOR.

One pardon clerk at a salary of.....	1,200.00
One requisition clerk at a salary of.....	1,300.00
One general clerk at a salary of.....	900.00
One notarial clerk and stenographer at a salary of.....	900.00
One messenger and usher, who shall act as janitor, at a salary of	900.00

## FOR THE STATE LIBRARIAN'S OFFICE.

One cataloger at a salary of.....	1,000.00
One stenographer and bookkeeper at a salary of.....	900.00
One janitor at a salary of.....	780.00
One legislative and general reference assistant, who shall be under the direction of assistant to librarian.....	1,000.00

## FOR THE OFFICE OF RAILROAD COMMISSIONERS.

One general clerk at a salary of .....	1,200.00
One statistical and rate clerk at a salary of.....	1,200.00
One assistant statistical and rate clerk at a salary of.....	780.00
One stenographer at a salary of.....	900.00
One stenographer at a salary of.....	780.00

## FOR THE OFFICE OF THE SECRETARY OF STATE.

One chief clerk (who shall give bond) at a salary of.....	1,500.00
One corporation clerk at a salary of.....	1,200.00
One assistant corporation clerk at a salary of.....	1,200.00
One general clerk at a salary of.....	1,200.00
One stenographer at a salary of .....	900.00
One librarian of document department at a salary of.....	1,200.00
One document clerk and accountant for storage building not to exceed .....	1,200.00
Extra clerical assistance and help in storage building.....	1,000.00
One janitor and messenger at a salary of.....	900.00

## FOR THE OFFICE OF SUPERINTENDENT OF PUBLIC INSTRUCTION.

One stenographer at a salary of.....	900.00
One janitor at a salary of.....	780.00
For extra clerical assistance, not to exceed.....	500.00

## FOR THE SUPREME COURT ROOMS.

One bailiff who shall also act as messenger and perform such other duties as the supreme court may order at a salary of..	900.00
For stenographic and messenger service not to exceed.....	5,400.00

## FOR THE OFFICE OF TREASURER OF STATE.

One cashier (who shall give bond) at a salary of.....	1,500.00
One bookkeeper at a salary of.....	1,200.00
One general clerk at a salary of.....	1,200.00
One stenographer at a salary of.....	900.00
One watchman who shall be janitor at a salary of.....	780.00
For additional clerical assistance and contingent not to exceed..	600.00

## FOR THE HISTORICAL DEPARTMENT.

Assistant curator at a salary of.....	1,200.00
One clerk and stenographer at a salary of.....	1,000.00
One museum curator, at a salary of.....	1,000.00

Three janitors for the historical building at salaries, each of....	780.00
One night watchman at a salary of.....	840.00

.. FOR THE EXECUTIVE COUNCIL.

One secretary at a salary of.....	2,000.00
One clerk at a salary of.....	1,600.00
One clerk at a salary of.....	1,000.00
One general clerk at a salary of.....	900.00
One stenographer at a salary of.....	900.00
One postmaster and mail carrier, with horse and wagon, at a salary of.....	1,400.00
For janitor service for office of Secretary of the Executive Council and supply department, and to act as mesenger for delivery of supplies from storage building or elsewhere, the sum of	480.00

FOR THE BOARD OF CONTROL.

One chief accocntant at a salary of not to exceed.....	1,800.00
One storekeeper and clerk at a salary of not to exceed.....	900.00
One estimate clerk at a salary not to exceed.....	1,200.00
One stenographer and proof reader, at a salary of not to exceed..	1,000.00
Three stenographers and clerks at salaries, each, of not to exceed	900.00
One clerk and janitor at a salary of not to exceed.....	780.00
For extra clerical assistance, not to exceed.....	1,500.00

FOR THE DEPARTMENT OF GEOLOGICAL SURVEY.

One secretary and clerk at a salary of.....	1,100.00
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FOR WEATHER AND CROP SERVICE.

Directors salary.....	1,500.00
Clerical assistants not to exceed.....	720.00

FOR THE OFFICE OF STATE MINE INSPECTOR.

One clerk at a salary of.....	1,000.00
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FOR THE OFFICE OF THE STATE BOARD OF HEALTH.

One clerk and stenographer at a salary of.....	900.00
Extra clerical assistance not to exceed the sum of.....	900.00

FOR THE OFFICE OF THE SUPREME COURT REPORTER.

One clerk at a salary of not to exceed.....	720.00
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FOR THE OFFICE OF THE LIBRARY COMMISSION.

One secretary at a salary of .....	1,600.00
One librarian (traveling library) at a salary of.....	900.00
One field and reference assistant at a salary of.....	900.00
One library organizer at a salary of.....	720.00
One clerk and general stenographer at a salary of.....	720.00

For extra help as needed, including service of shipping clerk,  
not to exceed..... 780.00

FOR THE OFFICE OF THE STATE PHARMACY COMMISSION.

One secretary at a salary of..... 1,500.00  
For extra clerical assistance not to exceed..... 150.00

FOR THE OFFICE OF THE FOOD AND DAIRY COMMISSIONER.

One clerk at a salary of..... 1,000.00  
One clerk at a salary of..... 900.00  
One janitor for rooms occupied by Food and Dairy Commissioner  
and State Veterinarian, at a salary of..... 780.00

(FOR JANITOR FOR CERTAIN OFFICES.)

For the offices of the department agriculture (agricultural society)  
and state board of health there shall be one janitor to be se-  
lected by them, at a salary of..... 780.00  
For the offices of the pharmacy department mining inspector  
and labor bureau, there shall be one janitor to be selected  
by the custodian at a salary of..... 780.00  
For the offices of the adutant general, G. A. R. department, and  
geological survey, there shall be one janitor selected by them  
at a salary of..... 780.00  
For the offices of the railroad commissioners, horticultural de-  
partment, and attorney general, there shall be one janitor se-  
lected by them at a salary of..... 780.00

TO BE EMPLOYED BY THE CUSTODIAN OF PUBLIC BUILDINGS AND PROPERTY.

One chief enigneur at a salary of not to exceed..... 1,500.00  
One first assistant engineer at a salary of not to exceed..... 1,200.00  
One second assistant engineer at a salary of not to exceed..... 1,000.00  
One electrician and machinist at a salary of not to exceed..... 1,200.00  
One carpenter at a salary of not to exceed..... 1,000.00  
One chief of police at a salary of..... 900.00  
Two night watchmen at salaries, each, of..... 900.00  
One boiler washer at a salary of..... 900.00  
Necessary firemen (estimated at an average of six) at salaries  
each, of..... 840.00  
Eight floor janitors at salaries, each, of..... 780.00  
One storage building janitor at a salary of..... 780.00  
One janitress to have charge of the ladies toilet rooms at a salary  
of..... 780.00  
One elevator tender at a salary of..... 780.00  
Allowance for washing towels, not to exceed..... 500.00  
One florist for six months at a salary of not to exceed \$70.00 per  
month, or total of..... 420.00  
Two yard men for six months at salaries, each, of \$60.00 per  
month or a total of..... 720.00  
Extra help as may be needed, not to exceed..... 720.00

FOR THE BUREAU OF LABOR STATISTICS.

One clerk and statistician at a salary of..... 900.00

All janitors employed under the provisions of this resolution, shall at all times be subject to the orders of the custodian to perform any additional service, by the way of rendering assistance to the state house engineers, carpenters, supply department, historical department, or any other labor that may be necessary about the capitol or upon the capitol grounds, at such hours as they are not necessarily employed in their regular janitor work and it shall be the duty of the custodian to assign such janitors to any such extra service and he shall discharge any janitor for incompetency, neglect of duty or insubordination.

All employes provided for in this act shall devote their entire time to the service of the state, except that this requirement shall not be interpreted to prevent the allowance of a reasonable vacation, such vacation to be at the discretion of the head of the Department or Commission interested, and in no case to exceed two weeks in any one year.

All clerks, janitors and other employes in the departments named in this resolution shall be under the control of the head of the department and may by him be transferred to such work as he shall direct in assisting other clerks or elsewhere in the different branches of the services of the department.

Any head of a department may at any time discharge any clerk or other employe in such department for neglect of duty, insubordination or incapacity.

Allred of Wayne proposed the following amendment:

I move to amend the paragraph referring to the "Secretary of the Executive Council" by striking out the figures "\$2,000" and inserting in lieu thereof the figures "\$1,800."

Amendment adopted.

Sheldon of Ringgold proposed the following amendment:

I move to amend the sub-division "For the Auditor of State" by adding "one additional clerk at \$1,200.00."

Amendment adopted.

Dawson of Cherokee proposed the following amendment:

I move to amend the division "For the State Librarian Office" by striking out the words "who shall be under the direction of the assistant to the State Librarian."

Amendment lost.

Harding of Woodbury proposed the following amendment:

I move to amend sub-division "Executive Council" following the sub-division relating to the postmaster and mail carrier, by striking out the figures "\$1,400" and inserting in lieu thereof the figures "\$2,000."

Amendment lost.

Harding of Woodbury proposed the following amendment:

I move to amend by adding to the sub-division "For the Historical Department" the following: "For five additional assistants at an annual salary of \$900 each."

Amendment lost.

Moore of Linn moved that the rules be suspended, the Joint Resolution be read a third time now, which motion prevailed, and the bill was read a third time.

Perkins of Delaware in the Chair.

On the question, "Shall the Joint Resolution pass?"

The ayes were:

Allred, Anderson, Arney, Bascom, Bauman, Beans, Beebe, Beery, Blackmore, Boe, Boettger, Boomgaarden, Bowman, Brandes, Burt, Byerly, Calkins, Cassady, Cooper, Corrie, Cousins, Crozier, Crummer, Dabney, Dalby, Darrah, Davidson, Derrough, Dewell, Dewey, DeWitt, Dodds, Drury, Dye, Elliott, Ellis, Etter, Felt, Fenn, Finlayson, Fourt, Fox, Fulliam, Fulton, Goodykoontz, Grier, Hackler, Hanson, Harvey, Hickenlooper, Holmes, Huffaker, Inman, Jacobs, Jewell, Johnson, Jones, Kellogg, Kendall, Klay, Koontz, Kull, Larrabee, Lee, McCleery, McDonald, Marston, Meredith, Miller of Dubuque, Moore of Wapello, Moore of Linn, Newell, O'Connor, Penn, Perkins, Reaney, Reitz, Ripley, Sankey, Schee, Schroeder, Schulte, Sheldon, Smith, Stillman, Stoddard, Sullivan, Swan, Swift, Tegeler, Thompson, Tilton, Welden, White, Wilson, Wolfe, Zeller—97.

The nays were:

None.

Absent or not voting:

Balluff, Bonwell, Cunningham, Dawson, Harding, Hunter, Ide, Miller of Bremer, Ritter, Ward, Mr. Speaker—11.

So Senate Joint Resolution No. 6 passed and the title was agreed to.

On motion of Moore of Linn, Senate File No. 404, a bill for an act providing for the inside finishing and completion of the Historical, Memorial and Art Building and making an appropriation therefor was taken up and considered.

Moore of Linn moved that the rules be suspended, the bill be

read a third time now, which motion prevailed, and the bill was read a third time.

On the question, "Shall the bill pass?"

The ayes were:

Allred, Arney, Bascom, Bauman, Beebe, Beery, Blackmore, Boe, Boettger, Bonwell, Boomgaarden, Brandes, Calkins, Cassady, Cooper, Corrie, Cousins, Crozier, Crummer, Cunningham, Dabney, Dalby, Darrah, Derrough, Dewell, Dewey, DeWitt, Dodds, Dye, Elliott, Ellis, Felt, Fenn, Finlayson, Fourt, Fox, Fulliam, Fulton, Goodykoontz, Hackler, Harvey, Hiekenlooper, Huffaker, Hunter, Inman, Jacobs, Jewell, Johnson, Jones, Kellogg, Kendall, Klay, Koontz, Kull, Larrabee, Lee, McCleery, Marston, Miller of Bremer, Moore of Wapello, Moore of Linn, O'Connor, Perkins, Reitz, Ripley, Ritter, Sankey, Schee, Schroeder, Schulte, Sheldon, Smith, Swan, Swift, Tegeler, Tilton, Welden, White, Wilson, Zeller—80.

The nays were:

None.

Absent or not voting:

Anderson, Balluff, Beans, Bowman, Burt, Byerly, Davidson, Dawson, Drury, Etter, Grier, Hanson, Harding, Holmes, Ide, McDonald, Meredith, Miller of Dubuque, Newell, Penn, Reaney, Stillman, Stoddard, Sullivan, Thompson, Ward, Wolfe, Mr. Speaker—28.

So the bill passed and the title was agreed to.

On motion of Moore of Linn, Senate File No. 405, a bill for an act creating the Capitol Grounds Improvement Commission and defining its duties and making an appropriation therefor, was taken up and considered.

Moore of Linn moved that the rules be suspended, the bill be read a third time now, which motion prevailed and the bill was read a third time.

On the question, "Shall the bill pass?"

The ayes were:

Blackmore, Boe, Burt, Dewey, Fourt, Hanson, Lee, Perkins, Smith—9.

The nays were:

Allred, Anderson, Arney, Bascom, Beans, Beery, Bonwell, Boom-

gaarden, Brandes, Byerly, Cassady, Cooper, Cousins, Crozier, Crummer, Cunningham, Darrah, Davidson, Derrough, Dewell, DeWitt, Drury, Dye, Elliott, Ellis, Etter, Felt, Fenn, Finlayson, Fox, Fulliam, Fulton, Goodykoontz, Grier, Hackler, Harvey, Hick-enlooper, Holmes, Huffaker, Jewell, Johnson, Jones, Kellogg, Kendall, Klay, Koontz, Kull, Larrabee, McCleery, Marston, Meredith, Miller of Bremer, Miler of Dubuque, Moore of Wapello, Moore of Linn, Newell, O'Connor, Penn, Reitz, Ripley, Ritter, Sankey, Schee, Sheldon, Stillman, Stoddard, Swan, Swift, Tegeler, Thompson, Tilton, Wilson, Wolfe, Zeller, Mr. Speaker—75.

Absent or not voting:

Balluff, Bauman, Beebe, Boettger, Bowman, Calkins, Corrie, Dabney, Dalby, Dawson, Dodds, Harding, Hunter, Ide, Inman, Jacobs, McDonald, Reaney, Schroeder, Schulte, Sullivan, Ward, Welden, White—24.

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

On motion of Lee of Emmet, Senate File No. 379, a bill for an act to amend the law as it appears in Section Five Thousand Seven Hundred Eighteen-a-eighteen (5718-a-18) of the Supplement to the Code, 1907, relating to the power of the board of parole to establish rules and regulations governing paroles, was taken up and considered.

Lee of Emmet moved that the rules be suspended, the bill be read a third time now, which motion prevailed, and the bill was read a third time.

On the question, "Shall the bill pass?"

The ayes were:

Allred, Anderson, Bascom, Beebe, Blackmore, Boe, Bonwell, Boomgaarden, Byerly, Calkins, Cassady, Corrie, Cousins, Crummer, Davidson, Dewell, Dewey, DeWitt, Dodds, Drury, Dye, Ellis, Etter, Felt, Finlayson, Fourt, Fox, Fulliam, Fulton, Goodykoontz, Grier, Hackler, Hanson, Harvey, Inman, Jacobs, Jewell, Johnson, Jones, Kellogg, Klay, Koontz, Larrabee, Lee, McCleery, McDonald, Marston, Meredith, Miller of Bremer, Miller of Dubuque, Moore of Wapello, Moore of Linn, Newell, O'Connor, Reaney, Ripley, Ritter, Sankey, Schroeder, Smith, Stillman, Stoddard, Swift, Tegeler, Tilton, White, Zeller, Mr. Speaker—68.



The nays were:

Bowman, Cooper, Fenn, Ide, Penn, Perkins, Schulte, Swan—8.

Absent or not voting:

Arney, Balluff, Bauman, Beans, Beery, Boettger, Brandes, Burt, Crozier, Cunningham, Dabney, Dalby, Darrah, Dawson, Derrough, Elliott, Harding, Hickenlooper, Holmes, Huffaker, Hunter, Kendall, Kull, Reitz, Schee, Sheldon, Sullivan, Thompson, Ward, Welden, Wilson, Wolfe—32.

So the bill passed and the title was agreed to.

On motion of Beebe of Franklin, Senate File No. 391, a bill for an act to prohibit the improper use of milk and cream cans, defining the same and providing a penalty for the same, was taken up and considered.

Beebe of Franklin moved that the rules be suspended, the bill be read a third time now, which motion prevailed, and the bill was read a third time.

On the question, "Shall the bill pass?"

The ayes were:

Allred, Balluff, Baseom, Beans, Beery, Blackmore, Boettger, Boomgaarden, Bowman, Brandes, Calkins, Cassady, Corrie, Cousins, Dalby, Davidson, Derrough, Dewey, Drury, Elliott, Ellis, Fenn, Finlayson, Fourt, Fox, Grier, Harding, Harvey, Hunter, Ide, Kellogg, Kendall, Larrabee, McCleery, McDonald, Meredith, Moore of Wapello, Moore of Linn, Newell, O'Connor, Reaney, Reitz, Ritter, Schee, Schroeder, Sheldon, Smith, Sullivan, Swan, Welden, White, Wolfe, Mr. Speaker—53.

The nays were:

Bauman, Beebe, Boe, Bonwell, Burt, Byerly, Cooper, Crozier, Crummer, Dabney, Darrah, Dewell, DeWitt, Dodds, Dye, Felt, Fulliam, Goodykoontz, Hanson, Hickenlooper, Inman, Jacobs, Jewell, Jones, Klay, Kull, Lee, Miller of Dubuque, Penn, Ripley, Sankkey, Schulte, Stillman, Stoddard, Swift, Tegeler, Thompson, Tilton, Zeller—39.

Absent or not voting:

Anderson, Arney, Cunningham, Dawson, Etter, Fulton, Hackler, Holmes, Huffaker, Johnson, Koontz, Marston, Miller of Bremer, Perkins, Ward, Wilson—16.

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

On motion of Dabney of Davis, Senate File No. 350, a bill for an act to prevent placing obstructions on the streets and highways and providing a penalty therefor, was taken up and considered.

Dabney of Davis moved that the rules be suspended, the bill be read a third time now, which motion prevailed, and the bill was read a third time.

On the question, "Shall the bill pass?"

The ayes were:

Allred, Anderson, Arney, Balluff, Baseom, Bauman, Beans, Blackmore, Boettger, Bonwell, Boomgaarden, Brandes, Burt, Casady, Cooper, Corrie, Cousins, Crummer, Dabney, Dalby, Darrah, Davidson, Dawson, Derrough, Dewell, Dewey, DeWitt, Dodds, Dye, Elliott, Ellis, Etter, Felt, Fenn, Fourn, Fox, Grier, Hackler, Hanson, Hickenlooper, Huffaker, Ide, Jacobs, Jewell, Jones, Kellogg, Kull, Larrabee, Miller of Bremer, Miller of Dubuque, Newell, O'Connor, Perkins, Reaney, Reitz, Ripley, Ritter, Sankey, Schroeder, Schulte, Smith, Stoddard, Swan, Swift, Tegeler, Tilton, Welton, Wolfe, Mr. Speaker—69.

The nays were:

Zeller—1.

Absent or not voting:

Beebe, Beery, Boe, Bowman, Byerly, Calkins, Crozier, Cunningham, Drury, Finlayson, Fulliam, Fulton, Goodykoontz, Harding, Harvey, Holmes, Hunter, Inman, Johnson, Kendall, Klay, Koontz, Lee, McCleery, McDonald, Marston, Meredith, Moore of Wapello, Moore of Linn, Penn, Schee, Sheldon, Stillman, Sullivan, Thompson, Ward, White, Wilson—38.

So the bill passed and the title was agreed to.

On motion of Jacobs of Calhoun, Senate File No. 374, a bill for an act to amend Section 125 of the Supplement to the Code, 1907, relating to the printing and binding of reports of financial statements of cities and towns, was taken up and considered.

Jacobs of Calhoun moved that the rules be suspended, the bill be read a third time now, which motion prevailed, and the bill was read a third time.

On the question, "Shall the bill pass?"

The ayes were:

Allred, Anderson, Arney, Balluff, Bascom, Bauman, Beery, Burt, Byerly, Calkins, Cooper, Corrie, Crozier, Crummer, Dalby, Darrah, Derrough, Dewell, DeWitt, Dodds, Dye, Elliott, Etter, Felt, Fenn, Fourt, Fulton, Goodykoontz, Hackler, Hanson, Hickenlooper, Holmes, Huffaker, Hunter, Jacobs, Jewell, Johnson, Jones, Larabee, Miller of Dubuque, Moore of Wapello, Perkins, Reaney, Reitz, Ripley, Sankey, Sheldon, Smith, Stoddard, Swift, Thompson Welden, Zeller, Mr. Speaker—55.

The nays were:

None.

Absent or not voting:

Beans, Beebe, Blackmore, Boe, Boettger, Bonwell, Boomgaarden, Bowman, Brandes, Cassady, Cousins, Cunningham, Dabney, Davidson, Dawson, Drury, Ellis, Finlayson, Fox, Fulliam, Grier, Harding, Harvey, Ide, Inman, Kellogg, Kendall, Klay, Koontz, Kull, Lee, McCleery, McDonald, Marston, Meredith, Miller of Bremer, Moore of Linn, Newell, O'Connor, Penn, Ritter, Schee, Schroeder, Schulte, Stillman, Sullivan, Swan, Tegeler, Tilton, Ward, White, Wilson, Wolfe—53.

So the bill passed and the title was agreed to.

On motion of Arney of Marshall, Senate File No. 362, a bill for an act to repeal Section Fourteen Hundred Fifteen (1415) of the Code, relating to the apportionment of taxes by county treasurers and to enact a substitute therefor, and to provide for recovery on treasurer's bond of interest or penalty misapplied, was taken up and considered.

Arney of Marshall moved that the rules be suspended, the bill be read a third time now, which motion prevailed, and the bill was read a third time.

Speaker Feely in the Chair.

On the question, "Shall the bill pass?"

The ayes were:

Allred, Anderson, Arney, Bascom, Beans, Beebe, Blackmore, Boomgaarden, Burt, Calkins, Cassady, Corrie, Cousins, Crummer, Dabney, Dalby, Darrah, Davidson, Derrough, Dewell, Dewey, Dodds, Dye, Elliott, Ellis, Felt, Fenn, Finlayson, Fox, Goodykoontz, Hackler, Hanson, Harvey, Hickenlooper, Holmes, Huffaker, Hunter, Ide, Jacobs, Jewell, Johnson, Jones, Klay, Larrabee, Meredith, Moore of Wapello, O'Connor, Perkins, Reaney, Ripley, Ritter, Sankey, Schroeder, Schulte, Stoddard, Swan, Swift, Tilton, Welden, Wolfe, Mr. Speaker—61.

The nays were:

Zeller—1.

Absent or not voting:

Balluff, Bauman, Beery, Boe, Boettger, Bonwell, Bowman Brandes, Byerly, Cooper, Crozier, Cunningham, Dawson, DeWitt, Drury, Etter, Fourt, Fulliam, Fulton, Grier, Harding, Inman, Kellogg, Kendall, Koontz, Kull, Lee, McCleery, McDonald, Marston, Miller of Bremer, Miller of Dubuque, Moore of Linn, Newell, Penn, Reitz, Schee, Sheldon, Smith, Stillman, Sullivan, Tegeler, Thompson, Ward, White, Wilson—46.

So the bill passed and the title was agreed to.

#### MESSAGES FROM THE SENATE.

The following messages were received from the Senate:

MR. SPEAKER—I am directed to inform your honorable body that the Senate has passed the following bill in which the concurrence of the Senate was asked:

House File No. 488, a bill for an act relative to the posting of bulletins in passenger stations.

S. W. NEAL,  
*Secretary.*

Also:

MR. SPEAKER—I am directed to inform your honorable body that the Senate has passed the following bill in which the concurrence of the Senate was asked:

House File No. 539, a bill for an act to legalize the election in the incorporated town of Weldon, Decatur county, Iowa.

S. W. NEAL,  
*Secretary.*

Also:

MR. SPEAKER—I am directed to inform your honorable body that the Senate has passed the following bill in which the concurrence of the Senate was asked:

House File No. 377, a bill for an act relating to the inspection of petroleum products.

S. W. NEAL,  
*Secretary.*

Also:

MR. SPEAKER—I am directed to inform your honorable body that the Senate has passed the following bill in which the concurrence of the Senate was asked:

House File No. 507, a bill for an act relating to the duration of school bonds.

S. W. NEAL,  
*Secretary.*

Also:

MR. SPEAKER—I am directed to inform your honorable body that the Senate has passed the following bill in which the concurrence of the Senate was asked:

House File No. 448, a bill for an act in relation to the classes of property exempt from the assessment of taxes.

S. W. NEAL,  
*Secretary.*

Also:

MR. SPEAKER—I am directed to inform your honorable body that the Senate has passed the following bill in which the concurrence of the Senate was asked:

House File No. 439, a bill for an act relating to destruction of ballots.

S. W. NEAL,  
*Secretary.*

Also:

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

House Joint Resolution No. 6, authorizing and recommending the pardon or parole of C. H. Woodward.

S. W. NEAL,  
*Secretary.*

Also:

MR. SPEAKER—I am directed to inform your honorable body that the Senate has passed the following bill in which the concurrence of the Senate was asked:

House File No. 494, a bill for an act relating to furnishing a list of books suitable for use in school district libraries.

S. W. NEAL,  
*Secretary.*

Also:

MR. SPEAKER—I am directed to inform your honorable body that the Senate has passed the following bill in which the concurrence of the Senate was asked:

House File No. 305, a bill for an act relating to compensation of clerks of district court and his deputies.

S. W. NEAL,  
*Secretary.*

Also:

MR. SPEAKER—I am directed to inform your honorable body that the Senate has passed the following bill in which the concurrence of the Senate was asked:

House File No. 408, a bill for an act to prevent disease among bees.

S. W. NEAL,  
*Secretary.*

Also:

MR. SPEAKER—I am directed to inform your honorable body that the Senate has passed the following bill in which the concurrence of the Senate was asked:

House File No. 359, a bill for an act relative to the practice of medicine.

S. W. NEAL,  
*Secretary.*

Also:

MR. SPEAKER—I am directed to inform your honorable body that the Senate has refused to concur in House amendments to Senate File No. 212, a bill for an act providing for the equipment of certain cars with brakes.

S. W. NEAL,  
*Secretary.*

Also:

MR. SPEAKER—I am directed to inform your honorable body that the Senate returns herewith as requested by the House Senate File No. 158, a bill for an act relating to taxation of corporate stocks.

S. W. NEAL,  
*Secretary.*

Also:

MR. SPEAKER—I am directed to inform your honorable body that the Senate insists upon its amendments to House File No. 534, a bill for an act relating to the protection of fish and game, and asks for a conference committee.

S. W. NEAL,  
*Secretary.*

Also:

MR. SPEAKER—I am directed to inform your honorable body that the Senate has amended by substitute amendment and passed the following bill in which the concurrence of the Senate was asked:

House File No. 383, a bill for an act to prohibit combinations of persons engaged in the business of lumber dealing.

S. W. NEAL,  
*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. 429, a bill for an act to amend the law as it appears in Section nineteen hundred eighty-nine-a-fourteen (1989-a-14) of the Supplement to the Code, 1907, relating to proceedings after decision upon appeal.

S. W. NEAL,  
*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. 426, a bill for an act to amend the law as it appears in Section twenty-four hundred ninety-three (2493) of the Supplement to the Code, 1907, relating to the sale of poisons.

S. W. NEAL,  
*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. 427, a bill for an act to amend the law as it appears in Section seven hundred and ninety-one-i (791-i) of the Supplement to the Code, 1907, relating to special assessments for sidewalks and street improvements in cities and towns.

S. W. NEAL,  
*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. 428, a bill for an act to increase the support funds of the state hospitals in which insane patients are kept.

S. W. NEAL,  
*Secretary.*

Also:

MR. SPEAKER—I am directed to inform your honorable body that the Senate has refused to concur in House amendments to Senate Joint Resolution No. 6, joint resolution fixing the number and compensation of employees at the seat of government.

S. W. NEAL,  
*Secretary.*

Also:

MR. SPEAKER—I am directed to inform your honorable body that the Senate has amended and passed the following bill in which the concurrence of the Senate was asked:

House File No. 93, a bill for an act to amend Section five thousand two hundred eighty-seven (5287) of the Code of 1897 by adding thereto a provision permitting the county attorney to amend indictments to correct errors therein or to add allegations thereto.

S. W. NEAL,  
*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. 430, a bill for an act relative to the compensation of members of the General Assembly.

S. W. NEAL,  
*Secretary.*

Also:

MR. SPEAKER—I am directed to inform your honorable body that the Senate has indefinitely postponed the following bill in which the concurrence of the Senate was asked:

House File No. 512, a bill for an act to provide for the appropriation of moneys to the Farmers' Institutes of Cherokee and Palo Alto counties and to the Franklin County Agricultural Society.

S. W. NEAL,  
*Secretary.*

#### SENATE MESSAGES CONSIDERED.

Senate File No. 428, a bill for an act to increase the support funds of the State Hospitals in which insane patients are kept.

Read first and second time and referred to Sifting Committee.

Senate File No. 427, a bill for an act to amend the law as it appears in Section Seven Hundred and Ninety-one-i (791-i) of the Supplement to the Code, 1907, relating to special assessments for sidewalk and street improvements in cities and towns.

Read first and second time and referred to Sifting Committee.

Senate File No. 426, a bill for an act to amend the law as it appears in Section Twenty-four Hundred Ninety-three (2493) of the Supplement to the Code, 1907, relating to the sale of poisons.

Read first and second time and referred to Sifting Committee.



Senate File No. 429, a bill for an act to amend the law as it appears in Section 1989-a-14 of the Supplement to the Code, 1907, relating to proceeding after decisions upon appeal.

Read first and second time and referred to Sifting Committee.

Senate File No. 430, a bill for an act to amend Section Twelve (12) of the Code, relative to the compensation of the members of the General Assembly.

Read first and second time and Bonwell of Audubon moved that the rules be suspended and the bill be considered at this time.

Motion prevailed.

Bonwell of Audubon moved that the rules be suspended, the bill be read a third time now, which motion prevailed, and the bill was read a third time.

On the question, "Shall the bill pass?"

The ayes were:

Allred, Balluff, Beery, Boe, Boettger, Bonwell, Boomgaarden, Burt, Calkins, Cassady, Cooper, Dabney, Darrah, Davidson, Dawson, Derrough, Elliott, Ellis, Felt, Fourt, Hanson, Jewell, Kendall, Kull, McCleery, McDonald, Marston, Miller of Dubuque, Moore of Wapello, O'Connor, Penn, Reaney, Sankey, Schee, Schulte, Sheldon, Stoddard, Sullivan, Tegeler, Wolfe, Mr. Speaker—41.

The nays were:

Anderson, Arney, Bascom, Bauman, Beebe, Blackmore, Bowman, Brandes, Corrie, Cousins, Crozier, Cunningham, Dewey, DeWitt, Dodds, Drury, Dye, Etter, Fenn, Finlayson, Fox, Fulliam, Fulton, Goodykoontz, Harvey, Holmes, Huffaker, Hunter, Ide, Jacobs, Johnson, Jones, Kellogg, Klay, Larrabee, Meredith, Miller of Bremer, Moore of Linn, Newell, Perkins, Ritter, Schroeder, Smith, Stillman, Swan, Swift, Tilton, Welden, Wilson, Zeller—50.

Absent or not voting:

Beans, Byerly, Crummer, Dalby, Dewell, Grier, Hackler, Harding, Hickenlooper, Inman, Koontz, Lee, Reitz, Ripley, Thompson, Ward, White—17.

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

On request of Sullivan of Polk, unanimous consent having been given, Senate File No. 212, a bill for an act to require every person, partnership, company or corporation, owning or operating a street ailway in this state, to equip certain cars with brakes and appliances for the control and stopping of the same and providing a penalty for the violation thereof, with House amendments, was taken up and considered.

Sullivan of Polk moved that the House insist on its amendments.

Motion prevailed.

Sullivan of Polk moved that a Conference Committee be appointed on Senate File No. 212.

The Speaker appointed as such Conference Committee: Sullivan of Polk, Hackler of Webster, Harding of Woodbury and Moore of Linn.

Arney of Marshall moved that the House insist on its amendments to Senate Joint Resolution No. 6.

Motion prevailed.

Arney of Marshall moved that the Speaker appoint a Conference Committee on Senate Joint Resolution No. 6.

Motion prevailed.

Speaker pro tempore Larrabee appointed as such committee on the part of the House: Moore of Linn, Anderson of Hamilton, and O'Connor of Chickasaw.

Johnson of Mitchell moved that the Sifting Committee be requested to report Senate File No. 158 within thirty minutes to the House.

Motion lost.

#### SENATE AMENDMENTS CONSIDERED.

On request of Kull of Howard, unanimous consent having been given, House File No. 383, a bill for an act to prohibit any person, company, partnership, association or corporation, engaged in the business of lumber dealing, or owning or operating lumber yards from combining or entering into any agreement, contract, trust, or pool to fix the prices at which lumber is to be sold, or to prevent the free action of competition in the buying of lumber, or the selling of lumber, and to provide punishment for the violation of this act, with the following Senate amendments, was taken up and the amendments read and considered.

Senate substitute for House File No. 383:

A Bill for an Act to Prohibit any Person, Company, Partnership, Association or Corporation, Engaged in any Business, or Owning or Operating any Business, From Combining or Entering Into any Agreement, Contract, Trust or Pool to Fix the Prices at Which any Commodity or any Article of Commerce is to be sold, or to Prevent the Free Action of Competition in the Buying of any Commodity or any Article of Commerce, or the Selling of any Commodity or any Article of Commerce, and to Provide Punishment for the Violation of this Act.

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

SECTION 1. That it shall be unlawful for any person, company, partnership, association or corporation owning or operating any business of buying, selling, handling, consigning or transporting any commodity or any article of commerce, to enter into any agreement, contract or combination with any other dealer, or dealers, partnership, company, corporation or association of dealers, whether within or without the State, engaged in like business, for the fixing of the price or prices at which any commodity or any article of commerce should be sold by different dealers or sellers; or to divide between said dealers the aggregate or net proceeds of the earnings of such dealers and sellers, or any portion thereof; or to form, enter into, maintain, or contribute money or anything of value to any trust, pool, combination or association of persons of whatsoever character or name, which has for any of its objects the prevention of full and free competition among buyers, sellers or dealers in any commodity or any article of commerce; or to do or permit it be done by his or their authority any act or thing whereby the free action of competition in the buying or selling of any commodity or any article of commerce is restrained or prevented.

SEC. 2. That in case any person, company, partnership, corporation or association, trust, pool or combination of whatsoever name shall do, cause to be done, or permit to be done, any act, matter or thing in this act prohibit or declared to be unlawful, such person, partnership, company, association, corporation, trust, pool or combination shall be liable to the person, partnership, company, association or corporation injured thereby for the full amount of damages sustained in consequence of any such violation of the provisions of this act.

SEC. 3. That any person, partnership, company, association or corporation subject to the provisions of this act, or any person, trust, combination, pool or association, or any director, officer, lessee, receiver, trustee, employe, clerk, agent or any person acting for or employed by them, who shall violate any of the provisions of Section 1 of this act, or who shall aid and abet in such violation, shall be deemed guilty of a misdemeanor, and shall upon conviction thereof be fined any sum not less than five hundred dollars (\$500) and not exceeding two thousand dollars (\$2,000) or imprisoned in the county jail for a period not exceeding six months, or both, at the discretion of the court. It shall be the duty of the grand jury to enquire into and ascertain if there exists any pool, trust, combination or violation of any provision in this act, in their respective counties.

Kull of Howard moved that the House concur in the Senate amendments:

Larrabee of Fayette in the Chair.

On the question, Shall the House concur?

The ayes were:

Allred, Anderson, Arney, Balluff, Bascom, Bauman, Beebe, Blackmore, Boe, Boettger, Bonwell, Boomgaarden, Burt, Byerly, Calkins, Cooper, Corrie, Cousins, Crozier, Crummer, Dabney, Dalby, Darrah, Dawson, Derrough, Dewell, DeWitt, Dodds, Drury, Elliott, Ellis, Etter, Felt, Fenn, Finlayson, Goodykoontz, Grier, Hackler, Hanson, Harvey, Hickenlooper, Holmes, Huffaker, Jacobs, Jewell, Johnson, Jones, Kellogg, Kendall, Klay, Koontz, Kull, Larrabee, Marston, Meredith, Miller of Bremer, Miller of Dubuque, Moore of Wapello, Moore of Linn, Newell, O'Connor, Penn, Perkins, Reitz, Ripley, Ritter, Sankey, Schee, Schroeder, Schulte, Smith, Stillman, Stoddard, Sullivan, Swan, Swift, Tegeler, Tilton, Welden, White, Wilson, Wolfe, Zeller—83.

The nays were:

Cassady, Fourt, Fox, Fulton, Reaney—5.

Absent or not voting:

Beans, Beery, Bowman, Brandes, Cunningham, Davidson, Dewey, Dye, Fulliam, Harding, Hunter, Ide, Inman, Lee, McCleery, McDonald, Sheldon, Thompson, Ward, Mr. Speaker—20.

So the House concurs.

#### MOTION TO RECONSIDER.

MR. SPEAKER—I move to reconsider the vote by which the House refused to concur in the Senate amendments to House File No. 534.

C. J. FULTON.

I second the motion.

E. H. FOURT.

Motion prevailed.

Koontz of Johnson moved that the House concur in the Senate amendments.

On the question, Shall the House concur?

The ayes were:

Allred, Anderson, Balluff, Bauman, Beans, Beery, Blackmore, Boe, Boettger, Bonwell, Boomgaarden, Bowman, Brandes, Calkins,

Cassady, Corrie, Cousins, Crozier, Crummer, Dalby, Darrah, Davidson, Dawson, Derrough, Dodds, Drury, Dye, Ellis, Etter, Fenn, Finlayson, Fourt, Fox, Fulliam, Fulton, Goodykoontz, Grier, Hackler, Hanson, Harding, Harvey, Hickenlooper, Huffaker, Hunter, Inman, Jacobs, Jewell, Johnson, Jones, Kellogg, Klay, Koontz, Kull, Larrabee, Lee, McCleery, McDonald, Marston, Meredith, Miller of Bremer, Miller of Dubuque, Moore of Linn, Newell, O'Connor, Penn, Perkins, Ripley, Ritter, Sankey, Schee, Schulte, Sheldon, Smith, Stillman, Sullivan, Swift, Tegeler, Thompson, Welden, White, Wolfe, Mr. Speaker—82.

The nays were :

Arney, Bascom, DeWitt, Felt—4.

Absent or not voting :

Beebe, Burt, Byerly, Cooper, Cunningham, Dabney, Dewell, Dewey, Elliott, Holmes, Ide, Kendall, Moore of Wapello, Reaney, Reitz, Schroeder, Stoddard, Swan, Tilton, Ward, Wilson, Zeller—22.

So the House concurs.

The Speaker announced that as Speaker of the House, in the presence of the House, he had signed House File Nos. 263, 292, 406, 495, and 537.

#### REPORT OF COMMITTEE ON ENROLLED BILLS.

Klay of Sioux 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. 9, a bill for an act to repeal Section three thousand three hundred and seven (3307) of Supplement to the Code, 1907, relating to administration of the estates of absentees, and to enact a substitute therefor.

Also:

House File No. 54, a bill for an act to amend Section two thousand one hundred nineteen (2119) of the Code, relating to the enforcement of the rules, orders and regulations of the Board of Railway Commissioners and to provide for the time when said rules, orders or regulations shall take effect.

Also:

House File No. 111, a bill for an act to amend Sections three thousand five hundred seven (3507), three thousand five hundred eleven (3511), of the Code, and Section four thousand four hundred eighty-one (4481) of the Supplement to the Code, 1907, all relating to the place of trial of actions:

Also:

House File No. 440, a bill for an act to amend Section two hundred sixty (260) of the Code relative to Superior Courts.

Also:

House File No. 377, a bill for an act to amend the law as it appears in Section twenty-five hundred five (2505) of the Supplement to the Code, 1907, relating to the inspection of petroleum products.

Also:

House File No. 408, a bill for an act to prevent disease among bees and provide for inspection thereof.

Also:

House File No. 439, a bill for an act to amend Section eleven hundred forty-three (1143) of the Code relating to destruction of ballots.

Also:

House File No. 494, a bill for an act to amend Section two thousand eight hundred twenty-three-p (2823-p) of the Supplement to the Code, 1907, relating to furnishing a list of books suitable for use in school district libraries.

Also:

House File No. 359, a bill for an act to amend Section twenty-five hundred eighty-two (2582) of the Supplement to the Code, relative to the practice of medicine and providing for the issuance of temporary permits.

Also:

House File No. 549, a bill for an act to repeal Sections nineteen hundred fifty-five (1955) and nineteen hundred fifty-six (1956) of the Code and to enact substitutes therefor, and to amend Section nineteen hundred fifty-nine (1959) of the Code, all relating to the construction of levees, ditches or drains by owners of lands for agricultural, sanitary or mining purposes across the lands of others and providing for the condemnation of such lands as may be necessary for the construction and maintenance of such levees, ditches or drains.

Also:

House File No. 93, a bill for an act to amend the law as it appears in Section five thousand two hundred eighty-nine (5289) of the Code, by adding thereto a provision permitting the county attorney to amend indictments and to require that objections to indictments be waived if not made before swearing the jury on the trial of the case.

Also:

House File No. 383, a bill for an act to prohibit any person, company, partnership, association or corporation, engaged in any business, or owning or operating any business, from combining or entering into any agreement, contract, trust or pool to fix the prices at which any commodity or any article of commerce is to be sold, or to prevent the free action of competition in buying of any commodity or any article of commerce, or the selling of any commodity or any article of commerce, and to provide punishment for the violation of this act.

Also:

House Joint Resolution No. 9, making application to the Congress of the United States to call a convention for proposing amendments to the Constitution of the United States.

Also:

House File No. 379, a bill for an act providing for the publication of the proceedings of city and town councils.

Also:

House File No. 405, a bill for an act to amend Section twenty-five hundred and seventy-five-a-thirty-one (2575-a-31) of the Supplement of the Code. And to repeal Section twenty-five hundred and seventy-five-a-twenty-nine (2575-a-29) of the Supplement to the Code relative to the qualifications of nurses and enacting a substitute therefor.

Also:

House File No. 524, a bill for an act to appropriate money for the purpose of defraying the expenses incurred in the election contests from the tenth representative district of Iowa, the twenty-sixth (26) representative district of Iowa, the forty-fifth (45) representative district of Iowa, the fifty-ninth (59) representative district of Iowa and the sixty-seventh (67) representative district of Iowa, and to pay sundry persons for services, mileage, and other expenses incurred in connection with said election contests.

Also:

House File No. 485, a bill for an act to repeal Section eighteen hundred seventy-five (1875) of the Supplement to the Code, 1907, and enact a substitute therefor, relating to banks and banking.

Also:

House File No. 305, a bill for an act to amend the law as it appears in Section two hundred ninety-eight (298) of the Supplement to the Code, 1907, relating to compensation of clerks of the district court and their deputies.

Also:

House Joint Resolution No. 6, authorizing and recommending the pardon or parole of C. H. Woodward, now confined at Fort Madison, Iowa.

Also:

House File No. 448, a bill for an act to amend Section one thousand three hundred four (1304) of the Supplement to the Code, 1907, in relation to the classes of property exempt from the assessment of taxes.

Also:

House File No. 488, a bill for an act to repeal Section two thousand seventy-seven-a (2077-a) of the Supplement to the Code, 1907, and to enact a substitute therefor relative to the installing of telephones and posting notices in railway stations.

Also:

House File No. 507, a bill for an act to amend the law as it appears in Section twenty-eight hundred twelve-e (2812-e) of the Supplement to the Code, 1907, relating to the duration of school bonds.

Also:

House File No. 534, a bill for an act to amend the law as it appears in Section twenty-five hundred forty (2540), twenty-five hundred forty-a (2540-a), twenty-five hundred fifty-one (2551) and twenty-five hundred fifty-six (2556) of the Supplement to the Code, 1907; and Sections twenty-five hundred forty-four (2544), twenty-five hundred fifty-nine (2559) of the Code, and to repeal Section twenty-five hundred fifty-two (2552) of the Supplement to the Code, 1907, and Sections twenty-five hundred forty-four (2544), twenty-five hundred fifty-four (2554), and twenty-five hundred sixty-two (2562) of the Code, relating to the protection of fish and game; regulating the shipment of fish and sale; prohibiting the sale of game, and providing for the appointment of deputy fish and game wardens and fixing their compensation.

Also:

House File No. 539, a bill for an act to legalize the election in the incorporated town of Weldon, Decatur county Iowa.

GERRIT KLAY,  
*Chairman.*

Adopted.



## REPORT OF COMMITTEE ON ENROLLED BILLS.

MR. SPEAKER—Your Committee on Enrolled Bills respectfully report that they have this day sent to the Governor for his approval House File No. 9, a bill for an act to repeal Section three thousand three hundred and seven (3307) of Supplement to the Code, 1907, relating to administration of the estates of absentees, and to enact a substitute therefor.

## Also:

House File No. 54, a bill for an act to amend Section two thousand one hundred nineteen (2119) of the Code, relating to the enforcement of the rules, orders and regulations of the Board of Railway Commissioners and to provide for the time when said rules, orders or regulations shall take effect.

## Also:

House File No. 111, a bill for an act to amend Sections three thousand five hundred seven (3507), three thousand five hundred eleven (3511), of the Code, and Section four thousand four hundred eighty-one (4481) of the Supplement to the Code, 1907, all relating to the place of trial of actions.

## Also:

House File No. 440, a bill for an act to amend Section two hundred sixty (260) of the Code relative to Superior Courts.

## Also:

House File No. 377, a bill for an act to amend the law as it appears in Section twenty-five hundred five (2505) of the Supplement to the Code, 1907, relating to the inspection of petroleum products.

## Also:

House File No. 408, a bill for an act to prevent disease among bees and provide for inspection thereof.

## Also:

House File No. 439, a bill for an act to amend Section eleven hundred forty-three (1143) of the Code relating to destruction of ballots.

## Also:

House File No. 494, a bill for an act to amend Section two thousand eight hundred twenty-three-p (2823-p) of the Supplement to the Code, 1907, relating to furnishing a list of books suitable for use in school district libraries.

## Also:

House File No. 359, a bill for an act to amend Section twenty-five hundred eighty-two (2582) of the Supplement to the Code, relative to

the practice of medicine and providing for the issuance of temporary permits.

Also:

House File No. 130, a bill for an act relating to the distribution of laws becoming effective by publication.

Also:

House File No. 263, a bill for an act to repeal Section sixteen hundred ninety-nine (1699) of the Code, relating to the investment of funds of insurance companies, other than life, organized under Chapter four (4) Title nine (9) of the Code and to enact a substitute therefor.

Also:

House File No. 292, a bill for an act to repeal Section two thousand nine hundred forty-two-j (2942-j) of the Supplement to the Code, 1907, relating to certain conveyances of real estate legalized by executors, administrators and guardians in this and foreign states and to enact a substitute therefor.

Also:

House File No. 406, a bill for an act to amend Section twenty-eight hundred twenty-three-a (2823-a), Supplement to the Code, 1907, relating to the duties of parents or guardians.

Also:

House File No. 495, a bill for an act to amend the law as it appears in sections nineteen hundred eighty-nine-a2 (1989-a2), nineteen hundred eighty-nine-a4 (1989-a4), nineteen hundred eighty-nine-a5 (1989-a5), nineteen hundred eighty-nine-a6 (1989-a6), nineteen hundred eighty-nine-a7 (1989-a7), nineteen hundred eighty-nine-a8 (1989-a8), nineteen hundred eighty-nine-a10 (1989-a10), nineteen hundred eighty-nine-a12 (1989-a12), nineteen hundred eighty-nine-a13 (1989-a13), nineteen hundred eighty-nine-a14 (1989-a14), nineteen hundred eighty-nine-a16 (1989-a16), nineteen hundred eighty-nine-a18 (1989-a18), nineteen hundred eighty-nine-a21 (1989-a21), nineteen hundred eighty-nine-a22 (1989-a22), nineteen hundred eighty-nine-a29 (1989-a29), nineteen hundred eighty-nine-a32 (1989-a32), nineteen hundred eighty-nine-a35 (1989-a35), nineteen hundred eighty-nine-a44 (1989-a44) of the Supplement to the Code, 1907, and to repeal Sections nineteen hundred eighty-nine-a3 (1989-a3), nineteen hundred eighty-nine-a11 (1989-a11) and nineteen hundred eighty-nine-a19 (1989-a19) of the Supplement to the Code, 1907, and enact substitutes therefor; and to enact sections of law additional to Chapter two-a of Title ten (10) of the Supplement to the Code, 1907. All relating to the subject of waters, water courses, levees, drains, and drainage districts.

**Also :**

House File No. 537, a bill for an act repealing Sections one hundred sixty-two (162) of the Code and one hundred sixty-three-a (163-a) and one hundred sixty-three-b (163-b) of the Supplement to the Code, 1907, defining the character of vouchers upon which warrants shall be drawn by the Auditor of State upon the state treasury and requiring a biennial report of state expenses for the several state offices, boards, commissions and institutions to be made by the Executive Council.

**Also :**

House File No. 305, a bill for an act to amend the law as it appears in Section two hundred ninety-eight (298) of the Supplement to the Code, 1907, relating to compensation of clerks of the district court and their deputies.

**Also :**

House Joint Resolution No. 6, authorizing and recommending the pardon or parole of C. H. Woodward, now confined at Fort Madison, Iowa.

**Also :**

House File No. 448, a bill for an act to amend Section one thousand three hundred four (1304) of the Supplement to the Code, 1907, in relation to the classes of property exempt from the assessment of taxes.

**Also :**

House File No. 488, a bill for an act to repeal Section two thousand seventy-seven-a (2077-a) of the Supplement to the Code, 1907, and to enact a substitute therefor relative to the installing of telephones and posting notices in railway stations.

**Also :**

House File No. 507, a bill for an act to amend the law as it appears in Section twenty-eight hundred twelve-e (2812-e) of the Supplement to the Code, 1907, relating to the duration of school bonds.

**Also :**

House File No. 539, a bill for an act to legalize the election in the incorporated town of Weldon, Decatur county Iowa.

**Also :**

House File No. 534, a bill for an act to amend the law as it appears in Section twenty-five hundred forty (2540), twenty-five hundred forty-a (2540-a), twenty-five hundred fifty-one (2551) and twenty-five hundred fifty-six (2556) of the Supplement to the Code, 1907; and Sections twenty-five hundred fifty-five (2555) and twenty-five hun-

dred fifty-nine (2559) of the Code, and to repeal Section twenty-five hundred fifty-two (2552) of the Supplement to the Code, 1907, and Sections twenty-five hundred forty-four (2544), twenty-five hundred fifty-four (2554), and twenty-five hundred sixty-two (2562) of the Code, relating to the protection of fish and game; regulating the shipment of fish and sale; prohibiting the sale of game, and providing for the appointment of deputy fish and game wardens and fixing their compensation.

Also:

House File No. 549, a bill for an act to repeal Sections nineteen hundred fifty-five (1955) and nineteen hundred fifty-six (1956) of the Code and to enact substitutes therefor, and to amend Section nineteen hundred fifty-nine (1959) of the Code, all relating to the construction of levees, ditches or drains by owners of lands for agricultural, sanitary or mining purposes across the lands of others and providing for the condemnation of such lands as may be necessary for the construction and maintenance of such levees, ditches or drains.

Also:

House File No. 93, a bill for an act to amend the law as it appears in Section five thousand two hundred eighty-nine (5289) of the Code, by adding thereto a provision permitting the county attorney to amend indictments and to require that objections to indictments be waived if not made before swearing the jury on the trial of the case.

Also:

House File No. 383, a bill for an act to prohibit any person, company, partnership, association or corporation, engaged in any business, or owning or operating any business, from combining or entering into any agreement, contract, trust or pool to fix the prices at which any commodity or any article of commerce is to be sold, or to prevent the free action of competition in the buying of any commodity or any article of commerce, or the selling of any commodity or any article of commerce, and to provide punishment for the violation of this act.

Also:

House File No. 379, a bill for an act providing for the publication of the proceedings of city and town councils.

Also:

House Joint Resolution No. 9, making application to the Congress of the United States to call a convention for proposing amendments to the Constitution of the United States.

Also:

House File No. 405, a bill for an act to amend Section twenty-five hundred and and seventy-five-a-thirty-one (2575-a-31) of the Supplement

of the Code. And to repeal Section twenty-five hundred and seventy-five-a-twenty-nine (2575-a-29) of the Supplement to the Code relative to the qualifications of nurses and enacting a substitute therefor.

Also:

House File No. 485, a bill for an act to repeal Section eighteen hundred seventy-five (1875) of the Supplement to the Code, 1907, and enact a substitute therefor, relating to banks and banking.

Also:

House File No. 524, a bill for an act to appropriate money for the purpose of defraying the expenses incurred in the election contests from the tenth representative district of Iowa, the twenty-sixth (26) representative district of Iowa, the forty-fifth (45) representative district of Iowa, the fifty-ninth (59) representative district of Iowa and the sixty-seventh (67) representative district of Iowa, and to pay sundry persons for services, mileage, and other expenses incurred in connection with said election contests.

GERBIT KLAY,  
*Chairman.*

Adopted.

#### REPORT OF JOINT COMMITTEE ON ENROLLED BILLS.

Klay of Sioux, from the Joint Committee on Enrolled Bills, submitted the following report:

MR. SPEAKER—Your Joint Committee on Enrolled Bills respectfully report that they have examined, and find correctly enrolled, Senate File No. 410, a bill for an act making an appropriation for the farmers' institute of Pocahontas county Iowa, under the provisions of Section 1675 of the Supplement to the Code, 1907.

Also:

Senate File No. 349, a bill for an act to appropriate money for the purpose of quarantining injurious insects under the provision of the law as it appears in Sections 2572-a-48 and Section 2575-a-49 of the Supplement to the Code, 1907.

Also:

Senate File No. 297, a bill for an act to amend Section 1090 of the Code, relating to the formation of election precincts.

Also:

Senate File No. 258, a bill for an act making an appropriation for John Jones on account of injuries received by him at the State Hospital for insane persons at Clarinda, Iowa.

Also:

Senate File No. 130, a bill for an act to prohibit drinking intoxicating liquors as a beverage or the use of profane and indecent language on any railway passenger car or street car in service and make the same a misdemeanor, and giving the conductor of any train carrying passengers the right to refuse to permit any person intoxicated to enter any passenger car or street car in service and to eject from his train certain disorderly persons.

Also:

Senate File No. 92, a bill for an act to prohibit the use of cigarettes by minors under twenty-one years of age, and providing penalties therefor.

Also:

Senate File No. 370, a bill for an act to enjoin and abate houses of lewdness, assignation and prostitution, to declare the same to be nuisances, to enjoin the person or persons who conduct or maintain the same and the owner or agent of any building used for such purpose, and to assess a tax against the person maintaining said nuisance and against the building and owner thereof.

Also:

Senate File No. 358, a bill for an act prohibiting the giving of immoral plays, exhibitions, and entertainments and the use and leasing of real property therefor and providing a penalty for the violation thereof.

Also:

Senate File No. 161, a bill for an act to amend Chapter 120 of the laws of the Twenty-sixth General Assembly, by making it the duty of Dickinson county to maintain the dam in said act provided for, and granting an appropriation of one thousand dollars (\$1,000.00) to aid therein.

Also:

Senate File No. 425, a bill for an act to legalize the act of the Board of Directors of the school township of Garfield, in the county of Clay, and State of Iowa; appointing the officers therefor, and legalizing the levy of taxes made for said school township in 1908.

Also:

Senate File No. 251, a bill for an act to amend the law as it appears in sub-division 4 of Section 138 of the Supplement to the Code, 1907, and Section 139 of the Code, relating to printing.

Also:

Senate File No. 184, a bill for an act to repeal Section 1615 of the Code, Sections 1610, 1618 and 1641-d of the Supplement to the Code, 1907, and enact substitutes therefor; to amend Section 1637 of the Code and 1612 of the Supplement to the Code, 1907, to repeal Section 1618-b of the Supplement to the Code, 1907, relating to corporations for pecuniary profit.

Also:

Senate File No. 404, a bill for an act providing for the inside finishing and completion of the historical, memorial and art building, and making an appropriation therefor.

Also:

Senate File No. 403, a bill for an act making appropriations for the State University, the Iowa State College of Agriculture and Mechanic Arts, and the State Normal School.

Also:

Senate File No. 278, a bill for an act in relation to holding district courts and the assignment of judges therefor.

Also:

Senate File No. 394, a bill for an act to legalize the action of the Independent School District of Marcus, Cherokee county, Iowa, in voting bonds at an election held on the first day of March, 1907, and legalizing bonds issued by said district under said election.

Also:

Senate File No. 402, a bill for an act making appropriations for the construction, repair, improvement and contingent funds for the State hospitals, penitentiaries, industrial schools, sanatorium for treatment of tuberculosis, institution for the feeble-minded, college for the blind, school for the deaf, Iowa soldiers' home and Iowa soldiers' orphans' home.

Also:

Senate File No. 380, a bill for an act providing for acquiring by condemnation proceedings by cities and towns of heating plants, water works, gas works, electric light or electric power plants, and a mode of procedure therefor, and amending Section 722 of the Supplement to the Code, 1907.

Also:

Senate File No. 344, a bill for an act defining contributory dependency,

fixing proceedings in regard thereto, providing for probation of parties guilty thereof subject to such orders as are calculated to remove such contributory dependency and providing for the enforcement of such orders also providing for a finding of abandonment and for adoption upon such finding, determining the rights of children thus adopted and providing for punishment for enticing away and interfering with children legally placed into institutions and homes; to be additional to Chapter 5-b of Title III of the Supplement to the Code, 1907.

Also:

Senate File No. 17, a bill for an act to amend Section 3311 of the Code, relating to the valuation of personal property.

Also:

Senate File No. 263, a bill for an act to make appropriations for the payment of expenses incurred under the special committee appointed in the contest of A. F. Hambleton contestant, vs. John F. Ram incumbent, and to make an appropriation therefor.

Also:

Senate File No. 361, a bill for an act to amend Section 335, of the Code relating to the selection of persons to serve as petit and grand jurors and talesmen.

Also:

Senate File No. 286, a bill for an act to define gift enterprises and to provide a penalty for carrying on the same.

Also:

Senate File No. 379, a bill for an act to amend the law as it appears in Section 5718-a-18 of the Supplement to the Code, 1907, relating to the power of the Board of Parole to establish rules and regulations governing paroles.

Also:

House File No. 305, a bill for an act to amend the law as it appears in Section two hundred ninety-eight (298) of the Supplement to the Code, 1907, relating to compensation of clerks of the district court and their deputies.

Also:

House Joint Resolution No. 6, authorizing and recommending the pardon or parole of C. H. Woodward, now confined at Fort Madison, Iowa.



**Also:**

House File No. 448, a bill for an act to amend Section one thousand three hundred four (1304) of the Supplement to the Code, 1907, in relation to the classes of property exempt from the assessment of taxes.

**Also:**

House File No. 488, a bill for an act to repeal Section two thousand seventy-seven-a (2077-a) of the Supplement to the Code, 1907, and to enact a substitute therefor relative to the installing of telephones and posting notices in railway stations.

**Also:**

House File No. 507, a bill for an act to amend the law as it appears in Section twenty-eight hundred twelve-e (2812-e) of the Supplement to the Code, 1907, relating to the duration of school bonds.

**Also:**

House File No. 534, a bill for an act to amend the law as it appears in Sections twenty-five hundred forty (2540), twenty-five hundred forty-a (2540-a), twenty-five hundred fifty-one (2551) and twenty-five hundred fifty-six (2556) of the Supplement to the Code, 1907; and Sections twenty-five hundred fifty-five (2555) and twenty-five hundred fifty-nine (2559) of the Code, and to repeal Section twenty-five hundred fifty-two (2552) of the Supplement to the Code, 1907, and Sections twenty-five hundred forty-four (2544), twenty-five hundred fifty-four (2554), and twenty-five hundred sixty-two (2562) of the Code, relating to the protection of fish and game; regulating the shipment of fish and salt; prohibiting the sale of game, and providing for the appointment of deputy fish and game wardens and fixing their compensation.

**Also:**

House File No. 539, a bill for an act to legalize the election in the incorporated town of Weldon, Decatur county, Iowa.

**Also:**

House File No. 9, a bill for an act to repeal Section three thousand three hundred and seven (3307) of Supplement to the Code, 1907, relating to administration of the estates of absentees, and to enact a substitute therefor.

**Also:**

House File No. 54, a bill for an act to amend Section two thousand one hundred nineteen (2119) of the Code, relating to the enforcement of the rules, orders and regulations of the Board of Railway Commissioners and to provide for the time when said rules, orders or regulations shall take effect.

**Also:**

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**Also:**

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**Also:**

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**Also:**

House File No. 439, a bill for an act to amend Section eleven hundred forty-three (1143) of the Code relating to destruction of ballots.

**Also:**

House File No. 494, a bill for an act to amend Section two thousand eight hundred twenty-three-p (2823-p) of the Supplement to the Code, 1907, relating to furnishing a list of books suitable for use in school district libraries.

**Also:**

House File No. 359, a bill for an act to amend Section twenty-five hundred eighty-two (2582) of the Supplement to the Code, relative to the practice of medicine and providing for the issuance of temporary permits.

**Also:**

Senate File No. 374, a bill for an act to amend Section 125 of the Supplement to the Code, 1907, relating to the printing and binding of reports of financial statements of cities and towns.

**Also:**

Senate File No. 350, a bill for an act to prevent placing obstructions on the streets, alleys and highways and providing a penalty therefor.

Also:

Senate File No. 338, a bill for an act to amend the law as it appears in Section 1060 of the Code, 1907, relating to the time of the commencement of the term of officers chosen at a general election.

Also:

Senate File No. 418, a bill for an act providing for the removal of appointive State officials, members of board, members of commissions, commissioners and persons appointed by the same.

Also:

Senate File No. 333, a bill for an act to amend the law as it appears in Section 2310-a-19 and 310-a-28 of the Supplement to the Code, 1907, relative to the expense and payment thereof, and costs incurred on account of patients committed as inebriates to the State hospitals and repealing Section 2310-a-30 of the Supplement to the Code, 1907, and enacting a substitute therefor, relative to the payment of expenses for the returning of an escaped patient and recommitment to the hospitals for inebriates.

Also:

Senate File No. 212, a bill for an act to require every person, company or corporation owning or operating a street railway in this State, to equip certain cars with brakes and appliances for the control and stopping of the same, and providing a penalty for the violation thereof.

Also:

Senate File No. 298, a bill for an act limiting the number of persons to whom city or town councils may by resolution grant consent to sell intoxicating liquors and to prohibit any person who shall be convicted or enjoined for violating the laws of this State relating to the sale or disposition of intoxicating liquors, from engaging in the sale of intoxicating liquors within five years from the date thereof.

Also:

Senate File No. 113, a bill for an act to amend the law as it appears in Section 1087-a-1, 1087-a-5, 1087-a-6, 1087-a-10, 1087-a-12, 1087-a-14, 1087-a-19, 1087-a-21, 1087-a-22, 1087-a-23, 1087-a-24, 1087-a-25, 1087-a-26, and 1087-a-27 of the Supplement to the Code, 1907, and to repeal the law as it appears in Section 1087-a-13, 1087-a-15, 1087-a-18, of the Supplement to the Code, 1907, and to enact substitutes therefor, all relating to the holding of primary elections by political parties.

Also:

Senate File No. 432, a bill for an act appropriating \$200.00 for the Williamsburg Fair Association under the provisions of Section 1661-a of the Supplement to the Code, 1907.

Also:

Senate File No. 59, a bill for an act to amend Section 2394 of the Code relating to the sale of intoxicating liquors by permit holders.

Also:

House File No. 549, a bill for an act to repeal Sections nineteen hundred fifty-five (1955) and nineteen hundred fifty-six (1956) of the Code, and to enact substitutes therefor, and to amend Section nineteen hundred fifty-nine (1959) of the Code, all relating to the construction of levees, ditches or drains by owners of lands for agricultural sanitary or mining purposes across the lands of others and providing for the condemnation of such lands as may be necessary for the construction and maintenance of such levees, ditches or drains.

Also:

House File No. 92, a bill for an act to amend the law as it appears in Section five thousand two eighty-nine (5289) of the Code, by adding thereto a provision permitting the county attorney to amend indictments and to require that objections to indictments be waived if not made before swearing the jury on the trial of the case.

Also:

House File No. 383, a bill for an act to prohibit any person, company, partnership, association or corporation, engaged in any business, or owning or operating any business from combining or entering into any agreement, contract, trust or pool to fix the prices at which any commodity or any article of commerce is to be sold, or to prevent the free action of competition in the buying of any commodity or any article of commerce, or the selling of any commodity or any article of commerce, and to provide punishment for the violation of this act.

Also:

House Joint Resolution No. 9, making application to the Congress of the United States to call a convention for proposing amendments to the constitution of the United States.

Also:

House File No. 379, a bill for an act providing for the publication of the proceedings of city and town councils.

Also:

House File No. 405, a bill for an act to amend Section twenty-five hundred and and seventy-five-a-thirty-one (2575-a-31) of the Supplement of the Code. And to repeal Section twenty-five hundred and seventy-five-a-twenty-nine (2575-a-29) of the Supplement to the Code relative to the qualifications of nurses and enacting a substitute therefor.

**Also:**

House File No. 524, a bill for an act to appropriate money for the purpose of defraying the expenses incurred in the election contests from the tenth representative district of Iowa, the twenty-sixth (26) representative district of Iowa, the forty-fifth (45) representative district of Iowa, the fifty-ninth (59) representative district of Iowa and the sixty-seventh (67) representative district of Iowa, and to pay sundry persons for services, mileage, and other expenses incurred in connection with said election contests.

**Also:**

House File No. 485, a bill for an act to repeal Section eighteen hundred seventy-five (1875) of the Supplement to the Code, 1907, and enact a substitute therefor, relating to banks and banking.

**Also:**

Senate File No. 148, a bill for an act to amend the law as it appears in Section 510-a of the Supplement to the Code, 1907, relating to the compensation of sheriffs and providing for the disposition of mileage heretofore earned by sheriffs.

**Also:**

Senate File No. 414, a bill for an act authorizing street improvement in incorporated towns having a population in excess of one thousand, and providing for the levy of special assessments therefor additional to Title 5, Chapter 7 of the Code as amended.

**Also:**

Senate File No. 176, a bill for an act to amend the law as it appears in Section 586, and Section 894 of the Supplement to the Code, 1907, relating to the levy of cemetery tax.

**Also:**

Senate File No. 362, a bill for an act to repeal Section 1415 of the Code, relating to the apportionment of taxes by county treasurers and to enact a substitute therefor.

**Also:**

Senate File No. 429, a bill for an act to amend the law as it appears in Section 1989-a-14 of the Supplement to the Code, 1907, relating to proceedings after decision upon appeal.

**Also:**

Senate Joint Resolution No. 6, fixing the number and compensation of employes in the department of State at the seat of government.

Also:

Senate Joint Resolution No. 5, approving estimates of cost, plans and specifications for completion of buildings, and erection of new buildings at the State College of Agriculture and Mechanic Arts.

Also:

Senate File No. 407, a bill for an act to legalize the acts of John Menz as treasurer of Lee county, by reason of deposits of county and other funds in the Commercial bank of Keokuk, Iowa.

Also:

Senate File No. 433, a bill for an act to make appropriations for the payment of state and judicial officers and state and other expenses.

Also:

Senate File No. 434, a bill for an act to provide for the general levy for state purposes for the years 1909 and 1910.

Also:

MR. SPEAKER—Your Committee on Enrolled Bills respectfully report that they have this day sent to the governor for his approval, Senate File No. 407, a bill for an act to legalize the acts of John Menz as treasurer of Lee county, by reason of deposits of county and other funds in the Commercial bank of Keokuk, Iowa.

Also:

Senate File No. 155, a bill for an act to make an appropriation to assist in the erection of a monument to the unknown soldiers buried in the national cemetery at Keokuk, Iowa.

Also:

Senate File No. 433, a bill for an act to make appropriations for the payment of state and judicial officers and state and other expenses.

Also:

Senate File No. 434, a bill for an act to provide for the general levy for state purposes for the years 1909 and 1910.

GERRIT KLAY,  
*Chairman House Committee.*

HENRY L. ADAMS,  
*Chairman Senate Committee.*

Adopted.

Meredith of Cass, offered the following resolution and moved that the rule be suspended and the resolution adopted:

Whereas, The Hon. Oliver Mills, an honored member of this House in the Fourteenth General Assembly, departed this life at his home in Lewis, Iowa, on the 6th day of July, 1907, therefore be it

Resolved, That a committee of three be appointed to draft and present to this body suitable resolutions commemorating his life, character and public services.

Motion prevailed, and the resolution was adopted.

The Speaker named as such committee: Meredith of Cass, Zeller of Madison and Swift of Shelby.

Meredith of Cass, chairman of the Committee appointed to draft resolutions respecting the life and public service of the Hon. Oliver Mills, presented the resolution by that committee and moved their adoption.

Motion prevailed.

A statement was received from the Board of Control and placed on file.

Beebe of Franklin offered the following resolution, and moved its adoption:

#### RESOLUTION.

Be it Resolved, by the House, that the Secretary of State be authorized to send to each member of the House a copy of the Senate and House Journals of April 9, 1909.

Adopted.

Stillman of Greene called up the following Senate Concurrent Resolution and moved its adoption:

MR. SPEAKER—Your committee appointed for the purpose of securing chairs and gavels, for the President of the Senate and Speaker of the House begs leave to report that the chair occupied by the President of the Senate and the gavel used by him in presiding over the deliberation of the Senate be presented to him.

And that the chair occupied by the Speaker of the House and the gavel used by him in presiding over the deliberations of the House be presented to him.

Respectfully submitted,

FRED LARRABEE,  
F. L. MAYTAG,  
JOHN T. CLARKSON,  
PAUL E. STILLMAN,  
T. A. O'CONNOR.

Motion prevailed, and the resolution was concurred in.

## CONSIDERATION OF BILLS.

On motion of Dye of Pottawattamie, Senate File No. 148, a bill for an act to amend the law as it appears in Section Five Hundred Ten-a (510-a) of the Supplement to the Code, 1907, relating to the compensation of sheriffs and providing for the disposition of mileage heretofore earned by sheriffs, was taken up and considered.

Dye of Pottawattamie moved that the rules be suspended, the bill be read a third time now, which motion prevailed, and the bill was read a third time.

On the question, "Shall the bill pass?"

The ayes were:

Arney, Balluff, Bascom, Bauman, Beans, Beebe, Boe, Boettger, Bonwell, Boomgaarden, Byerly, Calkins, Cassady, Cooper, Crozier, Crummer, Cunningham, Dabney, Dalby, Darrah, Davidson, Derrough, Dewey, DeWitt, Drury, Dye, Ellis, Etter, Felt, Fenn, Fount, Fox, Fulliam, Fulton, Goodykontz, Hackler, Hanson, Harding, Harvey, Hickenlooper, Holmes, Ide, Jewell, Jones, Kellogg, Koontz, Larrabee, Lee, McDonald, Marston, Miller of Bremer, Miller of Dubuque, Moore of Wapello, Newell, Penn, Perkins, Reaney, Reitz, Ripley, Ritter, Sankey, Schulte, Smith, Stoddard, Sullivan, Swan, Swift, Tegeler, Thompson, Tilton, White, Wilson, Wolfe, Zeller, Mr. Speaker—75.

The nays were:

None.

Absent or not voting:

Allred, Anderson, Beery, Blackmore, Bowman, Brandes, Burt, Corrie, Cousins, Dawson, Dewell, Dodds, Elliott, Finlayson, Grier, Huffaker, Hunter, Inman, Jacobs, Johnson, Kendall, Klay, Kull, McCleery, Meredith, Moore of Linn, O'Connor, Schee, Schroeder, Sheldon, Stillman, Ward, Welden—33.

So the bill passed and the title was agreed to.

On motion of Dewey of Guthrie, Senate File No. 176, a bill for an act to amend the law as it appears in Section 586 and Section 894 of the Supplement to the Code, 1907, relating to the levy of cemetery tax, with report of committee recommending passage as amended, was taken up, considered and the amendment adopted.



Dewey of Guthrie moved that the rules be suspended, the bill be read a third time now, which motion prevailed, and the bill was read a third time.

On the question, "Shall the bill pass?"

The ayes were:

Allred, Arney, Bascom, Bauman, Beebe, Bonwell, Boomgaarden, Byerly, Calkins, Cassady, Cooper, Corrie, Cousins, Crozier, Crummer, Dalby, Darrah, Davidson, Derrough, Dewell, Dewey, DeWitt, Dye, Elliott, Ellis, Etter, Felt, Fenn, Finlayson, Fourt, Fox, Fulton, Harding, Harvey, Holmes, Hunter, Ide, Jewell, Kellogg, Larabee, Marston, Moore of Wapello, Perkins, Reaney, Ripley, Ritter, Sankey, Schulte, Smith, Stillman, Stoddard, Swift, Thompson, Tilton, Wilson, Wolfe, Zeller, Mr. Speaker—58.

The nays were:

None.

Absent or not voting:

Anderson, Balluff, Beans, Beery, Blackmore, Boe, Boettger, Bowman, Brandes, Burt, Cunningham, Dabney, Dawson, Dodds, Drury, Fulton, Goodykoontz, Grier, Hackler, Hanson, Hickenloop-er, Huffaker, Inman, Jacobs, Johnson, Jones, Kendall, Klay, Koontz, Kull, Lee, McCleery, McDonald, Meredith, Miller of Bremer, Miller of Dubuque, Moore of Linn, Newell, O'Connor, Penn, Reitz, Schee, Schroeder, Sheldon, Sullivan, Swan, Tegeler, Ward, Welden, White—50.

So the bill passed and the title was agreed to.

On motion of Arney of Marshall, Senate File No. 414, a bill for an act authorizing street improvements in incorporated towns having a population in excess of 1,000 and providing for the levy of special assessment therefor. (Additional to Title Five, Chapter Seven of the Code, as amended), was taken up and considered.

Arney of Marshall moved that the rules be suspended, the bill be read a third time now, which motion prevailed, and the bill was read a third time.

On the question, "Shall the bill pass?"

The ayes were:

Allred, Arney, Bascom, Bauman, Beebe, Boe, Boettger, Bonwell, Boomgaarden, Byerly, Calkins, Cassady, Cousins, Crummer, Cunningham, Dalby, Darrah, Davidson, Derrough, Dewell, Dewey, DeWitt, Drury, Elliott, Ellis, Felt, Fenn, Finlayson, Fourt, Fox, Fulton, Hanson, Harvey, Hickenlooper, Holmes, Ide, Jewell, Jones, Koontz, Larrabee, Meredith, Moore of Wapello, Newell, Perkins, Reaney, Ripley, Ritter, Sankey, Smith, Stillman, Stoddard, Swift, Thompson, Tilton, Welden, Wilson, Zeller, Mr. Speaker—59.

The nays were:

Fulliam, Miller of Bremer, Schulte, Tegeler—4.

Absent or not voting:

Anderson, Balluff, Beans, Beery, Blackmore, Bowman, Brandes, Burt, Cooper, Corrie, Dabney, Dawson, Dodds, Dye, Etter, Goodykoontz, Grier, Hackler, Harding, Huffaker, Hunter, Inman, Jacobs, Johnson, Kellogg, Kendall, Klay, Kull, Lee, McCleery, McDonald, Marston, Miller of Dubuque, Moore of Linn, O'Connor, Penn, Reitz, Schee, Schroeder, Sheldon, Sullivan, Swan, Ward, White, Wolfe—45.

So the bill passed and the title was agreed to.

On motion of Lee of Emmet, Senate File No. 429, unanimous consent having been granted, a bill for an act to amend the law as it appears in Section Nineteen Hundred Eighty-nine-a-14 (1989-a-14) of the Supplement to the Code, 1907, relating to proceedings after decision upon appeal, was taken up and considered.

Lee of Emmet moved that the rules be suspended, the bill be read a third time now, which motion prevailed, and the bill was read a third time.

On the question, "Shall the bill pass?"

The ayes were:

Allred, Arney, Balluff, Bascom, Bauman, Beans, Beebe, Boe, Bonwell, Boomgaarden, Byerly, Cassady, Cooper, Corrie, Cousins, Crozier, Crummer, Dalby, Darrah, Davidson, Derrough, Dewell, Dewey, DeWitt, Drury, Elliott, Ellis, Etter, Felt, Fenn, Finlayson, Fourt, Fox, Hanson, Harding, Harvey, Hickenlooper, Holmes, Hunter, Ide, Jewell, Jones, Kellogg, Larrabee, Lee, Meredith, Miller of Dubuque, Moore of Wapello, Newell, Perkins, Reaney,

Sankey, Schulte, Smith, Stillman, Stoddard, Sullivan, Swan, Swift, Thompson, Tilton, Welden, Wilson, Zeller, Mr. Speaker—65.

The nays were:

None.

Absent or not voting:

Anderson, Beery, Blackmore, Boettger, Bowman, Brandes, Burt, Calkins, Cunningham, Dabney, Dawson, Dodds, Dye, Fulliam, Fulton, Goodykoontz, Grier, Hackler, Huffaker, Inman, Jacobs, Johnson, Kendall, Klay, Koontz, Kull, McCleery, McDonald, Marston, Miller of Bremer, Moore of Linn, O'Connor, Penn, Reitz, Ripley, Ritter, Schee, Schroeder, Sheldon, Tegeler, Ward, White, Wolfe—43.

So the bill passed and the title was agreed to.

On motion of White of Story, Senate Joint Resolution, No. 5, was taken up, and considered.

#### SENATE JOINT RESOLUTION NO. 5.

Approving Estimates of cost, plans and specifications for completion of buildings, and erection of new buildings at the State College of Agriculture and Mechanic Arts.

Joint Resolution cancelling approval of estimate of cost, plans and specifications of an addition to Margaret Hall and approving estimates of cost, plans and specifications for the completion of the Hall of Agriculture, completion of the General Engineering Laboratory, and erection of a Ceramics Building, Domestic Technology Building, Veterinary Department Building, and Gymnasium, Auditorium and Armory Building, and authorizing the completion and erection of said buildings.

WHEREAS, The Board of Trustees of the Iowa State College of Agriculture and Mechanic Arts has submitted to the Thirty-third General Assembly of the State of Iowa estimates of cost, plans and specifications for the completion of buildings and erection of buildings, to-wit:

Completion of the Hall of Agriculture, completion of the General Engineering Laboratory, the erection of a Ceramics Building, Domestic Technology Building, Veterinary Department Building, Gymnasium, Auditorium and Armory Building; to be completed and erected under the provisions of Chapter one hundred and eighty-four (184) of the acts of the Thirty-first General Assembly; and,

WHEREAS, Said estimates of cost, plans and specification are in every way proper and suitable, therefor,

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

SECTION 1. That the plans and specifications for the completion of the Hall of Agriculture at a cost not to exceed seventeen thousand (\$17,000) dollars, completion of a general laboratory at a cost not to exceed five thousand seven hundred fifty (\$5,750) dollars erection of a Ceramics building at a cost not to exceed fifteen thousand (\$15,000) dollars, Domes-

tic Technology building at a cost not to exceed seventy-five thousand (\$75,000) dollars, Veterinary Department building at a cost not to exceed one hundred fifty thousand (\$150,000) dollars, and Gymnasium, Auditorium and Armory building at a cost not to exceed one hundred fifty thousand (\$150,00) dollars, submitted to the General Assembly of Iowa for approval, are hereby approved.

The board of trustees may proceed to the completion of the Hall of Agriculture, and the General Engineering Laboratory, and with the erection of the Ceramics Building.

The board of trustees shall not take any steps whatever in reference to the letting of contracts and erection of the other buildings authorized by this resolution, and the State Board of Education is hereby authorized to determine the order in which it will erect the buildings over which it shall exercise authority. It may change the plans so as to reduce the cost of erecting of any said buildings and may withhold the construction of any if it shall deem advisable.

The authorization heretofore granted for the erection of an addition to Margaret Hall is hereby withdrawn.

White of Story moved that the rules be suspended, the Joint Resolution be read a third time now, which motion prevailed, and the Joint Resolution was read a third time.

On the question, "Shall the Joint Resolution pass?"

The ayes were:

Allred, Anderson, Arney, Balluff, Bascom, Bauman, Beebe, Boe, Boettger, Bonwell, Boomgaarden, Bowman, Brandes, Byerly, Casady, Cooper, Corrie, Cousins, Crozier, Crummer, Cunningham, Dalby, Darrah, Derrough, Dewell, Dewey, DeWitt, Dye, Etter, Felt, Finlayson, Fox, Fulliam, Hanson, Harding, Hickenlooper, Holmes, Ide, Jewell, Kellogg, Kull, Larrabee, McDonald, Miller of Bremer, Miller of Dubuque, Moore of Linn, O'Connor, Penn, Ritter, Sankey, Smith, Stillman, Stoddard, Sullivan, Swan, Swift, Welden, White, Wilson, Zeller, Mr. Speaker—61.

The nays were:

Calkins, Reitz—2.

Absent or not voting:

Beans, Beery, Blackmore, Burt, Dabney, Davidson, Dawson, Dodds, Drury, Elliott, Ellis, Fenn, Fourn, Fulton, Goodykoontz, Grier, Hackler, Harvey, Huffaker, Hunter, Inman, Jacobs, Johnson, Jones, Kendall, Klay, Koontz, Lee, McCleery, Marston, Meredith, Moore of Wapello, Newell, Perkins, Reaney, Ripley, Schee,

Schroeder, Schulte, Sheldon, Tegeler, Thompson, Tilton, Ward, Wolfe—45.

So Senate Joint Resolution passed and the title was agreed to.

On motion of Moore of Linn, Senate Joint Resolution No. 7, approving estimates of cost, plans and specifications for completion of buildings and erection of new buildings at the State University was taken up, and considered.

SENATE JOINT RESOLUTION NO. 7.

Approving Estimates of Cost, Plans and Specifications for Completion of Buildings, and Erection of New Buildings at the State University.

Joint Resolution Approving Estimates of Cost, Plans and Specifications for the Erection of Addition to the Physics Building, Wing to the Hospital, and Engineering Shops, and Authorizing the Erection of Said Buildings.

Whereas, The Board of Regents of the State University has submitted to the Thirty-third General Assembly of the State of Iowa estimates of cost, plans and specifications for erection of addition to the physics building, wing to the hospital, and engineering shops to be completed and erected under the provision of Chapter one hundred and eighty-three (183) of the Acts of the Thirty-first General Assembly; and,

Whereas, Said estimates of cost, plans and specifications are in every way proper and suitable, therefore

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

Section 1. That the plans and specifications for the erection of addition to the physics building at a cost not to exceed sixty-five thousand (\$65,000.00) dollars, erection of a wing to the hospital at a cost not to exceed seventy-five thousand (\$75,000.00) dollars, and the erection of engineering shops at a cost not to exceed twenty thousand (\$20,000.00) dollars, submitted to the General Assembly of Iowa for approval, are hereby approved.

The Board of Regents shall not take any steps whatever in reference to the letting of contracts and erection of buildings authorized by this resolution, other than those that can be completed from the millage tax of 1908 and collected during the year 1909, and the State Board of Education is hereby authorized to determine the order in which it will erect the building over which it shall exercise authority. It may change the plans so as to reduce the cost of erecting of any of said buildings and may withhold the construction of any if it shall deem it advisable.

Moore of Linn moved that the rules be suspended, the Joint Resolution be read a third time now, which motion prevailed, and the Joint Resolution was read a third time.

On the question, "Shall the Joint Resolution pass?"

The ayes were:

Balluff, Bascom, Bauman, Beebe, Boettger, Bonwell, Boomgaarden, Bowman, Brandes, Byerly, Cassady, Coper, Corrie, Cousins, Crozier, Crummer, Cunningham, Dalby, Derrough, Dewell, Dewey, DeWitt, Drury, Elliott, Felt, Fenn, Finlayson, Fourt, Fox, Fulham, Hackler, Harding, Hickenlooper, Hunter, Ide, Jacobs, Jewell, Kellogg, Koontz, Kull, Larrabee, Miller of Bremer, Moore of Linn, Newell, O'Connor, Ripley, Ritter, Schulte, Smith, Stillman, Stoddard, Swan, Thompson, Welden, Wilson—56.

The nays were:

Harvey, Wolfe—2.

Absent or not voting:

Allred, Anderson, Arney, Beans, Beery, Blackmore, Boe, Burt, Calkins, Dabney, Darrah, Davidson, Dawson, Dodds, Dye, Ellis, Eter, Fulton, Goodykoontz, Grier, Hanson, Holmes, Huffaker, Inman, Johnson, Kendall, Klay, Lee, McCleery, McDonald, Marston, Meredith, Miller of Dubuque, Moore of Wapello, Penn, Perkins, Reaney, Reitz, Sankey, Schee, Schroeder, Sheldon, Sullivan, Swift, Tegeler, Tilton, Ward, White, Zeller, Mr. Speaker—50.

So Senate Joint Resolution No. 7 passed and the title was agreed to.

On motion of Crozier of Marion, Senate File No. 333, a bill for an act to amend the law as it appears in Sections 2310-a-19 and 2310-a-28 of the Supplement to the Code, 1907, relative to the expenses and payment thereof, and costs incurred on account of patients committed as inebriates to state hospitals, and repealing Section 2310-a-30 of the Supplement to the Code, 1907, and enacting a substitute therefor, relative to the payment of expenses for the returning of an escaped patient and recommitment to the hospital for inebriates, was taken up and considered.

Crozier of Marion moved that the rules be suspended, the bill be read a third time now, which motion prevailed, and the bill was read a third time.

On the question, "Shall the bill pass?"

The ayes were:

Allred, Anderson, Arney, Bascom, Bauman, Beans, Beebe, Boettger, Bonwell, Boomgaarden, Bowman, Burt, Byerly, Cassady, Cor-

rie, Cousins, Crozier, Crummer, Dabney, Dalby, Darrah, Derrough, DeWitt, Drury, Dye, Elliott, Ellis, Etter, Felt, Fenn, Fox, Goodykoontz, Harvey, Hickenlooper, Jacobs, Jewell, Kellogg, Koontz, Kull, Larrabee, Meredith, Miller of Bremer, Miller of Dubuque, Moore of Wapello, Newell, O'Connor, Penn, Perkins, Reitz, Ripley, Ritter, Sankey, Schroeder, Schulte, Smith, Stillman, Stoddard, Swan, Swift, Tegeler, Thompson, Welden, Wilson, Wolfe—66.

The nays were:

Fourt, Fulliam, Zeller—3.

Absent or not voting:

Balluff, Beery, Blackmore, Boe, Brandes, Calkins, Cooper, Cunningham, Davidson, Dawson, Dewell, Dewey, Dodds, Finlayson, Fulton, Grier, Hackler, Hanson, Harding, Holmes, Huffaker, Hunter, Ide, Inman, Johnson, Jones, Kendall, Klay, Lee, McCleery, McDonald, Marston, Moore of Linn, Reaney, Schee, Sheldon, Sullivan, Tilton, Ward, White, Mr. Speaker—39.

So the bill passed and the title was agreed to.

On motion of Boettger of Scott, the rules were suspended and Senate File No. 426, a bill for an act to amend the law as it appears in Section 2493 of the Supplement to the Code, 1907, relating to the sale of poison, was taken up and considered.

Boettger of Scott moved that the rules be suspended, the bill be read a third time now, which motion prevailed, and the bill was read a third time.

Speaker Feely in the Chair.

On the question, "Shall the bill pass?"

The ayes were:

Allred, Anderson, Arney, Balluff, Bauman, Beans, Beebe, Boe, Boettger, Bonwell, Boomgaarden, Bowman, Brandes, Byerly, Casady, Cooper, Corrie, Crozier, Crummer, Dabney, Dalby, Darrah, Derrough, Dewell, DeWitt, Dye, Elliott, Ellis, Fenn, Finlayson, Fourt, Fox, Fulliam, Fulton, Goodykoontz, Hanson, Harvey, Hickenlooper, Holmes, Hunter, Ide, Inman, Jacobs, Jewell, Johnson, Jones, Kellogg, Kull, Larrabee, Lee, Meredith, Miller of Dubuque, O'Connor, Perkins, Reaney, Reitz, Ritter, Sankey, Schroeder, Schulte, Sheldon, Smith, Stillman, Stoddard, Swan, Thompson, Tilton, Welden, Wolfe, Zeller, Mr. Speaker—71.

**The nays were:**

Dewey, Felt, Penn, Ripley, Miller of Bremer—5.

**Absent or not voting:**

Bascom, Beery, Blackmore, Burt, Calkins, Cunningham, Davidson, Dawson, Dodds, Drury, Etter, Grier, Hackler, Harding, Huffaker, Kendall, Klay, Koontz, McCleery, McDonald, Marston, Moore of Wapello, Moore of Linn, Newell, Schee, Sullivan, Swift, Tegeler, Ward, White, Wilson—32.

So the bill passed and the title was agreed to.

On motion of Davidson of Palo Alto, Senate File No. 427, a bill for an act to amend the law as it appears in Section 791-i of the Supplement to the Code, 1907, relating to special assessments for sidewalk and street improvements in cities and towns, was taken up and considered.

Davidson of Palo Alto moved that the rules be suspended, the bill be read a third time now, which motion prevailed, and the bill was read a third time.

On the question, "Shall the bill pass?"

**The ayes were:**

Arney, Bascom, Beans, Beebe, Blackmore, Bowman, Brandes, Burt, Byerly, Cassady, Cooper, Corrie, Cousins, Crozier, Crummer, Dabney, Darrah, Davidson, DeWitt, Dye, Elliott, Ellis, Etter, Fenn, Fourt, Goodykoontz, Hanson, Harding, Harvey, Holmes, Hunter, Ide, Jacobs, Jewell, Jones, Kellogg, Koontz, Kull, Larrabee, Moore of Wapello, Newell, Penn, Reaney, Reitz, Ripley, Ritter, Schulte, Smith, Stillman, Stoddard, Sullivan, Swan, Swift, Thompson, Tilton, Welden, Wilson, Wolfe, Zeller, Mr. Speaker—60.

**The nays were:**

Anderson, Boe, Fulliam, Inman, Klay—5.

**Absent or not voting:**

Allred, Balluff, Bauman, Beery, Boettger, Bonwell, Boomgaarden, Calkins, Cunningham, Dalby, Dawson, Derrough, Dewell, Dewey, Dodds, Drury, Felt, Finlayson, Fox, Fulton, Grier, Hackler, Hickenlooper, Huffaker, Johnson, Kendall, Lee, McCleery, McDonald, Marston, Meredith, Miller of Bremer, Miller of Du-



buque, Moore of Linn, O'Connor, Perkins, Sankey, Schee, Schroeder, Sheldon, Tegeler, Ward, White—43.

So the bill passed and the title was agreed to.

On motion of Elliott of Page, Senate File No. 298, a bill for an act amending the law as it appears in paragraph 2 of Section 2448 of the Supplement to the Code, 1907, limiting the number of persons to whom city councils may by resolution grant consent to sell intoxicating liquors, with report of committee recommending passage as amended, was taken up and considered.

The following amendments were recommended by the committee:

Amend Section one (1) by adding after the word "beverage" in the third line thereof the words: "at retail."

Amend Section two (2) by striking out all after the figure two (2) in Section two (2) of said bill, and inserting in lieu thereof the following:

In all cities and towns where a greater number of persons than are provided in Section one (1) hereof, now hold resolutions of consent to sell intoxicating liquors at retail, it shall not be mandatory under the provisions of this act for city or town councils to cancel or withdraw a sufficient number of such resolutions of consent to comply with the provisions of Section one (1) hereof, and such resolutions of consent may be renewed by city and town councils to the person or persons holding the same or their assignees or grantees, unless said resolution of consent shall become inoperative by reason of the person holding the same violating any of the laws of the state, either civil or criminal, relating to the sale or disposition of intoxicating liquors, or by reason of a permanent injunction issuing against such person for a violation of law, or by reason of a civil or criminal action being commenced or instituted against said person for the violation of any of the laws of the state relating to the sale or disposition of intoxicating liquors, and said persons surrendering such resolution of consent before said action is prosecuted to final judgment or a conviction had in the court in which the same was instituted, or by reason of the city or town council withdrawing such resolution of consent for cause, in which event, no new or additional resolution shall be granted to any person to sell intoxicating liquors as a beverage at retail except in accordance with the provisions of this act

Amendments adopted.

Holmes of Kossuth moved the previous question.

Motion prevailed.

Davidson of Palo Alto moved that the rules be suspended, the bill be read a third time now, which motion prevailed, and the bill was read a third time.

On the question, "Shall the bill pass?"

The ayes were:

Allred, Anderson, Arney, Bascom, Bauman, Beans, Beebe, Beery, Blackmore, Boe, Bowman, Burt, Cassady, Cooper, Corrie, Crozier, Crummer, Cunningham, Dalby, Darrah, Davidson, Dawson, Derrough, Dewell, Dewey, DeWitt, Drury, Elliott, Felt, Fenn, Finlayson, Fourt, Fox, Fulton, Goodykoontz, Hackler, Hanson, Harding, Hickenlooper, Holmes, Hunter, Ide, Inman, Jacobs, Jewell, Johnson, Kellogg, Klay, Larrabee, Lee, Marston, Meredith, Moore of Wapello, Moore of Linn, Perkins, Reaney, Ripley, Sheldon, Smith, Stillman, Stoddard, Sullivan, Swan, Swift, Thompson, Tilton, Welden, White, Wilson, Zeller, Mr. Speaker—71.

The nays were:

Balluff, Boettger, Boomgaarden, Byerly, Dabney, Dodds, Ellis, Etter, Fulliam, Huffaker, Kendall, Koontz, Kull, McDonald, Miller of Bremer, Miller of Dubuque, O'Connor, Penn, Reitz, Ritter, Sankey, Schroeder, Schulte, Tegeler, Wolfe—25.

Absent or not voting:

Bonwell, Brandes, Calkins, Cousins, Dye, Grier, Harvey, Jones, McCleery, Newell, Schee, Ward—12.

So the bill passed and the title was agreed to.

On motion of Holmes of Kossuth, Senate File No. 59, a bill for an act to amend Section Two Thousand Three Hundred Ninety-four (2394) of the Code, relating to the sale of intoxicating liquors by permit holders, was taken up and considered.

Holmes of Kossuth moved that the rules be suspended, the bill be read a third time now, which motion prevailed, and the bill was read a third time.

On the question, "Shall the bill pass?"

The ayes were:

Allred, Anderson, Arney, Bascom, Bauman, Beans, Beery, Blackmore, Boe, Bonwell, Boomgaarden, Bowman, Burt, Cassady, Cooper, Corrie, Cousins, Crozier, Crummer, Cunningham, Dalby, Darrah, Davidson, Dawson, Derrough, Dewey, DeWitt, Drury, Elliott, Felt, Fenn, Finlayson, Fourt, Fox, Goodykontz, Hackler, Hanson, Hickenlooper, Holmes, Huffaker, Hunter, Ide, Inman, Jacobs, Jewell, Johnson, Kendall, Klay, Larrabee, Meredith, Perkins, Reaney, Ripley, Smith, Stillman, Stoddard, Sullivan, Swan, Thompson, Welden, White, Zeler, Mr. Speaker—63.

The nays were:

Balluff, Boettger, Byerly, Calkins, Dye, Etter, Fulliam, Harvey, Koontz, Kull, McDonald, Miller of Bremer, Miller of Dubuque, Penn, Reitz, Sankey, Schroeder, Schulte, Swift, Tegeler—20.

Absent or not voting:

Beebe, Brandes, Dabney, Dewell, Dodds, Ellis, Fulton, Grier, Harding, Jones, Kellogg, Lee, McCleery, Marston, Moore of Wapello, Moore of Linn, Newell, O'Connor, Ritter, Schee, Sheldon, Tilton, Ward, Wilson, Wolfe—25.

So the bill passed and the title was agreed to.

On motion of Tilton of Iowa, Senate File No. 432, a bill for an act appropriating \$200 to the Williamsburg Fair Association under the provisions of Section 1661-a of the Supplement to the Code, 1907, was taken up, and considered.

Tilton of Iowa moved that the rules be suspended, the bill be read a third time now, which motion prevailed, and the bill was read a third time.

On the question, "Shall the bill pass?"

The ayes were:

Allred, Anderson, Beans, Beebe, Beery, Blackmore, Boe, Boomgaarden, Bowman, Burt, Byerly, Cassady, Corrie, Cousins, Crozier, Crummer, Dabney, Dalby, Darrah, Dawson, Derrough, Dewey, DeWitt, Drury, Dye, Elliott, Ellis, Etter, Felt, Fenn, Finlayson, Fulliam, Goodykoontz, Hackler, Hanson, Harding, Hickenlooper, Huffaker, Hunter, Ide, Inman, Jacobs, Jewell, Johnson, Jones, Kendall, Klay, Koontz, Kull, Lee, McDonald, Meredith, O'Connor, Penn, Perkins, Reaney, Ritter, Sankey, Schroeder, Schulte, Sheldon, Smith, Stillman, Stoddard, Sullivan, Swan, Swift, Tegeler, Thompson, Tilton, White, Wilson, Zeller, Mr. Speaker—75.

The nays were:

Calkins, Cunningham, Kendall, Larrabee, Moore of Linn—5.

Absent or not voting:

Arney, Balluff, Bascom, Bauman, Boettger, Bonwell, Brandes, Cooper, Davidson, Dewell, Dodds, Fourt, Fox, Fulton, Grier, Harvey, Holmes, McCleery, Marston, Miller of Bremer, Moore of Wapello, Newell, Reitz, Ripley, Schee, Ward, Welden, Wolfe—28.

So the bill passed and the title was agreed to.

On motion of Ritter of Des Moines, unanimous consent being granted, Senate File No. 407, a bill for an act to legalize the acts of John Menz as treasurer of Lee County, by reason of deposits of county and other funds in the Commercial Bank of Keokuk, Iowa, was taken up and considered.

Ritter of Des Moines moved that the rules be suspended, the bill be read a third time now, which motion prevailed, and the bill was read a third time.

On the question, "Shall the bill pass?"

The ayes were:

Allred, Anderson, Balluff, Bascom, Bauman, Beery, Boe, Boettger, Bonwell, Boomgaarden, Brandes, Byerly, Calkins, Cassady, Corrie, Cousins, Crozier, Crummer, Cunningham, Dabney, Davidson, Derrough, Dewell, Dewey, Drury, Dye, Ellis, Etter, Fenn, Finlayson, Fox, Fulliam, Hackler, Hanson, Harding, Harvey, Hickenlooper, Huffaker, Hunter, Jewell, Johnson, Jones, Kendall, Koontz, Kull, Larrabee, Lee, McDonald, Meredith, Miller of Dubuque, Moore of Wapello, Newell, O'Connor, Penn, Perkins, Reaney, Reitz, Ripley, Ritter, Sankey, Schroeder, Schulte, Smith, Stillman, Sullivan, Swan, Swift, Thompson, Tilton, Welden, White, Wolfe, Zeller, Mr. Speaker—74.

The nays were:

None.

Absent or not voting:

Arney, Beans, Beebe, Blackmore, Bowman, Burt, Cooper, Dalby, Darrah, Dawson, DeWitt, Dodds, Elliott, Felt, Fourt, Fulton, Goodykoontz, Grier, Holmes, Ide, Inman, Jacobs, Kellogg, Klay, McCleery, Marston, Miller of Bremer, Moore of Linn, Schee, Sheldon, Stoddard, Tegeler, Ward, Wilson—34.

So the bill passed and the title was agreed to.

On motion of Reitz of Lee, unanimous consent being granted, Senate File No. 155, a bill for an act to appropriate One Thousand Dollars (1,000) to assist in the erection of a monument to the unknown soldiers buried in the National Cemetery at Keokuk, Iowa, was taken up and considered.

Speaker pro tempore Lee in the chair.

Moore of Linn moved that the bill be indefinitely postponed.

Roll call demanded by Sankey of Decatur and O'Connor of Chickasaw.

The ayes were:

Anderson, Arney, Bascom, Beery, Bonwell, Bowman, Cooper, Corrie, Crummer, Cunningham, Dalby, Davidson, Dewey, Drury, Dye, Finlayson, Harding, Johnson, Lee, Moore of Wapello, Moore of Linn, Newell, Reaney, Smith, Welden, White, Zeller—27.

The nays were:

Balluff, Bauman, Boettger, Boomgaarden, Byerly, Calkins, Crozier, Dabney, Darrah, Dawson, Derrough, Elliott, Ellis, Etter, Felt, Fox, Fulliam, Goodykoontz, Hackler, Hanson, Harvey, Hickenlooper, Huffaker, Hunter, Jones, Kendall, Koontz, Kull, Larrabee, McDonald, Miller of Dubuque, O'Connor, Penn, Reitz, Ritter, Sankey, Schroeder, Schulte, Stillman, Stoddard, Sullivan, Swan, Swift, Tegeler, Tilton, Wolfe—46.

Absent or not voting:

Allred, Beans, Beebe, Blackmore, Boe, Brandes, Burt, Cassady, Cousins, Dewell, DeWitt, Dodds, Fenn, Fourt, Fulton, Grier, Holmes, Ide, Inman, Jacobs, Jewell, Kellogg, Klay, McCleery, Marston, Meredith, Miller of Bremer, Perkins, Ripley, Schee, Sheldon, Thompson, Ward, Wilson, Mr. Speaker—35.

So the motion was lost.

Reitz of Lee moved that the rules be suspended, the bill read a third time now, which motion prevailed, and the bill was read a third time.

On the question, "Shall the bill pass?"

The ayes were:

Allred, Balluff, Bauman, Boettger, Boomgaarden, Byerly, Calkins, Cassady, Cousins, Crozier, Dalby, Darrah, Derrough, DeWitt, Elliott, Ellis, Etter, Fenn, Fox, Fulliam, Goodykoontz, Hackler, Hanson, Harvey, Hickenlooper, Huffaker, Hunter, Jones, Klay, Koontz, Kull, McDonald, Meredith, Miller of Dubuque, O'Connor, Penn, Perkins, Reitz, Ritter, Sankey, Schroeder, Schulte, Stillman, Stoddard, Sullivan, Swan, Tegeler, Tilton, Wolfe—49.

The nays were:

Anderson, Arney, Bascom, Bonwell, Bowman, Cooper, Davidson,

Dewell, Dewey, Drury, Dye, Finlayson, Harding, Inman, Johnson, Kendall, Larrabee, Lee, Moore of Wapello, Moore of Linn, Newell, Ripley, Smith, Swift, White, Zeller—26.

Absent or not voting:

Beans, Beebe, Beery, Blackmore, Boe, Brandes, Burt, Corrie, Crummer, Cunningham, Dalby, Dawson, Dodds, Felt, Fourt, Fulton, Grier, Holmes, Ide, Jacobs, Jewell, Kellogg, McCleery, Marston, Miller of Bremer, Reaney, Schee, Sheldon, Thompson, Ward, Welden, Wilson, Mr. Speaker—33.

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

#### MESSAGES FROM THE SENATE.

The following messages were received from the Senate:

MR. SPEAKER—I am directed to inform your honorable body that the Senate has passed the following bill in which the concurrence of the Senate was asked:

House File No. 524, a bill for an act to appropriate money for the purpose of defraying the expenses incurred in the election contests from the tenth (10) representative district of Iowa, the twenty-sixth (26) representative district of Iowa, the forty-fifth (45) representative district of Iowa, the fifty-ninth (59) representative district of Iowa and the sixty-seventh (67) representative district of Iowa, and to pay sundry persons for services, mileage, and other expenses incurred in connection with said election contests.

S. W. NEAL,  
*Secretary.*

Also:

MR. SPEAKER—I am directed to inform your honorable body that the Senate has indefinitely postponed the following bill in which the concurrence of the Senate was asked:

House File No. 3, a bill for an act to create a legislative commission.

S. W. NEAL,  
*Secretary.*

Also:

MR. SPEAKER—I am directed to inform your honorable body that the Senate has concurred in House amendments to Senate File No. 184, a bill for an act in relation to corporations for pecuniary profit.

S. W. NEAL,  
*Secretary.*

Also:

MR. SPEAKER—I am directed to inform your honorable body that the President of the Senate has appointed as conference committee on part of the Senate on Senate File No. 212, a bill for an act requiring the use of certain appliances as brakes, Senators Dowell, Hunter, De Armand and Moon.

S. W. NEAL,  
*Secretary.*

Also:

MR. SPEAKER—I am directed to inform your honorable body that the Senate has adopted the following concurrent resolution, in which the concurrence of the Senate was asked:

Concurrent resolution relative to final adjournment on April 9, A. D. 1909, at 12 o'clock, noon.

S. W. NEAL,  
*Secretary.*

Also:

MR. SPEAKER—I am directed to inform your honorable body that the Senate has passed the following joint resolution in which the concurrence of the Senate was asked:

House Joint Resolution No. 9 of the Thirty-third 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.

S. W. NEAL,  
*Secretary.*

Also:

MR. SPEAKER—I am directed to inform your honorable body that the Senate has concurred in House amendments to Senate File No. 418, a bill for an act providing for removal of appointive State officers.

S. W. NEAL,  
*Secretary.*

Also:

MR. SPEAKER—I am directed to inform your honorable body that the Senate has passed the following joint resolution in which the concurrence of the House is asked:

Senate Joint Resolution No. 7, approving estimates of cost, plans and specifications for the completion of buildings and erection of new buildings at the State University.

S. W. NEAL,  
*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. 432, a bill for an act making appropriation to the Williamsburg Fair Association.

S. W. NEAL,  
*Secretary.*

Also:

MR. SPEAKER—I am directed to inform your honorable body that the President of the Senate has appointed as conference committee on the part of the Senate on Senate Joint Resolution No. 6, fixing the number and compensation of employes at the seat of government, Senators Smith of Mitchell, Maytag and Dowell.

S. W. NEAL,  
*Secretary.*

Also:

MR. SPEAKER—I am directed to inform your honorable body that the Senate has indefinitely postponed the following bill in which the concurrence of the Senate was asked:

House File No. 407, a bill for an act to amend Section two thousand five hundred and forty (2540) of the Supplement to the Code, 1907, relating to the catching and to the transportation of fish.

S. W. NEAL,  
*Secretary.*

Also:

MR. SPEAKER—I am directed to inform your honorable body that the Senate has passed the following bill in which the concurrence of the Senate was asked:

House File No. 379, a bill for an act requiring incorporated cities and towns to publish the acts or proceedings of the board of aldermen and city and town councils.

S. W. NEAL,  
*Secretary.*

Also:

MR. SPEAKER—I am directed to inform your honorable body that the Senate has indefinitely postponed the following bill in which the concurrence of the Senate was asked:

House File No. 236, a bill for an act to amend Section 2563-a, 2563-c, 2563-d, and 2563-g of the Supplement to the Code, 1907, relating to nonresident hunters' licenses.

S. W. NEAL,  
*Secretary.*

Also:

MR. SPEAKER—I am directed to inform your honorable body that the Senate has concurred in House amendments to Senate File No. 338, a bill for an act relative to the commencement of term of officers chosen at general elections.

S. W. NEAL,  
*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:



Substitute for Senate File No. 155, a bill for an act making an appropriation to assist in the erection of a monument to the unknown soldiers buried in the National cemetery at Keokuk, Iowa.

S. W. NEAL,  
*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. 407, a bill for an act to legalize the acts of John Menz.

S. W. NEAL,  
*Secretary.*

Also:

MR. SPEAKER—I am directed to inform your honorable body that the Senate has passed the following bill in which the concurrence of the Senate was asked:

House File No. 405, a bill for an act relating to the qualification of nurses.

S. W. NEAL,  
*Secretary.*

Also:

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

Concurrent resolution relative to the publication of certain laws.

S. W. NEAL,  
*Secretary.*

Also:

MR. SPEAKER—I am directed to inform your honorable body that the Senate has adopted the report of the conference committee, and concurred in the House amendment to and adopted the amendments as recommended by the conference committee on Senate Joint Resolution No. 6, fixing the number and compensation of employes at the seat of government.

S. W. NEAL,  
*Secretary.*

Also:

MR. SPEAKER—I am directed to inform your honorable body that the Senate has adopted the report of the conference committee, concurred in the amendments and passed as amended Senate File No. 113, a bill for an act relative to the holding of primary elections by political parties.

S. W. NEAL,  
*Secretary.*

Also:

MR. SPEAKER—I am directed to inform your honorable body that the Senate has concurred in House amendment to Senate File No. 176, a

bill for an act to amend the law as it appears in Section 586 and Section 894 of the Supplement to the Code, 1907, relating to the levy of county tax.

S. W. NEAL,  
*Secretary.*

Also:

MR. SPEAKER—I am directed to inform your honorable body that the Senate has failed to pass the following bill in which the concurrence of the Senate was asked:

House File No. 178, a bill for an act to define certain public service corporations and providing for reasonable service and rates; declaring unlawful any discriminatory charges; prescribing penalty and action for reduction of rates and charges; repealing all laws in conflict herewith.

S. W. NEAL,  
*Secretary.*

Also:

MR. SPEAKER—I am directed to inform your honorable body that the Senate has amended and passed the following bill in which the concurrence of the Senate was asked:

House File No. 485, a bill for an act to repeal Section 1875 of the Supplement to the Code, 1907, and enact a substitute therefor, relating to banks and banking.

S. W. NEAL,  
*Secretary.*

Also:

MR. SPEAKER—I am directed to inform your honorable body that the Senate has amended and passed the following bill in which the concurrence of the Senate was asked:

House File No. 549, a bill for an act to repeal Section 1955 and 1956 of the Code and to enact a substitute therefor and to amend Section 1959 of the Code, all relating to the constructing of levees, ditches or drains by owners of lands for agricultural, sanitary or mining purposes across the lands of others and providing for the condemnation of such lands.

S. W. NEAL,  
*Secretary.*

Also:

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

Concurrent Resolution relative to the acquisition of certain lands for national park.

S. W. NEAL,  
*Secretary.*

Also:

MR. SPEAKER—I am directed to inform your honorable body that the

Senate has concurred in House amendments to Senate File No. 298, a bill for an act relating to the sale of intoxicating liquors.

S. W. NEAL,  
*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. 433, a bill for an act making appropriations for the state and judicial officers, state and other expenses.

S. W. NEAL,  
*Secretary.*

Also:

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

House Concurrent Resolution memorializing the Iowa Delegation in Congress to provide for the improvement of the post roads in the State of Iowa and to secure an appropriation therefor.

S. W. NEAL,  
*Secretary.*

Also:

MR. SPEAKER—I am directed to inform your honorable body that the Senate has concurred in House amendments to Senate File No. 433, a bill for an act to make appropriations for the payment of state and judicial officers, state and other expenses.

S. W. NEAL,  
*Secretary.*

Also:

MR. SPEAKER—I am directed to inform your honorable body that the Senate has adopted the report of the Joint Committee as provided by Senate Joint Resolution No. 7, relative to the appointment of a joint committee to purchase a chair and gavel for the President of the Senate and Speaker of the House.

S. W. NEAL,  
*Secretary.*

Also:

MR. SPEAKER—I am directed to inform your honorable body that the Senate has adopted the Conference Committee report and adopted the amendment as proposed by Conference Committee and passed as amended, Senate File No. 212, a bill for an act requiring the equipment of certain cars with brakes.

S. W. NEAL,  
*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. 434, a bill for an act to provide for the general levy for state purposes for the years 1909 and 1910.

S. W. NEAL,  
*Secretary.*

SENATE MESSAGES CONSIDERED.

Senate File No. 434, a bill for an act to provide for the general levy for state purposes for the years 1909 and 1910.

Read first and second time and unanimous consent being granted was taken up and considered.

Moore of Linn moved that the rule be suspended and that the bill be read a third time now, which motion prevailed, and the bill was read a third time.

On the question, "Shall the bill pass?"

The ayes were:

Allred, Anderson, Balluff, Bascom, Bauman, Beebe, Beery, Boe, Boettger, Bonwell, Boomgaarden, Bowman, Brandes, Burt, Byerly, Calkins, Cassady, Cooper, Corrie, Crummer, Cunningham, Dabney, Dalby, Darrah, Davidson, Dawson, Derrough, Dewell, Dewey, DeWitt, Drury, Elliott, Etter, Felt, Fenn, Finlayson, Fourt, Fox, Fulliam, Goodykoontz, Hackler, Hanson, Harvey, Hickenlooper, Hunter, Ide, Inman, Jacobs, Jewell, Johnson, Jones, Klay, Koontz, Kull, Larrabee, Lee, Moore of Wapello, Moore of Linn, Newell, O'Connor, Penn, Perkins, Reaney, Reitz, Ripley, Sankey, Stoddard, Sullivan, Swan, Swift, Tegeler, Thompson, Tilton, Welden, White, Wilson, Wolfe, Mr. Speaker—78.

The nays were:

None.

Absent or not voting:

Arney, Beans, Blackmore, Cousins, Crozier, Dodds, Dye, Ellis, Fulton, Grier, Harding, Holmes, Huffaker, Kellogg, Kendall, McCleery, McDonald, Marston, Meredith, Miller of Bremer, Miller of Dubuque, Ritter, Schee, Schroeder, Schulte, Sheldon, Smith, Stillman, Ward, Zeller—30.

So the bill passed and the title was agreed to.

Senate Joint Resolution No. 7, approving estimates of cost, plans and specifications for completion of buildings, and erection of new buildings at the State University.

Read first and second time and referred to Sifting Committee.

Senate File No. 432, a bill for an act appropriating two hundred (\$200) dollars to the Williamsburg Fair Association under the provisions of Section One Thousand Six Hundred Sixty-one-a (1661-a) of the Supplement to the Code, 1907.

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

Substitute for Senate File No. 155, a bill for an act to make an appropriation to assist in the erection of a monument to the unknown soldiers buried in the National Cemetery at Keokuk, Iowa.

Read first and second time and referred to Sifting Committee.

Senate File No. 407, a bill for an act to leagize the acts of John Menz as treasurer of Lee County, by reason of deposits of County and other funds in the Commercial Bank of Keokuk, Iowa.

Read first and second time and referred to Sifting Committee.

Senate File No. 433, a bill for an act to make appropriations for the payment of state and judicial officers, state and other expenses.

Read first and second time and on motion of Moore of Linn, unanimous consent being granted, was taken up and considered.

Speaker Feely in the Chair.

Stillman of Greene proposed the following amendment:

I move to amend Senate File No. 433 by changing Section 37 to 38, and by inserting the following as Section 37: "For Franklin County Agricultural Society \$200; for the Farmers' Institute of Cherokee County, \$75; for the Farmers' Institute of Palo Alto County \$75; said amounts being the sums to which the above named societies are entitled under the statutes but for which they failed to file their claims within the time provided by law."

Amendment adopted.

White of Story proposed the following amendment:

I move to amend Section 34 by striking out the words and figures "six thousand (\$6,000)" and insert in lieu thereof the words and figures "four thousand (\$4,000)."

Amendment adopted.

White of Story proposed the following amendment:

I move to amend Section 35 by adding the word "hundred" after the word "fifteen" in line 2 of said section.

Also add as Section 8: "For Walter Taylor for three days service as assistant in cloak room of the House of Representatives of the Thirty-third General Assembly, the sum of nine (\$9.00) dollars."

Amendment adopted.

Moore of Linn moved that the rules be suspended, the bill be read a third time now, which motion prevailed, and the bill was read a third time.

On the question, "Shall the bill pass?"

The ayes were:

Allred, Anderson, Arney, Balluff, Bascom, Bauman, Beans, Beebe, Beery, Blackmore, Boe, Boettger, Bonwell, Boomgaarden, Bowman, Brandes, Burt, Byerly, Calkins, Cooper, Corrie, Cousins, Crozier, Crummer, Cunningham, Dabney, Dalby, Darrah, Davidson, Dawson, Derrough, Dewell, Dewey, DeWitt, Drury, Dye, Elliott, Ellis, Etter, Felt, Fenn, Finlayson, Fourt, Fulliam, Goodykoontz, Hackler, Hanson, Harding, Harvey, Hickenlooper, Holmes, Ide, Inman, Jacobs, Johnson, Jones, Kendall, Klay, Koontz, Kull, Larrabee, Lee, Meredith, Moore of Wapello, Moore of Linn, Newell, O'Connor, Perkins, Reaney, Reitz, Ripley, Sankey, Schroeder, Schulte, Smith, Stillman, Stoddard, Sullivan, Swan, Swift, Thompson, Tilton, Welden, White, Wilson, Zeller, Mr. Speaker—87.

The nays were:

None.

Absent or not voting:

Cassady, Dodds, Fox, Fulton, Grier, Huffaker, Hunter, Jewell, Kellogg, McCleery, McDonald, Marston, Miller of Bremer, Miller of Dubuque, Penn, Ritter, Schee, Sheldon, Tegeler, Ward, Wolfe—21.

So the bill passed and the title was agreed to.

#### SENATE AMENDMENTS CONSIDERED.

On request of Anderson of Hamilton, unanimous consent having

been given, House File No. 485, a bill for an act to repeal Section Eighteen Hundred Seventy-five (1875) of the Supplement to the Code, 1907, and enact a substitute therefor, relating to banks and banking, with the following Senate amendments, was taken up and the amendments read and considered.

Amend House File No. 485 by striking all of Section One following the period (.) in the thirty-sixth line of said section as it appears in the original bill.

Anderson of Hamilton moved that the House concur in the Senate amendments.

On the question, Shall the House concur?

The ayes were:

Allred, Anderson, Arney, Balluff, Bascom, Beery, Boettger, Boomgaarden, Bowman, Brandes, Calkins, Cassady, Cooper, Corrie, Cousins, Crummer, Cunningham, Dabney, Dalby, Dewell, Dewey, DeWitt, Dye, Elliott, Ellis, Fenn, Finlayson, Fourt, Fox, Fulliam, Fulton, Hackler, Hanson, Harding, Harvey, Hickenlooper, Huffaker, Inman, Johnson, Jones, Kellogg, Klay, Koontz, Kull, Larrabee, Lee, Meredith, Moore of Wapello, Newell, O'Connor, Penn, Perkins, Reaney, Reitz, Ripley, Ritter, Sankey, Schroeder, Schulte, Sheldon, Smith, Stillman, Swan, Swift, Thompson, Tilton, Welden, Wolfe, Zeller, Mr. Speaker—70.

The nays were:

Dawson—1.

Absent or not voting:

Bauman, Beans, Beebe, Blackmore, Boe, Bonwell, Burt, Byerly, Crozier, Darrah, Davidson, Derrough, Dodds, Drury, Etter, Felt, Goodykoontz, Grier, Holmes, Hunter, Ide, Jacobs, Jewell, Kendall, McCleery, McDonald, Marston, Miller of Bremer, Miller of Dubuque, Moore of Linn, Schee, Stoddard, Sullivan, Tegeler, Ward, White, Wilson—37.

So the House concurs.

On request of Davidson of Palo Alto, unanimous consent having been given, House File No. 93, a bill for an act to amend the law as it appears in Section Five Thousand Two Hundred Eighty-nine (5289) of the Code, by adding thereto a provision permitting the county attorney to amend indictments and to require that objec-

tions to indictments be waived if not made before swearing the jury on the trial of the case, with the following Senate amendments, was taken up and the amendments read and considered.

Amend House File No. 93 by inserting between the words "indictment" and "which" in line one of paragraph 9 the words, "relating to matters of substance and form."

Davidson of Palo Alto moved that the House concur in the Senate amendments.

On the question, Shall the House concur?

The ayes were:

Balluff, Bascom, Bauman, Beans, Beebe, Beery, Blackmore, Boettger, Boomgaarden, Burt, Byerly, Cassady, Cooper, Corrie, Crozier, Crummer, Dalby, Darrah, Davidson, Dawson, Derrough, Dewell, Dewey, DeWitt, Dodds, Drury, Elliott, Ellis, Etter, Felt, Fenn, Fourt, Fox, Fulliam, Fulton, Goodykoontz, Hackler, Hanson, Harvey, Hunter, Ide, Jacobs, Jewell, Jones, Kellogg, Kull, Larrabee, Newell, O'Connor, Penn, Perkins, Reaney, Reitz, Ripley, Ritter, Sankey, Schulte, Stillman, Stoddard, Swan, Swift, Tilton, Welden, Wilson, Wolfe, Zeller, Mr. Speaker—67.

The nays were:

None.

Absent or not voting:

Allred, Anderson, Arney, Boe, Bonwell, Bowman, Brandes, Calkins, Cousins, Cunningham, Dabney, Dye, Finlayson, Grier, Harding, Hickenlooper, Holmes, Huffaker, Inman, Johnson, Kendall, Klay, Koontz, Lee, McCleery, McDonald, Marston, Meredith, Miller of Bremer, Miller of Dubuque, Moore of Wapello, Moore of Linn, Schee, Schroeder, Sheldon, Smith, Sullivan, Tegeler, Thompson, Ward, White—41.

So the House concurs.

On request of Lee of Emmet, unanimous consent having been given, House File No. 549, a bill for an act to repeal Section 1955 and 1956 of the Code and to enact a substitute therefor and to amend Section 1959 of the Code, all relating to the constructing of levees, ditches or drains by owners of lands for agricultural, sanitary or mining purposes across the lands of others and pro-



viding for the condemnation of such lands, with the following Senate amendments, was taken up and the amendments read and considered.

Amend by adding after the word "county" and before the comma (,) following it in the thirty-first line of Section One, the words, "and railroad companies."

Lee of Emmet moved that the House concur in the Senate amendments.

On the question, Shall the House concur?

The ayes were:

Alfred, Anderson, Arney, Balluff, Bascom, Bauman, Beery, Bottger, Bonwell, Boomgaarden, Brandes, Byerly, Calkins, Cassady, Cooper, Corrie, Crummer, Darrah, Dawson, Derrough, Dewell, Dewey, DeWitt, Dye, Elliott, Ellis, Etter, Felt, Fenn, Finlayson, Fourt, Fulton, Harding, Harvey, Hickenlooper, Huffaker, Hunter, Ide, Jacobs, Jewell, Johnson, Jones, Kendall, Koontz, Larrabee, Moore of Wapello, Newell, O'Connor, Penn, Perkins, Reaney, Reitz, Ripley, Ritter, Sankey, Sheldon, Smith, Stillman, Stoddard, Swan, Swift, Tilton, Welden, White, Wilson, Wolfe, Zeller, Mr. Speaker—68.

The nays were:

Fulliam—1.

Absent or not voting:

Beans, Beebe, Blackmore, Boe, Bowman, Burt, Cousins, Crozier, Cunningham, Dabney, Dalby, Davidson, Dodds, Drury, Fox, Goodykoontz, Grier, Hackler, Hanson, Holmes, Inman, Kellogg, Klay, Kull, Lee, McCleery, McDonald, Marston, Meredith, Miller of Bremer, Miller of Dubuque, Moore of Linn, Schee, Schroeder, Schulte, Sullivan, Tegeler, Thompson, Ward—39.

So the House concurs.

Sullivan of Polk moved that the following Conference Committee report on Senate File No. 212 be adopted:

MR. SPEAKER—Your Conference Committee on Substitute for Senate File No. 212 entitled, "a bill for an act to require every person, com-

pany, or corporation, owning or operating a street railway in this State, to equip certain cars with brakes and appliances for the control and stopping of the same, and providing a penalty for the violation thereof," report that they have had the same under consideration and beg leave to submit the following report:

We recommend that the Senate recede from its position, and that the House amendment be amended as follows:

Amend Section 1 by adding after the word "brakes" at the end of the fifth line thereof, the word "other than hand," and when so amended the same be adopted.

Respectfully submitted, ,

C. C. DOWELL,  
ROBERT HUNTER,  
J. A. DE ARMAND,  
E. G. MOON,

*Conference Committee on the part of the Senate.*

W. L. HARDING,  
ERNEST R. MOORE,  
JOHN B. SULLIVAN,  
C. W. HACKLER,

*Conference Committee on the part of the House.*

Motion prevailed.

Sullivan of Polk moved that the amendment proposed by the Conference Committee on Senate File No. 212 be adopted.

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

The ayes were:

Anderson, Arney, Balluff, Bascom, Bauman, Beans, Beebe, Boettger, Bonwell, Boomgaarden, Bowman, Burt, Byerly, Calkins, Cassady, Cooper, Corrie, Cousins, Crozier, Crummer, Dabney, Dalby, Darrah, Davidson, Derrough, Dewell, Dewey, DeWitt, Drury, Elliott, Ellis, Etter, Felt, Fenn, Finlayson, Fourt, Fox, Fulliam, Fulton, Hanson, Harvey, Hickenlooper, Holmes, Hunter, Ide, Jewell, Kellogg, Koontz, Larrabee, Marston, Meredith, Miller of Dubuque, Moore of Wapello, O'Connor, Penn, Perkins, Reaney, Reitz, Ritter, Sankey, Smith, Stillman, Stoddard, Sullivan, Swan, Swift, Thompson, Tilton, Welden, Wolfe, Zeller, Mr. Speaker—72.

The nays were:

None.

Absent or not voting:

Allred, Beery, Blackmore, Boe, Brandes, Cunningham, Dawson, Dodds, Dye, Goodykoontz, Grier, Hackler, Harding, Huffaker, In-

man, Jacobs, Johnson, Jones, Kendall, Klay, Kull, Lee, McCleery, McDonald, Miller of Bremer, Moore of Linn, Newell, Ripley, Schee, Schroeder, Schulte, Sheldon, Tegeler, Ward, White, Wilson—36.

So the amendment was adopted.

Moore of Linn called up the following Conference Committee report on Senate Joint Resolution No. 6 and moved its adoption.

Mr. Speaker—Your conference committee on Senate Joint Resolution No. 6, fixing the number and compensation of employes in the department of State at the seat of government, beg leave to report that they have had the same under consideration and recommend the following:

We recommend that the Senate concur in the House amendment adding to the sub-division relating to the office of the Auditor of State, the following: "One additional clerk at a salary of \$1,200.00."

Your committee further recommend that the Senate concur in the House amendment striking out the figures "\$2,000.00" in the first line under the heading "for the Executive Council" and inserting the figures "\$1,800.00" in lieu thereof.

We recommend that said joint resolution be further amended by striking out the 6th and 7th lines under the heading "For the office of the Auditor of State" which reads as follows: "Extra clerical assistance in the insurance, revenue and banking departments, not to exceed the sum of \$1,000.00" and by inserting in lieu thereof the following: "Extra clerical assistance in insurance, revenue and banking departments, expense in adjusting accounts between the state and counties, expense in attending meetings of the insurance commissioners and such other expenses as shall be approved by the Executive Council, not to exceed \$1,000.00."

JAS. A. SMITH,  
F. L. MAYTAG,  
C. C. DOWELL,  
T. A. O'CONNOR,  
ERNEST R. MOORE,  
WM ANDERSON,

*Committee.*

Adopted.

Moore of Linn moved that the House adopt the amendments proposed by the Conference Committee.

On the question, "Shall the House adopt the amendments?"

The ayes were:

Anderson, Arney, Balluff, Bascom, Bauman, Beans, Beebe, Beery, Blackmore, Boe, Boettger, Bonwell, Boomgaarden, Brandes, Byerly, Cassady, Cooper, Cousins, Crozier, Crummer, Cunning-

ham, Dabney, Dalby, Darrah, Davidson, Dawson, Derrough, Dewey, DeWitt, Drury, Dye, Elliott, Ellis, Etter, Felt, Fenn, Finlayson, Fourt, Fox, Fulton, Hanson, Hickenlooper, Holmes, Huffaker, Ide, Inman, Jacobs, Jewell, Jones, Kellogg, Kendall, Koontz, Kull, Larrabee, Lee, Meredith, Moore of Wapello, Moore of Linn, Newell, O'Connor, Penn, Perkins, Reaney, Reitz, Ripley, Ritter, Smith, Stillman, Stoddard, Swan, Tilton, Welden, Zeller, Mr. Speaker—74.

The nays were :

Fulliam—1.

Absent or not voting :

Allred, Bowman, Burt, Calkins, Corrie, Dewell, Dodds, Goodykoontz, Grier, Hackler, Harding, Harvey, Hunter, Johnson, Klay, McCleery, McDonald, Marston, Miller of Bremer, Miller of Dubuque, Sankey, Schee, Schroeder, Schulte, Sheldon, Sullivan, Swift, Tegeler, Thompson, Ward, White, Wilson, Wolfe—33.

So the amendment was adopted.

Meredith of Cass moved that Senate File No. 295, by Hammill, a bill for an act prohibiting gambling, and Senate File No. 16, by Hammill, a bill for an act prohibiting the sale of intoxicants to inebriates, be withdrawn from the Sifting Committee.

Motion seconded by Swan of Appanoose.

Roll call demanded by Meredith of Cass and Dawson of Cherokee.

On the question, "Shall the motion prevail?"

The ayes were :

Allred, Beebe, Bowman, Burt, Calkins, Cooper, Corrie, Cousins, Cunningham, Dalby, Dawson, Dewey, DeWitt, Elliott, Ellis, Fenn-Fox, Fulton, Hickenlooper, Ide, Inman, Jewell, Klay, Meredith, Smith, Swan, Zeller—27.

The nays were :

Balluff, Baseom, Beans, Blackmore, Boettger, Brandes, Byerly, Cassady, Dabney, Dewell, Dye, Etter, Fourt, Fulliam, Goodykoontz, Hackler, Harding, Harvey, Johnson, Jones, Koontz, Kull, Larrabee, McDonald, Miller of Dubuque, Moore of Wapello, Moore of

Linn, Newell, O'Connor, Penn, Perkins, Reitz, Ripley, Ritter, Schroeder, Schulte, Sheldon, Sullivan, Tegeler, Tilton, Welden, White, Wilson, Wolfe, Mr. Speaker—45.

Absent or not voting :

Anderson, Arney, Bauman, Boe, Bonwell, Boomgaarden, Crozier, Crummer, Darrah, Davidson, Derrough, Dodds, Drury, Felt, Finlayson, Grier, Hanson, Holmes, Huffaker, Hunter, Jacobs, Kellogg, Kendall, Lee, McCleery, Marston, Miller of Bremer, Reaney, Sankey, Schee, Stillman, Stoddard, Swift, Thompson, Ward, Mr. Speaker—36.

So the motion was lost.

Lee of Emmet moved that the following report of the Conference Committee on Senate File No. 113, be adopted :

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

Your Committee on Conference on the disagreeing votes of the House and Senate on substitute for Senate File No. 113, after full and free conference begs leave to report and recommend to the House and Senate as follows:

1st. That the Senate concur in the House amendment to said substitute numbered "1" being an amendment to correct the title.

2nd. That the House amendment to said substitute, being numbered "2" be amended by striking out of Section 5 thereof all after the colon following the word "to-wit" in the eleventh line down to and including the word "praticable" in the thirtieth line and inserting in lieu thereof the following: "The Secretary of State shall prepare a list of the counties of the State for each political party by arranging the various counties in the order of the vote cast by each political party in each county for its candidate for Governor at the last preceding general election, or for the head of the ticket of any political party when it had no candidate for Governor at such election, numbering the counties consecutively on each list from 1 to 99, both inclusive, beginning with the county which cast the largest vote, which shall be numbered "1." He shall then arrange the surnames of such candidates in alphabetical order for the respective offices for the several political parties for the first county on the respective lists; thereafter, for each succeeding county, the names appearing first for the respective offices in the last preceding county shall be placed last, so that the names that occupied second position before the change shall occupy first position after the change"; and that said House amendment be further amended by striking out of Section 7 thereof the last paragraph, which reads as follows: "The county auditor shall not print on the official ballot of a political party the title of any office for which nomination papers for a candidate therefor have not been filed, but this prohibition shall not extend to township offices nor to party committeemen"; and that when said House amendment numbered "2" shall

have been so amended, that the Senate concur therein and that the House adopt said amendment as amended.

N. J. LEE,  
J. H. DARRAH,  
A. C. RIPLEY,  
EDWARD McDONALD,

*Conferees on the part of the House.*

C. F. PETERSON,  
E. G. MOON,  
L. E. FRANCIS,  
GEORGE COSSON,

*Conferees on the part of the Senate.*

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

The ayes were:

Allred, Anderson, Arney, Balluff, Bascom, Beans, Beebe, Blackmore, Boe, Boettger, Bonwell, Boomgaarden, Bowman, Brandes, Burt, Byerly, Calkins, Cassady, Cooper, Corrie, Cousins, Crozier, Crummer, Dalby, Darrah, Dawson, Derrough, Dewell, Dewey, DeWitt, Drury, Dye, Elliott, Ellis, Etter, Felt, Fenn, Fourt, Fox, Fulton, Goodykoontz, Hackler, Hanson, Harding, Harvey, Hicklenlooper, Holmes, Huffaker, Ide, Inman, Jacobs, Jewell, Johnson, Jones, Kellogg, Klay, Koontz, Kull, Larrabee, Lee, Meredith, Miller of Dubuque, Moore of Linn, O'Connor, Penn, Perkins, Reaney, Reitz, Ripley, Sankey, Schroeder, Schulte, Smith, Stillman, Stoddard, Sullivan, Swan, Swift, Tilton, Welden, White, Wilson, Mr. Speaker—83.

The nays were:

None.

Absent or not voting:

Bauman, Beery, Cunningham, Dabney, Davidson, Dodds, Finlayson, Fulliam, Grier, Hunter, Kendall, McCleery, McDonald, Marston, Miller of Bremer, Moore of Wapello, Newell, Ritter, Schee, Sheldon, Tegeler, Thompson, Ward, Wolfe, Zeller—25.

So the report was adopted.

Lee of Emmet moved that the House adopt the amendment proposed by the committee.

On the question, "Shall the House adopt the amendment?"

The ayes were:

Allred, Anderson, Arney, Bascom, Bauman, Beans, Beebe, Beery, Blackmore, Boe, Boettger, Bonwell, Bowman, Brandes, Calkins, Cassady, Cousins, Crozier, Crummer, Dalby, Darrah, Davidson, Dawson, Derrough, Dewell, Dewey, DeWitt, Drury, Felt, Fenn, Finlayson, Fourt, Fox, Fulton, Goodykoontz, Hackler, Hanson, Harvey, Hickenlooper, Holmes, Hunter, Ide, Inman, Jacobs, Jewell, Johnson, Jones, Klay, Koontz, Kull, Larrabee, Lee, Meredith, Moore of Linn, Newell, O'Connor, Penn, Reaney, Reitz, Ripley, Ritter, Sankey, Schroeder, Sheldon, Smith, Stillman, Stoddard, Sullivan, Swan, Swift, Thompson, Welden, White, Wilson, Wolfe, Zeller, Mr. Speaker—77.

The nays were:

Fulliam—1.

Absent or not voting:

Balluff, Boomgaarden, Burt, Byerly, Cooper, Corrie, Cunningham, Dabney, Dodds, Dye, Elliott, Ellis, Etter, Grier, Harding, Huffaker, Kellogg, Kendall, McCleery, McDonald, Marston, Miller of Bremer, Miller of Dubuque, Moore of Wapello, Perkins, Schee, Schulte, Tegeler, Tilton, Ward—30.

So the amendments were adopted.

Lee of Emmet called up the communication from the Board of Control and moved it be read.

Motion prevailed.

Lee of Emmet moved that the communication received from the Board of Control be printed in the Journal.

Motion prevailed.

Fulliam of Muscatine moved that all evidence secured by the Committee on Investigation of the hospitals for the Insane, be printed in the Journal.

Motion prevailed.

Harding of Woodbury moved that the vote by which the resolution to print in the Journal the communication from the Board of Control was adopted, be reconsidered.

Motion prevailed.

Harding of Woodbury moved to reconsider the vote by which the House ordered that the evidence be printed in the Journal,

which was taken by the Special Committee appointed to investigate the care and treatment of the Insane.

Motion prevailed.

Harding of Woodbury moved to expunge from the record all reference to the communication from the Board of Control and the printing of the evidence taken by the Special Committee appointed to investigate the care and treatment of the Insane.

Motion prevailed.

Speaker announced that as Speaker of the House, in the presence of the House, he had signed House File Nos. 93, 383, 379, 405, 524, 485, 549, House Joint Resolution No. 9, and House File Nos. 408, 9, 54, 111, 440, 377, 439, 494, 359, 305, 448, 488, 507, 534, 539, and House Joint Resolution No. 6; Senate File Nos. 17, 410, 394, 402, 403, 263, 386, 380, 92, 349, 370, 344, 297, 130, 258, 278, and 361.

#### RESOLUTIONS.

We, the Representatives of the Thirty-third General Assembly hereby express our appreciation of the valuable and efficient services rendered by the Hon. Nelson J. Lee, as Speaker Pro Tem. of the House, and we extend to him our sincere best wishes for a happy and prosperous future.

Resolution adopted.

#### RESOLUTION.

We, the Representatives of the Thirty-third General Assembly by this resolution desire to show in a small sense our gratitude and appreciation for the many kindnesses and courtesies extended to its membership by Mr. C. R. Benedict, Chief Clerk; A. C. Gustafson, Assistant Clerk; John Stevenson, Reading Clerk; Miss Ruth Woodruff; Journal Clerk; Ed T. Alderman, Journal Clerk; Mrs. Mollie Heist, Engrossing Clerk; Miss Mabel Elwood, Enrolling Clerk; G. L. Van Houten, Sergeant at Arms; H. C. Byers, File Clerk, J. L. Crawford, Bill Clerk and all other clerks and doorkeepers, pages and janitors.

Resolution adopted.

Larrabee of Fayette in the Chair.

The following remarks were made by O'Connor, of Chickasaw:

Mr. Speaker and Gentlemen of the House:

In conformance with the purposes of the Joint Resolution just read, I am honored by my colleagues in being asked to present these tokens



to you, Mr. Speaker. I feel that I speak from the fullness of the heart of all the membership when I say these small gifts but meagerly expresses our appreciation and gratitude for the generous and uniformly kindly treatment that you have ever accorded the membership of this House; speaking for the minority I assure you we have at all times been treated with equal consideration with our colleagues across the chamber.

Your gavel has ever been symbolic of fairness, justice and equality.

In these closing hours filled with happy recollections of the days gone before, I think resentment lurks not in the heart of any member of the House. We are yours with joyous gratitude in the giving of these gifts.

We trust you may live long to enjoy this beautiful chair. While your days here, have been happy, we hope they will not be the happiest of your life. May the future be rich with things of wealth and happiness for you.

May the exalted position you are retiring be the stepping stone for high and deserved honors.

With a full heart, Mr. Speaker we tend you this chair and gavel.

The following response was made by the Speaker:

Gentlemen of the House:

Words are too feeble and inadequate to express the emotions overwhelm me upon this occasion.

Your generous act of kindness and regard may not mean so much to you but it means everything to me, and these mementoes of your regard, this gavel and this chair, I will cherish and revere during the remainder of my life, as symbols of the strong and binding friendships formed during this session of the legislation.

I will prize this chair and gavel as an emblem of the faith and confidence you have reposed in me as your speaker. Coming as it does during the closing day of this session it has a double significance to me, it not only represents your esteem but also a recognition of the fact that I have tried in my stumbling way to give to all a fair and impartial hearing. I fully realize that many times this gavel has fallen under the stern rules of the House, it has blasted the hopes of some members of this House and has helped to success or carried to defeat some favorite measure. But I trust that taken all together it has helped rather than retarded to legislation that is for our best welfare.

For the splendid legislation enacted during this session, you are entitled to all the credit, to the legislation which has failed, I must assume my full share of responsibility.

But this I must say, in full justice to the membership of this House that in the march of progress, this legislature has made a splendid record, not so much from the material side, but in that you have put many laws on the statute books of which you may be justly proud, but you have caught step with the march of progress along lines of moral issues which mean so much to a state and nation.

Those issues which make better and nobler laws for our commonwealth, more consistent with a higher plane of civilization.

I believe we have taken a step in advance of the present and anticipated the needs of the future, which is fitting and proper, as no people can advance far beyond the standard set by their laws. The public has demanded many reforms in legislation. Many of these have been accomplished, some have failed, legislation under our form of government must of necessity be a compromise.

But when a careful inventory has been taken of what has been done, I feel that every member of this House and Assembly can go home and receive the congratulations of his constituents for the work you have so faithfully performed.

Again I thank you for your kind token of remembrance, and let me again thank you for your noble and untiring work and the monument of legislation you have builded here.

A committee from the Senate appeared and notified the House that it was ready to adjourn.

Lee of Emmet, moved that Chief Clerk of the House be authorized to correct the Journal of today.

Motion prevailed.

Lee of Emmet moved that vote of thanks be extended to the members of the press for the uniform fairness in which they have reported the proceedings of the session.

Motion prevailed.

Hackler of Webster moved that a committee be appointed to notify the Governor that the House is ready to adjourn.

Motion prevailed, and the Speaker appointed as such committee: Hackler of Webster and Ritter of Des Moines.

The committee appointed to notify the Governor that the House was ready to adjourn reported that it had performed its duty.

Anderson of Hamilton moved that a committee be appointed to notify the Senate that the House is ready to adjourn.

Motion prevailed, and the Speaker appointed as such committee: Anderson of Hamilton and Kull of Howard.

The committee retired and later returned and reported that they had so notified the Senate.

Ripley of Hancock moved that the remarks of O'Connor of Chickasaw in presenting the chair and gavel to the Speaker, and the response by the Speaker be printed in the Journal.

Motion prevailed.

Klay of Sioux moved that a vote of thanks be extended to the House Enrolling Clerk for her faithful performance of duties in enabling it to complete the enrollment in due season.

Motion prevailed.

The Speaker announced that as Speaker of the House, in the presence of the House, he had signed Senate File Nos. 33, 407, 212, 434, 59, 298, 433, 432, 113 and Senate Joint Resolution No. 6.

The Hour 12:00 o'clock, noon, having arrived, Speaker Feely declared the House of Representatives of the Thirty-third General Assembly adjourned sine die.



## PIONEER LAW MAKERS.

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Program and addresses before the reception of the House of Representatives, March 11, 1909, to Pioneer Lawmakers Association.

Upon the arrival of the Pioneer Lawmakers Association the following program was rendered:

Address of Welcome.....	Speaker Feely
Reponse .....	G. L. Dobson
Address .....	Representative Jacobs of Calhoun
Response .....	Alonzo Abernethy
Address .....	Representative Crozier of Marion
Response .....	Ben McCoy
Solo .....	Mrs. Alice Cheek
Address .....	Representative Perkins of Delaware
Address .....	Governor B. F. Carroll
Address .....	Pres. Moir of the Pioneer Lawmakers' Association

### SPEAKER FEELY'S ADDRESS OF WELCOME.

Arriving at the House of Representatives, Hon. Guy A. Feely, Speaker of the House, spoke as follows:

Pioneer Lawmakers of Iowa—It is indeed a great pleasure for me on behalf of the membership of this House to extend a cordial and generous welcome to you, the Pioneer Lawmakers of Iowa. I feel that I can but inadequately express the emotions which fill the hearts of the members of this General Assembly upon this occasion. You have come down to us from a former generation, and your presence here today will be an inspiration for us to emulate the great work which you have so nobly begun in the years that have gone. We are proud of Iowa's sturdy pioneers, whose daring and progressive spirit prompted them to brave the perils and hardships of a new and untried land. The integrity and courage and industry of those rugged characteristics of the pioneer have left their stamp upon our early laws. We point with pride to the justice and equality of those laws, and I firmly believe that the progress and prosperity and happiness of this commonwealth of ours are due to the high aim of these early pioneers. You had no old, established precedents to follow. You buided the foundation of this government of ours from your sense of right and justice and equality, based upon the broad principles of human experience and the equality of mankind. Under your guiding hand from the first appearance of our star upon the National firmament its radiance has brightened with the passing years because the fires have

burned there in the breast of the founders. These legislative laws are yours, and you honor them and honor us by your presence here today. In the shifting scenes of time you stand today upon an eminence of honors faithfully earned and we earnestly desire that Providence will deal kindly with you and lengthen out your days to permit your presence at these functions here for many years to come. (Applause.)

RESPONSE BY HON. G. L. DOBSON.

Mr. Speaker and Members of the Thirty-third General Assembly—Twenty-two years ago I had the privilege of occupying a seat in this Chamber. I had also the pleasure of meeting with the second gathering of the Pioneer Lawmakers' Association of Iowa, and from that day until today I have looked forward with pleasure to the time when I could belong to the Pioneer Lawmakers' Association of Iowa. Twenty-two years ago, when I looked into the faces of the men who laid the foundation of the great State of Iowa,—up to that time there was no Association—I suppose the average member thought that the best of Iowa was assembled in the Twenty-first General Assembly, and, after looking over the situation and meeting with these great men, men who had met for the sole and only purpose of giving to Iowa the very best law that the best minds of Iowa could devise, I have looked forward with pleasure to that time when I could under their rules, become a member of that association, and today I have been initiated. I suppose every General Assembly naturally thinks that they are doing a little better work than that of every other Assembly that preceded them. My good friend, Mike McDonald, who served with me in the Twenty-first General Assembly, told me that before he became a member of the legislature he supposed that all laws were enacted according to the very highest ideals, but that after he had served one term he discovered that all laws of any great importance were as a matter of fact compromise measures. He said when he came down he thought it took a good man to occupy a seat in the Capitol building, but when he really come to know the situation, his opinion was considerably modified.

The members of the Thirty-third General Assembly have great responsibilities resting upon them. They have as fine and intelligent a constituency as can be found in any part of the world; a constituency that demands the very best service and the greatest effort that can be put forth for the betterment of the people of Iowa, ever keeping in mind the purity of the home-life and the protection of the same from the designs of men who care not for the same, and I believe the members of the Thirty-third General Assembly will demonstrate before they leave the Capitol City that the people of Iowa in its several districts made no mistake in selecting the representatives that are here assembled.

Just one thing further and I am through. I noticed some men in the Twenty-first General Assembly when important matters were before this body for settlement that involved the welfare of Iowa, found it convenient to retire to the cloak room and did not dare to meet those great questions, and were inclined to be on both sides of a question, and I want to say to you men that this class of men has disappeared largely. There is no place for that kind of men, but for men of conviction; that stand

for the better principles, for the homes of Iowa there is always a place. Those are the men, I believe whose names will go down to posterity and are the best men that Iowa ever produced.

We thank this body for the courtesies they have extended to the Pioneer Lawmakers by granting them this opportunity of appearing before them. (Applause.)

ADDRESS BY MR. JACOBS OF CALHOUN.

Mr. Speaker and Pioneer Law-Makers—I assure you that I appreciate the opportunity of appearing on this program and expressing my appreciation for the services rendered to the State of Iowa by its pioneer law-makers. I trust that in all the years to come this organization will make biennial pilgrimage to the historic scenes of legislative action to inspire coming legislators to measure up to the high standard and example of pioneer accomplishment.

No people can be truly great and prosperous without wise and beneficent legislation. As we read the history of nations we find that eras of prosperity are always associated with wisdom of statemanship. If we read the history of Rome, the greatest nation in antiquity, we find that at one period a people of the same blood, under the same genial skies, blessed with the same fertility of resources, are ignorant, poverty-stricken, and without a single lofty ideal; that under another period commerce extends, the arts prosper and the people are happy and contented. If we seek the reason for this change, we find it in the laws under which the people were governed. So it has been in all ages and among all peoples.

The law-makers of the State of Iowa occupy a unique position among the law-makers of the civilized countries of the world. They were not hampered by any crystallized conditions of injustice and inequality. They came to a new state unexampled in fertility, and represented a people who possessed in largest measure the principles of liberty. Someone has said that a fixed idea is like a gimlet; each year gives it a turn. To remove it the first year is like plucking the hair out by the roots; the second year like tearing the skin; the third year like crushing the bone; and the fourth year like removing the very brain itself. To the constituents of these pioneer law-makers the principles of liberty were fixed ideas, and they could no more be destroyed than the people themselves.

The real assets of this state do not consist of the fertile valleys and uplands, in the wonderful material prosperity surrounding us, in the wealth of factory and business house, in the stocks and bonds and assets in the bank, but rather in the legislative action which has placed upon the statute books of all time the principles of liberty brought to the State of Iowa by the pioneer. And if the time shall ever come in this state when our people are called upon to choose between the evidences of material prosperity and the evidences of statesmanship on our statute books, they had better destroy all this wealth of factory and city, all this prosperity of the farm, and hold fast to the evidences of statesmanship. You may sow in ashes these broad fields of the State of Iowa, burn down

these towns and cities, destroy all this wealth about us, and with the laws upon our statute books we can go out and reclaim the desert places, build again the cities and towns, and restore our material prosperity. But let our people repudiate our fundamental laws, and notwithstanding this unparalleled prosperity, our people would journey back to savagery and barbarism.

These pioneer law-makers could not have built this state alone and single handed. They represent a constituency that stretches back to the days when this state was a magnificent wilderness. They are not alone in this accomplishment.

Yesterday afternoon I walked through the corridor of this Capitol before the cabinets where stand the war-worn flags of the many companies of the State of Iowa, dedicated there to remain as long as the Capitol of this patriotic state shall stand, while before them through all the years to come will pass with reverent tread a multitude that no man can number; and I thought how glorious and yet how mournful that marshaling of the flags. No more the gallant waving in the breeze; no more the proud flaunting on parade; no more the wild flight in the face of foe to victory on stormy battlements. How silently they stood, sacred with the memory of Fort Donelson, Shiloh, Vicksburg and a hundred other campaigns of the Civil war. Their mute wounds told the story of rebel hate. This one torn by shot of some wayward son of the Republic long since forgiven. This one cut by saber thrust of some child of treason who should have given life and strength that no dishonor came upon the flag his grandsire once defended. There stood the standard carved from the heart of the rugged oak shattered by the conflict on the confederate battlement. There black like a splash of night lay the blood of a color-bearer where once the gleaming stars shone down in victory on Lookout Mountain, and the blue of that banner blended with the blue of the heavens.

Hearts have broken over those silent relics; they stand for hopes forever stilled in death; for heart's bravest thought and daring; for patriot's fondest dream. The flood of sunlight parting in the western doorways and flooding the silent ranks, seemed an aureole about the mildewed folds and over the dimming stars such as medaeval tradition has framed so lovingly about our Savior's head, and I thought it was the spirit of sacrifice of the pioneers of this state as they so lovingly bound up those silken folds and gave their lives and the lives of their loved ones that not one star should fall from its glorious setting. In that moment the threads so faded seemed golden and bright silver, and the dimming stars again gleamed like the diamonds of the night. These men sustained by sacrifice and heroism the work of the pioneer legislators of the State of Iowa.

These law-makers could have done nothing without the support of men and women all over this State of Iowa. The pioneers of Iowa were men of rugged virtue, and have transformed a magnificent wilderness into a magnificent civilization. As a type of these fast disappearing citizens I wish to tell you of an old friend of mine who bears sturdily and patriotically his weight of well-nigh four score years. Surrounded by his children and his children's children he dwells on the homestead located



in the early fifties by his grandfather, near the site of the home where he bade adieu to his wife and babies and entrusted them to the care of his father while he went away to defend the integrity of this nation. Just round the turn of the road stands the "Cottonwood" schoolhouse named from the original schoolhouse in that section of the country, built by the pioneers and rough-hewn from cottonwood logs. Upon the corner of his acres stands a little country church erected by his contributions and the contributions of his neighbors, with its spire pointing him the promise of immortality. Prosperous, contented with his lot, sustained by his staff and his Bible, the infirmities of his age soothed by the loving presence of the wife of his youth, he journeys slowly down the western slopes of life to the land everlasting. May no shadow intervene to dim his vision on his final journey!

It may be thought by some to be good taste to sneer at the conscience of the rural hamlet and ignorance of the country crossroads, but without the support of such pioneers all over the State of Iowa, the work of these pioneer legislators would have been in vain. Constituents such as this man and his wife all over the State of Iowa held up the hands of these legislators and inspired them to write upon our statute books the wise and beneficent laws under which we prosper today.

I remember reading that when Sir Humphrey Gilbert, the half-brother of Sir Walter Raleigh, was returning from a colonization trip to the new world in the sixteenth century, his vessel was hailed by its companion, and he responded with the words; "It is as near heaven by sea as by land," and these words carried back to his home and friends are preserved in history as the last words that he uttered. But sometimes when I take up with reverent hands the constitution of my native state; sometimes when I read and ponder upon her statutes; sometimes when I look out over this broad state and reflect on the wealth, prosperity, culture and contentment of her people, I think that we are a little nearer Heaven in this State of Iowa than in any other place in the world.

Again I wish to express my tribute of admiration for the Pioneer Lawmakers of the State of Iowa, the humble men who built this great state and laid its foundation so strong and so secure, and I trust that the inspiration of this presence today may lead us to accomplishment that will add to the luster of the law-makers of the State of Iowa.

RESPONSE BY HON. ALONZO ABERNETHY.

Mr. Speaker and Members of the House of the Thirty-third General Assembly—The Pioneer Lawmakers' Association originating, so far as I am concerned, about 23 years ago has combined many thoughts as they bring back to us interesting memories upon which we are inclined to dwell. I think now of the method of reaching the Capital of the State. Those in the north part left the train at Nevada and walked most of the way across the watery and muddy road of the wide Skunk Bottom to reach Des Moines. I had occasion to visit the University during that session of the Eleventh General Assembly and I took the stage to Newton. Those from the older sections of southeastern Iowa left the train at Monroe. When we reached here we found a city pretending to have 6,000 people, with a street railway which began at the courthouse on Court avenue

and came across the river on that street and stopped at the foot of 7th street. There were two cars, as I recall, both of them standing during the winter in the mud at the side of the track. I remember, and could recount many scenes of that interesting season just at the close of the war where we passed the 13th amendment to the Constitution of the United States; where we passed in the corresponding—— the first railroad rate and passenger tariff; where we very earnestly acted was caused by a resolution introduced by the eloquent Col. Sapp of Council Bluffs. As I remember it, about two-thirds of that House were returned soldiers and we were loyal citizens in those days. It would be uninteresting for me to recount any of these early scenes. You have read them and heard them related over and over again. I might say, if I were in any other presence that the recent legislature, rather unsympathetic listeners on certain occasions when I have been called to appear before them; largely, however, in the other House. However, I ought to state, I was bemoaning the fact to a Brother Assemblyman yesterday that while in the old days we had giants here in our midst, hundreds or more of the men who made Iowa, Territorial Judges, United States Senators, and all men from all parts of the state, and that now if there were such, they did not appear. "Why," he said "don't you understand how that comes? Don't you know that 30 or 40 years ago Iowa sent its best men to the legislature? They were great men. It was the best there was to be a member of the House or Senate. Now, that class of men don't reach the legislature." I give you his version, not my own. I presume it was his own experience in his own House particularly.

We very greatly enjoy meeting with you. I suppose my only service is to express the very earnest and cordial thanks of our body for the very pleasant and very delightful reception that we have received here and at the very complimentary things that have been said of us, which we know very well haven't any very great basis, and which, doubtless, the givers of them knew as well. So that probably the thing for me on this occasion, in view of the interruptions of the work in which you are so earnestly and thoughtfully engaged will be for me to do somewhat as a friend of mine did in a recent time in a neighboring city. A tall, lank, awkward fellow was walking down a pretty steep hill one icy morning, and in some unfortunate manner encountered a very fat lady, and in this condition they went to the walk, she on top, and so at the foot of the hill she, of course, was very much mortified and very angry, and that condition was not very greatly relieved when he said in a piping voice, "Beg your pardon, Madam, but you will have to get off before I can get up." (Applause.)

ADDRESS BY MR. CROZIER OF MARION.

Pioneer Law-makers of Iowa—As has been said, by the Speaker of the House, "You have come from another generation." We greet you as the founders of our great state. To you, to your wisdom, courage and patriotism the people of Iowa owe a great and lasting debt of gratitude.

I would not address you in term of fulsome flattery, nor attempt to exaggerate the value of your services to the people of this great commonwealth, but I am proud to acknowledge that the present wealth, pros-

perity and happiness of our people and the commanding situation of the State of Iowa in the great sisterhood of states of our beloved country, is largely due to the wisdom, intelligence and fidelity of the pioneer settler and the pioneer legislator. It is no longer a question of what the State of Iowa *will be* for already have we reached a point where we can challenge comparison with any other state or country on the globe. But, while we are congratulating ourselves on our much favored condition, our material wealth and resources, the intelligence of our people and the wisdom and beneficence of our laws, let us hope that we will never forget, and that our children will not forget, how much we owe to those who, under much less favored conditions, enduring the privations and inconveniences of frontier life, laid the foundations of our present greatness. For my own part, I will say, that my gratitude for the great services you performed in planting, watering and nurturing the tree of our prosperity, is at least equal to my admiration of the appetite of those who partake of the fruit.

While I am not insensible to the advantages of material wealth, while I trust I do not underrate the blessings of this prosperity which in so high a degree the people of our state enjoy, I wish to acknowledge obligations of a much higher nature and without which wealth, power and influence tend rather to degenerate than to elevate a people.

You laid the foundation of our state government on principles of right and justice. You gave us a constitution recognizing the supreme right of self-government in the people and that no man is good enough to govern his fellow-man without his consent. You gave us a code of laws which left to every man the broadest freedom at the same time protected the humblest in the exercise of every essential right. He is indeed blind who fails to see in the constitution and laws of our state, that spirit of justice expressed in that truly American maxim "equal rights to all, special privileges to none."

This system of government is the proudest, the most enduring monument to your memory. You not only laid the foundation of a great state and secured to millions of people the right of self-government, but your influence has contributed vastly to the elevation of mankind every where.

I see in your number, some who were here in the days of the log cabin and the old fire place. God bless the old log cabin. It gave us Abraham Lincoln. Aye, and on the broad prairies of the west it sheltered a generation of the highest and noblest type of manhood and womanhood that any age has ever produced. From the humble cabins of the west have gone forth statesmen whom the world delighted to honor, whose early lives were lives of toil, who slept under the clapboard roof and who obtained the rudiments of their education around the old fireplace. In the hour of our nation's peril no braver or truer man ever went forth to battle for the rights than the pioneers of Iowa.

While we might be excused even for a little vanity when we contemplate the wealth and power of our state, we must not forget that these things alone cannot make a state or people great. The head and heart of the people must be educated. No consideration of gain should be thought of at the expense of the sacrifice of correct moral principle. A

people with no higher purpose than the accumulation of wealth and power cannot long endure. The past is full of examples of such and they live only on the historians page. A nation or people may dare to do an injustice but in time it will pay the penalty.

To my fellow legislators, I might say that this is a fitting occasion to take note of our duties and responsibilities as members of this House. If we are to discharge our whole duty to the people of this state, we must banish every consideration, save the public good. No consideration of partisan advantage should be thought of in determining what measures shall receive our sanction. If we address ourselves to the work that is before us in this spirit without asking ourselves what effect this or that measure may have on our prospect of re-election, or how this or that measure may effect the party to which we belong, seeking nothing but the right, we will have acquitted ourselves worthily. If we do less than this, we will have failed in our duty.

In conclusion, let me say to you, pioneer legislators, that I believe this assembly will at least endeavor to do its full duty as servants of the people whom we, for a time, represent. That we will emulate the example you have given us and will seek at all times, to honor the great State of Iowa and in all things, endeavor to show ourselves worthy to be your successors. Eternal justice our guiding star.

RESPONSE BY HON. BEN MCCOY.

Mr. Speaker—It is the first time that I have taken advantage of being a Pioneer legislator, and I have rather enjoyed it. I find, however, that whether we feel Rip Van Winklish or not, we are looking it a good deal, but I have not noticed anybody feeling it very much. I listened today to Mr. Matthews' paper on the Recollections of the Fifth General Assembly and he recounted a condition that was unique to me. He said out of that General Assembly that they had not got a Governor, nor a Judge, nor a member of Congress; hadn't got anything but Lieut. Governor, and he did not seem to think there was much in that. In the Twentieth, Twenty-first and the Twenty-second, if I am right, history is repeating itself again. If there was any man that was not getting ready to be a Governor or a member of Congress, or a Judge or something of that kind, I have forgotten his name. They did not all make it. I know some of them did not make it.

When I came in last night the first thing I saw and read, was about what you did yesterday,—I think it was only yesterday—in the matter of the re-submission of what occurred when you did do it. When I came into the building today I came up in the elevator, and as I came out the distinguished jurist, Judge Weaver, came in, and my mind went back at once to the heroic times that we were living in when Judge Weaver was carried on a stretcher,—perhaps from Hardin County. I didn't know where the stretcher started from to get here—to vote on the question of statutory prohibition, and it seemed like I had fallen in where we had fell out. Now, Mr. Matthews was able to show us today before the pioneer legislators session the original pass; at least I thought it was the original pass. It was a pass from the first railroad that ever got

into Iowa to Mr. Matthews, a member of the Fifth General Assembly, to ride from Iowa City, perhaps to Davenport, and I suggested at the time that that pass had gotten us into a great deal of trouble. We were trying to get away from it twenty-five years ago. You succeeded in getting away from it.

Another thing that struck me when I got here—and if you do not like such speeches, you will not get one now. I thought this: This matter of reforms you can tell very little about. All the legislatures are reform legislatures. I was here when we were building and enacting the statutes that sought to control the railroads, and they were enacted at those sessions, and my attention was called to the fact that our records were in the book, and I thought of one vote that I cast then that I would not care if the record was expunged, and yet it is proposed at this time as a reform and is going to go through. Why, we were breaking our necks,—somebody asked me to tell about this—at that time we were breaking our necks to get a Railroad Commission that was elected, and I understand you are breaking your necks to get a Railroad Commission that is appointed. That is what I had in mind. Now, I come from the people today, and I have not told you that, and I am going to the people, but what was the trouble to us and the people at that time was that about half the people were restless because the legislature was not doing anything and the balance of them were lying awake of nights for fear we were doing something, and that is just about the condition when you get out among the people now. I don't know what it is; whether history repeating itself; I am not afraid of this. I wanted to see that the foundations were laid right before I was in the legislature and been being made right ever since. I have tried to keep up with the procession in a way, and I got that information from an old soldier in my town, one who had the most lead in him of any old soldier, and I asked him what induced him to be out in the sun, in the ——— that was about him, and he said he was trying to keep up with the procession and he was going to keep up with the procession. So if you keep up with the procession, gentlemen, you will be going forward and never backward. (Applause.)

ADDRESS BY MR. PERKINS OF DELAWARE.

Mr. Speaker, Pioneer Law-makers, Ladies and Gentlemen—There comes with the echo of the past, legislators of Iowa, memories of the days that have gone and we wonder where the first ten of the legislatures of the State of Iowa are, so few of those before the sixties are here to answer the roll call today, but we think of the days when the flag was assailed, when the home was forgotten, when the legislative halls were deserted, when they answered to the roll call in another place. Go down the Mississippi to the hamlets and along the great rivers that flow into that stream in its course to the Gulf and along their banks you will find little stones marking the resting places of the legislators of the days before the sixties. He rests in a far-off grave. Many and many a one went forth from this home and gave up his life to the country and it is no wonder that in the early legislatures of Iowa there were so few men that became Governors of the state, but they became greater than Governors.

They became greater than the law givers of the state. They became the saviours of the state. The law-makers who gave to the State of Iowa its Code, who gave to the State of Iowa its constitution, were building greater than they hoped. From a little beginning with less than 10,000 people when it was organized as a territory with its only manufacturing plant, a hollow stump with a stone grinding in the top of it for its manufacturing plant.

In every direction have proceeded the great railroad lines of this nation and the manufacturing plant has developed from the hollow stump until in each and every hamlet from the north line to the south, from the east to the west, you hear the hum of machinery and see the smiling faces of the industrious laboring people of this great state.

The laws that you made were good. You laid the foundation deep and broad and those of the early days who interpreted the laws for this grand state, gave to the people of this state such an interpretation of the law that the people still rule in Iowa. You made laws for the common people. You thought for the man who, like yourselves, had the burdens of life to bear and as you laid deep the foundation on which to build, you thought not to give to any one special privileges. You retained within the grasp of the great State of Iowa the privileges for all and not for the few. It was a great task that you undertook to do in those days. You left your homes to seek the seat of government not along the railroads, not in palace cars, but on horseback and the stage coach. You were following the trail of the plow across the prairie to find your way to the seat of government. When you reached there, you found the humble state house. There you laid deep and broad the foundation for a great commonwealth. You laid the foundation for great institutions of learning. You thought of the little schoolhouse that you left at home. You cared for the great school that you were willing to found. You thought of the state as it would develop and grow, as it has grown. You saw far down in the future an institution of learning. You saw the families of industrious, happy people that peopled the prairies of Iowa. You sent to the legislatures of this nation men who were great, men, who, when they reached the halls of Congress, could not be spared from the congress of the nation. They toiled long years until, worn out by the service of the nation, they laid down their burden, and we of the present day and generation are attempting to put in their places men of equal ability, men whom the nation will demand and keep.

This is a great state. You built it. You laid the foundation so that it grew great and strong. Iowa has become a power in the halls of Congress and for the development of this nation. Iowa has become grand by the laws that you gave her, by the foundation that you put deep down for her institutions. And when we gather in the fall of the year and see the graves of the pioneer statesmen that are lying along the streams of our own land, it is an inspiration to think of the homes that have been blessed by the laws they made. We find no other inspiration which will go ringing down the ages as an encouragement to each and every boy from the little farm, from the little red schoolhouse dotting the prairies to the strong boy that comes out from the universities that you have

started on the prairies of Iowa like that which comes from the acts of the pioneer law-makers.

It is a blessing that you bestowed on this people by the acts that you did. It was some privation for you to leave your homes and families for the conveyances were not such that you could take your sweetheart or wife when you came to the capitol in those pioneer days. You left them at home. You came here. You labored faithfully and well for the upbuilding of the laws of Iowa. Go look into the pages of the Code of Iowa as it is today. More than fifty years have passed since the last constitutional convention of this great state and no attempt to remodel the constitution. Only one man of that constitutional convention still lingers among you. He has grown gray in the service of his country. And yet that constitution remains with but few additions on which you built your statutes. We have not changed them as much as we have tried to add to them, following the models that you have put there so that we of the present generation only hope that we may add some little to the structure that you laid so deep and broad and well for the people of Iowa.

ADDRESS BY GOV. BERYL F. CARROLL.

Members of the Iowa Pioneer Law-makers Association—It was my pleasure yesterday to talk to the Pioneer Law-makers for a few minutes, and I assure you it is a pleasure today. I am glad to note that your numbers have somewhat swollen since yesterday, but I am sorry to learn that ten of your members have passed away.

I presume there has not been a session of the legislature since the state was organized but what has given the state legislation that would be regarded as of vast importance. I have listened with a great deal of pleasure to the kind things that have been said about you as pioneers. I want to say to you that they are not flattery; they are a just recognition of a work well done. And, while I say that to you, I want you to return every year, and just have you keep in mind what I shall say, that all which has been said in commendation of your work I feel amply justified in saying in commendation of the man who now constitute the Iowa legislature. It has been said that the people fear the legislatures. I have never had much fear of an Iowa legislature. Sometimes I have feared that they would not do the right thing, and will not do it in the right way, but our form of government is such that mistakes cut so little figure with us and we have such ample means of correcting them that nothing that a legislature might do need greatly shock us. We make mistakes. It is human to make mistakes, but we profit by them, and better conditions are brought about by recognition of the fact that we do make mistakes. One of your speakers remarked that he came from the people and would return to the people. I would modify the expression of the speaker by saying he is now with the people. There is no difference between the men that occupy seats in the legislature, except for the time being, and the men who are out on the farm and in factories and in stores and in the workshops of the State of Iowa, because my friends who are now in the state legislature most of them have farms, factories and stores to return to. Our legislatures change greatly, we always

have a great reserve force, a great army, and I will say we have a great many volunteers. That is the moral strength of our government. Great men sometimes get in the legislature, but they are not always in the legislature at one time, and they do not always leave the legislature at one time, and these boys, comparatively speaking with you old men, are filled with the same spirit, the same disposition and the same desire to serve their constituency faithfully and well that you were filled with when you were in the legislature. I know something of the trial; I know something of the tasks that have to be performed, but I have always had a deep and settled conviction that an Iowa legislature, no matter whether the Thirty-third, or any other, have a desire to do the right thing.

I do not think I should talk to you longer than I have this afternoon. Your work as pioneers is a matter of record. It constitutes the statutes of the state today enlarged upon and modified by those who have followed you, and I submit to you that the Code of the State of Iowa will stand comparison with that of any other state of the Union, and those persons who are responsible for the Code are not all Pioneers and are not all of the present day. My friend McCoy referred to the fact that some years ago he and those associated with him were bending every effort in one direction and that many of you are now bending your efforts in another direction. I am not going to say whether he and his co-workers were right, or whether you and your co-workers are right, but I want to leave this thought with you, that a law in the State of Iowa is never so sacred but there is a weakness and our people are ready to recognize that. You have been dealing during this session with the school laws of the state. I presume there is not a man within the sound of my voice but what is ready to admit that our school laws at the present time are defective, very much so, and yet there was a time when those laws were, perhaps, as well adapted to the conditions then existing in this state as laws could have been at that time; but conditions are changing, and under our system of government we are able to adjust ourselves to those changed conditions. Now, do not misunderstand me. I am neither pleading for or against the law, but leaving with you that thought, that our legislature is so constituted and so composed as to be able to deal with any condition that may be brought before it.

I am certainly grateful to you for being permitted to make these remarks, and I hope in the next two years your numbers will not be thinned as they have been in the last two years, and that you will continue in good health and be permitted to come back at the end of two years.

Speaker—Our program will conclude by remarks of President Moir of the Pioneer Law-makers' Association of Iowa.

President Moir—Gentlemen of the House of Representatives. You would scarce expect one of my age to speak in public on the stage. Thus remarked a small boy nearly a century ago, and those words are doubly applicable today to the man who is nearing the shores of the Eternal Morning and is within sight of his 85th milestone in life's journey. A wise has said, "I was young, now I am old, and many changes have passed before me." Many solemn changes have passed before me. When I reflect



that I know of only two men now living who were in the Ninth General Assembly with me, it makes me feel a little sad; and when I second the remark made by our worthy Governor, that ten of our beloved members who met with us two years ago have crossed the Mystic River, I cannot help but feel a little sad. I feel like that one who treads alone some ancient hall deserted.

I said many changes have passed before me. I have lived to see this nation, though an infant in years become a giant in every element that tends to make a great and powerful and prosperous nation. Those who have seen the years that I have seen, have lived while twenty-two presidents have occupied the presidential chair in these United States and all have crossed the Mystic River but two. When I first drew breath near the banks of the Bonnie Dundee in the land of———— there was not a mile of railroad in the civilized world. Now there are 220,000 miles of railroad in these United States. Palatial coaches cross this continent from ocean to ocean at the speed of a mill a minute. But I am not going to occupy your time any longer. The time has arrived when we are invited to meet the senators in the Senate Chamber, but I want to say in conclusion, Mr. Speaker, and I speak the voice of every Pioneer law-maker within the sound of my voice when I say that we desire to tender to you our most sincere thanks for this kind welcome and generous reception that you have given us this afternoon, and as the years roll on, as the years pass and go, and you become Pioneer Law-makers, may you meet with the same generous reception in the legislature that then exists that you have tendered us today. (Applause.) Adjourned to Senate Chamber.



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## RESOLUTIONS IN MEMORIAM.

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Adopted by the House of Representatives of the Thirty-third General Assembly.

HON. JAMES M. ROBB.

MR. SPEAKER—Your committee appointed to prepare and present suitable resolutions respecting the life, character and public service of the Honorable James M. Robb, late a member of this House in the 18th and 19th General Assemblies, beg leave to report the following:

WHEREAS, The Honorable James M. Robb, one of the pioneer citizens of Iowa, was born in Beaver county, Pennsylvania on the 10th day of March, 1836, and removed to Monroe county, Iowa, at an early age, residing in Monroe county until the date of his death, January 9, 1909, with the exception of the time spent in the service of his country during the Civil war. He volunteered in defense of his country's flag at the outbreak of the War of the Rebellion, enlisting as a private in the 13th Iowa Volunteer Infantry, and served until the end of the war, being mustered out of service with the rank of first lieutenant.

He served the people of his county in an efficient manner as sheriff of the county for three consecutive terms, and served as representative in the 18th and 19th General Assemblies. In all his public services he proved to be a public servant of unimpeachable integrity, and one who always had uppermost in his mind, the welfare of the people.

The life, character and public service of the deceased, commend him to the respect, confidence and high esteem of all who knew him, therefore be it

*Resolved:* That in his death the county and state have lost a citizen and public servant, whose life was above reproach, and whose public service was one of fidelity and devotion to duty, and we extend to his bereaved relatives and friends our sincere sympathy in their sorrow; and be it further

*Resolved:* That a copy of these resolutions be spread upon the Journal of the House, and that the Chief Clerk be directed to send an enrolled copy of the same to the family of the deceased.

THOS. HICKENLOOPER,  
PAUL E. STILLMAN,  
GEO. W. CROZIER,  
*Committee.*

Adopted, January 28, 1909.

CAPT. JOHN H. LOUIS.

MR. SPEAKER—Your committee to whom was referred the matter of preparing suitable resolutions relative to the life and services of the late Captain John H. Louis, formerly an honored member of the House, beg leave to submit the following memorial:

John H. Louis was born November 21, 1841, in Snyder county, Pennsylvania. He died at his home at Harlan, Iowa, January 9, 1909. His childhood and youth were spent in Milwaukee, Wisconsin, where in the public schools of that city and in an academy, he received a liberal English education. In early manhood he returned to his native state and county, and in 1862 he volunteered his services to aid in the preservation of the union of states by enlisting in the 131st Pennsylvania Volunteer Infantry, Company F, in which company he served one year. He took an active part at South Mountain and at Antietam, was wounded at Parkersburg, and was discharged on account of disability. After he recovered he recruited a company for the 74th Pennsylvania Volunteer Infantry, Company D, and served first as Lieutenant, later as Adjutant and finally as Captain of Company C. Soon after the war closed he came west as far as Denison, Iowa; this city being the terminus of the Northwestern railroad at that time. From there he staged to Harlan and soon after arriving there made settlement on a piece of land in Cuppy's Grove, where he resided for several years, engaged in farming and teaching school. He served as a member of the board of supervisors; was four times elected auditor of Shelby county, was admitted to the bar to practice law, and was an honored member of the Twenty-fourth General Assembly. He was for many years identified with the administration of affairs in Lincoln township in his county. For years he served as a member of the school board of Harlan, and was the mayor of that city resigning said office only a few days prior to his death. In every official capacity he served his people with efficiency and honesty. He rendered to his state and nation distinguished services, both as a private and public citizen. He loved his home and family; he respected and had consideration for his neighbor, and it can truly be said that he fulfilled his mission on earth before starting on his long and last journey, and made the world better by his having lived. His private life was clean; his public record one of fidelity to his people, who honored themselves by honoring him. Therefore be it

*Resolved:* That a transcript of this resolution be spread upon the Journal of the House and a copy thereof sent to the deceased's family.

C. F. SWIFT,  
C. A. MEREDITH,  
G. W. KOONTZ,

*Committee.*

Adopted January 28, 1909.

HON. THOS. L. MILLER.

MR. SPEAKER—Your committee appointed to draft resolutions of respect to the memory of Honorable Thomas B. Miller, respectfully submit the following:

WHEREAS, The Honorable Thomas B. Miller, member of the Twenty-seventh and Twenty-eighth General Assemblies, departed this life on the fourth day of September, 1907, at Stanwood, Iowa, at the age of sixty-seven, having been a resident of Cedar county for forty-two years,

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

*Resolved:* That in his death the state and county in which he resided lost a worthy and upright citizen and an honest and honorable man; and we hereby extend to his bereaved family and relatives our heartfelt sympathy in their sorrow; and be it further

*Resolved:* That a copy of these resolutions be spread upon the Journal of the House and that the chief Clerk be directed to send an enrolled copy to the family of the deceased.

HIRAM DEWELL,  
W. D. DODDS,  
W. W. GOODYKOONTZ.  
*Committee.*

HON. LOUIS M. JAEGER.

MR. SPEAKER—Your special committee, appointed to draft resolution commemorating the life character and public services of the Honorable Louis M. Jaeger, respectfully submit the following report:

WHEREAS, The Hon. Louis M. Jaeger, member of the Twenty-seventh, Twenty-eighth and Twenty-ninth General Assemblies, departed this life on the 12th day of May, 1907, at Burlington, Iowa, at the age of forty-nine years. He was born, raised and resided in Burlington, Des Moines county, all his lifetime.

WHEREAS, The life and character of deceased were such as to entitle him to the respect and esteem of all who knew him—a man beloved by all for his generous and kindly heart, his sterling integrity and uprightness of life; therefore be it

*Resolved:* That in his death his family, to whom we extend our heartfelt sympathy, are deprived of a kind and affectionate husband, father and friend, his county and state of a worthy and loyal citizen, and the clerk of the House is hereby instructed to mail an engrossed copy of these resolutions to the family of the deceased and to enter the same on the Journal of the House.

HENRY RITTER,  
G. W. KOONTZ,  
JOHN B. SULLIVAN,  
*Committee.*

HON. JOHN H. JENNINGS.

MR. SPEAKER—Your committee appointed to draft suitable resolutions regarding the life, character and public services of John H. Jennings, deceased, a member of the House in the Eighteenth General Assembly, beg leave to submit the following:

WHEREAS, The General Assembly of the State of Iowa has learned with sorrow and regret of the death of the Honorable John H. Jennings, a former member of the House of Representatives, on November 5, 1908, at his home in Boone, Iowa, and it is desired to have properly entered on the record a public recognition of his life and service; be it therefore,

*Resolved:* That in the character of John H. Jennings, a pioneer, a citizen and a law-maker, we find exemplified the highest types of good citizenship and those virtues which are worthy of emulation.

He became a resident of Iowa in 1852 and lived to see the State of Iowa grow and develop, and rounded out his career of four score and four years keeping pace with the growth of the state at all times. A devout Christian, a fearless advocate of what he believed to be right, and withal an honest man, his memory will long be revered by his state, his friends and his neighbors. Be it further

*Resolved:* That a copy of these resolutions properly engrossed be duly authenticated by the officers of both Houses of the Thirty-third General Assembly, and sent to the members of his family.

W. W. GOODYKOONTZ,

C. A. MEREDITH.

G. H. SCHULTE,

*Committee.*

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HON. JOHN WILSON.

MR. SPEAKER—Your committee appointed to prepare suitable resolutions commemorating the life, character and public services of Hon. John Wilson, beg leave to submit the following report:

WHEREAS, The All-Wise Father of us all removed from this earth on October 4, 1908, John Wilson, an honored member of this House from Jackson county in the Eleventh General Assembly; and

WHEREAS, The life and character of the deceased were such as to entitle him in unusual degree to the admiration and respect of all who knew him; his attainments and his success so conspicuous as to be an incentive to all men to be upright, pure and true; and his service to the state and to his fellow men of so lofty character as to command the homage of mankind, and to entitle him to the "well done, thou good and faithful servant," which is the highest benediction of the Almighty; therefore be it

*Resolved:* That in his career, which had its origin near Glasgow, Scotland, in 1823, and the major portion of whose eighty-four years were spent upon the prairies of our own beloved commonwealth, we recognize a type of useful, helpful living which we deem worthy of recognition and of emulation; that we admire the indomitable courage with which he lifted

himself from humble beginnings to a position of influence which gave courage and hope to others; that we commend his unselfish devotion to public and private duties and his unwavering fidelity to the cause of right and justice; that we recognize those qualities of large-hearted generosity, of tender sympathy, of wholesome good cheer and consideration for others which made him a power for good over all with whom he came in contact; and be it further

*Resolved:* That in token of our appreciation of his well spent life these resolutions be spread upon the Journal of the House, and that the Chief Clerk be directed to forward engrossed copies of the same to each of his two surviving sons, as evidence of the high regard in which posterity holds the memory of their father.

PAUL E. STILLMAN,  
KARL J. JOHNSON,  
JAMES W. ELLIS,

*Committee.*

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HON. SAMUEL H. FAIRALL.

MR. SPEAKER—Your committee appointed to draft and present resolutions commemorative of the life, character and public services of the Hon. Samuel Husband Fairall, late a member of the House of Representatives in the Ninth General Assembly and in the Senate in the Twelfth, Thirteenth, Fourteenth and Fifteenth General Assemblies, beg leave to submit the following as their report:

Samuel Husband Fairall was born in Allegany county, Maryland, June 21, 1835. He was fifth in direct descent from Samuel Snowden, who was a member of Prince George's County Committee, to carry into execution the association of the Continental Congress. His ancestor, Richard Snowden, was Captain of the provincial forces, 1700 to 1703. After attending various academies he entered Washington College, at Washington, Pa., from which he graduated in June, 1855. Resolving to enter the legal profession at Iowa City, Iowa, he left Maryland and on October 1, 1855, he reached Iowa City. Mr. Fairall entered the office of William Penn Clark, to study law. Mr. Clark was Supreme Court Reporter at this time. On June 21, 1856, he was admitted to practice in the Supreme Court on a certificate signed by ex-Judge J. C. Hall, James Love, afterward Judge of the U. S. District Court, and Colonel Sam Marshall. In November, 1856, the young lawyer wedded Miss Ellen J. Workman, whom he wooed and won during his college days at Washington, Pa. They moved to the old homestead, east of Iowa City, in 1858, where they have since resided, raising a family of five sons and two daughters. There, a few years ago, Mrs. Fairall passed away. Leaving the law office of Mr. Clark, Mr. Fairall, in 1858, formed a partnership with Hon. J. B. Templin, one of the oldest and most prominent members of the bar. In 1861 he formed a partnership with Hon. Geo. J. Boal, until 1873, the firm becoming one of the prominent law firms of the west, having a large lucrative practice in state and federal courts.

After 1873 Mr. Fairall continued in the practice of law until elected Judge of the Eighth Judicial District in 1886. In 1890 he was re-elected. In that responsible position he made a splendid record, winning the highest commendation for judicial acumen and fairness from the practicing attorneys and received very few reversals of his decisions from the Supreme Court of the State. In December, 1893, he resumed the active practice of law and continued until the time of his death. As a lawyer, especially in the trial of many noted criminal cases in all parts of Iowa, he made a reputation which was not confined to his own state. He was eloquent and had that dramatic power and magnetism which impressed a jury with his extensive legal knowledge was combined enough humor to make his pleas in nearly every case successful. Among the brilliant and profound lawyers of Iowa, he will always be ranked among the leaders.

In 1861, Mr. Fairall became a candidate for the House of Representatives as a Douglass democrat and though the normal republican majority in Johnson county was six hundred, he was elected by twenty-seven majority. His colleague, Hon. Rush Clark, Speaker of the House, put him on the Judiciary, Corporation and other important committees. Several important acts were passed at this session and the records show that Mr. Fairall took an active part in their enactment. He declined a renomination, but in 1864, he was elected a member of the County Board of Supervisors, and served until 1866, as agent for the relief fund to provide for the needs of families of many of the enlisted soldiers of the Union Army who were destitute, he issued orders for \$8,000 more than the Board had fixed, but the generous action was condoned by the Board and never forgotten by "The Boys in Blue" and their families. Mr. Fairall was also largely instrumental while on the Board of settling the railroad bond of indebtedness of the county. In 1867 he was elected State Senator. In the Senate he was chairman of the committee to recommend many amendments to the practice act, which were adopted and are now part of the Code of 1897. In 1871 he was re-elected State Senator, though his opponent was the great republican statesman, Hon. S. J. Birkwood. It was largely due to his eloquent addresses and potent influence among his brother senators that legislative aid was given to the State University to establish the Law and Medical department, and the friends of that institution will ever remember the faithful work done for it by Senator Fairall. Though never a bitter partisan he was a prominent leader in his party, having been a delegate to the State Convention for almost fifty years. He presided at the State Convention which sent him as a delegate to the National Convention that nominated Horatio Seymour, for president in 1868.

Judge Fairall was for many years an active and efficient member of Trinity Episcopal Protestant church in Iowa City, Iowa, and one of its devoted and faithful vestrymen. The popularity of Judge Fairall among all classes of people was due to his genial, friendly disposition. His brother lawyers testified to his courtesy, his willingness to accommodate, his fraternal feeling. As one of Iowa's great lawyers his name will ever be prominent in the history of the state.

In the winter of 1874 the Iowa Senate appointed Senator Fairall a member of the committee to visit Northwest Iowa and investigate the conditions of the settlers brought to distress by the grasshopper affliction



of the previous summer. Northwest had reason to gratefully remember Judge Fairall. His sympathies were keenly aroused and he became a powerful friend in the hour of dire need. Adjutant General Baker engaged in organizing relief for those who were suffering for food and clothing. Senator Fairall encouraged the movement and heartily enlisted in the work to secure from the General Assembly an appropriation to purchase seed for the spring planting. The constitutionality of such an appropriation was questioned but Senator Fairall argued the point in a convincing speech and won the case for the settlers. The men and women who passed through that experience are rapidly diminishing, but they should keep green the memory of Sam Fairall and look to it that the survivors do not suffer forgetfulness. Judge Fairall stood high in his profession. He loved men and loved life. Even the poorest found in him a friend and helper, and his love for brothers, sisters, children and grandchildren was a genuine affection.

On March 8, 1909, Judge Fairall passed away at his home in Iowa City, one that he had occupied for over fifty years, and on March 10th he was quietly laid away to eternal rest in the family lot in beautiful Oakland. The Masonic fraternity, of which he was an honored member, being in charge of the ceremony, which was in accordance with the beautiful rites of the order. Peace to his ashes.

WHEREAS, His life, character and services to the state were such as to entitle him to the confidence and esteem of his fellow citizens.

*Resolved:* That in the death of this prominent citizen, his city, county and state has suffered the loss of an active, energetic and influential citizen and his family the loss of a kind and indulgent father.

*Resolved:* That we do hereby extend to his children and those near and dear to him our sincere sympathy in their hour of sorrow; and be it further

*Resolved:* That these resolutions be entered in the Journal and that the Chief Clerk of the House be instructed to mail an engrossed copy of these resolutions to the family of the decedent.

G. W. KOONTZ,

E. J. SANKEY,

JOHN B. SULLIVAN,

*Committee.*

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HON. WILLIAM O. SCHMIDT.

MR. SPEAKER—Your committee appointed to draft resolutions of respect to the memory of the Hon. William O. Schmidt, respectfully submit the following:

WHEREAS, The Hon. William O. Schmidt, a member of the House during the Nineteenth and Twentieth Assemblies, departed this life on the 8th day of August, 1908, at Davenport.

The subject of this sketch was born in Davenport, Iowa, on June 9, 1856, and resided in his native city during his entire life.

After his graduation from the State University of Iowa in 1877, he engaged in the practice of law at Davenport. He was elected as Repre-

sentative to the Nineteenth and Twentieth General Assemblies, and thereafter served his county as Senator for two terms. He at all times took an active interest in public affairs, and his advice and judgment was sought and heeded by his fellow citizens because of its sincerity and value. He took great pride in the material prosperity of his home city and his native State, and was at all times ready and anxious to contribute his time and means toward their welfare; and

WHEREAS, The life and character of the deceased was such as to command the respect and esteem of all who knew him; therefore be it

*Resolved:* That in his death his native state and county have suffered the loss of a worthy and upright son and that we hereby extend to his bereaved relatives and friends our heartfelt sympathy in their hour of affliction; and be it further

*Resolved:* That a copy of these resolutions be spread upon the Journal of the House and that the Chief Clerk transmit an engrossed copy thereof to the family of the deceased.

AUG. A. BALLUFF,  
G. W. KOONTZ,  
GEO. W. SCHEE,

*Committee.*

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HON. J. H. MACK.

MR. SPEAKER—Your committee appointed to prepare and present suitable resolutions respecting the life and public services of Hon. J. H. Mack, a member of the House in the Twenty-second and Twenty-third General Assemblies, begs leave to report the following:

The subject of this memorial was born in Guernsey county, Ohio, in 1837, and after residence in Indiana and Illinois, came to Madison county, Iowa, in 1857. He came up the river to Des Moines on a boat and landed near the mouth of Coon River. It was so wet and muddy that he traveled on foot from Des Moines to Grand River township, Madison county, Iowa. He was actively engaged in the practice of medicine for about twenty years, during which time he endured all the hardships and privations of the pioneer doctor. He also was engaged in the business of farming and acquired quite a number of farms in the community where he lived. He was very active in politics and during the last twenty-five years of his life determined the political affairs of the township where he lived. He was a veteran of the War of the Rebellion and served faithfully in the Forty-seventh Iowa Infantry until the termination of his enlistment. By reason of his energy and public spirit he laid out a town near the center of the civil township and by consent of all interested, it was named Macksburg in his honor. He was elected member of the House in the Twenty-second and Twenty-third General Assemblies and served on many important committees. During the latter years of his life he became deeply interested in the promotion of the Des Moines-Winterset-Creston Interurban Railroad. Although enfeebled in health by reason of age and the insidious ravages of an incurable disease, he spent the last years of his life to accomplish this object so dear to his heart, and it was because

of his exposure and nervous strain incident to the prosecution of this enterprise that his death was hastened. He died on the 16th of March, 1908, leaving a record of patriotic services which will ever be cherished by the remaining members of his family, by his associates in the State Legislature, and a wide circle of friends.

*Resolved:* That the foregoing memorial be entered on the Journal of the House and that an enrolled transcript of same be presented to his widow, Mrs. J. H. Mack, Macksburg, Iowa.

E. R. ZELLER,  
C. F. SWIFT,  
J. H. DERROUGH,  
*Committee.*

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HON. CHARLES ALDRICH.

MR. SPEAKER—Your committee appointed to prepare resolutions commemorative of the life, character and public services of Honorable Charles Aldrich, late a member of this House, beg leave to report the following memorial:

Charles Aldrich was born in Ellington, Chautauqua county, New York, October 2, 1828, of the stock of George Aldrich who migrated from Derbyshire, England, to Boston, Massachusetts, in 1631, arriving November 6th. His parents were Stephen and Eliza (Nicols) Aldrich.

He was educated in the rural schools of his native state and at Jamestown Academy which he attended for one year. In 1846 he entered the printing office of Clemment & Faxon, Buffalo, where he served an apprenticeship. He soon engaged in the newspaper field. He edited the Cattaraugus Sachem and Olean Journal. He moved to Iowa in 1857. He began his activities at Webster City, Hamilton county, as the founder and editor of the Hamilton Freeman. He was a strong force in the newspaper field of Iowa for almost the entire remainder of his life as the owner of or writer for newspapers and journals. He was at different times an editorial writer for the Dubuque Times and the Marshall Times and a special contributor to the Chicago Inter-Ocean and to many special journals particularly in the field of natural science. His most valuable writings are in the Annals of Iowa, Third Series, which he established and conducted as a branch of his work for the State of Iowa.

He had served as Secretary of the First Free Soil Convention in his native county at the age of 19. He was a partisan of the most vigorous type of his school from the day he reached Hamilton county. He was champion to men and measures embracing republican principles from the origin of the party.

He was Chief Clerk of this House by election in 1860, 1862, 1866 and 1870. He served as a member from Hamilton county by election in the Nineteenth General Assembly. He offered the first bill in the history of the state for the prohibition of free passes by railroads, and his words in behalf of the principle the bill advocated appeared in leading journals throughout the country. He induced the House of Representatives to

adopt the Calendar. Its advantages soon caused its use to become permanent and to be adopted by the Senate.

He secured the passage of a law in 1858 for the publication of all new laws in county newspapers. He originated the movement in 1860 to supersede county judges by boards of supervisors. He drafted the bills which became laws requiring publication of proceedings of boards of supervisors. The statute passed in 1870 protecting harmless and useful birds was drafted by him and passed through his influence. It is with some amendments our law today.

He was the force which caused the "Granger Law" of 1874 to yield to the Commissioner or Massachusetts system. His labors through special acts and resolutions to render aid to persons and propositions that ever await the hand of a friend to be put on the way toward just recognition are traditional in this House.

He made good his counsel in support of Lincoln, closed his newspaper office and went to the front. He was commissioned First Lieutenant and Adjutant of the Thirty-second Iowa Infantry. Efficiency marked his service. Never of strong physique, the service reduced his health so that a promotion to a captaincy was declined in July, 1863, and the next winter required his resignation and retirement from the field. His insight into all military matters from the hearthstone of the private soldier to the orders of commanders-in-chief, his sympathy and appreciation in every phase of war is apparent in the writing he did or caused to be done, the records he preserved and the monuments and memorials he did so much to create.

He procured the placing of a brass tablet in the Hamilton county courthouse, commemorative to the men of the Spirit Lake Expedition of 1857. He participated as a commissioner in marking the spot of the Spirit Lake Massacre. He was a commissioner for the erection of the monument marking the grave of Sergeant Floyd near Sioux City. He was foremost in agitating the compilation of a Roster of all Iowa soldiers.

He served as commissioner on behalf, first of the State of Iowa and then of the United States, to investigate and report on the titles of the famous controversy over the Des Moines river lands. He was much in the city of Washington in this business and there formed acquaintances with men and activities which now make famous the Capitol of our nation for its architecture, library and museum classics. It was here he acquired a passion and devised a plan to express his soul in a work for his state like that being done on a greater scale in Washington and foreign capitals, to bring home to the Iowa public that which it should, but might never travel far to study and to see.

Charles Aldrich was instinctively a collector of information. He traveled in Europe and through the American centers under the guidance of a craving for knowledge. This he absorbed through the power of what he termed museum initiation. Observing the exteriors and contents of cathedrals, museums, art galleries and capitols, he was driven to the books and to living authorities upon these creations with an almost ungovernable passion. What he experienced he felt was the state of mind of those among whom he lived. His hunger made him long to appease the appetites of others. He brought with him into his home his best selection

in art and letters. He was inspired as if with the touch or the sight of a man by the sight of his handwriting. It appealed to him with all that force with which the best evidence bears upon the judicial temperament.

He had thus in 1884 gathered about him a collection of documents noted throughout the country as an almost invaluable collection of autographs. A philanthropist by nature but modest of fortune he yielded to his impulse of putting into the hands of the people of Iowa all he had to give. So he presented his collection and offered his free services toward its installation in the state library and the further accumulation, conditioned upon their being properly preserved and displayed. The collection grew until 1888 the Legislature appropriated \$1,000.00 for the care and preservation of *objects* in literature, art and science which should be presented to the state. This was the first recognition by the state of the popular museum principle of education. The collection tended toward objects of a historical kind to such a degree that the second reunion of the Iowa Pioneer Law Makers' Association took notice of its value, called the attention of the legislature thereto and through a committee presented a resolution to both houses upon which an appropriation of \$3,000 was made by a unanimous vote, the bill directing the collection of documents, papers, etc., relating to the earlier days of our territory and state. The work being under the direction of the Trustee of the State Library, Mr. Aldrich was engaged by them to take charge. The Pioneer Law Makers made further appeal at its next session. Leading newspapers commended the enterprise, Governor Larrabee and Governor Boies in their biennial message complimented the work. A bill was introduced by Senator Gatch in the next General Assembly which passed that body with but fourteen adverse votes which were in the House, establishing a Historical Department, incorporating the Aldrich collection as a part of the work, creating the office of Curator with a tenure of six years and placing the work under the authority of the Trustees of the Iowa State Library. Mr. Aldrich was appointed Curator and that organization remained in effect during the remainder of Mr. Aldrich's life. In 1893 the Historical Department began the publication of *Annals of Iowa*, Third Series, under the direction of Mr. Aldrich, and the same has been continued as a quarterly publication. It has been devoted to two prime and invaluable objects, first collection and publication of direct testimony on men and events of Iowa's past, and, second an exchange medium for museum and library material.

At first quarters were assigned in the Capitol building. The Twenty-sixth General Assembly made a small appropriation looking to the beginning of a building for the accommodation of the Historical Department. What was called the west wing was completed in 1890 and the rest of the building except the rotunda and corridors was completed in 1907.

The activities that Mr. Aldrich inaugurated from time to time and which continued unabated, embrace the accumulation of works containing the data of state history, as files of Iowa newspapers and magazines, early territorial and state laws and documents, works of state and western history and biography, county histories, the publications of our religious bodies and educational institutions, and miscellaneous pamphlets.

Publications of neighboring states on similar lines, so far as it has been practicable to secure them in the way of exchange.

Official, state, national and general publications relating to the slavery question and the war for the Union.

Works relating to the Indian tribes of North America, but more especially to those in the valley of the Mississippi and its tributaries.

The publications of the United States census bureau from the foundation of the government, almanacs and other statistical works.

Works of American history, biography and genealogy.

Museum materials.

Manuscripts, autograph letters and portraits—an extension of "The Aldrich Collection," the original gift upon which the Historical Department was founded. Therefore be it

*Resolved by the House of Representatives of the Thirty-third General Assembly of Iowa:* That we cherish the memory of Charles Aldrich and his efforts to preserve and perpetuate the history of our state and nation, and his eminent public service.

That his unselfish devotion to the state made manifest in so many ways, is an inspiration which must at all times be helpful to future generations.

That as a recognition of these things and of the efforts of his whole career, it is ordered that these resolutions be spread upon the official record of the House, and a copy thereof duly signed by the officers be sent to the surviving members of his family.

Most respectfully submitted,

R. M. FINLAYSON,  
W. W. GOODYKOONTZ,  
A. V. PENN,

*Committee.*

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HON. JOHN L. DANA.

MR. SPEAKER—Your committee appointed to prepare and present suitable resolutions respecting the life, character and public service of the Hon. John L. Dana, late a member of this House in the Seventh General Assembly, begs leave to report the following:

The subject of this memorial was born March 25, 1826, near New Haven, Huron county, Ohio, and died at Nevada, Iowa, June 5, 1906. He spent his boyhood on a farm near Fremont, Ohio, attended Oberlin College, and also attended a law school at Cincinnati, was admitted to the bar and was married at Postoria, Ohio, February 16, 1854, to Harriett A. Davis. In the fall of the same year he moved to Iowa, locating first at Sigourney, in Keokuk, county. About a year later he moved to Marshalltown, and in April, 1856, he located finally at Nevada, where he ever afterward had his home. He early gained recognition in his pioneer community and in the election of 1857, he was elected to the General Assembly as representative for the counties of Story, Hardin and Grundy. In the session that followed the state located its "Agricultural Farm" in Story county and Mr. Dana was no doubt largely responsible for this splendid location.

In the years of the war he had a young family and did not go to the front but he was captain of a company of "Home Guards" and in everything that a patriotic citizen could do to forward the cause of the Union,

he was active and effective and prominent. In the years that followed he prospered in the law business and especially enjoyed the patronage and confidence of the old soldiers as their pension attorney.

Mr. Dana was a man of marked force of character and all through his active years he was a factor in his community, always striving for the upbuilding of the community and the betterment of his fellow man. He was singularly diligent in the matters to which he gave his attention and he was an example of uprightness to those about him. He was one of the earliest builders of the county and state; and for more than half a century was permitted to witness and aid the development of our commonwealth.

*Resolved:* That the foregoing memorial be entered upon the Journal of the House and that an engrossed transcript thereof be presented to the bereaved family of the deceased.

GEO. C. WHITE,  
F. C. DAVIDSON,  
*Committee.*

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DR. JOHN W. HAYDEN.

MR. SPEAKER—Your committee appointed to prepare suitable resolutions in commemoration of the life and public service of Dr. John W. Hayden submit the following report:

John W. Hayden was born on February 24, 1839, in Hamilton county, Ohio. His father was Rev. John Hayden, a pioneer Methodist minister, who in 1842 brought his family to Iowa and a few years later settled permanently in Jefferson county where the son grew to manhood and passed the years of his maturity.

When the Civil War broke out he promptly answered the call for volunteers by enlisting as a private on August 26, 1861, in Company F, Third Iowa Cavalry. He served three years as hospital steward. On the expiration of his term of enlistment he again offered his services to his country, but on account of physical disability was rejected.

He then prepared for his chosen calling. Having received the education afforded by the common schools and the Iowa Wesleyan University at Mount Pleasant, he entered the State College of Medicine at Keokuk and in 1866 was graduated from that institution. He located at Libertyville and there continued the active practice of his profession until about 1891 when ill health compelled him to retire.

On April 25, 1867, he was united in marriage with Miss Emily Bristol of New London who survives him. He died on January 12, 1909, at his own home in Fairfield where he dwelt the later years of his life.

He represented Jefferson county in the Eighteenth General Assembly, an honor borne by his father twelve years earlier in the Twelfth General Assembly. The confidence reposed in the father was no less worthily carried by the son. In his service he was free from ostentation but was ever careful and watchful of the interests of his district and state.

He was a brave soldier, a skillful physician and surgeon and a successful man of business. He was honest and courageous in dealing with both

the private and public duties that fell to his lot. He was a member of the Methodist Episcopal Church and led a consistent religious life. In all its aspects his life was useful to the community and state in which he lived. Therefore be it

*Resolved:* That as his life and character command our respect and esteem, we extend his wife and relatives and friends our sympathy in their sorrow and that this memorial be spread upon the Journal of this House and a copy of it sent his widow.

C. J. FULTON,  
S. H. BAUMAN,  
W. W. GOODYKOONTZ,  
*Committee.*

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HON. JAMES H. CRAWFORD.

MR. SPEAKER—Your committee appointed to draft resolutions upon the life, character and public services of Hon. James H. Crawford, an honored member of the Fourteenth General Assembly, beg leave to report the following:

WHEREAS, The Honorable James H. Crawford was born near Orleans, Orange county, Indiana, August 29, 1830. He was united in marriage to Mary A. Riley, January 8, 1852, moved to Jefferson county, Iowa, in March of the same year and came to Wayne county in the early part of the year 1853, where he and his good wife settled on a farm in Benton township, where they resided all their remaining days and where he departed this life on the 24th day of June, 1908; and

WHEREAS, He was very closely identified with the pioneer settlers of his community and in the early government of his county and state. He was elected treasurer of the county for the years 1854-5, a member of the county board of supervisors in 1866 and represented Wayne county in the Fourteenth General Assembly, and

WHEREAS, The life and character of the deceased were such as to command the respect and esteem of all who knew him; therefore be it

*Resolved:* That in his death the county and state have lost a citizen and a man whose life was above reproach; and be it further

*Resolved:* That we extend to his family and relatives, and to those nearest to him, our heartfelt sympathy and that a copy of these resolutions be entered upon the Journal of the House and the Chief Clerk be instructed to send a copy to the family of the deceased.

W. P. ALLRED,  
G. W. KOONTZ,  
J. D. ELLIOTT,  
*Committee.*

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HON. ELIJAH GLENDENNING.

MR. SPEAKER—Your committee appointed to prepare a memorial to the memory of the late Honorable Elijah Glendenning of Lineville who was a pioneer citizen of Wayne county and an honored member of the House



of Representatives in the Tenth and Sixteenth General Assemblies, beg leave to respectfully submit the following:

Dr. Elijah Glendenning was born in Rush county, Indiana, August 31, 1831. He was the son of John and Elizabeth Glendenning. His grandfather, Henry Glendenning, was a soldier in the War of 1812. His great-grandfather, being a native of Scotland and coming to America when a young man, was a continental soldier in the War of the Revolution.

Elijah Glendenning emigrated with his parents to Gentry county, Missouri, in 1841. He was reared on a farm, receiving his education at the country schools of his neighborhood and at Grand River College at Edinburg, Mo. After leaving college he was an itinerant minister of the Methodist Episcopal Church in Missouri for three years. He gave up his ministerial duties in 1853 on account of failing health. In March of 1856 he was united in marriage with Miss Lucinda J. Carlisle. He began the study of medicine with Dr. David Macey of Bethany, Mo. In the fall of 1856 he located in Lineville where he has since lived. He later read medicine under Dr. J. W. Burns of Pleasanton, Iowa. His preceptor having died, he was forced into practice before completing his medical course, but finally graduated from the College of Physicians and Surgeons at Keokuk, Iowa, in 1865.

Twice he was elected to represent Wayne county in the State Legislature; in 1864 to the Tenth General Assembly and in 1876 to the Sixteenth General Assembly. He was vice-president of the Farmers & Merchants Bank of Lineville from the beginning of the institution until the time of his death.

Dr. Glendenning answered the final summons at 6 o'clock Thursday evening, December 17, 1908.

"Ne'er to the mansions where the virtuous rest,  
Since their foundation, came a worthier guest  
Nor to the bowers of bliss was e'er conveyed  
A nobler spirit or a gentler shade."

Such in epitome is the story of Dr. Elijah Glendenning's life. But those who knew him best will not be content with so brief an outline as the biographer might be disposed to leave upon the records of the state.

Elijah Glendenning came to Iowa when the young state needed men who were energetic and had faith in her possibilities and from the day that his eyes first looked across the fertile prairies, he was content to take his chances with the goddess of Fame and Fortune. For nearly half a century he had been a conspicuous figure among his thousands of friends in this community with whom he had been intimately associated as a physician and a minister of the Gospel, in whose homes he was always welcome and had ever been a sympathizing friend and a wise counselor. And to all who knew him his stainless private and public life was an inspiration and his high character only to be emulated. To few men are given the opportunities of doing good as was given to Dr. Glendenning and fewer still who would have used them to their utmost so nobly and unselfishly. On all public questions and on matters involving the interest and welfare of the country and the community, he seemed to intuitively divine the right and his influence was widely felt. To those who were

seeking for truth and right, what Dr. Glendenning believed and said was enough for them and he was seldom wrong. He was an emphatic Republican and a partisan of the pronounced type and loyalty to his country was the dominating principle of his life. He was an honored Mason, having attained to the Royal Arch degree. He was a leader, counselor and trusted friend of all the people and he enjoyed the respect and held the confidence of the leading men of his county and state. In his ideal home he was the central figure, a gentle leader, guide and advisor, rather than the arbitrary master and his death was the rending of tenderest ties of love and affection and those who knew him best, loved him most.

"His life was gentle, and the elements  
So mixed in him that nature might stand up  
And say to all the world, 'This is a man.'"

*Resolved:* That the foregoing memorial be adopted by the House, entered upon the Journal and an engrossed copy thereof be sent to the family of the deceased, and further, that a copy thereof be sent to the Lineville Tribune.

W. P. ALLRED,  
WM. WELDEN,  
GEO. C. CALKINS,

*Committee.*

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HON. GREEN T. CLARK.

MR. SPEAKER—Your committee appointed to prepare and present suitable resolutions of respect to the life, character and public service of the Hon. Green T. Clark, late a member of the House in the Fifth, Sixth, Fifteenth and Sixteenth General Assemblies, beg leave to report the following:

Green T. Clark was born in White county, Tennessee, March 25, 1823. Moved with his parents to the State of Illinois in 1829 and to Lee county, Iowa, in 1834. In 1843 he moved from Lee county to Marion county, where he resided to the time of his death, November 20, 1908, aged eighty-five years, eight months and one day.

He was one of the first settlers of his county and like most of Iowa's pioneers began his career with but little means other than that brave spirit and untiring energy that characterized the pioneer men and women of our state.

A farmer by occupation, he at the same time took a lively interest in public affairs. He was elected assessor of his township at the first election held in his county, served some fifteen years as justice of the peace, and was for a number of years a member of the county board of supervisors. He served four terms as a member of the House of Representatives in the Fifth, Sixth, Fifteenth and Sixteenth General Assemblies, and without seeking distinction as a legislator or political leader he discharged the duties of the office with honesty and fidelity to his constituents and to the public, and was at all times and under all circumstances an honest, sincere and faithful public servant.

He was an earnest, active member of the Methodist church, a christian in the highest sense of the term, a man of unquestioned integrity, whose upright character and kindly heart won the esteem and affection of all who knew him.

His days were lengthened beyond four score years, and he left to his family that richest of all heritages, the example of an honest, sincere and noble life.

*Resolved:* That the foregoing memorial be entered upon the Journal of the House, and that an engrossed copy be presented to the bereaved family of the deceased.

GEO. W. CROZIER,  
S. H. BAUMAN,  
THOS. HICKENLOOPER,  
*Committee.*

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HON. ANTON LIMBACK.

MR. SPEAKER—Your committee, appointed to prepare and present resolutions commemorative of the life, character and public services of the Hon. Anton Limback, begs leave to submit the following report:

The subject of this memorial was born at Wheeling, West Virginia, May 18, 1834, of sturdy German parentage. At the age of ten years he moved with his parents to Washington county, Pennsylvania. He attended school for a number of years and grounded himself by a good education. He early learned the traits of industry and at the age of twenty-one engaged in the mercantile business. After two years in such business in Pennsylvania, he moved to Iowa in 1857 and located in Dubuque county. He commenced farming and after two years devoted to this work he returned to his old love and again engaged in the mercantile business and in connection therewith, the grain and live stock business in the town of Dyersville. He operated the business continuously from 1860 till 1897, when he retired to enjoy his declining years in ease and comfort.

During all these years, Mr. Limback devoted his best energies and talents to the upbuilding of his city and the community. He was one of the true and valiant pioneers of those early days, whose labors have so materially contributed to the greatness and grandeur of our commonwealth. He was identified with every movement tending to the betterment of his city and for a number of years was an influential member of his city council.

Recognizing his worth and ability, the people of Dubuque county elected him to the Legislature and he served with honor and distinction the people of his county and state in the Twenty-second General Assembly.

The subject of this tribute was truly one of the distinguished pioneers of Northeastern Iowa to whom we owe so much. He never betrayed a confidence reposed in him. He was determined in his convictions but tempered it all with an abundance of charity and good will. He did not live out the allotted time of man of three score and ten years, but his years were filled with usefulness to his fellowmen, of love of his country and his state and of devotion to his wife and family.

He was married April 28, 1863, to Miss M. J. Bostford, a native of Connecticut, and she with four children survive him. His family have reflected the splendid traits of the deceased and honor his name by their high standing and clean character.

The life, character and public services of this man were such as to command the respect and admiration of all who knew him; therefore be it

*Resolved:* That in his death the state has lost a citizen of worth and whose every act was above reproach; and be it further

*Resolved:* That we extend to his family and relatives our sincere sympathy and that a copy of these resolutions be entered upon the Journal of the House and that an engrossed copy thereof be presented to the bereaved family of the deceased.

HENRY TEGELER,  
ELI C. PERKINS,  
F. A. O'CONNOR,

*Committee:*

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HON. LOUIS P. HOLLINGSWORTH.

MR. SPEAKER—Your committee appointed to draft suitable resolutions on the life, character and public services of Hon. Louis P. Hollingsworth, an honored member of the Ninth General Assembly, beg leave to report the following:

Louis P. Hollingsworth was born in Columbiana county, Indiana, March 5, 1831, and died in Des Moines, Iowa, December 27, 1908, at the ripe age of seventy-seven years, nine months and twenty-two days. Mr. Hollingsworth grew to manhood at Salem, Ohio, where he learned the cabinet maker's trade. By birth he was a Quaker, and early in life was interested in the agitation of abolition of slavery. His birth and his early education taught him peace, but he became a speaker in the cause of abolition of slavery and was connected with the underground railroad system of those times.

In 1854, he left his native state and came to Iowa, spending the winter of 1854 and 1855 in Iowa City. There by virtue of his trade, he helped at the finishing of the dome of the old state capitol. A little later in life he moved to Keokuk county, Iowa, and engaged in agricultural pursuits. On September 28, 1859, he was united in marriage to Hannah C. Fawcett at Salem, Ohio, whom he brought to his adopted state of Iowa. Always active in public questions, he became the leader of his party, and was elected a member of the Ninth General Assembly from Keokuk county. Following his term in the Legislature, he became treasurer of his county and in 1870, moved to Sigourney where he resided until 1891. In that year he moved to Des Moines where he resided until the time of his death.

With him the interests of church, home and education were paramount, and he was ever ready to sacrifice to the uttermost for their advancement. His quiet, modest life will always be an inspiration of those within the circle of his acquaintance.

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

W. L. ETTER,  
S. V. PENN,  
JOHN B. SULLIVAN,  
*Committee.*

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HON. JOSIAH T. YOUNG.

MR. SPEAKER—Your committee appointed to prepare and present suitable resolutions respecting the life, character and public service of the Hon. Josiah T. Young, would respectfully submit the following report:

Josiah T. Young was the eldest son of John and Rachel Titus Young, and was born in Johnson county, Indiana, February 25, 1831.

While the subject of this sketch was a mere boy he removed with the family to Warren county, Illinois, and in 1846 removed from Warren county, Illinois, to Kiskekosh county (now Monroe county), Iowa, in which county he made his home until his death, on November 11, 1907.

He enlisted in the Union Army in 1862 as a volunteer in the Thirty-sixth Iowa Infantry, and served his country in a brave and efficient manner for three years, and was, for several months a prisoner of war in the prison at Tyler, Texas, during which time his health was impaired by disease, and he remained a sufferer from the effects of disease contracted in this terrible prison pen as long as he lived.

Upon his return home from the war he was elected by the people of his county to the office of clerk of the district court, and was twice re-elected to this position.

In 1872 he was elected to the high office of Secretary of State for the State of Iowa, and was twice honored with re-election to this office. In 1880 he was elected mayor of Albia, and in 1890 was elected a Representative in the General Assembly of Iowa.

He was married to Miss Christiana Burns Potts, on November 14, 1851. From this marriage ten children were born, four of whom are still living, to-wit: Fletcher W. Young of St. Louis, Mo.; David W. Young of St. Louis, Mo.; Ellsworth Young of Chicago, Ill; and Edward B. Young.

Mrs. Young departed this life in 1898.

In 1901 he was married to Miss Jennie Heppell of Albia, Iowa, who was a true and devoted companion until his death.

Mr. Young was a member of the Presbyterian Church, and lived an upright, conscientious christian life and had the confidence of all who knew him.

He was an active and loyal Republican, and was a familiar figure at all gatherings and conventions of the Republican party as long as his health and strength would permit.

WHEREAS, In the death of Hon. Josiah T. Young, the State of Iowa has lost an honored, influential and upright citizen, a faithful, conscientious and upright christian man, one who in the dark days of the Rebellion proved himself a brave, efficient and faithful soldier, and in the various

positions of public trust which he occupied, honored by the faithful performance of his public duties, not only himself, but the people of his county and state, as well; therefore be it

*Resolved:* That we extend to his family our sincere sympathy in their sorrow and affliction; and the Chief Clerk of the House is hereby instructed to transmit an engrossed copy of these resolutions to the bereaved family and to enter the said resolutions upon the Journal of the House.

THOS. HICKENLOOPER,

W. P. ALLRED,

I. T. DABNEY,

*Committee.*

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HON. SAMUEL A. FEAY.

MR. SPEAKER—Your committee appointed to prepare resolutions relative to the life, character and public service of Samuel A. Feay, an honored member of the Thirty-second General Assembly, beg leave to report as follows:

Samuel A. Feay was born at Point Marion, Fayette county, Pennsylvania, January 7, 1852. Of German-Scotch parentage. He died at his home in Rock Rapids, Lyon county, Iowa, February 27, 1909.

At the age of four years he removed with his parents to Clayton county, Iowa, where his childhood and youth were spent on a farm and in attending the country district schools, which were supplemented by attendance of one term at Upper Iowa University at Fayette.

He was married to Sarah F. Gray, February 13, 1879, in the spring of which year he removed to Lyon county, Iowa, where he settled upon a farm which he occupied until the spring of 1892, when he took up his residence in Rock Rapids, where he has since resided.

He served as county auditor of Lyon county, Iowa, for a number of years. Was a member of the school board of Rock Rapids. He was a member of the Independent Order of Odd Fellows, Knights of Pythias and was also connected with the Modern Woodmen of America and the Yeomen.

He was elected to the Thirty-second General Assembly as a Representative of Lyon county. His record in this session, which is noted for the passage of many conservative reform measures, is one of fidelity and devotion to the interest of his constituents. He was an active advocate of every good cause. With him the interest of the home, school and the church were paramount. His simple life was full of devotion to right thinking and right living and his memory should be an inspiration to those within the circle of his acquaintance.

*Resolved:* That a transcript of this memorial be furnished to the family of the deceased and a copy thereof be spread upon the Journal of the House.

H. S. BOOMGAARDEN,

G. W. KOONTZ,

C. F. SWIFT,

*Committee.*

HON. WILLIAM S. WARNOCK.

MR. SPEAKER—Your committee appointed to prepare resolutions commemorative of the life, character and public service of the Honorable William S. Warnock, late a member of this House, respectfully submit the following memorial:

The Hon. William S. Warnock was born in Beaver county, Pennsylvania, June 2, 1824, located in Iowa in 1855 at the town of Pleasant Plains (now Pleasanton), Decatur county, where he practiced law, residing there until 1872, when he removed to Davis City and engaged in the mercantile business. He was a soldier in the Civil War, serving in Company C, Forty-eighth Iowa Infantry Volunteers, and was honorably discharged October 21, 1864. He was a member of the Seventeenth General Assembly, representing Decatur county. His record is one of intelligent fidelity to his constituency, which honored itself by honoring him. He was married October 2, 1856, to Miss Sarah Davis. Five children were born to them. His widow and three daughters live to mourn his death, which occurred at his home near Davis City, Iowa, January 23, 1907.

*Resolved:* That in his death, the state and county in which he resided lose a worthy and upright citizen and an honest and honorable man; and we hereby extend to his bereaved relatives and friends our sincere sympathy in their sorrow and bereavement; and be it further

*Resolved:* That a copy of these resolutions be printed in the Journal of the House and that the Chief Clerk be directed to send an engrossed copy to the family of the deceased.

J. M. FENN,  
W. P. ALLRED,  
E. J. SANKEY,

*Committee.*

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HON. LLOYD SELBY.

MR. SPEAKER—Your committee appointed to prepare resolutions commemorative of the life, character and public services of the Honorable Lloyd Selby, late a member of the Senate in the General Assembly of Iowa, beg leave to respectfully submit the following memorial:

The Honorable Lloyd Selby was born in Licking county, Ohio, November 26, 1833. He came to Wayne county, Iowa, in the spring of 1856 and was married January 20, 1862. He was engaged in the general mercantile, produce and grain business in the town of Corydon for a period of nearly thirty years. He was indeed one of the pioneer merchants of the county, coming to the west as one of the advance guard of civilization. For this work he was abundantly equipped, with a strong body, a clear brain, a warm heart and an intellect, blended with a capacity to do great things. He was early conceded to be a leader among the citizens of his town and community on all questions or matters of public interest to them.

Lloyd Selby was a man of polished and dignified manner, yet he mixed freely with and was universally popular with all the people of his

county and many of the early settlers found in him a friend and one who willingly helped them when their need was great. Scores of these early settlers remember and recount with grateful hearts the many, many times that he relieved them in their extremity by extending to them credit until their crops could be marketed. He was noted for his liberality and support of every laudable enterprise for the public good. He built the first brick block on the public square in Corydon in the year 1875 when everything looked dark for the place and when it needed men of heroic mould and indomitable courage to go forward and exemplify to all of the people of the county his abiding faith in the future prosperity of his home town at a time when its destiny was being tested. And when the town was without a railroad, Lloyd Selby was the central figure around which clustered the future welfare of Corydon. He was with one accord elected president of the Wayne County Construction Company, which built the Missouri, Iowa & Nebraska Railroad from Centerville to Corydon, completing the same in the year 1879.

Lloyd Selby was elected State Senator from the Wayne-Monroe district in 1873, serving in the Fifteenth General Assembly of Iowa. He was a member of the Masonic order and a member of the First Methodist Episcopal Church of Corydon where he resided (with the exception of a very few years) as an honored and respected citizen, for nearly half a century. He answered the final summons at 9:15 Monday morning, April 2, 1906. Therefore be it

*Resolved:* That the foregoing memorial be adopted by the House and that we extend to his son, Mr. F. B. Selby, our sincere sympathy in his sorrow and affliction; and the Chief Clerk of the House is hereby instructed to transmit an engrossed copy of these resolutions to the bereaved family and to enter the same upon the Journal of the House.

W. P. ALLRED,  
J. H. DARRAH,  
E. J. SANKEY,

*Committee*

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HON. SAMUEL WRIGHT.

MR. SPEAKER—Your committee appointed to prepare and present suitable resolutions respecting the life, character and public services of the Honorable Samuel Wright, late a member of the House of Representatives in the Twentieth General Assembly, beg leave to report the following:

The subject of this memorial was born January 19, 1837, in Morgan county, Illinois, and at the age of eighteen emigrated to Wayne county, Iowa. He was one of the pioneer settlers of Wayne county and had much to do with the early government of the county. He was twice elected to the office of sheriff and served two full terms. He was elected to the office of Representative in the Iowa Legislature and served in the Twentieth General Assembly. He was probably, at one time, personally acquainted with more people than any other man in the county. In the years of his early vigor he was actively interested in any enterprise which promised to promote the welfare and enlarge the happiness of his people.



No man in Southern Iowa contributed more than he to the erection of schools. In all the avenues of activity in which he was engaged, his labor was conscientiously performed and every confidence reposed in him was faithfully redeemed.

In the year 1899 he moved to Beaver county, Oklahoma. He departed this life January 21, 1909, at Liberal, Kansas, and in compliance with an oft-expressed wish, he was buried at Ochiltree, Texas. Therefore be it

*Resolved:* That the foregoing memorial be entered upon the Journal of the House and that an enrolled transcript thereof be presented to the bereaved family of the deceased.

W. P. ALLRED,  
GEO. W. SWAN,  
C. F. SWIFT,

*Committee.*

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HON. NATHAN POTTER.

MR. SPEAKER—Your committee appointed to draft proper resolutions of respect in honor of the Honorable Nathan Potter, respectfully submit the following:

WHEREAS, The Hon. Nathan Potter was born in Hartford, Licking county, Ohio, on October 26, 1835, and died in Olin, Jones county, Iowa, on November 30, 1908, having arrived at the age of seventy-three years, one month and four days. In 1844, Nathan Potter came with his parents to Jackson county, Iowa, where he grew to manhood. He experienced all the hardships of a pioneer life, and by self-application and study at home he was enabled to teach in the common schools. On January, 1860, he was married to Clementine Demoss of Canton, Jackson county, Iowa. To this union, two children were born. In 1865, he moved to Jones county, near Anamosa, where he bought a farm and built a comfortable home, where he and his wife lived happily together until June 19, 1894, when Mrs. Potter died. Two years after his wife died he moved to Olin, where he has since resided. On November 9, 1899, Nathan Potter was united in marriage to Mrs. W. D. Hutton. The union proved to be a very happy one until the separation by death of Mr. Potter. Nathan Potter was converted to the Christian faith when a young man and took up the ministerial work near the time of his conversion. He was regularly ordained as a minister of the Christian Church in Clayton county, Iowa, in 1863, and continued in this profession until the time of his death. When he settled in Jackson township, Jones county, Antioch Church was in an unfinished condition and he did as much as any other to complete its structure. He held different township offices and was elected mayor of the city of Olin. He was elected as a member of the Twenty-fourth General Assembly and was an able and painstaking man who served his county and state with honor to himself and to his constituents. In politics as in religion, he was always the same broad-minded man and always respected the opinions of others. But when once convinced that he was right, or that the welfare of society or humanity was at stake, he never hesitated to assert his convictions. Mr. Potter was a Master Mason from 1869 up to

within a short time of his death and had been recently made a member of Mount Olivet Commandery of Anamosa. He was a man of great physical fiber but when the end came, it was sudden, and he died of paralysis without a moment's warning. So ends the life of an esteemed friend and an eminent citizen; such a life we should emulate.

*Resolved:* That in the death of Mr. Potter, the state and county in which he resided loses a worthy, honored and upright citizen, and that we extend to his bereaved wife and relatives our sincere sorrow and sympathy in their great loss and that an engrossed copy of these resolutions be spread upon the Journal of the House and that a copy be sent to bereaved family.

W. M. BYERLY,  
JAMES W. ELLIS,  
V. W. KENDALL,  
*Committee.*

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HON. JESSE KENNEDY.

MR. SPEAKER—Your special committee to prepare appropriate resolutions to commemorate the life, character and public services of the Hon. Jesse Kennedy, beg leave to submit the following report:

Jesse Kennedy was born in the year 1824 in Perry county, Pennsylvania. He grew to manhood in his native state. So far as we can learn he had no college education, but succeeded by his own efforts in obtaining a common school education that fitted him to take an active and influential part in the public life and development of each community in which he lived.

In 1861 he was a member of the Pennsylvania State Legislature, representing the counties of Perry and Cumberland. He was an Assistant Internal Revenue Collector under President Lincoln, and for more than ten years he was principal of the State Orphans' School at Mount Joy, Pennsylvania.

In 1876, Mr. Kennedy came west and invested in Iowa land, locating in Ida county, and two years later he moved his family and settled on a large tract of land south of Ida Grove, which soon became known far and wide as the Kennedy ranch.

Ida county at that time was almost an unbroken prairie without a railroad in the county, and he thus became identified with the real pioneers of this part of our great state. Mr. Kennedy at once rose to prominence, took an active part in all that stands for good government. He was active in church and religious life, and took a leading part in the public life of the community.

In 1884 he was elected to the State Legislature from the seventy-fifth representative district, consisting of Ida and Buena Vista counties. In this body he was chairman of the Committee on Normal Schools, and gave good service to the state, especially along moral and educational lines. He was the author of the prohibitory law that was passed at that session.

In his home life he was above reproach, a good husband, a kind and loving father, and in every way a man of whom it may be said he did nobly his part to make for good in the community in which he lived.

In 1888 he sold his Ida county interests and removed to Wichita county, Texas, where in association with some other Iowa gentlemen he organized and became president of the Iowa-Texas Land Company. This company bought a large tract of land and started the town of Iowa Park and located a colony of Iowa people. Here, too, Mr. Kennedy's natural ability soon gained him recognition. Twice he was a candidate of his party for the State Legislature, and was strongly urged to run for congress. He was a life long member of the Church of God, a Mason and an Odd Fellow.

He spent his last years at Iowa Park and here, on August 18, 1908, the call came and he closed a long life, well spent. Now therefore be it

*Resolved by the House of Representatives of the Thirty-third General Assembly:* That while we mourn at the death of this staunch old pioneer, we also want to call to remembrance the purity of his life and the noble qualities of mind and heart which raised him above the common run of men and made it possible for him to take such an influential part in the public life of these great states.

*Resolved Further:* That this memorial be printed in the Journal, that an enrolled copy be sent to his son, William Kennedy of Ray, Colorado, and to his daughter, Mrs. Eulalia T. Cleft of Point Loma, California.

S. M. CORRIE,

E. H. CUNNINGHAM,

H. C. SCHROEDER,

*Committee.*

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HON. JOHN H. KING.

MR. SPEAKER—Your committee appointed to prepare and present suitable resolutions commemorative of the life, character and public service of the Honorable John H. King, an honored member of the Seventeenth and Eighteenth General Assemblies, beg leave to submit the following report:

John Hereford King was born of Quaker parents, at Salem, Henry county, Iowa, October 3, 1845, and was reared on the homestead entered by his father where the town of West Branch now stands. The common schools of the locality furnished the source of his early education, which was supplemented by a short course in a private academy. At the age of twenty-one years, on the 20th of September, 1866, he was married to Miss Permelia A. Andrews, and began farming on his own responsibility locating on a tract of land in Hardin county. He taught school during the winter months and began the study of law in 1869 under the direction of Hon. H. L. Huff, of Eldora, and was admitted to the bar in 1870, opening an office for the practice of law in Hampton in 1872. He was elected Representative from Franklin and Cerro Gordo counties in 1877 and re-elected in 1879, serving his district and state with distinction and was active in shaping legislation during this period. His work as a legislator was invaluable and in some respects, at least, he held views in advance of his fellows. The Board of Control idea originated with him for in the year 1880 he prepared and introduced House File No. 73, in which was incorporated practically the same ideas that were enacted into law eighteen years later. In 1881 he removed to Chamberlain, Dakota, and soon became

a prominent figure in the development and upbuilding of this splendid new empire. He was a leader among the pioneers and a most public-spirited citizen. In 1899 he removed to Huron, South Dakota, and made that place his home until the time of his death, April 4, 1906. He was chosen Railroad Commissioner in 1889, and served four years in that capacity. He was greatly interested in the development of the agricultural interests of the state and was president of the State Board of Agriculture for two years previous and at the time of his death. He always opposed strife and contention but could not be diverted from his purpose when a principle was at stake regardless of consequences to himself. In the words of a close friend, "He was unselfish to a degree that was measureless. He loved his home, the home circle and his friends. Now that he has gone from us, his many kind acts, and his great usefulness to the city in which he made his home, and to the state, whose praises he never tired of singing, will never be forgotten. He was a good man measured from every standpoint and his like we shall not soon meet again."

*Resolved:* That the foregoing memorial be recorded in the Journal of the House and the Chief Clerk be instructed to send an engrossed copy to the family of the deceased.

N. W. BEEBE,  
CHAS. L. MARSTON,  
CHAS. W. MILLEB,

*Committee.*

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HON. CHAS. LINDERMAN.

MR. SPEAKER—Your committee appointed to prepare and present suitable resolutions respecting life, character and public services of the Honorable Charles Linderman, late a member of this House in the Eleventh, Twenty-fourth and Twenty-fifth General Assemblies, beg leave to report the following:

The Hon. Charles Linderman was born near Bloomingburg, Orange county, New York, February 4, 1829. He received a common school education in an academy of that state, and in 1851 entered Hamilton College, at Clinton, New York, from which institution he was graduated in 1854. The following year he spent in teaching. In the fall of 1855 he came to Scott county, Iowa. In the spring of 1856 he removed to Nebraska Territory, and that season assisted the government surveyors in establishing the sixth principal meridian. In November of the same year he located in Sidney, Fremont county, Iowa. In April, 1859, he arrived in Page county, and made his home in Clarinda, where he continued to reside until the day of his death, which occurred April 15, 1907, a period of forty years.

In August, 1863, he resigned the office of clerk of the courts and enlisted as a private in Company A, Eighth Iowa Cavalry. He was elected Second Lieutenant of his company and was mustered to active service at Davenport and remained with his company, engaged in the duties of an officer, until it was mustered out of service at Clinton, Iowa, in September, 1865.

On his discharge he immediately returned to Clarinda and at the ensuing election was chosen as a member of the Eleventh General Assembly.

In the fall of 1866 he was elected clerk of the Supreme Court of Iowa and continued in that office for eight years. In January, 1875, he purchased an interest in the First National Bank of Clarinda which, with changes in business, is now known as the Page County State Bank, of which he was president at the time of his death.

Mr. Linderman was again, in 1892, elected by the people of his county as a member of the Legislature, and served in the Twenty-fourth and Twenty-fifth General Assemblies, serving on many important committees.

From the time of Mr. Linderman's arrival in Clarinda to the day of his death, he was actively identified in the upbuilding and development of his home town and county; a kindly, generous and gentlemanly man, appreciated and trusted by all who knew him. He was ever willing and ready to assist in every laudable undertaking, and was respected and esteemed by his fellow citizens. His acquaintances became his friends and he retained their confidence to the end.

Mr. Linderman was a prominent Mason, a member of the Loyal Legion, of Warren Post No. 11, G. A. R.; a member of the Knights of Pythias and Odd Fellows fraternities, and through his political, business and social connections, he had an extensive acquaintance throughout the state.

His wife, Mrs. S. E. Linderman, and his only child, Mrs. F. L. Blair of Creston, Iowa, survive him.

*Resolved:* That in his death his family, to whom we extend our heartfelt sympathy, is deprived of a kind and affectionate husband and father, county and state of a worthy and loyal citizen. The Clerk of the House is hereby instructed to mail an engrossed copy of these resolutions to the wife and daughter of the deceased, and to enter the same on the Journal of the House.

J. D. ELLIOTT,  
W. P. ALLRED,  
A. V. PENN,

*Committee.*

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HON. HENRY A. BAKER.

MR. SPEAKER—Your committee appointed to prepare and present suitable resolutions in commemoration of the life, character and public services of the Honorable Henry A. Baker, late a member of this House in the Seventeenth and Eighteenth, and of the Senate in the Nineteenth and Twentieth General Assemblies, respectfully submits the following:

Henry A. Baker, the eldest of six sons of Honorable William H. Baker, late a member of this House in the Ninth and Ninth Extra sessions of the General Assemblies of Iowa, was born in Crown Point, Essex county, New York, June 10, 1842, and died October 22, 1908, at his home in Sioux City, Iowa.

He came west with his father's family in 1859, and with them settled on a farm, two miles south of Castalia, Winneshiek county, Iowa. In 1862, he entered college at Upper Iowa University, where he remained for two

years, and in 1864 attended the Eastman Business College at Poughkeepsie, New York, and was duly graduated therefrom.

In March, 1886, he was married to Eliza J. Webster of West Union, Iowa, and in the same year in connection with his brother, engaged in a general mercantile business in Ossian, Iowa, where he remained until 1887, when the firm sold out and he spent the next two years in Southern California. In 1892 he settled in Sioux City, Iowa, and established the manufacturing firm of H. A. Baker Co., with which he was actively identified up to the time of his death.

Such, in brief, is the record of his private life.

It takes no note, however, of the kindly, genial, companionable, lovable man as he appeared to his intimate friends or of his interest in and influence upon the larger affairs of public concern.

Always an ardent Republican, he was called to represent his county in the House of Representatives in the Seventeenth and Eighteenth General Assemblies, and immediately following, he represented his district in the Senate in the Nineteenth and Twentieth General Assemblies. In both of these positions, he discharged the duties imposed thereby faithfully, honorably and well. Those who knew him best, knew him to be the soul of honor and as a prince among his fellows.

His hand and heart were ever open to the plaint of the unfortunate, the weary and heavy laden, and the weight of his influence was always exerted in the uplift of society and its benefactions. He was ever prominently identified with every enterprise which promised to promote the welfare or to enlarge the happiness of his people. He was a man of ripe judgment and his mind was stored with the fruits of wide and varied study and this he brought into happy use in his daily walk and conversation and in connection with his work as a legislator.

His physical and mental stature were of large proportions, and being endowed by inheritance with a rugged constitution, he gave promise of passing the three score and ten milestone of life by many years. But the arbiter of fate willed otherwise and we can but say "Thy will be done." Now, therefore, be it

*Resolved:* That this House has learned with deep sorrow and regret of the death of the Honorable Henry A. Baker, and takes this occasion to testify to its appreciation of his unsullied character and moral worth, both as a citizen and legislator and hereby extends to his family its sincere sympathy in this their hour of sorrow and bereavement. Be it further

*Resolved:* That these resolutions be spread upon the Journal of the House, and that an engrossed copy duly authenticated be presented to the members of his family.

P. M. JEWELL,  
W. S. HARDING,  
W. LARRABEE JR.,

*Committee.*

Adopted February 16, 1909.

HON. JACOB JEWELL.

MR. SPEAKER—Your committee appointed to prepare and present suitable resolutions in commemoration of the life, character, and public service of the Honorable Jacob Jewell, late a member of this House in the Twenty-third and Twenty-fourth General Assemblies, respectfully submits the following:

Jacob Jewell, the subject of this memorial, was born November 4, 1825, in Knox county, Ohio, and died November 15, 1908, at his home near Decorah, Iowa.

He grew to manhood's estate on a farm, attending the rural schools in winter and working on a farm during the summer months. He was married to Emily Headington, February 27, 1849, and the following spring moved to Wyandotte county, Ohio, where he remained until the spring of 1850, when he emigrated to the West, locating in Winneshiek county, Iowa, where he continued to reside up to the time of his death.

The subject of this memorial was a man of strict integrity and noble purpose and gained the confidence of the community in which he lived to such a degree that he was called to fill many places of public trust. He served for several terms on the board of supervisors and this led him into a broader field of political activity.

Always a staunch Democrat, in 1889 he received the nomination of his party for the office of Representative, and was elected to the Twenty-third, and later to the Twenty-fourth General Assemblies over an ordinarily overwhelming adverse majority. In every undertaking in which he was engaged, his labor was conscientiously performed and every confidence reposed in him was faithfully redeemed.

The years of his earthly life were over eighty and three and they were full of efficient service and the county of Winneshiek and the State of Iowa are better for his having adopted them as his own; therefore be it

*Resolved:* That the foregoing memorial be adopted by this House, and entered upon the Journal thereof and that a properly engrossed copy, duly authenticated by the Speaker and Clerk of the House, be sent to the members of his family.

P. M. JEWELL,  
J. H. DERROUGH,  
HERMAN KULL,

*Committee.*

Adopted February 16, 1909.

HON. WILLIAM HARPER.

MR. SPEAKER—Your committee appointed to prepare and present suitable resolutions respecting the life, character and public service of the Hon. William Harper, an honored member of this House in the Third and Thirteenth General Assemblies, beg leave to report the following:

William Harper was born in Ross county, Ohio, November 3, 1819, and came to Des Moines county, Iowa, in October, 1842, where he purchased a farm in Yellow Springs township, and was at once recognized

as a leader in pioneer good citizenship, a zealous church worker and promoter of educational affairs of the community. For seventy years he was an active member of the Presbyterian church, and after fifty-four years as Elder was retired and made Elder Emeritus. In 1856, and again in 1876 he was sent by the Presbytery of Iowa as a delegate to the General Assembly of the United States. He was ever found ready to give unsparingly of his talent and means for the advancement of Christianity.

At the early age of nineteen he began school work. He, with a brother, taught the first large select school in the city of Burlington. For six years he served as county superintendent of schools of Des Moines county. He was one of the founders of the Jefferson Academy, afterwards Yellow Springs College, and was president of the board of trustees during its existence. He was also a member of the school board of Mediapolis. During the War of the Rebellion he was appointed recruiting officer or agent and enlisted many hundreds of men, thereby avoiding a draft in Des Moines county, which seemed imminent at the time. He was commissioned a notary public by Gov. George Hempstead in 1850. In 1850 he was elected a member of the Third General Assembly of Iowa. Again in 1870 he was elected to the Legislature where he distinguished himself as a leading member, serving on many important committees, and was chairman of the Committee on Schools. In 1877 upon his removal to Mediapolis he assisted in organizing the State Bank of Mediapolis of which he was president. It is said that he was executor or administrator of more estates than any other man in Iowa.

On August 7, 1844, in Ross county, Ohio, Mr. Harper and Miss Harriet (Ware) Heizer were united in marriage; of this union one child, a daughter, Lurissa Jane, was born.

Mr. Harper passed from this life on December 31, 1908, and was laid to rest in the Kossuth cemetery beside his wife who passed away several years ago. He left to mourn his loss two brothers, John of Mediapolis and Robert of Manhattan, Kansas, a niece, Miss Nellie Heizer, seven grandchildren and nine great-grandchildren.

William Harper was a man of positive character, but his convictions were tempered with conservatism. He was a peacemaker who arbitrated with most absolute justice. He lived a beautiful life, and those who knew him well remember his kind and sympathetic words and deeds, and by his death we all, and especially the young people, have lost a kind friend and true advisor.

*Resolved:* That a copy of these resolutions be entered upon the Journal of the House and that the Chief Clerk be directed to send an ingrossed copy to the family of the deceased.

WILLIAM D. DODDS,

WM. LARRABEE JR.,

E. H. FOURT,

*Committee.*

Adopted February 2, 1909.



HON. JOHN RUSSELL.

MR. SPEAKER—The committee appointed by you to draft resolutions commemorating the pure life and character and the public life of our esteemed statesman, Hon. John Russell of Jones county, Iowa, we respectfully submit the following resolutions to your honorable body:

John Russel of Jones county, Iowa, was born in the county of Fife, Scotland, on the 8th day of October, 1821, and died at his home near Onslow, Iowa, October 10, 1908, aged 87 years and two days. When Mr. Russell was nine years old his mother died leaving four children, all boys of whom he was the second youngest. With the mother gone as is often the case, families are often scattered and sometimes see great hardships, but his father managed to keep this family of small children together, taught them to read and write and furnished them with all the suitable books his limited means would allow. Was very fond of Scotch writers, Burns and Sir Walter Scott, the latter being his favorite. About the time Mr. Russell became a man there was great agitation of the Reform Bill in Great Britain and he was always to be found advocating measures of the common people gainst those of bigoted aristocracy.

To convince the people of his way of thinking he would often refer them to the happy and prosperous republic across the Atlantic. Having always loathed and abhorred artsiocatic tendencies he could not remain in Great Britain longer. He wanted to see complete political rights restored to the common people. With the spirit of liberty burning in his breast he determined to sail to this great Republic. On the 28th day of April, 1842, he sailed from Liverpool and landed in New York on the 28th day of May of the same year. Shortly after his arrival he moved to Columbiana county, Ohio, where he became acquainted with his wife, Margaret Feehan, and were united in the bonds of holy matrimony. A bright and respectable family of four children was the result of this happy union, three boys and one girl, all who are living. Mr. Russell came to Jones county, Iowa, in 1852 and bought from the government the farm on which he has lived all these years. He preferred farm life to that of the crowded city. He was a tiller of the soil.

A few years after Mr. Russell's arrival in this county the slavery question was being agitated by the two great political parties, the democratic and the republican parties. Mr. Russel espoused the cause of the latter and gave this party his loyal support during the great conflict of the Civil War.

His service to his country and state commenced in 1860, when he was elected supervisor of Jones county and afterwards chairman of the board. He filled this position with honor to himself and his party. Shortly afterwards he was elected to the House of Representatives and served during the Ninth, Tenth, Eleventh and Thirteenth General Assemblies. He was elected Auditor of State and served from 1871 to 1875. He was elected Senator during the Eighteenth and Nineteenth General Assemblies. In 1864 he was mustered into the service as a soldier of the Civil War and was one of the defenders of the Nation until the close of the war.

As a member of the House he was one of its most active and valuable members. By his honest methods and courteous ways he soon became

beloved and was elected Speaker. He possessed all the requirements of a good parliamentarian and his aim was to do justice to all, to rule impartially on all questions that might arise.

When Congress donated to Iowa the grant of land that now contains the Iowa State College at Ames, very few people ever dreamed of the possibilities of this great college. As in all great public enterprises there is always some opposition. But as chairman of the board of trustees and building committees he showed a vigor and foresight that has seldom been equaled in the management of our state institutions. He wielded great power in the House of Representatives and this power was always for the right. By his integrity and honesty he received the name of "Honest" John Russell, and was known by this name until his death.

After eight years of service in the House he was elected Auditor of State and held this office four years. He made a very efficient and painstaking Auditor and was one of the leading republicans of the state, as well as the most popular. His friends urged him to become a candidate for Governor of this great state, but after a spirited contest, his old friend, Governor Kirkwood, with his great reputation as "War Governor" defeated him, but it left no political wound. He again returned to private life on his farm in Jones county. His friends of Jones and Cedar counties wanted a strong man for the state senate. Honest John was their choice, was elected and served during the Eighteenth and Nineteenth General Assemblies.

We believe it was he, more than any other, who laid the foundations of the Iowa State College at Ames, one of the greatest educational institutions of its kind in the civilized world.

It was through his influence that the State Reformatory at Anamosa, Iowa was built.

What man in the state of Iowa has done more and done it honestly? He was a generous friend and neighbor, a pure and noble husband, a kind father and a christian of the Presbyterian faith. Honest with his neighbor, honest with his family, honest with his country and honest with his God.

*Resolved by the House of Representatives of the Thirty-third General Assembly of the State of Iowa:* That in the death of our distinguished friend and stateman, John Russell of Jones county, is a loss that we greatly feel, and we extend our sympathy to his children and the aged widow, Margaret Russell, who has been his companion during all the years of this successful life, and be it

*Resolved:* That a copy of these resolutions be spread upon the Journal of the House and that the Chief Clerk be directed to send an enrolled copy to Margaret Russell at Onslow, Iowa.

W. M. BYERLY,  
HIRAM DEWELL,  
ELI C. PERKINS,  
Committee.

Adopted January 26, 1909.

## HON. OLIVER MILLS.

MR. SPEAKER—Your committee appointed to draft resolutions upon the life, character and public services of Hon. Oliver Mills, an honored member of the Fourteenth General Assembly, beg leave to report the following:

WHEREAS, Hon. Oliver Mills, a pioneer settler of southeastern and later of southwestern, Iowa, who was born in Trumbull county, Ohio, on the 2d day of February, 1820, departed this life at his home in Lewis, Iowa, on the 6th day of July, 1907, and

WHEREAS, The unique character of this sketch, at the age of about thirty years, removed from the county of his birth to Denmark, Lee county, Iowa, where he resided for some seven years, when he removed to the county of Cass where he was destined to live a long and eventful life, and where for fifty years his life and energies were actively devoted to the up-building of a great state. In early life he was a member of the Presbyterian church, but the latter part of his earthly existence was devoted to his Master's cause as a loyal and consistent member of the Congregational denomination. He was a prominent member of the Masonic fraternity, and took a deep interest in all public enterprises and human affairs which had for their object the ennobling of human character and the betterment of his fellowman. As an honored member of the Fourteenth General Assembly of this state, his record as a painstaking and wise legislator is an open book. In politics he was a Republican who looked upon his party as an instrument for the advancement of good government among the people. For eight years he was a member of the board of trustees of the Agricultural college, during four of which he was its treasurer; for three years he was president of the State Agricultural society, and a director thereof for some twenty years; was also for many years president of the Cass County Fair association; was for three years mayor of his home town of Lewis, and was the recipient of many honors official in minor positions, in all of which he acquitted himself in all things with much credit and honor. In 1861, there marched bravely from the loving home circle of this patriotic citizen and devoted husband and father, three stalwart young sons, down into the ranks of those who were then becoming a part of that greatest of all American conflicts, and for four years did battle for the honor and protection of the united and forever inseparable states. During all this stormy period the faithful father and loyal citizen kept the fires of patriotism fiercely burning at home in a thousand different ways. After the rifted clouds of war had sunken away beyond the horizon the energies of Oliver Mills began to extend and expand in all directions and it is notorious that no other man in his section of the state became more familiar at that time with the needs of the people of that pioneer quarter of the state than did he. He was ever ready to extend a helping hand to the newcomer who had "broken home ties" and set out on life's ocean to discover a new land in which to bring up a family into a life of usefulness. His memory for names and faces of pioneer settlers, and for the minutest details of interesting occurrences in those early days, was hardly short of marvelous. His chief interest in life was in the development of the agricultural resources of his county and state. His closing years were years of

peace and quiet among his old-time friends and neighbors, all of whom vied with each other to do him honor in his declining years; and

WHEREAS, the life and character of our departed friend are sufficient to command the respect and esteem of all who knew him during his long and interesting career; therefore be it

*Resolved:* That we extend to his family and friends our most sincere sympathy, and that a copy of these resolutions be entered upon the House Journal, and an engrossed copy thereof be sent by the Chief Clerk to the family of deceased.

C. A. MEREDITH,  
E. R. ZELLER,  
CURRAN F. SWIFT,  
*Committee.*

Adopted April 9, 1909.

# HOUSE BILLS.

## INTRODUCTION AND ACTION.

H. F.	Page
1—By Ellis. To make an appropriation for the removal of the remains of Ex-Governor Ansel Briggs from Omaha, Nebraska, to Andrew, Jackson county, Iowa, and for the erection of a monument in the cemetery at that place in commemoration of his memory.	
Introduced and referred....	57
Reported unfavorably .....	380
Indefinitely postponed .....	380
Reconsidered .....	437
Minority report filed...437,	438
Minority report substituted for majority report.....	456
Substitute report adopted..	457
Amended and passed...457,	458
Passed Senate .....	956, 957
Enrolled .....	956, 957
Signed .....	955
Sent to the governor.....	957
Senate requests return.....	976
Recalled from governor and returned to Senate.....	986
Amended and passed Senate .....	990, 1012
House concurs .....	995, 996
Enrolled .....	989
Signed .....	1000
Sent to the governor.....	1081
2—By Hackler. To repeal sections ten hundred fifty-six-a-seventeen (1056-a-17), ten hundred fifty-six-a-eighteen (1056-a-18), ten hundred fifty-six-a-twenty-six (1056-a-26) of chapter fourteen, c. (14, c.) of the supplement to the code of Iowa, and to enact substitutes therefor, and to amend sections ten hundred fifty-six-a-nineteen (1056-a-19), ten hundred fifty-six-a-twenty (1056-a-20), ten hundred fifty-six-a-twenty-one (1056-a-21), ten hundred fifty-six-a-twenty-four (1056-a-24), ten hundred fifty-six-a-twenty-five (1056-a-25), ten hundred fifty-six-a-twenty-eight (1056-a-28), ten hundred fifty-six-a-thirty-two (1056-a-32), ten hundred fifty-six-a-	

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thirty-nine (1056-a-39), of chapter fourteen-c. (14-c) of the supplement to the code of Iowa, all relating to the government of certain cities.	
Introduced and referred 124,	125
Reported with amendment.	392
Made a special order.....	483
Amendments adopted .....	515
Amended .....	515, 516
Lost on passage.....	516
Motion to reconsider filed..	534
Reconsidered .....	677
Amendments offered and printed in Journal...677-	682
Made a special order.....	683
Amendments adopted .....	701
Passed .....	701
Amended and passed Senate	973
House concurs .....	978, 979
Enrolled .....	1080, 1081
Senate recalls .....	1108
Request of Senate granted.1110	
Amended and passed by Senate .....	1161
House concurs .....	1163, 1164
Enrolled .....	1202, 1221
Signed .....	1227
Sent to the governor.....	1220
3—By Harding. To create a legislative commission to examine the subject of taxation for state and local purposes and the expediency of revising and amending the laws relating thereto and making an appropriation therefor.	
Introduced and referred....	125
Reported with amendments	752
Rereferred .....	753
Reported with amendments for indefinite postponement .....	971
Minority recommend passage .....	971
Minority report adopted....	1354
Amendments adopted .....	1354
Passed .....	1354, 1355
Senate indefinitely postponed .....	1832
4—By Meredith. To establish the office of Commerce Counsel, and defining the powers and duties of the same.	
Introduced and referred....	125
Substitute reported .....	1114
Substitute for substitute offered .....	1476

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Substitute for substitute adopted .....	1478
Consideration postponed ..	1478
Motion to reconsider filed..	1484
Reconsidered .....	1490
Passed .....	1491
Explanation of vote.....	1493
Petition relative to.....	891
5—By Zeller. To amend the law as it appears in section fifteen hundred thirty-two-a (1532-a), code supplement of 1907, relative to the duties of township trustees; the election and compensation of road superintendents; the division and consolidation of road districts and the collection of property road tax.	
Introduced and referred....	125
Reported with amendments	279
Amendments adopted .....	303
Passed .....	303, 304
Amended and passed Senate .....	815
House concurs .....	816, 817
Enrolled .....	880, 881
Signed .....	889
Sent to the governor.....	901
6—By Hunter. To repeal the law as it appears in section fourteen hundred fifty-seven (1457), of the supplement to the code, and to enact a substitute therefor relating to the subject of loaning or depositing of public funds.	
Introduced and referred	125, 126
Withdrawn .....	1328
7—By Davidson. For the preservation and improvement of Medium lake and the islands therein and placing the same within the jurisdiction of the city of Emmetsburg and making appropriation therefor.	
Introduced and referred....	126
Reported with amendment.	267
Amendment adopted .....	267
Passed .....	285, 286
Passed Senate .....	351
Enrolled .....	362
Signed .....	385
Sent to the governor.....	—
8—By Miller of Bremer. To compel manufacturers and owners of corn huskers, shuckers and shredders, to provide automatic feeders or other safety device to safeguard against accidents and making the sale or use thereof a misdemeanor and fixing a penalty for violation.	
Introduced and referred....	126
Reported with amendments	790
Amendment adopted .....	886
Passed .....	886, 887

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9—By Ripley. To repeal section three thousand three hundred and seven (3307) of the supplement to the code, 1907, relating to administrations of the estates of absentees, and to enact a substitute therefor.	
Introduced and referred....	126
Reported with amendment.	295
Amendment adopted .....	318
Passed .....	318, 319
Senate passes substitute....	440
Referred .....	441
Recalled from committee..	512
House refuses to concur	513, 514
Senate insists .....	634
Conference committee appointed .....	634, 641
Report of conference committee recommending amendments, etc. ....	1638
Report and amendments adopted .....	1638, 1639
Senate recedes, adopts report and amendments .....	1713, 1714
Enrolled .....	1799, 1811
Signed .....	1850
Sent to the governor.....	1803
10—By Ripley. To amend section two thousand three hundred and ten-a-twenty-four (2310-a-24), relating to the sale of intoxicating liquors or narcotics to inebriates.	
Introduced and referred....	126
Reported unfavorably .....	1007
Indefinitely postponed .....	1007
11—By Hickenlooper. To repeal section thirty-two hundred and sixty-eight (3268) of the code, relative to the time and manner of examination of bonds of guardians, executors, administrators, and trustees, by clerk of the district court, and to enact a substitute therefor.	
Introduced and referred....	126
Reported with amendment.	218
Amendment adopted .....	218
Passed .....	225, 226
Passed Senate .....	300
Enrolled .....	314
Signed .....	317
Sent to the governor.....	326
12—By Balluff. To define an "absentee" and provide for the care and management of the estate of such absentee and for the distribution of his or her estate by an administrator or executor.	
Introduced and referred	126, 127
Substitute reported .....	470
Substitute adopted .....	730
Passed .....	730, 731
Title amended .....	731
Amended and passed Senate .....	1588

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House concurs .....	1596, 1597
Enrolled .....	1629, 1633
Signed .....	1656
Sent to the governor.....	1694
13—By Balluff. Requiring that all bonds required to be given in any judicial proceeding shall contain a contract for the payment of attorney's fees and providing for their collection.	
Introduced and referred....	127
Reported with amendments	713
Amendments adopted .....	870
Passed .....	871
Senate indefinitely postponed .....	1193
14—By Boettger. To repeal section four hundred ninety-one (491) of the code relating to compensation of deputy treasurers and enacting a substitute therefor.	
Introduced and referred....	127
Substitute reported .....	793
Substitute adopted .....	883
Passed .....	883
Senate indefinitely postponed .....	1400
15—By Boettger. To repeal section four hundred eighty-one (481) of the code, relating to compensation of deputy auditors and enacting a substitute therefor.	
Introduced and referred....	127
Substitute reported .....	861
Substitute adopted .....	1226
Passed .....	1226, 1227
Senate indefinitely postponed .....	1400
16—By Boettger. To repeal section four hundred ninety-six (496) of the code, relating to compensation of deputy recorders and enacting a substitute therefor.	
Introduced and referred....	127
Reported unfavorably .....	863
Indefinitely postponed .....	863
17—By Boettger. To repeal section five hundred and ten (510) of the code, relating to compensation of deputy sheriffs, and enacting a substitute therefor.	
Introduced and referred....	127
Reported unfavorably .....	220
Indefinitely postponed .....	220
18—By Fulliam. To amend the law as the same appears in section ten hundred eighty-seven-a-thirty-four (1087-a-34) of the supplement to the code relating to primary elections.	
Introduced and referred	127, 128
Reported with amendment.	268
Amendment adopted .....	268
Passed .....	287

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19—By Welden. To amend the law as it appears in section seven hundred and forty (740) of the 1907 supplement to the code, relating to aiding by taxation the maintenance of any institution of learning or benevolence including hospitals acquired by any county, city, town or school corporation by gift or devise.	
Introduced and referred....	162
Withdrawn .....	570
20—By Moore of Linn. To amend section three thousand and fifty-three (3053) of the code of 1897, relating to legal holidays.	
Introduced and referred....	162
S. F. No. 13 substituted for (See S. F. No. 18).	189
21—By Dabney. To amend section twenty-one hundred sixty-five-a (2165-a) and twenty-one hundred sixty-five-b (2165-b) of the code supplement, pertaining to the duty of express companies maintaining an office at or near the business center of cities and towns, and the duty of the railroad commissioners as to the same.	
Introduced and referred....	163
Reported with amendments	698
Amendments adopted .....	1018
Passed .....	1019
Senate indefinitely postponed .....	1466
22—By Dabney. To amend section two thousand seventy-seven (2077) of the code supplement, relative to passenger rates for transporting persons and baggage.	
Introduced and referred....	163
Reported unfavorably .....	672
Indefinitely postponed .....	672
23—By Dabney. To amend section four thousand six hundred sixty-one (4661) of the code, relative to fees paid witnesses in any court of record.	
Introduced and referred....	163
Reported unfavorably .....	311
Indefinitely postponed .....	311
24—By Schulte. To repeal section two thousand five hundred and seventy-a (2570-a) of the supplement to the code, and to enact a substitute therefor in relation to quarantine and the expenses thereof.	
Introduced and referred....	163
House file No. 208 reported as a substitute .....	323

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25—By Crozier. Repealing chapter one hundred eighty-one (181), acts of the Thirty-second General Assembly and defining the relations between employer and employe in the respect to assumption of risks.			
Introduced and referred....	163	pensation of township assessors and enacting a substitute therefor.	
Recalled and rereferred....	439	Introduced and referred....	164
Withdrawn .....	1227	Substitute reported .....	792
Petition relative to.....	621, 668	Substitute adopted .....	1060
		Passed .....	1060, 1061
		Amended and passed Senate .....	1321
		House concurs .....	1324, 1325
		Enrolled .....	1458, 1459, 1515
		Signed .....	1468
		Sent to the governor.....	1515
26—By Ward. To provide for the taxation of mortgages of real property.		31—By Boettger. Repealing section five hundred and ninety (590) of the code relative to the compensation of township trustees and enacting a substitute therefor.	
Introduced and referred....	163	Introduced and referred....	164
Extra copies printed.....	355	Substitute reported .....	791
Reported with amendments	630	Substitute adopted .....	1031
Considered .....	930, 931	Passed .....	1031, 1032
Consideration continued .....	941, 942, 943	Amended and passed Senate .....	1445
Committee amendments adopted .....	942	House concurs .....	1446, 1447
Lost on passage.....	954, 955	Enrolled .....	1514, 1516
		Signed .....	1543
		Sent to the governor.....	1581
27—By Finlayson. To amend section three thousand one hundred eighty-one (3181) of the code supplement relating to the remarriage of divorced persons.			
Introduced and referred	163, 164	32—By Johnson. To repeal sections twenty-five hundred seventy-a (2570-a), twenty-five hundred seventy-a-1 (2570-a-1), and twenty-five hundred seventy-b (2570-b) of the 1907 supplement to the code of Iowa, relating to the care of infected persons and payment of quarantine expenses, and to enact a substitute therefor.	
Withdrawn .....	234	Introduced and referred....	178
		House file No. 208 reported as a substitute for.....	323
28—By Koontz. To amend section one, chapter five, of the acts of the Sixteenth General Assembly of the state of Iowa, relating to the granting of power to the First Universalist Parish of Iowa City, Iowa, to transfer a portion of its property in Iowa City, Iowa.		33—By Alred. To repeal sections four hundred and sixteen (416), four hundred and seventeen (417) four hundred and eighteen (418) and four hundred and nineteen (419), chapter two of the code, relating to supervisors districts.	
Introduced and referred....	164	Introduced and referred....	178
Reported .....	219		
Passed .....	224	34—By Arney. To amend the law as it appears in section twenty-six hundred four (2604) of the supplement to the code, 1907, relative to the perquisites of officers of the Iowa Soldiers' Home.	
Passed Senate .....	302	Introduced and referred....	179
Enrolled .....	313, 314	Reported .....	219
Signed .....	317	Passed .....	225
Sent to the governor.....	326	Passed Senate .....	351
		Enrolled .....	346, 347
		Signed .....	—
		Sent to the governor.....	—
29—By Boettger. Repealing section five hundred ninety-one (591) of the code relating to the compensation of township clerks and enacting a substitute therefor.		35—By Wilson. To repeal section eleven hundred thirty (1130) of the 1907 sup-	
Introduced and referred....	164		
Substitute reported .....	792		
Substitute adopted .....	1030		
Passed .....	1030, 1031		
Amended and passed Senate .....	1499		
House concurs .....	1508, 1509		
Enrolled .....	1556, 1557		
Signed .....	1571		
Sent to the governor.....	1582		
Erroneously printed Senate File No. 29.			
30—By Boettger. Repealing section five hundred and ninety-two (592) of the code relating to the com-			



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plement to the code, relating to the office of township assessor in territory outside of the corporation, and to enact the following in lieu thereof.	
Introduced and referred....	179
Withdrawn .....	334
 36—By Schulte. To amend chapter six (6), title five, (5) of the code, relating to sprinkling of streets and providing for the assessment of the cost thereof on the property benefited thereby.	
Introduced and referred....	179
Substitute reported .....	411
Substitute adopted .....	652
Amended and passed..	652, 653
Senate amends and fails to pass .....	1673
 37—By Ritter. To repeal section twenty-four hundred and forty-five (2445) of the code and to enact a substitute therefor.	
Introduced and referred....	179
Reported with amendments	312
Amendments adopted .....	354
Amended and passed...	354, 355
Passed Senate .....	975
Enrolled .....	1080, 1082
Signed .....	1143
Sent to the governor.....	1174
 38—By DeWitt. For an act relating to road tax and amending section one thousand five hundred and twenty-eight (1528) of the code and supplement to the code relative to levying additional road tax.	
Introduced and referred....	179
Reported unfavorably .....	529, 530
Indefinitely postponed .....	530
 39—By Miller of Bremer. Authorizing the Regents of the State University to adopt university extension and correspondence teaching and make appropriation therefor.	
Introduced and referred....	179
Reported unfavorably .....	947
Indefinitely postponed .....	947
 40—By Bonwell. To require railway corporations upon order of the Board of Railway Commissioners to operate motor cars.	
Introduced and referred....	180
Reported unfavorably .....	266
Indefinitely postponed .....	266
 41—By Bonwell. To require railway corporations upon order of the Railway Commission to maintain trains so as to prevent unreasonable delay to through traffic at points where connection is made with other lines.	

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Introduced and referred....	180
Reported unfavorably .....	267
Indefinitely postponed .....	267
 42—By Moore of Linn. Requiring all Guaranty, Fidelity and Surety companies doing business in the state of Iowa to deposit with the auditor of state, a guarantee fund for the protection of citizens of the state.	
Introduced and referred....	180
Reported with amendments .....	432, 433
Amendments adopted .....	653
Amended .....	653
Passed .....	654
Senate indefinitely postponed .....	1400
 43—By Moore of Linn. To authorize the payment of the cost of corporate suretyship upon official bonds.	
Introduced and referred....	180
Substitute reported .....	1406
 44—By Moore of Linn. To provide that any fiduciary required by law to give a bond may include the expense thereof as part of the lawful expense of executing his trust, etc.	
Introduced and referred....	180
Substitute reported .....	489
Substitute adopted .....	739
Passed .....	739, 740
Senate passes substitute...	926
House concurs .....	933, 934
Enrolled .....	956, 957
Signed .....	955
Sent to the governor.....	957
 45—By Moore of Linn. To amend section fourteen hundred and fifty-seven (1457), title seven (7), chapter three (3), of the supplement to the code, relating to the depositing of public funds.	
Introduced and referred....	180
Withdrawn .....	1347
 46—By Sullivan. To provide for the punishment of persons responsible for or contributing to the delinquency of children.	
Introduced and referred	180, 181
Reported with amendments	1076
Amendments adopted .....	1311
Passed .....	1311, 1312
Senate indefinitely postponed .....	1401
 47—By Bonwell. To create a Highway Commission for the state of Iowa, defining the powers and duties of the same and to provide for a system of state co-operation with townships and counties in the improvement of the public wagon roads and to	

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make an appropriation therefor.	
Introduced and referred	185, 186
Reported unfavorably	794
Minority recommend substitute	795
Minority report not adopted	1258, 1259
Indefinitely postponed	1259
 48—By Klay. To amend section one thousand one hundred ninety-six (1196) of the code, relating to the recording officers bonds.	
Introduced and referred	186
Substitute reported	257
House file No. 162 substituted for	276
(See House file No. 162.)	
 49—By Dye. To appropriate money for the use of the institution for feeble-minded children at Glenwood, Iowa.	
Introduced and referred	186
Reported unfavorably	1626
Indefinitely postponed	1627
 50—By Reitz. Providing for purchase and erection of a monument in memory of the Indian Chief Black Hawk, and at the point of the first military post in the state of Iowa, and making an appropriation therefor.	
Introduced and referred	186
Reported unfavorably	947
Indefinitely postponed	947
 51—By Brandes. To repeal section thirteen hundred sixty-six (1366) of the code, and enact a substitute therefor relative to assessment rolls.	
Introduced and referred	186
Senate file No. 37 substituted for	445
Withdrawn	478
 52—By Bowman. To amend section two (2), of chapter fourteen (14), of the laws of the Twenty-ninth General Assembly, relating to the compensation of shorthand reporters, and the costs of transcript in criminal cases.	
Introduced and referred	186
Reported unfavorably	380
Indefinitely postponed	380
 53—By Johnson. To repeal section twenty-five hundred seventy-one (2571) of the 1907 supplement to the code of Iowa, relating to meetings of the local board of health, regulations, reports, expenses and tax and to enact a substitute therefor.	
Introduced and referred	186
House file No. 208 reported as a substitute	323

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 54—By Swift. To repeal section twenty-one hundred thirteen (2119) of the code, relating to the enforcement of the rules, orders and regulations of the Board of Railway Commissioners, and to enact a substitute therefor.	
Introduced and referred	187
Reported	267
Passed	284, 285
Explanation of vote	290
Amended and passed Senate	1719
House concurs	1725, 1726
Enrolled	1799, 1811
Signed	1850
Sent to the governor	1803
 55—By Sullivan. To provide for the appointment of a commission to select, draw and summon grand and petit jurors in all counties having a population of over 50,000 and prescribing the duties thereof.	
Introduced and referred	187
Reported unfavorably	507
Indefinitely postponed	507
 56—By Hunter. To appropriate money for the use of the Industrial school for girls at Mitchellville, Iowa.	
Introduced and referred	187
Reported unfavorably	1628
Indefinitely postponed	1629
 57—By Schulte. To repeal paragraph four (4), of section eighteen hundred fifty (1850), of the supplement to the code, and to enact a substitute therefor, relating to the investment of funds of savings banks.	
Introduced and referred	187
Substitute reported	784
Substitute adopted	1255
Passed	1255, 1256
Senate indefinitely postpones	1466
 58—By DeWitt. To amend chapter sixteen-b (16-b) of the supplement to the code of Iowa, relating to the registration of births and deaths and to repeal sections twenty-five hundred and seventy-five-a-fourteen (2575-a-14), twenty-five hundred and seventy-five-a-fifteen (2575-a-15), twenty-five hundred and seventy-five-a-eighteen (2575-a-18) and twenty-five hundred and sixty-seven (2567) of the supplement to the code.	
Introduced and referred	187
Reported unfavorably	294
Indefinitely postponed	294
Petition relative to	823

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59—By Ripley. Authorizing the taxation of expenses and fees in certain suits in favor of defendants where suit is brought in a county other than that of the residence of the defendant. Additional to chapter sixteen (16) of title eighteen (XVIII) of the code.	
Introduced and referred	187, 188
Withdrawn	317
60—By Fulton. To amend section four hundred and thirty-three (433) of the supplement of 1907 of the code, relative to the burial of indigent soldiers and sailors.	
Introduced and referred	188
Reported	219
Considered	226
Rereferred	227
Reported with amendments	229, 230
Amendments adopted	251
Passed	251, 252
Passed Senate	477
Enrolled	509
Signed	518
Sent to the governor	531
61—By Reaney. To amend sixteen hundred and sixty-one-a (1661-a) of the supplement to the code, relative to state aid to county and district fairs.	
Introduced and referred	188
Reported and rereferred	361
Reported	431
Senate file No. 48 substituted for	656
(See Senate file No. 48).	
62—By Holmes. To revise, amend and codify the statutes in relation to the public schools.	
Introduced and referred	188
Extra copies printed	205
Petitions relative to	447, 448, 1238
Reported unfavorably	827
Indefinitely postponed	827
63—By Sullivan. To repeal section three thousand three hundred and seventy-nine (3379) of the code, relating to inheritance of wife and parents, and enacting a substitute therefor.	
Introduced and referred	188
Withdrawn	234
64—By Hackler. To amend the law as it appears in section two hundred thirty-two (232) of the 1907 supplement to the code, relating to the schedule of times of holding terms of district court.	
Introduced and referred	188
Reported with recommenda-	

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tion that Senate File No. 65 be substituted for.	245, 246
Report and recommendation adopted	246
Withdrawn	334
(See Senate file No. 65).	
65—By Byerly. To appropriate money for the use of the reformatory at Anamosa, Iowa.	
Introduced and referred	188
Reported unfavorably	1629
Indefinitely postponed	1629
66—By Goodykoontz. Requiring all corporations doing business within the state to make an annual report and pay an annual license fee to the secretary of state, and repealing a part of section sixteen hundred and twelve (1612) of the 1907 supplement to the code.	
Introduced and referred	194
Substitute reported	1051
Senate file No. 31 substituted for	1392
(See Senate file No. 31).	
67—By Goodykoontz. To repeal section three hundred and fifty-four (354) as it appears in the 1907 supplement to the code of Iowa, and to enact a substitute therefor, relating to the fees of jurors.	
Introduced and referred	194
House file No. 179 reported as a substitute	280
House file No. 179 substituted for	304
(See House File No. 179).	
68—By Calkins. To regulate the taxation of mortgages and mortgaged real estate.	
Introduced and referred	194
Reported	1173
Substitute offered	1525
Substitute adopted	1526
Amendment offered	1526
Made a special order	1526
Amendment adopted	1563
Amended	1563, 1564
Lost on passage	1564
69—By Allred. To repeal the law as it appears in section five thousand and forty-a (5040-a), chapter twelve (12), of the code supplement of 1907, and to enact a substitute therefor, relating to Memorial Day.	
Introduced and referred	194
Reported with amendments	297
Amendments adopted	339, 340
Passed	340
Explanation of vote	352
Motion to reconsider filed	355
Senate indefinitely postpones	418

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70—By Beery. To appropriate money for the use of the Mount Pleasant state hospital at Mount Pleasant, Iowa.		ant, Independence, Clarinda, Cherokee, Glenwood, Eldora, Mitchellville, Vinton, Council Bluffs, Dav- enport, Knoxville and Marshalltown.	
Introduced and referred....	195	Introduced and referred....	195
Reported unfavorably .....	1625	Reported with amendment. . . . .	296
Indefinitely postponed .....	1625	Amendment adopted .....	296
71—By Beery. To repeal section twenty-three hundred and sixty-seven (2367) of the code defining a lawful fence.		Senate File No. 197 substituted for .....	1061
Introduced and referred....	195	(See Senate File No. 197).	
Reported with amendments	394	76—By Dabney. To create a depositors' guaranty fund to insure depositors against loss if the bank becomes insolvent and empowering the auditor of state to levy and collect the same. Additional to title nine (9), chapter twelve (12), of the code and code supplement.	
Made a special order.....	483	Introduced and referred....	196
Considered .....	540	Reported unfavorably . . . . .	783, 784
Amendments offered . . . . .	540, 541	Indefinitely postponed .....	784
One amendment lost.....	542	77—By Lee. To amend the law as it appears in section twenty hundred seventy-one (2071) of the 1907 supplement to the code, relating to the liability of corporations operating a railway for negligence or wrongs of employes.	
First amendment adopted..	543	Introduced and referred....	196
Passed .....	543	Withdrawn .....	1142
Amended and passed Senate .....	1145	78—By Dawson. To appropriate money for the use of the Cherokee state hospital at Cherokee, Iowa.	
House concurs 1150, 1151, 1152		Introduced and referred....	196
Enrolled .....	1175, 1176	Reported unfavorably .....	1625
Signed .....	1201	Indefinitely postponed .....	1626
Sent to the governor. . . . .	1202, 1203	79—By White. To amend section twenty-one hundred fifty-seven-g (2157-g) of the 1907 supplement to the code of Iowa. An act to permit common carriers of passenger and freight to grant reduced rates to persons engaged in college extension work and to grant reduced rates to necessary exhibits and property used in this work.	
72—By Brandes. To amend section twenty-seven hundred and eight (2708), and twenty-seven hundred and nine (2709), as they appear in the supplement to the code relating to the age at which boys or girls may be committed to the Industrial school.		Introduced and referred....	196
Introduced and referred....	195	Reported unfavorably .....	1625
House File No. 161 reported as a substitute for.....	256	Indefinitely postponed .....	1626
Substitute adopted .....	353	(See House File No. 161).	
73—By Brandes. To repeal section eleven hundred and seventy-seven (1177) of the code relating to the commencement of term and qualification of public officers and to enact a substitute therefor.		80—By Reitz. To amend section one thousand five hundred and thirty-three (1533), title eight (8), chapter two (2), of the supplement to the code of 1907, relating to the election of township road superintendent.	
Introduced and referred....	195	Introduced and referred....	196
Reported with amendments	381	Reported unfavorably .....	347
Amendments adopted .. . . .	480, 481	Indefinitely postponed .....	347
Passed .....	481	80—By Reitz. To amend section one thousand five hundred and thirty-three (1533), title eight (8), chapter two (2), of the supplement to the code of 1907, relating to the election of township road superintendent.	
Senate passes substitute. . . . .	1013	Introduced and referred....	196
House concurs .....	1015, 1016	Reported unfavorably .....	530
Enrolled .....	1100, 1101	Indefinitely postponed .....	530
Signed .....	1110		
Sent to the governor.....	1139		
74—By Reitz. To amend section sixteen hundred and seventy-five (1675), title nine (9), chapter three (3), of 1907 supplement to the code relating to farmers institutes.			
Introduced and referred....	195		
Reported and rereferred... . .	361		
Reported unfavorably .....	431		
Indefinitely postponed .....	431		
75—By Dawson. To provide for an annual vacation with pay for officers and other employes at the charitable institutions at Mt. Pleas-			

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81—By Dodds. For the payment of a reward for the arrest and conviction of persons stealing horses and cattle in the state of Iowa.	
Introduced and referred....	200
Substitute reported .....	556
Substitute adopted .....	854
Passed .....	854
82—By Byerly. To legalize a special election of the city of Anamosa, Iowa, held October 28th, 1907, for purchase of water-works system, and voting bonds therefor, and the ordinances, resolutions and acts of the council relating to such water-works.	
Introduced and referred....	200
Withdrawn .....	334
83—By Perkins. Providing revenue for the improvement of public highways, creating a county drainage fund for said purpose and providing for the destruction of weeds and noxious weeds on the same and land adjacent thereto; naming the officers whose duty it shall be to enforce the provisions of this act and defining their duties repealing sections fifteen hundred twenty-eight (1528) and fifteen hundred thirty (1530) of the supplement to the code, 1907, and enacting a substitute therefor, and repealing sections fifteen hundred sixty-two (1562) and fifteen hundred sixty-two-a (1562-a) of the supplement to the code, 1907, and repealing sections fifteen hundred sixty-four (1564), fifteen hundred sixty-five (1565) and five thousand twenty-four (5024) of the code.	
Introduced and referred....	200
Reported unfavorably .....	1554
Indefinitely postponed .....	1554
84—By Schulte. To repeal section one thousand seven hundred twenty-six (1726) of the code, relating to notes taken for policies of insurance and to enact a substitute therefor.	
Introduced and referred....	200
Withdrawn .....	1142
85—By Cooper. To amend section five hundred ninety-two (592), chapter ten (10), title four (4), of the code of Iowa, relating to the compensation of township assessors.	
Introduced and referred....	201
Withdrawn .....	787

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86—By Grier. To transfer from the auditor of state to the treasurer of state all of the powers, duties and responsibilities relating to state and savings banks and loan and trust companies.	
Introduced and referred....	201
Reported with amendment..	986
Amendment adopted .....	1356
Lost on passage .....	1357
Motion to reconsider filed..	1376
87—By Grier. To transfer the duties, powers and authority granted to or enjoined upon the auditor of state under the provisions of chapter fourteen-a (14-a) of the 1907 supplement to the code of Iowa, relating to publication of municipal accounts, establishing uniform system of accounts, reports and audits in cities and towns from the auditor of state to the secretary of state.	
Introduced and referred....	201
88—By White. To provide for charges for car service, and to provide for damages to be paid by the common carrier to the shipper for failure to furnish and transport such cars with promptness and dispatch.	
Introduced and referred....	201
Petitions relative to....	500, 620
89—By Harding. To repeal section thirteen hundred and six-e (1306-e) of the supplement to the code, 1907, relating to the issuance of bonds by cities and towns and to enact a substitute therefor.	
Introduced and referred....	201
Reported with amendments	311
Withdrawn .....	685
90—By Jacobs. To repeal section one thousand three hundred and twenty-two (1322) of the supplement to the code, 1907, relating to the taxation of national, state and savings banks and loan and trust companies and to enact a substitute therefor.	
Introduced and referred	201, 202
Reported with amendment..	467
Amendment adopted..	1103, 1104
Considered .....	1105, 1106
Passed .....	1106, 1107
Title amended .....	1107
Explanations of vote..	1109, 1110
Senate indefinitely postpones .....	1673
91—By Kull. Limiting recovery for newspapers, magazines, and other publications to actual subscrib-	

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	ers, and to their terms of subscriptions therefor. . . . .	Recalled and rereferred. . . . .	1119
	Introduced and referred. . . . .	Reported with amendment. . . . .	1134
	Reported unfavorably . . . . .	Rereferred . . . . .	1134
	Indefinitely postponed . . . . .	Reported . . . . .	1239
		Amendment adopted . . . . .	1489
92—By Kull. Requiring the entrance and exit doors of all hotels, churches, lodge halls, court houses, assembly halls, theaters, opera houses, seminaries, colleges and public school houses to open outward.		Passed . . . . .	1489, 1490
Introduced and referred. . . . .	202	Senate indefinitely postponed . . . . .	1656
Withdrawn . . . . .	570		
93—By Davidson. To amend section five thousand two hundred and eighty-nine (5289) of the code of 1897, by adding thereto a provision permitting the county attorney to amend indictments to correct errors therein or to add allegations thereto.		98—By Hickenlooper. To repeal the law as it now appears in section three hundred thirty-seven-d (337-d) of the supplement to the code, 1907, relating to time of selecting jury lists and to enact a substitute therefor.	
Introduced and referred. . . . .	202	Introduced and referred. . . . .	209
Substitute reported . . . . .	628	Reported with amendments . . . . .	256
Substitute adopted . . . . .	905, 906	Amendments adopted . . . . .	256
Passed . . . . .	906	Passed . . . . .	274, 275
Amended and passed Senate . . . . .	1794	Passed Senate . . . . .	843
House concurs . . . . .	1841, 1842	Enrolled . . . . .	773, 774
Enrolled . . . . .	1801, 1814	Signed . . . . .	779
Signed . . . . .	1850	Sent to the governor. . . . .	785
Sent to the governor. . . . .	1806		
94—By Thompson. To appropriate money for the use of the college for the blind at Vinton, Iowa.		99—By Harding. To amend code section eight hundred thirty-two (832) providing that the cost of the repair of any street improvement may be assessed to abutting property.	
Introduced and referred. . . . .	209	Introduced and referred. . . . .	209, 210
Reported . . . . .	451	Reported with amendments . . . . .	311, 312
Passed . . . . .	722	Withdrawn . . . . .	685
95—By Welden. To appropriate money for the use of the industrial schools for boys at Eldora, Iowa.		100—By Harding. To amend section seven hundred ninety-two (792) of the code, to provide for the oiling of streets and assessing the costs thereto to abutting property.	
Introduced and referred. . . . .	209	Introduced and referred. . . . .	210
Reported unfavorably . . . . .	1626	Substitute reported . . . . .	313
Indefinitely postponed . . . . .	1626	Substitute adopted . . . . .	340
		Passed . . . . .	341
		Senate indefinitely postponed . . . . .	477
		Recalled by Senate . . . . .	537
		Request granted . . . . .	543
		Senate indefinitely postponed . . . . .	875
96—By Brandes. To amend section fourteen hundred seven (1407) of the code and the supplement to the code relating to the collection of delinquent personal property tax.		101—By Boettger. To repeal section four hundred seventy-nine (479) of the 1907 supplement to code relative to the compensation of county auditors, and to enact in lieu thereof the following.	
Introduced and referred. . . . .	209	Introduced and referred. . . . .	210
Reported with amendments . . . . .	507, 508	Reported unfavorably . . . . .	862
Amendments adopted . . . . .	749	Indefinitely postponed . . . . .	863
Passed . . . . .	740, 741		
Passed Senate . . . . .	897		
Enrolled . . . . .	916, 918		
Signed . . . . .	935		
Sent to the governor. . . . .	917		
97—By Stoddard. To indemnify Gustave Winter for personal injury sustained by him while employed at the hospital for the insane at Independence, Iowa.		102—By Arney. To repeal section fifteen hundred seventy-one (1571) of the code and enact a substitute in lieu thereof, relating to traction engines on the public roads.	
Introduced and referred. . . . .	209	Introduced and referred. . . . .	210
Reported with amendment and rereferred . . . . .	1036	Substitute reported . . . . .	555
		Substitute adopted . . . . .	855

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Amended .....	855
Rereferred .....	855
Reported with amend- ment .....	879, 880
Made special order .....	899
Amendment adopted .....	929
Amended .....	929, 930
Passed .....	930
Passed Senate .....	1094
Enrolled .....	1139, 1140
Signed .....	1143
Sent to the governor .....	1175
 103—By Bowman. To give farm- ers telephone companies the same exemption from corporation fees which are now enjoyed by farm- ers co-operative creamery associations and corpora- tions organized for the manufacture of beet sug- ar.	
Introduced and referred....	210
Reported unfavorably .....	394
Indefinitely postponed .....	394
 104—By O'Connor. Exempting stocks of paint in the hands of jobbers and dealers in the state on January 1st, 1908, from the requirements of the law which appears as sec- tions two thousand five hundred and ten-b (2510- b), two thousand five hun- dred and ten-c (2510-c), two thousand five hundred and ten-d (2510-d) and two thousand five hun- dred and ten-h (2510-h) of the supplement of the code, 1907.	
Introduced and referred....	210
Reported with amendments .....	257
Rereferred .....	277
Withdrawn .....	305
 105—By Reitz. To amend section one thousand ninety-three (1093) of the code and supplement of 1907, relat- ing to election boards.	
Introduced and referred....	213
Reported unfavorably .....	711
Indefinitely postponed .....	711
 106—By Sankey. For a uniform fire insurance policy, and a valued insurance policy law and requiring that no property shall be insured for a greater amount than three-fourths of the val- ue of the property in- sured.	
Introduced and referred....	214
Reported unfavorably .....	337
Indefinitely postponed .....	337
 107—By Arney. To repeal sec- tion twenty-three hundred forty-one-d (2341-d) of the supplement to the code, 1907, and to enact a substitute therefor, rela- tive to the transfer of state certificates for pure bred stallions.	
Introduced and referred....	214
Withdrawn .....	842

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108—By Arney. To repeal section sixteen hundred seventy- five (1675) of the supple- ment to the code and to enact a substitute there- for, relative to farmers' institutes.	
Introduced and referred....	214
Reported .....	432
Amended and passed....	655, 656
Senate indefinitely post- pones .....	1065
 109—By Arney. To repeal section thirteen hundred and six- ty-three (1363) of the code, relating to statistics, and enacting a substitute therefor.	
Introduced and referred....	214
Reported .....	432
Passed .....	654, 655
Passed Senate .....	1038
Enrolled .....	1100, 1101
Signed .....	1110
Sent to the governor .....	1139
 110—By Hackler. To repeal section ten hundred and seventy- two (1072) of the code supplement nineteen hun- dred seven (1907), and to enact a substitute there- for relating to the term of office of county officers, and extending the time of office of the county audi- tor, clerk of the district court and recorder of deeds and making the term of office of all coun- ty officers four years.	
Introduced and referred....	214
Withdrawn .....	1327
 111—By Cooper. To provide for a change of place of trial on on certain written con- tracts and to provide for taxing the costs therein.	
Introduced and referred....	214
Substitute reported .....	692
Substitute adopted .....	1063
Passed .....	1063, 1064
Amended and passed Sen- ate .....	1719
House concurs .....	1727, 1728
Enrolled .....	1800, 1812
Signed .....	1850
Sent to the governor .....	1803
 112—By Bowman. To amend the law as it appears in sec- tion two hundred and ninety-seven (297) of the code relating to the com- pensation of clerks of the district court.	
Introduced and referred....	215
Reported unfavorably .....	950
Indefinitely postponed .....	950
 113—By Harding. Additional to chapter nine (9), title twenty-five (25) of the code, defining the rights of persons sought to be extradited as fugitives from justice, and provid- ing for the course of pro-	

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cedure therein and to amend section five thousand one hundred and seventy-three (5173) and five thousand one hundred and seventy-four (5174) of the code.	
Introduced and referred....	215
Reported unfavorably .....	1264
Indefinitely postponed .....	1264
114—By Moore of Wapello. Creating a commission to make a survey of certain rivers of the state of Iowa and report as to the most feasible points in said rivers for the erection of water power dams and other information pertaining thereto.	
Introduced and referred....	215
Withdrawn .....	727
115—By Miller of Bremer. To instruct the attorney general to investigate the operations of the International Harvester company with a view to prosecution, and making an appropriation therefor.	
Introduced and referred....	215
Reported unfavorably .....	431
Indefinitely postponed .....	431
116—By Miller of Bremer. To adopt a state poem.	
Introduced and referred....	215
Reported .....	1022
Rereferred .....	1391, 1392
Reported with amendments	1519
Amendments laid on table.	1520
Withdrawn .....	1544
117—By Calkins. Requiring all persons selling their personal property, with the intention of leaving the county or state, to secure all taxes due or to become due, on the property about to be sold.	
Introduced and referred....	220
Substitute reported .....	1172
Substitute adopted .....	1473
Amended and passed 1473, 1474	
Senate indefinitely postpones .....	1656
118—By Boomgaarden. To repeal sections fourteen hundred and three (1403) and fourteen hundred and thirteen (1413) of the code, and section fifteen hundred and forty-a (1540-a) of the supplement to the code, relative to the collection of road taxes, and to enact substitutes therefor.	
Introduced and referred....	220
Reported unfavorably .....	1554
Indefinitely postponed .....	1555
119—By Brandes. Amending section seven hundred and forty-six (746) of the supplement to the code,	

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relating to contracts and expenditures from the water-works sinking fund for purposes incident to the making and submission to the people of contracts for the purchase or erection of water-works.	
Introduced and referred....	220
Reported with amendments	312
Amendments adopted .....	358
Passed .....	398
Passed Senate .....	440
Enrolled .....	472, 473
Signed .....	478
Sent to the governor.....	478
120—By Reaney. To repeal section one thousand seventy-two (1072) of the supplement to the code, and to enact a substitute therefor, relating to the term of county officers.	
Introduced and referred....	220
Withdrawn .....	1328
121—By Swan. To amend section one thousand five hundred and seventy (1570) of the code, 1907, providing for the time when osage orange, willow, and other hedge fences shall be trimmed.	
Introduced and referred....	221
Reported .....	391
Amended and passed...562, 563	
Amended and passed Senate .....	1499
House concurs .....	1510, 1511
Enrolled .....	1556, 1557
Signed .....	1571
Sent to the governor.....	1582
122—By Harding. To repeal section seventeen hundred fifty-four (1754), seventeen hundred fifty-five (1755), seventeen hundred fifty-six (1756), and seventeen hundred fifty-seven (1757) of the code and to enact a substitute therefor, empowering, directing and authorizing insurance companies to collect statistics, reduce fire waste, fix and apportion uniform rates for fire, lightning and tornado insurance and to prevent and prohibit discrimination in the apportionment of the cost of fire, lightning and tornado insurance and to provide a penalty for the violation thereof.	
Introduced and referred....	221
Reported unfavorably .....	1069
Indefinitely postponed .....	1069
123—By Hunter. To amend section eight hundred fifty-j (850-j) of the supplement to the code, 1907, relating to park districts.	
Introduced and referred....	221
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Amendment adopted .....	268
Passed .....	286, 287
Passed Senate .....	634
Enrolled .....	734
Signed .....	779
Sent to the governor.....	786
 124—By Allred. To amend section four hundred and sixteen (416), chapter two (2), of the code, relative to the time for dividing counties into supervisors districts. Introduced and referred....	221
 125—By Klay. To amend section one thousand one hundred six (1106), to repeal section one thousand one hundred nine (1109), and enact a substitute therefor, to repeal section one thousand one hundred nineteen (1119), and to enact a substitute therefor, to repeal section one thousand one hundred twenty (1120), and enact a substitute therefor, to repeal section one thousand one hundred twenty-one (1121), and to enact a substitute therefor, of the code supplement of 1907, relating to the form, marking, counting and validity of ballots to be used at elections. Introduced and referred 221, 222 Reported with amendments 951 Amendments adopted ..... 1333 Lost on passage.....1334	
 126—By Baxter. Providing that owners or keepers of stallions or jacks shall have a lien upon the get of any such animal for the service fee thereof. Introduced and referred.... 222 Substitute reported ..... 864 Substitute adopted ..... 1234 Passed ..... 1234, 1235 Title amended ..... 1235 Passed Senate ..... 1534 Enrolled ..... 1584, 1585 Signed ..... 1588 Sent to the governor..... 1630 Petition relative to..... 552, 909	
 127—By Dawson. To provide for the taxation of mortgages of real property, and amending title one (1), chapter three (3), section forty-eight (48), paragraph eight (8), of the code of 1897. Introduced and referred.... 222 Withdrawn ..... 1142	
 128—By Sankey. To deduct debts secured by mortgage on real estate from the assessed cash value of said real estate for the purpose of taxation. Introduced and referred.... 222 Reported unfavorably ..... 1270 Indefinitely postponed ..... 1270	

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129—By Lee. Providing for the assessment and collection of a tax upon inheritance. Introduced and referred.... 235 Reported unfavorably ..... 1173 Indefinitely postponed ..... 1173	
 130—By Lee. Relating to the distribution of laws becoming effective by publication. Introduced and referred.... 235 Reported ..... 246 Passed ..... 317, 318 Amended and passed Senate ..... 453 House refuses to concur 454, 455 Senate recedes in part and insists on one amendment 686 Conference committee appointed ..... 686, 704 Conference committee recommends that House recede ..... 903 House concurs ..... 903, 904 Senate adopts report of committee ..... 1399, 1400 Enrolled ..... 1459, 1460 Signed ..... 1468 Sent to the governor..... 1804	
 131—By Felt. To divide the state into districts, establishing agricultural and manual training schools therein, providing for the management, control and operation thereof, creating a board of trustees therefor, establishing courses of study therein, and making provision for the creation and support thereof. Introduced and referred.... 235 Withdrawn ..... 1346	
 132—By Jacobs. To amend the law as it appears in section four thousand nineteen (4019) and four thousand twenty (4020) of the code, relating to the preference of debts owing for labor and the filing and allowing of claims therefor. Introduced and referred.... 235 Reported with amendments 468 Amendments adopted ..... 724 Passed ..... 724, 725 Title amended ..... 725 Passed Senate ..... 1065, 1066 Enrolled ..... 1100, 1101 Signed ..... 1110 Sent to the governor..... 1139	
 113—By Elliot. To amend section five thousand six (5006) of the code, relating to the sale and use of cigarettes. Introduced and referred.... 236 Reported unfavorably ..... 468 Indefinitely postponed ..... 468	
 134—By DeWitt. To mend section fifteen hundred sixty-one (1561) of the code of Iowa, 1897, relating to the erection of guide posts.	

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Reported with amendment..	391	Reported .....	466
Amendment adopted .....	391	Passed .....	722, 723
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House concurs .....	341, 342	Signed .....	1227
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Sent to the governor.....	901	139—By Cousins. To amend the law as it appears in section twenty-five hundred and ninety-four (2594) of the code, relating to the practice of pharmacy.	
135—By Schulte. To create a legislative commission to examine, revise and codify the laws relating to the government of cities and towns and such other purposes as may be incident thereto.		Introduced and referred....	239
Introduced and referred....	238	Reported and rereferred....	337
Withdrawn .....	1143	Petition relative to.....	645
136—By Harding. To protect benevolent, humane, fraternal or charitable corporations in the use of their names and emblems and providing penalties for the violation thereof.		Reported unfavorably .....	752
Introduced and referred 238, 239	239	Indefinitely postponed .....	752
Reported with amendment..	310		
Amendment adopted .....	310	140—By Meredith. To amend sections fifteen hundred and seventy-one-b (1571-b), fifteen hundred and seventy-one-c (1571-c), fifteen hundred and seventy-one-e (1571-e) and fifteen hundred and seventy-one-f (1571-f) of the 1907 supplement to the code, in reference to motor vehicles.	
Considered and rereferred..	425	Introduced and referred....	239
Reported unfavorably .....	483	Reported .....	343
Indefinitely postponed .....	489	Amended and passed .....	399
137—By Fullam. Providing for the establishment of a state highway department by the appointment of a state highway commissioner a staff of two assistants and defining the powers and duties thereof authorizing the state highway department to co-operate with the several counties and townships in the improvement of the public highways and the maintenance of improved highways providing for the application of counties and townships for state aid in highway improvement and maintenance, providing for the payment of the cost of highway improvements made under the provision of this act by the state, the counties and the townships and making an appropriation for the purpose and providing a penalty for maliciously destroying improved roads.		Recalled from Senate.....	499
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Reported unfavorably .....	832	Withdrawn .....	570
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138—By Ripley. To provide for feeble-minded men at Glenwood and the maintenance thereof. (Amendatory of chapter seven (7), title thirteen (XIII), of the code relating to the institution for feeble-minded children.		Introduced and referred....	240
		Reported .....	343
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		Lost on passage .....	400, 401
		Motion to reconsider filed... ..	401
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		Senate indefinitely postpones .....	975
		142—By Sullivan. To repeal sections three thousand two hundred and eighty-three (3283) of the code relating to the probate of wills and enacting a substitute therefor.	
		Introduced and referred....	240
		Reported unfavorably .....	310
		Indefinitely postponed .....	310
		143—By Sullivan. To provide for the nomination of district judges in judicial districts composed wholly of one county and having a population of 75,000 or more, at the primary election.	
		Introduced and referred....	240
		*Withdrawn .....	685
		*Erroneously printed House File No. 142.	

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144—By Sullivan. Fixing the salaries of district judges in judicial districts composed wholly of one county having a population of 75,000 or more, and providing for the manner of payment of the same.	
Introduced and referred....	240
Reported .....	279
Rereferred .....	320
Withdrawn .....	685
145—By Klay. To legalize the action of the board of supervisors of Sioux county, Iowa, relating to the sale of school lands in section twelve (12), township ninety-five (95), north of range forty-eight (48), west of the fifth (5th) principal meridian, Sioux county, Iowa, and to authorize the governor to issue a patent therefor to John H. Hutchinson.	
Introduced and referred....	240
Reported .....	294, 295
Passed .....	329, 330
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146—By Finlayson. Making appropriation for the support and the development of the Iowa State Normal school at Cedar Falls.	
Introduced and referred....	240
Reported unfavorably .....	1625
Indefinitely postponed .....	1625
147—By White, Grier and Larabee. To establish a public service commission and prescribing its powers and duties, and providing for the regulation and control of public utilities, and making an appropriation therefor; also transferring the powers and duties of the executive council as prescribed by chapter seventy-one (71) of the acts of the Thirty-second General Assembly of Iowa, in so far as they relate to public service corporation, and the powers and duties of the board of railroad commissioners, as prescribed by law to said commission.	
Introduced and referred	240, 241
Extra copies printed .....	243
148—By Sankey. To repeal section four hundred forty-one (441) of the supplement to the code of 1907, pertaining to county printing, and enacting in lieu thereof the following:	
Introduced and referred....	241

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Petition relative to.....	403
Substitute reported .....	1168
Substitute amended .....	1489
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149—By Sullivan. To amend the law as it appears in section twenty-one hundred and fifty-seven-g (2157-g) of the supplement to the code, 1907, in relation to the issuance, furnishing and giving of free tickets, free passes, free transportation and discriminating reduced rates to certain persons.	
Introduced and referred....	241
Reported with amendment..	430
Amendment adopted .....	658
Passed .....	658, 659
Senate indefinitely postpones .....	1145
150—By Sullivan. To repeal section five hundred three (503) of the code relating to bailiffs and enacting a substitute therefor.	
Introduced and referred....	241
Reported .....	280
Passed .....	330, 331
Senate indefinitely postpones .....	418
151—By O'Connor. To amend the law as it appears in section one thousand three hundred one (1301) of the code, relative to the reports of the fines collected by mayors and justices of the peace.	
Introduced and referred....	241
Withdrawn .....	499
152—By Smith. Providing for the punishment of intoxication, use of profane, indecent, or boisterous language, or disturbing the peace and quiet of any railway station or car.	
Introduced and referred....	247
Reported and rereferred....	314
153—By Wilson. To establish a laboratory at the Iowa College of Agriculture and Mechanic Arts to manufacture hog cholera serum and tuberculin and make an appropriation therefor.	
Introduced and referred....	247
Reported with amendments..	
.....	466, 467
Rereferred .....	467
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Substitute reported .....	768
Substitute adopted .....	869
Passed .....	869, 870
Passed Senate .....	1655
Enrolled .....	1695, 1696
Signed .....	1715
*Sent to the governor.....	1715
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154—By White. To amend section two hundred and fifty-four-a-2 (254-a-2) of the supplement to the code, 1907, relating to compensation of shorthand reporters.		161—By Committee on Judiciary. To amend sections twenty-seven hundred eight (2708), twenty-seven hundred nine (2709), as they appear in the supplement to the code, 1907, relating to the age at which boys or girls may be committed to the industrial schools.	
Introduced and referred....	247	Introduced and passed on file .....	257, 258
155—By White. To require boards of supervisors to advertise for bids and let contract to lowest and best bidder, for the construction of bridges, and fixing time of notice. Also to provide for the adoption of plans of bidders and to fix compensation for said plans.		Substituted for House File No. 72 .....	353
Introduced and referred....	247	Passed .....	353, 354
Withdrawn .....	1544	Passed Senate .....	478
156—By Elliot. To appropriate money for the use of the Clarinda state hospital at Clarinda, Iowa.		Enrolled .....	509, 510
Introduced and referred....	247	Signed .....	518
Reported unfavorably .....	1628	Sent to the governor.....	532
Indefinitely postponed .....	1628	162—By Committee on Judiciary. To repeal section one thousand one hundred eighty-five (1185) of the code and to enact a substitute therefor; to repeal section one thousand one hundred eighty-eight (1188) and to enact a substitute therefor; to repeal section one thousand one hundred ninety-six (1196) and to enact a substitute therefor, relating to officers' bonds.	
157—By Byerly. To legalize certain ordinances of the town of Oxford Junction, Jones county, Iowa.		Introduced and passed on file .....	258, 259
Introduced and referred....	248	Substituted for House File No. 48 .....	276
Reported .....	309	Passed .....	276
Passed .....	332, 333	Title amended .....	276
Senate indefinitely postpones .....	416	Amended and passed Senate .....	1591
158—By Sullivan. To amend section three thousand one hundred thirty-eight (3138) of the supplement to the code, 1907, relating to the lien and liability of hotel and inn keepers.		House concurs .....	1595, 1596
Introduced and referred....	248	Enrolled .....	1629, 1634
Substitute reported .....	393	Signed .....	1656
Substitute adopted .....	495	Sent to the governor.....	1694
Passed .....	495, 496	163—By Darrah. Authorizing the creation of a state banking department, and providing for the appointment of a board of state bank commissioners and for the creation of a depositors' guaranty fund.	
Passed Senate .....	719	Introduced and referred....	259
Enrolled .....	734	Extra copies printed.....	355
Signed .....	779	Reported unfavorably .....	785
Sent to the governor.....	786	Minority recommend passage	785
159—By Sullivan. To repeal section eighteen hundred twenty (1820) of the code relative to limitations of actions and enacting a substitute therefor.		Minority report lost..	1177, 1178
Introduced and referred....	248	Indefinitely postponed .....	1178
Substitute reported .....	433	164—By Reitz. To amend chapter nine (9), title nine (9), of the code of Iowa, relating to fraternal beneficiary societies, orders or associations, especially sections 1822, 1823, 1827, 1828, 1830, and 1839 thereof.	
Substitute adopted .....	640	Introduced and referred....	259
Passed .....	640, 641	Reported unfavorably .....	360
Amended and passed Senate .....	1250	Indefinitely postponed .....	360
House concurs .....	1253, 1254, 1255		
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Signed .....	1293		
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160—By White. For expediting unofficial returns of general and primary elections.			
Introduced and referred....	248		
Reported unfavorably .....	1341		
Indefinitely postponed .....	1341		

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165—By Wolfe. To amend section one thousand seventy-four (1074), supplement to the code, 1907, relative to the election of township trustees. Introduced and referred.... 259 Withdrawn .....1127	
166—By Ellis. To amend section fourteen hundred-f (1400-f) of the supplement to the code, 1907, providing for additional forest trees. Introduced and referred 259, 260 Reported ..... 530 Amended and passed... 837, 838	
167—By Tilton. To amend section twenty-one hundred sixty-four (2164) of the code, relating to the presentation of claims to telegraph and telephone companies. Introduced and referred... 260 Reported with amendment.. 627 Amendment adopted ..... 866 Amended and passed... 866, 867	
168—By Arney. To amend sections sixteen hundred fifty-seven-d (1657-d), sixteen hundred fifty-seven-k (1657-k), and sixteen hundred fifty-seven-t (1657-t) of the supplement to the code, relative to the department of agriculture. Introduced and referred.... 260 Reported and rereferred 431, 432 Reported unfavorably ..... 769 Indefinitely postponed ..... 769	
169—By Meredith. To amend section five thousand and forty (5040) of the code, relating to breach of the Sabbath. Introduced and referred.... 269 Reported unfavorably ..... 794 Indefinitely postponed ..... 794 For petitions relative to, (See Sunday Amusements; Petitions and memorials).	
170—By Koontz. To amend the law as it appears in section 716-a of the supplement to the code, fixing the levy for the fire fund in cities of the second class. Introduced and referred.... 269 Reported ..... 294 Amended and passed... 319, 320 Amended and passed Senate ..... 419 House concurs ..... 422 Enrolled ..... 472, 473 Signed ..... 478 Sent to the governor..... 473	
171—By Anderson. Providing for the completion and distribution of the Roster of Iowa soldiers, sailors and marines, as provided by chapter 223, laws of the	

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Thirty-second General Assembly, fixing number of volumes, and making an additional appropriation therefor. Introduced and referred.... 269 Reported with amendment.. 348 Amendment adopted ..... 348 Rereferred ..... 349 Reported with amendments ..... 379, 380 Amendments adopted ..... 380 Amended and passed... 478, 479 Amended and passed Senate ..... 634 House concurs .... 635, 636, 637 Enrolled ..... 734 Signed ..... 779 Sent to the governor..... 786	
172—By Cooper. To amend section ten hundred seventy-four (1074) and section ten hundred seventy-five (1075) of the supplement to the code, 1907, relating to the election of township trustees and township clerks. Introduced and referred.... 269 Reported with amendments. 951 Amendments adopted ..... 1348 Passed ..... 1349	
173—By Beery. To amend section one thousand seven hundred eighty-nine (1789), of the code, relating to the assignment of life insurance policies. Introduced and referred.... 270 Reported ..... 433 Passed ..... 638, 639 Senate indefinitely postpones ..... 1094	
174—By Kendall. To provide for the payment of bounties for killing ground hogs. Introduced and referred.... 270 Petition relative to.... 390, 407 Reported with amendment.. 557 Amendment adopted ..... 853 Passed ..... 853 Passed Senate ..... 1094 Enrolled ..... 1139, 1140 Signed ..... 1143 Sent to the governor..... 1175	
175—By Hickenlooper. To repeal section thirteen hundred three (1303) of the supplement to the code, 1907, relating to levy of taxes by board of supervisors, and to enact a substitute therefor. Introduced and referred.... 270 Reported with amendments. 629 Amendments adopted ..... 980 Passed ..... 980, 981 Amended and passed Senate ..... 1499 House concurs ..... 1507, 1508 Enrolled ..... 1556, 1557 Signed ..... 1571 Sent to the governor..... 1583	

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176—By Anderson. Relating to the compensation of the county auditor in the levee and drainage business.	
Introduced and referred....	270
Withdrawn .....	822
177—By Sullivan. To repeal sections forty-nine hundred seventy-five-d (4975-d), forty-nine hundred seventy-five-g (4975-g), and forty-nine hundred seventy-five-h (4975-h) of the supplement to the code, 1907, relating to bucket-shops and bucket-shopping, and to enact substitutes therefor.	
Introduced and referred....	270
Reported .....	330
Passed .....	480
Amended and passed Senate .....	718
House concurs .....	720, 721
Enrolled .....	773, 774
Signed .....	779
Sent to the governor.....	785
178—By Crozier. Defining certain public service corporations and providing for reasonable service and rates; declaring unlawful any discriminatory charges; prescribing penalties and action for reduction of rates and charges; repealing all laws in conflict herewith.	
Introduced and referred....	270
Substitute reported .....	1431
Substitute adopted .....	1735
Amended .....	1735
Passed .....	1736
Senate fails to pass.....	1836
179—By Committee on judiciary. To repeal section three hundred fifty-four (354) of the supplement to the code, 1907, relating to the fees of jurors, and enacting a substitute therefor.	
Introduced and passed on file .....	280
Substituted for House File No. 67 .....	304
Amendments offered .....	304
Substitute reported .....	309, 310
Substitute adopted .....	331
Passed .....	331, 332
Amended and passed Senate .....	419
House concurs .....	422, 423
Enrolled .....	472, 473
Signed .....	473
Sent to the governor.....	473
180—By Hunter. To amend chapter two (2) of title eight (8) of the code of 1897, as published in supplement to code of Iowa, 1907, by adding thereto sections 1571-m, 1571-n, and 1571-o, relating to the levying of annual license taxes upon the owners of motor	

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vehicles, and to providing for the disbursement of the fund arising therefrom to encourage the improvement and maintenance of public highways.	
Introduced and referred....	281
Reported unfavorably .....	672
Indefinitely postponed .....	673
181—By Hunter. To amend section fifteen hundred and thirty (1530) subdivision one (1) of section fifteen hundred and twenty-eight (1528) and subdivision two (2) of section fifteen hundred and twenty-eight (1528) of the code of 1897 as amended and published in supplement of code, 1907, relating to the levy of the county road funds and the expenditure thereof in the improvement of roads.	
Introduced and referred....	281
Reported with amendments.	673
House File No. 265 substituted for .....	1087
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182—By Holmes. Authorizing the extension of the traveling library and other activities of the Iowa library commission, and providing additional funds therefor.	
Introduced and referred....	231
Reported and rereferred....	432
Reported .....	695
Passed .....	996, 997
Amended and passed Senate .....	1537
House concurs .....	1537, 1538
Enrolled .....	1629, 1634
Signed .....	1656
Sent to the governor.....	1694
183—By Fulliam. Requiring boards of education in independent school districts, having a population of three thousand or more to publish proceedings and providing compensation therefor.	
Introduced and referred....	281
184—By Darrah. To amend the negotiable instruments law relative to the payment of instruments payable at a bank.	
Introduced and referred....	281, 282
Reported .....	784
Amended .....	1159
Rereferred .....	1159
Reported .....	1264
Passed .....	1530, 1531
185—By Tilton. To amend chapter one hundred forty-two (142) of the Thirty-second General Assembly, relating to the sale of denatured alcohol and to enact an amendment thereto.	

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Introduced and referred....	282
Substitute reported .....	897
Substitute adopted .....	997
Amended and passed .....	997, 998
Title amended .....	998
Passed Senate .....	1464, 1465
Enrolled .....	1514, 1516
Signed .....	1543
Sent to the governor.....	1581
186—By Dewell. To amend section one thousand five hundred seventy-c (1570-c) of the supplement to the code, 1907, relating to public highways and providing for the payment for work thereon.	
Introduced and referred....	282
Withdrawn .....	787
187—By Arney. To co-operate with the city of Marshalltown, in constructing a permanent dam across the Iowa river.	
Introduced and referred....	282
Withdrawn .....	779
188—By Arney. To appropriate money for the use of the Iowa soldiers' home, Marshalltown, Iowa.	
Introduced and referred....	282
Reported unfavorably .....	1628
Indefinitely postponed .....	1628
189—By Dodds. To add to the provisions of title nine (9), chapter three (3), supplement to the code of 1897, additional to section sixteen hundred sixty-one-a (1661-a).	
Introduced and referred....	282
Substitute reported .....	557
Substitute adopted .....	839
Amended .....	839, 840
Passed .....	840
Title amended .....	840
Passed Senate .....	1321
Enrolled .....	1458, 1459
Signed .....	1468
Sent to the governor.....	1515
190—By O'Connor. Relating to hotels, inns and public lodging houses, defining the same and prescribing rules for their operations and maintenance, so as to insure the safety and health of employes and patrons of the same; providing for inspection thereof, fees for same and fixing fines and penalties for violation of such rule and regulations.	
Introduced and referred	282, 283
Reported with amendments	410
Amendments adopted .....	416
Made a special order.....	499
Amended .....	516, 517
Passed .....	517, 518
Amended and passed Senate .....	1093, 1094
House concurs .....	1096-1099
Enrolled .....	1139, 1140
Signed .....	1143
Sent to the governor.....	1175

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191—By Holmes. To amend the law as it appears in section twenty-four hundred seventy-seven-d (2477-d), supplement to the code, relating to authority of officers to demand proof of age of children employed, and defining what said proof shall be.	
Introduced and referred....	298
Reported with amendment..	469
Amendment adopted .....	736
Passed .....	736, 737
Passed Senate .....	1013
Enrolled .....	1080, 1082
Signed .....	1143
Sent to the governor.....	1175
192—By Holmes. To create a commission authorized to locate and erect a pedestal for a monument to the memory of the late William B. Allison and making an appropriation to defray the expense thereof.	
Introduced and referred....	298
Withdrawn .....	461
193—By Felt. To enable counties to establish and maintain public hospitals, levy a tax and issue bonds therefor, elect hospital trustees, maintain training schools for nurses, provide suitable means for the care of tuberculous persons, and to make possible the ultimate establishment of an adequate supply of hospitals with equal rights to all and special privileges to none.	
Introduced and referred....	298
Withdrawn .....	1346
194—By Sheldon. To appropriate ten thousand dollars (\$10,000) or so much thereof as may be necessary for the purpose of installing suitable elevators in the state capitol.	
Introduced and referred....	298
Substitute reported .....	553
Rereferred .....	858
Substitute reported .....	968
Substitute adopted .....	1353
Passed .....	1353, 1354
Senate indefinitely postpones .....	1466
195—By White. To amend the law as it appears in section seventeen hundred fifty-eight-a (1758-a) and section seventeen hundred nine (1709) of the supplement to the code, 1907, giving insurance companies, in addition to the authority now enjoyed, the right to issue policies upon automobiles and marine risks and further adding to the list of prop-	

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erties and rights that may be insured; repealing the law as it appears in section 1710 of the supplement to the code, 1907, and enacting a substitute therefor.	
Introduced and referred	299
Reported with amendments	754
Senate File No. 164 substituted for	1029
(See Senate File No. 164).	
196—By Bonwell. To amend the law as it appears in section fourteen hundred four (1404) of the code, relating to liens on personal property of non-residents.	
Introduced and referred	299
Reported unfavorably	349
Indefinitely postponed	349
197—By Fulliam. To add to the provisions of title XII, chapter 16-b of the supplement to the code, 1907, relating to the payment of a fee to the mother of new born children.	
Introduced and referred	299
Withdrawn	685
198—By Boe. To amend sections two thousand five hundred thirty (2530) and two thousand five hundred thirty-six (2536) of the supplement to the code, relating to state veterinary surgeon.	
Introduced and referred	299
Reported	553
Passed	1017, 1018
Amended and passed Senate	1569
House concurs	1569, 1570
Enrolled	1629, 1634
Signed	1656
Sent to the governor	1694
199—By Crozier. Relating to the trial of attachment cases where an equitable interest in real estate is attached, additional to section thirty-eight hundred and ninety-nine (3899) of the code.	
Introduced and referred	299
Reported	748
Amended	1119, 1120
Passed	1120
Senate indefinitely postpones	1182
200—By Crozier. Making the provisions of section three thousand eight hundred forty-seven (3847), code supplement of 1907, section three thousand four hundred forty-eight (3448), section three thousand eight hundred forty-nine (3849) code supplement, section three thousand eight hundred fifty,	

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fifty-one and fifty-two (3850-51-52) applicable to actions in justice's courts and providing for the deposit of money in lieu of bond.	
Introduced and referred	299, 300
Substitute reported	750, 751
Substitute adopted	1128
Passed	1128
Passed Senate	1399
Enrolled	1459, 1460
Signed	1468
Sent to the governor	1515
201—By Fulton. To repeal section ten hundred ninety-one (1091) of the code, relative to polling places for county precincts and to enact a substitute therefor.	
Introduced and referred	300
Reported	711
Passed	1091
Passed Senate	1464
Enrolled	1514, 1516
Signed	1543
Sent to the governor	1581
202—By Dabney. To repeal section one thousand three hundred thirty (1330) supplement to the code of 1907, and to enact a substitute therefor, relating to the assessment of telephones and telegraphs; defining mutual telephone companies and exempting the same from taxation.	
Introduced and referred	300
Reported unfavorably	1338
Indefinitely postponed	1338
203—By Ritter. Relating to the production and distribution of antitoxin in Iowa by the bacteriological laboratory of the medical department of the state university at Iowa City, and making appropriation therefor.	
Introduced and referred	500
Reported unfavorably	709
Indefinitely postponed	709, 710
204—By White. To provide and maintain a permanent reference and consulting law library at the county seat or seats of the several counties for the district courts and judges of the state of Iowa.	
Introduced and referred	314
Withdrawn	499
205—By White. To amend the law as it appears in sections thirteen hundred eighty-two (1382) and thirteen hundred eighty-three (1383) of the supplement to the code, pertaining to valuations and tax rates to be used by	



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county auditors in the preparation of tax lists, for the purpose of uniformity throughout the state.	
Introduced and referred.....	315
Reported unfavorably.....	900
Indefinitely postponed.....	900
206—By Kellogg. To amend section eleven hundred thirteen (1113) of the code, relating to polling places and voting booths.	
Introduced and referred.....	315
Reported unfavorably.....	1451
Indefinitely postponed.....	1451
207—By Perkins. To encourage the dairy industry of the state of Iowa, to aid in providing instruction in practical and scientific dairying and making an appropriation therefor.	
Introduced and referred.....	315
Reported and rereferred.....	487
Reported unfavorably.....	947
Minority report for passage	948
Minority report adopted.....	
.....	1334-1336
Amended.....	1336
Passed.....	1336, 1337
Passed Senate.....	1673
Enrolled.....	1696, 1697
Signed.....	1715
Sent to the governor.....	1716
208—By Committee on Public Health. To repeal sections 2565, 2568, of the code, and sections 2570-a, 2570-a-1, 2570-b, 2571 and 2572 of the supplement to the code, 1907, relating to jurisdiction, powers, rules, regulations and expenses of the state board of health and of local boards of health and to enact substitutes therefor.	
Reported as substitute for House Files Nos. 24, 32, 53.....	323
Made a special order.....	353
Substituted for House File Nos. 24, 32, 53.....	364, 365
Passed.....	365
Explanation of vote.....	373
Senate passed substitute.....	990
House refuses to concur.....	991-995
Senate insists.....	1108
Conference committee appointed.....	1108, 1110
Report of Conference committee recommending amendments.....	1242
House adopts report and amendments.....	1326, 1327
Senate adopts report and amendments.....	1400
Enrolled.....	1459, 1460
Signed.....	1468
Sent to the governor.....	1516
209—By Bonwell. To amend the law as it appears in subdivision nine (9) of sec-	

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tion twenty-four hundred forty-eight (2448) of the supplement to the code, 1907, relating to the time in which intoxicating liquors may be sold.	
Introduced and referred.....	327
Reported unfavorably.....	489
Indefinitely postponed.....	490
210—By Darrah. To repeal section twenty-one hundred twenty-six (2126) of the code of 1897, relating to rates for long and short haul of passengers or freight subject to the approval of the board of railway commissioners.	
Introduced and referred.....	327
211—By Sullivan. (By request). Making an appropriation for Thomas H. Rattenbury on account of injuries received by him at the state sanatorium for the treatment of tuberculosis.	
Introduced and referred.....	327, 328
Reported with amendment and rereferred.....	554
Reported.....	695
Senate File No. 167 substituted for.....	998
(See Senate File No. 167).	
212—By Fenn. To amend paragraph two (2) of section twenty-four hundred forty-eight (2448) of the supplement to the code, relative to securing the consent of property owners for the sale of intoxicating liquors.	
Introduced and referred.....	337
213—By Hanson. Regulating certain classes of advertisements, prohibiting other classes, and providing a penalty for violation thereof.	
Introduced and referred.....	337
Reported with amendments	936
Amendments adopted	1281, 1282
Substitute amendment offered and lost.....	1282
Passed.....	1283
Title amended.....	1283
Senate indefinitely postpones.....	1655
214—By Holmes. To repeal sections twenty-one hundred eleven (2111), twenty-one hundred fifty-one (2151) of the code relating to the election, limitations, powers and duties of the board of railroad commissioners, and to enact substitutes therefor; and for the repeal of section ten hundred sixty-eight (1068) of the supplement to the code, 1907.	

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Introduced and referred	337, 338	221—By Dabney. To amend section four thousand two hundred fifty-three (4253) of the code, relating to leasing real estate partitions for sale.	
Reported with amendments	789	Introduced and referred	339
Amendments adopted	1257	Reported with amendment	451
Passed	1257, 1258	Amendment adopted	702, 703
Title amended	1258	Passed	703
215—By Fulton. For the relief of the grantees of Joel J. Bradshaw, and for the purpose of having a patent issued in the name of W. F. Werner for a certain tract of land.		Passed Senate	1144
Introduced and referred	338	Enrolled	1176, 1177
Withdrawn	703	Signed	1201
216—By Welden. To amend section twenty-six hundred and one (2601) of the code, relating to admission of inmates to the Iowa soldiers' home located at Marshalltown.		Sent to the governor	1203
Introduced and referred	338	222—By Ritter. To compensate Jonah Smith for services as chaplain at Camp McKinley for a period from June 24 to September 5, 1898, and to make appropriation therefor.	
Reported	347, 348	Introduced and referred	349
S. F. No. 172 substituted for (See Senate File No. 172).	421	Reported unfavorably	671
217—By Cooper. To amend section four thousand four hundred and eighty-one (4481) of the supplement to the code, 1907, relating to change of venue of suits brought on written contracts in justice courts.		Indefinitely postponed	671
Introduced and referred	338	223—By Brandes. To amend section one (1), chapter one hundred and twenty-two (122), of the laws of the Twenty-ninth General Assembly, relating to the support of the Iowa school for the deaf at Council Bluffs.	
Withdrawn	703	Introduced and referred	349
218—By Stillman. To amend section seven hundred thirty-two (732), supplement to the code, 1907, relative to the levying of taxes for public libraries.		Reported	429
Introduced and referred	338	Passed	639, 640
Reported	394	Amended and passed Senate	1145
Passed	482, 483	House concurs	1149, 1150
Passed Senate	874	Enrolled	1176, 1177
Enrolled	880, 881	Signed	1201
Signed	889	Sent to the governor	1203
Sent to the governor	901	224—By O'Connor. To regulate the charges of sleeping cars on all railroads in this state and to provide a penalty for the violation thereof.	
219—By Wilson. To repeal the law as it appears in section five hundred sixty-five (565) of the code, and to enact a substitute therefor with regard to election of township assessors in certain townships.		Introduced and referred	349
Introduced and referred	338	Reported	1114
Reported	393	Indefinitely postponed	1216
Passed	494, 495	225—By Kellogg. To amend sections seven hundred twenty (720) and seven hundred twenty-one (721) of the supplement to the code, 1907, relating to the purchase of water or gas works, heating plants and electric plants, and the submission of the question to the voters.	
Amended and passed Senate	1588	Introduced and referred	349, 350
House concurs	1594, 1595	House File No. 256 reported as a substitute for	412
Enrolled	1629, 1634	H. F. 256 substituted for 563, 564 (See House File No. 256).	
Signed	1656	226—By Kellogg. To amend section seven hundred seventy-six (776) of the supplement to the code, 1907, relating to the granting of franchises.	
Sent to the governor	1694	Introduced and referred	350
220—By Koontz. To appropriate money for the use of the state sanatorium for the treatment of tuberculosis at Oakdale, Iowa.			
Introduced and referred	338		
Reported unfavorably	1627		
Indefinitely postponed	1628		

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House File No. 256 reported as substitute .....	412
House File No. 256 substituted for .....	563, 564
(See House File No. 256).	
227—By Kellogg. To amend section seven hundred forty-one-g (741-g), seven hundred forty-one-m (741-m), seven hundred forty-one-q (741-q) and seven hundred forty-six (746) of the supplement to the code 1907, relating to the submission of questions to voters.	
Introduced and referred....	350
Reported with amendments.	411
Amendments adopted .....	412
Passed .....	564, 565
Amended and passed Senate .....	926, 927
House concurs .....	934, 935
Enrolled .....	956, 958
Signed .....	955
Sent to the governor.....	956
228—By Koontz. Making appropriation to the state historical society of Iowa.	
Introduced and referred....	350
Reported .....	791
Passed .....	1209, 1210
Senate indefinitely postpones .....	1714
229—By Koontz. Relating to fish and game, and making appropriation for the fish and game commission of the state of Iowa.	
Introduced and referred....	350
Reported with amendments	552
Amendments adopted .....	840
Passed .....	841
Passed Senate .....	1536
Enrolled .....	1584, 1587
Signed .....	1588
Sent to the governor.....	1632
230—By Wolfe. To amend section two thousand two hundred and forty-seven (2247) of the code in relating to the levy of a poor tax.	
Introduced and referred....	363
Reported .....	752
Passed .....	1156, 1157
Passed Senate .....	1535
Enrolled .....	1584, 1585
Signed .....	1588
Sent to the governor.....	1630
231—By Smith. Making appropriation for additional improvements and land at the Iowa state fair and exposition grounds.	
Introduced and referred....	363
Petitions relative to.....	338
Reported with amendments	695
Amendments adopted .....	979
Passed .....	979, 980
Passed Senate .....	1192, 1193
Enrolled .....	1202, 1222
Signed .....	1227
Sent to the governor.....	1221

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232—By Klay. (By request). To repeal section forty thousand eleven (4011) of the code and to enact a substitute therefor, relative to personal earnings.	
Introduced and referred....	863
Reported .....	467
Rereferred .....	725
Reported unfavorably .....	914
Indefinitely postponed .....	914
For petitions. (See wage exemptions).	
233—By Newell. To legalize the incorporation of the town of Hinton, Iowa, and the passage and adoption of its ordinances, resolutions and rules of health.	
Introduced and referred....	363
Substitute reported .....	1057
Substitute adopted .....	1410
Passed .....	1410, 1411
Passed Senate .....	1501
Enrolled .....	1583, 1586
Signed .....	1588
Sent to the governor.....	1631
234—By Newell. To legalize the incorporation of the town of Merrill, Iowa, and the passage and adoption of its ordinances, resolutions and rules of health.	
Introduced and referred....	364
Reported with amendments	1055
Amendments adopted .....	1411
Passed .....	1411, 1412
Passed Senate .....	1501
Enrolled .....	1583, 1586
Signed .....	1588
Sent to the governor.....	1631
235—By Dawson. To grant to certain officers and other employes of the state institutions under the control of the board of control of state institutions, annual vacations with pay, and to repeal chapter one hundred ninety-five (195) of the acts of the Thirty-second General Assembly.	
Introduced and referred....	364
Withdrawn .....	842
236—By Kellogg. To amend section two thousand five hundred sixty-three-a (2563-a), two thousand five hundred sixty-three-c (2563-c), two thousand five hundred sixty-three-d (2563-d), and two thousand five hundred sixty-three-g (2563-g) of the supplement to the code, 1907, relating to non-resident hunters' licenses.	
Introduced and referred....	364
Reported .....	450
Passed .....	635, 636
Senate indefinitely postpones .....	1834

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237—By Koontz. Making appropriations for the state university.	
Introduced and referred....	364
Reported unfavorably .....	1626
Indefinitely postponed .....	1626
238—By White. Making appropriations to the Iowa state college of agriculture and mechanic arts.	
Introduced and referred....	381
Reported unfavorably .....	1627
Indefinitely postponed .....	1627
239—By Cooper. (By request). To amend section twenty-four hundred seventy-seven (2477) of the supplement to the code, 1907, relating to the compensation and expenses of the department of the bureau of labor statistics.	
Introduced and referred....	382
Reported .....	469
Passed .....	723, 724
Amended and passed Senate .....	1162
House concurs .....	1164
Enrolled .....	1202, 1221
Signed .....	1220
Sent to the governor.....	1220
240—By Brandes. To appropriate money for the use of the school for the deaf at Council Bluffs, Iowa.	
Introduced and referred....	382
Reported unfavorably .....	1628
Indefinitely postponed .....	1628
241—By Crozier. (By request). To amend chapter nine (9), title fifteen (15), of the code of 1897; to amend section three thousand one hundred and seven (3107) and to repeal section three thousand one hundred and eleven (3111) and to enact a substitute therefor and to repeal section three thousand one hundred twelve (3112) and section three thousand one hundred and fifteen (3115) and enact substitutes therefor.	
Introduced and referred....	382
242—By Meredith. To amend section eleven hundred and thirty-one (1131) of the code, granting women the right to vote upon certain questions, additional to chapter three (3), of title VI. of the code.	
Introduced and referred....	382
243—By Grier. Legalizing ordinances numbers thirty-eight and thirty-nine, establishing the grades of streets and side walks in the incorporated town of Deep River, Poweshiek county, Iowa.	

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Introduced and referred....	395
Reported with amendment..	487
Amendment adopted .....	737
Passed .....	737, 738
Passed Senate .....	896, 897
Enrolled .....	916, 918
Signed .....	935
Sent to the governor.....	917
244—By Boettger. To appropriate money for the use of the Iowa soldiers' orphans' home at Davenport, Iowa.	
Introduced and referred....	395
Reported unfavorably .....	1627
Indefinitely postponed .....	1627
245—By Darrah. Relating to the indebtedness of counties and providing for the issuance of bonds for the purpose of building and constructing permanent highways bridges, culverts, levees, drains and ditches, and providing for the appointment of county engineers, and defining their duties.	
Introduced and referred....	395
Reported unfavorably .....	832
Indefinitely postponed .....	832
246—By Dewey. Creating a commission to procure additional grounds adjacent to the capitol, for beautifying the same, the erection of additional state buildings and for an appropriation therefor.	
Introduced and referred....	395
Reported with amendment..	1693
Substitute reported .....	1693
Substitute adopted .....	1741
Lost on passage.....	1741, 1742
247—By Wolfe. To amend sections two thousand eighty-four (2084), two thousand eighty-five (2085), two thousand eighty-six (2086), two thousand eighty-seven (2087), and two thousand ninety (2090), of the supplement to the code, 1907, relative to taxes in aid of railroads.	
Introduced and referred....	396
Reported unfavorably .....	1136
Indefinitely postponed .....	1136
248—By Bowman. To amend section five thousand six hundred and fifty-two (5652) of the code of Iowa, relating to hard labor by persons confined in jails.	
Introduced and referred....	396
Reported .....	472
Passed .....	728, 729
Amended and passed Senate .....	924
House concurs .....	931, 932
Enrolled .....	956, 958
Signed .....	955
Sent to the governor.....	956

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249—By Finlayson. To repeal section thirty-one hundred eighty-one (3181) of the supplement to the code, 1907, relating to the right of divorced persons to remarry within one year, and to enact a substitute therefor.	
Introduced and referred....	396
Reported unfavorably .....	472
Indefinitely postponed .....	472
250—By Committee on Military. To repeal title eleven of the code and the law as it appears in title eleven of the supplement to the code, 1907, relating to the militia and enacting a substitute therefor to be known as "The Military Code of Iowa."	
Introduced and referred....	413
Reported with amendments	553
Amendments adopted .....	855
Amended .....	855, 856, 857
Passed .....	857
Amended and passed Senate .....	1321
House concurs .....	1325, 1326
Enrolled .....	1458, 1459
Signed .....	1468
Sent to the governor.....	1515
251—By Fulliam. To amend section four thousand nine hundred and thirty-six (4936) of the supplement to the code of Iowa, relating to marriage of cousins.	
Introduced and referred....	413
Reported .....	429
Passed .....	657, 658
Title amended .....	658
Amended and passed Senate .....	895
House concurs .....	898, 899
Enrolled .....	917, 918
Signed .....	935
Sent to the governor.....	917
252—By Koontz. To amend the law as it appears in section 1137-a-7 of the supplement to the code, 1907, relating to elections and voting machines.	
Introduced and referred....	413
Reported with amendments	710
Amendments adopted .....	1090
Passed .....	1090, 1091
Passed Senate .....	1145
Enrolled .....	1176, 1177
Signed .....	1201
Sent to the governor.....	1203
253—By Balluff. Repealing section one thousand eighty-seven-a-1 (1087-a-1), supplement to the code, 1907, and enacting a substitute therefor; repealing section one thousand eighty-seven-a-5 (1087-a-5), supplement to the code, 1907, and enacting a substitute therefor. repealing sec-	

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tion one thousand eighty-seven-a-6 (1087-a-6), supplement to the code, 1907, and enacting a substitute therefor; repealing section one thousand eighty-seven-a-7 (1087-a-7), supplement to the code, 1907, repealing section one thousand eighty-seven-a-8 (1087-a-8), supplement to the code, 1907; repealing section one thousand eighty-seven-a-9 (1087-a-9), supplement to the code, 1907, and enacting a substitute therefor; repealing subdivisions one (1), two (2), and three (3) of section one thousand eighty-seven-a-10 (1087-a-10), supplement to the code, 1907, and enacting a substitute therefor; and amending section one thousand eighty-seven-a-20 (1087-a-20), supplement to the code, 1907, relating to primary elections.	
Introduced and referred	413, 414
Reported unfavorably .....	1342
Indefinitely postponed .....	1343
254—By Harding. To regulate the transfer in bulk of stocks of merchandise.	
Introduced and referred....	414
Withdrawn .....	1142
255—By Dodds. (By request). To promote the building of permanent roads in the state and providing for the establishing of districts, and providing for the construction of roads, and prescribing the method for so doing, and providing for assessment and collection of a portion of the cost of the same, and issuing improvement certificates therefor, and providing for a tax in aid thereof.	
Introduced and referred....	414
Reported .....	753
Senate File No. 217 reported and recommended as a substitute for .....	1125, 1126
Senate File No. 217 substituted for .....	1130
256—By Committee on Judiciary. To amend section seven hundred twenty (720), seven hundred twenty-one (721), and seven hundred seventy-six (776), of the supplement to the code, 1907, relating to the purchase of water or gas works, heat plants and electric plants, the granting of franchises and the submission of the question to the voters.	

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Introduced and passed on file .....	414
Substituted for H. F. Nos. 225 and 226.....	563, 564
Passed .....	564
Passed Senate .....	924
Enrolled .....	917, 918
Signed .....	935
Sent to the governor.....	917
257—By Committee on Judiciary. To amend sections four hundred twenty-three (423) and amendments thereto, and amendments two hundred thirty-one (2331), two thousand two hundred thirty-three (2233), two thousand two hundred forty-one (2241), two thousand two hundred forty-two (2242), two thousand two hundred forty-three (2243), two thousand two hundred forty-four (2244), two thousand two hundred forty-five (2245), two thousand two hundred forty-six (2246), two thousand two hundred forty-eight (2248), two thousand two hundred forty-nine (2249), two thousand two hundred seventy-one (2271), two thousand two hundred thirty-four (2234), two thousand two hundred thirty (2230) and two thousand three hundred eight (2308) and amendments thereto, of the code relating to the care and support of the poor.	
Introduced and passed on file .....	415
Substituted for Senate File No. 101 .....	565, 566
(See Senate File No. 101).	
258—By Miller of Bremer. Regulating sections five thousand sixty (5060), five thousand sixty-one (5061), five thousand sixty-three (5063), five thousand sixty-four (5064), five thousand sixty-five (5065), five thousand sixty-six (5066), five thousand sixty-seven (5067), of the code, and five thousand sixty-two (5062), supplement to the code, 1907, relating to pools and trusts, and enact substitutes thereto.	
Introduced and referred .....	415, 416
*Reported unfavorably .....	1517
Motion not to refer to Sifting committee lost .....	1542, 1543
Minority report recommending passage .....	1517
Minority report adopted.....	1518
*Erroneously printed Senate File No. 258.	
259—By Moore of Linn. To repeal section twenty-four	

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hundred ninety-seven (2497), twenty-four hundred ninety-eight (2498), twenty-four hundred ninety-nine (2499), twenty-five hundred (2500), twenty-five hundred one (2501), and twenty-five hundred two (2502), of chapter ten (10) of the code and supplement to the code, 1907, and to enact a substitute therefor, relative to state geological survey.	
Introduced and referred....	434
260—By Moore of Linn. Relating to river front improvement commissions in cities organized under the provisions of chapter forty-eight (48) of the acts of the Thirty-second General Assembly, and additional to said chapter forty-eight (48) of the acts of the Thirty-second General Assembly and additional to chapter two hundred and ten (210) of the acts of the Twenty-ninth General Assembly, and legalizing the establishment of river front improvement commissions in cities acting under special charter having a population of over twenty-five thousand (25,000).	
Introduced and referred....	434
Reported .....	826
Withdrawn .....	1227
261—By O'Connor. To legalize the special election held in the city of New Hampton, Iowa, on the 5th day of February, 1907, wherein there was submitted to the voters of said city the question of issuing bonds in the sum of eighteen thousand dollars (\$18,000) for the purpose of erecting a combined waterworks, electric light and power plant and water tower and tank, and to validate and legalize the bonds issued in pursuance of said elections.	
Introduced and referred .....	434, 435
Reported with amendment .....	488
Amendment adopted .....	738
Passed .....	738, 739
Passed Senate .....	875
Enrolled .....	881
Signed .....	889
Sent to the governor.....	901
262—By Hackler. To confer jurisdiction over the gypsum mines of this state on the state mine inspectors and providing for the enforcement of chapter nine (9) of the code, in reference thereto.	
Introduced and referred....	435

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263—By Ward. To repeal section number sixteen hundred ninety-nine (1699) of the code, relating to the investment of their funds by insurance companies other than life, organized under chapter (4) of title IX of the code, and to enact a substitute therefor.	
Introduced and referred....	435
Reported with amendments 754	
Amendments adopted .....	1129
Amended and passed .....	1129
Amended and passed Senate .....	1675
House concurs .....	1676-1678
Enrolled .....	1772, 1773
Signed .....	1799
Sent to the governor.....	1804
264—By Ward. To amend section twenty-one hundred fifty-seven-g (2157-g) of the supplement to the code, 1907, relating to free passes by common carriers.	
Introduced and referred....	435
Reported .....	789
Senate File No. 218 substituted for on calendar.....	1021
(See Senate File No. 218).	
265—By Harding. To amend section fifteen hundred and thirty (1530) of the supplement to the code, 1907, by providing for the delivery of the city treasurer of so much of the county road fund tax as is collected from property with in the incorporated limits of any city.	
Introduced and referred....	435
Substitute reported .....	800
Substituted for House File No. 181 on calendar.....	1087
Substitute amendment adopted .....	1087
Passed .....	1087, 1088
Title amended .....	1088
Amended and passed Senate .....	1182
House refuses to concur.....	
..... 1183, 1184, 1185	
Senate recalls .....	1193
Senate insists .....	1228
Conference committee appointed .....	1227, 1228
Senate adopts report of Conference committee and passes substitute recommended .....	1500
Report of Conference committee recommending substitute .....	1504
Report and substitute adopted .....	1506, 1507
Enrolled .....	1583, 1586
Signed .....	1588
Sent to the governor.....	1631
266—By Harding. Defining the management and activities of the historical department of Iowa, and	

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making an appropriation for the permanent support thereof.	
Introduced and referred....	435
Reported and rereferred....	696
Substitute reported .....	1004
Substitute amended.....	1373, 1374
Amended .....	1383
Substitute as amended adopted .....	1384
Passed .....	1384
267—By Harding. To amend section two thousand eight hundred eighty-one-e (2881-e) of the supplement to the code, 1907, relating to the appropriation for the state library and historical department, reducing the appropriation and confining the same to the state library.	
Introduced and referred....	436
Reported and rereferred...	696
Reported .....	1004
Passed .....	1371, 1372
268—By Hunter. Defining and regulating the business of real estate agents, fixing the rate of commission and providing a lien therefor.	
Introduced and referred....	436
Reported unfavorably .....	489
Indefinitely postponed .....	489
269—By Hunter. To amend section five thousand six hundred and thirty-one (5631) of the code, relating to liens upon real property for the support of illegitimate children.	
Introduced and referred....	436
Reported unfavorably .....	508
Indefinitely postponed .....	508
270—By Hunter. To amend section four thousand two hundred and ten (4210) of the code, relating to the method of giving three days notice to quit.	
Introduced and referred....	436
Reported unfavorably .....	1550
Indefinitely postponed .....	1550
271—By Hunter. To amend section two thousand nine hundred and ninety-one (2991) of the code, relating to the termination of tenancy at will.	
Introduced and referred....	436
Reported unfavorably .....	630
Indefinitely postponed .....	630
272—By Inman. To amend section seven hundred twenty-eight (728) of the code and supplement, relating to vacancies in office of library trustees.	
Introduced and referred....	436
Reported unfavorably .....	829
Indefinitely postponed .....	829

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273—By Arney. To authorize the commandant of the soldiers' home to sell effects of deceased soldiers.	
Introduced and referred....	437
Substitute reported .....	769
Substitute adopted .....	1206
Passed .....	1206, 1207
Passed Senate .....	1536
Enrolled .....	1584, 1585
Signed .....	1588
Sent to the governor.....	1630
274—By Bonwell. To amend the law as it appears in section four thousand seven hundred seventy-one (4771) of the code, relating to punishment for the crime of assault with intent to inflict great bodily injury.	
Introduced and referred....	437
Reported .....	472
Passed .....	727, 728
Passed Senate .....	1013
Enrolled .....	1080, 1082
Signed .....	1143
Sent to the governor.....	1174
275—By Hackler. To provide for the creation of the office of county highway engineer, and to define the duties thereof.	
Introduced and referred....	437
Reported unfavorably .....	753
Indefinitely postponed .....	754
276—By Cooper. (By request). To amend the law as it appears in section thirty-one hundred six (3106) of the code, relating to limited partnerships.	
Introduced and referred....	437
Reported .....	938
Amended .....	1280, 1281
Passed .....	1281
Senate indefinitely postpones .....	1465
277—By Penn. To provide for the protection of bridges and drainage ditches and providing a penalty for the violation thereof.	
Introduced and referred....	452
Reported with amendments.....	1003
Rereferred .....	1003
Reported unfavorably .....	1126
Indefinitely postponed .....	1126
278—By Hunter. To authorize the issuance of a search warrant, and the seizure of cigarettes and cigarette papers.	
Introduced and referred....	452
Reported unfavorably .....	508
Minority report for passage .....	509
Minority report adopted .....	835, 836
Amended and passed .....	836, 837
Amended and passed Senate .....	1144
House concurs .....	1147, 1148

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Enrolled .....	1176, 1177
Signed .....	1201
Sent to the governor.....	1203
279—By Elliott. To declare certain diseases contagious and infectious, and to provide rules and regulations for the control of the same, and to fix the punishment for violation thereof.	
Introduced and referred....	452
Petition relative to.....	
..... 485, 486, 503, 505, 647	
Reported .....	773
Amended .....	1157, 1158
Enacting clause stricken out .....	1158, 1159
280—By Kull. To repeal chapter thirteen (13) of the supplement to the code, 1907, with the exception of sections two thousand seven hundred thirty-eight (2738), two thousand seven hundred thirty-nine (2739) and two thousand seven hundred forty-two (2742), relative to the qualifications of county superintendents of schools, and examinations and certificates of teachers, and to enact a substitute therefor.	
Introduced and referred....	452
Reported unfavorably .....	1189
Indefinitely postponed .....	1190
281—By Dawson. To provide for special tile drainage districts when the land to be drained is owned by fewer than six (6) persons.	
Introduced and referred....	474
Reported and rereferred....	698
Reported unfavorably .....	1338
Indefinitely postponed .....	1339
282—By Ripley. To amend section thirteen (13) of chapter two (2) of the code, relating to compensation of officers and employes.	
Introduced and referred....	474
Reported unfavorably .....	671
Indefinitely postponed .....	671
283—By Harding. Creating the office of state fire marshal and deputy fire marshal, prescribing their duties and providing for their compensation and for the maintenance of the state fire marshal's office.	
Introduced and referred....	475
Substitute reported .....	1069, 1073
Rereferred, .....	1074
Reported unfavorably .....	1240
Indefinitely postponed .....	1240



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284—By Hickenlooper. To amend the law as it appears in section one thousand one hundred thirty-seven-a-one (1137-a-1) of the supplement to the code, 1907, relative to expenditure of money by candidates for any office to be voted for at any primary, municipal or general election.	
Introduced and referred....	475
Withdrawn .....	1038
Reported unfavorably .....	1342
Indefinitely postponed .....	1342
285—By Marston. Making an appropriation of two hundred dollars (\$200) to reimburse company A, fifty-sixth (56th) infantry, Iowa National Guards, for money paid by it to Robert Mann as damages resulting from the accidental killing by said company of a horse belonging to said Robert Mann.	
Introduced and referred....	475
Reported and rereferred...	529
Reported .....	791
Amended .....	1207
Passed .....	1207, 1208
Senate indefinitely postpones .....	1466
286—By Penn. To repeal a part of section twenty-five hundred and eighty-eight (2588), title twelve (12), chapter eighteen (18) of the code, relating to registered pharmacists.	
Introduced and referred....	475
Withdrawn .....	540
287—By Hunter. To repeal section four hundred and sixty-nine (469) of the supplement to the code, 1907, and to enact a substitute therefor, relating to the compensation of board of supervisors.	
Introduced and referred....	475
Reported unfavorably .....	694
Indefinitely postponed .....	695
288—By Ward. To amend the law as it appears in section three thousand forty-one (3041) of the code, relating to usury.	
Introduced and referred	475. 476
289—By Klay and Davidson. To require telephone companies to construct and maintain suitable physical connections for the transfer of messages and conversations from one line to another and giving cities or towns authority to require such connections to be made and to prescribe the rules under which such trans-	

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fer of messages shall be made.	
Introduced and referred....	476
Reported unfavorably .....	1338
Indefinitely postponed .....	1338
290—By Fourt. Amendatory of and additional to chapter fifteen (15), title twelve (XII) of the code and supplement to the code, relative to the care and propagation of fish.	
Introduced and referred....	476
Reported with amendments	832
Amendments adopted 1213, 1214	
Amended .....	1214
Passed .....	1214, 1215
Passed Senate .....	1465
Enrolled .....	1515, 1517
Signed .....	1543
Sent to the governor.....	1581
291—By Ripley. (By request). To amend section four thousand nine hundred and seventy-nine (4979) of the code, relating to offenses against the public health.	
Introduced and referred....	476
Reported .....	709
Passed .....	1041, 1042
Passed Senate .....	1464
Enrolled .....	1515, 1517
Signed .....	1543
*Sent to the governor.....	1582
*Erroneously printed House File No. 296.	
292—By Inman. To repeal section two thousand nine hundred forty-two-j (2942-j) of the supplement to the code, 1907, relating to certain conveyances of real estate legalized by executors, administrators and guardians in this and foreign states and to enact a substitute therefor.	
Introduced and referred....	476
Reported with amendments	648
Amendments lost .....	1314
Passed .....	1314, 1315
Title amended .....	1315
Senate indefinitely postpones .....	1400
Senate recalls .....	1499
Request granted .....	1512
Passed Senate .....	1713
Enrolled .....	1772, 1773
Signed .....	1799
Sent to the governor.....	1804
293—By Goodykoontz. Concerning railroads and to protect the lives of their employees and the traveling public and providing penalties for violation thereof.	
Introduced and referred....	490
Withdrawn .....	1029
294—By Ward. To amend the law as it appears in section three thousand forty-seven (3047) of the	

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supplement to the code, 1907, relating to the assignment of open accounts.		299—By More of Wapello. Prohibiting the wearing of the uniform of the United States army or navy or national guard, and providing a penalty for the violation thereof.	
Introduced and referred....	490	Introduced and referred....	491
295—By Corrie. Amending subdivision twenty-nine (29) of section two hundred ninety-six (296) of the supplement to the code, relative to fees in probate matters to be collected by the clerk of the district court.		300—By Beery. To amend section fifteen hundred and nine (1509) of the code and section fifteen hundred and thirty-two-a (1532-a), supplement to the code, 1907, relative to the power and duties of the trustees, board of regents and board of control, in regard to roads and highways in and around lands owned by the state.	
Introduced and referred....	490	Introduced and referred....	491
Reported unfavorably .....	647	Reported with amendments 672	
Indefinitely postponed .....	648	Amendments adopted ..904, 905	
296—By Arney. To repeal sections twenty-five hundred and sixty-three-a (2563-a), twenty-five hundred and sixty-three-b (2563-b), twenty-five hundred and sixty-three-c (2563-c), twenty-five hundred sixty-three-d (2563-d), twenty-five hundred sixty-three-e (2563-e), twenty-five hundred sixty-three-f (2563-f), twenty-five hundred sixty-three-g (2563-g), twenty-five hundred sixty-three-h (2563-h), of the supplement to the code, 1907, and to enact in lieu thereof the following, relating to protection of game.		Passed .....	905
Introduced and referred....	490	*Amended and passed Senate .....	1250
Substitute reported .....	829	House concurs .....	1252
Substitute adopted ..1211, 1212		Enrolled .....	1285, 1286
Amended .....	1212, 1213	Signed .....	1293
Passed .....	1213	Sent to the governor.....	1301
Explanation of vote.....	1213	*Erroneously printed, "Senate has passed."	
Passed Senate .....	1465	301—By Beery. To amend section four hundred and fifty-eight-c (458-c) of the supplement to the code, 1907, relative to injuries of domestic animals by dogs and wolves.	
Enrolled .....	1515, 1517	Introduced and referred....	491
Signed .....	1543	Reported .....	554
Sent to the governor.....	1581	Amended .....	883, 884
297—By Jones. To provide for the procuring of oil portraits of the present and future governors of Iowa and photographs of the present and future members of the General Assemblies of the state of Iowa, to be placed in the art galleries of the historical department.		Passed .....	884
Introduced and referred....	491	Passed Senate .....	1464
Reported and rereferred ...	829	Enrolled .....	1555, 1556
Reported unfavorably .....	948	Signed .....	1571
Indefinitely postponed .....	948	Sent to the governor.....	1582
298—By Burt. To amend the law as it appears in section one thousand three hundred eleven (1311) of the code, relating to the deducting of debts from moneys and credits.		302—By Ritter. For the protection, preservation, propagation, taking, use and transportation of fish and game, and certain harmless birds and animals and to repeal all acts or parts of acts heretofore passed inconsistent with or contrary to the provisions hereof.	
Introduced and referred....	491	Introduced and referred 491, 492	
Reported unfavorably .....	1270	303—By Hanson. To provide for liens upon horses and other animals for the cost of shoeing the same and upon vehicles, machines and tools for the cost of manufacturing or repairing the same.	
Indefinitely postponed .....	1270	Introduced and referred....	511
		Reported with amendments.1007	
		Amendments adopted .....	1372
		Rereferred .....	1373

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304—By Sullivan. Making an appropriation for John Jones on account of injuries received by him at the state hospital for insane persons at Clarinda, Iowa.	
Introduced and referred....	511
Withdrawn .....	1717
305—By Hunter. To amend the law as it appears in section two hundred ninety-eight (298) of the supplement to the code, 1907, relating to compensation of clerks of the district court and their deputies.	
Introduced and referred....	511
Reported .....	1269
Lost on passage.....	1532
Motion to reconsider filed..	1565
Reconsidered .....	1566
Amended and passed.....	1566
Passed Senate .....	1792
Enrolled .....	1802, 1810
Signed .....	1850
Sent to the governor.....	1805
306—By Hunter. To amend the law as it appears in section eight hundred and fifty-c (850-c) of the supplement to the code, 1907, authorizing the levy of an additional tax of one (1) mill on the dollar on all taxable property for park purposes, relating to park commissioners, their powers and duties.	
Introduced and referred....	511
Reported .....	967
Senate File No. 266 substituted for .....	1352
(See Senate File No. 266).	
307—By Eyerly. To legalize the resolutions and proceedings of the council of the city of Monticello, Iowa, relating to the parking, curbing, guttering and macadamizing of a portion of Sycamore street in said city, and all acts done thereunder.	
Introduced and referred....	511
Reported .....	694
Withdrawn .....	704
308—By Wilson. To repeal sections four hundred ten (410) and four hundred eleven (411) of the supplement to the code of 1907, and to enact a substitute therefor relating to the term of office of the county board of supervisors.	
Introduced and referred....	511, 512
Reported unfavorably .....	712
Indefinitely postponed .....	712
309—By Etter. To amend the law as it appears in section twenty-eight hundred and six (2806), title thir-	

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teen (13), chapter fourteen (14), of the code and supplement to the code, relative to estimating tax levies by school boards.	
Introduced and referred....	512
Reported and referred....	828
Reported unfavorably .....	900
Indefinitely postponed .....	900
310—By Perkins. To repeal section five thousand and seventy-seven-a-twenty (5077-a-20) of the supplement to the code, nineteen hundred and seven (1907), relating to agricultural seeds and enacting a substitute therefor.	
Introduced and referred....	512
Reported unfavorably .....	1080
Indefinitely postponed .....	1080
311—By Perkins. Repealing section four thousand nine hundred and ninety-nine-a-21 (4999-a-21) of the supplement to the code, nineteen hundred and seven (1907), relating to pure foods and enacting substitute therefor.	
Introduced and referred....	512
Reported unfavorably .....	1080
Indefinitely postponed .....	1080
312—By Penn. To regulate the dispensing of medicines by physicians and to amend section two thousand five hundred eighty-eight (2588), title twelve (12), chapter eighteen (18), of the code, relative to pharmacy.	
Introduced and referred....	512
Reported unfavorably .....	1078
Indefinitely postponed .....	1078
313—By Hackler. To legalize certain ordinances of the town of Callender, Webster county, Iowa.	
Introduced and referred....	532
Reported .....	648
Passed .....	865, 866
Passed Senate .....	1145
Enrolled .....	1176, 1177
Signed .....	1201
Sent to the governor.....	1203
314—By Schulte. To amend sections eight hundred forty-nine-a (849-a), eight hundred forty-nine-b (849-b), eight hundred forty-nine-c (849-c), eight hundred forty-nine-e (849-e), eight hundred forty-nine-f (849-f), eight hundred forty-nine-g (849-g) and eight hundred forty-nine-h (849-h) of the supplement to the code, 1907, relating to the protection of city and town property from floods.	
Introduced and referred....	532

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Reported .....	802
Passed .....	1208, 1209
Passed Senate .....	1501
Enrolled .....	1583, 1586
Signed .....	1588
Sent to the governor.....	1631
315—By Marston. To repeal chapter one hundred and eighty-one (181) of the laws as enacted by the Thirty-second General Assembly of the state of Iowa, relating to the assumption of risks, and providing a substitute therefor.	
Introduced and referred....	532
Reported .....	671
Rereferred .....	672
316—By Bascom. To compensate D. N. Guthrie for the damages sustained by him by the construction of a dam by the state of Iowa across the outlet of lower Gar Lake.	
Introduced and referred....	532
Withdrawn .....	1119
317—By Bowman. To legalize certain acts of the city council of the city of Cedar Rapids, Linn county, Iowa, and of the auditor, treasurer and board of supervisors of said Linn county, Iowa, relating to a levy of park tax.	
Introduced and referred	532, 533
Reported with amendment..	712
Amendment adopted .....	712
Passed .....	885, 886
Amended and passed Senate .....	1093
House concurs .....	1095, 1096
Enrolled .....	1139, 1141
Signed .....	1143
Sent to the governor.....	1175
318—By Bowman. To legalize collection of general and special taxes heretofore levied by the city of Cedar Rapids, Iowa, before its organization under chapter forty-eight of the acts of the Thirty-second General Assembly of the state of Iowa by the county treasurer of Linn county, Iowa, and to legalize issuance of tax deeds by said county treasurer on tax sales for general and special taxes made heretofore by the city treasurer of said city of Cedar Rapids, Iowa.	
Introduced and referred....	533
319—By Koontz. To repeal section two thousand five hundred and forty-three (2543) of the code, relating to the care and propagation of fish and the protection of birds and	

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game, and enact a substitute therefor.	
Introduced and referred....	533
320—By Hanson. To amend the law as it appears in section four thousand nine hundred and ninety-nine-a twenty-five (4999-a25) of the supplement to the code nineteen hundred and seven (1907) relating to penalty for violation of the pure food laws.	
Introduced and referred....	533
Reported .....	827
Amended .....	1032
Passed .....	1032
Amended and passed Senate .....	—
321—By Hanson. To amend the law as it appears in section four thousand nine hundred and ninety-nine-a thirty-one (4999-a 31) of the supplement to the code nineteen hundred and seven (1907), relating to food standards.	
Introduced and referred....	533
Reported .....	827
Amended .....	1044
Passed .....	1044, 1045
Passed Senate .....	1464
Enrolled .....	1555, 1556
Signed .....	1571
Sent to the governor.....	1582
322—By Elliott. Appropriating the sum of one hundred thirty-nine dollars and sixty-five cents (\$139.65) to be paid to S. J. McCord in settlement of a claim against the state of Iowa arising by reason of the efforts of the said S. J. McCord to extradite one James F. Milligan.	
Introduced and referred....	534
Reported and rereferred....	952
Reported .....	1240
Passed .....	1526, 1527
Senate indefinitely postpones .....	1714
323—By Holmes. To authorize the purchase of land for a colony for epileptics and making an appropriation for that purpose.	
Introduced and referred....	558
Reported unfavorably .....	948
Indefinitely postponed .....	948
324—By Dalby. (By request). To amend sections seven-teen hundred and nine (1709) of the supplement to the code, 1907, as amended by the acts of the Thirty-first and Thirty-second General Assemblies, relative to insurance other than life.	
Introduced and referred	558, 559
Reported unfavorably .....	1069
Indefinitely postponed .....	1069

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325—By Inman. Additional to and amendatory of the law as it appears in chapter six (6) of title twelve (XII) of the code and supplement to the code, 1907, relative to intoxicating liquors providing for the appointment of liquor law enforcement commissioners and their deputies, describing their duties, fixing their compensation and creating a fund therefor.	
Introduced and referred....	559
Reported .....	1007
Amended .....	1384, 1385
Amended .....	1386
Amendments offered.....	1386-1390
Amendments lost .....	1390, 1391
Lost on passage.....	1391
Petition relative to.....	826
326—By White. Relating to the building of county bridges.	
Introduced and referred....	559
Reported unfavorably .....	910
Indefinitely postponed .....	910
327—By Corrie. To repeal section fifteen hundred thirty (1530) of the code, 1907, relating to a county road fund and to enact a substitute therefor and to provide for the establishment of county roads and the making thereof, and the appointing of a county engineer of roads.	
Introduced and referred....	559
Withdrawn .....	1119
328—By Hunter. To provide for the supplying of electric light and power to military reservations of the United States in this state.	
Introduced and referred....	559
Substitute reported .....	799
Rereferred .....	800
Reported .....	964
Substitute adopted .....	1349
Amended .....	1349, 1350
Passed .....	1350
329—By Bowman. To amend section four hundred and sixty-nine (469) of the supplement to the code, 1907, relative to the compensation of county supervisors.	
Introduced and referred....	559
Substitute reported .....	950
Substitute adopted .....	1347
Passed .....	1347, 1348
330—By Bowman. To amend section nine hundred fifteen (915) of the supplement to the code, 1907, relating to acknowledgment and recording of plats and to provide for the certificate of the county attorney.	

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Introduced and referred....	560
Reported with amendments 749	
Amendments adopted .....	1033
Passed .....	1033
Senate indefinitely postponed .....	1145
331—By Koontz. To repeal section forty-two hundred and ninety-five (4295) of the code, relating to the satisfaction of mortgages and to enact a substitute therefor.	
Introduced and referred....	560
Withdrawn .....	685
332—By Koontz. To amend the law as it appears in sections twenty-five hundred and forty (2540), twenty-five hundred forty-a (2540-a), twenty-five hundred forty-one (2541), twenty-five hundred fifty-six (2556) of the supplement to the code, 1907, and sections twenty-five hundred and forty-four (2544), twenty-five hundred fifty-two (2552), twenty-five hundred fifty-four (2554), twenty-five hundred fifty-five (2555) and twenty-five hundred sixty-two (2562), of the code, relating to the protection of fish and game.	
Introduced and referred....	560
333—By Holmes. Making an appropriation to defray the expenses of the Lincoln program.	
Introduced and referred....	560
Reported .....	669
Passed .....	904
Passed Senate .....	1182
Enrolled .....	1202, 1221
Signed .....	1227
Sent to the governor.....	1220
334—By Hunter. Making an appropriation for the Lindquist-Holt hardware company, on account of damage done to property caused by reason of the negligently constructed and maintained wagon carrying mail from the Des Moines postoffice to the capitol building operated by an employe of the State of Iowa.	
Introduced and referred....	560
Reported unfavorably .....	915
Indefinitely postponed .....	915
335—By Marston. To appropriate the sum of nine hundred eighty-eight and ninety-eight hundredths dollars (\$988.98) to reimburse the state board of dental examiners for moneys charged off their account August 10, 1907.	

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Introduced and referred	560, 561	341—By Fulliam. To amend section ten hundred and seventy-six (1076) of the supplement to the code, 1907, defining what shall constitute a calendar day.	
Reported unfavorably	696	Introduced and referred	649
Indefinitely postponed	696	Substitute reported	863
336—By Hickenlooper. (By request). To amend the law as it appears in section three thousand three hundred five (3305) of the code, relating to time within which administration may be originally granted on estates of decedents.		Substitute adopted	1049
Introduced and referred	631	Passed	1049, 1050
Reported	694	Senate indefinitely postpones	1228
Senate File No. 334 substituted for	1088	342—By Hunter. To repeal section twenty-eight hundred twenty-a (2820-a), twenty-eight hundred twenty-b (2820-b), twenty-eight hundred twenty-c (2820-c), and twenty-eight hundred twenty-d (2820-d) of the supplement to the code, 1907, relative to the limit of indebtedness of independent school districts and to enact a substitute therefor.	
(See Senate File No. 334).		Introduced and referred	649
337—By Goodykoontz. Amending the law as it appears in section twenty-four hundred eighty-nine-a (2489-a), supplement to the code, 1907, relating to examination of mine foremen, pit bosses and hoisting engineers.		Reported unfavorably	964
Introduced and referred	631	Indefinitely postponed	964
Reported	751	343—By Hunter. To amend the law as it appears in section nineteen hundred forty (1940) of the supplement to the code, 1907, relating to levees, drains, ditches, and water courses.	
Passed	887, 888	Introduced and referred	649
Passed Senate	1013	Reported unfavorably	1339
Enrolled	1080, 1082	Indefinitely postponed	1339
Signed	1143	344—By Hunter. To provide for the maintenance of certain cemeteries and to provide a tax for such purpose.	
Sent to the governor	1175	Introduced and referred	649
338—By Elliott. To amend section five thousand six hundred twenty-six (5626) of chapter forty-nine (49), title twenty-five (25), of the code in relation to pardons and the remission of fines and forfeitures by the governor, and to enact a substitute therefor.		Reported	713
Introduced and referred	631	Passed	884, 885
Reported unfavorably	772	Senate indefinitely postpones	1673
Indefinitely postponed	772	345—By Ward. To establish a state live stock sanitary board of Iowa, and to provide for the control and suppression of dangerous, contagious or infectious diseases of domestic animals, and for the inspection of live stock imported into the state of Iowa for breeding work, or dairy purposes.	
339—By Miller of Bremer. To amend the law as it appears in section two thousand five hundred and seventy-eight-a (2578-a) of the supplement to the code, relating to the revocation of physician's certificate.		Introduced and referred	649, 650
Introduced and referred	632	Reported unfavorably	1006
Reported unfavorably	914	Indefinitely postponed	1007
Indefinitely postponed	914	346—By Lee. To amend the law as it appears in sections one thousand eighty-seven-a-1 (1087-a-1), one thousand eighty-seven-a-5 (1087-a-5), one thousand eighty-seven-a-6 (1087-a-6), one thousand eighty-	
340—By Zeller. Making an appropriation for I. N. Gordon, George Darnall, W. R. Danforth, William I. Gordon, Samuel A. Gordon, William Thornburg, James Berthoff and William Hartsook, as compensation for services rendered the state.		Introduced and referred	649
Introduced and referred	649	Reported unfavorably	915
Reported unfavorably	915	Indefinitely postponed	915
Indefinitely postponed	915		

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seven-a-10 (1087-a-10), one thousand eighty-seven-a-12 (1087-a-12), one thousand eighty-seven-a-14 (1087-a-14), one thousand eighty-seven-a-19 (1087-a-19), one thousand eighty-seven-a-21 (1087-a-21), one thousand eighty-seven-a-22 (1087-a-22), one thousand eighty-seven-a-24 (1087-a-24), one thousand eighty-seven-a-25 (1087-a-25), one thousand eighty-seven-a-26 (1087-a-26), and one thousand eighty-seven-a-27 (1087-a-27), of the supplement to the code, 1907, and to repeal the law as it appears in sections one thousand eighty-seven-a-13 (1087-a-13), one thousand eighty-seven-a-15 (1087-a-15) and one thousand eighty-seven-a-18 (1087-a-18), of the supplement to the code, 1907, and to enact substitutes therefor, relating to the holding of primary elections by political parties.	
Introduced and referred....	650
Reported with amendments	710
Made a special order.....	727
Amendments adopted.....	780
Amended .... 780, 781, 782, 783	783
Considered .....	819, 820
Passed .....	821, 822
 347—By Kull. To amend section two thousand three hundred forty-one-a (2341-a) supplement to the code, 1907, relative to the requirements as to soundness of stallions kept for public service.	
Introduced and referred....	650
*Reported .....	1006
Amended .....	1359
Passed .....	1359, 1360
Title amended .....	1360
Senate indefinitely postpones .....	1502
*Erroneously printed Senate File No. 347.	
 348—By Sullivan. Providing for the adoption of distinctive mark or marks of ownership of cans, bottles, casks, kegs, barrels, vessels or other receptacles used in the handling, manufacture, sale or transportation of dairy products, ice cream, milk or cream, by filing with the secretary of state a description of such distinctive mark or marks of ownership, the use to be made of the same, and publication in some weekly newspaper in the state;	

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making it unlawful to use any such can, bottle, cask, keg, barrel, vessel or other receptacle for the handling, manufacture, sale or transportation of any dairy products, ice cream, milk or cream, if the same have ever been used in handling any filthy, unclean, or unwholesome product or commodity whatsoever, and making it unlawful for anyone to have in possession, use, handle, ship, mutilate or destroy any such can, bottle, cask, keg, barrel, vessel, or other receptacle, without the owner's written permission; providing penalties for violation of this act; and charging the food and dairy commissioner with the enforcement of this act.	
Introduced and referred 650,	651
Reported and rereferred....	709
Reported unfavorably .....	772
Indefinitely postponed .....	772
 349—By Anderson. (By request). To create the Iowa state drainage, waterways and conservation commission, and defining the powers and duties of the same.	
Introduced and referred....	673
Reported and rereferred....	709
Substitute reported .....	969
Substitute adopted .....	1350
Passed .....	1351
Passed Senate .....	1535
Enrolled .....	1584, 1585
Signed .....	1588
Sent to the governor.....	1630
 350—By Anderson. (By request). To authorize the organization and establishment of an association to be known as the Iowa bank deposit guarantee association, and providing for the guarantee of deposits in banks and trust companies within the state of Iowa against loss to depositors.	
Introduced and referred....	673
Reported unfavorably .....	783
Indefinitely postponed .....	783
 351—By Anderson. For creating and maintaining the Iowa state conservation commission and defining the powers and duties of the same.	
Introduced and referred 673,	674
Withdrawn .....	726
 352—By Fox. (By request). To repeal sections twenty-three hundred eighty-seven (2387), twenty-three	

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hundred eighty-nine (2389), twenty-three hundred ninety-one (2391), twenty-three hundred ninety-four (2394), twenty-three hundred ninety-five (2395), twenty-three hundred ninety-six (2396), twenty-three hundred ninety-seven (2397), twenty-three hundred ninety-eight (2398), and twenty-three hundred ninety-nine (2399), of the code of 1897, and sections twenty-three hundred eighty-eight (2388), twenty-three hundred ninety (2390), twenty-three hundred ninety-two (2392), twenty-three hundred ninety-three (2393), twenty-four hundred (2400), and twenty-four hundred one (2401), of the supplement to the code of 1907, referring to the granting of permits to licensed pharmacists.	
Introduced and referred....	674
Reported with amendment.....	828, 829
Amendment adopted.....	1259
Amended.....	1259, 1260
Considered.....	1260, 1261
Lost on passage.....	1262
Explanation of vote.....	1262
 353—By Harvey. To legalize the acts of the board of directors and electors of the school township of Wilson, in the county of Osceola and state of Iowa, in authorizing the building of a schoolhouse in subdistrict number four 4) in said school township, and in building the same, and in levying and collecting taxes for the purpose of building, keeping and maintaining the same.	
Introduced and referred....	674
 354—By Davidson. To amend the law as it appears in section five thousand six hundred twenty-six (5626) of the code, relating to pardons and the remission of fines and forfeitures.	
Introduced and referred....	674
Reported unfavorably.....	914
Indefinitely postponed.....	914
 355—By Davidson. To repeal the law as it appears in chapter forty-one (41) of the laws of the Thirty-second General Assembly and to enact a substitute therefor, relating to the powers of certain cities and towns to levy taxes for the purpose of constructing outlets and purifying	

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plants for sewers and to issue bonds therefor.	
Introduced and referred.....	674, 675
Reported.....	697
Passed.....	872, 873
Amended and passed Senate.....	1144
House concurs.....	1148, 1149
Enrolled.....	1176, 1177
Signed.....	1201
Sent to the governor.....	1203
 356—By Swan. To promote the safety of employers and travelers upon railroads by limiting the hours of service of employes thereon, additional to chapter five (5), title ten (10), of the code.	
Introduced and referred....	675
 357—By Fulliam. To amend the law as it appears in section three thousand one hundred forty-one (3141) of the code, 1907, relating to granting of marriage license by clerk of the district court.	
Introduced and referred....	675
Reported.....	913
Amended.....	1039
Passed.....	1039, 1040
Title amended.....	1040
Amended and passed Senate.....	1250
House concurs.....	1253
Enrolled.....	1285, 1286
Signed.....	1293
Sent to the governor.....	1301
 358—By Jones. To amend section two hundred and twenty-seven (227) of the supplement to the code, 1907, changing the boundaries of the first, second and sixth judicial districts, and providing for the election of judges in these districts, and defining their jurisdiction.	
Introduced and referred....	675
Substitute reported.....	860
Substitute adopted.....	1275
Motion to indefinitely postpone lost.....	1275, 1276
Lost on passage.....	1276, 1277
 359—By Kull. To amend section twenty-five hundred eighty-two (2582) of the supplement to the code, relative to the practice of medicine and providing for the issuance of temporary permits.	
Introduced and referred....	675
Reported with amendment.....	1173
Passed.....	1522, 1523
Passed Senate.....	1792
Enrolled.....	1800, 1812
Signed.....	1850
Sent to the governor.....	1803
 360—By Miller of Bremer. To amend paragraph two (2), section thirteen hun-	



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dred and four (1304) of the supplement to the code, 1907, relating to exemption from taxation of charitable and benevolent institutions.	
Introduced and referred....	675
Reported with amendment....	1173
Considered .....	1490, 1491
Amendment adopted .....	1492
Passed .....	1492
Motion to reconsider filed..	1544
Senate indefinitely postponed .....	1712
361—By Arney. To repeal the law as it appears in sections two thousand six hundred six-a (2606-a), two thousand six hundred six-b (2606-b) and two thousand six hundred six-c (2606-c) of supplement of the code of 1907, relating to pensions of members of the soldiers' home.	
Introduced and referred....	676
Reported .....	770
Withdrawn .....	889
362—By Bowman. To legalize acknowledgment by interested stockholder.	
Introduced and referred....	676
Reported unfavorably .....	712
Indefinitely postponed .....	712
363—By Tilton. To amend the law as it appears in section two thousand eight hundred four (2804) of the code, relating to the deduction of school taxes from tuition of non-resident pupils attending school in independent districts.	
Introduced and referred....	676
Reported unfavorably .....	828
Indefinitely postponed .....	828
364—By Tilton. To amend the law as it appears in section two thousand eight hundred six (2806) of the code, relating to the amount that may be levied for contingent fund in school district.	
Introduced and referred....	676
Reported and rereferred..	827, 828
.....	900
Reported unfavorably .....	900
Indefinitely postponed .....	900
365—By Schee. To legalize deed of Osceola county, Iowa, to Edgar Baker for government lots two, three and four in section ten, in township one hundred north of range thirty-nine west of the 5th principal meridian.	
Introduced and referred....	676
Reported .....	913
Passed .....	1038, 1039
Passed Senate .....	1193

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Enrolled .....	1286, 1287
Signed .....	1293
Sent to the governor.....	1302
366—By Lee. To repeal section two thousand one hundred eleven (2111) of the code and to enact a substitute therefor, relating to the appointment, organization, powers, and duties of the board of railroad commissioners, and to repeal section two thousand one hundred twenty-two (2122) of the code, and to enact a substitute therefor, relating to the regulation of railroads and other common carrier, and telegraph and telephone companies, and defining the terms "railroad" and "railway" and relating to the jurisdiction, supervision, powers and duties of the board of railroad commissioners, and for an act additional to chapter seven (7), title ten (10), of the code, relating to the regulation of railroads and other common carriers, telegraph and telephone companies, and to repeal sections one thousand sixty-eight (1068) and two thousand one hundred twenty-one (2121) of the code as amended.	
Introduced and referred	676, 677
367—By Meredith. To provide for recognition by the state board of medical examiners of standard attainments in colleges other than medical colleges.	
Introduced and referred....	698
Reported .....	1155
Passed .....	1470
Senate indefinitely postponed .....	1712, 1713
368—By Meredith. Requiring that boots and shoes made in certain parts of substitute leather, and boots and shoes made by "convict or prison labor," to be stamped and providing a penalty for failure to so stamp.	
Introduced and referred	698, 699
Reported and rereferred...	826
Reported unfavorably .....	949
Indefinitely postponed .....	949
369—By Boe. To repeal section two thousand five hundred and thirty-four (2534) of the supplement to the code, 1907, and to enact a substitute therefor, and to amend section five thousand twenty-eight-j (5028-j) of the supple-	

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ment to the code, 1907, all relating to the state veterinary surgeon.	
Introduced and referred....	699
Reported unfavorably .....	1006
Indefinitely postponed .....	1006
<b>370—By Harding.</b> Requiring the proper equipment of locomotives used exclusively in switching or yard service; providing for the safety of employes engaged in their operation, and providing a penalty for failure to properly equip such switch engines.	
Introduced and referred....	699
Reported with amendments	911
Senate File No. 304 substituted for .....	1279
(See Senate File No. 304).	
<b>371—By Dawson.</b> (By request). To repeal section six hundred and forty - eight (648), title V, chapter II, of the code, of 1907, and to enact a substitute therefor, relating to elections.	
Introduced and referred....	699
Reported unfavorably .....	711
Indefinitely postponed .....	711, 712
<b>372—By Smith.</b> To amend sections twenty-four hundred thirty-two (2432) and twenty-four hundred forty-five (2445) of the code, relating to the mulct tax.	
Introduced and referred....	699
Reported and rereferred....	909
Reported unfavorably .....	1449
Indefinitely postponed .....	1449
<b>373—By Schulte.</b> To amend section three hundred thirty-seven (337) of the supplement to the code, 1907, relating to the selection of jury lists.	
Introduced and referred....	699
Reported .....	912
Passed .....	1278
Passed Senate .....	1535
Enrolled .....	1584, 1586
Signed .....	1588
Sent to the governor.....	1631
<b>374—By Ripley.</b> To repeal section seventeen hundred and seventy-four (1774), chapter six (6), title nine (9), of the code and enact a substitute therefor, relating to the valuation of life insurance policies, the deposit of securities by life insurance companies, and the preliminary term insurance.	
Introduced and referred	699, 700
Reported unfavorably .....	1240
Indefinitely postponed .....	1240
<b>375—By Ripley.</b> To repeal section eighteen hundred and thirteen (1813), chapter	

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eight (8), title nine (9), of the code and enact a substitute therefor, relating to life insurance policies.	
Introduced and referred....	700
Reported unfavorably .....	1241
Indefinitely postponed .....	1241
<b>376—By Jones.</b> To fix the number of hours which shall constitute a day's labor for guards of Iowa state penitentiaries and to fix the minimum compensation thereof.	
Introduced and referred....	700
Reported unfavorably .....	863
Indefinitely postponed .....	863
<b>377—By Sullivan.</b> To amend the law as it appears in section twenty-five hundred five (2505) of the supplement to the code, 1907, relating to the inspection of petroleum products.	
Introduced and referred....	700
Reported .....	937
Passed .....	1485, 1486
Passed Senate .....	1791
Enrolled .....	1800, 1812
Signed .....	1850
Sent to the governor.....	1803
<b>378—By Miller of Dubuque.</b> Giving to cities and towns, including cities acting under special charters, power to provide by ordinance for the trimming of trees along public streets and sidewalks, and to assess the cost thereof to the owners of the abutting property.	
Introduced and referred....	700
Reported with amendments	1008
Amendments adopted .....	1358
Lost on passage .....	1358, 1359
*Motion to reconsider filed.	1362
Reconsidered .....	1417
Amended .....	1417, 1418
Passed .....	1418
*Erroneously printed H. F. No. 370.	
<b>379—By Jewell.</b> Requiring incorporated cities and towns to publish the acts or proceedings of the board of aldermen and city and town councils.	
Introduced and referred....	700
Substitute reported .....	1344
Substitute adopted .....	1641
Passed .....	1641
Passed Senate .....	1834
Enrolled .....	1801, 1814
Signed .....	1850
Sent to the governor.....	1806
<b>380—By Zeller.</b> To establish a department of horticulture and forestry.	
Introduced and referred....	716
Reported with amendment..	901
Amendment adopted .....	1046
Passed .....	1046
Senate indefinitely postpones .....	1714

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381—By Fulton. To legalize the incorporation of the town of Packwood, Jefferson county, Iowa, the election of its officers and all acts done and ordinances passed by the town council of said town.	
Introduced and referred	716, 717
Reported	772
Passed	1042, 1043
Amended and passed Senate	1182
House concurs	1182, 1183
Enrolled	1202, 1221
Signed	1227
Sent to the governor	1220
382—By Cassady. To amend section thirteen hundred three (1303) of the supplement to the code, 1907, relative to the amount of taxes to be levied for making and repairing bridges.	
Introduced and referred	717
Reported with amendment	833
Amendment adopted	871
Passed	871, 872
Passed Senate	1399
Enrolled	1459, 1460
Signed	1468
Sent to the governor	1516
383—By Kull. To prohibit any person, company, partnership, association or corporation, engaged in the business of lumber dealing, or owning or operating lumber yards, from combining or entering into an agreement, contract, trust, or pool to fix the prices at which lumber is to be sold, or to prevent the free action of competition in the buying of lumber or the selling of lumber, and to provide punishment for the violation of this act.	
Introduced and referred	717
Reported	1058
Substitute offered	1394, 1395
Substitute lost	1396
Passed	1396, 1397
Senate passes substitute	1792, 1793
House concurs	1796-1798
Enrolled	1801, 1814
Signed	1850
Sent to the governor	1806
384—By Dabney. To provide for a dealer's tax on firearms.	
Introduced and referred	717
Reported and rereferred	751
Withdrawn	1029
385—By Harding. Authorizing boards of supervisors to grant the use of public highways for erecting and maintaining poles and wires of the transmission of electricity, and fixing the liability for damages	

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arising from the construction thereof.	
Introduced and referred	717
Reported unfavorably	965
Indefinitely postponed	965
386—By Bauman. In relation to the furnishing of election supplies additional to chapter three (3) of title six (VI) of the code, relating to elections.	
Introduced and referred	717, 718
Reported unfavorably	951
Indefinitely postponed	951
387—By Bauman. To repeal sections ten hundred ninety-three (1093) and eleven hundred thirty (1130) of the supplement to the code and section eleven hundred and thirty-eight (1138) of the code, and to enact substitutes therefor, relating to boards of election and the manner of canvassing the ballots.	
Introduced and referred	718
Reported unfavorably	1341
Indefinitely postponed	1341
388—By Grier. To amend section two thousand eight hundred and six (2806) of the supplement to the code, 1907, relative to school taxes and transportation fund.	
Introduced and referred	718
Reported	900
Senate File No. 281 substituted for	1279, 1280
(See Senate File No. 281).	
389—By Meredith. For the relief of Edith May Eaton, minor child of J. N. Eaton, who was killed while working on the state historical building of the state of Iowa.	
Introduced and referred	718
Reported unfavorably	915, 916
Indefinitely postponed	916
390—By Thompson. (By request). To provide for work upon public roads, streets, avenues, boulevards, lanes and alleys not within the territory of incorporated cities or towns; for the incidental establishment of grades thereof; for the construction therein or thereon of sidewalks, sewers, manholes, bridges, cesspools, gutters, tunnels, curbing and cross-walks; for the issue of bonds representing the costs and expenses thereof; for a special fund derived in part from the county road fund and in part by special assessment upon a district, and for	

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the establishment of such districts.		396—By Arney. To appropriate money for the soldiers' home at Marshalltown, Iowa.	
Introduced and referred 734,	735	Introduced and referred....	776
Reported unfavorably .....	910	Reported unfavorably .....	1627
Indefinitely postponed .....	910	Indefinitely postponed .....	1627
<b>391—By Anderson. Providing for the planting of forest trees upon lands owned by county or state.</b>		<b>397—By Arney. To amend the law as it appears in section five (5), chapter one hundred and fifty-seven (157), laws of the Thirty-second General Assembly, relating to the preservation of the public archives.</b>	
Introduced and referred....	735	Introduced and referred....	776
Substitute reported .....	1166	Reported unfavorably .....	947
Substitute adopted .....	1426	Indefinitely postponed .....	947
Amended .....	1426	<b>398—By Miller of Bremer. Creating a state board of chiropractic examiners, and to regulate the practice of chiropractic in the state of Iowa, to license chiropractors, and to punish persons violating the provisions of this act.</b>	
Passed .....	1426, 1427	Introduced and referred....	776
Senate indefinitely postpones .....	1502	Reported .....	1138
<b>392—By Johnson. To amend section thirteen hundred twelve (1312) of the code, relating to the listing of property for taxation by persons acting in a fiduciary capacity.</b>		Substitute offered .....	1487
Introduced and referred....	735	Substitute laid on table....	1489
Withdrawn .....	1468	Motion to reconsider filed....	1544
<b>393—By Dabney. To amend section four hundred four (404) of the code, relating to the sale or exchange of bonds issued under the provisions of section four hundred three (403) of the nineteen hundred seven (1907) supplement to the code.</b>		<b>399—By Grier. Providing for the trial of persons charged with the commission of the crime of murder who are confined in a prison or reformatory.</b>	
Introduced and referred....	735	Introduced and referred....	776
Reported .....	750	Reported .....	826
Passed .....	1046, 1047	Passed .....	870
Amended and passed Senate .....	1499	Amended and passed Senate .....	926
House concurs .....	1509, 1510	House concurs .....	932, 933
Enrolled .....	1583, 1587	Enrolled .....	917, 919
Signed .....	1588	Signed .....	935
Sent to the governor.....	1632	Sent to the governor.....	939
<b>394—By Committee on Roads and Highways. To repeal sections fifteen hundred seventy-b (1570-b) and fifteen hundred seventy-c (1570-c) of the supplement to the code, 1907, and to enact a substitute therefor relating to the working of highways and providing penalties for injury to such highways or the work done thereon.</b>		<b>400—By Sullivan. To amend section one thousand seven hundred eighty-eight (1788) of the supplement to the code, 1907, relating to the matter of the assessment of life insurance associations, and providing for the deposit by members, of cash or notes for future assessments.</b>	
Introduced and placed on file	735	Introduced and referred....	776
Senate File No. 317 substituted for .....	1019, 1020	Reported .....	1241
(See Senate File No. 317).		Amended .....	1527
<b>395—By Committee on Roads and Highways. To appropriate money for the use of the Iowa highway commission.</b>		Passed .....	1527, 1528
Introduced and referred 735,	736	<b>401—By Meredith. To amend the law as it appears in section ten hundred eighty-seven-a-4 (1087-a-4) of the supplement to the code, 1907, relating to primary elections.</b>	
Reported with amendment..	946	Introduced and referred....	776, 777
Amendment adopted .....	1320	Reported unfavorably .....	1342
Passed .....	1320	Indefinitely postponed .....	1342
Senate indefinitely postpones .....	1714, 1715		

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402—By Meredith. Making it a misdemeanor for any person summoned or about to be summoned as a witness before any court, tribunal, or officer authorized to receive testimony, to knowingly demand or receive more than legal compensation for services as such witness.	
Introduced and referred....	777
Reported unfavorably .....	1077
Indefinitely postponed .....	1077
403—By Meredith. To amend the law as it appears in section thirty-three hundred twenty-three (3323) of the code, relating to bonds of executors and administrators on sale of real estate.	
Introduced and referred....	777
Reported unfavorably .....	1076
Indefinitely postponed .....	1076
404—By Meredith. To amend the law as it appears in section fifty-two hundred fifty-six (5256) of the supplement to the code, 1907, relating to the compensation of the clerk to the grand jury.	
Introduced and referred....	777
Reported unfavorably .....	916
Indefinitely postponed .....	916
405—By Ritter. To amend section twenty-five hundred and seventy-five-a-thirty (2575-a-30) and twenty-five hundred seventy-five-a-thirty-one (2575-a-31) of the supplement to the code, and to repeal section twenty-five hundred and seventy-five-a-twenty-nine (2575-a-29) of the supplement to the code, relative to the qualifications of nurses and enacting a substitute therefor.	
Introduced and referred....	777
Reported with amendment	1270
Amendments adopted .....	1533
Passed .....	1533
Title amended .....	1533, 1534
Passed Senate .....	1835
Enrolled .....	1801, 1814
Signed .....	1850
Sent to the governor.....	1806
406—By Perkins. To amend section twenty-eight hundred twenty-three-a (2823-a), supplement to the code, 1907, relating to the duties of parents or guardians.	
Introduced and referred....	777
Reported .....	1078
Petition relative to.....	1133
Amended .....	1438, 1439
Passed .....	1439
Passed Senate .....	1675
Enrolled .....	1772, 1773
Signed .....	1799
Sent to the governor.....	1804

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407—By Ripley. To amend section two thousand five hundred and forty (2540) of the supplement to the code, 1907, relating to the catching and to the transportation of fish.	
Introduced and referred....	778
Reported with amendments .....	937, 938
Amendments adopted .....	1235
Passed .....	1235
Senate indefinitely postponed .....	1834
408—By Stoddard. To prevent disease among bees and to provide for inspection thereof.	
Introduced and referred....	778
Reported .....	1059
Passed .....	1436
Passed Senate .....	1792
Enrolled .....	1800, 1812
Signed .....	1850
Sent to the governor.....	1803
409—By Beery. To indemnify Mamie McMahon for personal injury sustained by her while employed as nurse at the Mt. Pleasant state hospital, Mt. Pleasant, Iowa.	
Introduced and referred....	778
Reported with amendment and rereferred .....	1036
Withdrawn .....	1468
410—By Beery. To define the standard width of wagons, carriages, buggies, and other vehicles to be used upon the public highways.	
Introduced and referred....	778
Withdrawn .....	1571
411—By Byerly. Authorizing the state board of control to enter into a contract for the employment of certain inmates of the reformatory at Anamosa.	
Introduced and referred....	778
Reported .....	949
Senate File No. 331 substituted for .....	1818
(See Senate File No. 331).	
Petition relative to .....	1036
412—By Calkins. Providing for legislative investigation committee.	
Introduced and referred....	786
Reported with amendment..	1124
Rereferred .....	1143
Reported unfavorably .....	1239
Indefinitely postponed .....	1240
413—By Crozier. To amend the law relative to the payment of certain expenses and costs incurred on account of patients committed as inebriates to state hospitals.	
Introduced and referred....	786
Withdrawn .....	1142

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414—By Holmes. (By request.) Relating to the investigation of complaints as to the management and treatment of inmates of county and private institutions in which insane persons are kept, and of children cared for by associations and societies contemplated by the law as it appears in section three thousand two hundred sixty-j (3260-j) of the supplement to the code, 1907.	786 Reported ..... 912 Passed ..... 1277, 1278 Passed Senate ..... 1537 Enrolled ..... 1584, 1585 Signed ..... 1588 Sent to the governor..... 1631	the drainage record, and the enactment of a substitute therefor.	813 Introduced and referred.... 813 Reported ..... 861 Amended ..... 1233, 1234 Passed ..... 1464 Passed Senate ..... 1555, 1557 Enrolled ..... 1571 Signed ..... 1571 Sent to the governor..... 1582
415—By Perkins. To amend the law as it appears in section thirteen hundred six-b (1306-b) of the supplement to the code, 1907, so as to authorize cities and incorporated towns to incur an indebtedness not exceeding in the aggregate added to all other indebtedness five per centum of the actual value of the taxable property within such cities or incorporated towns for the purpose of extending as well as purchasing, erecting or maintaining and operating water-works electric light and power plants, gas works and heating plants, or building and constructing sewers.	787 Reported with amendment.. 802 Amendment adopted ..... 818 Passed ..... 818, 819 Passed Senate ..... 975 Enrolled ..... 956, 957 Signed ..... 955 Sent to the governor..... 957 Petition relative to..... 1133	section twenty-six hundred twenty-six (2626) of the code, and section twenty-seven hundred thirty-four-q (2734-q) of the supplement to the code, 1907, relating to the support of county teachers' institutes.	813 Introduced and referred.... 813 Reported ..... 911 Passed ..... 1288, 1289 Petition relative to..... 1133
416—By Stillman. To abolish the office of school treasurer and providing for the handling of all school funds by the county treasurer.	813 Introduced and referred.... 813 Reported ..... 910 Considered ..... 1289, 1290 Lost on passage..... 1290, 1291	section twenty-five hundred sixty-four (2564), supplement to the code, 1907, relative to the qualifications for secretary of state board of health.	814 Introduced and referred.... 814 Reported ..... 937 Lost on passage..... 1236
417—By Anderson. To repeal section one thousand nine hundred eighty-nine-a-forty-two (1989-a-42) to the supplement to the code, 1907, relative to the duties of the county auditor and to the employment of additional help for county auditors in levee of drainage districts, and to	787 Reported with amendment.. 802 Amendment adopted ..... 818 Passed ..... 818, 819 Passed Senate ..... 975 Enrolled ..... 956, 957 Signed ..... 955 Sent to the governor..... 957 Petition relative to..... 1133	the construction of electric transmission lines and the procuring of right of way therefor.	814 Introduced and referred.... 814 Reported unfavorably ..... 964 Indefinitely postponed ..... 964
	787 Reported with amendment.. 802 Amendment adopted ..... 818 Passed ..... 818, 819 Passed Senate ..... 975 Enrolled ..... 956, 957 Signed ..... 955 Sent to the governor..... 957 Petition relative to..... 1133	to authorize the construction of electric transmission lines and the procuring of right of way therefor.	814 Introduced and referred.... 814 Reported unfavorably ..... 964 Indefinitely postponed ..... 964
	787 Reported with amendment.. 802 Amendment adopted ..... 818 Passed ..... 818, 819 Passed Senate ..... 975 Enrolled ..... 956, 957 Signed ..... 955 Sent to the governor..... 957 Petition relative to..... 1133	To make an appropriation for the erection of a monument and otherwise beautifying the lot where rests the remains of Wilson A. Scott.	814 Introduced and referred.... 814 Reported ..... 1003 Amended ..... 1369 Lost on passage..... 1369 Remarks by Representative Dabney ..... 1375
	787 Reported with amendment.. 802 Amendment adopted ..... 818 Passed ..... 818, 819 Passed Senate ..... 975 Enrolled ..... 956, 957 Signed ..... 955 Sent to the governor..... 957 Petition relative to..... 1133	To provide for the meetings of the Iowa state poultry association, the elections of its officers, the manner of its government and to make an annual appropriation therefor.	814 Introduced and referred.... 814 Reported unfavorably ..... 946 Indefinitely postponed ..... 946 Petition relative to... 1155, 1166
	787 Reported with amendment.. 802 Amendment adopted ..... 818 Passed ..... 818, 819 Passed Senate ..... 975 Enrolled ..... 956, 957 Signed ..... 955 Sent to the governor..... 957 Petition relative to..... 1133	To amend section six hundred thirty-eight (638) of the code, relating to villages.	814 Introduced and referred.... 814 Reported with amendments 967

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424—By Boe. To amend section twenty-eight hundred twenty-three-a (2823-a) of the supplement to the code, 1907, relating to education.	
Introduced and referred....	814
Substitute reported .....	949
Substitute adopted .....	1319
Passed .....	1319
Passed Senate .....	1536
Enrolled .....	1584, 1586
Signed .....	1588
Sent to the governor.....	1631
425—By Sullivan. Amending section two thousand four hundred twenty-six (2426) of the code, relating to the termination of leases.	
Introduced and referred 814,	815
Reported unfavorably .....	966
Indefinitely postponed .....	966
426—By Boe. To amend section three thousand fifty-three of the code, relating to legal holidays.	
Introduced and referred....	833
Reported unfavorably .....	911
Indefinitely postponed .....	911
427—By Judiciary Committee. To amend the law as it appears in section three hundred fifty-eight (358) of the code, relating to qualification of sureties of certain official bonds.	
Introduced and passed on file .....	833
Amended .....	1033, 1034
Passed .....	1034
Amended and passed Senate .....	1589
House concurs .....	1599, 1600
Enrolled .....	1630, 1634
Signed .....	1656
Sent to the governor.....	1695
428—By Bascom. To amend the law as it appears in section four hundred twelve (412) supplement to the code, 1907, relating to the meeting of board of supervisors.	
Introduced and referred 833,	834
Reported .....	913
Passed .....	1236, 1237
Passed Senate .....	1535
Enrolled .....	1585, 1586
Signed .....	1588
Sent to the governor.....	1631
429—By Koontz. Authorizing boards of supervisors to suspend payment of taxes on homesteads not exceeding in value, the sum of one thousand (\$1,000) dollars.	
Introduced and referred....	834
430—By Perkins. To authorize the removal of wires for the purpose of moving buildings or for the transportation of any other object on the highway or upon any waterway.	

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Introduced and referred....	834
Reported unfavorably .....	1338
Indefinitely postponed .....	1338
431—By Anderson. Providing for the temporary closing of certain schools and providing school privileges for the children residing in said districts.	
Introduced and referred....	834
Reported with amendments.1037	
Amendments amended and adopted .....	1397
Lost on passage.....	1397, 1398
Petition relative to.....	1133
432—By Perkins. Appropriating the sum of two thousand dollars (\$2,000) to Hugh Livingston on account of damage caused by the quarantine of the stock of the said Hugh Livingston by the state veterinarian.	
Introduced and referred....	849
Withdrawn .....	1333
433—By Davidson. To amend section two thousand twenty-eight as it appears in the supplement to the code, 1907, relating to ways to lands which have no other means of access.	
Introduced and referred....	849
Reported with amendment..	909
Amendment adopted .....	1059
Passed .....	1059, 1060
Passed Senate .....	1465
Enrolled .....	1556, 1557
Signed .....	1571
Sent to the governor.....	1582
434—By Goodykoontz. Giving cities and towns the power to prohibit or regulate the erection and maintaining of livery stables and garages.	
Introduced and referred....	865
Reported .....	937
Passed .....	1357, 1358
435—By Jacobs. To amend section two thousand nine hundred fifty-seven (2957) of the code, and to make affidavits recorded thereunder competent evidence and the fact of the record thereof presumptive evidence.	
Introduced and referred....	865
436—By Inman. Relating to the renewal of teachers' certificates.	
Introduced and referred....	882
Substitute reported .....	1077
Petition relative to.....	1133
Substitute adopted .....	1437
Passed .....	1438
Passed Senate .....	1535
Enrolled .....	1585, 1586
Signed .....	1588
Sent to the governor.....	1631

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437—By White. Providing a method by which the indebtedness of cities and towns in excess of the statutory limit of one and one-fourth per cent and within the five per cent constitutional limit may be legalized.	
Introduced and referred....	882
Reported unfavorably .....	1174
Indefinitely postponed .....	1174
438—By Elliott. Requiring all persons engaged as abductors to give bond and providing penalty for non-compliance.	
Introduced and referred....	882
Reported unfavorably .....	1058
Indefinitely postponed .....	1058
439—By Reaney. To amend section eleven hundred forty-three (1143) of the code, relating to destruction of ballots.	
Introduced and referred....	882
Reported .....	951
Passed .....	1415
Passed Senate .....	1791
Enrolled .....	1800, 1812
Signed .....	1850
Sent to the governor.....	1803
440—By Grier. Providing that superior courts shall have jurisdiction of dipsomaniacs, inebriates and those addicted to the excessive use of narcotics, under chapter 2-a of the supplement to the code, 1907.	
Introduced and referred....	882
Substitute reported .....	1137
Substitute adopted .....	1469
Passed .....	1469, 1470
Passed Senate .....	1720
Enrolled .....	1800, 1812
Signed .....	1850
Sent to the governor.....	1803
441—By Grier. To amend section two hundred and seventy (270) of the code of 1897, relative to juries in superior court.	
Introduced and referred....	882
Reported unfavorably .....	1076
Indefinitely postponed .....	1077
442—By Grier. Relating to the practice of pharmacy, creating the office of commissioner of pharmacy, a board of pharmacy and inspectors, and fixing the compensation thereof, also abolishing the office of commissioner of pharmacy and of secretary and treasurer thereof.	
Introduced and referred....	892
Reported .....	1513
Lost on passage.....	1531, 1532

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443—By Hanson. (By request). Requiring railway companies to maintain telegraph stations in certain cases.	
Introduced and referred....	892
444—By Hunter. To amend section ten hundred and seventy-three of the code of 1897, relative to the election and term of office of justices of the peace and constables, in cities having a population of 75,000 or more.	
Introduced and referred....	892
Reported unfavorably .....	965
Indefinitely postponed .....	965
445—By Harding. To legalize certain actions of the city council of the city of Sioux City, Iowa, relating to the transfer of moneys from the library bond fund to the judgment fund.	
Introduced and referred....	892
Reported .....	912
Passed .....	1040, 1041
Passed Senate .....	1231
Enrolled .....	1285, 1287
Signed .....	1293
Sent to the governor.....	1302
446—By Miller of Bremer. To repeal section twenty-five hundred ninety-six-a (2596-a), supplement to the code, 1907, and to enact a substitute therefor relating to the sale of cocaine and other drugs.	
Introduced and referred....	892
Reported .....	1078
Amendment offered .....	1485
Rereferred .....	1485
447—By Fourt. Prohibiting minors remaining in any billiard hall, beer saloon or nine or ten pin alley.	
Introduced and referred....	893
Reported with amendment..	1296
448—By McDonald. To amend section one thousand three hundred four (1304) of the supplement to the code, 1907, in relation to the classes of property exempt from the assessment of taxes.	
Introduced and referred....	902
Reported with amendment..	1124
Amendment adopted .....	1440
Amended .....	1440, 1441
Passed .....	1441
Passed Senate .....	1791
Enrolled .....	1802, 1811
Signed .....	1850
Sent to the governor.....	1805
449—By Davidson. To amend sections forty-seven hundred seventy-five-c (4775-c), and forty-seven hundred seventy-five-d (4775-d) of	



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the supplement to the code, 1907, relating to wife desertion and to the bond that may be given in case of the person who deserts his wife.	
Introduced and referred....	902
Reported .....	1407
Passed .....	1645, 1646
450—By Reaney. Providing for the enumeration of deaf and blind persons additional to chapter one (1), title seven (7), of the code.	
Introduced and referred....	902
Reported .....	1134
Passed .....	1348
Passed Senate .....	1569
Enrolled .....	1630, 1634
Signed .....	1656
Sent to the governor.....	1695
451—By Cooper. To amend section four thousand two hundred ninety-nine (4299) of the code, relating to the declaration of forfeiture of contracts, and the service of notice relating thereto, and to amend section four thousand three hundred (4300) of the code, relating to the recording of notice of forfeiture of contract.	
Introduced and referred....	902
*Substitute reported .....	1405
Substitute adopted .....	1615, 1616
Passed .....	1616
*Erroneously printed Senate File No. 451.	
452—By Elliott. To amend section four hundred thirty (430) of the code, relative to dependent soldiers' and sailors' tax.	
Introduced and referred....	923
Reported with amendment..	1002
Amendment adopted .....	1047
Passed .....	1047, 1048
Passed Senate .....	1273
Enrolled .....	1459, 1460
Signed .....	1468
Sent to the governor.....	1515
453—By Lee. To appropriate money for the purpose of defraying expenses incurred in the election contest from the tenth representative district of Iowa, and to pay sundry persons for services, per diem, mileage, expenses rendered and incurred in conducting the said election contest.	
Introduced and referred....	923
House File No. 524 reported as substitute for....	1264, 1265
(See House File No. 524).	
454—By Hunter. To repeal section twenty-eight hundred eighty-one-g (2881-g) of the supplement to the code, 1907, relating to the	

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salaries of assistants to the librarian, and to enact a substitute therefor.	
Introduced and referred....	923
Reported and referred....	987
Reported unfavorably .....	1239
Indefinitely postponed .....	1239
455—By Holmes. To amend section two thousand eight hundred twenty-three-e (2823-e) of the supplement to the code, 1907, relating to the probation officers.	
Introduced and referred....	940
Reported .....	967
Passed .....	1851, 1352
Amended and passed Senate .....	1589
House concurs .....	1598
Enrolled .....	1630, 1634
Signed .....	1656
Sent to the governor.....	1695
456—By Bauman. To promote the public safety by requiring persons or corporations operating railroads within the state of Iowa, to equip locomotives or other motive power with headlights of certain power, and providing a penalty for the violation thereof.	
Introduced and referred....	940
Withdrawn .....	1191
457—By Bauman. To amend section twenty-seven hundred and fifty-seven (2757) of the supplement to the code, 1907, relating to meetings of school directors and election of school officers, and to enact a substitute therefor.	
Introduced and referred....	940
Reported unfavorably .....	1189
Indefinitely postponed .....	1189
458—By Hunter. Amending the law as it appears in section twenty-four hundred seventy-eight (2478) of the code, relating to mining inspectors.	
Introduced and referred....	940
Reported .....	1069
Lost on passage.....	1437
459—By Ritter. To amend the law as it appears in section twenty-seven hundred and thirty-four-h (2734-h) of the supplement to the code, 1907, relative to the renewal of second grade certificates.	
Introduced and referred 940, 941	
Withdrawn .....	1191
460—By Arney. In regard to admission to the soldiers' home and payment for support by members.	
Introduced and referred....	941
Reported .....	1003
Senate File No. 369 substituted for .....	1471
(See Senate File No. 369).	

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461—By Dawson. To amend section twenty-five hundred eighty-nine-b (2589-b) of the supplement to the code, 1907, relating to the practice of pharmacy. Introduced and referred.... 941 Reported .....1514	
462—By Dabney. To repeal section thirteen hundred eleven (1311) of the code, relating to the deducting of debts from the assessment of moneys and credits. Introduced and referred.... 941 Withdrawn .....1326	
463—By Anderson. Repealing sections one thousand eight hundred and seventy-two (1872) and one thousand eight hundred and seventy-three (1873) of the code, relating to quarterly statements of state and savings banks and examination by the auditor of state and providing substitutes therefor. Introduced and referred.... 953	
464—By Balluff. To enable certain cities to improve their water fronts and to levy a tax to pay for such work and in certain cases to borrow money therefor and issue negotiable bonds for such debt. Introduced and referred.... 958 Reported ..... 987 Senate File No. 371 substituted for .....1355 (See Senate File No. 371).	
465—By Ward. To amend section thirteen hundred and ten (1310) of the code, relating to the assessment of moneys, credits, annuities, bank notes and stock, and to enact a substitute therefor. Introduced and referred.... 958 Reported unfavorably .....1299 Indefinitely postponed .....1299	
466—By Moore. Amendatory of and additional to paragraph three (3) of section three thousand five hundred five (3505) of the code, providing for change of place of trial in civil actions. Introduced and referred 958, 959 Reported unfavorably .....1056 Indefinitely postponed .....1056	
467—By Ward. To amend the law as it appears in section one hundred eleven (111) of the code, relating to banks as depositors.	

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Introduced and referred.... 959 Reported ..... 986 Passed .....1131, 1132 Senate indefinitely postponed .....1672	
468—By Kull. 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, 1907, and enacting a substitute therefor; and amending title six, chapter three, of the code. Introduced and referred.... 972 Reported unfavorably .....1341 Indefinitely postponed .....1342	
469—By Cunningham. To repeal section one thousand nine hundred eighty-nine-a-41 (1989-a-41) of the supplement to the code, 1907, relating to the fees and expenses in levee and drainage districts, and to enact a substitute in lieu thereof. Introduced and referred.... 972 Reported .....1059 Passed .....1398, 1399 Title amended .....1399 Senate indefinitely postponed .....1655	
470—By Hunter. Providing for the payment to John M. Davis, the sum of two hundred and sixteen dollars. Introduced and referred.... 972 Reported unfavorably .....1555 Indefinitely postponed .....1555	
471—By Fourt. To amend section twenty-six hundred and seventy-four-f (2674-f), title thirteen (13), chapter four (4), of the supplement to the code, 1907, relating to the duties of the highway commission. Introduced and referred.... 972 Reported with amendments.....1125 Amendments adopted .....1439 Passed .....1439, 1440 Senate indefinitely postponed .....1569	
472—By Crozier. (By request). To amend the law as it now appears in chapter 1, title IX, of the supplement of the code, relating to the issuance	

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of capital stock of rail-  
way corporations.  
Introduced and referred.... 972  
Substitute reported.....1552  
Substitute adopted .....1669  
Passed .....1670

473—By Moore of Linn. To confer additional powers on certain cities organized under chapter forty-eight (48) of the acts of the Thirty-second General Assembly of Iowa, and transferring to the city councils of such cities the powers conferred on river front improvement commissions organized in such cities under chapter two hundred ten (210) of the acts of the Twenty-ninth General Assembly of Iowa and empowering the council of such cities to appoint river front improvement commissions and define their duties. Also providing for the issuance of tax deeds by the county treasurer of the county in which such cities are located on sales of property for taxes heretofore made by the treasurers of such cities, and providing for special assessments and the levy of special taxes for the improvement of the beds and banks of rivers and other purposes connected therewith. Also providing for the division of such cities into road districts and the levy of a special tax for use and benefit thereof also for the levy of a special tax for the benefit of the fire department, and authorizing the transfer of certain special taxes heretofore levied to the fire department fund or general fund.  
Introduced and referred.... 973  
Reported ..... 987  
Made special order.....1028  
Amended .....1085, 1086  
Passed .....1086, 1087  
Title amended .....1087  
Passed Senate .....1231  
Enrolled .....1285, 1287  
Signed .....1293  
Sent to the governor.....1302

474—By Dabney. To amend the law as it now appears in subdivision sixteen (16) of section six hundred and sixty-eight (668) of the supplement to the code, 1907, in relation to the time of making appropriations by the city council.  
Introduced and referred.... 989  
Reported unfavorably .....1450  
Indefinitely postponed .....1450

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475—By Hackler. Giving the court power under any proceeding under sections five thousand sixty (5060) and five thousand sixty-one (5061) of the code, 1907, to compel attendance of witnesses; the production of books and papers of corporations, partnerships, associations and individuals prosecuted under said section; and providing for the exemption from liability of any agent, officer, employee, director or stock holder thereof for, or on account of any transaction of which said evidence or testimony may relate.  
Introduced and referred.... 989  
Substitute reported ..1546, 1547  
Substitute adopted .....1729  
Amended .....1729, 1730  
Passed .....1730

476—By Davidson. Making an appropriation for the purpose of payment of expenses in connection with the contest brought by L. F. Springer against B. F. Stoddard.  
Introduced and referred.... 990  
House File No. 524 reported as substitute for...1264, 1265  
(See House File No. 524).

477—By Meredith. To amend the law as it appears in sections ten hundred eighty-seven-a-1 (1087-a-1), ten hundred eighty-seven-a-4 (1087-a-4), ten hundred eighty-seven-a-10 (1087-a-10), ten hundred eighty-seven-a-20 (1087-a-20), ten hundred eighty-seven-a-25 (1087-a-25), ten hundred eighty-seven-a-26 (1087-a-26) and ten hundred eighty-seven-a-27 (1087-a-27) of the supplement to the code, 1907, providing for the nomination of judges of the supreme and district courts at the regular primary election.  
Introduced and referred....1010  
Reported unfavorably .....1343  
Indefinitely postponed .....1343

478—By Inman. To provide for the commission form of school government of certain school districts and the adoption thereof by special election; also providing for the election of members of the citizen school board in such district and defining the powers of said commission and board.  
Introduced and referred....1010  
Reported and referred to Thirty-fourth General Assembly .....1189

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479—By Inman. To amend the law as it appears in section twenty-four fifty (2450) of the supplement to the code, 1907, relating to the sufficiency of statement of general consent, the manner of appeal and the length of time said petitions shall be in force. Introduced and referred....1010 Reported .....1297		eighteen hundred forty-five (1845), eighteen hundred sixty-six (1866), and eighteen hundred seventy-two (1872), of the code, and sections eighteen hundred fifty-five (1855) and eighteen hundred seventy-three (1873) of the supplement to the code, 1907, and enact substitutes therefor, relating to banks and banking. Introduced and passed on file .....1027 Made a special order .....1038 Amended .....1178, 1179 Amendments offered 1179, 1180 Substitute amendment offered and adopted .....1181 Amendments offered and adopted .....1195-1198 Amended .....1198, 1199 Passed .....1200 Title amended .....1200, 1201 Senate indefinitely postpones .....1466	
480—By Sankey. Requiring that all evidence of debt be assessed for taxation and bear the indorsement of the assessor or be void in law. Introduced and referred....1010 Reported unfavorably .....1299 Indefinitely postponed .....1299		484—By Committee on Banks and Banking. Relating to the operation and regulation of state and savings banks authorizing the auditor of state to require a change of correspondents; to verify and reconcile the accounts and pass books of depositors, and to provide for annual meetings. Introduced and passed on file .....1028 Passed .....1393 Senate indefinitely postpones .....1673	
481—By Etter. To amend section two thousand eight hundred thirty-four (2834), title thirteen (13), chapter sixteen (16) of the code, 1897, relative to school officials, acting as agents or dealers in school supplies. Introduced and referred....1010		485—By Committee on Banks and Banking. To repeal section eighteen hundred seventy-five (1875) of the supplement to the code, 1907, and enact a substitute therefor relating to banks and banking. Introduced and passed on file .....1028 Amended .....1393, 1394 Passed .....1394 Amended and passed Senate .....1836 House concurs .....1841 Enrolled .....1801, 1815 Signed .....1850 Sent to the governor.....1807	
482—By Harding. Legalizing the acts, resolutions, ordinances and proceedings of the council of the incorporated town of Oto, Woodbury county, Iowa. Introduced and referred....1027 Reported .....1074 Passed .....1412, 1413 Amended and passed Senate .....1500 House concurs .....1511, 1512 Enrolled .....1533, 1537 Signed .....1538 Sent to the governor.....1632		486—By Sullivan. Authorizing the giving of pensions to disabled and retired policemen and the widows and minor children and dependent fathers and mothers of deceased policemen in cities, incorporated towns, and special charter cities having organized police departments, creating a fund from which to pay such pensions and providing for the distribution there-	
483—By Committee on Banks and Banking. To amend sections eighteen hundred forty-six (1846), eighteen hundred forty-seven (1847), eighteen hundred forty-nine (1849), eighteen hundred fifty-one (1851), eighteen hundred fifty-two (1852), eighteen hundred fifty-three (1853), eighteen hundred fifty-four (1854), eighteen hundred fifty-six (1856), eighteen hundred fifty-seven (1857), eighteen hundred sixty (1860), eighteen hundred sixty-seven (1867) of the code, and sections eighteen hundred forty-eight (1848), eighteen hundred fifty (1850), eighteen hundred fifty-a (1850-a), eighteen hundred sixty-nine (1869), eighteen hundred seventy-one (1871), of the supplement to the code, 1907; and to repeal sections			

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of, creating a board of trustees to care for such pension fund and prescribing their powers and duties and authorizing the retiring from service of policemen under certain conditions.	
Introduced and referred....	1028
Reported .....	1171
Senate File No. 382 substituted for .....	1474
(See Senate File No. 382).	
 4C7—By Fulton. (By request.) To amend section twenty-seven hundred fifty-five (2755) of the supplement to the code, 1907, relating to the election of members of the school board.	
Introduced and referred....	1028
Substitute reported .....	1188
Substitute amended and adopted .....	1520
Lost on passage.....	1520, 1521
 488—By Cunningham. To repeal section two thousand seventy-seven-a (2077-a) of the supplement to the code, 1907, relative to the posting of bulletins in passenger stations and to enact a substitute therefor.	
Introduced and referred....	1037
Amended .....	1641, 1642
Passed .....	1642
Passed Senate .....	1790
Enrolled .....	1802, 1811
Signed .....	1850
Sent to the governor.....	1805
 489—By Hunter. To amend the law as it appears in section seven hundred forty-one-f (741-f), chapter four, title five, of the supplement to the code, 1907, authorizing certain cities to incur an indebtedness for the purpose of constructing a city hall in an amount not exceeding in the aggregate two and one-half per centum of the actual value of the taxable property within such city, and to authorize the issuance of bonds in pursuance of an election which may have been heretofore held authorizing the erection of such city hall.	
Introduced and referred....	1037
Reported .....	1134
Senate File No. 384 substituted for .....	1471
(See Senate File No. 384).	
 490—By Jacobs. To legalize the incorporation of the town of Knierim, Calhoun county, Iowa, the election of its officers and all acts	

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done and ordinances passed by the town council of said town.	
Introduced and referred....	1059
Reported .....	1075
Passed .....	1413, 1414
Passed Senate .....	1501
Enrolled .....	1583, 1587
Signed .....	1588
Sent to the governor.....	1632
 491—By Hunter. To amend the law as it appears in section twenty-five hundred ten-e (2510-e) of the supplement to the code, 1907, relating to the manufacture and sale of linseed and other oils, and the adulteration thereof.	
Introduced and referred....	1084
Reported .....	1241
Passed .....	1528, 1529
 492—By Darrah. To reimburse Sidney D. Robb and Albert W. Kendall for expenses incurred in the election contest from the forty-fifth representative district of Iowa and to pay sundry persons for services, per diem, mileage and expenses rendered and incurred in connection with said election contest.	
Introduced and referred....	1084, 1085
House File No. 524 reported as a substitute for.1264, 1265	
(See House File No. 524).	
 493—By White. To amend section two thousand seven hundred twenty-seven-a 58 (2727-a-58), two thousand seven hundred twenty-seven-a59 (2727-a59) of the supplement to the code, 1907, providing for the inspection of county and city jails.	
Introduced and referred....	1085
Reported unfavorably....	1451
Indefinitely postponed.....	1451
 494—By Stillman. To amend section two thousand eight hundred twenty-three-p (2823-p) of the supplement to the code, 1907, relating to furnishing a list of books suitable for use in school district libraries.	
Introduced and referred....	1085
Reported .....	1189
Passed .....	1493
Passed Senate .....	1791
Enrolled .....	1800, 1812
Signed .....	1850
Sent to the governor.....	1803

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495—By Special Committee on Drainage. To amend sections nineteen hundred eighty-nine-a2 (1989-a2), nineteen hundred eighty-nine-a4 (1989-a4), nineteen hundred eighty-nine-a5 (1989-a5), nineteen hundred eighty-nine-a6 (1989-a6), nineteen hundred eighty-nine-a7 (1989-a7), nineteen hundred eighty-nine-a8 (1989-a8), nineteen hundred eighty-nine-a10 (1989-a10), nineteen hundred eighty-nine-a12 (1989-a12), nineteen hundred eighty-nine-a13 (1989-a13), nineteen hundred eighty-nine-a14 (1989-a14), nineteen hundred eighty-nine-a16 (1989-a16), nineteen hundred eighty-nine-a18 (1989-a18), nineteen hundred eighty-nine-a19 (1989-a19), nineteen hundred eighty-nine-a21 (1989-a21), nineteen hundred eighty-nine-a22 (1989-a22), nineteen hundred eighty-nine-a27 (1989-a27), nineteen hundred eighty-nine-a29 (1989-a29), nineteen hundred eighty-nine-a32 (1989-a32), nineteen hundred eighty-nine-a35 (1989-a35), nineteen hundred eighty-nine-a44 (1989-a44) of the supplement to the code, 1907, and to repeal section nineteen hundred eighty-nine-a3 (1989-a3), nineteen hundred eighty-nine-a-11 (1989-a-11), and nineteen hundred eighty-nine-a-19 (1989-a-19) of the supplement to the code, 1907, and enact substitutes therefor; all relating to the subject of waters, water-courses, levees and drains.	
Introduced and passed on file	1102
Made special order	1127
Amended	1152, 1153, 1154
Passed	1154
Title amended	1154, 1155
Amended and passed Senate	1536
House refuses to concur	1539-1542
Senate insists	1539
Conference committee appointed	1588, 1589
Conference committee report in favor of concurring in Senate amendments	1658
Report and amendments adopted	1661, 1662
Senate adopts report and amendments	1713
Enrolled	1772, 1773
Signed	1799
Sent to the governor	1804

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496—By White. (By request.) To amend the law as it appears in section four thousand nine hundred forty-six-b (4946-b) of the supplement to the code, 1907, relating to the distribution of dissecting material.	
Introduced and referred	1126
Reported	1135
Passed	1486, 1487
Senate indefinitely postpones	1713
497—By Etter. To amend the law as it appears in section seven hundred (700) of the supplement to the code of Iowa, relating to the powers of the mayor and common council of cities and towns in the state of Iowa to regulate and license itinerant physicians and surgeons and other persons named in said section.	
Introduced and referred	1126, 1127
Reported unfavorably	1169
Indefinitely postponed	1169
498—By Dawson. (By request.) To legalize the action of the independent school district of Marcus, Cherokee county, Iowa, in voting bonds at an election held on the first day of March, 1907, and legalizing the bonds issued by said district under said election.	
Introduced and referred	1127
499—By O'Connor. To amend section twenty-one hundred and sixty-five-a (2165-a) of the supplement to the code, 1907, relative to the regulation of express companies.	
Introduced and referred	1141
Reported	1553
Passed	1732, 1733
500—By Harvey. To amend the law as it appears in section four hundred eighty-b (480-b) of the supplement to the code, 1907, relating to the duties of county auditors.	
Introduced and referred	1141
Reported	1213
Senate File No. 393 substituted for	1521
(See Senate File No. 393).	
501—By Cooper. (By request.) Permitting lower land owner to join title to the tile of upper land owners.	
Introduced and referred	1141
Reported with amendments	1339
Amendments adopted	1662
Passed	1662, 1663

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502—By Anderson. Legalizing releases and satisfactions of recorded mortgages.		teen-c, title five of the supplement to the code, 1907, relating to the government of certain cities and the recalling of elective officers therein.	
Introduced and referred....	1141	Introduced and referred....	1190
Reported unfavorably .....	1545	Reported with amendments..	1343
Indefinitely postponed .....	1545	Amendments adopted .....	1624
503—By Anderson. Providing for the releasing or satisfying of recorded mortgages by corporations.		Passed .....	1624
Introduced and referred....	1141	Passed Senate .....	1674
Reported unfavorably .....	1545	Enrolled .....	1696, 1697
Indefinitely postponed .....	1545	Signed .....	1715
504—By Anderson. For recovery of interest in real estate when spouse failed to join in conveyance or other interest in which right of dower or homestead attached.		Sent to the governor.....	1716
Introduced and referred....	1142	509—By McDonald. Making an appropriation for Francis M. Segler, and as compensation for the service rendered the state.	
Reported unfavorably .....	1545	Introduced and referred....	1190
Indefinitely postponed .....	1546	Reported unfavorably .....	1555
505—By Hackler. To reimburse Lorenzo D. Teter and George W. Crozier for expenses incurred in the election contest from the Twenty-sixth representative district of Iowa, and to pay sundry persons for services, per diem, mileage and expenses rendered and incurred in connection with said election contest.		Indefinitely postponed .....	1555
Introduced and referred....	1142	510—By Beebe. To amend the law as it appears in section on hundred fifty-four (154) of the code, relative to compensation of custodian.	
House File No. 524 reported as a substitute for. 1264, 1265 (See House File No. 524).		Introduced and referred....	1191
506—By Fulliam. To repeal section four thousand seven hundred sixty-five (4765) of the code, relating to kidnapping and fixing a penalty therefor.		Reported .....	1269
Introduced and referred....	1142	Lost on passage.....	1650, 1651
Reported and rereferred....	1187	Explanations of votes.....	1654
Reported unfavorably .....	1550	Declared to have passed...1654	
Indefinitely postponed .....	1550	511—By White. To legalize the acts of the city council and mayor of the city of Ames, Iowa, in contracting an indebtedness during the three years immediately preceding the passage of this act in excess of the statutory limit of one and one-fourth per cent for the erecting, maintaining and operating an electric light and power plant and water works system and other purposes and not exceeding the five per cent constitutional limit of the actual value of the taxable property in said city.	
507—By Sullivan. To amend the law as it appears in section twenty-eight hundred twelve-e (2812-e) of the supplement to the code, 1907, relating to the duration of school bonds.		Introduced and referred....	1191
Introduced and referred....	1142	Reported .....	1299
Reported .....	1263	Senate File No. 401 substituted for .....	1414
Amended .....	1529	(See Senate File No. 401).	
Passed .....	1529, 1530	512—By Dawson, Beebe and Davidson. To provide for the appropriation of moneys to the farmers' institutes of Cherokee and Palo Alto counties and to the Franklin county agriculture society.	
Passed Senate .....	1701	Introduced and referred....	1206
Enrolled .....	1802, 1811	Reported with amendments..	1480
Signed .....	1850	Amendment adopted .....	1646
Sent to the governor.....	1805	Amended .....	1646
508—By Sullivan. To amend the law as it appears in section ten hundred fifty-six-a-thirty-six, chapter four-		Passed .....	1646, 1647
		Senate indefinitely postpones .....	1794

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513—By Anderson. To amend section thirteen hundred twenty-six (1326), title seven (7), chapter one (1), of the code of Iowa, relating to stock of building and loan associations.		Introduced and referred....	1248
Introduced and referred....	1222	Reported .....	1340
Reported .....	1269	Amended .....	1647
Passed .....	1468, 1469	Lost on passage....	1647, 1648
Senate fails to pass.....	1712		
514—By Dabney. To repeal section twenty-five hundred eighty-five (2585) of the supplement to the code, 1907, section twenty-five hundred eighty-seven (2587), and twenty-five hundred ninety-four (2594) of the code and to enact substitutes therefor, relating to commission of pharmacy.		520—By Davidson. To amend section forty-seven hundred and sixty-seven (4767) of the code, relating to the punishment of persons convicted of making malicious threats with intent to extort money or compel a person to do some act against his will.	
Introduced and referred....	1222	Introduced and referred....	1248
Reported .....	1268	Reported .....	1404
		Amended .....	1623
		Passed .....	1623
515—By Hunter. To prescribe the number of committee clerks for the General Assembly and placing them under the supervision of the secretary of the senate and the chief clerk of the House.		521—By Ripley. To amend section two thousand seven hundred thirty-four-b (2734-b) of the supplement to the code, 1907, relating to the qualifications and duties of the county superintendent and his deputy.	
Introduced and referred....	1247	Introduced and referred....	1248
Reported .....	1341	Reported .....	1552
		Lost on passage .....	1734, 1735
516—By Sheldon. To amend section thirty-one hundred forty-seven (3147) of the code of 1897, relating to return of marriage certificates.		522—By Bonwell. To amend the law as it appears in section twelve (12) of the code, relative to the compensation of members of the General Assembly.	
Introduced and referred....	1247	Introduced and referred....	1248
Reported .....	1404	Considered .....	1523, 1524
*Passed .....	1601	Lost on passage....	1524, 1525
*Erroneously printed House File No. 413.		Explanations of votes....	1525
		Remarks by Representative Bonwell .....	1543
517—By Hickenlooper. (By request). To amend section 5008 of the code, relating to the infringement of civil rights.		523—By Committee on Judiciary. To amend chapter nine (9), title twenty-five (25) of the code of Iowa, to regulate the issuance of warrants upon requisitions from the governors of other states and territories, to regulate the practice of habeas corpus cases relating to the extradition of fugitives from justice and to repeal sections five thousand one hundred seventy-one (5171), five thousand one hundred seventy-three (5173), five thousand one hundred seventy-four (5174), five thousand one hundred seventy-five (5175), five thousand one hundred seventy-six (5176), five thousand one hundred seventy-seven (5177), and five thousand one hundred seventy-eight (5178) of the code.	
Introduced and referred....	1247	Introduced and passed on file .....	1271
Reported unfavorably .....	1405	Passed .....	1495, 1496
Indefinitely postponed .....	1405	Senate indefinitely postponed .....	1656
518—By White. To amend section two thousand four hundred thirty-two (2432) and section two thousand four hundred forty-five (2445) of the code and to provide an increase of the mulct tax and for the payment of such increase into the state treasury.			
Introduced and referred....	1247		
Reported .....	1298		
519—By Crozier (by request). To amend section four thousand one hundred thirty-nine (4139) of the code in relation to procedure in the supreme court.			



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524—By the Committee on Appropriations. To appropriate money for the purpose of defraying the expenses incurred in the election contests from the tenth (10) representative district of Iowa, the twenty-sixth (26) representative district of Iowa, the forty-fifth (45) representative district of Iowa, the fifty-ninth (59) representative district of Iowa and the sixty-seventh (67) representative district of Iowa, and to pay sundry persons for services, mileage, and other expenses incurred in connection with said election contests.	
Introduced .....	1265
Passed on file.....	1268
Passed .....	1441, 1442
Recalled from Senate.....	1473
Motion to reconsider filed.....	1473
Returned by Senate.....	1534
Motion to reconsider ruled out of order.....	1568, 1569
Passed Senate .....	1832
Enrolled .....	1801, 1815
Signed .....	1850
Sent to the governor.....	1807
525—By Grier. To amend section one thousand six hundred eighteen-a (1618-a) of the supplement to the code, 1907, relative to the renewal of the corporate charter of state and savings banks.	
Introduced and referred....	1272
Reported unfavorably .....	1300
Indefinitely postponed .....	1300
526—By Meredith. Relating to breach of the Sabbath.	
Introduced and referred....	1272
527—By Johnson. To repeal section five hundred ninety-nine (599) and section six hundred (600) of the code, relating to the incorporation of towns, and enacting substitutes therefor relating to the filing of petitions for said incorporated towns, the publication of notice therefor, the procedure before the courts and defining the powers and duties of the courts in relation thereto.	
Introduced and referred....	1272, 1273
Reported .....	1405
Passed .....	1622
528—By Committee on Retrenchment and Reform. Extending the powers and increasing the duties of the state board of education amendatory to titles	

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twelve (XII) and thirteen (XIII) of the code and supplement to the code, 1907, and additional to an act of the Thirty-third General Assembly creating a state board of education and known as Senate File number one hundred ninety-eight (198).	
Introduced .....	1303
Passed on file.....	1304
529—By Committee on Retrenchment and Reform. Amending sections one hundred fifty (150) and one hundred fifty-one (151) of the code, relating to the duties of the custodian of public buildings and property.	
Introduced .....	1304
Passed on file.....	1305
Senate File No. 413 substituted for .....	1568
(See Senate File No. 413).	
530—By Committee on Appropriations. Making an appropriation to defray the mileage expenses, general expenses and witness fees of the investigating committee for the hospitals for insane.	
Introduced .....	1305
Passed on file.....	1307
Passed .....	1494, 1495
Passed Senate .....	1655
Enrolled .....	1695, 1696
Signed .....	1715
Sent to the governor.....	1715
531—By Committee on Appropriations. Making an appropriation to defray the mileage and expenses of the members of the various committees sent by the Thirty-third General Assembly to visit the several state educational institutions.	
Introduced .....	1330
Passed on file.....	1330
Passed .....	1494
Passed Senate .....	1655
Enrolled .....	1695, 1697
Signed .....	1715
Sent to the governor.....	1715
532—By Hunter. Relating to the age of employes of the General Assembly.	
Introduced and referred....	1337
Substitute reported .....	1340
533—By Committee on Banks and Banking. To authorize state and savings banks and loan and trust companies to act in a fiduciary capacity.	
Introduced .....	1345
Passed on file.....	1346

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534—By Committee on fish and Game. To amend the law as it appears in sections twenty-five hundred and forty (2540), twenty-five hundred forty-a (2540-a), twenty-five hundred and fifty-one (2551), twenty-five hundred and fifty-two (2552), and twenty-five hundred fifty-six (2556) of the supplement to the code, 1907; and section twenty-five hundred and forty-four (2544), twenty-five hundred fifty-four (2554), twenty-five hundred fifty-five (2555) and twenty-five hundred fifty-nine (2559) and twenty-five hundred sixty-two (2562) of the code, relating to the protection of fish and game; regulating the shipment of fish and sale; prohibiting the sale of game, and providing for the appointment of deputy fish and game wardens and fixing their compensation.	
Introduced .....	1363
Passed on file.....	1367
Made a special order.....	1601
Passed .....	1648, 1649
Amended and passed Senate .....	1719
House refuses to concur.....	
.....	1728, 1729
Senate insists .....	1792
Reconsidered .....	1798
House concurs .....	1798, 1799
Enrolled .....	1802, 1811
Signed .....	1850
Sent to the governor.....	1805
535—By Tilton. To provide for an appropriation to the Williamsburg district fair.	
Introduced and referred....	1367
536—By Sullivan. Conferring upon cities organized under chapter fourteen-c, title V, of the supplement to the code, 1907, additional powers in connection with the granting of franchises for street railways, water works, electric light and gas plants.	
Introduced and referred....	1367
Withdrawn .....	1630
537—By Committee on Retrenchment and Reform. Repealing section one hundred sixty-two (162) of the code and one hundred three-a (163-a) and one hundred sixty-three-b (163-b) of the supplement to the code, 1907, defining the character of vouchers upon which warrants shall be drawn by the auditor of state upon the state treasury and requiring a	

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biennial report of state expenses for the several state offices, boards, commissions and institutions to be made by the executive council.	
Introduced .....	1408
Passed on file.....	1410
Passed .....	1606, 1607
Amended and passed Senate .....	1680
House concurs .....	1683, 1684
Enrolled .....	1772, 1774
Signed .....	1799
Sent to the governor.....	1805
538—By Dabney. To repeal chapter two-a (2-a), title XII of the supplement to the code, nineteen hundred and seven (1907), relating to the detention and treatment of dipsomaniacs, inebriates and those addicted to the excessive use of narcotics.	
Introduced and referred....	1410
*Amended .....	1684, 1688
Lost on passage.....	1685, 1686
*Erroneously printed Senate File No. 538.	
539—By Sankey. To legalize the election in the incorporated town of Weidon, Decatur county, Iowa.	
Introduced and referred....	1428
Passed .....	1733
Passed Senate.....	1790
Enrolled .....	1802, 1811
Signed .....	1850
Sent to the governor.....	1805
* * *	
542—By Ripley. To release and absolve A. E. Sawyer, treasurer of Hancock county, Iowa, and his bondsmen and the two sureties on the depository bond of the First State bank of Corwith, Iowa, from liability on account of any loss sustained by reason of the deposit, placing or allowing to remain of county or other funds in the First State bank of Corwith, Iowa.	
Introduced and referred....	
.....	1462, 1463
Reported .....	1546
543—By O'Connor. To amend House File No. two hundred sixty-one (261) of the Thirty-third General Assembly, relating to the issuance of bonds by the city of New Hampton, Iowa.	
Introduced .....	1482
Passed on file.....	1483
Passed .....	1614
Passed Senate .....	1673
Enrolled .....	1696, 1697
Signed .....	1715
Sent to the governor.....	1716

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544—By Larrabee. Legalizing the acts and proceedings of the city council of the city of Oelwein, Iowa, in erecting and constructing a dam in the park of said city, and other improvements therein and appropriating money from the park fund in payment of the same, and any and all acts of the city treasurer in the payment of warrants drawn on the park fund for that purpose by the city clerk of said city.  
 Introduced .....1483  
 Passed on file.....1484  
 Passed .....1617, 1618  
 Passed Senate .....1674  
 Enrolled .....1696, 1697  
 Signed .....1715  
 Sent to the governor.....1716

545—By Investigating Committee of the Insane Hospitals. To increase the support funds of the state hospitals in which insane patients are kept.  
 Introduced .....1587  
 Referred .....1588

546—By Committee on Retrenchment and Reform. To amend section two thousand seven hundred twenty-seven-a-1 (2727-a-1) of chapter eleven-b (11-b), title thirteen (13) of the code, 1907, relative to the salary of members of the board of control for state institutions.  
 Introduced and referred....1635

547—By Committee on Retrenchment and Reform. To amend section sixty-five (65) of chapter one (1), title two (2), supplement to the code, 1907, section

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eighty-six (86), of chapter two (2), title two (2), of the code, section one hundred fifteen (115), chapter four (4), title two (2) of the code, section ninety-eight (98), chapter four (4), title two (2) of the code, relative to the salaries of state officers.  
 Introduced and referred....1635

548—By Goodykoontz. To amend substitute for Senate File number two hundred ninety (290), acts of the thirty-third General Assembly, relative to the limit of indebtedness of independent school districts.  
 Introduced and referred....1699

549—By Lee. To repeal section nineteen hundred fifty-five (1955) and nineteen hundred fifty-six (1956) of the code and to enact substitutes therefor, and to amend section nineteen hundred fifty-nine (1959) of the code, all relating to the construction of levees, ditches or drains by owners of lands for agricultural, sanitary or mining purposes across the lands of others and providing for the condemnation of such lands as may be necessary for the construction and maintenance of such levees, ditches or drains.  
 Introduced .....1742-1744  
 Passed .....1745  
 Amended and Passed Senate .....1836  
 House concurs .....1842, 1843  
 Enrolled .....1800, 1814  
 Signed .....1850  
 Sent to the governor.....1806

## HOUSE JOINT RESOLUTIONS

## INTRODUCTION AND ACTION.

No.

1—By Kellogg. Joint resolution relating to the selection of additional employes of the Thirty-third General Assembly, fixing their compensation and defining their duties.

Introduced .....	128
Passed .....	129
Passed Senate .....	181
Enrolled .....	184, 185
Signed .....	197
Sent to the governor.....	218

2—By Special Committee. Providing for and empowering the board of regents of the state university, the trustees of the Iowa state college of agriculture and mechanic arts and the trustees of the Iowa state normal school to make application for the admission of these state institutions to the rights and privileges of the Carnegie foundation for the advancement of teaching and to receive the same.

Introduced .....	208
Passed .....	208, 209
Amended and passed Senate .....	1445
House concurs .....	1447, 1448
Enrolled .....	1514, 1516
Signed .....	1543
Sent to the governor.....	1531

3—By Meredith. Joint resolution proposing to amend the constitution so as to prohibit the manufacture and sale of intoxicating liquors as a beverage within this state.

Introduced and referred....	315
Recalled and rereferred...	349
Reported .....	531
Amended .....	741
Considered ..	742, 743, 760, 761
Amended .....	762, 763
Passed .....	763, 764, 765
Explanation of vote.....	765

4—By Hunter. Proposing an amendment to the constitution of the state of Iowa, amendatory of section one of article 11 of said constitution, relative to right of suffrage.

Introduced and referred....	651
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No.

5—By Klay. Requesting congress to call a convention to propose an amendment to the constitution of the United States, whereby polygamous cohabitation shall be prohibited and congress given power to enforce such prohibition by appropriate legislation.

Introduced and referred....	815
Reported .....	1138
Passed .....	1421, 1422
Senate indefinitely postpones .....	1674, 1675

6—By Holmes. Authorizing and recommending the pardon or parole of C. H. Woodward, now confined at Fort Madison, Iowa.

Introduced .....	1330
Passed on file.....	1330
Passed .....	1424, 1425
Passed Senate .....	1791
Enrolled .....	1802, 1810
Signed .....	1850
Sent to the governor.....	1805

7—By Kellogg. For the appointment of a joint committee to purchase a chair and gavel for the Speaker of the House and the President of the Senate.

Introduced .....	1382
Passed .....	1382, 1383
Passed Senate.....	1656
Enrolled .....	1695, 1696
Signed .....	1715
Sent to the governor.....	1715

8—By Cooper. Relative to improvement of waterways by the United States.

Introduced .....	1429
Referred .....	1433
Reported with recommendation that it be referred to next General Assembly..	1692
Report adopted.....	1692

9—By Lee. Making application to the congress of the United States to call a convention for proposing amendments to the constitution of the United States.

Introduced .....	1442
Passed .....	1443, 1444
Passed Senate .....	1833
Enrolled .....	1801, 1814
Signed .....	1850
Sent to the governor.....	1806

## HOUSE CONCURRENT RESOLUTIONS

- By Larrabee. Holding of joint convention and inviting governor to read his message to same. Offered and adopted, 11; Senate adopts substitute, 16; House concurs, 16.
- By Perkins. Holding of joint convention Wednesday, January 20, 1909 at 12 o'clock. Offered and adopted, 131.
- By White. Printing of 2,000 copies of vest-pocket edition of rules of 33d General Assembly. Offered and adopted, 185; Senate amends and concurs, 191; House concurs in one amendment, not in other, 191; Senate recedes and concurs, 197.
- By Holmes. Appointment of committee to prepare a suitable program for a joint session to be held, February 12, 1909, to commemorate the one hundredth anniversary of the birth of Abraham Lincoln. Adopted, 190; Senate concurs, 203.
- By Hunter. Appointment of committees to visit state institutions and report to the General Assembly, and providing for temporary adjournment from January 27 to Tuesday, February 2, 1909. Offered and adopted, 197; Senate amends and refuses to concur, 222, 223.
- By O'Connor. Publication of pocket edition of rules of 33d General Assembly. Offered, 234; adopted, 235; Senate concurs, 250.
- By O'Connor. Adoption of Joint rules of 33d General Assembly. Offered and adopted, 238; Senate concurs, 250.
- By Dewey. Elimination of publication clause from all acts except those of an emergency character. Offered and laid over under rules, 249; amended and laid on table, 262.
- By Schee. Appointment of commission to attend reception given the officers and sailors of the U. S. naval fleet on their return from the trip around the world. Offered, 272; lost, 273; motion to reconsider filed, 277.
- By Bonwell. Authorizing publication of 10,000 copies of 1907 and 1908 annual reports of state highway commission. Offered, 317; adopted, 328; Senate concurs, 1374.
- By Fenn. Memorializing Iowa members of congress to use their influence in securing passage of Burnham Parcel Post bill. Offered, 328; laid on table, 339.
- By Fourt. Instructing secretary of state to publish list of appropriations for educational institutions in the session laws. Offered, 383; lost, 397.
- By Drury. Appointment of joint committee to investigate as to number of district judges needed and report findings to General Assembly. Offered, 726.
- By Cunningham. Appointment of joint committee to reapportion state into judicial districts and report recommendations not later than April 1, 1909. Offered, 726; amended, 849, 850; adopted, 850; Senate concurs, 976.
- By Jacobs. Memorializing Iowa delegation in congress to provide for improvement of post roads in Iowa and secure an appropriation therefor. Offered, 736; Senate concurs, 1837.
- By Drury. Appointment of joint committee to draft a bill reapportioning the state into judicial districts and report their recommendations not later than March 25, 1909. Offered, 822.
- By Schulte. Memorializing Iowa delegation in congress to secure an act providing for the acquisition of certain lands at the confluence of the Wisconsin and Mississippi rivers for national park purposes. Offered, 893; Senate concurs, 1836.
- By Harding. Requesting Iowa members of congress to use their influence and support of the pending resolution calling upon the secretary of commerce and labor to investigate the combine on moving pictures, films and appliances. Offered, 1118.
- By Klay. Adjournment sine die at noon, Friday, April 9, 1909. Offered, 1185; adopted, 1191; Senate concurs, 1833.
- By Harding. Requesting congress to create bureau of mines. Offered, 1206; adopted, 1427.
- By Harding. Certain officers of House and Senate to be furnished with code, code supplement and session laws. Offered, 1361; adopted, 1367; Senate concurs, 1496, 1497.
- By Boe. Directing custodian to ship books and supplies to members. Offered, 1570; adopted, 1571; Senate concurs, 1672.
- By Kellogg. Directing secretary of state to compile and publish in pamphlet form 6,000 copies each of drainage, road and primary laws. Offered and adopted, 1683; Senate concurs, 1825.

SENATE BILLS

RECEPTION AND ACTION

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3—To repeal the law as it appears in section fourteen hundred fifty-seven (1457) of the supplement to the code, 1907, and to enact a substitute therefor, relating to the subject of loaning or depositing of public funds.		Senate refuses to concur..	924
Received and referred.....	316	House insists .....	935
Reported with amendments.	710	Conference committee appointed .....	935, 976
Amendments adopted .....	1050	Senate adopts report of Conference committee .....	1231
Passed .....	1050, 1051	Report of Conference committee recommending amendments, etc.....	1231
Senate concurs .....	1228	Report and amendments adopted .....	1232, 1233
Enrolled .....	1203, 1204	Enrolled .....	1302
Signed .....	1227	Signed .....	1337
		Petition relative to.....	429
4—To amend the law as it appears in section twenty hundred and seventy-one (2071) of the supplement to the code, 1907, relating to the liability of corporations operating a railway for negligence or wrongs of employes.		8—Authorizing the district court or judge to remove officers for misfeasance, malfeasance or non-feasance in office, and providing for method of procedure therefor.	
Received .....	535	Received .....	704
Referred .....	538	Referred .....	704
Reported .....	629	Reported .....	748
Amended .....	982	Made a special order.....	848
Passed .....	982, 983	Considered .....	850
Senate concurs .....	1144	Made a special order.....	851
Enrolled .....	1140	Amended .....	959, 960, 961
Signed .....	1143	Passed .....	961, 962
		Senate concurs .....	1065
6—To repeal sections three hundred one (301), three hundred two (302), three hundred six (306), and three hundred seven (307) of the code, relating to the duties of the county attorney, and to enact substitutes therefor.		Enrolled .....	1117
Received .....	260	Signed .....	1127
Referred .....	261	Petition relative to.....	429
Reported with amendments	469		
Amendments adopted .....	731	9—Exempting stocks of paint in the hands of jobbers and dealers in the state on January 1, 1908, from the requirements of the law which appears as sections two thousand five hundred and ten-b (2510-b), two thousand five hundred and ten-c (2510-c), two thousand five hundred and ten-d (2510-d), and two thousand five hundred and ten-h (2510-h) of the supplement to the code, 1907.	
Passed .....	731, 732	Received .....	283
Senate concurs .....	926	Passed on file.....	284
Enrolled .....	958	Passed .....	304, 305
Signed .....	955	Enrolled .....	327
		Signed .....	328
7—To repeal sections 499 and 502 of the code, relating to the duties and powers of the sheriff and his deputy, and to provide for the payment of certain expenses and to enact a substitute therefor.		11—To amend section 433 of the supplement to the code, 1907, relating to the burial of indigent soldiers and sailors.	
Received .....	250	Received .....	232
Referred .....	250	Referred .....	242
Reported with amendments	471	Recalled by Senate.....	535
Amendments adopted .....	729	Request granted .....	540
Passed .....	729, 730		

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12—To amend section 333 of the code, relating to persons exempt from liability to act as jurors.	
Received .....	203
Referred .....	203, 204
Reported .....	234
Passed .....	252, 253
Enrolled .....	268
Signed .....	271
13—To amend section 2551 of the supplement to the code, 1907, relating to the protection of birds and game.	
Received .....	1108
Referred .....	1109
15—To repeal section two thousand seven hundred twenty-seven-a (2727-a), supplement to the code, 1907, and to enact a substitute therefor, providing funds for the support of the school for the deaf at Council Bluffs, Iowa.	
Received .....	1013
Referred .....	1013, 1014
Reported .....	1239
Passed .....	1665, 1666
Enrolled .....	1698
Signed .....	1715
16—Repealing section twenty-three hundred ten-a twenty-four (2310-a 24) of the supplement to the code, 1907, relating to the penalties for furnishing intoxicating liquors, or narcotic drugs to patients of inebriate hospitals, and providing a substitute therefor.	
Received .....	535
Referred .....	538, 539
Reported .....	1296
17—To amend section 3311 of the code, relating to the valuation of personal property.	
Received .....	203
Referred .....	203
Reported with amendment ..	219
Amendment adopted .....	219
Amended and passed .....	227, 228
Senate refuses to concur ..	238
House refuses to recede ..	242, 243
Conference committee appointed .....	248, 271
Conference committee reports in favor of Senate concurring .....	1718
Report adopted .....	1718
Senate adopts report and concurs .....	1718, 1719
Enrolled .....	1810
Signed .....	1850
18—To amend section three thousand and fifty-three (3053) of the code of 1897, relating to legal holidays.	
Substituted for H. F. No. 20	189

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Passed .....	189, 190
Enrolled .....	218
Signed .....	218
22—To amend the law as it appears in section seven hundred and forty (740) of the supplement to the Code, 1907, relating to aiding by taxation the maintenance of any institution of learning or benevolence including hospitals acquired by any county, city, town or school corporation by gift or devise.	
Received .....	417
Referred .....	420
Reported .....	451
Amended .....	566, 567
Passed .....	567, 568
Title amended .....	568
Senate concurs .....	897
Enrolled .....	918
Signed .....	935
23—To amend the law as it appears in section twenty-one hundred and sixteen (2116) of the supplement to the code, 1907, relating to the duty of railways to furnish transportation.	
Received .....	561
Referred .....	561, 562
Reported .....	789
Passed .....	1210
Enrolled .....	1241
Signed .....	1283
25—Repealing chapter 240 of the acts of the Thirty-second General Assembly relating to the sale of abandoned channel of the Des Moines river within the corporate limits of the city of Ottumwa, Iowa.	
Received .....	203
Referred .....	204
*Reported .....	218
Passed .....	227
Enrolled .....	269
Signed .....	271
*Erroneously printed House File No. 25.	
28—To provide for the payment of a bounty for the destruction of rattlesnakes.	
Received .....	249
Referred .....	251
Reported .....	360
Passed .....	460, 461
Enrolled .....	558
Signed .....	562
31—Requiring all corporations doing business within the State to make an annual report and pay an annual license fee to the Secretary of State.	
Received .....	1321
Referred .....	1323
Reported .....	1301
Received .....	189

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Substituted for H. F. No. 66 .....	1392
Passed .....	1392
Enrolled .....	1558
Signed .....	1571
33—To amend the law as it appears in section fourteen hundred and sixty-seven (1467) of the supplement to the code, 1907, relating to the collection of a tax upon inheritances.	
Received .....	417
Referred .....	420
Reported unfavorably.....	1173
Indefinitely postponed.....	1173
35—To amend the law as it appears in subdivision two (2) and subdivision six (6) of section twenty-four hundred forty-eight (2448) of the supplement to the code, 1907, relative to the location or place wherein intoxicating liquors are sold, and the furnishing of lunch therein.	
Received .....	896
Referred .....	897, 898
Reported with amendments	1296
37—To repeal section 1366 of the code and enacting a substitute therefore relative to assessment rolls.	
Received .....	271
Referred .....	271
Reported .....	360
Substituted for H. F. No. 51 .....	445
Passed .....	445, 446
Enrolled .....	474
Signed .....	483
42—To amend the law as it appears in section 4600-a of the supplement to the code, 1907, relating to the compensation of justices of the peace and constables.	
Received .....	211
Referred .....	211
Reported with amendments.	246
Amendment adopted.....	246
Passed .....	273, 274
Senate concurs .....	301, 302
Enrolled .....	297
Signed .....	305
43—Making an appropriation to pay the additional employees of the Thirty-third General Assembly.	
Received .....	222
Referred .....	223
Reported .....	266
Passed .....	288
Enrolled .....	327
Signed .....	328
44—Making an appropriation for the purchase of 20,000 copies of the Railroad Commissioners' official maps to be distributed by the members of the Gen-	

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eral Assembly and the Railroad Commissioners.	
Received .....	222
Referred .....	223
Reported with amendment.	266
Amendment adopted.....	266
Passed .....	288, 289
Senate refuses to concur...	316
House insists.....	317
Conference committee appointed .....	329, 416, 417
Conference committee report amendment .....	713
Amendment adopted....	714, 715
Senate concurs in House and conference committee amendments .....	719
Enrolled .....	774
Signed .....	779
45—Providing a method for the settlement of claims and demands for money or other property held by the state against persons, partnerships, corporations or associations.	
Received .....	250
Referred .....	251
Reported .....	360
Passed .....	459, 460
Enrolled .....	510
Signed .....	518
48—To amend the law as it appears in section sixteen hundred and sixty-one-a (1661-a) of the supplement to the code, 1907, relative to state aid to county and district fairs.	
Received .....	418
Referred .....	421
Substituted for House File No. 61.....	656
Passed .....	656, 657
Enrolled .....	775
Signed .....	779
50—To legalize the action and proceedings of the city council of the City of Manchester, relative to the boundary line and extent of the limits of said city.	
Received .....	250
Referred .....	251
Reported .....	359
Passed .....	458, 459
Enrolled .....	510
Signed .....	518
51—To amend the law as it appears in section two hundred and fifty-four -a2 (254-a2) of the supplement to the code, 1907, relating to the compensation of shorthand reporters.	
Received .....	990
Referred .....	991
Reported .....	1075
Rereferred .....	1099
Substitute reported.....	1284
Substitute not adopted....	1605
Passed .....	1606
Enrolled .....	1658
Signed .....	1662



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59—To amend section two thousand three hundred ninety-four (2394) of the code, relating to the sale of intoxicating liquors by permit holders.	
Received and referred.....	687
Reported unfavorably.....	1079
Report not adopted.....	1079
Placed on calendar.....	1079
Sifting committee requested to report.....	1745, 1746
Passed.....	1828, 1829
Enrolled.....	1814
Signed.....	1853
61—Requiring the teachers of agriculture and domestic science to be included in the course of study of the state university of Iowa, the state college of agriculture and mechanic arts, the state normal school and county normal institutes, for the purpose of preparing teachers of agriculture and domestic science, and providing for the teaching of elementary agriculture and domestic science in the public schools and making this subject one of the requirements in examinations of teachers for certificates after a specified time.	
Received.....	844
Referred.....	847
Reported.....	948
Referred.....	1143
Reported without recommendation.....	1554
63—Making it the duty of all persons and companies operating any vessel propelled by machinery or through the medium of sails to carry a light during certain hours, and otherwise regulating operation of same and fixing a penalty for violation.	
Received.....	260
Referred.....	261
Reported with amendment..	359
Amendment adopted.....	359
Passed.....	442
Senate concurs.....	477
Enrolled.....	510
Signed.....	518
65—To repeal the law as it appears in section 232 of the supplement to the code, 1907, relating to the schedule of times of holding terms of court.	
Received.....	232
Referred.....	242
Reported with amendment..	245
Amendment adopted.....	245
Passed.....	289, 290
Senate concurs.....	316
Enrolled.....	346, 347
Signed.....	352

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67—To amend section 5448 of the code, relating to the time in which an appeal may be taken from the final judgment in criminal cases.	
Received.....	232
Referred.....	242
Reported.....	246
Passed.....	275, 276
Enrolled.....	297
Signed.....	305
71—Providing for the destruction of weeds and noxious weeds on the public highways and lands adjacent thereto; and the destruction of noxious weeds on railway right-of-ways and grounds and making it the duty of the township trustees and county supervisors to enforce the provisions of this act; amending the law as it appears in sections one thousand five hundred and twenty-eight (1528), one thousand five hundred and thirty (1530) of the supplement to the code, 1907, and repealing the law as it appears in sections one thousand five hundred and sixty-two (1562) and one thousand five hundred and sixty-two-a (1562-a) of the supplement to the code, 1907, and sections one thousand five hundred and sixty-five (1565) and five thousand and twenty-four (5024) of the code.	
Received.....	1215
Referred.....	1215, 1216
Reported.....	1218
Amended.....	1652
Passed.....	1653, 1654
Senate concurs.....	1674
Enrolled.....	1697
Signed.....	1715
72—To amend the law as it appears in section forty-nine hundred ninety-nine-a-9, of the supplement to the code, 1907, relating to protection against fire and providing means for escape.	
Received.....	283
Referred.....	284
Reported with amendment..	410
Amendment adopted.....	568
Passed.....	568, 569
Senate concurs.....	843
Enrolled.....	774
Signed.....	779
75—To repeal sections sixteen (16), seventeen (17), and twenty (20) of chapter twenty (20) of the acts of the extra session of the Twenty-sixth General Assembly as the same appears on page four (4)	

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of the prefix to the code, and enact substitutes therefor; to repeal sections eighteen (18) and nineteen (19) of chapter twenty (20) of the acts of the extra session of the twenty-sixth General Assembly as amended by chapter one (1) of the acts of the Thirty-first General Assembly, and as same appears on page five (5) of the prefix to the supplement to the code, 1907, and enact substitutes therefor; and to repeal sections forty-two (42), forty-three (43), forty-four (44), forty-five (45) and forty-six (46) of the code, and enact substitutes therefor, relating to the distribution and sale of, and accounting for, the codes and session laws.	
Received .....	301
Referred .....	302, 303
Reported .....	358, 359
Amended .....	492, 493
Passed .....	493, 494
Senate concurs .....	634
Enrolled .....	775
Signed .....	779
76—To prohibit any person, except a qualified elector, from engaging in the sale of intoxicating liquors at retail and to prohibit any person, firm, association or corporation engaged or interested in the manufacture, brewing, distilling or refining of intoxicating liquors, from owning or leasing any building, fixtures, furniture or apparatus to be used for the purpose of selling intoxicating liquors at retail.	
Received .....	925, 926
Referred .....	928
Reported .....	1449
Passed .....	1567
Enrolled .....	1632
Signed .....	1656
79—To legalize a special election of the city of Anamosa, Iowa, held October 28, 1907, for purchase of water-works system, and voting bonds therefor, and the ordinances, resolutions and acts of the council relating to such water-works.	
Received and referred .....	261
Reported .....	295
Passed .....	330
Enrolled .....	347
Signed .....	352
81—To repeal section forty-nine hundred and ninety-nine a-3 (4999-a-3), supple-	

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ment of the code, 1907, relating to the assumption of risks and providing a substitute therefor.	
Received .....	441
Referred .....	441
Reported with amendment ..	1219
Amendment adopted .....	1664
Passed .....	1664, 1665
Senate concurs .....	1713
Enrolled .....	1698
Signed .....	1715
Petitions relative to .....	621
82—To amend section twenty-five hundred and seventy-one (2571) of the supplement to the code, 1907, relating to the publication of rules and regulations of the local boards of health.	
Received and referred .....	453
Reported .....	1219
Recalled by Senate .....	1444
Request granted .....	1448
87—To repeal the law as it appears in section sixteen hundred seventy-five (1675) of the supplement to the code, 1907, relative to farmers' institutes and to enact a substitute therefor.	
Received .....	536
Referred .....	538
Reported .....	771
Passed .....	1211
Enrolled .....	1242
Signed .....	1283
88—To repeal section twenty-three hundred forty-one-d (2341-d) of the supplement to the code, 1907, and to enact a substitute therefor, relative to the transfer of state certificates for pure bred stallions.	
Received .....	301
Referred .....	302
Reported .....	361
Passed .....	443
Enrolled .....	474
Signed .....	483
91—To define and regulate the practice of optometry and for the creation of a board of examiners in optometry.	
Received .....	633
Referred .....	635
Reported with amendments ..	669
Amendments adopted .....	894
Amended .....	894
Lost on passage .....	894, 895
Motion to reconsider filed ..	907
Reconsidered .....	983, 984
Amended .....	984, 985
Passed .....	985
Senate concurs .....	1066
Enrolled .....	1117
Signed .....	1127

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92—To prohibit the use of cigarettes by minors under twenty-one years of age, and providing penalties therefor.	
Received .....	1590
Referred .....	1593
Passed .....	1706, 1707
Enrolled .....	1808
Signed .....	1850
93—To repeal the law as it appears in section sixteen hundred fifty-seven-q (1657-q) of the supplement to the code, 1907, and to enact a substitute therefor, relating to the auditing of accounts of the department of agriculture.	
Received .....	300, 301
Referred .....	302
Reported .....	361
Passed .....	444, 445
Enrolled .....	474
Signed .....	483
97—To amend section two hundred ninety-seven (297) of the code relating to the compensation of clerks of the district court.	
Received .....	924
Referred .....	927
Reported unfavorably .....	1268
Indefinitely postponed .....	1268
98—Authorizing the governor of the state of Iowa, to issue a patent attested by the secretary of state, to certain land to and in favor of O. J. Felton, being the property situated in Linn county, Iowa, described as follows, to-wit: The southwest quarter (S. W. 1-4) of the northwest quarter (N. W. 1-4) and the southeast quarter (S. E. 1-4) of the southwest quarter (S. W. 1-4) of section sixteen (16), township eighty-five (85), north range five (5), west of the 5th principal meridian.	
Received .....	417
Referred .....	419
Reported with amendment ..	670
Amendment adopted .....	670
Passed .....	868, 869
Senate concurs .....	975
Enrolled .....	1101
Signed .....	1110
99—To amend section twenty-six hundred seventy-five (2675) of the code, relating to the normal school at Cedar Falls.	
Received .....	561
Referred .....	562
Reported with amendment ..	753
Amendment adopted .....	1131
Passed .....	1131
Senate concurs .....	1401
Enrolled .....	1460
Signed .....	1513

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100—Amending the law as it appears in section seven hundred and forty-six (746) of the supplement to the code, 1907, relating to contracts and expenditures from the water-works sinking fund for purposes incident to the making and submission to the people of contracts for the purchase or erection of water-works.	
Received and referred ..	283, 284
Reported .....	411
Indefinitely postponed .....	478
101—To amend sections two thousand two hundred thirty-two (2232), two thousand two hundred thirty-three (2233), two thousand two hundred thirty-four (2634), two thousand two hundred forty-one (2241), two thousand two hundred forty-two (2242), two thousand two hundred forty-three (2243), two thousand two hundred forty-four (2244), two thousand two hundred forty-five (2245), two thousand two hundred forty-six (2246), two thousand two hundred forty-eight (2248) and two thousand two hundred forty-nine (2249) of the code, relating to the care and support of the poor.	
Received .....	351
Referred .....	352
House File No. 257 reported as a substitute for.....	412
Substitute adopted .....	565, 566
Passed .....	566
Senate concurs .....	897
Enrolled .....	918
Signed .....	935
102—To amend the law as it appears in section three hundred and eight (308) of the supplement to the code, 1907, relating to the compensation of county attorneys.	
Received .....	351
Referred .....	352
Reported .....	362
Passed .....	443, 444
Enrolled .....	474
Signed .....	483
105—To amend the law as it appears in section five thousand twenty-eight-b (5028-b) of the supplement to the code, 1907, relating to unfair discrimination between different sections, communities or localities, defining the same and providing penalties for persons found guilty thereof.	
Received .....	719
Referred .....	720
Reported with amendment ..	771

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Amendment adopted..	1223, 1224
Passed .....	1224, 1225
Senate refuses to concur..	1591
House recedes .....	1600, 1601
Enrolled .....	1633
Signed .....	1656
Petition relative to.....	1111
108—To amend the law as it appears in section eleven hundred and six (1106) of the supplement to the code, 1907, relating to election ballots.	
Received .....	417
Referred .....	419, 420
Reported .....	1451
Lost on passage.....	1616, 1617
110—Providing for the education of deaf and blind children at the school for the deaf and the college for the blind.	
Received .....	536
Referred .....	538
Reported .....	828
Considered .....	1222
Passed .....	1223
Senate concurs .....	1401
Enrolled .....	1460
Signed .....	1513
111—To amend the law as it appears in section thirteen hundred eighty-five-b (1385-b) of the supplement to the code, 1907, and to provide for the assessment of different portions of a tract of real estate when the same has been sold subsequent to the biennial assessment of the same.	
Received .....	844
Referred .....	847
Reported .....	1187
113—To amend the law as it appears in sections ten hundred eighty-seven-a 1 (1087-a 1), ten hundred eighty-seven-a 5 (1087-a 5), ten hundred eighty-seven-a 6 (1087-a 6), ten hundred eighty-seven-a 12 (1087-a 12), ten hundred eighty-seven-a 21 (1087-a 21), ten hundred eighty-seven-a 22 (1087-a 22), ten hundred eighty-seven-a 24 (1087-a 24), ten hundred eighty-seven-a 25 (1087-a 25), ten hundred eighty-seven-a 27 (1087-a 27), of the supplement to the code, 1907, and to repeal the law as it appears in sections ten hundred eighty-seven-a 13 (1087-a 13), ten hundred eighty-seven-a 15 (1087-a 15) and ten hundred eighty-seven-a 18 (1087-a 18) of the supplement to the code, 1907, and enact sub-	

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stitutes therefor relating to the holding of primary elections by political parties.	
Received .....	845
Referred .....	847, 848
Substitute reported .....	1451
Substitute adopted .....	1475
Passed .....	1475, 1476
Senate refuses to concur..	1591
House insists .....	1600
Conference committee appointed .....	1588
Senate adopts report and amendments recommended by Conference committee..	1835
Conference committee recommends amendments ..	1847
Report and amendments adopted .....	1848, 1849
Enrolled .....	1813
Signed .....	1853
115—To amend the law as it appears in section thirty-four hundred forty-seven-b (3447-b) of the supplement to the code, 1907, relating to recovery of interest in real estate when the spouse has failed to join in the conveyance.	
Received .....	687
Referred .....	687
Reported unfavorably .....	749
Indefinitely postponed .....	749
Reinstated and rereferred..	1237
Substitute reported .....	1551
117—To authorize the sheriff and county attorney, when permitted by the board of supervisors, to employ the service of detectives and providing for payment therefor.	
Received .....	440
Referred .....	441
Reported unfavorably .....	693
Indefinitely postponed .....	694
118—Relating to bills of lading, defining the same, prescribing their terms and fixing the penalty for violation thereof.	
Received .....	1012
Referred .....	1014
Reported .....	1300
119—To amend sections fifteen hundred and seventy-one-b (1571-b), fifteen hundred seventy-one-c (1571-c), fifteen hundred and seventy-one-e (1571-e), and fifteen hundred and seventy-one-f (1571-f) of the supplement to the code, 1907, in reference to motor vehicles.	
Received .....	328
Referred .....	328, 329
Reported .....	394
Passed .....	496, 497
Enrolled .....	558
Signed .....	562

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121—To legalize certain ordinances of the town of Oxford Junction, Jones county, Iowa.  
 Received ..... 301  
 Referred ..... 302  
 Reported ..... 381  
 Passed ..... 481, 482  
 Enrolled ..... 558  
 Signed ..... 562

124—To amend section twenty-five hundred and seventy-eight-a (2578-a) of the supplement to the code of Iowa, relating to the revocation of certificates by the board of medical examiners.  
 Received ..... 633  
 Referred ..... 635  
 Reported ..... 709  
 Amended ..... 1102, 1103  
 Passed ..... 1103  
 Senate concurs ..... 1231  
 Enrolled ..... 1242  
 Signed ..... 1283

127—Amending the law as it appears in section six hundred seventy-four (674) of the supplement to the code, 1907, relating to the compensation of assessors in cities of first class.  
 Received ..... 536  
 Referred ..... 538  
 Reported ..... 1171

129—To amend section nine hundred and ninety-five (995) of the code, relating to powers and duties of commissioners in cities of special charter.  
 Received ..... 316  
 Referred ..... 317  
 Reported ..... 392  
 Passed ..... 497, 498  
 Enrolled ..... 558  
 Signed ..... 562

130—To prohibit drinking intoxicating liquors as a beverage or the use of profane and indecent language on any railway passenger car or street car in service and make the same a misdemeanor and giving the conductor of any train carrying passengers the right to refuse to permit any person intoxicated to enter any passenger car or street car in service and to eject from his train disorderly persons.  
 Received ..... 844  
 Referred ..... 848  
 Reported and rereferred ..... 1126  
 Substitute reported ..... 1682  
 Made a special order ..... 1683  
 Considered ..... 1702, 1703  
 Passed ..... 1703  
 Enrolled ..... 1808  
 Signed ..... 1850

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131—To repeal sections two hundred eight (208), two hundred nine (209), and two hundred ten (210) of the code, relating to the office and duties of the attorney general, and to enact substitutes therefor.  
 Received ..... 925  
 Referred ..... 928  
 Reported with amendment ..... 1263  
 Amendment adopted ..... 1649  
 Passed ..... 1649, 1650  
 Senate concurs ..... 1674  
 Enrolled ..... 1699  
 Signed ..... 1715

133—To amend section twenty-five hundred and seventy-four (2574) of the code, providing for an increase in the salary of the secretary of the state board of health.  
 Received ..... 1589  
 Referred ..... 1592

136—Making appropriation to defray the expenses of the inaugural ceremonies.  
 Received ..... 418  
 Referred ..... 421  
 Reported ..... 430  
 Passed ..... 637, 638  
 Enrolled ..... 775  
 Signed ..... 779

137—To amend the law as it appears in section one thousand four hundred and sixty-seven (1467) of the supplement to the code, 1907, relating to collateral inheritance tax and exemptions.  
 Received ..... 845  
 Referred ..... 848  
 Reported ..... 1054  
 Passed ..... 1422, 1423  
 Enrolled ..... 1559  
 Signed ..... 1571

141—To repeal section thirteen hundred sixty-three (1363) of the code, relative to statistics, and enacting a substitute therefor.  
 Received ..... 535  
 Referred ..... 539  
 Senate requests return ..... 843  
 Request granted ..... 848

143—To amend section twenty-five hundred and seventy-five (2575) of the code, relative to the appropriation to the state board of health.  
 Received ..... 975  
 Referred ..... 976  
 Reported unfavorably ..... 1003  
 Indefinitely postponed ..... 1003

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145—To authorize the state of Iowa to co-operate with the city of Marshalltown, in constructing a permanent dam across the Iowa river, providing for the maintenance thereof and making an appropriation therefor.	
Received .....	535
Referred .....	537
Reported .....	767
Passed .....	1225, 1226
Enrolled .....	1303
Signed .....	1337
148—To amend the law as it appears in section five hundred ten-a (510-a) of the supplement to the code, 1907, relating to the compensation of sheriffs and providing for the disposition of mileage heretofore earned by sheriffs.	
Received .....	633
Referred .....	635
Reported .....	1263
Passed .....	1818
Enrolled .....	1815
Signed .....	—
150—To amend the law as it appears in section five hundred eleven (511) of the supplement to the code, 1907, relating to the compensation of sheriffs for boarding prisoners.	
Received .....	384
Referred .....	384, 385
Reported .....	671
Amended .....	981
Passed .....	981, 982
Senate concurs .....	1066
Enrolled .....	1117
Signed .....	1127
153—Granting to the Omaha, Council Bluffs & Suburban railway company a right of way over and across the lands of the Iowa school for the deaf, located near Council Bluffs, Iowa.	
Received .....	718
Referred .....	720
Reported .....	911
Passed .....	1048, 1049
Enrolled .....	1117
Signed .....	1127
154—To create a commission authorized to locate and erect a pedestal for a monument to the memory of the late William B. Allison and making an appropriation to defray the expense thereof.	
Received and referred.....	384
Reported .....	430
Passed .....	455, 456
Enrolled .....	510
Signed .....	518

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155—To make an appropriation to assist in the erection of a monument to the unknown soldiers buried in the national cemetery at Keokuk, Iowa.	
Received .....	1835
Referred .....	1839
Lost on passage.....	1830, 1831
157—To amend the law as it appears in chapter two (2) a, title ten (10) of the supplement to the code, 1907, relating to levees, ditches, drains and water courses, and providing for work beyond the boundary lines of the district and for the acquirement by condemnation of lands therefor, by adding thereto the following:	
Received .....	440
Referred .....	440, 441
Reported and rereferred...	629
Reported with amendments...	1167
Amendments adopted .....	1666
Passed .....	1666
Senate concurs .....	1713
Enrolled .....	1698
Signed .....	1715
158—To amend section 1310 of the code, relating to taxation of shares of stock in corporations taxed in another state or territory, and amending section 1323 of the code, relating to taxation of domestic corporations.	
Received .....	1108
Referred .....	1109
Reported .....	1124
Considered .....	1564, 1565
Passed .....	1565
Enrolled .....	1633
Signed .....	1656
Motion to reconsider filed.....	1678, 1679
Reconsidered .....	1678, 1679
Recall from Senate requested .....	1679
Returned by Senate .....	1792
Motion requesting Sifting committee to report back the bill lost.....	1796
161—To amend chapter one hundred twenty (120) of the laws of the Twenty-sixth General Assembly, by making it the duty of Dickinson county to maintain the dam in said act provided for, and granting an appropriation of one thousand dollars (\$1,000) to aid therein.	
Received .....	1675
Referred .....	1676
Passed .....	1740, 1741
Enrolled .....	1808
Signed .....	—
162—Amending the law as it appears in section thirteen hundred sixty-one (1361) of the supplement to the	

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code, 1907, and section thirteen hundred fifty-four (1354) and section thirteen hundred fifty-five (1355) of the code, relating to the making of affidavit in assessment of property.	
Received .....	351
Referred .....	352
Reported with amendment..	392
Amendment adopted .....	498
Passed .....	498, 499
Senate concurs .....	686
Enrolled .....	775
Signed .....	779
 164—To amend the law as it appears in section seventeen hundred and fifty-eight-a (1758-a) and section seventeen hundred and nine (1709) of the supplement to the code, 1907, giving insurance companies, in addition to the authority now enjoyed, the right to issue policies upon automobiles and marine risks and further adding to the list of properties and rights that may be insured; repealing the law as it appears in section seventeen hundred and ten (1710) of the supplement to the code, 1907, and enacting a substitute therefor.	
Received .....	374
Referred .....	377
Reported .....	391
Substituted for House File No. 195 .....	1029
Amended and passed.....	1029, 1030
Senate concurs .....	1146
Enrolled .....	1204
Signed .....	1227
Recalled from Senate.....	1327
Returned by Senate.....	1402
Reconsidered .....	1433
Amended .....	1434
Passed .....	1434
*Senate concurs .....	1569
Enrolled .....	1632
Signed .....	1656
*Erroneously printed S. F. No. 162.	
 166—To enable counties to establish and maintain public hospitals, levy a tax and issue bonds therefor, elect hospital trustees, maintain training schools for nurses, provide suitable means for the care of tuberculous persons, and to make possible the ultimate establishment of an adequate supply of hospitals with equal rights to all and special privileges to none.	
Received .....	477
Referred .....	478
Reported with amendments	530

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Rereferred .....	726
Reported .....	773
Amendments amended .....	1273
Amendments adopted .....	1274
Amended .....	1274
Passed .....	1275
Senate concurs .....	1321
Enrolled .....	1407
Signed .....	1448
 167—Making an appropriation for Thomas H. Rattenbury on account of injuries received by him at the state sanatorium for the treatment of tuberculosis.	
Received .....	974
Referred .....	977
Substituted for House File No. 211 .....	998
Passed .....	998, 999
Enrolled .....	1100
Signed .....	1110
 169—Amending section thirty-four hundred fifty-six (3456) and additional to chapter two (2) of title eighteen (18) of the code, relating to limitation of actions.	
Received .....	1011
Referred .....	1015
Reported .....	1300
 170—To legalize the establishment of the superior court of the city of Perry, Dallas county, state of Iowa, and all the proceedings in the matter of establishing said court and the acts of all the officers of said city of Perry in relation to the establishment of said court, the issuance of the proclamation by the mayor and the election held on said establishment and the vote of the electors in establishing said court and the canvassing said vote and the declaring the result and the appointment of the judge thereof, and the election of his successor and the official acts, orders, judgments, and decrees of said judges and the court and all the proceedings in said court and the official acts of the clerk thereof or any other officers of said court, legalizing all the aforesaid matters, acts and proceedings and record as fully and exactly as if the law in every particular had been complete.	
Received .....	418
Referred .....	420
Reported with amendment..	670
Amendment adopted .....	670

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Passed .....	888, 889
Senate concurs .....	1011
Enrolled .....	1101
Signed .....	1110
172—To amend section twenty-six hundred and one (2601) of the code, relating to admission of inmates to the Iowa soldiers' home located at Marshalltown.	
Received .....	419
Referred .....	421
Substituted for H. F. No. 216 .....	421
Amended and passed .....	424, 425
Senate refuses to concur .....	513
House insists .....	514
Conference committee appointed .....	518
Conference committee reports amendment .....	683, 715
Report and amendment adopted .....	684, 685, 715, 716
Senate adopts report and amendment .....	719, 720
Enrolled .....	774
Signed .....	779
176—To amend the law as it appears in section five hundred eighty-six (586) and section eight hundred ninety-four, (894) of the supplement to the code, 1907, relating to the levy of cemetery tax.	
Received .....	719
Referred .....	720
Reported with amendment .....	1136
Amendment adopted .....	1818
Passed .....	1819
Senate concurs .....	1835
Enrolled .....	1815
Signed .....	1815
177—Requiring persons, partnerships or corporations owning or operating street car systems to provide transparent shields for the platforms of certain street cars and providing a penalty for the violation of the requirements hereof.	
Received .....	926
Referred .....	928
Reported .....	1171
Passed .....	1425, 1426
Enrolled .....	1558
Signed .....	1571
179—To amend the law as it appears in sections two hundred fifty-four-a thirteen (254-a 13), two hundred fifty-four-a fourteen (254-a 14), two hundred fifty-four-a fifteen (254-a 15), two hundred fifty-four-a sixteen (254-a 16), two hundred fifty-four-a seventeen (254-a 17), two hundred fifty-four-a eighteen (254-a 18), two hundred fifty-four-a nineteen (254-a 19), two hundred	

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fifty-four-a twenty (254-a 20), two hundred fifty-four-a twenty-one (254-a 21), two hundred fifty-four-a twenty-two (254-a 22), two hundred fifty-four-a twenty-three (254-a 23), two hundred fifty-four-a twenty-four (254-a 24), two hundred fifty-four-a twenty-five (254-a 25), two hundred fifty-four-a twenty-six (254-a 26), two hundred fifty-four-a twenty-seven (254-a 27), two hundred fifty-four-a twenty-eight (254-a 28), two hundred fifty-four-a twenty-nine (254-a 29), two hundred fifty-four-a thirty (254-a 30) of the supplement to the code, 1907, relating to juvenile courts, detention homes and schools, and conferring concurrent jurisdiction upon superior courts with district courts, of proceedings brought under said sections.	
Received .....	536
Referred .....	537
Reported .....	1074
Passed .....	1666, 1667, 1668
Enrolled .....	1697
Signed .....	1715
182—For the relief of the grantees of Joel J. Bradshaw, and for the purpose of having a patent issued in the name of W. F. Werner for a certain tract of land.	
Received .....	452
Referred .....	453
Reported .....	488
Passed .....	838, 839
Enrolled .....	919
Signed .....	935
184—Repealing sections sixteen hundred and ten (1610), sixteen hundred and twelve (1612), sixteen hundred and eighteen (1618) and sixteen hundred and forty-one-d (1641-d), of the supplement to the code, 1907; also section sixteen hundred and fifteen (1615) of the code, and enacting substitutes therefor; also repealing section sixteen hundred and eighteen-b (1618-b) of the supplement to the code, 1907; all in relation to corporations for pecuniary profit.	
Received .....	1143
Referred .....	1146
Reported with amendment .....	1298
Amendment adopted .....	1774
Passed .....	1774, 1775
Senate concurs .....	1832
Enrolled .....	1809
Signed .....	1809



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185—To amend section two thousand five hundred eighty-nine-b (2589-b) of the supplement to the code, 1907, relative to the requirements of applicants for registration as pharmacists.	
Received .....	873
Referred .....	878
Reported .....	1078
Passed .....	1618, 1619
Enrolled .....	1657
Signed .....	1662
187—To amend section three thousand and sixty-eight (3068) of the code relative to the use of corporate seals.	
Received .....	924
Referred .....	927
Substitute reported.....	1300
191—Appropriating the sum of \$209.12 for the relief of N. W. Williams on account of work done for the state.	
Received .....	1107
Referred .....	1109
Reported .....	1238
Passed .....	1562, 1563
Enrolled .....	1633
Signed .....	1656
196—To amend section forty-eight hundred ninety-eight of the code, relating to breaking jail and escape of prisoners from custody.	
Received .....	417
Referred .....	420
Reported with amendment.....	712
Amendment adopted.....	1092
Passed .....	1092
Senate concurs.....	1146
Enrolled .....	1204
Signed .....	1227
197—To grant to certain officers and other employes of the state institutions under the control of the board of control of state institutions annual vacation with pay and to repeal section fifty-seven hundred eighteen-a29 (5718-a29) and section fifty-seven hundred eighteen-a30 (5718-a30) of the supplement to the code, 1907.	
Received .....	477
Referred .....	478
Reported .....	752
Substituted for H. F. No. 75 .....	1061
Amended .....	1061
Considered .....	1062
Passed .....	1063
*Motion to reconsider filed.....	1064
Motion to reconsider laid on table .....	1064
Senate concurs.....	1273
Enrolled .....	1303
Signed .....	1337
*Erroneously printed House File No. 197.	

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198—To create a state board of education for the state university, the college of agriculture and mechanic arts, and the normal school, and to prescribe its duties and to provide for the management and control of the state university, the college of agriculture and mechanic arts, and the normal school, to make appropriations therefor, and to repeal sections two thousand six hundred seventeen (2617), two thousand six hundred eighteen (2618), two thousand six hundred nineteen (2619), two thousand six hundred twenty (2620), two thousand six hundred thirty-five (2635), two thousand six hundred thirty-six (2636), two thousand six hundred forty-two (2642), two thousand six hundred forty-seven (2647), two thousand six hundred fifty-one (2651), two thousand six hundred fifty-two (2652), two thousand six hundred fifty-three (2653), two thousand six hundred sixty-eight (2668), two thousand six hundred sixty-nine (2669), two thousand six hundred seventy (2670), two thousand six hundred eighty-one (2681) of the code, and the law as it appears in sections two thousand six hundred forty-six (2646), two thousand six hundred fifty (2650), two thousand seven hundred twenty-seven-a-fifty-three (2727-a-53), two thousand seven hundred twenty-seven-a-fifty-four (2727-a-54), two thousand seven hundred twenty-seven-a-fifty-five (2727-a-55), two thousand seven hundred twenty-seven-a-fifty-six (2727-a-56) of the supplement to the code, 1907, and to repeal all acts and parts of acts inconsistent with this act.	
Received .....	843
Referred .....	845, 846
Reported with amendments.....	968
Made a special order.....	1028
Amendments amended and adopted .....	1120, 1121
Amended .....	1122
Passed .....	1123
Explanation of vote.....	1123
Senate concurs.....	1161
Enrolled .....	1204
Signed .....	1227
203—To legalize the ordinances of the town of Norwalk,	

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Warren county, Iowa, and the acts and proceedings of the council of said town had thereunder.	
Received .....	440
Referred .....	441
Reported .....	669
Passed .....	867, 868
Enrolled .....	958
Signed .....	955
 206—To amend the law as it appears in title V, chapter fourteen-c (14-c) of the supplement to the code, 1907, relating to the government of certain cities, and conferring additional powers upon such cities.	
Received .....	1065
Referred .....	1066
Reported .....	1170
Passed .....	1607, 1608
Enrolled .....	1658
Signed .....	1662
 207—To repeal section sixteen hundred ninety-nine (1699) of the code, relating to the investment of funds of insurance companies other than life, organized under chapter four (4) of the code and to enact a substitute therefor.	
Received .....	1249
Referred .....	1250, 1251
 208—To amend section eighteen hundred and fifty-seven (1857) of the code, relating to the dissolution of state banks.	
Received .....	686
Referred .....	687
Reported .....	938
Passed .....	1288
Enrolled .....	1407
Signed .....	1448
 209—To amend the law as it appears in section fifteen hundred and thirty (1530) of the supplement to the code, 1907, creating a county drainage fund, providing for its collection and prescribing the manner in which the same shall be paid out.	
Received .....	1065
Referred .....	1067
Reported with amendment..	1339
 211—To repeal section thirty-one hundred eighty-one (3181) of the supplement to the code, 1907, relating to the right of divorced persons to remarry within one year, and to enact a substitute therefor.	
Received .....	974
Referred .....	977
Reported unfavorably.....	1135
Indefinitely postponed.....	1135

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212—To require every person, partnership, company or corporation, owning or operating a street railway in this state, to equip certain cars with brakes and appliances for the control and stopping of the same, and providing a penalty for the violation thereof.	
Received .....	974
Referred .....	977, 978
Substitute reported.....	1449
Substitute adopted.....	1707, 1708
Passed .....	1708, 1709
Senate refuses to concur..	1792
House insists.....	1796
Conference committee appointed .....	1796, 1833
Conference committee report in favor of Senate concurring, and amendment.	1843
Senate adopts report and concurs .....	1837
House adopts report.....	1844
Enrolled .....	1813
Signed .....	1853
Petition relative to.....	500
 213—Fixing the liability of a bank to its depositor for payment of forged or raised checks.	
Received .....	634
Referred .....	635
Passed .....	1317, 1318
Enrolled .....	1407
Signed .....	1448
 216—Prohibiting the detention or confinement of any female in any house, room, building, or premises by force, false pretense, or intimidation, for purposes of prostitution or with intent to cause such female to become a prostitute and providing a punishment for the violation thereof.	
Received .....	536
Referred .....	538
Reported .....	694
Passed .....	1043, 1044
Enrolled .....	1117
Signed .....	1127
 217—To promote the building of permanent roads in the state and providing for the establishing of districts, and providing for the construction of roads, and prescribing the method for so doing, and providing for assessment and collection of a portion of the cost of the same, and issuing improvement certificates therefor and providing for a tax in aid thereof.	
Received .....	925
Referred .....	928, 929
Reported with recommendation that it be substituted for House File No. 255 .....	1125, 1126

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Substituted for House File No. 255 .....	1130
Lost on passage .....	1130
Motion to reconsider filed .....	1132
Reconsidered .....	1159
Amended .....	1160
Passed .....	1160, 1161
Senate concurs .....	1228
Enrolled .....	1242
Signed .....	1283
 218—To amend the law as it appears in section twenty-one hundred fifty-seven-g (2157-g) of the supplement to the code, 1907, relating to free passes by common carriers.	
Received .....	1011
Referred .....	1015
Substituted for H. F. No. 264 on calendar .....	1021
Passed .....	1021
Enrolled .....	1101
Signed .....	1110
 219—To amend the law as it appears in section twenty-six hundred ninety-two-a, and section twenty-six hundred ninety-two-c, of the supplement to the code, 1907, relating to state agents and making appropriation therefor.	
Received and referred .....	561
Reported .....	695
Passed .....	1089, 1090
Enrolled .....	1140
Signed .....	1143
 220—To regulate the transfer in bulk of stocks of merchandise.	
Received .....	973
Referred .....	977
Reported .....	1075
Made special order .....	1227
Amendment offered .....	1291
Amendment lost .....	1292
Lost on passage .....	1293
 224—To amend section eleven hundred ninety-five (1195) of the code, relating to officers holding over for any reason.	
Received .....	845
Referred .....	846
Reported .....	966
Passed .....	1615
Enrolled .....	1657
Signed .....	1662
 229—To prohibit the living, boarding, stopping, or rooming of unmarried females under the age of eighteen years in any house, building, or premises where prostitution, fornication, or concubinage is allowed or practiced and providing punishment for the violation thereof.	
Received .....	873
Referred .....	877
Reported .....	915
Amended .....	1315

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Passed .....	1315, 1316
Senate concurs .....	1401
Enrolled .....	1460
Signed .....	1513
 233—To amend sections 850-c, 850-e, and 850-f of the supplement to the code, 1907, relating to parks and park commissioners.	
Received and referred .....	1162
Reported .....	1170
Passed .....	1420, 1421
Enrolled .....	1559
Signed .....	1571
 235—To amend section two thousand five hundred and thirty-nine (2539) of the supplement to the code, 1907, relating to the compensation and duties of the fish and game warden.	
Received .....	844
Referred .....	847
Reported .....	916
Passed .....	1316, 1317
Enrolled .....	1407
Signed .....	1448
 238—Amending section two thousand one hundred and twenty-six (2126) of the code, relative to railroad rates.	
Received .....	704
Referred .....	704
Reported unfavorably .....	1344
Indefinitely postponed .....	1345
 245—To amend section two thousand five hundred eighty-eight (2588) of the code, relating to the sale of drugs, medicines, poisons, and chemicals, and providing for the sale of denatured alcohol, fly paper, concentrated lye, potash, and insecticides by persons other than registered pharmacists.	
Received .....	875
Referred .....	878
Reported unfavorably .....	1219
Indefinitely postponed .....	1219
 247—To amend the law as it appears in sections nineteen hundred eighty-nine-a3 (1989-a3), nineteen hundred eighty-nine-a11 (1989-a11), and nineteen hundred eighty-nine-a31 (1989-a31) of the supplement to the code, 1907, relating to the establishment of drainage districts and the location and construction of levees, ditches, drains, and the change of water courses.	
Received .....	1065
Referred .....	1066
 248—To repeal paragraph five (5) of section thirty-six hundred eighty-eight (3688)	

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of the code and to enact a substitute therefor, relating to challenges for cause.	
Received .....	875, 876
Referred .....	878, 879
251—To amend the law as it appears in subdivision four (4) of section one hundred thirty-eight (138) of the supplement to the code, 1907, and section one hundred thirty-nine (139) if the Code, relating to printing.	
Received .....	1497
Referred .....	1503
Passed .....	1776
Enrolled .....	1808
Signed .....	—
252—Providing for the appointment of visiting committees from the members of the General Assembly to visit the state institutions prior to the convening of each regular session, and make appropriation therefor.	
Received .....	1249
Referred .....	1250
Reported unfavorably.....	1681
Indefinitely postponed.....	1681
254—To provide for the employment of prisoners in the county jails and for paying their earnings to their families.	
Received .....	896
Referred .....	897
Reported with amendments.	1169
256—To amend section fifteen hundred and seventy (1570) of the supplement to the code, 1907, and to provide for the growing of posts.	
Received .....	876
Referred .....	878
Reported unfavorably.....	1554
Indefinitely postponed.....	1554
258—Making an appropriation for John Jones on account of injuries received by him at the state hospital for insane persons at Clarinda, Iowa.	
Received .....	1591
Referred .....	1592
Reported .....	1692
Passed .....	1705, 1706
Enrolled .....	1807
Signed .....	1850
261—To amend the law as it appears in section five thousand six hundred and twenty-six (5626) of the supplement to the code, 1907, relating to pardons and the remission of fines and forfeitures.	
Received .....	1498
Referred .....	1503
Reported unfavorably.....	1551
Indefinitely postponed.....	1551

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262—To legalize the resolutions and proceedings of the council of the city of Monticello, Iowa, relating to the parking, curbing, guttering and macadamizing of a portion of Sycamore street in said city, and all acts done thereunder.	
Received .....	633
Referred .....	635
Reported .....	693
Passed .....	702
Enrolled .....	775
Signed .....	779
263—To make appropriations for the payment of expenses incurred under the special committee appointed in the contest of A. F. N. Hambleton, contestant vs. John F. Ream, incumbent, and to make an appropriation therefor.	
Received .....	1675
Referred .....	1676
Passed .....	1734
Enrolled .....	1810
Signed .....	1850
265—To repeal section fifteen hundred and thirty (1530) of the supplement to the code, 1907, and enact a substitute therefor by providing for the delivery to the city treasurer of so much of the county road fund tax as is collected from property within the incorporated limits of any city.	
Received .....	1093
Referred .....	1095
Reported .....	1125
Amended .....	1608, 1609, 1610
Lost on passage.....	1611, 1612
266—To amend the law as it appears in section eight hundred fifty-c (850-c) of the supplement to the code, 1907, relating to the tax levy for park purposes and repealing section eight hundred fifty-two (852) of the code as amended by chapter forty-three (43) of the acts of the Thirty-second General Assembly.	
Received .....	1093
Referred .....	1094
Reported .....	1172
Substituted for House File No. 306.....	1352
Passed .....	1352, 1353
Enrolled .....	1461
Signed .....	1513
267—To legalize the elections, acts and transaction, resolutions, by-laws, rules and regulations, contracts and certificates of the Ottumwa cemetery association.	
Received .....	876

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Referred .....	877
Reported .....	1056
Passed .....	1418, 1419
Enrolled .....	1558
Signed .....	1571

269—Amending the law as it appears in section sixteen hundred fifty (1650) of the code, relating to the re-incorporation of the cemetery associations.

Received .....	875
Referred .....	876
Reported .....	1056
Passed .....	1419, 1420
Enrolled .....	1559
Signed .....	1571

271—Authorizing the giving of pensions to disabled and retired firemen and the widows and minor children and dependent fathers and mothers of deceased firemen in cities, incorporated towns, and special charter cities having organized fire departments, creating a fund from which to pay such pensions and providing for the distribution thereof, creating a board of trustees to care for such pension fund and prescribing their powers and duties and authorizing the retiring from service of firemen under certain conditions.

Received .....	974
Referred .....	976
Reported .....	988
Passed .....	1368
Enrolled .....	1559
Signed .....	1571
Petition relative to .....	1036

273—To amend section two thousand seventy-seven-a (2077-a) of the supplement to the code, 1907, relating to the posting of bulletins.

Received .....	1065
Referred .....	1067
Reported unfavorably .....	1345
Indefinitely postponed .....	1345

276—Legalizing certain instruments of writing heretofore executed by corporations conveying, encumbering or affecting real estate that have been executed without the attaching or affixing of the corporate seal thereto.

Received .....	844
Referred .....	847
Reported unfavorably .....	965
Indefinitely postponed .....	965

278—In relation to holding district courts and the assignment of judges therefor.

Received .....	875
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Referred .....	877, 878
Reported with amendments .....	1481
Amendments adopted .....	1668
Passed .....	1668
Senate concurs .....	1720
Enrolled .....	1809
Signed .....	1850

281—To amend the law as it appears in section two thousand eight hundred six (2806) of the supplement to the code, 1907, to increase the amount that may be levied for the contingent fund in a school district.

Received .....	926
Referred .....	927
Reported with amendment .....	1054
Substituted for House File No. 388 .....	1279, 1280
Amendment adopted .....	1280
Passed .....	1280
Senate refuses to concur .....	1500
Conference committee appointed .....	1513, 1536
Conference committee reports amendments .....	1699
Report and amendment adopted .....	1700, 1701
Senate adopts report and amendments .....	1712
Enrolled .....	1717
Signed .....	1718
*Erroneously printed S. F. No. 81.	

282—Legalizing action of board of supervisors of Mills county relating to issuance of drainage bonds.

Received .....	719
Referred .....	720
Reported .....	771
Passed .....	1017
Enrolled .....	1101
Signed .....	1110

283—To amend the law as it appears in section fifteen hundred and thirty (1530) of the supplement to the code, 1907, relating to the levy and expenditure of the county road fund.

Received .....	896
Referred .....	898

285—To amend the law as it appears in section thirteen hundred and six-e (1306-e) of the supplement to the code, 1907, relating to the issuance of bonds by cities and towns and providing a means for the payment of such bonds.

Received .....	1192
Referred .....	1193
Passed .....	1670, 1671
Enrolled .....	1716
Signed .....	1718

290—To repeal section twenty-eight hundred twenty-a (2820-a), twenty-eight hundred twenty-b (2820-

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b), twenty-eight hundred twenty-c (2820-c) twenty-eight hundred twenty-d (2820-d) of the supplement to the code, 1907, and enact a substitute therefor, relative to the limit of indebtedness of independent school districts.		Reported .....	1694
Received .....	844	Passed .....	1702
Referred .....	846	Enrolled .....	1807
Reported with amendments.	937	Signed .....	1850
Amendments adopted.....	1312		
Amended and passed.....	1312, 1313	298—Limiting the number of persons to whom city or town councils may, by resolution, grant consent to sell intoxicating liquors, and to prohibit any person who shall be convicted or enjoined for violating the laws of this state relating to the sale or disposition of intoxicating liquors, from engaging in the sale of intoxicating liquors within five years from the date thereof.	
Senate concurs.....	1401	Received .....	925
Enrolled .....	1461	Referred .....	928
Signed .....	1513	Reported with amendments.	1297
		Sifting committee requested to report.....	1745, 1746
294—To amend section forty-six hundred and twenty-five (4625) of the code, relating to the statute of frauds.		Amendments adopted.....	1827
Received .....	975	Passed .....	1827, 1828
Referred .....	976	Senate concurs.....	1837
Reported unfavorably.....	1055	Enrolled .....	1813
Indefinitely postponed.....	1055	Signed .....	1853
295—With respect to gambling, prohibiting certain games, the possession or use of certain instruments or appliances, and the using or leasing of any premises for gambling purposes, or the solicitation of persons to visit a place or places to engage in gambling or where gambling is carried on, and providing punishment therefor; and to repeal and prohibit the enactment and enforcement of city and town ordinances relative thereto, and to repeal all laws in conflict with this act.		304—Requiring the proper equipment of locomotives used exclusively in switching or yard service; providing for the safety of employes engaged in their operation and providing a penalty for failure to properly equip such switch engines.	
Received .....	1064	Received .....	1012
Referred .....	1066	Referred .....	1014
Reported with amendments.	1295	Reported .....	1116
Motion to withdraw bill from sifting committee lost .....	1846, 1847	Substituted for H. F. No. 370 .....	1279
		Passed .....	1279
296—To legalize the issuing of certain warrants on the school fund by the board of directors of the independent school district of Farmington, in Van Buren county, state of Iowa.		Enrolled .....	1303
Received .....	874	Signed .....	1337
Referred .....	877		
Reported .....	1058	305—To grant and relinquish to the city of Dubuque, Iowa, the title of the state of Iowa in or to a portion of the abandoned river bed of the Mississippi river, being land of the character described in section one (1) of chapter two hundred and twelve (212) of the acts of the Thirty-first General Assembly, lying within the limits of said city and in sections twenty-five (25) and thirty-six (36), township eighty-nine (89) north, range two (2) east of the fifth principal meridian, and authorizing and directing the governor and secretary of state to issue a patent therefor.	
Passed .....	1416, 1417	Received .....	925
Enrolled .....	1558	Referred .....	927
Signed .....	1571	Reported and rereferred...	988
		Reported .....	1056
297—To amend section ten hundred and ninety (1090) of the code, relating to the formation of election precincts.			
Received .....	1497		
Referred .....	1502		

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Passed .....	1561, 1562
Enrolled .....	1633
Signed .....	1656
 306—To amend the law as it appears in section four thousand one hundred fourteen (4114) of the supplement to the code, 1907, relating to the sufficiency of notice of appeal.	
Received .....	896
Referred .....	898
Reported .....	1074
Passed .....	1621, 1622
Enrolled .....	1657
Signed .....	1662
 307—To amend section four thousand one hundred thirty-nine (4139) of the code, relating to practice in the supreme court.	
Received .....	896
Referred .....	898
Reported .....	1074
Passed .....	1619, 1620
Enrolled .....	1657
Signed .....	1662
 310—To legalize the acts of the board of directors of the school township of Wilson in the county of Osceola and state of Iowa in authorizing a schoolhouse to be built in subdivision number four (4) in said school township and in levying a tax therefor.	
Received .....	925
Referred .....	927, 928
Reported .....	966
Passed .....	1313, 1314
Enrolled .....	1408
Signed .....	1448
 311—To amend the law as it appears in section twenty-five hundred five (2505) of the supplement to the code, 1907, relating to the inspection of petroleum products.	
Received .....	1249
Referred .....	1251
 314—To repeal sections twenty-five hundred and sixty-three-a (2563-a), twenty-five hundred and sixty-three-b (2563-b), twenty-five hundred sixty-three-c (2563-c), twenty-five hundred and sixty-three-d (2563-d), twenty-five hundred and sixty-three-e (2563-e), twenty-five hundred and sixty-three-f (2563-f) and twenty-five hundred and sixty-three-g (2563-g), twenty-five hundred sixty-three-h (2563-h) of the supplement to the code, 1907, and to enact a substitute therefor relating to protection of game.	

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Received .....	1011
Referred .....	1014
 315—Giving to cities and towns, including cities acting under special charters, power to provide by ordinance for the trimming of trees along the public streets and sidewalks, and to assess the cost thereof to the owners of the abutting property.	
Received .....	1012
Referred .....	1014
Reported unfavorably .....	1171
Indefinitely postponed .....	1171
 317—To repeal sections fifteen hundred seventy-b (1570-b) and fifteen hundred seventy-c (1570-c) of the supplement to the code, 1907, and to enact a substitute therefor, relating to the working of highways and providing penalties for injury to such highways or the work done thereon.	
Received .....	845
Referred .....	846
Substituted for House File No. 394 on calendar 1019, 1020	
Passed .....	1020
Enrolled .....	1140
Signed .....	1143
 318—To legalize the ordinances of the town of Maynard, Fayette county, Iowa, and the acts and proceedings of the council of said town had thereunder.	
Received .....	876
Referred .....	877
Reported .....	913
Passed .....	1045
Enrolled .....	1117
Signed .....	1127
 319—Authorizing boards of supervisors to grant the use of public highways for erecting and maintaining poles and wires for the transmission of electricity, and fixing the liability for damages arising from the construction thereof.	
Received .....	874
Referred .....	878
Recalled and rereferred .....	955
Reported .....	967
Considered .....	1331
Lost on passage .....	1332, 1333
Motion to reconsider .....	1333
Consideration postponed .....	1333
Reconsidered .....	1370
Substitute offered .....	1370
Referred .....	1371
Substitute reported .....	1402
Permitted to retain place on calendar .....	1410
Substitute adopted .....	1434, 1435
Passed .....	1435, 1436
Senate concurs .....	1534
Enrolled .....	1557
Signed .....	1571

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324—Relating to the investigation of complaints as to the management and treatment of inmates of county and private institutions in which insane persons are kept, and of children cared for by associations and societies contemplated by the law as it appears in section three thousand two hundred sixty-j (3260-j) of the supplement to the code, 1907.	
Received .....	874
Referred .....	876
Reported .....	964
Indefinitely postponed .....	1544
327—To indemnify Mamie McMahon for personal injury sustained by her while employed as nurse at the Mt. Pleasant hospital.	
Received .....	1108
Referred .....	1109
Reported .....	1138
Passed .....	1663, 1664
Enrolled .....	1698
Signed .....	1715
328—To amend the law as it appears in section two thousand one hundred and thirteen (2113) of the supplement to the code, 1907, enlarging the powers of the railroad commissioners.	
Received .....	1012
Referred .....	1014
Reported unfavorably .....	1168
Indefinitely postponed .....	1168
Committee requests recall from Senate .....	1553
Recalled from Senate .....	1571
Returned to Senate .....	1655
Reconsidered .....	1639
Passed .....	1639, 1640
Enrolled .....	1698
Signed .....	1715
329—To amend section thirteen hundred twelve (1312) of the code, relating to the listing of moneys and credits for taxation by persons acting in a fiduciary capacity.	
Received .....	874
Referred .....	878
Reported .....	1054
Passed .....	1423, 1424
Enrolled .....	1560
Signed .....	1571
330—To amend the law as it appears in section twenty-four hundred forty-eight (2448) of the supplement to the code, 1907, relating to the sale of intoxicating liquors.	
Received .....	1499
Referred .....	1503
331—Authorizing the state board of control to enter into a contract for the employ-	

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ment of certain inmates of the reformatory at Anamosa.	
Received .....	1012
Referred .....	1014
Reported .....	1137
Substituted for H. F. No. 411 .....	1318
Passed .....	1318, 1319
Enrolled .....	1408
Signed .....	1448
333—To amend the law as it appears in sections twenty-three hundred ten-a-19 (2310-a-19) and twenty-three hundred ten-a-28 (2310-a-28) of the supplement to the code, 1907, relative to the expenses and payment thereof, and costs incurred on account of patients committed as inebriates to state hospitals, and repealing section twenty-three hundred ten-a-30 (2310-a-30) of the supplement to the code, 1907, and enacting a substitute therefor, relative to the payment of expenses for the returning of an escaped patient and recommitment to the hospital for inebriates.	
Received .....	974
Referred .....	977
Reported .....	1135
Passed .....	1824, 1825
Enrolled .....	1813
*Signed .....	1853
*Erroneously printed Senate File No. 33.	
334—To amend the law as it appears in section thirty-three hundred and five (3305), supplement of the code, 1907, relative to the time of granting administration.	
Received .....	974
Referred .....	977
Substituted for House File No. 336 .....	1088
Passed .....	1088, 1089
Enrolled .....	1140
Signed .....	1143
Recalled from Senate .....	1191
*Senate returns .....	1228
Reconsidered .....	1256
Amended .....	1256
Passed .....	1256, 1257
Senate concurs .....	1401
Enrolled .....	1461
†Signed .....	1513
†Erroneously printed S. F. No. 394.	
*Erroneously printed House File No. 334.	
337—To amend section six hundred thirty-eight (638) of the code relative to villages.	
Received .....	1108
Referred .....	1109
Reported unfavorably .....	1450
Indefinitely postponed .....	1450



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338—To amend the law as it appears in section ten hundred sixty (1060) of the supplement to the code, 1907, relating to the time of the commencement of the term of officers chosen at a general election.	
Received .....	895
Referred .....	897
Reported with amendment..	1057
Amendment adopted .....	1620
Passed .....	1620, 1621
Senate concurs .....	1834
Enrolled .....	1813
Signed .....	1813

340—Amending the law as it appears in section twenty-five hundred ninety-six-a (2596-a) of the supplement to the code, 1907, relating to the sale of cocaine and certain other drugs.	
Received .....	1215
Referred .....	1216
Reported .....	1270
Passed .....	1669
Enrolled .....	1698
*Signed .....	1715
*Erroneously printed Senate File No. 430.	

342—Legalizing and curing the acts and proceedings of the incorporated town of Pocahontas and the town council of said incorporated town, in the county of Pocahontas and state of Iowa, in relation to the establishment, erection and maintenance and extension of a system of water-works in said town, and the issuance of warrants of said town in payment therefor, and authorizing the town council of said town to issue bonds for the purpose of taking up and paying its floating indebtedness represented by its warrants.	
Received .....	1011
Referred .....	1015
Reported .....	1075
Passed .....	1415, 1416
Enrolled .....	1559
Signed .....	1571

344—Defining contributory dependency, fixing proceedings in regard thereto, providing for probation of parties guilty thereof subject to such orders as are calculated to remove such contributory dependency and providing for the enforcement of such orders, also providing for a finding of abandonment and for adoption upon such finding, determining the rights of children thus	
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adopted and providing for punishment for enticing away and interfering with children legally placed into institutions and homes; to be additional to chapter 5-b of title III of the supplement to the code, 1907.	
Received .....	1093
Referred .....	1095
Reported .....	1404
Passed .....	1737, 1738
Enrolled .....	1809
Signed .....	1850

346—Amending section five hundred sixty-five (565) of the code, relating to the appointment of deputy assessors in any township including a city under special charter.	
Received .....	1192
Referred .....	1193
Reported .....	1343

348—To repeal section sixty-nine (69) of the code, and to enact a substitute therefor, providing for a report by the board of parole, also to amend section two hundred ninety-three (293) of the code, relating to the report of criminal statistics to the secretary of state; also amending section four hundred and seventy-five (475) of the code, relating to the report of county auditors, also amending section five thousand six hundred and forty-one (5641) of the code, relating to the duties of the sheriff.	
Received .....	1093
Referred .....	1094, 1095
Reported unfavorably .....	1136
Indefinitely postponed .....	1136
Recalled from Senate.....	1448
Returned by Senate.....	1536
Reconsidered .....	1560
Amended .....	1560
Passed .....	1561
Senate concurs .....	1672
Enrolled .....	1658
Signed .....	1662

349—To appropriate money for the purpose of quarantining injurious insects under the provisions of the law as it appears in sections twenty-five hundred and seventy-five-a forty-eight (2575-a 48) and section twenty-five hundred and seventy-five-a forty-nine (2575-a 49) of the supplement to the code, 1907.	
Received .....	1144
Referred .....	1147
Reported .....	1480
Passed .....	1704, 1705
Enrolled .....	1807
Signed .....	1850

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350—To prevent placing obstructions on the streets, alleys, and highways, and providing a penalty therefor.	
Received .....	1444
Referred .....	1445
Passed .....	1788
Enrolled .....	1812
Signed .....	—
357—To amend the law as it appears in section twenty-six hundred and twenty-seven (2627) of the supplement to the code, 1907, relating to the compensation of the superintendent of public instruction.	
Received .....	1590
Referred .....	1592
358—Prohibiting the giving of immoral plays, exhibitions, and entertainments and the use and leasing of real property therefor, and providing a penalty for the violation thereof.	
Received .....	1444
Referred .....	1445
Reported .....	1551
Passed .....	1777
Enrolled .....	1808
Signed .....	—
359—Repealing section two thousand nine hundred-a-twenty-five (2900-a-25) of the supplement to the code, 1907, and enacting a substitute for the same, relating to the sale of the lands within the beds of meandered lakes.	
Received .....	1093
Referred .....	1190
Reported .....	1190
Passed .....	1640
*Enrolled .....	1657
Signed .....	1662
*Erroneously printed Senate File No. 399.	
361—To amend section three hundred thirty-five (335) of the code relating to the selection of persons to serve as petit and grand jurors and talesmen.	
Received .....	1322
Referred .....	1322
Reported .....	1481
Passed .....	1738, 1739
Enrolled .....	1810
Signed .....	1850
362—To repeal section fourteen hundred fifteen (1415) of the code, relating to the apportionment of taxes by county treasurers and to enact a substitute therefor and to provide for recovery on treasurer's bonds of interest or penalty unapplied.	
Received .....	1250

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Referred .....	1251
Reported .....	1269
Passed .....	1789, 1790
Enrolled .....	1815
Signed .....	—
365—To provide for the payment of a bounty or bounties for the destruction of foxes.	
Received .....	1498
Referred .....	1504
367—Defining the elements of damage that may be proven and awarded where the death of the wife has been caused by the fault of any person, firm or corporation, and providing a remedy in behalf of the husband.	
Received .....	1144
Referred .....	1146
Reported and rereferred....	966
Reported unfavorably .....	1549
Indefinitely postponed .....	1549
369—In regard to admission to the soldiers' home and payment for support by members.	
Received .....	1444
Referred .....	1445
Substituted for House File No. 460 .....	1471
Passed .....	1471
Enrolled .....	1559
Signed .....	1571
370—To enjoin and abate houses of lewdness, assignation and prostitution, to declare the same to be nuisances, to enjoin the person or persons who conduct or maintain the same and the owner or agent of any building used for such purpose, and to assess a tax against the person maintaining said nuisance and against the building and owner thereof.	
Received .....	1192
Referred .....	1194
Reported .....	1201
Passed .....	1686, 1687
Enrolled .....	1808
Signed .....	1850
371—To enable certain cities to improve their water fronts and to levy a tax to pay for such work, and in certain cases to borrow money therefor and issue bonds for such debt.	
Received and referred....	1162
Reported with amendments.	1170
Substituted for House File No. 464 .....	1355
Amendments adopted .....	1355
Amended .....	1355
Passed .....	1356
Senate concurs .....	1463, 1501
Enrolled .....	1558
Signed .....	1571

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372—To amend the law as it appears in section twenty-seven hundred and thirty-four-h (2734-h) of the supplement to the code, 1907, relating to the certification of teachers.	
Received .....	1192
Referred .....	1194
373—To amend section 1056-a-9 of the supplement to the code, 1907, relating to the publication of the state auditor's report of municipal accounts.	
Received .....	1249
Referred .....	1251
Passed .....	1690
Enrolled .....	1716
Signed .....	1718
374—To amend section one hundred and twenty-five (125) of the supplement to the code, 1907, relating to the printing and binding of reports of financial statements of cities and towns.	
Received .....	1249
Referred .....	1251
Passed .....	1788, 1789
Enrolled .....	1812
Signed .....	1812
377—To amend section twenty-seven hundred and eighty-one (2781) of the code, relating to the publication of annual financial statements of independent, city or town districts.	
Received .....	1322
Referred .....	1323
378—Defining the offense and providing a punishment for the inducing of the purchase of intoxicating liquors by persons to whom the sale of such liquor is forbidden by law.	
Received .....	1672
Referred .....	1676
379—To amend the law as it appears in section five thousand seven hundred eighteen-a-eighteen (5718-a-18) of the supplement to the code, 1907, relating to the power of the board of parole to establish rules and regulations governing paroles.	
Received .....	1161
Referred .....	1162
Reported unfavorably .....	1405
Indefinitely postponed .....	1405
Recalled from Senate and rereferred .....	1512
Returned by Senate .....	1712
Reconsidered .....	1701
Passed .....	1786, 1787
Enrolled .....	1810
Signed .....	1810

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380—Providing for acquiring by condemnation proceedings by cities and towns of heating plants, water-works, gas works, electric light or electric power plants, and a mode of procedure therefor, and amending section seven hundred twenty-two (722) of the supplement to the code, 1907.	
Received .....	1322
Referred .....	1323
Passed .....	1736, 1737
Enrolled .....	1809
Signed .....	1850
382—Authorizing the giving of pensions to disabled and retired policemen and the widows and minor children and dependent fathers and mothers of deceased policemen in cities, incorporated towns, and special charter cities having organized police departments, creating a fund from which to pay such pensions and providing for the distribution thereof, creating a board of trustees to care for such pension fund and prescribing their powers and duties and authorizing the retiring from service of policemen under certain conditions.	
Received .....	1466
Referred .....	1467
Substituted for H. F. No. 486 .....	1474
Passed .....	1474
Enrolled .....	1557
Signed .....	1571
383—To amend the law as it appears in section nineteen hundred and eighty-nine-a-twenty-seven (1989-a-27) of the supplement to the code, 1907, relating to drainage bonds, providing for additional levy of tax and sale of bonds in certain contingencies.	
Received .....	1192
Referred .....	1194
Reported with amendment .....	1382
Amendment adopted .....	1604
Passed .....	1604, 1605
Senate concurs .....	1672
Enrolled .....	1699
Signed .....	1715
384—To amend the law as it appears in section seven hundred forty-one-f (741-f), chapter four, title five, of the supplement to the code, 1907, authorizing certain cities to incur an indebtedness for the purpose of constructing a city hall in an amount not exceeding in the aggregate two per centum of the ac-	

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		Received .....	1444
		Referred .....	1445, 1446
		Substituted for House File	
		No. 500 .....	1521
		Passed .....	1521, 1522
		Enrolled .....	1633
		Signed .....	1656
		394—To legalize the action of the independent school district of Marcus, Cherokee county, Iowa, in voting bonds at an election held on the first day of March, 1907, and legalizing the bonds issued by said district under said election.	
		Received .....	1249
		Referred .....	1251
		Reported .....	1404
		Passed .....	1730, 1731
		Enrolled .....	1809
		Signed .....	1850
		395—To legalize certain notices of incorporation.	
		Received .....	1322
		Referred .....	1322, 1323
		Reported .....	1550
		Passed .....	1686
		Enrolled .....	1716
		Signed .....	1718
		396—To amend the law as it appears in section ten hundred fifty-six-a-thirty-six (1056-a-36), chapter fourteen-c, title five of the supplement to the code, 1907, relating to the government of certain cities and the recalling of elective officers therein.	
		Received .....	1500
		Referred .....	1504
		397—Legalizing certain instruments in writing heretofore executed by corporations conveying, encumbering or affecting real estate.	
		Received .....	1287
		Referred .....	1340
		Reported .....	1340
		*Passed .....	1643
		*Erroneously printed Senate File No. 39.	
		399—To repeal section three thousand sixty-eight (3068) of the code and to enact a substitute therefor, relating to the use of private seals by individuals, firms or corporations, and the use of corporate seals by certain corporations in the matter of the execution of written contracts and other instruments of writing.	
		Received .....	1590
		Referred .....	1592
		Passed .....	1651
		Enrolled .....	1698
		Signed .....	1715
		Received .....	1321
		Referred .....	1323, 1324
		Substituted for House File	
		No. 489 .....	1471
		Amended .....	1472
		Passed .....	1472
		Senate concurs .....	1534
		Enrolled .....	1553
		Signed .....	1571
386—To define gift enterprises and to provide a penalty for carrying on the same.		Received .....	1680
		Referred .....	1681
		Passed .....	1731, 1732
		*Enrolled .....	1810
		Signed .....	1850
		*Erroneously printed Senate File No. 286.	
387—To prohibit secret fraternities and societies being formed in the public schools of this state, empowering and making it the duty of school directors to adopt rules and regulations relating thereto and to enforce the same, and making it an offense to solicit pupils to join them and prescribing the penalty therefor.		Received .....	1143
		Referred .....	1146
		Reported .....	1188
		Passed .....	1644, 1645
		Enrolled .....	1698
		Signed .....	1715
388—Providing a method of nominating candidates for certain offices in cities of the first and second class, and those acting under special charters, and repealing section ten hundred eighty-seven-a-thirty-four (1087-a-34) of the supplement to the code, 1907.		Received .....	1591
		Referred .....	1593
391—To prohibit the improper use of milk and cream cans, defining the same and providing a penalty for the same.		Received .....	1681
		Referred .....	1681
		Lost on passage.....	1787, 1788
393—To amend the law as it appears in section four hundred eighty-b (480-b) of the supplement to the code, 1907, relating to the duties of county auditors.			

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 400—In relation to the payment of certain debts by prostitutes; prohibiting the payment of certain debts by labor of prostitutes, and providing for the punishment for the violation of its provisions.  
 Received .....1248  
 Referred .....1250  
 Reported with amendment..1550

401—To legalize the acts of the city council of the city of Ames, Iowa, in contracting an indebtedness during the five years immediately preceeding the passage of this act in excess of the statutory limit of one and one-fourth per cent for the erecting, maintaining and operating an electric light and power plant and water works system and other purposes and not exceeding five per cent constitutional limit of the actual value of the taxable property in said city.  
 Received .....1322  
 Referred .....1323  
 Substituted for H. F. No. 511 .....1414  
 Passed .....1414, 1415  
 Enrolled .....1553  
 Signed .....1571

402—Making appropriations for the construction, repair, improvement and contingent funds for the state hospitals, penitentiaries, industrial schools, sanatorium for treatment of tuberculosis, institution for the feeble-minded, college for the blind, school for the deaf, Iowa soldiers' home and Iowa soldiers' orphans' home.  
 Received .....1497  
 Referred .....1502  
 Reported .....1479  
 Amended .....1602, 1603  
 Passed .....1603  
 Senate concurs .....1714  
 Enrolled .....1809  
 Signed .....1850

403—Making appropriations for the state university, the Iowa state college of agriculture and mechanic arts, and the state normal school.  
 Received .....1496  
 Referred .....1502  
 Reported with amendment..1479  
 Amendment adopted .....1603  
 Passed .....1604  
 Senate concurs .....1714  
 Enrolled .....1809  
 Signed .....1850

404—Providing for the inside finishing and completion of the historical memorial

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 and art building, and making an appropriation therefor.  
 Received .....1498  
 Referred .....1503  
 Reported .....1771  
 Passed .....1784, 1785  
 Enrolled .....180  
 Signed .....

405—Creating the capitol grounds improvement commission and defining its duties and making an appropriation therefor.  
 Received .....1498  
 Referred .....1503  
 Reported .....1771  
 Lost on passage.....1785, 1786

406—To amend section four thousand eight hundred and eleven (4811) of the code, relating to getting off and on cars while in motion, and providing punishment therefor.  
 Received .....1498  
 Referred .....1504  
 Reported .....1552

407—To legalize acts of John Menz as treasurer of Lee county, by reason of deposits of county and other funds in Commercial bank of Keokuk, Iowa.  
 Received .....1835  
 Referred .....1839  
 Passed .....1830  
 Enrolled .....1816  
 Signed .....1853  
 Sent to the governor.....1816

410—Making an appropriation for the farmers' institute of Pocahontas county, Iowa, under the provision of section sixteen hundred seventy-five (1675) of the supplement to the code, 1907.  
 Received .....1497  
 Referred .....1502  
 Reported .....1681  
 Passed .....1704  
 Enrolled .....1807  
 Signed .....1850

413—Amending sections one hundred fifty (150) and one hundred fifty-one (151) of the code, relating to the duties of the custodian of public buildings and property.  
 Received .....1497  
 Referred .....1503  
 Substituted for H. F. No. 629 .....1568  
 Passed .....1568  
 Enrolled .....1633  
 Signed .....1656

414—Authorizing street improvements in incorporated towns having a population in excess of one thousand,

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and providing for the levy of special assessments therefor (additional to title five (V), chapter seven (7) of the code, as amended).	
Received .....	1591
Referred .....	1593
Passed .....	1819, 1820
Enrolled .....	1815
Signed .....	-----
417—To amend section one (1) of chapter one hundred and eighty-three (183) of the laws of the Thirty-first General Assembly, relating to the levy of a millage tax for the state university of Iowa and providing for expenditure thereof.	
Received .....	1590
Referred .....	1592
Passed .....	1687, 1688
Enrolled .....	1717
Signed .....	1718
418—Providing for the removal of appointive state officials, members of boards, members of commissions, commissioners, and persons appointed by the same.	
Received .....	1680
Referred .....	1681
Amended .....	1777, 1778
Passed .....	1778
Senate concurs .....	1833
Enrolled .....	1813
Signed .....	-----
419—To amend section one (1) of chapter one hundred and eighty-four (184) of the laws of the Thirty-first General Assembly, relating to the levy of a millage tax for the state agriculture and mechanic arts and providing for the expenditure thereof.	
Received .....	1590
Referred .....	1593
Passed .....	1689, 1690
Enrolled .....	1717
Signed .....	1718
420—To amend section one (1) of chapter one hundred and eighty-six (186) of the laws of the Thirty-first General Assembly, relating to the levy of a millage tax for the state normal school and providing for the expenditure thereof.	
Received .....	1590
Referred .....	1592
Passed .....	1688, 1689
Enrolled .....	1717
Signed .....	1718
422—Legalizing the ordinances of the incorporated town of Laurens, Iowa.	

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Received .....	1500
Referred .....	1504
Reported with amendment .....	1546
Amendment adopted .....	1643
Passed .....	1844
Senate concurs .....	1672
Enrolled .....	1699
Signed .....	1715
425—To legalize the acts of the board of directors of the school township of Garfield, in the county of Clay, and state of Iowa, appointing the officers therefor, and legalizing the levy of taxes made for said school township in 1898.	
Received .....	1719
Referred .....	1725
Passed .....	1775, 1776
Enrolled .....	1808
Signed .....	-----
426—To amend the law as it appears in section twenty-five hundred ninety-three (2593) of the supplement to the code, 1907, relating to the sale of poisons.	
Received .....	1793
Referred .....	1794
Passed .....	1825, 1826
Enrolled .....	-----
Signed .....	-----
427—To amend the law as it appears in section seven hundred and ninety-one-1 (791-1) of the supplement to the code, 1907, relating to special assessments for sidewalks and street improvements in cities and towns.	
Received .....	1793
Enrolled .....	1794
Passed .....	1826, 1827
Enrolled .....	-----
Signed .....	-----
428—To increase the support funds of the state hospitals in which insane patients are kept.	
Received .....	1793
Referred .....	1794
429—To amend the law as it appears in section 1939-a-14 of the supplement to the code, 1907, relating to proceeding after decisions upon appeal.	
Received .....	1793
Referred .....	1795
Passed .....	1820, 1821
Enrolled .....	1815
Signed .....	-----
430—To amend section twelve (12) of the code, relative to the compensation of the members of the General Assembly.	
Received .....	1794
Lost on passage .....	1795

SENATE BILLS

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432—Appropriating two hundred (\$200) dollars to the Williamsburg fair association under the provisions of section one thousand six hundred sixty-one-a (1661-a) of the supplement to the code, 1907.	
Received .....	1833
Passed .....	1829
Enrolled .....	1813
Signed .....	1853
433—To make appropriations for the payment of state and judicial officers, state and	

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other expenses.	
Received .....	1837
Amended and passed. 1839, 1840	
Senate concurs .....	1837
Enrolled .....	1816
Signed .....	1853
Sent to the governor.....	1816
434—To provide for the general levy for state purposes for the years 1909 and 1910.	
Received .....	1838
Passed .....	1838
Enrolled .....	1816
Signed .....	1853
Sent to the governor.....	1816

SENATE JOINT RESOLUTIONS

No.	
3—Relative to the appointment of a commission to investigate the natural resources and waterways of the state, and defining the duties of such commission and making an appropriation therefor.	
Received .....	1199
Referred .....	1194, 1195
Reported unfavorably .....	1626
Indefinitely postponed .....	1626
4—Providing for the appointment of a joint committee of Senate and House to investigate the subject of the best methods of further regulating and controlling the public service corporations doing business in this state.	
Received .....	1589
Referred .....	1593, 1594
Lost on passage.....	1739, 1740
5—Approving estimates of cost, plans and specifications for completion of buildings and erection of new buildings at the state college of agriculture and mechanic arts.	
Received .....	1720
Referred .....	1725
Passed .....	1821-1823
Enrolled .....	1816
Signed .....	_____

No.	
6—Fixing the number and compensation of employes in the department of state at the seat of government.	
Received .....	1719
Referred .....	1720-1725
Considered .....	1778-1783
Amended .....	1783
Passed .....	1784
Senate refuses to concur.....	1793
House insists .....	1796
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House adopts report and amendments .....	1845, 1846
Enrolled .....	1815
Signed .....	1853
7—Approving estimates of cost, plans and specifications for completion of buildings, and erection of new buildings at the state university.	
Received .....	1833
Referred .....	1838, 1839
Passed .....	1823, 1824
Enrolled .....	_____
Signed .....	_____

## SENATE CONCURRENT RESOLUTIONS

- Appointment of committee on inauguration. Received, 13; House concurs, 14.
- Appointment of joint committee on employees. Received, 13; House concurs, 13.
- Requesting secretary of state to supply each member of Thirty-third General Assembly with a copy of code, code supplement, etc. Received, 15; amended and House concurs, 19; Senate concurs in House amendment, 56.
- Adjournment from Thursday January, 14, until Tuesday, January 19, 1909. Received, 56; House concurs, 56.
- Extending invitation to Hon. Wm. Larabee to address joint convention, Wednesday, January 20, 1909. Received, 95; House concurs, 95.
- Admission of the state institutions to the rights and privileges of the Carnegie foundation for the advancement of teaching. Received, 189; referred, 191; substitute House joint resolution reported, 207. (See House Joint Resolution No. 2).
- Appointment of joint standing committee to visit the several state institutions. Received, 232; House concurs, 232, 233; motion to reconsider filed, 238; amended, 308, 309; House concurs, 309; Senate concurs in House amendments, 350.
- Authorizing the custodian to arrange with some suitable person to conduct a lunch counter in the basement of the capitol. Received, 260; House concurs, 261, 262.
- Adjournment from Friday, February 26 until Wednesday, March 3, 1909. Received, 534; amended and House concurs, 540; Senate concurs in House amendment, 540.
- Memorializing congress to provide by law for improvement of rivers, harbors and waterways. Received, 534; laid over under rule 34, 539; House concurs, 633.
- Holding of joint convention, March 29, 1909, for the purpose of hearing address by Hon. Gifford Pinchot. Received, 1228; House concurs, 1229.
- Holding of joint convention April 2, 1909 for purpose of electing regents of state university and trustees of state normal school. Received, 1374; House concurs, 1375.
- Relative to publication of report of capitol commission. Received, 1496, 1588; House concurs, 1594.
- Requiring certain officers of House and Senate to remain after adjournment to complete work. Received, 1712; House concurs, 1701.



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